

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

TRAVIS PARKER

This transcript constitutes the minutes from the public hearing held on December 6, 2006.

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1 P-R-O-C-E-E-D-I-N-G-S

2 7:09 p.m.

3 CHAIRPERSON MITTEN: Now, the next
4 case is the Broadway Atlantic case which is up
5 by 9th and V and that's the Broadway Atlantic
6 One PUD modification.

7 Ms. Prince.

8 MS. PRINCE: Good evening. I'm
9 Allison Prince of Pillsbury, Winthrop, Shaw,
10 Pittman.

11 First, we really appreciate your
12 scheduling this hearing expeditiously. I must
13 admit that while I was going over the
14 proposal, I felt that an explanation was in
15 order and I think we can give you much more
16 detail tonight that will make you comfortable
17 with the changes that we're proposing.

18 We're really trying to create a
19 marketable product, housing product in a
20 changing market and you read the newspapers as
21 we do and right now, as David Weldler will
22 tell you, smaller units sell better than

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1 larger units and that's what we're trying to
2 achieve tonight.

3 We're optimistic that with the
4 requested changes the first phase of this
5 project can go forward. There's been a lot of
6 community support for the project. The ANC
7 Chairman is here tonight, a representative of
8 the Nine-Thirty Club. We really want to get
9 this project moving forward.

10 In summary, the charges are as
11 follows and just for those of you who don't
12 remember the project that well from the
13 hearing, there were four buildings. It was a
14 large site. All acquired from Atlantic
15 Plumbing and one of the main buildings was
16 along Florida Avenue and most of the changes
17 center on that building because we regard that
18 as the first phase, the most highly visible
19 aspect of the project.

20 So, with respect to that first
21 building on what we call Parcel C, we're
22 looking to change the main level, fill in the

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1 courtyard at the main level and convert it to
2 all retail use. It will be enough to really
3 accommodate a sizable retail tenant like a
4 restaurant, a large restaurant. The courtyard
5 would remain on the upper levels of the
6 building as you'll see in the plan.

7 We're looking to modify the
8 parking ratio for that building only and the
9 parking ratio would be modified to .89 to 1 as
10 opposed 1 to 1 that will pertain to the
11 remainder of the project.

12 We're looking to change the
13 facades because we're increasing the unit
14 count for the project overall in a way to
15 create smaller unit. So, the facades have to
16 change and I quite frankly think they've
17 gotten better, but we'll welcome your input on
18 that.

19 We've added one loading berth to
20 accommodate the retail and then as I said,
21 we're looking at an overall change to the unit
22 count, too. We have the ability to go to 700

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1 units and we're now looking to go to 724.
2 It's not a significant change when one
3 considers that we're looking to eliminate one
4 parcel entirely from the project. That's
5 Parcel D, affectionately known as Little
6 Maggie and it only had ten units in it and
7 Nine-Thirty Club wants to buy it and we are
8 selling it to them.

9 So, we're eliminating out tiny
10 little building which had ten units in it.
11 So, the net gain in units, you know, there are
12 ten from there and then 14 more.

13 So, with these changes, we believe
14 that we're going to create a project that will
15 really work better in this market. David
16 Weldler has had very recent, immediate
17 experience trying to sell units in this market
18 and he knows what's selling and what's not.

19 So, again, we appreciate your time
20 tonight. We'll try to keep our comments
21 brief, but I think we're prepared to answer
22 just about any questions you might have. So,

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1 we welcome them.

2 And now, David can make a brief
3 statement. I forgot to tell him to sit at the
4 front.

5 MR. WELDLER: Good evening. My
6 name is David Weldler. I guess with the
7 moment I'm with Broadway Atlantic, the
8 Applicant for this project.

9 I do appreciate as Allison
10 mentioned the special time that you've given
11 us for the hearing tonight.

12 We went forward and actually
13 closed on the four parcels on or about
14 November 1st of this year. This was a project
15 that we had under contract for a long period
16 of time and had the opportunity to have the
17 zoning taken care of during that period of
18 time.

19 There are many projects in the
20 District that the Zoning Commission has seen
21 over the last few years that have either been
22 shelved for the time being or canceled

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1 altogether. The market conditions today are
2 very, very difficult for developers. The
3 sales velocity and the total velocity of the
4 residential market has really disappeared.
5 Financing for these types of projects has
6 become very, very sparse and many people who
7 were speculative in nature, who were buying
8 these properties simply to get some type of
9 entitlement and then flip it for a profit have
10 moved on and are not there in the marketplace
11 and a lot of the work that the Commission done
12 over the last few years will not see -- will
13 not bear fruits in the immediate future.

14 We, Broadway, have truly
15 demonstrated in all of our projects that that
16 is not what we're here to do. We have taken
17 on very, very significant projects here in the
18 District. The Senate Square project as we've
19 just presented to you is on schedule, will be
20 delivered in the first quarter of next year
21 and is a beautiful, beautiful building and
22 it's very visible and I think it's a credit to

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1 Phil Esocoff and what we've been doing.

2 Our project on the corner of
3 Broadway and Mass which did not come before
4 the Commission was a buy-right project known
5 as the Dumont. It's a 600-unit project. Also
6 going to be a statement for the District.

7 The Commission has seen my face
8 with a couple of other major and sizable
9 projects. I don't have to go into everyone of
10 them.

11 But, we're committed to move
12 forward with this Atlantic project and we did
13 so and we closed on the property despite the
14 economic climate that faces -- that all of us,
15 all developers are facing right now. But,
16 when we close on a property, we want to move
17 forward with it and that was our intent.

18 The modifications that we're
19 presenting here today are modifications that
20 enable us to move forward with the
21 construction of phase 1. It is the unit mix
22 that we need to see in order to put the

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1 financing in place for the construction and
2 actually have it make sense so that we're
3 actually doing this for a reason.

4 I can show you some statistics
5 that are from some of our current sales on
6 similar projects and size. The studios
7 generally I would say -- I'm referring to our
8 Mass Avenue project where phase 1 has 368
9 units and we've sold approximately 90 to date.
10 The unit looks as such on the sales side that
11 we've sold 35 percent of our studios, 50
12 percent of our junior 1s, 32 percent of our
13 one bedrooms and then when you start getting
14 into the one bedroom dens and the two
15 bedrooms, you're down to 15 percent, 19
16 percent and 8 percent as you get to the larger
17 units of our inventory and a lot of those
18 sales took place between April and August and
19 I don't want to share with you how many sales
20 did or did not take place from August until
21 now.

22 The velocity's out of the market.

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1 We are very, very big believers in the long
2 term residential market in the District. We
3 know that there will be continued economic
4 growth, job growth and that there will be a
5 shortage of housing in the District. So,
6 we've taken a little bit of a longer view and
7 we know that the market dynamics are
8 ultimately going to be there and we've put
9 forth together a program here tonight that we
10 think allows us to take this area around
11 Howard University which has been
12 underdeveloped for a very, very long period of
13 time and jump start the development of this
14 area as we've done for H Street and as we're
15 doing in some of our other projects that the
16 Commission is familiar with.

17 I appreciate everything that the
18 Commission has done for us historically and
19 look forward to a positive resolution tonight.

20 I'm sorry. I would just like to
21 add we do have actual statistics also that
22 will show that from a parking perspective no

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1 one is buying -- there's not a one-to-one sale
2 ratio. You don't even approximate 90 percent
3 at this point.

4 CHAIRPERSON MITTEN: That's good
5 to hear. We've been wanting to get stuff like
6 that in the record for awhile.

7 What is the ratio that you're
8 experiencing?

9 MR. WELDLER: Well, out of the 95
10 units sold, I'll give you an exact example,
11 Dumont, which is our Mass and 4th, NW, that
12 corner, 80 units, 80 purchasers have acquired
13 parking and that is going to be further skewed
14 by the unit mix.

15 You'd probably see a little bit
16 more than that on our Senate Square project
17 because those are the bigger units and the
18 bigger unit owners are generally going to be
19 ones that will skew a little bit heavier to
20 the parking.

21 But, as you get into the smaller
22 unit count, those are the people that are just

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1 getting into the market, trying to buy their
2 first home. They just got a job in the
3 District and that's where they want to be and
4 many of those people don't have cars or are
5 using the Metro system to get around and the
6 cost of putting parking in is so exorbitant at
7 this point that it actually can take down the
8 -- it can take down a project. It can make a
9 project not viable if you have to add another
10 floor or two to accommodate parking that you
11 ultimately wouldn't be selling or utilizing.
12 So.

13 CHAIRPERSON MITTEN: Good to know.
14 Thanks.

15 MS. PRINCE: Phil Esocoff can
16 address the changes to the plans.

17 CHAIRPERSON MITTEN: Thank you.

18 MR. ESOCOFF: That is just the
19 entry sheet. Next.

20 I want to start off with the Duke
21 plan because it'll relate to how we've redone
22 the elevations, but basically, we've had to

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1 redo the elevations because of the change in
2 mix. Over the last few years, we've been able
3 to pretty accurately predict how many
4 balconies and windows we would need a long a
5 perimeter and how to space those based on what
6 were the prevailing popular units.

7 But, the change to this has caused
8 us to change that geometry so much that we
9 couldn't put the different mix behind those
10 units in the way that we could say in Senate
11 Square. We modified units a little bit, but
12 we had the right rhythm on the outside. This
13 one we actually had to change that.

14 So, I'm going to show you what the
15 elevations were based on. So, there's Georgia
16 Avenue and the site is the pink blob to the --
17 sort on the left there. It's along Florida.
18 Between Florida and 9th and sort of along the
19 alignment of W Street which actually sort of
20 is an irregularly aligned street at that
21 point.

22 So, from Georgia in the Duke plan

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1 and I know in the planning for the studies
2 that are going on now with DOT for lower
3 Georgia Avenue, there's discussions about what
4 these other streets will be doing and it's
5 been sort of established that W Street would
6 generally become a -- I don't know if it's a
7 street or a private street running westward
8 from Georgia that would dead end in our
9 building where you would go north or south
10 along 9th and we think that's great and it's
11 made us want to skewed the emphasis and the
12 entry to our building to be more equal between
13 Florida Avenue and 9th Street and you'll see
14 that in plan. But, also to sort of shape our
15 facade so it's actually an appropriate focal
16 point for people coming westward from W
17 Street.

18 But, also, that's going to be a
19 very important transportation link in terms of
20 pedestrian flow. Because a lot of people live
21 -- a lot of people walk over to Florida Avenue
22 to take a Metro Bus which we mustn't forget

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1 that there are buses not just rail. But, also
2 at that point is where the Bond Building is at
3 Florida and W Street and the Duke plan calls
4 for a supermarket.

5 That really in a way ties into the
6 discussion of parking which is now that the
7 District's actually become well endowed with
8 grocery stores the need for cars to even just
9 go, you know, out to Maryland to shop has been
10 greatly diminished. So, we think that's
11 actually an important link and I just want to
12 bring that up.

13 Next. So, this was the plan that
14 was approved and we just had some retail along
15 Florida Avenue and the brown on the southern
16 side there, that's sort of our common
17 facilities. The elevators in the lobby enters
18 off Florida and we did have a back door to 9th
19 Street and then we had units along the
20 courtyard, that's the blue, and some along 9th
21 Street which we never felt was a very
22 attractive possibility because that's only a

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1 40-foot right of way and one of the things
2 we're pushing for in the Duke plan is to
3 perhaps actually narrow the asphalt there and
4 create a tree planing strip in that area.
5 But, that all has to do with traffic flow and
6 things beyond my knowledge.

7 Next. Yes, the new plan what we
8 did is we just brought the courtyard up one
9 level. If any of you are familiar with the
10 Jefferson at Penn Court or where Balducci's
11 was rumored to be moving but won't be, the
12 courtyard there is actually one floor above
13 grade that the residents overlook and it's in
14 the middle of that whole square and that
15 supermarket space extends underneath that.
16 So, that loading can come off an alley in that
17 block and this is sort of a little bit like
18 what we're doing and Woolly Mammoth is also
19 underneath the courtyard which is one story
20 above grade.

21 What we're proposing is that this
22 could be one large retail space and the

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1 striped area indicates that it's possible that
2 especially with the walkway taking -- with W
3 Street eventually extending over to Georgia,
4 that people may, in fact, walk from the Howard
5 dorms which are just north of us along this
6 strip. So, this could be little shops or it
7 could be a secondary eastern entrance.
8 Something that runs through the block. So, we
9 want that latitude to go with the flow.
10 Otherwise, those would be like live/work
11 lofts. Something like that. Not just a
12 standard residential unit.

13 And we provided a small service
14 zone at the north end there near the entrance
15 to a parking garage which is where it remains
16 from the approval. So, that if there's any
17 trash or anything that that could be kept in
18 a sort of a bay there opened up and then the
19 trash taken out or small deliveries could take
20 place there. But, we're not looking at a
21 supermarket here that would have lots of
22 loading because there is going to be one near

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1 by.

2 And you'll see in the elevation
3 we've also subdivided the elevation to provide
4 a framework for doors. That can happen
5 frequently enough, but not just a strip of
6 glass and if any of you know 1117 10th Street
7 which is the Quincy Court Project we did right
8 off Mass, it has a base. There's a CVS there
9 and a coffee shop and an entrance to the
10 residential and it looks like a nice balance
11 between.

12 There's always a questionable
13 thing. I mean how much do you want retail
14 tenants in the basement of apartment houses.
15 It's actually not that common. A lot of
16 apartment houses in the District don't have.
17 There may be a lobby shop.

18 So, we're trying to find a
19 building format that works with that. We
20 think we did in Quincy Court and we think this
21 will, too.

22 And there's the lobby. You can

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1 see we've reenforced the entrance that goes to
2 the east towards what will be W Street and to
3 the left is still there.

4 Next. Oh, sorry. I'm just
5 gesturing. So, this was the second floor in
6 the past and before we refined the unit plans,
7 the loading dock jammed into that and there
8 was on-floor storage.

9 Next. We've actually re-sculpted
10 a plan to provide on the second floor like a
11 small indoor recreation space on the second
12 floor and we've gotten rid of most of the on-
13 floor storage and made the units line up and
14 then the courtyard's just landscaped once
15 again as a quiet oasis.

16 Next. Oh, and partly we actually
17 were able to shift the second floor slab up a
18 bit so that per Office of Planning's thoughts
19 on retail heights and our own that we have
20 pretty much a 14-foot ceiling in the retail
21 and that also allows our loading dock to come
22 in underneath the second-floor slab and not

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1 have to chop it out. Next. So, we want it to
2 be very viable retail.

3 Yes. So, this was -- and this was
4 the typical floor starting at the third floor
5 and this is it now. So, you know, we've
6 actually very carefully scalloped all these
7 things to get light in and around these space
8 and you can see that's quite articulated now
9 and that doesn't -- didn't work with the old
10 elevation.

11 Next. And this was the original
12 roof plan and, you know, it was not as
13 refined. We have the swimming pool over here,
14 but the violet water. These were exhaust
15 shafts with this sort of pergola and the
16 stairway at either end and fresh air fans and
17 then the main core and some greenery about it.

18 Next. And we've obviously refined
19 that much more now. We moved the pool to the
20 center and decided in this one since we can't
21 do a lap pool, we'd make it more like a
22 recreation pool. People can sit around the

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1 edge here. There's actually a place to do a
2 lap, but they're actually like little
3 amphitheater seats there. Now that we know
4 where the units are, we have these vent shafts
5 here and we've connected them with a fence and
6 we've created a nice sequence inside. Just as
7 you come out, it seems formal.

8 You actually walk through this
9 portal here and up a ramp so handicapped
10 people can come up with everybody else into
11 the swimming pool and you sit on the edge of
12 it.

13 Over here we took this same shape.
14 We thought it was kind of playful. We created
15 like a bower of planting flowers and grasses
16 and stuff in the center, a lawn pallet and
17 then trees and once again, the vents with
18 vines and stuff.

19 And then we've created places for
20 people to sit along the edge like pavilions.
21 The building I live in, 2311 Connecticut, the
22 Woodward, has a rooftop pavilion and everybody

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1 wants to have their dinner party there not
2 just out on the roof deck and so, we've
3 created -- since this is a much bigger
4 building, we have 50 units, this is, you know,
5 about 300 or so, this has areas that people
6 can reserve those for parties.

7 Next. And this was the cross
8 section before. Parking's always below grade.
9 There was live/work loft on 9th Street and
10 just retail along Florida. We showed that in
11 our plan as residential, but because of the
12 zoning here, you'd be allowed to operate some
13 kind of small business there I guess and you
14 can see the courtyard. Nothing too different
15 there.

16 Next. And here you can see the
17 retail goes through. Parking still below
18 grade and the courtyard is actually a story
19 shallower which is nice and now, we've, you
20 know, articulated where the pool goes.

21 Next. And that was the elevation
22 along Florida Avenue. You can see we had

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1 defined areas for the people for stores to
2 have signage, but you could put two together
3 and this was the entrance off on the right for
4 the residential. That's the Floridian going
5 up right next to it now.

6 So, now, we've broken it down.
7 It's almost like a vertical read here and here
8 with the rooftop pavilion sort of really
9 towers not screen walls and we still have
10 those framed openings. We showed a retail
11 door here and here, but there could be any
12 number of them along here and then the
13 residential entrances off over here with a
14 small elevator for shuttle -- a small lobby
15 for shuttle elevator.

16 So, the retail parking is on the
17 uppermost level and there's a second gate for
18 residents. So, retail can park on the
19 uppermost level and then take a hydraulic
20 elevator up to the retail, restaurant.
21 Whatever it is.

22 Next. And I wanted to construct

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1 this. This is a view of -- if you were in the
2 west looking towards our project along W
3 Street, you can see that this vertical element
4 is now centered on that and we could have
5 skewed these units back and forth and put them
6 together in different configurations, but I
7 like looking down N Street and seeing the
8 tower way off the west of Georgetown
9 University.

10 One of their buildings has a tower
11 spire on the end and, you know, if you're an
12 architect and you like the way architecture in
13 Washington's urban design plans go together at
14 their best, when you look down to a vista,
15 either it's open or you see something on axis
16 and so, you'll actually see this and, you
17 know, if somebody's having a party there,
18 there will be soft lighting up there and maybe
19 there's the entrance to a restaurant or
20 something on that axis.

21 Next. And this was the 9th Street
22 elevation. Loading dock was here and there

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1 was a garage door there and then we had this
2 very standard rhythm of bays and -- they're
3 not really bays because they don't project,
4 but they're inset bays and balconies.

5 We changed it once again. We have
6 this emphasis at the end of W Street. Coming
7 from Georgia looking west, you would see that
8 and then we have a second one over here
9 because, you know, we want the building to
10 break into more vertical pieces in this case.

11 I think that is an improvement as
12 Allison pointed out over the last project.
13 Because a lot of buildings sort of look like
14 they're just the rhythm of balconies and if
15 you get beyond five, it's a little
16 uncomfortable at times I think. I like it
17 when it composes more into elements that are
18 vertical.

19 So, this would be if you -- if you
20 came out of that new supermarket hopefully at
21 Howard Town Center and walked to the west and
22 you lived here, you would see just another --

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1 a secondary front door and, you know, that's
2 really -- in terms of marketing, that will be
3 good, too. If people work at Howard
4 University or the hospital, if they live here,
5 they don't have to walk all the way down
6 Florida Avenue and down along V Street. They
7 can go right there to a bus stop or the
8 supermarket. It's why streets are so nice to
9 have, you know. Streets and sidewalks.

10 Next. You know we varied the
11 color brick on the building obviously, too, to
12 subdivide it more.

13 This was our -- we didn't know
14 whether these party walls along the north face
15 of our building -- you're looking at the north
16 elevation and its courtyard. We at this point
17 thought well, maybe this will be open, but it
18 looks more like that will be a party wall.

19 Next. So, you know, we've shown
20 some windows in there and we'll treat this
21 with nice brick and everything because who
22 knows how long it will be open, but I think

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1 the city plans to eventually acquired this
2 site and most likely, this would be an
3 abutting wall for a residential building there
4 I believe.

5 And in the inside, we've, you
6 know, made the brick a little less nuclear
7 yellow and now, we know where bedrooms and
8 living rooms are and added balconies and
9 actual openings. So, it's a more carefully
10 constructed elevation with trees. This was
11 the flattened walls before.

12 Next. And these are the side
13 elevations now. So, they're really treated
14 with the same care and attention to detail as
15 the main facades. Because after all, about
16 half the people live on the courtyard and I've
17 gone on about alley elevations in the past.
18 So, I have to live up to what I've said.
19 Next. And how important they are.

20 So, this is one of the entrances.
21 These entrances can move around in this kind
22 of architectural strategy. These don't

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1 change. These piers, but you could add doors
2 and 2401 Pennsylvania Avenue which was a PUD
3 way back in like 1988 and built '91, there
4 they've, in fact, taken store windows and
5 moved doors into there and made those into
6 shop windows and that's a good way to organize
7 an urban building where things may change in
8 the ground, but you want it to have a certain
9 dignity over time.

10 And then these are sort of paired
11 balconies and these sort of scallops. There's
12 a curve wall here and we took these windows
13 and we think it's kind of whimsical. We just
14 set them at different heights, but there a
15 second window in the living room.

16 And this is a view looking from W
17 Street. There's Florida Avenue. You're
18 looking down W to the east and there's that
19 one tower element and it's like a glass block
20 lid on that which catches a little light if
21 you're having a dinner party and if it's
22 drizzling, you can still there. You don't

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1 have to run for cover.

2 Our main entrance is down here and
3 this could be a secondary retail entrance.
4 So, hopefully, two or three people would move
5 into there.

6 Next. This is the view front.
7 This is 9th Street. There's that sort of
8 secondary service bay for the retail. I'm not
9 sure we're actually technically required to
10 have a second bay because the retail is such
11 a small percentage of the overall project, but
12 we felt given that there's no yard space, that
13 it joins a public right-of-way, we didn't want
14 dumpsters showing up on the street. So, we
15 felt that that was a judicious thing to do and
16 if they need more space, they can expand that
17 inside their own space and pay rent on it and
18 these could be shop windows and/or live/work
19 lofts along the street and that's our
20 secondary entrance.

21 Next. That's it. I'd be glad to
22 answer any questions you might have.

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1 CHAIRPERSON MITTEN: Thank you.
2 Questions from the Commission. Mr. Jeffries.

3 COMMISSIONER JEFFRIES: Yes, I
4 think I asked the question before about the
5 retail and the viability of it.

6 What's the total square footage of
7 the retail that's been set forth here?

8 MR. ESOCOFF: It's a maximum of
9 24,000 square feet.

10 COMMISSIONER JEFFRIES: Okay. And
11 it might be multi-tenant or it might be one
12 large tenant like a restaurant?

13 MR. ESOCOFF: Yes, and, you know,
14 I want to defer some of these possibly to
15 David because I'm not leasing the space.

16 COMMISSIONER JEFFRIES: Okay.

17 MR. ESOCOFF: I'm taking their
18 guidance on sizes and --

19 COMMISSIONER JEFFRIES: Um-hum.

20 MR. ESOCOFF: -- configurations.

21 MR. WELDLER: There has been some
22 interest shown by some of the larger pharmacy

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1 types of tenants, but we aren't committed to
2 a single tenant versus multiple tenant. We're
3 happy to do it either way.

4 There is a significant lack of
5 retail in this immediate area and even with
6 what we contemplate doing in our A and B
7 phases, our other two buildings in this which
8 is having some of that retail along V Street,
9 there still needs to be -- there's a large
10 concentration of people moving into this
11 immediate area and there isn't a lot of
12 retail. You can go down U Street and get most
13 of what you want, but there is a need to have
14 stuff here as well.

15 COMMISSIONER JEFFRIES: Well, I
16 know this area very well. In fact, I go past
17 here everyday. I live about three or four
18 blocks and so and, you know, it's a very
19 unusual area, you know, right now. I mean
20 it's not very pedestrian friendly, you know,
21 and, you know, there is some -- I think
22 there's an Irish pud or something that's

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1 across the street and so forth. So, there are
2 a few things that are happening.

3 You know, it's -- you know, right
4 now, it's just very difficult for me to get a
5 sense of the type of tenant or tenants who
6 would move into this location and I'm just
7 sort of wondering what's the contingency plan
8 if you're not able to have all of this ground
9 floor. I thought I heard artist live/work as
10 a possibility, but what's the contingency
11 plan, you know, in the event that you're not
12 able to get all of the retail that you're
13 looking for?

14 MR. WELDLER: Well, currently, we
15 have because of the way it's done -- no, we're
16 going back to the car wash, Phil. The --

17 COMMISSIONER JEFFRIES: Although,
18 I'd like to have -- I'm really upset that it's
19 going. But, that's all right.

20 MR. WELDLER: The way we've
21 constructed this allows us to partition it
22 into that kind of work/live space that we had

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1 contemplated in our original and improved PUD
2 with you.

3 I wouldn't like to see if go that
4 way. I'd like to think that between the
5 pedestrian traffic generated by the Nine-
6 Thirty Club although it's late traffic, the
7 Floridian, the Rhapsody, our phase 1 and our
8 phases 2 and 3 and some of the other parcels
9 that people are working on and trying to
10 develop that for -- the retail is the tail of
11 the project. It isn't -- it's not the dog.

12 COMMISSIONER JEFFRIES: Correct.
13 Correct. Um-hum.

14 MR. WELDLER: We could -- we can
15 afford to have a little patience and wait for
16 the area to mature a little bit on this. I
17 would not like to see it vacant for a prolong
18 period of time. That is not a good thing for
19 us.

20 But, there are uses for it that
21 may not be as great for us from an economical
22 perspective or whether it's a quality gym that

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1 helps the neighborhood, but you don't get much
2 in rent.

3 There are ways to make it good
4 neighborhood space if you can't make as much
5 money as you want on it in the immediate
6 future as a developer, but we think it's
7 rightly positioned as retail space.

8 COMMISSIONER JEFFRIES: Where is
9 the Howard Town Center? Is that off of 9th?

10 MR. WELDLER: That's V. It's --
11 no, it's --

12 COMMISSIONER JEFFRIES: Because I
13 know the fresh grocer is suppose to be the --

14 MR. WELDLER: Yes.

15 MR. ESOCOFF: The very first shop.
16 Yes, we're going back to that.

17 MR. WELDLER: It's a -- I don't
18 know if you have our original -- it's across
19 the street from what we call parcel A.

20 MR. ESOCOFF: Yes, this whole area
21 is Howard Town Center. The Nine-Thirty Club
22 is right here.

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1 COMMISSIONER JEFFRIES: Okay.

2 MR. ESOCOFF: And that's V Street
3 and this is Bon Bread and the supermarket's
4 there and then --

5 MR. WELDLER: Shown on parcel A.

6 COMMISSIONER JEFFRIES: Oh, okay.
7 Right. So, the supermarket will be there.

8 MR. ESOCOFF: Yes, and then we
9 have -- we have, you know, this parcel here
10 and here. So, there's going to be a lot of
11 people living here even now.

12 COMMISSIONER JEFFRIES: Um-hum.

13 MR. ESOCOFF: These buildings are
14 underway. So.

15 COMMISSIONER JEFFRIES: Okay.

16 MR. ESOCOFF: And don't forget,
17 there are customers in these. If this is the
18 right kind of retail, you've got all these
19 Howard students who have nothing around --
20 well, very little around here right now.

21 So, I would also say it is
22 pedestrian friendly and I've been weighing in

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1 with DOT much there. Almost to the point of
2 irritation I think about, you know, moving a
3 curb line from the buildings a bit so we can
4 get some trees. But, even in our PUD, you may
5 have noted we took a retail level and pushed
6 it in four feet so that we could get trees and
7 still walk by our building.

8 So, we're sort of giving up some
9 of our sidewalk. Hopefully, before this is
10 done, the studies for this area will -- DOT
11 will go along with maybe moving that curb four
12 or five feet out so that you can walk and then
13 it'll be at least about as wide as say
14 Georgetown which is pedestrian friendly and I
15 mean they don't have trees. But, it would be
16 nice to have some smattering of that.

17 So, they seem committed to doing
18 that to the greatest extent possible.

19 MR. WELDLER: And we also have
20 offered our services to Howard University.
21 Been offered to them and we're footing that
22 bill to help them along with the Howard Town

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1 Center. We're trying.

2 COMMISSIONER JEFFRIES: Oh, boy.
3 Mr. Weldler, also I wanted to ask you about,
4 you know, obviously the softening of the condo
5 market particularly the luxury condo market
6 and is there an interim step for you if the
7 market continues to soften? I mean do you go
8 to apartments or do you just --

9 MR. WELDLER: Let me be very
10 direct. The only way we got this to
11 underwrite is because thanks to the Commission
12 our land basis was -- and what we got through
13 our PUD was low enough to allow us to
14 contemplate rental to the extent that the
15 condo market is not back when we're complete
16 with our building.

17 COMMISSIONER JEFFRIES: Okay.

18 MR. WELDLER: So, we are moving
19 forward with this project because we can --
20 it's marginal as a rental.

21 COMMISSIONER JEFFRIES: Okay.

22 MR. WELDLER: But, it does get the

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1 building built. It does jump start if we have
2 to shift some of our profits to the future
3 parcels. You know, we do have a commitment to
4 this total area with our other parcels that
5 we're going to be building here as well. We
6 haven't drawn a line in the sand saying we're
7 absolutely going to be going rental versus
8 condo, but we're underwriting it as rental.
9 Our banks are financing this as rental and the
10 market's going to tell us when we're complete
11 with our building whether we can go back to
12 condo or go forward on a rental basis.

13 COMMISSIONER JEFFRIES: Yes,
14 because we've seen a couple of projects as you
15 said that are -- we looked at them as condos
16 and they're currently going as rentals. So.

17 MR. WELDLER: Yes.

18 COMMISSIONER JEFFRIES: Okay.
19 That's all I have.

20 CHAIRPERSON MITTEN: Thank you,
21 Mr. Jeffries. Anyone else questions?
22 Commissioner Turnbull?

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1 COMMISSIONER TURNBULL: Thank you,
2 Madam Chair.

3 I just wanted to maybe ask Mr.
4 Esocoff, on the roof terrace --

5 MR. ESOCOFF: Sure.

6 COMMISSIONER TURNBULL: -- is the
7 trellis over there, is that open or is that
8 glazed or the sort of --

9 MR. ESOCOFF: Which --

10 COMMISSIONER TURNBULL: -- it
11 looks like --

12 MR. ESOCOFF: I'm sorry. You mean
13 over the towers on these or do you mean in
14 here?

15 COMMISSIONER TURNBULL: Yes,
16 they're at the perimeter.

17 MR. ESOCOFF: Well, we've been
18 playing with a lot of things, but we're
19 showing them like a grid that maybe is filled
20 with little glass blocks or something.

21 COMMISSIONER TURNBULL: Oh, okay.

22 MR. ESOCOFF: Something

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1 translucent.

2 COMMISSIONER TURNBULL: Okay.

3 MR. ESOCOFF: It's a -- I'll go
4 into the -- one of the reasons people like to
5 reserve the dining pavilion on our building is
6 if you're outdoors at night having a ceiling
7 with some soft lighting on it makes you feel
8 like you're in a room not just on a roof and
9 it actually helps acoustically because --

10 COMMISSIONER TURNBULL: Right.

11 MR. ESOCOFF: -- it reflects
12 people's discussions back. So, you really
13 feel like you're in a space. So, we're trying
14 to find something that's economical, that --
15 yes, that would allow that to have a sense of
16 an enclosure, but open, you know.

17 COMMISSIONER TURNBULL: Okay.

18 MR. ESOCOFF: So, the most recent
19 thing we thought of -- you know, we also think
20 about is it going to hold up, will it
21 deteriorate. Do you have to have a million
22 little scuppers on it all of a sudden? So --

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1 COMMISSIONER TURNBULL: But,
2 you're thinking of some kind of a glazing --

3 MR. ESOCOFF: Yes, there is some
4 pre-made like glass-block panels --

5 COMMISSIONER TURNBULL: Right.

6 MR. ESOCOFF: -- that come
7 silicon. So, it's not like mortar breaking up
8 and we could kind of float that there.

9 COMMISSIONER TURNBULL: Jumping
10 then down --

11 MR. ESOCOFF: We'd like some
12 latitude on that.

13 COMMISSIONER TURNBULL: Okay. The
14 other thing is on the limestone, the Mankato
15 limestone --

16 MR. ESOCOFF: Sure.

17 COMMISSIONER TURNBULL: -- is that
18 a -- look, I'm trying to get a feel for the
19 flavor of this color. It's sort of like a
20 buff, but it's a little bit more. It's got a
21 little more orange.

22 MR. ESOCOFF: It's a warmer color.

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1 Mankato stone is what the Phillips Addition
2 used to be made out of. If you know 2401
3 Pennsylvania Avenue, it's --

4 COMMISSIONER TURNBULL: I can't
5 picture it.

6 MR. ESOCOFF: It's sort of a warm
7 color stone. What else? The Jefferson has it
8 on 616 E Street.

9 COMMISSIONER TURNBULL: Okay.

10 MR. ESOCOFF: Where the Woolly
11 Mammoth is. It's sort of a variegated -- it's
12 a dolamitic limestone. So, it has lots of
13 different chemicals --

14 COMMISSIONER TURNBULL: Oh, it's
15 -- it is a dolamitic limestone?

16 MR. ESOCOFF: Yes, and so, it's
17 harder.

18 COMMISSIONER TURNBULL: It's a
19 very hard limestone.

20 MR. ESOCOFF: But, it's a
21 beautiful surface and Philadelphia Museum of
22 Art --

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1 COMMISSIONER TURNBULL: Okay.

2 MR. ESOCOFF: -- is made out of
3 that.

4 COMMISSIONER TURNBULL: The --

5 MR. ESOCOFF: That's a good
6 reference.

7 COMMISSIONER TURNBULL: -- the
8 other thing is on your elevations on the --
9 just again on our sheet 19 or the one before
10 that, the sort of gray brick. Brick number
11 three.

12 MR. ESOCOFF: Yes, is that -- is
13 that the darker brick in the middle?

14 COMMISSIONER TURNBULL: Yes.

15 MR. ESOCOFF: Yes, there's a --

16 COMMISSIONER TURNBULL: It's sort
17 of a charcoally gray.

18 MR. ESOCOFF: Yes, charcoally
19 gray. That's as distinct as I'd like to be
20 this time around.

21 COMMISSIONER TURNBULL: Okay.

22 Well, I'm just curious. The elevation the

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1 rendering sort of shows that it's kind of like
2 the reverse of what you are showing on the
3 Georgian Flemish with the glazed headers.
4 This is kind of reversed where you've got a
5 yellowish --

6 MR. ESOCOFF: Right.

7 COMMISSIONER TURNBULL: Now, the
8 elevation looks like there's a little yellow
9 running in it, but on the actual little -- it
10 looks like it's all gray on the other scene.
11 I'm just wondering what it's really picking
12 up. Is it primarily gray or is there some
13 yellow in it?

14 MR. ESOCOFF: It's -- this -- I
15 don't know that there's any yellow in it, but
16 it is sort of a gray.

17 COMMISSIONER TURNBULL: Well, yes,
18 I think it might be the rendering. Just shows
19 up that way.

20 MR. ESOCOFF: Right. There's some
21 bricks that are -- they almost look like Raku
22 pottery. They almost have like an iridescent

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1 color to them.

2 COMMISSIONER TURNBULL: Okay.

3 MR. ESOCOFF: And that's what we
4 were hoping for. Because if you -- I'm kind
5 of amazed that when you walk down the street
6 and it's like it's a black window. Black
7 painted shinny windows.

8 COMMISSIONER TURNBULL: Yes.

9 MR. ESOCOFF: And you're looking
10 at it. It's a pale blue because of the
11 reflecting sky. So, I kind of like that
12 affect and in this project -- I mean this is
13 a different neighborhood and one of the things
14 I wanted to make sure was and I thought one of
15 the problems before with the other building
16 was it was very much like a lot of our other
17 buildings maybe on Mass Avenue.

18 COMMISSIONER TURNBULL: Um-hum.

19 MR. ESOCOFF: And I think
20 Florida's different. Maybe the Floridian's
21 trying to be like Miami or something. The
22 building next to us, but we thought something

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1 that seemed much more kind of -- I don't know
2 whether it's constructivist or what. It might
3 be kind of a fresh touch for this area. It's
4 a little more eclectic.

5 Whereas, the Senate Square is
6 really trying to really recreate --

7 COMMISSIONER TURNBULL: Yes.

8 MR. ESOCOFF: -- what might have
9 been a factory that was there or something or
10 a big school building.

11 COMMISSIONER TURNBULL: Okay. I
12 just wanted to clarify some of those. Thank
13 you.

14 MR. ESOCOFF: You're welcome.

15 CHAIRPERSON MITTEN: Anyone else?
16 Mr. Parsons.

17 COMMISSIONER PARSONS: Mr.
18 Esocoff, I'm struggling with your rooftop
19 issues.

20 MR. ESOCOFF: Okay.

21 COMMISSIONER PARSONS: Generally,
22 in the city --

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1 COMMISSIONER JEFFRIES: Rooftop
2 challenged.

3 COMMISSIONER PARSONS: Rooftop.
4 Yes. And I've struggled through our tower
5 period of the '90s where we were putting up
6 the vertical towers. We've had this
7 conversation a little bit before.

8 MR. ESOCOFF: Oh, sure.

9 COMMISSIONER PARSONS: And have
10 come to accept that as we did in the previous
11 case here tonight.

12 MR. ESOCOFF: Yes.

13 COMMISSIONER PARSONS: But, these
14 horizontal elements and, of course, this one
15 is not across the entire facade, but tries to
16 accentuate the two entrances.

17 MR. ESOCOFF: Yes, it's a kind of
18 wide. I have to admit.

19 COMMISSIONER PARSONS: What?

20 MR. ESOCOFF: It is kind of wide.
21 You're correct.

22 COMMISSIONER PARSONS: Wide? It's

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1 wider than the top.

2 MR. ESOCOFF: It's searching on
3 horizontal. Is that what you're aiming at
4 here?

5 COMMISSIONER PARSONS: Yes, it is.
6 That's my problem.

7 MR. ESOCOFF: Yes.

8 COMMISSIONER PARSONS: And now
9 that I understand it has a glass roof
10 essentially, I'm --

11 MR. ESOCOFF: Yes.

12 COMMISSIONER PARSONS: --
13 struggling. I understand your idea of
14 creating an outdoor room.

15 MR. ESOCOFF: Um-hum.

16 COMMISSIONER PARSONS: I perceive
17 that. But, there's no way to accomplish that
18 a depth removed from the front facade I guess?

19 MR. ESOCOFF: Huh. Well, then
20 it's sitting on the roof.

21 COMMISSIONER PARSONS: Which is
22 what you did in the previous case.

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1 MR. ESOCOFF: Yes, well --

2 COMMISSIONER PARSONS: Moved it
3 back.

4 MR. ESOCOFF: -- if you think
5 about -- if you think about the Woodward where
6 I live which everybody knows as you come
7 across the Taft Bridge headed south, right, on
8 Connecticut on the left, there's this pavilion
9 and it seems to come right up out of this one
10 four-foot bay projection.

11 I think if that were set back 20
12 feet, nobody would care a damn about that
13 building and I think these are sort of like
14 the delightful moments in the city and I don't
15 know that they're so bad.

16 I mean I don't know if they're the
17 height limit. I think this is a discussion
18 that we have to have in the town about the
19 height limit and whether it was meant to be a
20 limit or a prescription to properly define
21 streets and then to add a festive vibrant
22 skyline of follies or pavilions and trellises

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1 at the top. After all, they're not going up
2 20 stories. We're only talking about what
3 happens within the, you know, 20-foot range
4 generally.

5 I don't know whether it's so bad
6 to look across the Potomac and see the two
7 towers on Franklin Square. I don't think they
8 upstage the Federal presence, but I think they
9 give the city some of the romance that it had
10 when it had a lot of churches with spires and
11 steeples and colonial prints of Philadelphia
12 or Georgetown had spires and if you remove
13 those, what would those be? So --

14 COMMISSIONER PARSONS: I'm okay
15 with that.

16 MR. ESOCOFF: Yes.

17 COMMISSIONER PARSONS: It took me
18 five years, but I'm okay with that.

19 MR. ESOCOFF: It's slow. It's --
20 we've had this dialogue now for about 25
21 years.

22 COMMISSIONER PARSONS: Right.

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1 But, then I would go and I'm going farther now
2 and --

3 MR. ESOCOFF: Yes.

4 COMMISSIONER PARSONS: -- what you
5 chose an ellipse at --

6 MR. ESOCOFF: Oh, well, we --

7 COMMISSIONER PARSONS: It just
8 seems to be foreign to the rest of the
9 building.

10 MR. ESOCOFF: Right. Well, that
11 shape comes out of a -- in a typical floor
12 plan, a way of getting light around this
13 curved wall into a bedroom that's sort of like
14 -- like if I'm sitting behind Allison. Our
15 way of squeezing extra units, extra rooms in
16 the facade without making them windowless was
17 to sort of position them just suddenly behind
18 each other so we could narrow those units and
19 for instance, like on the Brookings PUD on the
20 residential portion of that, we managed to get
21 a one-bedroom den in 30 feet which is pretty
22 hard to do by sticking a 8-foot wide den right

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1 in the middle of the unit on the street, about
2 an 8-foot wide balcony and then just behind
3 that balcony there's the master bedroom that
4 spreads out behind it. So, we managed to kind
5 of -- like impacted teeth. Kind of squeezed
6 them around.

7 So, that curved wall makes it not
8 like you're in a slot. It allows light in and
9 so, we thought it was more powerful to take
10 that curve and extend those two top walls up
11 above the roof and to make sure they were a
12 tower not screen walls which they aren't
13 because they're going back.

14 We thought, well, maybe we could
15 connect them, but we'd be happy to re-look at
16 those.

17 I mean are you thinking it should
18 be tighter in or --

19 COMMISSIONER PARSONS: No, I just
20 -- I was just commenting on why you didn't
21 extend the facade up at --

22 MR. ESOCOFF: Oh, between them.

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1 COMMISSIONER PARSONS: I'll call
2 it a triangular design, but you didn't extend
3 it up instead of introducing this elliptical
4 shape, but --

5 MR. ESOCOFF: You --

6 COMMISSIONER PARSONS: In other
7 words, the facade --

8 MR. ESOCOFF: Like -- oh. Oh,
9 that --

10 COMMISSIONER PARSONS: That
11 angular penetration's going out on either side
12 as --

13 MR. ESOCOFF: Oh, like -- oh, I
14 see what you're saying.

15 COMMISSIONER PARSONS: -- we go up
16 the facade and then you come up to the top and
17 here it is a curve.

18 MR. ESOCOFF: I think you might be
19 right. I think you might be right believe it
20 or not.

21 COMMISSIONER PARSONS: I'm sorry.

22 MR. ESOCOFF: I think you might be

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1 right about that -- about these --

2 COMMISSIONER JEFFRIES: Believe it
3 or not.

4 MR. WELDLER: Even though you're a
5 landscape architect --

6 COMMISSIONER PARSONS: Okay, Phil.

7 MR. WELDLER: I don't mind of that
8 elliptical thing -- that's probably going to
9 cost me \$500,000 goes away. So, if
10 Commissioner Parsons wants to beat up on Mr.
11 Esocoff with that, I'm --

12 MR. ESOCOFF: No, he's saying to
13 make it --

14 MR. WELDLER: -- no. No.

15 MR. ESOCOFF: -- he's saying to
16 continue the wall and that might be -- we'd be
17 happy to study that.

18 COMMISSIONER PARSONS: Of course,
19 I'm not becoming my own worse enemy, but I --

20 MR. ESOCOFF: No.

21 COMMISSIONER PARSONS: Because my
22 -- how -- my quick measurement is these are 30

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1 feet across.

2 MR. ESOCOFF: That's about right.

3 COMMISSIONER PARSONS: Thirty by
4 15.

5 MR. ESOCOFF: Yes. So, to --

6 COMMISSIONER PARSONS: And I'm
7 rationalizing it to say okay, this is a tower.

8 MR. ESOCOFF: Yes.

9 COMMISSIONER PARSONS: As opposed
10 to a horizontal element.

11 MR. ESOCOFF: Well --

12 COMMISSIONER PARSONS: Enough
13 dialogue.

14 MR. ESOCOFF: Yes.

15 COMMISSIONER PARSONS: Thank you.

16 MR. ESOCOFF: Well, you can
17 decide. Would you like us to study that or
18 give us -- or just recommend it?

19 COMMISSIONER PARSONS: Well, I've
20 got others here.

21 MR. ESOCOFF: Because I actually
22 -- I -- no, okay. We don't want to study

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1 anything.

2 COMMISSIONER PARSONS: No, of
3 course, you don't.

4 CHAIRPERSON MITTEN: Why don't we
5 do -- I have an idea about what to do.

6 COMMISSIONER PARSONS: Thank you.

7 CHAIRPERSON MITTEN: Which is that
8 I suspect we'll take proposed action tonight
9 and then if between now and final action, if
10 you want to just toss a couple of ideas out
11 and we'll be happy to consider them at final
12 action.

13 MR. ESOCOFF: Okay.

14 CHAIRPERSON MITTEN: So, we can
15 keep the record open for those little studies.

16 MR. ESOCOFF: That's a deal.
17 Thank you.

18 CHAIRPERSON MITTEN: Okay. Anyone
19 else have questions?

20 COMMISSIONER JEFFRIES: I do want
21 to add though looking at the Rhapsody and I'm
22 not as familiar with the Floridian, but the

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1 design here does seem to be sort of
2 establishing some kind of vocabulary in this
3 area. These buildings are starting to look
4 very much similar. I mean the Rhapsody. I
5 still have to look at the Floridian again, but
6 I think the good news is that whatever this is
7 I mean sort of warehousy, I don't know
8 exactly, but it does seem to capture what
9 appears to be something that is -- some design
10 that's occurring in this particular area.

11 I mean, you know, the tennis
12 rackets, you know, you can -- whatever --
13 however you want to look at that, but I think
14 the overall design I think in terms of the
15 facades look pretty successful to me. So.

16 CHAIRPERSON MITTEN: Okay. If
17 there are no further questions, then we'll
18 have Mr. Parker weigh in again.

19 MR. PARKER: Good evening again.

20 Height Act issues aside, OP is in
21 support of the modifications and unless there
22 are particular questions, I'll stand on the

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1 written record.

2 CHAIRPERSON MITTEN: Thank you,
3 Mr. Parker. Are there any questions for Mr.
4 Parker? Okay. Thank you very much.

5 We have a letter in the record
6 from ANC 1B. Mr. Spalding, did you want to
7 say anything on the record? Okay. Well,
8 thank you for being here. I'm sure the
9 Applicant appreciates it.

10 If there anyone who'd like to
11 testify in support of the application for
12 modification?

13 Anyone who'd like to testify in
14 opposition?

15 Ms. Prince, back to you.

16 MS. PRINCE: Thank you for your
17 time this evening.

18 I do want to emphasize that time
19 is of the essence on this application because
20 of the financing climate and the need to
21 proceed very soon.

22 In the interest of time, I'm not

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1 sure how your schedule falls out exactly. We
2 can either study the roof structure issue
3 immediately, like tomorrow, and prepare
4 ourselves should you be ready to take any kind
5 of action tonight for final action on Monday
6 night or if you --

7 CHAIRPERSON MITTEN: We can't do
8 it that fast.

9 MS. PRINCE: -- if you feel -- if
10 you can't do it that fast, what we would
11 really propose is to remove the elliptical
12 element if that causes you enough concern that
13 you'd like to see it removed.

14 But, I guess what we're trying to
15 avoid is a need to restudy that aspect of the
16 building --

17 CHAIRPERSON MITTEN: Um-hum. Um-
18 hum.

19 MS. PRINCE: -- because we are so
20 anxious to go forward with our building
21 permits.

22 CHAIRPERSON MITTEN: The only

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1 thing I was just trying to say is we can't
2 take final action that quickly after taking
3 proposed action.

4 MS. PRINCE: Right. Right.

5 CHAIRPERSON MITTEN: So, I think
6 there is time to -- for us to move ahead, but
7 also for you to have a little time to study
8 it.

9 MS. PRINCE: Um-hum.

10 CHAIRPERSON MITTEN: And then
11 before we take final action to see if there's
12 anything that you'd like to propose that's
13 different that would be attractive to the
14 Commission. So, I think we can do all of
15 that.

16 MS. PRINCE: Okay.

17 CHAIRPERSON MITTEN: All right.

18 MS. PRINCE: Well, thank you for
19 your time.

20 COMMISSIONER JEFFRIES: Well,
21 Madam Chair, I mean should we sort of -- you
22 know, Commissioner Parsons was concerned about

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1 the rooftop. I mean I don't know if the rest
2 of the Commissioners have issues around that.

3 COMMISSIONER TURNBULL: I would --
4 I think, Commissioner Parsons, I like the
5 continuing or looking at the -- sort of the
6 contextual language continuing that angular
7 look up. I think it's -- I think it would add
8 -- I think it continues up that language. I
9 think it would look good. I think that's --
10 I think as Mr. Esocoff had said, he's willing
11 to go back and look at that. I think it would
12 -- as a feature, it -- yes, I think it would
13 be something positive to look at.

14 VICE-CHAIRPERSON HOOD: I would
15 agree. Go back and look at it. Not saying
16 I'm against what was there, but we need to
17 look at it.

18 CHAIRPERSON MITTEN: This is just
19 an opportunity. We're not committing to
20 anything other than giving them the
21 opportunity to come back with something as an
22 alternative and you can say we're indifferent

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1 to these two choices or we prefer, you know,
2 one or the other. We like it -- don't we like
3 it better when we have choices? We do. Okay.

4 COMMISSIONER JEFFRIES: Yes. Yes,
5 but I'm sympathetic to -- yes, obviously, you
6 know, the issues that have been stated by the
7 Applicant as relates to the environment and so
8 forth and I would hate for this to get hung up
9 on --

10 CHAIRPERSON MITTEN: I don't think
11 it's going to.

12 COMMISSIONER JEFFRIES: Yes. But,
13 yes, so.

14 CHAIRPERSON MITTEN: Okay. Well,
15 with that, then I would move approval of Case
16 Number -- of the modifications in Case Number
17 05-17 and 05-32 and that we will just leave
18 the record open for two weeks I guess to
19 receive any studies of that element at the top
20 that we could consider in the alternative.

21 COMMISSIONER TURNBULL: Second.

22 CHAIRPERSON MITTEN: Thank you.

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1 Any further discussion?

2 All those in favor please say aye.

3 (Ayes.)

4 CHAIRPERSON MITTEN: Those opposed
5 please say no.

6 Mrs. Schellin.

7 MS. SCHELLIN: Staff will record
8 the vote 5 to 0 to 0 to approve proposed
9 action in Zoning Commission Case Number 05-
10 17A/05-32A. Commissioner Mitten moving.
11 Commissioner Turnbull seconding.
12 Commissioners Hood, Jeffries and Parsons in
13 favor and the record will remain open until
14 3:00 p.m. December 20th.

15 CHAIRPERSON MITTEN: Thank you.
16 Thank you all for your patience with us and we
17 enjoyed the --

18 MS. PRINCE: Thank you.

19 CHAIRPERSON MITTEN: -- dialogue
20 and thank you for the information about the
21 market and parking in particular because it's
22 something that the Commission is very

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1 interested in in other cases. So, been very
2 helpful. Thank you.

3 We're adjourned.

4 (Whereupon, the hearing was
5 concluded at 8:00 p.m.)

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