

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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 IN THE MATTER OF: :
 : Case Nos.
 FOREST CITY SEFC, LLC : 18-22
 : 19-07
 :
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Thursday,
May 23, 2019

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 18-22 and Case No. 19-07 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- PETER G. MAY, Commissioner (NPS)
- ROBERT MILLER, Vice Chairperson
- PETER SHAPIRO, Commissioner
- MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

- BRANDICE ELLIOTT
- JOEL LAWSON

JENNIFER STEINGASSER, Deputy Director, Development
Review & Historic Preservation

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

HILLARY LOVICK, ESQ.
MAXIMILIAN TONDRO, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from
the Public Hearing held on May 23, 2019.

(6:36 p.m.)

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CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is a public -- two -- we have two public hearings tonight for the Zoning Commission of the District of Columbia.

Today's date is May 23, 2019. My name is Anthony Hood and I'm -- we're located in the Jerrily R. Kress Memorial Hearing Room.

Joining me this evening are Vice Chair Miller, Commissioner Shapiro, Commissioner May, and Commissioner Turnbull. We are joined by the Office of Zoning staff, Ms. Sharon Schellin, as well as the Office of Attorney General, Mr. Tondro and Ms. Lovick.

Office of Planning staff, we have Ms. Steingasser, Mr. Lawson, Ms. Elliott, and from the District Department of Transportation, we have Mr. Zimmerman.

This proceeding is being recorded by a court reporter. It's also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

A notice of both hearings for tonight were published in the D.C. register, and copies of that announcement are available to my left on the wall near the door.

The first hearing that we'll be hearing tonight is

1 Case Number 19-07. The second case will be Case Number
2 18-22.

3 The hearing will be conducted in the accordance
4 with provisions of 11-Z DCMR, Chapter 4, as follows.

5 Preliminary matters, applicant's case, report of
6 the Office of Planning, report of other government agencies,
7 report of the ANC in this case, organizations and persons in
8 support, organizations and persons in opposition, and then
9 we'll have rebuttal and closing by the applicant.

10 The following time constraints for this meeting,
11 the applicant has up to 60 minutes.

12 I don't think we need 60 minutes, but I know there
13 are a number of questions, and then we can hit the highlights
14 and some of the questions that we may have at that point in
15 time. I'll leave that to the discretion of the applicant.

16 Organization five minutes, individuals three
17 minutes. All persons wishing to testify before the
18 commission in this hearing are asked to register at the
19 witness kiosk to my left, and fill out two witness cards.

20 Upon coming forward to speak to the commissioner,
21 please both -- give both cards to the reporter sitting to my
22 right before taking a seat at the table.

23 When presenting, we ask that you would turn on your
24 microphone, first saying your name and home -- first stating
25 your name and home address.

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1 When you are finished speaking, we would ask that
2 you would turn your microphone off so that we no longer get
3 any background noise -- background -- picking up any sound
4 or background noise.

5 The decision of the commission in this case must be
6 based exclusively on the public record. The staff will be
7 available throughout the hearing to discuss procedural
8 questions.

9 Please turn off all electronic devices at this time
10 so not to disrupt these proceedings. Would all individuals
11 wishing to testify please rise and take the oath? Ms.
12 Schellin, would you please administer the oath?

13 MS. SCHELLIN: Yeah, Chairman Hood, before I do
14 that, the applicants have asked if Case Number 18-22 could
15 go first since it's the more complicated case, and they've
16 set up the table and the -- everything for -- to go first on
17 that case, if that's okay?

18 CHAIRMAN HOOD: Unless something changed, I was
19 advised that we had to do 19-07 first. Unless something has
20 changed from five minutes ago when I asked the question, but
21 if it hasn't, then it doesn't matter. We're going to hear
22 either one of them.

23 MS. SCHELLIN: Oh.

24 CHAIRMAN HOOD: Is there -- let me find -- let me
25 consult with counsel first. We could hear without making a

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1 decision. Okay, so we will hear 18-22 first, and then 19-07.

2 MS. SCHELLIN: Okay. If you'd please raise your
3 right hand? And I believe this is for both cases, if you're
4 going to testify for either case.

5 Do you solemnly swear or affirm the testimony
6 you'll give this evening will be the truth, the whole truth,
7 and nothing but the truth?

8 (Witnesses sworn.)

9 MS. SCHELLIN: Thank you.

10 CHAIRMAN HOOD: So, at this time, we will take
11 preliminary matters, but I have one. Is there anyone here
12 who's in opposition of either one of the cases that have been
13 called this evening?

14 (No response.)

15 CHAIRMAN HOOD: Okay, all right. I'm just trying
16 to get a reference on how my night is going to be. Okay, Ms.
17 Ms. Schellin, could you see if we have any preliminary
18 matters?

19 MS. SCHELLIN: Yes. On 18-22, the applicant has
20 proffered some expert witnesses. Jeff Barber for
21 architecture. We did not find him as previously testifying
22 before the commission, or at least --

23 CHAIRMAN HOOD: I don't think --

24 MS. SCHELLIN: Oh, actually, he's very familiar.
25 I don't know why she didn't find him in the list. Craig

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1 Atkins in landscape architecture. And I don't recall seeing
2 him. Has he been here before, too?

3 MR. AVITABILE: At least in Case 16-26 with me.

4 MS. SCHELLIN: Okay, all right. We'll have to get
5 our list updated. And of course, Mr. Andres, we see him a
6 lot.

7 CHAIRMAN HOOD: Sure, I think all of them have been
8 previously accepted. Correct?

9 MS. SCHELLIN: Yeah.

10 MR. AVITABILE: That's my understanding, yes.

11 MS. SCHELLIN: Sorry about that. I'll make sure
12 that we get that updated.

13 CHAIRMAN HOOD: So, certainly --

14 MS. SCHELLIN: And that's the only preliminary
15 matter, so.

16 CHAIRMAN HOOD: Okay. Any objections?

17 We've already considered them experts previously.
18 No objections. So they must have did a good job previously.
19 Okay. All right, anything else, Ms. Schellin? That's it?

20 MS. SCHELLIN: That's it.

21 CHAIRMAN HOOD: Mr. Avitabile, you may begin.

22 MR. AVITABILE: Thank you so much. For the record,
23 David Avitabile with Goulston & Storrs, land-use counsel to
24 Brookfield Properties.

25 On behalf of the applicant this evening, we had a

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1 brief presentation and we're going to tailor it to, I think,
2 three fundamental points.

3 First, an overall kind of presentation of the
4 design building focused on the concept, a response to the
5 issues that have been raised by the Commission of Fine Arts,
6 which is in the record, and then going through the list of
7 items identified by the Office of Planning.

8 In their report, the DDOT report, we submitted a
9 memorandum last week addressing all their issues, and I think
10 we're in agreement with them. I think we've addressed the
11 OP issues as well, but we'll walk through it for the record.

12 So I think with that, to start with the
13 presentation, just to start on where we are. There we go.

14 Of course, we're talking again about The Yards as
15 we were last month, with parcel I. The large bulk of the
16 historic zone has been built out, and it was in the process
17 of being built out, so we are now in the redevelopment zone,
18 which is in the west.

19 We were here last month for parcel I for the first
20 residential building in Yards west, and we're here tonight
21 for parcel G, the first office building in Yards west. Next
22 slide.

23 Yards west generally is organized around this 1 1/2
24 Street spine that we talked about six weeks ago, and it's
25 discussed in the record.

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1 Parcel G here sits on the kind of northeast
2 quadrant of the site, and we go to the next slide, please.

3 Parcel G will sit on a single lot with parcel F to
4 its west, and parcel A to the north. They will be divided
5 up by Quander Street, which runs east-west, as well as the
6 northern segment of 1 1/2 Street, running north-south.

7 Both Quander and 1 1/2 Street are private streets,
8 so this lot operates as a single lot for zoning purposes,
9 similar to last month when we talked about how to the south,
10 H and I are on a single lot.

11 So, with that, I think, first, Toby Millman from
12 Brookfield Properties is going to discuss a little bit about
13 this building and what we're here for this evening, for
14 parcel G as the first office building.

15 Then, Brett Banks from GSA is here to speak about
16 the process, and then Jeff Barber will focus on the
17 presentation.

18 MR. MILLMAN: Thank you David. Good evening. My
19 name is Toby Millman. I'm a senior vice president of
20 development for Brookfield Properties.

21 And as mentioned, when we came before you recently
22 on parcel I, Brookfield is the successor to Forest City,
23 which developed the first half of The Yards.

24 Parcel G represents a critical point in the
25 development trajectory of The Yards, as it is the first

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1 commercial office building to be developed within the
2 Southeast Federal Center master plan area.

3 The introduction of commercial office is a critical
4 step to diversify the mix of uses and bring additional
5 daytime activity to the neighborhood.

6 Given the somewhat challenging climate for office
7 leasing and development, we are very fortunate to have signed
8 a lease with Chemonics International for the entire office
9 component of parcel G.

10 Chemonics is an employee-owned international
11 development company. Its primary customers include
12 governments, businesses, civil society groups and communities
13 located in more than 70 countries.

14 They design and implement solutions to solve the
15 world's most intractable problems, ranging from health to
16 environmental management and democracy in governance.

17 Chemonics is currently headquartered in downtown
18 Washington at 17th and H Streets, where they have
19 approximately 600 employees. They also have another 400
20 employees in Virginia.

21 The development of parcel G will allow Chemonics to
22 consolidate all 1,000 current employees into a single
23 building within the District of Columbia.

24 It would also provide enough space for the company
25 to expand to their anticipated employment of 1,200 people,

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1 providing for a total net increase of 600 new employees
2 working within the District.

3 Beyond these baseline employment benefits,
4 Chemonics is committed to create approximately 400 internship
5 opportunities for D.C. residents over the next ten years, and
6 participate in community activities that will assist
7 inclusive non-profits.

8 Prior to selecting parcel G for their consolidated
9 headquarters, Chemonics was considering sites throughout the
10 Washington area, inside and outside of the District.

11 Ultimately, they chose parcel G because of the
12 opportunity to join the emerging and vibrant Yards
13 neighborhood, and the unique ability to build a signature
14 building that reflects their dynamic mission and their values
15 of openness and transparency.

16 Representatives of Chemonics are here in the
17 audience, should there be any specific questions related to
18 their involvement with the project.

19 We look forward to presenting the building design
20 to you this evening and answering any questions. I'd like
21 to introduce Brett Banks from GSA, who will discuss the
22 design review process to date.

23 As with previous projects in The Yards, we remain
24 committed to working with GSA to continue to refine and
25 improve the project as needed. Thank you.

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1 MR. BANKS: Thanks, Toby. Good evening. I'm Brett
2 Banks, with the United States General Service Administration.
3 As David pointed out, I'm here just to talk a little bit
4 about the process.

5 For those of you that don't know, in 2005, we
6 entered into a long-term development agreement with
7 Brookfield -- previously Forest City -- to develop the 42
8 acres that was previously the Southeast Federal Center that
9 has been rebranded as The Yards.

10 And as part of that development agreement, GSA has
11 the oversight -- the federal oversight and approval of the
12 design process.

13 And as part of that process, we coordinate with all
14 -- many other regulatory agencies here in the District,
15 including the National Capital Planning Commission, the
16 Advisory Council on Historic Preservation, the D.C. SHPO, and
17 the Commission of Fine Arts.

18 We work with those groups to crystallize their
19 comments, and provide them directly to Brookfield as part of
20 this process.

21 And ultimately, GSA provides approval of their 35
22 percent design concept.

23 We've worked with Brookfield on this parcel for the
24 better part of seven or eight months, and most recently,
25 after the Commission of Fine Arts -- where I think we saw

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1 some spirited comments -- we continue to work with them as
2 we had previously, and have made some adjustments to address
3 some of the issues that came up with the Commission of Fine
4 Arts, and some comments that GSA had continually had through
5 the process.

6 So I think you'll hear Jeff talk a little bit about
7 where we were and where we are now. Thank you.

8 MR. BARBER: Thanks Brett. I'm Jeff Barber, a
9 design director and principal at Gensler. Thanks for your
10 time as I explain the design characteristics of our urban
11 plan and building design.

12 As you're aware, about a week ago, we submitted
13 updated drawings. Designs do evolve, and in this case, we've
14 had a chance to take a step back and go back to the original
15 massing idea for the site and to some core principles.

16 A walk through of our design is currently proposed,
17 and then I'll spend a minute outlining what changed between
18 our previous 35 percent design submission and our updated
19 submission that I'm showing today.

20 A core principle of the underlying planning in the
21 Southeast Federal Center is to reintegrate the area into the
22 pattern of the L'Enfant Plan. In this slide, you see the
23 L'Enfant Plan and a modification in the Keily Map of 1851.

24 Notice that what became N Street used to run
25 continuously along the south side of the site, and what

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1 became Quander used to run continuously across the northern
2 edge of the site. Landfill of the canal is another change
3 we see today.

4 Integration to the L'Enfant Plan in this case is
5 accomplished through not only the reintroduction of the New
6 Jersey Avenue and N Street, but also introducing new open
7 spaces, such as Tingey Square, at the intersection of the
8 axial and diagonal components of the plan, as well as
9 enhancing the new urban grid through private streets, such
10 as 1 1/2 Street and Quander Street.

11 Of great importance as well, we now have a
12 condition where N Street stops at its intersection with New
13 Jersey, and then Tingey Street is introduced in an alignment
14 that directly terminates at the eastern face of our site.

15 Our building design will react appropriately to
16 these forces and celebrate this intersection, which is quite
17 unique.

18 I want to describe kind of the building massing
19 through a concept diagram sequence. The first is to imagine
20 that the office building is more of an L shape facing up on
21 N and New Jersey. The uniqueness that -- one of the aspects
22 of the uniqueness of this site, however, is that it has
23 amazing waterfront presence and views.

24 So, we took the major bar and bent it to celebrate
25 the waterfront vista. And then in three, you'll see that the

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1 building has a chance to react to the open space, which is
2 directly to its east, and to the length of Tingey, which
3 terminates its view into the building itself.

4 So, we mirror to increase the massing and to
5 receive that open space coming from the east.

6 Finally, we push down this bar that has rotated out
7 of the northeast corner, and in so doing, we create a grand
8 terrace, and we also respond to the height of our neighboring
9 building to the south, parcel I, which is 110 feet high.

10 You can see the result of this diagramming in the
11 physical model in front of you. I'm going to walk -- would
12 you like a minute? Is that --

13 (Off-microphone comments.)

14 MR. BARBER: Oh, okay. What's not there is the --
15 in the model is the continuation of Tingey Street towards you
16 for a number of blocks. And that is the street that
17 terminates centrally into our block, different from the
18 original L'Enfant Plan.

19 I want to walk through the floor plans. I'll do
20 the upper floors very quickly, but the gray plan is very
21 important in the street, which is the south of our site --
22 is continuous retail, as it is in the master plan as it's
23 expected to be.

24 If you look on New Jersey, the eastern side of our
25 site, the lobby in blue is situated at the termination of the

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1 crosswalk, which is the extension of a sidewalk coming all
2 the way down Tingey.

3 And then the northeast corner is called out as
4 retail or office flex. Chemonics will be taking that space
5 in their lease, and they're going to activate that space.
6 I'll describe that in a minute.

7 We've moved loading and the garage entry to the
8 north on Quander, which is the least important of these four
9 -- this four-sided block.

10 And then we anchor -- working counterclockwise, we
11 anchor the northwest by retail -- potentially office, but the
12 intention is retail. We have an entry just south of that
13 that is the 1 1/2 Street entry, that goes all the way to the
14 core.

15 So during the day, the office building itself can
16 create activity on 1 1/2 Street by coming out that entry.

17 That entry also serves the bike room and the
18 fitness center coming from 1 1/2 Street. Those are two
19 amenities for the building that are actually kind of
20 interesting to see from the street itself, and that will help
21 activate it.

22 So, that constitutes the four faces of the building
23 on the ground floor, providing a lot of activity on each
24 side.

25 The northeast corner, while not fully designed and

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1 programmed yet, is intended to absolutely keep itself open
2 on the eastern side, and the types of areas they will
3 probably have there are a reception and coffee area, a store
4 -- a stage with step seating for presentations, an open
5 interconnecting stair to the second floor.

6 If the -- in the case that they would have enclosed
7 meeting or collaboration spaces, it would be located to the
8 north along Quander, not to the east along New Jersey,
9 keeping that face very active.

10 Here's a number of images about spaces that are
11 office spaces, but are quite open and would interact well
12 with the street. The upper right-hand corner is our office
13 here in D.C., and it's been a lively presence there for now
14 four years.

15 The second floor fills out the entire block.
16 Again, this is the second floor of a two story base. A
17 double story base, and then the building starts to pivot
18 around the northeast corner.

19 When you get above this, it provides these
20 terraces, but it also starts to articulate the swinging arc,
21 the gentle arc that is responding to the forces from the east
22 looking west.

23 That becomes the typical floor up through level
24 nine, and then that level nine terminates at level ten,
25 providing this grand terrace overlooking the water, looking

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1 eastward as well to the historic side of The Yards.

2 One more floor finishes out the building. And then
3 the penthouse does have habitable space in blue, but the
4 majority of the space on the penthouse floor is in gray,
5 which is mechanical space.

6 The roof on top of these -- we've been able to
7 lower the roof on the left-hand area, and by so doing, we've
8 got room under the height limit to put PV panels. We have
9 about 2,300 square feet of those panels, and then the
10 remainder is green roof. We have green roof as well under
11 the PV panels, but that gave us the height to have them in
12 that left side.

13 This is just a compilation of those. The stepping
14 outdoor green spaces, and terraces, as they climb up the
15 building.

16 Consistent with the overall Yards west master plan,
17 the project embraces the challenge of balancing an active and
18 engaged pedestrian realm on the reintroduced street grid,
19 with waterfront oriented building form and design.

20 The project's double story podium defines the
21 street walls around the site, particularly along New Jersey
22 and N Street, to important elements of the L'Enfant Plan.

23 Above the podium, parcel G's nine story tower
24 reinforces the street wall along New Jersey through a
25 sweeping, graceful bend.

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1 This bar inflects in response to the Tingey Street,
2 as well as open spaces, that terminate just in front of our
3 block.

4 The southeastern end of this bar features a
5 distinctive six story window wall that emphasizes the
6 connection between the building and the waterfront.

7 The building's primary office lobby is on axis.
8 It's on axis with and marks this termination point.

9 The building's also stepped down. You can see the
10 terrace at level ten. That is the height of 110 feet, which
11 matches up with our site to the south, parcel I, which is 110
12 feet as well, so that transition has begun on our block.

13 In summary, parcel G's building mass establishes
14 the long diagonal of New Jersey Avenue, while celebrating and
15 resolving the other intersecting corridors from N Street,
16 Tingey Street, Tingey Square, and the Anacostia River.

17 The massing differentiation between the podium and
18 towers creates two experiences. When viewed from the public
19 realm at a distance, the unique orientation and gentle curves
20 of the upper stories create a visual interest and a
21 compelling backdrop befitting the project's prominent
22 location.

23 When viewed at the ground level adjacent to the
24 building, the podium's strong street presence creates a well-
25 defined pedestrian realm balanced with an expansive sense of

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1 sky, enabled by the tower's setbacks.

2 This is a view looking west on Tingey Street. You
3 can begin to see how the sidewalk crosses over the street and
4 lands directly at the building's entry in the first story of
5 the two story base.

6 You can also begin to see what we refer to as the
7 urban window, the six story element at the termination of the
8 inflected bar.

9 This is on New Jersey looking to the southwest.
10 You can see the point at which these inflecting masses start.

11 They start at a common point on the northeast
12 corner. You can see the two story street wall, and then the
13 gentle arc of the curve sitting atop that.

14 Just raising the camera up a bit to understand the
15 relationship of the upper office floors to the two story base
16 and the outdoor spaces provided.

17 1 1/2 Street will be quite unique. This view is
18 taken from the north looking south. And you're on a part of
19 the street that's pedestrian.

20 As it gets to our site, it becomes pedestrian and
21 slow vehicular, and it's going to -- we've purposefully tried
22 to change the scale on that street, so we've kind of pulled
23 out the corner, which will be retail on the ground floor, to
24 try to distinguish its architecture.

25 You also see in the inward bend -- in the elbow of

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1 the inward bend, that the column structure gets a little bit
2 closer, the rhythm tightens up, and is more expressive in
3 that place.

4 This -- well, Office of Planning asked us for a
5 little more clarity around what's happening on 1 1/2 Street
6 and the retail base, so this rendering just gets a little bit
7 closer.

8 Two story expression, a very tall retail
9 experience. You can also see adjacent to the wider precast
10 element, there's the entry mid-block that goes to the
11 elevator core for office users.

12 And then continuing to walk around the block, N
13 Street is really the major retail corridor, and we have
14 retail -- you'll remember from the plan, we have retail
15 across its entire length.

16 We have a wide sidewalk, we have -- we expect
17 activity, and perhaps outdoor seating in this location. So,
18 the extent of N Street is retail end to end.

19 Then we're walking east now and turning the corner
20 up towards New Jersey, where you see the expression of the
21 two story base coming to a blunted point, and the urban
22 window above. Again, all of this is retail turning the
23 corner.

24 And then getting closer to the entry itself, it is
25 -- as I mentioned, it's directly on axis with the crosswalk,

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1 and it sits in a place that feels logical in the two story
2 base for the entry condition, where the entry is denoted by
3 an arching brick soffit above head.

4 Okay, that is the presentation of the major design
5 aspects of the project as it stands. I wanted to just
6 highlight a couple things that changed if you studied the
7 package previously.

8 So, on the right is what we've just described as
9 the building diagram, which we think it has a lot of
10 geometric clarity.

11 I think part of the issue that was taken earlier is
12 the diagram on the left, which was the previous diagram.

13 There is an element that we refer to as the web
14 that was adding additional square footage. We think it took
15 away from the clarity of two bars pivoting from the corner,
16 and caused some confusion about the massing.

17 That then leads into further -- there were further
18 comments, but -- that all sort of revolve around
19 distinguishing the building and its parts.

20 So, on the right is what you've just seen. Single
21 story punched windows through the main body of the inflected
22 bar. On the left, it was double story in each case.

23 We've also reconnected the base so that there's
24 this interesting geometry of things splaying from a starting
25 point. We've also used the spandrel condition, which is

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1 highlighted with a unique metal color, and turned the north
2 face with that as well, so that the base character turns the
3 corner on Quander.

4 This is probably the place where the diagram
5 changed the most.

6 On the right, you'll see the dotted line. That is
7 where that additional web has been removed, going back to the
8 original concept, allowing these to be read as two bars that
9 are splaying one from the other.

10 And we've then filled the corner here, as well.
11 And then, this really is about color and detail and activity.

12 On the right is the new plan, where this dark
13 terracotta kind of color is used to accent the mullions --
14 and on the ground floor and on the second floor, as well as
15 in the urban window.

16 And then getting close up to the urban window
17 itself -- do you want me to keep going or pause? Keep going?
18 Okay.

19 CHAIRMAN HOOD: Keep going, actually. I apologize.
20 I asked Ms. Schellin to help me out, so thank you.

21 MR. BARBER: So, on the urban window itself, we've
22 reportioned it a bit by accenting the two horizontals
23 there, making two stories three times, and the vertical
24 mullions having the same color, this special color.

25 There are materials behind your desk. I'm going to

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1 go through them quickly because of -- skip?

2 MR. AVITABILE: We're happy. I think -- I know
3 that we wanted to focus on the overall building design, and
4 I think particularly the response to how we address the CFA
5 comments.

6 We can walk through the materials as well, if you'd
7 like, or we can --

8 (Simultaneous speaking.)

9 CHAIRMAN HOOD: Why don't we just go ahead? Just
10 ignore the --

11 MR. AVITABILE: Okay, great.

12 CHAIRMAN HOOD: Just ignore the --

13 MR. AVITABILE: All right, go ahead.

14 MR. BARBER: Keep going? Okay. I'm going to go
15 back one slide. This is the base of the building on 1 1/2
16 Street.

17 You'll see on the left this articulation of the
18 northwest corner that we're calling out in a precast. You
19 also see the entry that goes to the elevator core from this
20 side.

21 And then the two stories of base, with the spandrel
22 of a unique color, and the main body of the building is
23 brick. It's a heathered kind of brick pattern. We've got
24 a pallet behind you that's not the final, final, but it's in
25 the general direction.

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1 What you'll see later -- and we have a photograph
2 of that later that we can explain how the patterns are read
3 close up and how it's read farther back.

4 This is a bit of an additional detail on the two
5 story base. As you get to the window, it's framed by a
6 setback in the brick, giving a little bit more character and
7 detail to that.

8 On the upper floors, the two story openings are
9 meant to be clean and somewhat abstract.

10 The spandrel condition is rendered as a darkened
11 metal so that the two story proportion is easily read in the
12 cases where it is two stories. There are some cases where
13 it's one story.

14 And then, a close-up of the extended vertical
15 mullions at the urban window itself, and the frame as it
16 adjoins the brick edge.

17 The setback here is meant to cast shadow and have
18 depth and character, and that's about a two foot five inch
19 setback from the outer face.

20 The -- we're calling it the pavilion, but it's
21 essentially the northwest retail on 1 1/2 Street. We're
22 setting that back, as well, spacing out the thin precast
23 members so that it has a sort of openness in generosity and
24 depth with shadow.

25 And then, a photograph of the main materials. The

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1 main material for the building throughout is a heathered gray
2 brick. It'll be a mix that we can continue to refine.

3 When you see it close up, it has a bit of punch,
4 and when you see it from farther back, it really starts to
5 blend across the building as something with some character.

6 To the left of it is the tone of the precast, which
7 is meant to match up well with the heathered brick.

8 We chose this brick color after looking at all of
9 the buildings that are already built and are about to be
10 built around us, so that we are not the same, but we're
11 complimentary.

12 The glass is generally clear. It should not really
13 have a color to it at all. It's a clear glass and does not
14 have much reflectivity either.

15 And then the two metals -- there's kind of a
16 charcoal gray and the darkened copper is the accent color
17 that you saw in the urban window and the two ground floor
18 stories.

19 This then is just a wrap-up to remember how these
20 material elements coming together, and especially, the sense
21 of this.

22 The heather, when I guess it to scale, should just
23 give some richness to the overall brick pattern, and you get
24 a bit of -- a bit more detail when you get up close to it.

25 A brief note about landscape. First of all, we've

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1 achieved a GAR that is about 50 percent higher than we need.
2 We're going to be about a three instead of two, and we
3 haven't made the final selections of the green roof planting,
4 but you can see that they're extensive, and we do have
5 walking services on each of these terraces, but they're
6 mainly given over to green space.

7 Landscape around the project itself. The main
8 concept is to take the landscape that's already in place.
9 And this monitor went down, but yours did not. ~~Okay~~,
10 so we've taken the landscape that's generally in place coming
11 from the north to the south, and then we've resolved it in
12 front of the front door just by allowing that last precast
13 paver condition to carry on around the corner.

14 So, the planters have finished, the benches
15 actually are in place, as well, and you can see them as --
16 we'll do a close-up in a minute, but they're following the
17 pattern from above, and they're following the pattern that's
18 actually built today.

19 And then getting closer up to it, you can see the
20 location of benches taking that pattern all the way through,
21 one of which lands conveniently close to the front door.

22 And again, using the material pallet that's being
23 used to our north. Thank you.

24 MR. AVITABILE: Right before. Thank you. That's
25 a good segue into the response to the OP items. One of the

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1 items raised in the OP report that came from, I think, the
2 design division was integrating kind of seating and other
3 elements into the New Jersey Avenue side of the building, as
4 well as, you know, activating that street presence.

5 I think as Mr. Barber explained, that the primary
6 retail focus and pedestrian activating focuses of this
7 building are along N Street, which is continuous retail, and
8 1 1/2 Street, which is this kind of sensitively designed,
9 curbless pedestrian character of a street.

10 New Jersey Avenue is a more monumental scale. It's
11 a very wide 160 foot right of way. We have a very wide
12 sidewalk that we're carrying through.

13 But what we did integrate in here was some benches.
14 They weren't in the design that was submitted on the 3, but
15 we integrated them here.

16 They're in line with the inner rows of trees, you
17 can see them on the drawing, and it continues the pattern of
18 the streetscape from the north.

19 And then, of course, this drawing doesn't show it,
20 but earlier drawings -- keep it here -- showed how the uses
21 that we're proposing within that corner of the building will
22 either be retail, or in the near term, as part of Chemonics,
23 will be their kind of ground floor space that is being
24 intentionally designed to be -- to convey activity within the
25 building out to the street between the grand stair, the

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1 coffee lounge, and the -- kind of the area for speaking and
2 engagement.

3 So, I think that addresses that issue. The other
4 items raised in the OP report -- Mr. Barber already showed
5 you the updated close-up 1 1/2 Street rendering.

6 And in the first four items of the OP report, they
7 asked us to verify the building would be certified through
8 the USGBC. It will be -- the proposed conditions that we
9 submitted last week include that as a part of the condition.

10 The second item was additional information
11 regarding the need for flexibility for canopies and signs.
12 We did prepare and include --

13 CHAIRMAN HOOD: Excuse me. Mr. Barber, can you
14 turn? We're getting a little feedback.

15 MR. BARBER: Oh, sorry.

16 CHAIRMAN HOOD: Thanks.

17 MR. AVITABILE: We did include in the full set of
18 materials, submitted both on May 3 and last week, a detailed
19 signage and storefront plan that specifies where we have
20 signage, what type of signage, how tall the signage is, and
21 in -- within that, also where there would be canopies or
22 awnings to help animate the street. Again, what the
23 limitations for that would be.

24 The flexibility that we're asking for here is the
25 same as the flexibility that I'm here with you before on

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1 every mixed-use building that we do.

2 And again, I do want to note that we did
3 specifically include the upper story tenant signage, as well,
4 making sure that we are clarifying exactly what we're
5 proposing.

6 And it is in line with the previous applications
7 the commission has seen.

8 We also -- the next item that OP raised was
9 flexibility. In general, I think regarding the conditions
10 at the time of our May 3 submission, we didn't yet have the
11 detailed flexibility.

12 We submitted that last week as a part of our
13 overall package. That just goes to the typical flexibility
14 that this commission typically grants to vary the final
15 selection of materials within the color ranges proposed, vary
16 other elements.

17 But it -- again, it all, I think, generally fits
18 within the standard flexibility that's requested.

19 And then, the last item that the Office of Planning
20 asked for -- and if we could bring up that drawing, please --
21 was a little bit of clarity regarding the court relief.
22 There we go.

23 So, zoom back out. The full page. Thank you. No.
24 There we go. Thank you.

25 So, the upper story design of the building creates

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1 a couple of open courts around the outer face of the
2 building.

3 Technically, because of property lines, these
4 courts have certain widths that are limited by the property
5 line, though of course, the actual open space between that
6 edge of the building and the next nearest face is much larger
7 because you're reaching out across a street, and in
8 particular, most of these courts comply with the regulations.

9 The only one that does not is open court 4, which
10 is on the northeast corner.

11 But as we've shown that inset image, that is the
12 corner that faces out onto New Jersey Avenue, which itself
13 is 160 feet wide, and then you have in front of the USDOT an
14 open plaza, as well.

15 So I think that that court -- first of all, no
16 court would be required. You could have the building be
17 right out to the face, so recessing it really doesn't create
18 an additional adverse impact.

19 But to the extent that -- that building we have
20 somewhat recessed it -- you have plenty of ample open space
21 provided because of the right away of the street itself.

22 So I think with that, we've addressed the items in
23 the OP report. We did provide, again, I believe last week,
24 a detailed memorandum that went through the items raised in
25 the DDOT report and our response.

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1 I think we've generally responded to and accepted
2 DDOT's conditions, but DDOT's here and can speak to that.
3 So with that, we're happy to answer questions.

4 CHAIRMAN HOOD: Okay. I want to thank you for your
5 -- you all for the presentation. Let's see if we have any
6 follow up questions or comments.

7 Commissioner May.

8 COMMISSIONER MAY: All right, so I see that you
9 made some changes to the design in respond to the Commission
10 of Fine Arts letter, but it's not clear to me that it's fully
11 responsive, and I'm just -- my first question is are you
12 going back to CFA as they have requested?

13 MR. BANKS: We do not intend to go back to CFA.

14 COMMISSIONER MAY: Why not?

15 MR. BANKS: Because we have a memorandum of
16 understanding with the Commission of Fine Arts that they have
17 an advisory approval, where they --

18 (Simultaneous speaking.)

19 COMMISSIONER MAY: They have an advisory approval
20 on everything. Everything that we do, it's always advisory.

21 MR. BANKS: Yes, I know, but we don't have any
22 intention at this time to do that.

23 COMMISSIONER MAY: So then, it falls to us?
24 Because they're -- we're the next step. I mean, ordinarily
25 I would defer to the CFA on any kind of design review.

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1 If they're going to do design review, I'm not going
2 to, you know, call out design issues that I see if you've
3 passed that. But you haven't passed that.

4 You failed it. You failed it miserably. I've
5 never seen a letter that bad. And I've seen more than 100
6 letters from CFA on projects that I've submitted.

7 MR. BANKS: We understand. You know, we believe
8 that over the last 30, 45 days, as a result of not only the
9 Commission of Fine Arts, but direction that we've provided
10 at GSA through our Office of Planning and Design Quality,
11 that they -- that there have been responses, and we're
12 encouraged and pleased with the design development to this
13 point.

14 COMMISSIONER MAY: So then, why didn't you just
15 take it back?

16 MR. BANKS: I -- because I don't think we have the
17 obligation to take it back. And again, so GSA is providing
18 the federal approval here as part of this process. You know,
19 we've taken -- we've -- with Brookfield Forest City, we've
20 developed nine parcels down there.

21 Not every single parcel -- yes, we agree that the
22 letter, you know, had some strong language, but of the --
23 we've had nine parcels go through, and we -- there have been
24 a number of occasions when CFA didn't agree with the National
25 Capital Planning Commission, or vice versa, or that the SHPO

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1 didn't agree with CFA.

2 And so, again, you know, we're pleased with the
3 direction that this thing has moved forward, and we've
4 provided the 35 percent approval from the federal
5 perspective.

6 COMMISSIONER MAY: All right, well --

7 MR. AVITABILE: But --

8 COMMISSIONER MAY: Sorry, go ahead.

9 (Simultaneous speaking.)

10 MR. AVITABILE: One additional point. The CFA
11 review here is different than typical CFA review. Typically,
12 CFA review is either review over federal projects or District
13 projects where they actually have approval authority, or
14 something that --

15 COMMISSIONER MAY: No, they don't have approval
16 authority over those. It's always advisory.

17 MR. AVITABILE: Okay. And then --

18 COMMISSIONER MAY: The only way it's approval
19 authority is a very limited series of, quote, approval
20 authorities, and it's things like memorials.

21 MR. AVITABILE: Right.

22 COMMISSIONER MAY: We have to approve memorials.

23 MR. AVITABILE: Right, but your typical federal
24 office.

25 COMMISSIONER MAY: Yeah.

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1 MR. AVITABILE: You're right. And then, on
2 something like Shipstead-Luce, or where they have
3 jurisdiction there, which is an approval authority and a
4 recommendation on the permit.

5 This is different. They don't have either of those
6 authorities over here -- they did not have either
7 authorities.

8 COMMISSIONER MAY: Right.

9 MR. AVITABILE: The authority that they have, or
10 the agreement that they have -- it's not really authority --
11 is be through the agreement -- the memorandum of
12 understanding that Mr. Banks described.

13 So it is not the typical CFA you go back until
14 there's content.

15 It is a -- you go to them as part of an overall
16 outreach to a number of stakeholders, and everyone gets a
17 point of view, and then GSA decides what to do with that
18 input.

19 And I think you do understand that, I just wanted
20 to make sure that it was clear that it is a little different
21 than our typical posture.

22 COMMISSIONER MAY: And I appreciate that, and I'm
23 aware of that. I know it comes -- it flows from this MOA,
24 and not from any other statutory authorities.

25 However, I don't regard it as any different in

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1 terms of the weight that comes from it, right?

2 The Commission of Fine Arts is unique in many ways,
3 and it provides design guidance across the city on many, many
4 projects, and it is the -- you know, they not only speak with
5 expertise and a statutory authority. In most cases, there's
6 a certain moral authority that goes with it.

7 And I continually argue in the cases that we get
8 reviewed, that even though they are only advisory in our --
9 on our cases, we will not ignore their advice. We will
10 always seek the approval from them.

11 And I think that that's what should be happening
12 here, because that's what -- I mean, and it hasn't been an
13 issue up until now.

14 I mean, most of the time, there's been -- the
15 differences have been small, but this is a really scathing
16 letter.

17 So, I mean, I -- you know, maybe they're okay with
18 what you've done. I don't see that as fully responsive to
19 what you've done. I still see problems with it, and I think
20 even under the -- our regulations, I have enough issues with
21 this that I would not be in favor of this design.

22 I mean, I don't think it's properly responsive to
23 the context, and the -- some of the things that have been
24 done with it are just odd.

25 I mean, some of it is good, and again, I'll admit

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1 that it is improved from what CFA originally saw. But, there
2 are still problems with it.

3 I mean, I really don't understand why you're
4 twisting the building the way you are. It's not responsive
5 to any others -- anything on site that makes sense to me.

6 It's not responsive to the angles of the site. It
7 doesn't -- I mean, and I understand that you're doing
8 something that's a little bit different. And I'm not against
9 things that are different.

10 And there are many buildings that have curves in
11 them, and that create these sorts of courts. And I think the
12 little bit of a bow along New Jersey Avenue is sensible. I
13 mean, I think that's okay.

14 It's just that, you know, you pull back from the
15 corner that is typically the most prominent corner where
16 you'd have a -- you know, a tower or an element that actually
17 does respond to that.

18 Instead, you've backed it off and created a big
19 glass wall. I'm glad that most of the building is brick and
20 not glass.

21 That's one good -- another good thing that you have
22 going for you. And there are multiple things that are --
23 that I think are good about the building.

24 But stepping back like that, and then just putting
25 in the glass wall just is weird. It's just weird.

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1 It doesn't -- it's not responsive to the context.
2 It's not the way buildings are done in Washington.

3 It's -- you know, if you were out in a green field
4 somewhere, maybe it's perfectly fine, but it's not -- it's
5 just -- it's odd in this circumstance.

6 Other moves, like the entrance. The entrance
7 doesn't have any relationship to the rest of the building.
8 It just happens to be where the crosswalk is. It doesn't do
9 anything to announce its presence. The canopy over the front
10 of it is the most minimal thing. I mean, it -- again, I'm
11 used to buildings that say something about entry, other than
12 having a door, which is kind of all you've got.

13 Let's see. What's the building that's across the
14 street to the south? I mean, I know it's not there yet, but
15 it's -- you have something that's --

16 MR. AVITABILE: That's the parcel I building that
17 you all just reviewed last month.

18 COMMISSIONER MAY: Okay, so that's the residential
19 building?

20 MR. AVITABILE: Yes, the residential building.
21 That's correct.

22 COMMISSIONER MAY: Got it. So, there -- the -- you
23 know, the folks who have these great offices with big glass
24 windows looking out across the pumping station toward the
25 river, they're also going to have a view of people's

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1 apartments there, right? And the people in the apartments
2 are going to have views of the people in those offices?

3 MR. BARBER: Yeah, I mean, they certainly will.
4 They're across the street from one another. This actually
5 turns the view on a diagonal so that they'll have less of a
6 direct view of one another.

7 COMMISSIONER MAY: Right, less direct view.

8 MR. BARBER: Yeah.

9 COMMISSIONER MAY: So, what's actually going to be
10 behind the glass there? I mean, those are just offices?
11 Individual offices?

12 MR. BARBER: It's going to be open work station
13 areas. Yeah.

14 COMMISSIONER MAY: Okay. So, what are you going to
15 do to prevent junk being up against the glass?

16 MR. BARBER: The planning is, again, not finished,
17 but generally the planning will suggest that the desks
18 themselves will not be up against the glass, that that'll
19 be a circulation space. And that's the main thing to help
20 solve that.

21 (Simultaneous speaking.)

22 COMMISSIONER MAY: And it's generally open office
23 space, so that works very well.

24 MR. BARBER: It's generally open office, and there
25 are some closed offices, but we don't expect them to ever be

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1 against that edge.

2 COMMISSIONER MAY: All right. Well, that's one
3 smart move having to deal with the glass of that extent. I'm
4 not sold on the brick choice.

5 It seems like an awfully complicated sort of range
6 of bricks, and I don't see why it's necessary in this -- in
7 a facade that's otherwise, you know, strongly punched and has
8 a lot of character to it without that variability of brick.

9 So, and maybe it's just a matter of loading the
10 range a little bit more.

11 It looks better in sort of a glancing light in one
12 of your renderings than it does when you're looking at it
13 head-on because it tends to blend more. So, I would just
14 look at that more carefully.

15 And one other question. The entrance to the bike
16 room is actually off the hallway, as opposed to -- I mean,
17 it has storefront to it, right?

18 MR. BARBER: Yes.

19 COMMISSIONER MAY: And then you -- you walk down
20 the hall and go into it?

21 MR. BARBER: Yeah, it's a bike room that belongs to
22 the building itself.

23 COMMISSIONER MAY: Right, I understand that. And
24 you didn't give any thought to like, having it off the
25 street, or is that not possible?

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1 MR. BARBER: We did talk about it. We ended up on
2 this arrangement such that bike room and fitness were working
3 side by side, so if you bike in and you bring your bike, you
4 leave it there, you go to fitness. It could be -- since the
5 doors are directly adjacent to it for the main hallway.
6 That's just what we used.

7 COMMISSIONER MAY: Okay. That just seems a little
8 complicated to go in and roll your bike in and around the --
9 you know, and up and over, turn around, come back, and be in
10 that space, when it could be a little bit more direct.

11 MR. BARBER: Yep, that could happen.

12 COMMISSIONER MAY: It's -- you know, you wind up
13 with lots of scuffs and bike tracks and stuff like that when
14 it's wet. I mean, it's just -- you know, a straight entrance
15 into the room might be a better thing.

16 MR. BARBER: Okay.

17 COMMISSIONER MAY: But that's not the biggest
18 problem with the building, so. That's it for my questions
19 and comments.

20 I will just say that, you know, there -- a lot of
21 our design review is focused on particular aspects of the
22 building, and I think that you meet a lot of those.

23 But, in particular, 604.7C1, which is developments near
24 District's major boulevards and public spaces should
25 reinforce the existing urban form, and I don't think you're

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1 doing that, so.

2 And I mean, I don't know what to do to fix it, but
3 again, I would suggest that you consider voluntarily going
4 back to CFA and seeking their further advice and approval on
5 this. Thank you.

6 CHAIRMAN HOOD: Okay, thank you. Any other
7 questions up here? Commissioner Turnbull?

8 COMMISSIONER TURNBULL: Thank you, Mr. Chair. I
9 would agree with most of the comments that Commissioner May
10 raised.

11 If you go to page 26 on here, which you did the
12 drawings that you gave us -- I think it's 20 -- I think it's
13 26. I guess I'm looking at this drawing. Maybe I'm looking
14 at a submittal. I guess I'm looking at that sheet.

15 You're looking at the angled wall from New Jersey.
16 Yep. Yeah, you -- I think as Commissioner May said, you
17 know, you've got a strongly punched building, got a strongly
18 punched openings.

19 And that reads there's a certain clarity to that.
20 And I -- you know, and I -- the signage I'm okay with. As
21 you know, I like signage to meet with the architecture and
22 blend with it, not overpower it, so I have no problems with
23 the signage that you're proposing. I think it's fine.

24 But when I'm looking at this drawing that I've got
25 in front of me, I look at this building in the form and I

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1 say, well, it's got a nice, you know, not -- stepping back
2 from what Commissioner May said, what is disturbing, or what
3 just takes away from all of that is the brickwork.

4 The speckled brick, or I'll call it the freckled
5 brick, just makes it so busy that it's almost disturbing to
6 look at. You just feel irritated.

7 It's just -- it's almost too dynamic. It's like
8 it's electric. It's like you have a feeling that all that
9 brick's going to get lit and go back and forth, and it's just
10 -- it's too exciting.

11 It's -- to me, it's not an urban presence meeting
12 with the other buildings. It's just -- I know you say you
13 wanted to get it to stand out, but I think you're asking it
14 to stand out way too much. I think this is just very busy.

15 It's just -- if you go -- let's go to another
16 drawing. If I go to the one that shows the perspective, N
17 Street looking northwest. It's the blowup just of the first
18 floor. Yeah.

19 Again, this sort of reinforces that -- I feel it
20 looks too suburban. It looks like of mall-like, like you're
21 trying to add excitement to something that you don't need to
22 do.

23 I think you had an opportunity with the punched
24 openings and a decent brick.

25 You could have gone with, I think, either soldier

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1 courses over the -- for the headers, or a rowlock course to
2 identify the top of those windows to accent it, and it would
3 reinforce the punched opening and make it feel like it's an
4 urban setting maybe more -- much more elegant.

5 There was an -- I think you've missed
6 opportunities on dealing with the brick. And it is such -
7 - it's a site that demands something interesting with the
8 brick.

9 And I think you had a lot of -- I think just
10 putting a speckled, freckled brick diminishes the
11 character of what you're trying to achieve. And I'll just
12 let it go with that.

13 I think Commissioner May -- I'll stick with
14 Commissioner May's other points. I think, again, you're
15 trying to do a lot with this site.

16 I understand that and I think you've
17 accomplished a lot of it, but I think you've fallen short
18 on a lot of opportunities that you had with trying to get
19 a very intrinsic, basic design with just using -- brick
20 was a good choice.

21 Yeah, I mean, I -- but there are ways to use
22 brick in a very simplified, elegant way that would've
23 reinforced what you're trying to do.

24 Those are my comments, Mr. Chair.

25 CHAIRMAN HOOD: All right, thank you. Mr.

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1 Shapiro?

2 COMMISSIONER SHAPIRO: Thank you, Mr. Chair. I
3 -- so, I just want to say I feel like we're -- we may be
4 moving to some kind of deliberation at the moment, because
5 I find myself in an unusual position of just -- of
6 disagreeing with my colleagues with the architects that
7 we're bookended by.

8 And it's not a position I usually find myself
9 in because I have a -- I tend to hear and tend to agree
10 with where they're coming from.

11 But my experience of this building is quite
12 different. I find the way in which -- it's quite
13 dramatic, and without overstepping its bounds.

14 You know, I like the curves. I love the glass
15 wall. I like the speckled brick.

16 I see -- I think there's sort of a uniqueness
17 to how it's placed, and with that public space, and the
18 wide boulevard, and looking out on the water over the --
19 the power plant, I guess, toward the water.

20 I -- the changes that were made from the CFA, I
21 thought that improved it. When I looked at the old
22 version of it, I got the criticisms.

23 I think that this is a better -- I didn't mind
24 that other version. I think this is a much better
25 version.

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1 You know, and I guess we'll hear more, but I
2 just didn't want to go any farther without saying that I'm
3 quite taken by this, and I think it's also not just
4 dramatic, but I think it's the kind of design that will
5 wear well, too.

6 It doesn't feel like it's going to be dated.
7 It's kind of radical in that way, where it -- I don't
8 know. Yeah, I just -- I have a very positive response to
9 it so I wanted to get that out there.

10 CHAIRMAN HOOD: Vice Chair?

11 VICE CHAIR MILLER: Thank you Mr. Chairman, and
12 thank you for your presentation. Yeah, I would tend to
13 agree, as a non-architect, with my fellow non-architect
14 colleague, Commissioner Shapiro.

15 This is what happens when, you know, you design
16 buildings in Washington by five different agencies. You
17 get five different diverging opinions, and then you end up
18 with something really boring because you just narrow it
19 down to nothing, and that's why we've got a lot of boring
20 buildings in Washington.

21 Though, I -- although, I think we're doing
22 better in recent times. But, yeah, I find it refreshing
23 not to see just another cookie cutter office building, and
24 then a -- and a brick one at that.

25 And I'm sorry, Commissioner Turnbull, I like

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1 the freckles. But, moving away from that, I'll let others
2 talk more about the design, even though this is a design
3 review.

4 I just wanted to compliment you on -- Mr.
5 Millman, on consolidating your -- or getting a tenant
6 that's consolidating Chemonics, their headquarters, in the
7 District of Columbia, and getting 400 new employees who
8 are currently in Virginia, in addition to the 600 who are
9 already here at 17th and H, and 200 more are coming.

10 It's really very exciting to have that kind of
11 office employment in the District, and that consolidation.

12 And the -- is -- are there any -- I wonder if
13 you have any -- are there any incentives that you're
14 offering the employees to move into any of the other
15 Yards' residential projects just to -- or -- and let me
16 also just add onto that question.

17 Do you happen to know what the percentage of
18 the 600 Chemonics employees who are in D.C. right now --
19 what percentage live in the District?

20 MR. MILLMAN: Sure, I'll answer that question
21 first, and there are folks here from Chemonics who can
22 also weigh in.

23 I'm aware of -- and if I -- correct me if I'm
24 wrong for -- the Chemonics folks, that 50 percent of the
25 employees -- the total employment in the Washington area

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1 live in the District of Columbia. And I'm going to turn
2 around to confirm that that's --

3 PARTICIPANT: Yeah, I'm sorry --

4 MR. MILLMAN: Okay. I read that in some
5 materials that were provided to us, so I apologize if that
6 is incorrect, but I did have that information.

7 VICE CHAIR MILLER: That's good to hear.
8 That's a higher percentage than the average employer,
9 including the District of Columbia government, sadly
10 enough.

11 But, we certainly only can capture the income
12 if they live here. So, we're happy that at least half do,
13 and you do have -- but you're not offering any incentives,
14 particularly the -- although, I -- this certainly would be
15 a great live-work opportunity for those employees.

16 MR. MILLMAN: Sure. It's not something frankly
17 we have thought about, but I think it's a great idea to
18 consider.

19 VICE CHAIR MILLER: And I don't know how much
20 vacant residential you have; they seem to get snapped up
21 pretty quickly.

22 MR. MILLMAN: Sure.

23 VICE CHAIR MILLER: I appreciate your
24 responsiveness to all of Office of Planning's
25 recommendations, particularly the inclusion of the

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1 benches, the activation along New Jersey Avenue, and the
2 explanation of that office retail flex space, and how
3 active that will be and will appear on the street because
4 it wasn't apparent when I read the materials initially.

5 But when you discussed it tonight, it certainly
6 will be more active than the normal kind of lobby space
7 that's there, and you showed what they currently have over
8 on H Street.

9 The -- and I appreciate your responsiveness to
10 the DDOT's recommendations. I think you've responded to
11 all of their recommendations, and are implement -- are you
12 agreeing to implement all of them?

13 MR. AVITABILE: Just about. I think there were
14 a couple things where we went back and forth and tweaked
15 on it, but what we submitted reflects our mutual
16 understanding.

17 VICE CHAIR MILLER: Right. And I appreciate on
18 the -- that you did respond to OP's recommendation that
19 you seek certification for that LEED Gold, and we're happy
20 that it's LEED Gold, and that you did add -- I think you
21 added solar panels from the original -- from one of the
22 original versions, so that's always appreciated up on the
23 rooftop.

24 That rooftop habitable space, we're always
25 happy to see that triggering the Housing Production Trust

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1 Fund contribution.

2 What -- it's going to be office space, or used
3 by the office, but what kind of office is it? Is it going
4 to be a conference room, or is it a party room? What?

5 MR. BARBER: It's not entirely just --

6 VICE CHAIR MILLER: It's going to have a great
7 view.

8 MR. BARBER: Yeah, they have a fantastic view.
9 It's one of a couple different levels where they have good
10 views as outdoor spaces, and it's probably going to end up
11 as conference, but it's not finalized yet.

12 VICE CHAIR MILLER: Okay. So that's about it,
13 Mr. Chairman. I think it's an -- you know, I think it is
14 an attractive, unusual design, but I think it's sometimes
15 useful to see unusual and different types of buildings in
16 Washington, and in The Yards.

17 And I think it did pull on -- it did -- it does
18 -- at the same time, I think it does compliment what's
19 around it by use of the brick and other materials. So,
20 that's about it for now, Mr. Chairman. Thank you.

21 CHAIRMAN HOOD: Okay. I think sometimes when
22 we look at these renderings, I think a color copy or
23 whatever copy it's produced on has a lot to do with it,
24 because when I look in your submission and I see the
25 Department of Transportation headquarters, which we voted

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1 on -- well, some of us voted on -- if it had looked like
2 this, I'd have been very upset with myself.

3 Which -- so I think some of it is attributed to
4 the colors in the presentation of whatever copy you're on.

5 Let's go back to the -- I think it was New
6 Jersey Avenue. You showed two versions, one that had the
7 brown, I guess -- whatever that is, across the -- you
8 showed two views.

9 One on the New Jersey and one, I think, on the
10 new Tingey Street. Oh yeah, that one. The -- and I had
11 the name up. The brown area there. What is that called
12 again?

13 MR. AVITABILE: The area with glazing? We're
14 calling that the urban window. Is that what you're
15 referring to?

16 CHAIRMAN HOOD: Yeah, whatever -- what -- I
17 guess it's on Tingey or N -- Old N Street. What is that?
18 What is that called? The brown stuff that's inside the
19 window? What is it?

20 MR. BARBER: Oh, it's metal. It's the aluminum
21 mullions, and then it's got a frame around it.

22 CHAIRMAN HOOD: Aluminum mullions. Why didn't
23 we extend that around on New Jersey and bring it around?
24 Because I actually like that.

25 I think -- first of all, let me just say, I

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1 hear my colleagues who are the two architects, but I've
2 been here long enough that I'm now maybe an architect,
3 too.

4 And so, I kind of like it, but I will say this.
5 I don't take what they say lightly because they've been --
6 we've been doing this -- a lot of times I may disagree
7 with them.

8 I've been here long enough to see it come to
9 fruition and reality, and I say, you know what? Peter was
10 right. I probably will never tell him that, but I say,
11 you know, I think he was right, and I think they're right.

12 So, what I will ask is that we take some of
13 their considerations into --

14 COMMISSIONER SHAPIRO: Which Peter, Mr. Chair?

15 CHAIRMAN HOOD: Well, it's definitely not the
16 one sitting the closest to me, but.

17 (Laughter.)

18 CHAIRMAN HOOD: So, but I'm just saying
19 Commissioner May and Commissioner Turnbull -- and I think
20 some are -- with all the comments, even if we don't accept
21 them all, I think my other colleagues also agree.

22 But I think it's also worth look -- taking a
23 look at them. I actually like what I see. The only thing
24 I'd say is the mullion coming down on the other side.

25 I don't know if that was considered, and that

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1 may exacerbate -- they may be -- say, well, what is he
2 talking about? That looks even worse.

3 So, I just think that that was something we can
4 -- I think -- I don't know what that does for anybody, or
5 if -- I would just like -- really like to see that, if you
6 choose to do something like that, as you're looking at
7 what others have said.

8 But I really like this building. I think it's
9 unique, I think it's different. And I just think it's
10 very classy, but I also want to make sure that I take into
11 consideration what my colleagues have said. The other
12 thing is --

13 Yeah, give them great weight. Yeah, but give
14 all of us some great weight. Okay, so I think we're good
15 on the flexibility issue. I think you've answered my
16 question. I mean, I only had two questions written, so
17 that's it.

18 So, let me ask this, do you think that's
19 something that you would consider? And why didn't you
20 bring it all the way over?

21 MR. BARBER: I actually don't understand the
22 question. I'm sorry, Chairman Hood. Are you talking
23 about those --

24 (Off-microphone comments.)

25 MR. BARBER: Oh, bringing across that side.

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1 Okay.

2 CHAIRMAN HOOD: Yeah, take it all the way
3 around.

4 MR. BARBER: And so, right now the upper body of the
5 building is kind of seen as the normal part of the
6 building, and it's got a charcoal gray mullion.

7 And then we chose these two expressive parts,
8 the urban window itself, and the two story base, to
9 introduce a more vibrant color. So, it's meant to be the
10 -- sort of the specialized color. So.

11 CHAIRMAN HOOD: I still don't -- maybe -- I
12 don't understand what we're trying to achieve here by not
13 bringing that all the way over. I really don't. To me,
14 it looks like it's incomplete.

15 MR. BARBER: Just sort of use it as the
16 consistent color, you mean?

17 CHAIRMAN HOOD: All the way across. I mean, I
18 think the look and the perspective -- the way it looks, I
19 think it really adds to the building, it doesn't take
20 away.

21 So, that's the reaction you get when you have
22 five people up here, not to mention the other CFA and
23 everybody else, so you -- I have to agree with the vice
24 chair. You do have a heavy lift sometime.

25 But I would just ask that we look at that. I

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1 don't know what my other colleagues feel about that, but I
2 think it goes -- it doesn't detract from the building, as
3 far as I'm concerned. I think it adds to it. But I'm --
4 you know, it's not a showstopper for me.

5 MR. BARBER: Thank you.

6 CHAIRMAN HOOD: But I would just ask that we
7 look at it.

8 VICE CHAIR MILLER: I think it would give some
9 cohesion and --

10 CHAIRMAN HOOD: Thank you, Vice Chair.
11 Commissioner Shapiro?

12 COMMISSIONER SHAPIRO: So, I just want to
13 understand what you're suggesting in your view.

14 You're saying that you want -- do you want the
15 color of the mullions carried around, or do you want this
16 design look, so it -- so what's along this side is no
17 longer basically brick, but that's all?

18 CHAIRMAN HOOD: That's what I want. I want it
19 right in there.

20 COMMISSIONER SHAPIRO: So, you want that side
21 to look just like that front window?

22 CHAIRMAN HOOD: I want this -- right. Carry it
23 right over there. Just like -- yeah, the -- this brown
24 area.

25 Oh, I'm not on the mic. This framing area,

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1 which is a mullion, to come over here where this blue area
2 is.

3 COMMISSIONER SHAPIRO: I got you. I don't
4 think I like it, but I got you.

5 CHAIRMAN HOOD: Matter of fact, anyway, I
6 should not -- I shouldn't have gave you the mic. Okay, so
7 anyway, I just asked you this. Okay. All right, that's
8 all I have. Any other follow up questions up here?

9 (No response.)

10 CHAIRMAN HOOD: Okay. Let me ask this, though,
11 Mr. Avitabile. You heard Commissioner May mention about
12 going back to CFA, and I know GSA has their own way of
13 doing things.

14 Is that something that you may be -- that GSA
15 would probably be interested in doing?

16 MR. BANKS: Again, I think at this time, we're
17 not interested in doing that. We have their comments from
18 them.

19 I think over the past month and a half we have
20 spent no less than 15 meetings together with Brookfield
21 talking about those comments. We had our own set of
22 comments in response to CFA. And so, I think we have a
23 complement of comments from CFA.

24 As I mentioned before, you know, we're very
25 respectful of those comments. We -- on -- from the

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1 federal side, we take all of our stuff through there, so
2 we understand what Commissioner May is saying.

3 But I think we have a complement of their
4 comments. This is a 35 percent design. They're going to
5 continue with design development. They've committed to
6 continue to work with us, and so, again, I think we have
7 the comments that we need from CFA at this point.

8 CHAIRMAN HOOD: Okay. All right. I'm not
9 going to belabor. That's all I have. Let me see. Let's
10 go to -- is anyone here from the ANC?

11 (No response.)

12 CHAIRMAN HOOD: Do you have any cross-
13 examination?

14 MR. DANIELS: No sir.

15 CHAIRMAN HOOD: Okay. Well, you can still have
16 a seat. I don't think we'll have a whole lot of people
17 coming to the table tonight.

18 Let's go to the report of the Office of
19 Planning, and then the report of District Department of
20 Transportation. We'll go to Ms. Elliott and then Mr.
21 Zimmerman.

22 MS. ELLIOTT: Thank you, Mr. --

23 CHAIRMAN HOOD: Oh, I'll wait until -- I'm
24 sorry. No, I'm sorry. Since you don't like what I -- I'm
25 sorry. Go ahead, Office of Planning.

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1 Well, he asked me, could they introduce
2 himself? Well, I'll get your name later, because he asked
3 me now, and he doesn't agree with what I said about
4 bringing it all the way over, we're going to go to the
5 Office of Planning and DDOT.

6 MS. ELLIOTT: Thank you Mr. Chairman and
7 members of the commission. The Office of Planning stands
8 on the record of our report.

9 I do note that there were a few outstanding
10 issues that we've listed on page 1, and the applicant has
11 sufficiently addressed those, so I'm happy to answer any
12 questions you have. Thanks.

13 CHAIRMAN HOOD: Thank you Ms. Elliott. Mr.
14 Zimmerman?

15 MR. ZIMMERMAN: Good evening Chairman Hood and
16 commissioners. For the record, my name is Aaron Zimmerman
17 with the District Department of Transportation.

18 The applicant has acceptably responded to the
19 comments in the DDOT report, and we have come to an
20 agreement on both the transportation demand management and
21 loading management plans.

22 These are documented in the draft conditions,
23 which are on the record as Exhibit 22A.

24 So with these conditions included in the final
25 zoning order, DDOT has no objection to the approval of

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1 this design review application, and we look forward to
2 continuing our close coordination with the applicant on
3 permitting for parcel G, as well as development of the
4 remaining parcels throughout The Yards. Thank you.

5 CHAIRMAN HOOD: Okay, thank you both. Let's
6 see if we have any questions of either Office of Planning
7 or DDOT.

8 Okay, I don't see any questions. Does the
9 applicant have any questions? You can now introduce
10 yourself, and we'll see if you have any questions.

11 MR. DANIELS: Thank you, and thank you
12 commissioners. My name is Edward Daniels.

13 I'm the ANC 6D07 commissioner, and I'm here
14 representing ANC 6D, Navy Yard Capitol Riverfront,
15 Southwest Waterfront. It's a pleasure to actually put a
16 face with your name because I've seen it on paper so many
17 times.

18 CHAIRMAN HOOD: Yeah, but what did that say
19 when you saw it on paper?

20 (Laughter.)

21 MR. DANIELS: Oh, I mean, I just -- seeing it
22 on so many zoning letters, but you know, only good things.
23 But I just wanted to -- we're here to support the project.

24 We saw this design on -- at our April 8
25 meeting, and it was a 6-0-0 vote in support of the design

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1 of the project.

2 I also happen to live in a Brookfield property
3 just a few blocks away from this project, and I have to
4 say that when it comes to Brookfield, one thing that they
5 don't do is design boring projects.

6 Coming -- having lived in the suburbs of D.C.
7 for a number of years -- I've been downtown for 16 years -
8 - a lot of the buildings that are down in the Navy Yard
9 Capitol Riverfront area are some of the most unique
10 buildings in the city, including D.C. Water's new office,
11 and a number of other residential buildings that are down
12 there right now.

13 So, when I relayed to residents that we'd be
14 losing a number -- a lot of green space where this
15 property currently will be built, the first response was,
16 oh no, but then when they saw -- when residents saw the
17 actual project, their response was, oh wow.

18 So, this received tremendous support from the
19 ANC as a unique commercial building in that redevelopment
20 zone.

21 CHAIRMAN HOOD: And you're a commissioner?
22 What's your name again?

23 MR. DANIELS: Oh yes, Edward Daniels.

24 CHAIRMAN HOOD: Oh, Commissioner Daniels.

25 Okay.

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1 MR. DANIELS: Yes.

2 CHAIRMAN HOOD: You're in 6D07?

3 MR. DANIELS: 6D07.

4 CHAIRMAN HOOD: Okay, great. Commissioner
5 Daniels, did you have any questions of either Ms. Elliott
6 or Mr. Zimmerman?

7 MR. DANIELS: No, I don't think so. We -- I
8 think we reviewed some of the transportation study of --
9 the transportation work around this project as well, and I
10 don't think we had any kind of questions from our ANC
11 meeting or the commission.

12 CHAIRMAN HOOD: Okay, sounds good. Just hold
13 your seat. I appreciate it. Are you a new commissioner?

14 MR. DANIELS: I am.

15 CHAIRMAN HOOD: Oh, okay. How long have you
16 been with us?

17 MR. DANIELS: Since January, was the swearing
18 in. Yeah.

19 CHAIRMAN HOOD: Oh okay. How do you like it?

20 MR. DANIELS: A lot of work, a lot of emails, a
21 lot of issues that I can help with, a lot of things that I
22 absolutely cannot help residents with. But it's been
23 great. It's been rewarding so far.

24 CHAIRMAN HOOD: Good. Well, thank you for your
25 service. We appreciate it.

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1 MR. DANIELS: Thank you, thank you.

2 CHAIRMAN HOOD: But hold your seat. Let's see.
3 Where am I? Okay, did we have any other agencies that --
4 well, I think we spoke about DDOT as well. And we got the
5 report from GSA and, as Commissioner May had mentioned, by
6 already CFA. Any other reports than those that we have
7 not mentioned?

8 I think the OP report summarized DOEE's
9 comments.

10 CHAIRMAN HOOD: DOEE. Okay, good. All right,
11 so do we have any organizations or persons who are here in
12 support who would like to testify?

13 (No response.)

14 CHAIRMAN HOOD: Let me go back. So, you
15 finished with your report. You've given us the answer?

16 MR. DANIELS: Yes, yes.

17 CHAIRMAN HOOD: Okay, great. Do we have any
18 organizations or persons who are here in opposition?

19 Any organizations or persons who are here
20 undeclared?

21 Okay, if everything is clear up here, let's go
22 to -- do you have any rebuttal, Mr. Avitabile? Okay, we
23 have one question first. Your question?

24 VICE CHAIR MILLER: Yeah, I had one question I
25 meant to ask. Thank you, Mr. Chairman. And I think the

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1 DDOT report made a reference to this.

2 The third metro station -- Metrorail station
3 that's going to be built, I guess closer to north there,
4 the parcel A -- on parcel A, do you have any sense of the
5 timing of when parcel A is going to be developed, or when
6 that metro station is going to be developed?

7 That's an obligation that you have, right, as
8 the arts developer?

9 MR. AVITABILE: So, our obligation is to work
10 with WMATA and make sure that our building -- anything we
11 do accommodates their entrance, so when we get to the
12 point that we're starting to actually design that
13 building, to make sure we're working with them to
14 understand what their plans are.

15 Conversely, you know, if they start working on
16 the actual design of that entrance, we'll -- you know,
17 we'll work with them as well to figure out how we fit.
18 That's what the obligation is, it's to coordinate with
19 them on design.

20 VICE CHAIR MILLER: And do you have any sense
21 of the timing of the development of -- or the design of
22 parcel A, or the timing of the development of that?

23 MR. MILLMAN: Not yet. It's not one of the
24 next phases we're working on.

25 VICE CHAIR MILLER: Okay. And DDOT did say

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1 that they would like you to be coordinating with them as
2 well, prior to the design stage, so I'm sure you will be
3 doing all that coordination.

4 So -- because you have a lot of coordination to
5 do in that area.

6 CHAIRMAN HOOD: All right. Okay, Mr.
7 Avitabile, do you have any rebuttal or closing?

8 MR. AVITABILE: Can you give me two minutes,
9 please?

10 CHAIRMAN HOOD: Sure. I'll tell you what, I'll
11 give you three minutes.

12 MR. AVITABILE: Thank you. Even better.

13 CHAIRMAN HOOD: And we'll just hold off for
14 three minutes.

15 MR. AVITABILE: Thank you.

16 (Whereupon, the above-entitled matter went off
17 the record at 7:49 p.m. and resumed at 7:56 p.m.)

18 CHAIRMAN HOOD: Okay, Mr. Avitabile?

19 MR. AVITABILE: Thank you very much. We
20 appreciate the dialogue tonight and I think it's been very
21 helpful. We are certainly going to continue to study the
22 building design.

23 I think we heard some very good and helpful
24 feedback tonight about the materiality of the building,
25 both the character of the brick, and perhaps the -- as

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1 Chairman Hood was suggesting, whether brick versus the
2 curtain wall would be appropriate in certain locations.
3 And so, we'll certainly look at that.

4 What I did want to make sure that we did on the
5 record while we're here and while we can have a dialogue
6 about it was, one, go specifically to the design review
7 standard that Commissioner May identified about the urban
8 context and framework, and how we're -- we believe that
9 we've met that test.

10 And also, talk a little bit about some of the
11 detailed studies that we did do in connect -- in
12 conjunction with GSA to study some of the specific CFA
13 comments.

14 I don't -- I know we addressed at the overall
15 massing, but I don't think we gave ourselves credit for
16 the amount of study that we did. And so I just wanted to
17 make sure that we presented that to share some of that
18 thoughtfulness. So, Jeff?

19 MR. BARBER: Thanks, David. The slide that's
20 up right now -- there was a comment from CFA that, you
21 know, maybe the base is too short.

22 And so, we studied a three story base and this
23 is the result of that. This and the next page. And
24 that's New Jersey.

25 When we shared that with GSA, there was a very

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1 quick and resounding feeling that that was not an
2 improvement, that we were already -- that we were holding
3 New Jersey and N appropriately with the two story base,
4 and that this changed the proportion in a way that was not
5 desirable.

6 So, that was the study. It was -- we
7 definitely accomplished it after hearing from CFA.

8 Another study we did, they wondered if the
9 color of the base should be different. Do we have that
10 slide? Yeah, there. Okay, so they mentioned, should it
11 be lighter?

12 So we studied that as well -- and forget for a
13 moment whether it's heathered or not heathered -- but to
14 apply a lighter color to the brick base.

15 That also was quickly rejected by GSA as
16 feeling too dissimilar from the building, and it started
17 giving the building a reading that the upper stories sat
18 on top of a platter of some kind, instead of being an
19 integrated building from bottom to top.

20 What you do get with the common brick currently
21 is that it allows the sculptural form, but it's integrated
22 in its color and its texture from bottom to top.

23 I want to go back maybe to the urban diagram,
24 which was the -- about the fourth slide in the main deck.

25 I spent some time trying to explain how we

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1 think that we have met the L'Enfant Plan and met the
2 notion of the street wall at the pedestrian level, and yet
3 still provided from a distance the interesting views that
4 take account of these axial relationships that don't exist
5 when the grids bypass the building.

6 So, this axial relationship of Tingey, the open
7 spaces of Tingey Square sitting right in front of the
8 building.

9 Back one. Yeah. We -- we've reacted to those
10 in a way above the base. So the base holds the corners,
11 it holds the edges, it holds New Jersey Avenue and N
12 Street, we think appropriately.

13 When we tried to grow that base, if it was not
14 enough to feel like it held it, that was ill-proportioned.
15 So, we believe that we have been able to meet the criteria
16 of the L'Enfant Plan, and at the same time, have a more
17 expressive upper part of the building.

18 MR. SHIREY: Along those lines -- pardon, David
19 Shirey of Brookfield Properties -- one of the comments
20 that we heard that Jeff -- Mr. Barber and his team have
21 responded to, and as he alluded to, is that implicit in
22 the stepping of the building in -- is the adjustment of
23 the form relative to the scale.

24 COMMISSIONER SHAPIRO: Excuse me. Can you
25 bring the mic closer to your face? Thank you.

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1 MR. SHIREY: Apologies. Implicit in the
2 comments that -- some of the comments that were received
3 regarding the maintenance of -- street wall maintenance of
4 urban form, as well as the neatness of the site, is that
5 that form may have a different character at various
6 scales.

7 There is dialogue regarding the activity of the
8 street, regarding the propriety of maintaining street
9 wall, and maintaining an active right of way in
10 streetscape.

11 There's also the dialogue of urban form
12 relative to its context, and I think to Mr. Barber's
13 point, this context is unique in several different ways.

14 As one of the waterfront redevelopment sites in
15 the District of Columbia -- not that it is exclusive in
16 that capacity -- there is an opportunity to maximize and
17 take advantage of views, which is one of the key
18 principles underlying The Yards' redevelopment as a whole,
19 especially here in the redevelopment zone.

20 MR. AVITABILE: And I think the last thing I'll
21 mention is, part of the challenge -- but also the
22 opportunity here -- that is created by the zoning plan for
23 the Southeast Federal Center is that we have the
24 opportunity to go to 130 feet, but we're doing so only
25 with a 7 FAR.

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1 Most of the areas of the city where you go to
2 that height, you have a 10 FAR or larger. So, you end up
3 with a bulkier form.

4 The intent of this zoning was to create exactly
5 this opportunity for a sculptural building and
6 opportunity, and I think that's another piece of the
7 challenge here in how we arrive where we've landed.

8 So I think -- I don't know if we have anything
9 else to add, but I think -- we just wanted to make sure
10 that we shared that while we had an opportunity to
11 continue to have a dialogue about it. Thank you.

12 CHAIRMAN HOOD: Okay. Commissioners, any
13 follow-up questions to what we just heard?

14 (No response.)

15 CHAIRMAN HOOD: Commissioner Daniels, do you
16 have any cross-examination or anything you just heard?

17 MR. DANIELS: No.

18 CHAIRMAN HOOD: Okay. All right. So I guess,
19 Ms. Schellin, we need to close this one out and see if we
20 need anything, or ask for anything before we move to the
21 next case.

22 MS. SCHELLIN: I think Mr. Lewis was taking
23 lots of notes, so any documents that need to be provided,
24 if they could be provided by the 30 of May. And if the
25 ANC choose --

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1 COMMISSIONER MAY: Can I step in just a second,
2 Ms. Schellin? Did we ask for anything?

3 MS. SCHELLIN: I think that Mr. -- Commissioner
4 Miller asked them to take a look at something, and I think
5 Commissioner May did.

6 I think it was more or less comments to take,
7 you know, looks of things.

8 COMMISSIONER SHAPIRO: Study the materials.
9 There were other --

10 VICE CHAIR MILLER: I did not ask for anything,
11 but Commissioner May might have.

12 COMMISSIONER MAY: I didn't ask for anything.
13 Mr. Avitabile smartly said that they're going to study
14 some of the issues that we raised. And I would like to
15 understand the results of that study.

16 CHAIRMAN HOOD: Thank you.

17 COMMISSIONER MAY: Thank you, Mr. Chair.

18 CHAIRMAN HOOD: So, you just discounted my
19 requests about going over -- but anyway.

20 COMMISSIONER MAY: That was one of the --
21 (Simultaneous speaking.)

22 MR. AVITABILE: That was actually one of the
23 things I specifically said. That was one of the specific
24 things that we will study.

25 CHAIRMAN HOOD: Okay. All right. Now, I was

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1 really messing with my colleague.

2 MS. SCHELLIN: Is a week going to be enough
3 time, or do you need to go on for the June -- the second
4 meeting in June? I mean, with architectural changes, you
5 might need a little more time than that then. First
6 meeting?

7 Okay, so May 30. And if the ANC chooses to
8 respond, they have until June 6. If OP or DDOT want to
9 respond, they also have until June 6 to do so. And are
10 you going to be able to do a draft order by May 30?

11 Okay. And then we can put this --

12 MR. AVITABILE: Mr. Lewis isn't going to the
13 beach this weekend.

14 MS. SCHELLIN: That's what I figured. We'll
15 put this one -- that's why I was looking at him and not
16 you. And so, we'll put this one for June 10 at 6:30 for
17 consideration of final action.

18 COMMISSIONER TURNBULL: Don't mess around with
19 Avitabile, god.

20 MR. AVITABILE: I'll be there right with him.

21 MS. SCHELLIN: He'll be at the beach. And
22 that's it.

23 CHAIRMAN HOOD: Okay, so we don't have any --
24 we're good on this case. Let's go. I would like to just
25 incorporate the opening statement.

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1 I think I did mention Case Number 19-07, as
2 well as 18-22, I believe, in my opening statement, so now
3 we will go to Case Number 19-07. Ms. Schellin, do we have
4 any preliminary matters?

5 MS. SCHELLIN: Proffered expert witnesses.
6 Will Tess, or is it T --

7 MR. TEASS: Teass.

8 MS. SCHELLIN: Teass. Architecture, and I'm
9 afraid to say we didn't have him on the list. He doesn't
10 look familiar, so I don't think he's been before the
11 commission before.

12 MR. TEASS: I haven't.

13 MS. SCHELLIN: He has not. Yeah.

14 COMMISSIONER MAY: He's been before BZA before.

15 MS. SCHELLIN: So, if the commission would
16 consider him?

17 CHAIRMAN HOOD: Okay, his resume is Exhibit
18 10B. Let's look at Mr. Teass. And we do have Mr. Andres.
19 We already have previously accepted him. I'm not sure
20 he's coming up in this case. Is there anybody else?

21 (No response.)

22 CHAIRMAN HOOD: Okay, so let's go with Mr.
23 Teass. Exhibit 10B.

24 COMMISSIONER MAY: Mr. Teass, were you
25 qualified at BZA as an expert?

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1 MR. TEASS: Yes, I have been qualified at the
2 Board.

3 COMMISSIONER MAY: That's what I thought.
4 Thank you. I don't see any reason to do anything
5 different here.

6 CHAIRMAN HOOD: All right, so we're all fine
7 with Mr. Teass? I believe I'm pronouncing that correctly,
8 right? Teass?

9 MR. TEASS: Teass, yeah.

10 CHAIRMAN HOOD: Teass. Okay, Mr. Teass. Okay,
11 so we will proffer him as expert.

12 MS. SCHELLIN: And Mr. Andres, of course.

13 CHAIRMAN HOOD: Yeah, Mr. Andres, yeah. I
14 mentioned -- we'll keep him in the status. Okay, so Mr.
15 Teass.

16 MS. SCHELLIN: Other than that, no other
17 preliminary matters.

18 CHAIRMAN HOOD: Okay. All right, so we will do
19 that, and let's move right into this. Oh, okay, so you --

20 MR. LEWIS: It's a line change.

21 CHAIRMAN HOOD: Oh okay. All right. So let's
22 go. All right. It's different -- the different -- let me
23 see how many people I see. I see two that were at the
24 table last time. Okay. All right.

25 MR. LEWIS: I switched seats.

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1 CHAIRMAN HOOD: You switched seats? Okay. All
2 right, you may begin. All right.

3 MR. LEWIS: Good evening commissioners. Thank
4 you. My name is Dave Lewis, land-use counsel for
5 Brookfield Properties from Goulston & Storrs. And we'll
6 keep our presentation very brief this evening.

7 We're here seeking approval of the relocation
8 of the Trapeze School, which is currently on parcel G --
9 which was subject to the last hearing -- moving it to
10 parcel E4.

11 If you could move to the next slide. Parcel E4
12 in The Yards, and just for context, that's in the very
13 northeast corner of The Yards, adjacent to the active
14 naval installation, both to the east and the south.

15 And the main point that I want to convey to you
16 all is that this is an interim use. It's been in its
17 current location for about five years. Before that, it
18 was on parcel O in The Yards for a number of years.

19 And the plan now is for it to be on parcel E4
20 for a period of five years, subject -- or, you know,
21 pending the approval of this application. I just wanted
22 to mention that we've met with the Navy.

23 The Navy had some comments about the design in
24 relation to its security protocols. We tweaked the design
25 accordingly, and they're satisfied with the results.

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1 OP and DDOT are satisfied. We had a couple
2 comments from OP. I just wanted to raise -- mention
3 those.

4 COMMISSIONER SHAPIRO: Sure, can I jump in real
5 quick?

6 MR. LEWIS: Sure.

7 COMMISSIONER SHAPIRO: Do you have anything in
8 writing from the Navy?

9 MR. LEWIS: I do. I do have an email. If you
10 want me to bring it up, I can.

11 COMMISSIONER SHAPIRO: Sure.

12 CHAIRMAN HOOD: So, Mr. Lewis, have you ever
13 presented in front of the Zoning Commission before?

14 MR. LEWIS: Yes sir. I did parcel L1 in The
15 Yards, which is a hotel building. And --

16 CHAIRMAN HOOD: Was I here?

17 MR. LEWIS: I believe so. It was in June of
18 2017.

19 COMMISSIONER MAY: Did we like you?

20 (Laughter.)

21 CHAIRMAN HOOD: No, I was just -- I thought
22 tonight was your first time. I mean, not to them -- I
23 just never -- I don't remember. But if it didn't happen
24 last week, I probably wouldn't remember.

25 COMMISSIONER MAY: No, this is his second time

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1 -- was when we can give him a hard time.

2 CHAIRMAN HOOD: Oh, oh okay. All right.

3 MR. LEWIS: You guys gave me a hard time last
4 time. You fully -- I've been fully hazed.

5 I do have a letter from the Navy. I'll bring
6 it up in a minute. I just wanted to respond to OP's
7 comments. They ask to clarify the pedestrian connection
8 from the existing sidewalk network on Tingey Street. If
9 you could go to the site plan.

10 So, we added clarity about the sidewalks and
11 the crosswalks. OP also asked for more information about
12 the colors and materials. If you could just go to the
13 elevation. Yeah, that one.

14 It's the same color and materials that you see
15 today, and parcel G is the proposal for the new building.

16 And OP asked for additional information about
17 the flexibility requested, with respect to canopies,
18 doors, windows, that kind of thing. And we think that's
19 the standard sort of flexibility language you all have
20 seen and approved on numerous occasions, and we'd ask that
21 you approve it again for this project.

22 We're happy to rest on the record, other than
23 that, and answer any questions you all might have. Thank
24 you.

25 I should just say, with me tonight are Will

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1 Teass, the architect, Michael Odum from Brookfield, Toby
2 Millman from Brookfield as well, and Brett Banks from GSA.

3 All right, do we have -- okay. We don't have
4 anybody from the Trapeze School.

5 CHAIRMAN HOOD: Okay. All right, thank you Mr.
6 Lewis and others who are with him on his team. Let's see
7 if we have any questions or comments.

8 COMMISSIONER MAY: Question.

9 CHAIRMAN HOOD: Commissioner May?

10 COMMISSIONER MAY: Yeah, so I mean, is this
11 essentially the same building that's being relocated, or
12 is -- it's being replicated? Is that what is happening?

13 MR. TEASS: Correct, yeah. The building will
14 be replicated at the new location. The original plan was
15 to dismantle it and move it over.

16 The challenge there is it takes four to six
17 months to do that, during which time the Trapeze School
18 would be out of place to operate, and so it actually is
19 more cost-effective to construct a new building, but we're
20 matching the design.

21 A couple modifications. As you can see in this
22 particular view, there's a polycarbonate window that faces
23 north and south in the current configuration.

24 It turns out that that's not conducive in the
25 inside to glare, and so we've moved those windows to the

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1 east and west facades, but the patterning and materials
2 will be identical.

3 COMMISSIONER MAY: Okay. And the height is the
4 same as it was before?

5 MR. TEASS: That's correct.

6 COMMISSIONER MAY: Yeah, okay. And then, I
7 just have a question about CFA review. I mean, actually,
8 is there one?

9 MR. BANKS: There isn't as part of this, but we
10 have checked in with CFA, so that -- and I think they
11 actually saw this the last time. They see it through the
12 process, I think, on the permitting, so they're aware of
13 it and we've let them know exactly.

14 COMMISSIONER MAY: Right. And I mean, I'm not
15 so concerned about what they have to say because it's only
16 an interim use. But I was just curious because we didn't
17 -- that was not in the record on this one. It wasn't in
18 the record --

19 (Simultaneous speaking.)

20 MR. BANKS: Yeah, we didn't take it through the
21 last time too because it was an interim use, but we did
22 let them know at a staff level that this was happening.

23 COMMISSIONER MAY: Okay, yep, all right, that's
24 all. Thank you.

25 COMMISSIONER TURNBULL: Is this the third or

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1 fourth time it's -- we've moved it? I can't recall. It
2 seems to me it's at least three, but --

3 MR. ODUM: Yes, this would be the third time
4 that we've moved them.

5 COMMISSIONER TURNBULL: This is the third time?

6 MR. ODUM: Yep. They started on parcel O, and
7 now they're on parcel G, and we'll be relocating them to
8 parcel E.

9 COMMISSIONER TURNBULL: Okay. And what happens
10 after this use?

11 MR. ODUM: Well, this is -- parcel E is
12 actually one of the last slated parcels to be developed,
13 so -- but it will eventually be developed into a permanent
14 use, so.

15 COMMISSIONER TURNBULL: Is -- will the Trapeze
16 School go somewhere after that, or we're not sure?

17 MR. ODUM: We're not sure at this time. We're
18 working with them and other developers to look for
19 potential permanent locations for them.

20 COMMISSIONER TURNBULL: Okay, thank you.

21 MR. LEWIS: I would just say that there is not
22 a spot for -- contemplated for them in the master plan for
23 The Yards, which you all have reviewed and approved. But,
24 as Michael indicated, we'll continue to work with them.

25 COMMISSIONER TURNBULL: Okay, thank you.

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1 CHAIRMAN HOOD: Commissioner Shapiro?

2 COMMISSIONER SHAPIRO: Yes?

3 CHAIRMAN HOOD: Okay. Thing is, if you check
4 Lawrence Avenue in Northeast, that's a good area. Okay?
5 I'm just throwing that out there.

6 CHAIRMAN HOOD: Yeah. Okay. Do we have really
7 cross -- I mean, no further questions up here? Oh, I'm
8 sorry. Vice Chair Miller?

9 VICE CHAIR MILLER: Well, in addition to the
10 Ward 5 site that you cited -- you know, I wasn't going to
11 cite a site in Ward 3.

12 But no, I was going to say that if it can be
13 accommodated on in The Yards, if -- I don't know what all
14 the changes would have to be, but if it's just Zoning
15 Commission -- but I know that this went through a lot of -
16 - this whole master plan went through a lot of different
17 approvals.

18 It's a very active -- it's a very unique use,
19 it's an active use, it's an exciting use, and if there's a
20 way that it can be accommodated permanently at The Yard
21 site, I think that would be very exciting to keep it
22 there, or on Lawrence Avenue.

23 CHAIRMAN HOOD: All right. Okay, there's the -
24 - Mr. Daniels, do you have any questions?

25 (No response.)

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1 CHAIRMAN HOOD: Okay, but you can begin to come
2 on up. Okay. Let's go to the Office of Planning, Ms.
3 Elliott, and then we'll go to Mr. Zimmerman.

4 MS. ELLIOTT: Thank you Mr. Chairman and
5 commissioners. The Office of Planning is recommending
6 approval of this project.

7 There were a couple of outstanding items,
8 again, listed on the first page of our report, which I
9 think the applicant has sufficiently addressed, so we'll
10 stand on the record of our report, and I'm happy to answer
11 any questions you have.

12 MR. ZIMMERMAN: For the record, my name is
13 Aaron Zimmerman. I'm with the District Department of
14 Transportation. DDOT stands on the record.

15 We have no objection to the approval of the
16 relocation of the Trapeze School. Thank you.

17 CHAIRMAN HOOD: Okay. Thank you both, Ms.
18 Elliott and Mr. Zimmerman. And let's see if we have any
19 questions. Any questions or comments, colleagues?

20 (No response.)

21 CHAIRMAN HOOD: Okay. I'm not seeing any.
22 Does the applicant have any -- Mr. Lewis, do you have any
23 questions or comments?

24 MR. LEWIS: No sir.

25 CHAIRMAN HOOD: Okay. Commission, do you have

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1 any questions or comments?

2 MR. DANIELS: No, but for the record, ANC 6D
3 fully supports the project, as well.

4 CHAIRMAN HOOD: Okay. I'm actually --
5 typically, this is the time where you ask questions, but
6 you -- after this, you're going to have the whole floor.
7 I'm coming right back to you.

8 Any -- were there any other reports by the
9 government agencies? I think NCPC, right?

10 (No response.)

11 CHAIRMAN HOOD: Okay, but anyway. Yeah, we did
12 have some earlier.

13 PARTICIPANT: Correct, yeah.

14 CHAIRMAN HOOD: Yeah, NCPC. Anything else that
15 I may have missed?

16 (No response.)

17 CHAIRMAN HOOD: Okay. Let's go to the ANC.

18 MR. DANIELS: Yep. Being that the Trapeze
19 School has been a staple in The Yards area, a lot of the
20 concerns from residents is the future permanent home for
21 the Trapeze School.

22 So, that was one of the concerns from
23 residents, is the, you know, where the school's going to
24 end up.

25 I've also been in D.C. long enough to see the

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1 school move around a few times down there.

2 So, most of the residents are just concerned as
3 to, you know, where it's going to end up because it is a
4 unique use of the space down there.

5 CHAIRMAN HOOD: Would they like to see it
6 staying there?

7 MR. DANIELS: Oh, most definitely. Most
8 definitely.

9 CHAIRMAN HOOD: Oh, okay. So, forget Lawrence
10 Avenue because I don't want to -- I don't want 6D to be
11 upset with me. Okay. But if it doesn't work out then --
12 but make sure they have the first word. Anything else,
13 commissioner?

14 MR. DANIELS: Not really. We've reviewed all
15 of the plans for reconstructing the building the way that
16 -- similar to what it is right now, and the space where
17 it's to go seems to be also adequate with traffic drop-off
18 -- pickups and drop-offs in that area as well, so we
19 didn't have any concerns there.

20 CHAIRMAN HOOD: Okay. Any questions --
21 Commissioner Daniels, any questions?

22 (No response.)

23 CHAIRMAN HOOD: Okay. Does the applicant --
24 Mr. Lewis, do you have any questions?

25 MR. LEWIS: No sir, no rebuttal. And happy to

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1 close with a thank you and a request, if it pleases the
2 Commission, for action on this proceeding this evening.

3 CHAIRMAN HOOD: So, I was just asking, did you
4 have any questions of Commissioner Daniels?

5 MR. LEWIS: Oh, sorry. Oh, no, no. No, I
6 don't.

7 CHAIRMAN HOOD: You don't? Okay. But let me
8 do this, and you don't have to repeat that. So, is there
9 anyone who's here -- any organizations or persons who are
10 here in support?

11 (No response.)

12 CHAIRMAN HOOD: Any organizations or persons
13 who are here in opposition?

14 (No response.)

15 CHAIRMAN HOOD: Any organizations or persons
16 who are here undeclared?

17 (No response.)

18 CHAIRMAN HOOD: Not seeing any. Mr. Lewis has
19 already given his closing. And I want to thank everyone.
20 Let's see, Commissioners, do we need anything from this
21 case?

22 (No response.)

23 CHAIRMAN HOOD: All right, so I think this one
24 is ready now. Ask counsel. We can vote on this one
25 tonight, or do we need to wait on this -- we need -- I got

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1 confused now.

2 MS. SCHELLIN: Yes, you can vote on this
3 tonight.

4 CHAIRMAN HOOD: Okay. Colleagues, if we don't
5 have anything further in this case, I think this is
6 flavored and ready for us to move forward. I think it's
7 pretty straightforward. Would someone like to make a
8 motion?

9 COMMISSIONER SHAPIRO: Mr. Chair, just a quick
10 comment before the motion. There's an issue around us
11 considering a time limit on the approval. If we are to
12 approve this, would that be part of the motion?

13 CHAIRMAN HOOD: Yeah, we do need to discuss
14 that. Thank you. We do need to -- go on.

15 COMMISSIONER SHAPIRO: Perhaps we should
16 discuss it before the motion so we're aligned.

17 CHAIRMAN HOOD: Right, so we can include it in
18 the motion. Do we have a recommendation?

19 COMMISSIONER SHAPIRO: I think we're looking at
20 five years with required renewals.

21 CHAIRMAN HOOD: Is that agreeable, Mr. Lewis?
22 Or would you like --

23 MR. LEWIS: That's what we've requested, five
24 years.

25 CHAIRMAN HOOD: A lesser time? You all did

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1 request five years?

2 MR. LEWIS: Correct.

3 CHAIRMAN HOOD: All right. Okay, so any
4 opposition, Commissioners, to the five years?

5 (No response.)

6 CHAIRMAN HOOD: Okay, so we can have a motion
7 and we can include the five years.

8 COMMISSIONER SHAPIRO: It's just one vote?

9 CHAIRMAN HOOD: Yeah, this is one vote.

10 COMMISSIONER SHAPIRO: Okay. Mr. Chairman,
11 then we approve Zoning Commission Case Number 19-07. Is
12 that the right one?

13 Okay. Forest City, Southeast Federal Center,
14 LLC, Design Review, parcel E4 of The Yards. That's square
15 883. Look for a second.

16 VICE CHAIR MILLER: Second.

17 CHAIRMAN HOOD: Okay, it's been moved and
18 properly seconded. Any further discussion?

19 (No response.)

20 CHAIRMAN HOOD: All in favor, aye.

21 (Chorus of aye.)

22 CHAIRMAN HOOD: Any opposition?

23 (No response.)

24 CHAIRMAN HOOD: Not hearing any, Ms. Schellin,
25 would you please record the vote?

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1 MS. SCHELLIN: Yes. Staff records the vote 5-
2 0-0 to approve final action in Zoning Commission Case
3 Number 19-07. Commissioner Shapiro moving, Commissioner
4 Miller seconding. And this is for a five year period, and
5 Commissioners Turnbull, Hood, and May in support.

6 CHAIRMAN HOOD: Ms. Schellin, do we have any --

7 MS. SCHELLIN: And if you could have a draft
8 order within two weeks, three weeks? As soon as you get
9 it, then the sooner you'll get it back. How about that?

10 MR. LEWIS: Understood.

11 MS. SCHELLIN: Thank you.

12 CHAIRMAN HOOD: Anything else, Ms. Schellin?

13 MS. SCHELLIN: No, sir.

14 CHAIRMAN HOOD: Mr. Lewis, did things go a
15 little better this time?

16 MR. LEWIS: Yes. Yes sir, thank you.

17 CHAIRMAN HOOD: Don't get used to it.

18 (Laughter.)

19 CHAIRMAN HOOD: Okay, so we're done. I want to
20 thank everyone for their participation tonight, and this
21 hearing -- these hearings are adjourned.

22 (Whereupon, the above-entitled matter went off
23 the record at 8:21 p.m.)

24

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Forest City SEFC, LLC, Case Nos.
18-22 and 19-07

Before: DC Zoning Commission

Date: 05-23-19

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



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