

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

THURSDAY

MARCH 1, 2007

+ + + + +

- - - - -x
In the Matter of :
4136 Georgia Avenue, N.W. :
Consolidated Approval of : Case No.
a PUD and related map : 06-02
amendment - Petworth :
Holdings, LLC :
- - - - -x

The Public Hearing of Case No. 06-02 by the District of Columbia Zoning Commission convened at 6:46 p.m. in the office of Zoning Hearing Room 200 South, at 441 4th Street, N.W., Washington, D.C., 20001, Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- CAROL J. MITTEN Chairperson
- ANTHONY J. HOOD Vice-Chairperson
- GREGORY JEFFRIES Commissioner
- JOHN PARSONS Commissioner (NPS)
- MICHAEL G. TURNBULL Commissioner (AOC)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN MORDFIN
JOEL LAWSON

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

The transcript constitutes the minutes from the Special Public Meeting held on March 1, 2007.

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

2 CHAIRPERSON MITTEN: Good evening,
3 ladies and gentlemen. This is a public
4 hearing of the Zoning Commission of the
5 District of Columbia for Thursday, March 1st,
6 2007.

7 My name is Carol Mitten and
8 joining me this evening are Vice Chairman
9 Anthony Hood and Commissioners Mike Turnbill
10 and John Parsons. We're expecting
11 Commissioner Jeffries shortly.

12 The subject of this evening's
13 hearing is Zoning Commission Case No. 06-02.

14 This is a request by Petworth Holdings, LLC,
15 for approval of a Consolidated Plan Unit
16 development and related Map Amendment for
17 property located at 4136 Georgia Avenue,
18 N.W., known as Lot 40 and square 2910.

19 Notice of today's hearing was
20 published in the D.C. Register on December
21 15th, 2006, and copies of today's hearing
22 announcement are available to you, and

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1 they're in the wall bin by the door.

2 This hearing will be conducted in
3 accordance with the provisions of 11 DCMR,
4 Section 3022, and the order of procedure will
5 be as follows. First, we'll take up any
6 preliminary matters. Then we'll have the
7 presentation of the Applicant's case, the
8 report by the Office of Planning, the report
9 by other government agencies, the report by
10 the affected Advisory Neighborhood
11 Commission, which in this case is 4C,
12 organizations and persons in support, and
13 organizations and persons in opposition.

14 The following time constraints
15 will be maintained in this hearing.

16 The Applicant will have 60
17 minutes, organizations will have five
18 minutes, and individuals will have three
19 minutes.

20 The Commission intends to adhere
21 to the time limits as strictly as possible in
22 order to hear the case in a reasonable period

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1 of time, and the Commission reserves the
2 right to change the time limits for
3 presentations, if necessary, and notes that
4 no time shall be ceded.

5 All persons appearing before the
6 Commission are to fill out two witness cards,
7 they look like this, and the cards are on the
8 table by the door.

9 Upon coming forward to speak to
10 the Commission, please give both cards to the
11 reporter, who is sitting to our right, before
12 you take a seat at the table.

13 Please be advised this proceeding
14 is being recorded by the court reporter and
15 is also being Webcast live. Accordingly, we
16 ask you to refrain from making any disruptive
17 noises in the hearing room.

18 When presenting information to the
19 Commission, have a seat at the table and then
20 turn on and speak into the microphone, first
21 stating your name and address.

22 When you're finished speaking,

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1 please turn the microphone off, so it doesn't
2 pick up background noise. The decision of
3 the Commission in this case must be based
4 exclusively on the public record and to avoid
5 any appearance to the contrary, the
6 Commission requests that persons present not
7 engage the members of the Commission in
8 conversation during a recess or at any other
9 time, and Mrs. Schellin will be available
10 throughout the hearing to answer any
11 procedure questions that you might have.

12 Please turn off all beepers and
13 cell phones at this time, so as not to
14 disrupt the proceeding, and I'd ask that
15 anyone who's planning on testifying this
16 evening, if you'd stand now, raise your right
17 hand and direct your attention to Mrs.
18 Schellin and she will swear you in.

19 [Witnesses sworn]

20 CHAIRPERSON MITTEN: Thank you.

21 And I'd just note that Commissioner Jeffries
22 has joined us, and Mrs. Schellin, any

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1 preliminary matters?

2 MRS. SCHELLIN: Just to advise
3 that we have received the affidavit of
4 maintenance and everything looks in order.

5 CHAIRPERSON MITTEN: Thank you.

6 Any preliminary matters, Ms.
7 Prince? All right. Then you guys can go
8 ahead and come to the table, and I would
9 really just urge you to make your
10 presentation focused on the matters that are
11 really at issue, and, you know, I think 60
12 minutes is really a little bit more than we
13 need in terms of the presentation. So if you
14 could just keep it focused on the issues that
15 Office of Planning has raised, that would be
16 most appreciated.

17 MS. PRINCE: We only need about 30
18 minutes.

19 CHAIRPERSON MITTEN: Terrific.

20 MS. PRINCE: Good evening, members
21 of the Commission. Thank you for this
22 opportunity to present our case. My name is

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1 Allison Prince of Pillsbury Winthrop Shaw
2 Pittman.

3 I'm here tonight on behalf of
4 Petworth Holdings, LLC, the Applicant, for
5 the consolidated review and approval of a PUD
6 and corresponding map amendment for the
7 property known as 4136 Georgia Avenue, right
8 at the intersection of Upshur and Georgia.

9 The total land area of the subject
10 property consists of 13,600 feet. It's
11 currently used as a gas station with five
12 curb cuts. The use does not realize the
13 site's high-profile potential along Georgia
14 Avenue, one of six great streets.

15 As a result of the application,
16 Petworth hopes to create a transformative
17 residential and retail project on the site,
18 that will contribute significantly to the
19 neighborhood.

20 In total, the project will include
21 approximately 57 new residential
22 condominiums, comprising approximately 42,000

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1 square feet, including four large affordable
2 units, ground floor retail comprising
3 approximately 5000 square feet, and
4 approximately 10,300 feet of common area, and
5 finally, underground parking for 35 vehicles
6 in two surface spaces.

7 The total gross floor area
8 included in the PUD will be approximately
9 57,000 square feet. It has been thoughtfully
10 designed to complement the existing
11 structures and properties near the site, and
12 to enhance and rejuvenate the surrounding
13 area.

14 The property is now in the C-2-A
15 Zone District. We request a rezoning to C-3-
16 A to accommodate the proposed development.

17 The PUD guidelines for C-3-A
18 permit a 90 foot height and our building is
19 at a 75 foot height. In addition, an FAR of
20 4.5 is allowed. The project is at a 4.25.

21 As I'll remind you, under
22 inclusionary zoning, the site is permitted a

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1 residential FAR of three. So in looking at
2 the incremental benefit afforded in terms of
3 density by the PUD, I would urge you to
4 measure us against the inclusionary zoning
5 standard, which results in 16,000 square
6 feet, additional square feet of residential
7 on the site.

8 Rezoning the site to C-3-A is
9 consistent with the overarching goals and
10 policies of the Comprehensive Plan and the
11 site's map designation of moderate density
12 residential, low density commercial,
13 especially when considered in the greater
14 context of the neighborhood.

15 And I'll remind the Commission
16 that just recently a PUD was approved in the
17 same square for Neighborhood Development
18 Corporation. That project involved a very
19 substantial amount of affordable housing, all
20 affordable housing with a great deal of
21 government subsidy, and will begin
22 construction shortly.

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1 We believe that this project has
2 resulted in a well-planned development
3 envisioned by the PUD process. It involves
4 efficient and economic land utilization,
5 attractive design, and it just greatly
6 improves the site's current condition.

7 The project is supported by the
8 ANC. We first met with the ANC a year ago.
9 We've had two public meetings with the ANC,
10 and then an ANC-sponsored Saturday meeting
11 that was advertised to property owners within
12 200 feet.

13 When we formulated the amenities,
14 it was with full input from the ANC, and we
15 in fact incorporated the ANC specific
16 recommendations.

17 In addition to the affordable
18 housing, and the overall benefits of
19 converting the property from a gas station
20 with five curb cuts to housing with a single
21 driveway, the project involves support of
22 Clark Elementary School, Petworth Recreation

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1 Center, and significant components of green
2 design.

3 I have a few housekeeping matters
4 before we begin with the testimony of John
5 Formant.

6 The site size is slightly under
7 the PUD standard of 15,000 feet. I would
8 note that under the Georgia Avenue overlay
9 that you've set down, we wouldn't need a
10 waiver, but we do need a waiver because we're
11 under 15,000 feet.

12 We meet the waiver standards. The
13 project is 80 percent housing. Office of
14 Planning recommended the grant of the waiver
15 and laid out, in detail in its report, its
16 logic for its support of the waiver.

17 We have a set of drawings tonight,
18 and the reason for the new set of drawings is
19 to clearly, and in great detail, spell out
20 the great architecture features of the
21 project that have been incorporated since the
22 time of the prehearing statement.

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1 And I just have one comment about
2 amenities because that's been a relatively
3 new development, especially with the filing
4 of OP's supplemental report today.

5 As the Commission's aware, the
6 provision of amenities is a balancing act in
7 all respects. You need to weigh the extent
8 of the relief requested with what's being
9 offered in the way of amenities.

10 In this case, as I mentioned, I
11 think you need to weigh a 4.2 FAR against the
12 3.0 FAR that would be allowed under IZ.

13 The site, as a gas station, really
14 detracts from the neighborhood in a very,
15 very significant way, which we heard many,
16 many times in the course of meeting with the
17 ANC.

18 The site could easily, under the
19 existing zoning, be capped off, without any
20 significant environmental remediation of the
21 site, and used for continued commercial
22 purposes.

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1 By converting the site to
2 residential use, we have a very high standard
3 of remediation, to provide the underground
4 parking garage and excavate the parking
5 that's needed for the residential, and I
6 believe that that remediation, combined with
7 all the other facets of green architecture,
8 that the architects will describe, in great
9 detail, are very, very important amenities
10 that need to be weighed in the process.

11 In addition, the community
12 strongly encouraged us to work with the
13 Petworth Recreation Center and Clark
14 Elementary School. We have done so. There's
15 an intermediary organization that will be
16 working with us to administer the funds for
17 the purchase of computer equipment and
18 detailed items for each entity. This was
19 worked out quite recently, and will be
20 spelled out further.

21 But I do think that when you
22 consider a site like this, and its location,

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1 and the high, high quality of design, you
2 need to weigh all those factors with the
3 extent of relief, and in terms of the high-
4 quality design, which the architect will
5 cover in much greater detail, under IZ, this
6 is just a matter-of-right housing site that
7 can be a 3 FAR, and under IZ, there is no
8 design review, whatsoever, and when an
9 Applicant chooses to avail themselves of the
10 PUD process, we're more than aware of your
11 very high design standards, and this is a
12 masonry project, and this has a lot of custom
13 windows and custom features, and curves and
14 detailing, that simply wouldn't be included
15 in a matter-of-right project.

16 But they come at substantial cost,
17 and just this afternoon, I asked the
18 architect, if you were to take this project
19 and scale it down to a matter-of-right
20 project, and cut out all custom features,
21 just off the top of your head, what's it
22 costing to do masonry and not hardy plank, to

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1 do custom windows and not stock windows?
2 Just ball park. And he said a million
3 dollars.

4 And I think that's a significant
5 number, and that's the design quality that
6 you demand and should demand. But I do
7 believe, even though we're not arguing that
8 this is a project of exemplary architecture,
9 I think design of this quality on Georgia
10 Avenue does have significance and weight in
11 valuing the amenities.

12 So those are my thoughts on the
13 amenities. I'm sure we'll have further
14 discussion.

15 I'd like to proceed with the
16 testimony of John Formant, a native
17 Washington, who has done many projects, all
18 over the city, yet has never appeared before
19 this Commission, and my two other witnesses.

20 "Sass" Gharai of SGA Architecture has never
21 been qualified as an expert by this
22 Commission, so I draw your attention to his

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1 resume which we submitted prior to the
2 hearing, and he has 17 years of experience
3 and a master's of architecture from Catholic
4 and has done projects all over the city, and
5 I would ask that you consider him as an
6 expert.

7 He has been qualified as an expert
8 by the Board of Zoning Adjustment.

9 CHAIRPERSON MITTEN: Is that the
10 only expert you're proffering tonight?

11 MS. PRINCE: No. We also have
12 Chris Kabatt from Wells & Associates, the
13 traffic engineer, and his resume was
14 attached--

15 CHAIRPERSON MITTEN: These have
16 been submitted as Attachment A in the
17 February 9th submission. Is there any
18 objection to accepting Mr. Gharai as an
19 expert in architecture and Mr. Kabatt as an
20 expert in traffic and parking? Okay. Then--

21 VICE-CHAIRPERSON HOOD: Can I ask
22 a question?

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1 CHAIRPERSON MITTEN: Certainly.

2 VICE-CHAIRPERSON HOOD: Has Mr.

3 Kabatt ever been in front of the Zoning

4 Commission or BZA?

5 MS. PRINCE: He's been qualified

6 as an expert by the Board of Zoning

7 Adjustment, not the Commission.

8 VICE-CHAIRPERSON HOOD: Board of

9 Zoning Adjustment. Thank you, ma'am.

10 CHAIRPERSON MITTEN: Thank you,

11 Mr. Hood. Any objection, then?

12 VICE-CHAIRPERSON HOOD: No.

13 CHAIRPERSON MITTEN: Okay. Please

14 go ahead.

15 MS. PRINCE: Thank you.

16 MR. FORMANT: Good evening, my

17 name is John Formant, and my address is 4429

18 Lowell Street, N.W., Washington, D.C. Good

19 evening and thank you for giving the

20 opportunity to discuss my project with you.

21 Before I get started, I wanted to

22 give you a little background on myself and my

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1 company.

2 Petworth Holdings is a subsidiary
3 of John Formant Real Estate, which is a full-
4 service real estate company based in
5 Washington, D.C.

6 In addition to offering brokerage
7 services, my company acts as a developer of
8 small residential/commercial projects
9 throughout the city.

10 I've been doing this 25 years.
11 While I was in college, I started. I am the
12 principal of the company and I'm a third
13 generation Washingtonian. I attended Gonzaga
14 College High School, Georgetown University in
15 the District, and I've lived in D.C. my
16 entire life.

17 One of the main thrusts of my real
18 estate career has been the focus on
19 encouraging revitalization in the city.
20 During the past 25 years, I've remodeled
21 hundreds and hundreds of houses all over the
22 city, and I'm excited about the prospects of

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1 working in the Petworth neighborhood.

2 Also I have a particular interest
3 in H Street, N.E., where I've remodeled and
4 leased out over 15 commercial properties over
5 the past 20 years.

6 But back to Petworth, Petworth has
7 always intrigued me over the years. I've
8 done a lot of home renovations in the area up
9 there and have started to do condo
10 development in that area.

11 Over the past year, we just
12 finished a project on 7th and Missouri Avenue
13 called the Angelina Brightwood. It is a 15-
14 unit boutique luxury condo building of which
15 we've sold 14 units so far.

16 We also are working on ten
17 buildings at 8th and Upshur Street, N.W.,
18 turning those into duplex condo units, and
19 we're in the development and planning stages
20 for two other apartment buildings in
21 Northwest, one on the 600 block of Jefferson
22 Street and one of the 900 block of Madison

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1 Street, N.W.

2 I believe that Petworth is an area
3 that people in D.C. can still buy property in
4 an affordably-priced range compared to
5 property in Dupont Circle, Shaw area, Logan
6 Circle.

7 And I feel this project will
8 probably exemplify, more than any other
9 project up in that area, to spur more
10 development in the area.

11 Let me move on to the description
12 of the site. This site, as you know, is a
13 gas station, and I believe it's going to be a
14 great adaptive reuse of an awkward site.

15 The property includes the northern
16 portion of the block between Kansas Avenue,
17 Georgia Avenue, Taylor and Upshur Street.
18 It's currently zoned C-2-A. It's been used
19 as a Shell gas station for a number of years.

20 The square to the west of the
21 property includes a self-storage facility, an
22 office building, and a auto repair shop.

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1 Directly to the south, and
2 adjacent to the property, and along the west
3 side of Georgia Avenue, is a building that
4 houses an Internet cafe and a carryout
5 restaurant.

6 South, and adjacent to the
7 property, along the east side of Kansas
8 Avenue, is another commercial storage
9 structure. Along the entire southern portion
10 of Square 2910 is a parking lot, is the
11 former site of Yaba Motors. This site has
12 recently been approved for development by
13 Neighborhood Development Corporation and I
14 think that case was approved by the Zoning
15 Commission this last April.

16 The current state of undeveloped
17 sites extend to the south of Taylor Street.
18 to a used car lot and parcels of vacant land
19 lining the whole south side of Taylor Street
20 between Georgia Avenue and Kansas Avenue.

21 Directly to the east of the
22 property, across Georgia Avenue, is a park.

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1 Further still along 9th Street, N.W., are two
2 churches, a vacant lot and several other
3 structures.

4 North of the property is the
5 intersection of Georgia Avenue, Kansas,
6 Upshur, and another small triangular park.

7 To the northeast of the property,
8 along the west side of Georgia Avenue,
9 between Upshur and Kansas, are retail
10 buildings.

11 To the northwest of the property,
12 along the east side of Georgia Avenue, and
13 between Upshur and Georgia, is the Petworth
14 branch library and Roosevelt High School
15 immediately behind that.

16 Immediately to the west of square
17 2910 is square 2911, which is zoned C-M-1,
18 commercial light industrial zone, and to the
19 northwest of the site is square 2915, which
20 is zoned R-4.

21 In all directions around my
22 property, the property is ringed by C-2-A

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1 properties, and also, I just want to state
2 the property is a short walk to the Petworth
3 Metro. It's about .3 miles to the Metro
4 stop.

5 In regards to meetings with the
6 community, we met with them several times
7 over the past year. We met with the entire
8 ANC on March 14th, 2006 and February 27,
9 2007.

10 In addition, we met with the
11 single member district on March 29th, 2006,
12 plus I've had numerous meetings and contacts
13 with Shanel Anthony, who is a single member
14 for ANC 4C.

15 In terms of this project, I feel
16 that after meeting with the community and
17 Office of Planning, we refined our amenities
18 package in order to reflect those meetings.
19 Even though we are a small project, we are
20 still limited in what we can offer.

21 But being a small project, we're
22 also going to make a great impact on the

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1 area. Some of the amenities that we have
2 agreed are affordable housing. We have
3 agreed to set aside 3877 square feet of
4 housing, which we distributed in different
5 sizes and configurations in the building.

6 We also have increased our green
7 design elements with the architect, that
8 we'll talk about shortly. In addition, we
9 have agreed to contribute \$100,000 to two
10 community organizations, Clark Elementary and
11 Petworth Recreation Center, to be split
12 evenly with them for specific projects that
13 the ANC will--that them and the ANC will
14 agree upon.

15 In addition, we have agreed to
16 enter into agreements with appropriate
17 District agencies concerning first source
18 agreements, LSDBE, memorandums of
19 understanding. The big amenity is the
20 housing that we're going to provide in the
21 area.

22 We will provide approximately 57

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1 new housing units and 5000 square feet of
2 retail. These will deliver a significant
3 amount of recurring income to the District of
4 Columbia. But, more importantly, this
5 project will be a catalyst for other
6 investments in the area.

7 It's difficult to put a dollar
8 amount on this amenity or measure it, but one
9 of the greatest benefits of this project will
10 be the effect of investment on the
11 surrounding neighborhood.

12 The presence of this project will
13 have a major impact along Georgia Avenue,
14 spilling over to other residential and
15 commercial projects.

16 That's all I have to say right
17 now. I'll turn it over to "Sass."

18 MS. PRINCE: I would just like to
19 add that we did submit for the record a
20 letter from the Upshur, New Hampshire, Taylor
21 and Shepherd Street Association, which is
22 essentially going to help us administer the

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1 \$100,000 of funds to the elementary school
2 and to Petworth Recreation Center, and the
3 letter spells out the specific uses for the
4 funds because I know the Commission always
5 likes to know that.

6 MR. GHARAI: Good evening, members
7 of the Zoning Commission. My name is "Sass"
8 Gharai of SGA Companies. I'm the designer
9 and the architect for 4136 Georgia Avenue.
10 I'm going to give you a little bit of
11 background about my company.

12 We're based in Bethesda, Maryland,
13 and we've designed several projects in the
14 District, some are being built at the moment,
15 or are about to break ground. This is the
16 Butterfield House on Capitol Hill. It's a
17 50,000 square foot building. It's five and a
18 half stories. It's got 28 condominiums and
19 underground parking.

20 This is another project that's
21 hopefully going to break ground this summer.

22 It's called Ecco Park. It's a very

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1 environmentally-friendly building. It's a
2 four story building with two levels of
3 underground parking. It's right next to the
4 Metro station in Takoma Park, on the D.C.
5 side.

6 This diagram here shows where our
7 site is. I'm pointing out the site to you
8 right now. This is the diagram taken from
9 the Office of Planning. It's the Georgia
10 Avenue corridor revitalization, and you can
11 see there are a number of things that the
12 Office of Planning is planning for this area.

13 So we're in this, and this is the,
14 right here, where I'm pointing to, is the
15 neighborhood development site right beneath
16 us. This, right there, is the Shell gas
17 station.

18 And this is a zoning map of the
19 area. The property that's the subject of
20 this application is currently zoned C-2-A,
21 and C-2-A permits a 50 foot height, an FAR of
22 2.5, 1.5 of which can be commercial.

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1 The city's planning objectives
2 call for more residential use in the area of
3 the property. The site is located in the low
4 density commercial, moderate density
5 residential land use category, as shown on
6 the District of Columbia generalized land use
7 map, which I've brought with me here today.

8 And the properties to the south of
9 the property, lining Georgia Avenue, are in
10 the moderate density commercial, medium
11 density residential land use category. It's
12 a real mouthful to keep saying that.

13 Given its location and prominence
14 on the Georgia Avenue corridor, the property
15 shares many of the same characteristics of
16 the properties in this higher-intensity land
17 use category, and the properties immediately
18 to the north, south, east and west of the
19 property are also in the low density
20 commercial, moderate density residential land
21 use categories.

22 The property to the northwest of

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1 the property is the local public library
2 which is here. Facilities, land use
3 category. And the other properties further
4 outside the ring of low-density commercial,
5 moderate density residential, surrounding the
6 property, are actually in the moderate
7 density residential land use category.

8 A lot of this area is going back
9 to zoning categories as in the R-4 Zone, and
10 right next to us, right here, is--there we
11 are--that's the commercial/industrial, the C-
12 M-1 Zone.

13 So right next to this industrial
14 area, and some of the industrial feel of that
15 zone comes across in our design. We propose
16 to development a signature residential
17 project with a significant retail component
18 on the property, that will help enhance and
19 revitalize the surrounding neighborhood.

20 The project will include
21 approximately 57 new residential
22 condominiums, comprising approximately 42,715

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1 square feet. That includes the four
2 affordable units, and we have ground floor
3 retail space of about 4,884 square feet.

4 And the common spaces in the
5 building are about 10,400 square feet. The
6 exact numbers are up there. I've rounded
7 some of them off.

8 The total gross floor area
9 included in the proposed PUD will be about
10 57,995 square feet.

11 The proposed building height is 75
12 feet, which is below the maximum height of
13 the 90 feet that's permitted under the PUD
14 guidelines for the requested C-3-A zoning.

15 The building will serve as a
16 gateway to the Petworth neighborhood and will
17 also provide the impetus and direction for
18 development of the Petworth community. The
19 project is a significant investment in a
20 neighborhood that will greatly benefit from
21 the stimulus.

22 I've got an imagine, this is a

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1 nighttime imagine of the building, and I'm
2 about to start talking to you, very quickly,
3 about some of the influences from the city
4 that went into designing this property. The
5 property is on a very--well, not unusual for
6 D.C., cause there are a number of these sites
7 in D.C. that are triangular sites, they're
8 acute angles, and starting in the middle of
9 the 19th Century, there have been different
10 ways of dealing with this.

11 This is the Portland Flats. This
12 was by an architect called Adolf Kluss who
13 also did Eastern Market. You can see the
14 turret, you can see the bays. This is a very
15 similar form to the building that we have,
16 although ours is different. This is our
17 building, again. This is a daytime view.
18 Again, the bays, the tower on the corner.

19 And then this is another building.

20 This is Mount Vernon Flats. Again, it's one
21 of these acute-angled buildings. This has
22 been torn down. I think this was torn down

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1 in the sixties. But again, the turret on the
2 corner, that's a way of dealing with the
3 corner, and then the bays on the side.

4 This is a more modern way of
5 dealing with it. This is 2001 16th Street,
6 where the turret gets completely integrated
7 into the building. This was done in the
8 early twenties, of the 20th Century.

9 This is in a different context,
10 but again you see the turret used in a very
11 different way. This is an art deco building.

12 So you see this theme of the turret and the
13 large--in apartments, you always struggle
14 with getting light into the building, and so
15 this is an example from 3303 Water Street,
16 and this is significant because one of the
17 things that I was again trying to do was, I
18 was trying to bring in how to deal with
19 industrial type buildings, and detail them
20 for residential and commercial use, and this
21 project does that really well.

22 And the thing I love about this

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1 project is how, at night, this lights up, and
2 our project will also light up at night. And
3 I think that having a certain amount of light
4 on the street at night gives to the security
5 of the neighborhood and it sort of creates a
6 street life, which is one of the things that
7 I think Georgia Avenue doesn't have, and
8 other parts of the city, other more developed
9 parts of the city have.

10 And I think that by pulling in
11 brick and masonry that you see in other parts
12 of the city, for example, this is the
13 Georgetown Ritz Carlton, and we have a very
14 similar use of materials. You see the brick
15 here and the black metal, and we use that
16 same theme again in our building. This is
17 another view, and again you see the bay
18 that's done completely in glass, floor to
19 floor ceilings, and the brick. The brick is
20 a very Washingtonian material, that I felt it
21 was really important to use that, and I think
22 it adds a lot of dignity and elegance to the

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1 building.

2 This is yet another building,
3 again this is relatively recent, this is at
4 14th and V, but again you see the brick, the
5 large expanses of glass, and the metal.

6 I just want to talk about the
7 ingress and egress to the below-grade parking
8 of approximately 35 parking spaces, will be
9 from Kansas Avenue, N.W., at the southern
10 edge of the property, which is over here.
11 That's how you get into the parking.

12 Residents of the project can
13 proceed directly from their parking spaces in
14 the below-grade garage to their units. Four
15 spaces in the underground garage and two
16 additional spaces in the rear courtyard of
17 the building are available to the retail
18 spaces.

19 The total parking on the site,
20 both above and below ground, is 37 parking
21 spaces. The main lobby for the residential
22 portion of the building will be accessed from

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1 the Kansas Avenue entrance, which is right
2 here. That's the main residential lobby.

3 These are the retail spaces that
4 open on to Georgia Avenue and one of the
5 recommendations of Office of Planning, in one
6 of their reports, was that every 40 feet, or
7 so, if possible, that there would be
8 entrances into retail.

9 Again, this is to enhance street
10 life, so there is activity on the street.

11 A pedestrian-only entrance is
12 being provided for each of the retail units
13 in projects, and as I pointed out, two of
14 these are on the Georgia Avenue side and one
15 is up here at the corner.

16 The proposed project will also
17 include hardscape and landscape improvements
18 on the property. There are two landscaped
19 areas on the Kansas Avenue. This is one of
20 them, and this is another one.

21 And we've carefully picked plants
22 that are indigenous to the Chesapeake Bay

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1 watershed area, and I'll talk about that a
2 little later, but I just wanted to point that
3 out to you, that this is one of the things
4 that we're doing in terms of landscaping.

5 There's another area of
6 landscaping, also on the roof, we have a
7 green roof upstairs.

8 The total gross floor area
9 included in the proposed PUD is approximately
10 57,995 square feet, for a total FAR of
11 approximately 4.25. The building is going to
12 have a height of 75 feet, as measured from
13 Georgia Avenue. The proposed project will
14 have a lot occupancy of 63 percent. The
15 proposed project is equal to or smaller than
16 the building envelope permitted under the C-
17 3-A District PUD guidelines, where I'm
18 allowed a maximum FAR of 4.5 and a building
19 height of 90 feet.

20 It's necessary to rezone the
21 property to the C-3-A Zone District, in order
22 to allow the proposed 75 foot height, and FAR

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1 of 4.25.

2 And it's also critical to allow
3 for both quality of the development that
4 Petworth Holdings intends to build, and to
5 maintain a price of the condominium units
6 that is comparable to the market at this
7 location.

8 The building's going to have 3092
9 square feet of residential recreation space
10 in the party room, the fitness room and the
11 lobby, and the party room and the fitness
12 room are on the backside of the--I don't want
13 to call it the backside of the building.
14 This building really has two sides, and
15 that's always one of the things that's really
16 difficult in a mixed-use building, and we've
17 done that by making a sort of softer, more
18 landscaped side for the residents to enter
19 on, and then on this side, the side that
20 faces Georgia Avenue, is the more commercial,
21 hopefully more bustling side to the building.

22 And what else? As a result of the

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1 deletion of the residential recreation space
2 by the Commission and the request by the
3 Office of Planning, we've included a green
4 roof on the project and removed some of the
5 residential rec space.

6 No side yard is required under
7 Section 775 of the zoning regulations. The
8 rear yard requirement under Section 774.1 is
9 2.5 inches per foot of building height.

10 Since the building is 75 foot
11 high, the rear yard required would be 12 foot
12 five inches.

13 Under Section 774.11, since the
14 building is on a corner lot abutting three
15 streets, the rear yard may be measured from
16 the center line of--in this case it's Kansas
17 Avenue.

18 So beginning at the middle of
19 Kansas Avenue, the project offers a rear yard
20 of 60 feet. A loading berth, loading
21 platform, and a loading space are provided at
22 the rear of the building and will be accessed

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1 from the entrance on Kansas Avenue, which is
2 right here.

3 And you basically go through the
4 alley to get into the loading dock, the
5 loading space and the loading berth, and
6 these are the two parking spaces upstairs,
7 that are above ground.

8 The trash and recycling areas will
9 be enclosed within the building and located
10 at the rear of the building.

11 Now I want to talk to you about
12 the green design features. I really think
13 that the green design is a really big
14 amenity. I mean, people don't agree with me
15 yet, but I think in time, as we become more
16 aware of global warming, and the effect that
17 our buildings have in terms of energy uses
18 and pollution and the heat sink effect, I
19 think this is the way of the future.

20 This building, I'm going to
21 quickly go through why we get the lead points
22 that we're getting, and some of the things

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1 that we've done.

2 We're developing a building that
3 was on a site, that was previously covered
4 with hardscape. The Shell gas station is all
5 asphalt. It has absolutely no green on it
6 whatsoever.

7 It's in a community with a minimum
8 density of 60,000 square feet per acre. It
9 is a brownfield site. There was
10 contamination at the site, that is being
11 cleaned up, as we speak, right now.

12 So that cleaning up of the site is
13 again one of the reasons we get more lead
14 points. It is within a quarter mile of a
15 number of bus stops. It's .3 of a mile from
16 the Metro station, so we're right on the cusp
17 there of the Metro station. But it's still
18 very close.

19 We actually provide covered
20 storage facility for 29 bicycles, so that's
21 much more than the 15 percent. The parking
22 does not exceed the minimum requirements of

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1 the local zoning requirements.

2 One of the reasons for this lead
3 thing is that the attitude of lead is if you
4 build more parking spaces, that that will
5 just lead to more congestion, over time. If
6 you stop building parking spaces, people will
7 be forced to use public transportation, and
8 that'll start happening.

9 Let's see. We have a stormwater
10 management plan and it does result in a 25
11 percent decrease in the volume of stormwater.

12 We have placed the parking underground. We
13 have provided a roof with a solar flexis*
14 index of at least 29, and we also have a
15 green roof for at least 50 percent of the
16 roof area.

17 Once we get into the lighting
18 design, we're going to minimize lighting
19 pollution, and we're also reducing the
20 potable water consumption for irrigation.

21 We're going to use some of the--
22 we're doing two things. One, we're using

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1 plants that are indigenous to the Chesapeake
2 watershed, and the other thing that we're
3 doing is we're going to use stored-up
4 rainwater and use that for irrigation.

5 There are a number of things here
6 that deal with adhesives and sealants, that
7 have low-emitting material standards, both
8 with paint, adhesive sealants, and carpet
9 systems, and there's some of these things
10 that are really obvious, like providing
11 individual controls, which we will do for
12 everybody in the building, and that also
13 applies to the HVAC unit controls.

14 And we do have a glazing factor of
15 2 percent. We haven't used reflective glass
16 in the building at all, and we will have, at
17 least one participant of our project team
18 will be a lead, accredited professional.

19 These are the materials that we're
20 using on the building. This is the awning
21 color. It's a bright blue. This brick color
22 was changed during the set-down meeting. I'm

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1 not sure who it was on the Commission but
2 somebody said the building seemed too dark
3 and brooding, and so we lightened it up.

4 This black aluminum is the color
5 that's going to be--the mountings on the
6 windows are going to be this, and here's the
7 precast concrete that we're going to be
8 using.

9 This is again, this is the brick
10 color, right here. This is a larger sample
11 of the brick. I also have a model here.

12 COMMISSIONER PARSONS: Stop a
13 moment, please.

14 MR. GHARAI: Sorry.

15 COMMISSIONER PARSONS: Look at the
16 screen on the back wall.

17 MR. GHARAI: Yes.

18 COMMISSIONER PARSONS: Look at the
19 screen over here.

20 MR. GHARAI: Is different.

21 VICE-CHAIRPERSON HOOD: In,
22 actually, one of our drawings it looks read.

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1 MR. GHARAI: That's weird.

2 COMMISSIONER PARSONS: So what do
3 you like?

4 MR. GHARAI: Well, we have the
5 actual brick here. You know, that's like a
6 constant problem of life, is what you see
7 depends on the screen that you're seeing it
8 through. It's like you don't know that
9 you're wearing rose-colored glasses.

10 I'm just quickly going to be
11 talking about--the last thing I'm going to
12 talk about is the--I don't know if any of you
13 have interest in the plants that we've chosen
14 but they're all--the grasses are Canada wild
15 rye, the herbaceous plants and groundcovers
16 are going to be a variety of asters in three
17 colors and violets.

18 In addition, the landscape's going
19 to have medium shrubbery. It's going to
20 include red choke berry, witch hazel, four
21 flowering dogwood, and fourteen red maples as
22 the tall trees, and the outdoor areas are

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1 going to have a outdoor recreation area with
2 tables and chairs.

3 This design fits the lead
4 definition of low-impact landscaping, and
5 that just about sums it up for me, and this
6 is the building, at night. This is the
7 streetscape. We're hoping that this side
8 will be the bustling side, and then this side
9 will be the more quiet residential side.

10 You can see the floor-to-ceiling
11 windows. People will probably have curtains
12 in them of some kind. But at night, they'll
13 emit a glow, so this building at night will
14 glow gently, and I think that'll bring a
15 sense of safety, and the tower--you know, as
16 you're driving down Georgia Avenue, you're
17 going to see the tower. It's going to be
18 like something that's going to feel like,
19 okay, this is the gateway to the
20 neighborhood.

21 That's the idea of the tower, that
22 you're going to see that for a while. And

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1 that just about wraps up my presentation.

2 CHAIRPERSON MITTEN: You know, we
3 probably don't need the traffic presentation.

4 MS. PRINCE: I was just going to
5 offer that. So we will just have him
6 available for questioning.

7 CHAIRPERSON MITTEN: That sounds
8 great. Okay.

9 Mr. Jeffries.

10 COMMISSIONER JEFFRIES: Yes.
11 Maybe I missed it but I was trying to look
12 and see if there was any accommodations for
13 Zip Car.

14 CHAIRPERSON MITTEN: Turn your
15 mike back on, Mr. Gharai, or whoever's going
16 to answer. Sorry.

17 MR. GHARAI: Sorry.

18 MR. KABATT: Good evening. I'm
19 Chris Kabatt with Wells & Associates, and I
20 contacted Zip Car and Flex Car, and both of
21 them indicated that--or they didn't indicate,
22 they didn't get back to me that they'd be

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1 interested in providing cars on site in the
2 garage. I will note that there are two cars
3 sharing spaces right near the intersection of
4 Upshur and 9th Street.

5 COMMISSIONER JEFFRIES: Okay.

6 MR. KABATT: For--there's two cars
7 out there.

8 COMMISSIONER JEFFRIES: Okay. And
9 my only other question is--and this might be
10 for Mr. Formant. Did I pronounce it
11 correctly?

12 MR. FORMANT: That's right.

13 COMMISSIONER JEFFRIES: Yes. You
14 might want to come up. As relates to the
15 retail, have there been any discussions about
16 anything like set-aside for LSDBE retail? I
17 mean, the size looks small, the area seems
18 right for perhaps some sort of set-aside, or
19 did you do that and I just missed it?

20 MR. FORMANT: We said we'd enter
21 into agreements with those organizations--

22 COMMISSIONER JEFFRIES: I can't--

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1 [Counsel and Mr. Formant confer]

2 MR. FORMANT: We were going to
3 keep that option open to us, to see, at the
4 time--right now, we have not even discussed
5 any, what type of tenants to go into that
6 project. We've had several--we have had a
7 lot of inputs from the neighbors there
8 through e-mails last year, after ANC
9 meetings, what they would like to see in
10 there.

11 COMMISSIONER JEFFRIES: okay.

12 MR. FORMANT: We haven't even got
13 that far yet. We were trying to get through
14 the design phase, and get this approved. But
15 I can tell you, most of the people in that
16 area, they're either looking for a bank,
17 they're looking for a food establishment, a
18 sit-down food establishment, something, you
19 know, nice caliber of food, where they can go
20 in, grab a sandwich, or dinner, or something
21 like that. Up the street there's a
22 restaurant called Domku, that's been very

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1 popular in the neighborhood, and that's what
2 people are looking for up there. But we
3 haven't talked to anybody specifically yet.
4 That wasn't a--

5 COMMISSIONER JEFFRIES: Well, I
6 only threw that out, you know, given the
7 Office of Planning's concern about the level
8 of amenities versus the amount of relief
9 that's being requested, and so I just, you
10 know--

11 MR. FORMANT: I want to make--

12 COMMISSIONER JEFFRIES: I mean,
13 I'm certainly not providing an edict here.
14 You know, I'm just wondering have you sort of
15 considered that? I mean, there are a number
16 of minority-owned businesses, and, you know,
17 retailers that, you know, the city might be
18 able to work with you, or different
19 organizations, in terms of trying to identify
20 those companies, and, you know, as a benefit,
21 you might want to look at some level of
22 discount, of, you know, rent, for that type

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1 of use, and they could be very well
2 neighborhood-serving retail that the
3 neighbors want.

4 MR. FORMANT: I understand.

5 COMMISSIONER JEFFRIES: You know.

6 So I just wanted to put, you know, give that
7 to you to consider, so--

8 MR. FORMANT: Well, as we get
9 closer, I told the ANC I'll work with them
10 on, you know, whatever recommendations they
11 have. But at the present time, I was
12 focusing more on the design and the
13 application. But my main thrust is I want to
14 make sure whatever goes in--cause the site's
15 sort of like my "baby" there.

16 COMMISSIONER JEFFRIES: Right.

17 MR. FORMANT: I want to make sure
18 whatever goes in there is going to work in
19 the community and it's going to be a good
20 benefit, right there, cause the community is
21 lacking so many things right there, and I
22 want to get the right mix into that project.

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1 COMMISSIONER JEFFRIES: And you
2 are right on the cusp of sort of being
3 transit-orient development, four blocks away.

4 I mean, we've certainly seen some
5 applications that have come through, been a
6 little closer than this to a Metro, that came
7 under a one-for-one parking scenario. So, I
8 mean, I applaud you for being sensitive to
9 the whole notion of trying to reduce, you
10 know, vehicular use, and so forth.

11 But, you know, there's always even
12 room for improvement there, so--and I know
13 you've got one level, so, you know, spaces
14 are what they are, but I just wanted to let
15 you know that there are some developer that
16 have come before us, even under 1-0*. So
17 anyway, thank you.

18 CHAIRPERSON MITTEN: Anyone else?
19 Commissioner Turnbull.

20 COMMISSIONER TURNBULL: Thank you,
21 Madam Chair. I was wondering if I could just
22 continue on with Mr. Jeffries retail. I'm

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1 curious that I think it was stated somewhere,
2 either in our readings, that there's a
3 possibility that you might have a bank, or
4 there's a possibility for a bank at the
5 corner, at the intersection. Is that--

6 MR. FORMANT: Yes. Well, we've
7 had interest--I mean, we haven't put the
8 property out there for lease or any potential
9 tenants, but people know the project is
10 there.

11 We've had several commercial real
12 estate brokers contact us about the
13 possibility of putting a bank there, cause
14 there's certain banks that want to be up in
15 that area, large banks that don't have any
16 locations up there between, you know, like
17 upper--Howard University, all the way up to
18 like Kennedy Street. I think there's only
19 one bank there.

20 COMMISSIONER TURNBULL: Well, I
21 guess I was curious, that although Georgia
22 Avenue is the prime, sort of retail driver,

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1 it looks like what's happening on Kansas
2 looks more inviting. It looks like you could
3 have a restaurant along there. It looks like
4 it's got a wider street area, and it looks,
5 almost where this bank area is, you've carved
6 out a great portion where, on one of the
7 drawings, shows tables and chairs up there,
8 and a sort of--I'm just curious on how all
9 that works. It looks like Kansas is becoming
10 the more, area that you want to come and pull
11 up on and sit down--

12 MR. FORMANT: Well, it's the front
13 of the residential entrance, right there.
14 You want to have an appealing entrance coming
15 into your apartment. Georgia Avenue

16 COMMISSIONER TURNBULL: I'm
17 looking at it from a plan standpoint, how it
18 works.

19 MR. FORMANT: Oh, I wish I could
20 have landscaping all around it.

21 COMMISSIONER TURNBULL: Yes.

22 MR. FORMANT: But it just happened

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1 with the design, that the Georgia Avenue, the
2 retail commercial facing Georgia Avenue
3 there, it's right up the street, and the
4 other one had the setback on Kansas Avenue.

5 COMMISSIONER TURNBULL: Is that
6 area by the party room?

7 MR. GHARAI: It is. It's by the
8 party room.

9 COMMISSIONER TURNBULL: That's
10 that area by--

11 MR. FORMANT: It's exercise room,
12 party room, open up--

13 COMMISSIONER TURNBULL: And what
14 is that space, then, outside? What is that?
15 Is that a lawn area? What is that?

16 MR. GHARAI: It's a garden.

17 COMMISSIONER TURNBULL: It's a
18 garden.

19 MR. GHARAI: It's a garden with
20 plants from the Chesapeake Bay watershed
21 area.

22 COMMISSIONER TURNBULL: So that's

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1 only for the residents?

2 MR. GHARAI: It is. That was the
3 intent, that it would be, really, for the
4 residents.

5 COMMISSIONER TURNBULL: And what
6 about the other area up by the corner?

7 MR. GHARAI: One of the things
8 that I was trying to do was create a buffer
9 between what was really the commercial side
10 of the building where there would be an
11 outside restaurant, like there would be an
12 outside seating restaurant on the Georgia
13 Avenue side, where there would be, you know,
14 people coming and going.

15 And on the Kansas Avenue, Kansas
16 Avenue is a quieter street, and what I was
17 trying to do is create a mixed-use building.

18 There's always this conflict you have
19 between the residents wanting peace and
20 quiet, and their own way, and almost their
21 own little world, and the retailers wanting
22 hustle and bustle, and people walking by, and

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1 foot traffic.

2 And the way we achieve that was,
3 you know, to give the building a little bit
4 of a split personality at the street level,
5 with plantings on the Kansas Avenue side, and
6 then on the Georgia Avenue side, there would
7 be neon and there'd be floor-to-ceiling
8 glass, and there would be entry doors and
9 canopies with neon signs on top of them.

10 And so the Georgia Avenue side
11 would just have more going on visually than
12 the other side.

13 COMMISSIONER TURNBULL: Okay.
14 Could we look at--do you have a roof plan?

15 MR. GHARAI: We do. It's in the
16 package.

17 MR. FORMANT: Sheet twenty-two.

18 COMMISSIONER TURNBULL: The green
19 roof is--the whole side of Georgia Avenue is
20 all green?

21 MR. GHARAI: It is green, and
22 there's a little bit on the Kansas Avenue

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1 side.

2 COMMISSIONER TURNBULL: And you're
3 also going to be--in this rounded turret
4 area, it's a high, rounded turret?

5 MR. GHARAI: Yes.

6 COMMISSIONER TURNBULL: There's no
7 windows in it. It's just a--it looks like it
8 goes up. Are you in like a little womb or--

9 MR. GHARAI: Yes. I think you are
10 going to be in a little womb there. We
11 haven't really figured out if it's open to
12 the sky yet, or not, or if there's some kind
13 of covering.

14 COMMISSIONER TURNBULL: Covering.

15 MR. GHARAI: Because the covering
16 wouldn't be seen from the street.

17 COMMISSIONER TURNBULL: In the
18 other area over here, you've got high SRI
19 roof, mechanical unit space. Is there
20 mechanical units, though, that you're not,
21 you don't know where they are yet?

22 MR. GHARAI: We don't know where

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1 they are yet.

2 COMMISSIONER TURNBULL: But you're
3 not looking at a penthouse? You're looking
4 at low, no higher than the parapet of the
5 building?

6 MR. GHARAI: Yes; correct.
7 Absolutely; yes.

8 COMMISSIONER TURNBULL: Okay. And
9 lighting. So if people come up here, they're
10 just going to be coming up out of the
11 elevator or the stairs to the little turret
12 area itself?

13 MR. GHARAI: Yes.

14 COMMISSIONER TURNBULL: I mean,
15 you're not looking at them to walk on the
16 green roof, or--

17 MR. GHARAI: We haven't decided
18 there.

19 COMMISSIONER TURNBULL: I mean,
20 probably kind of sensitive material anyway.

21 MR. GHARAI: Yes. There are
22 different types of green roof and we haven't

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1 really picked a type of green roof that we're
2 going to use. But if it's the type with
3 sedum, then you're right, then you can't walk
4 on the green roof.

5 COMMISSIONER TURNBULL: Right.
6 But lighting, then, would be restricted to
7 the turret area, as you see it?

8 MR. GHARAI: Correct; yes.

9 COMMISSIONER TURNBULL: Okay.
10 Those are my questions. Thank you.

11 CHAIRPERSON MITTEN: Thank you,
12 Commissioner Turnbull.

13 Mr. Hood.

14 VICE-CHAIRPERSON HOOD: Let me
15 first of all say, I really like the design.
16 I like the way, on the approach from Kansas
17 Avenue, Georgia Avenue. I'm very familiar
18 with this site. I think this is well done.
19 Hopefully, if it's approved, I'll be
20 interested in driving down Georgia Avenue to
21 see how it looks at night.

22 So with that, you know, every time

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1 I think I'm learning how to deal with this
2 traffic issue, my argument tonight is in
3 reverse.

4 What's--and I read level of
5 service E. Okay. Come to the table. I know
6 level of service D constitutes an acceptable
7 level, am I correct? In traffic. Level of
8 service.

9 MR. KABATT: Level of service D is
10 acceptable.

11 VICE-CHAIRPERSON HOOD: Is
12 acceptable according to traffic standards or
13 I guess the manual.

14 MR. KABATT: Correct.

15 VICE-CHAIRPERSON HOOD: What is
16 level of service E?

17 MR. KABATT: Level of service E
18 is--it's considered to be just about at
19 capacity. In other words, if you look at a
20 glass of water, you'd probably be saying it's
21 about 90 percent full. Level of service E is
22 also in urban areas. Typical.

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1 VICE-CHAIRPERSON HOOD: And I'm
2 not going by the manual. I'm just going by
3 human nature and traveling in this area.

4 What do you think contributes to
5 the level of service D? because if I--in my
6 traffic analysis of nine years of trying to
7 figure out what level of service is, I would
8 give this area probably a C or B. How do we
9 get to D and what contributes to that?

10 MR. KABATT: Well, Georgia Avenue
11 does carry significant volumes of traffic
12 during the peak hours, north and southbound,
13 and the side streets suffer from that.
14 Mainly a lot of the green time will be given
15 to the Georgia Avenue corridor. So I think
16 it's Kansas Avenue that has a level of
17 service E, that exists today, that southbound
18 approach in the morning, and that's
19 attributed because they have not as much
20 green time as Georgia Avenue would get.
21 So if you're maybe sitting at the
22 back of the queue, level of service E, you

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1 might not get through that signal on the
2 first try.

3 VICE-CHAIRPERSON HOOD: Okay. Now
4 this is the first time that I've noticed it.
5 It may have been there. We're talking about
6 level of service for bicycles. I noticed the
7 level of service on Georgia Avenue, Kansas,
8 east of Georgia Avenue kind a operates
9 bicycles, a level of service of A.

10 Do you calculate that the same way
11 you do cars?

12 MR. KABATT: Those levels of
13 service are actually taken from the District
14 of Columbia Master Plan, Bicycle Master Plan,
15 and you don't calculate the same as cars.
16 There's interference factors that have to do
17 with bicycles, maybe like if there's on-
18 street parking or the width of the roadway.

19 COMMISSIONER TURNBULL: Okay.
20 Thank you very much. And again I reiterate,
21 I really like that design, and I don't
22 usually comment on designs a lot. Thank you.

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1 Thank you, Madam Chair.

2 CHAIRPERSON MITTEN: Mr. Parsons.

3 COMMISSIONER PARSONS: I want to
4 go back to the roof for a minute. The people
5 sitting, then, in this, in the circled area
6 on the roof, will they be able to see out
7 these portals, these windows, as it were?

8 MR. GHARAI: I don't think so.

9 COMMISSIONER PARSONS: So why not?
10 I'm trying to urge you to keep--is there not
11 something to look at?

12 MR. GHARAI: Yes, there is. There
13 is something to look at.

14 COMMISSIONER PARSONS: Yes.

15 MR. GHARAI: I mean, I think the
16 reality is that as we get deeper into this
17 design, there'll be further development, and
18 I think that it would be much more
19 pleasurable to sit there and have a view out
20 to the rest of the city, and if we can work
21 that in, I think we probably will.

22 COMMISSIONER PARSONS: Yes. It

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1 seems--

2 MR. GHARAI: It seems a wasted
3 opportunity.

4 COMMISSIONER PARSONS: --that at
5 least the windows should be vertical rather
6 than square.

7 MR. GHARAI: Yes.

8 COMMISSIONER PARSONS: They're
9 just fortress like, in some way. I want to
10 make sure I understand where the painted
11 steel is on the facade. It says it's around
12 the windows, but could you just--have you got
13 a pointer or something?

14 MR. GHARAI: Sure. I can point
15 it. This is the painted steel, these are
16 steel lintels up here, so that's painted
17 steel lintels all across there. So what
18 happens is that this is a precast pillar.

19 COMMISSIONER PARSONS: Yes.

20 MR. GHARAI: I call these Juliet
21 balconies. Then above this is a painted
22 steel lintel. It goes across the top.

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1 COMMISSIONER PARSONS: But the
2 railings would also be painted steel? In
3 front of the windows?

4 MR. GHARAI: Yes. I think so. I
5 think that would be some kind of metal.

6 COMMISSIONER PARSONS: And then on
7 either side of the front entrance, the main
8 rotunda, or whatever--

9 MR. GHARAI: This.

10 COMMISSIONER PARSONS: Yes. Is
11 all that painted steel around there?

12 MR. GHARAI: Yes. These are
13 painted metal panels.

14 COMMISSIONER PARSONS: I see.

15 MR. GHARAI: And there are
16 balconies too. So there are little balconies
17 there, that you can actually walk out on and
18 stand on.

19 COMMISSIONER PARSONS: Yes. Okay;
20 thank you. Now I have to go to Ms. Prince,
21 because she talked about, in her opening
22 remarks, and it wasn't really backed up by

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1 any testimony, and I'm urging that. This
2 issue of remediation.

3 MS. PRINCE: Remediation?

4 COMMISSIONER PARSONS:
5 Remediation. You were offering that, in some
6 way, as an amenity, unless I misunderstood,
7 and there wasn't any figures attached to
8 that, and maybe I misunderstood how you were
9 characterizing it, but if you could do--

10 MS. PRINCE: I'll have "Sass"
11 cover it in more detail, but basically the
12 basic concept was that the site is--it's a
13 brownfield site.

14 COMMISSIONER PARSONS: Yes.

15 MS. PRINCE: With leakage from the
16 long-term gas station usage. The site could
17 be used as a matter of right without any kind
18 of remediation by just simply being capped,
19 and with a new use, like a one-story retail
20 use being put right on top. However, to use
21 the site for residential purposes, it needs
22 to be remediated to residential standards,

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1 and when it is excavated for the parking
2 below, the soil needs to be treated in a way--
3 -I really should pass off to "Sass" at this
4 point.

5 MR. GHARAI: For some bizarre
6 reason, I've done a number of sites like
7 this, so I've sort of learnt about how you
8 clean up a gas station, and there are a bunch
9 of ways. But basically, whenever you're
10 excavating for a--and we're doing two things.

11 There's remediation that's being done, so
12 the stuff that's below the parking level gets
13 cleaned up.

14 The stuff that was in the parking
15 level, that we're excavating, that gets
16 carted off site, and you can't just dump that
17 in any fill. You actually burn the stuff.
18 That's what you actually do.

19 And so there's an incremental cost
20 for that, and on this project, that
21 incremental cost is probably between two and
22 \$300,000, to get rid of that.

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1 And then there's an additional
2 cost for the remediation below the slab. So
3 that costs some extra money as well. So
4 those are the--I guess that's the amenity
5 value, if you could call it that.

6 COMMISSIONER PARSONS: Thank you.
7 That's all I have.

8 CHAIRPERSON MITTEN: Okay. I
9 wanted to go back to a point. I was
10 wondering if Mr. Parsons was going to follow
11 up on the same one that Ms. Prince mentioned
12 in her opening, which is you were suggesting
13 that we should focus on the IZ density that
14 would accrue to the site, and I was
15 wondering, when we calculate the additional
16 density that's being obtained through the PUD
17 process, and I thought, in that context, how
18 would you have us hold the affordable housing
19 units? As an amenity, or not?

20 MS. PRINCE: My point was simply
21 that as a matter of right, the site could be
22 developed to a 3.0 FAR with the affordable

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1 units, and we are providing slightly more
2 affordable housing without--you know, through
3 the PUD process, that you would get under IZ.

4 But we're not claiming a lot of amenities
5 credit for the affordable units because this
6 project, as a whole, doesn't contain a whole
7 lot more affordable housing than would be
8 provided under IZ.

9 CHAIRPERSON MITTEN: Right.

10 MS. PRINCE: So whereas we'd be
11 required to have 8 percent, we're at 9
12 percent. My only point was one of mass. I
13 saw a comment in the OP report that suggested
14 we were at 70 percent of the density.

15 CHAIRPERSON MITTEN: Okay. I just
16 wanted to clarify that, cause I share OP's
17 concern, and just wanted to explore that a
18 little bit.

19 One of the things that--I'm not
20 sure if it was called to the entire
21 Commission's attention but it was called to
22 my attention recently--that proffers to

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1 District government agencies for specific
2 purposes are actually--the way that it's been
3 done in the past, that the money just goes to
4 the general fund because there needs to be a
5 specific appropriation.

6 Has that been dealt with in this
7 case? Or do you know about that?

8 MS. PRINCE: Yes. In all recent
9 cases, it's been our practice, whenever,
10 especially if we're dealing with a D.C. rec
11 center, or a school, it's been our practice
12 to understand what the funds are needed for,
13 and where possible, to literally pay for the
14 item that is delineated as a purpose.

15 So, for example, in our case, we
16 have a community organization that will
17 oversee the provision of the amenities to the
18 school and the rec center. But we will not
19 just write a check to the community
20 association. The rec center, for example, is
21 supposed to get computers, among other
22 things.

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1 We would need to see a requisition
2 of some sort, a receipt of some sort, or
3 would offer to actually buy the computers
4 ourselves.

5 But in no instance, on any PUD
6 that I've worked on in the past few years,
7 what I suggested, it's appropriate to write a
8 check directly to a Department of Recreation
9 or school system, it's much better to buy the
10 item and--

11 CHAIRPERSON MITTEN: Great. Okay.
12 Good. Glad to hear that.

13 Now at the risk of upsetting any
14 of my colleagues who have said how much they
15 like the design, there's one thing that
16 doesn't work for me, and I don't know if
17 anyone else is bothered by it, but I don't
18 think it's an accident that the night view is
19 up. I love the night view.

20 The part that doesn't work for me,
21 and it could be the rendering, I'm not sure,
22 is the daytime view, and the top of the tower

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1 or the turret, to me, looks unfinished and
2 out of--it just doesn't work for me. I don't
3 know. The examples that you showed us--

4 MR. GHARAI: They all had stuff on
5 top.

6 CHAIRPERSON MITTEN: They either
7 had stuff on top, if they were the permanent
8 element, or they were not the tallest thing,
9 like on the art deco example.

10 MR. GHARAI: Yes. I think that--
11 this is probably a bit of a bizarre thing to
12 say, but I think the architecture, you know,
13 as the job--it's a work of art, and it's an
14 artistic work, and when we start at one
15 point--this will probably be finished in two
16 or three years from now, and I can pretty
17 much guarantee you that the turret will look
18 a lot better than it does today.

19 CHAIRPERSON MITTEN: Well, we're
20 supposed to see what it's going to look like.

21 MR. GHARAI: I think it's going to
22 get better. I think this is the fundamental

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1 form. There'll be more refinements that are
2 going to be made.

3 CHAIRPERSON MITTEN: Will it have
4 a top on it?

5 MR. GHARAI: I don't think it'll
6 ever have a top on it. I can guarantee that
7 as well. But I think there will be
8 refinements made to--I think the overall
9 project, there'll be refinements made to it.
10 We'll get into more detail, exactly how the
11 brick is going to be detailed. There'll be a
12 lot more detail on this building by the time
13 we're done.

14 CHAIRPERSON MITTEN: Is anybody
15 else bothered by it? Or not?

16 COMMISSIONER TURNBULL: I think I
17 would go back with what Commissioner Parsons
18 had started saying. When I first said that,
19 I was concerned about the high walls, and
20 sitting in there, and I didn't mean to be
21 smart-alecky by saying it's a womb, but it
22 just feels that you're surrounded in this

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1 space, and I think the idea of opening that
2 up, somehow, with the views, I think might
3 open it and make it feel, and that then may
4 dictate how you treat it, architecturally,
5 from the outside, and how that begins to
6 reflect more what's going on inside.

7 COMMISSIONER JEFFRIES: My only
8 comment, and I mean, I'm prepared to go
9 forward, but the only comment I had is that
10 what I consider to be somewhat of a hinge
11 here, could, in fact, you know, have more
12 window or just be somewhat of a lighter form,
13 to really differentiate against, you know,
14 the rest of the building.

15 I mean, so, in other words,
16 perhaps just more fenestration that goes up,
17 I don't know, but it does, at the top, it
18 just seems, of the turret here, it seems just
19 somewhat--

20 MR. GHARAI: Too heavy?

21 COMMISSIONER JEFFRIES: A bit
22 heavy.

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1 MR. GHARAI: Yes; okay.

2 COMMISSIONER JEFFRIES: And I'm
3 just, again, just sort a wondering if you
4 could just sort of lighten up the cylinder a
5 little bit and just make it, you know, less
6 heavy, in total. I think it could really be
7 a nice differentiation between that and the
8 rest of the building. But you're the
9 architect.

10 MR. GHARAI: I think that's really
11 a refinement, though. I mean, that'll
12 happen, in time.

13 COMMISSIONER JEFFRIES: Right.
14 You see, Madam Chair is like--she wants to
15 see now.

16 MR. GHARAI: I understand that.
17 But also, I mean, it is--it's like I said,
18 there's some development that's going to
19 still take place on the project. But your
20 point is well-taken.

21 CHAIRPERSON MITTEN: Anybody else?

22 COMMISSIONER PARSONS: I guess the

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1 little bit of frustration that is being
2 expressed up here is we're used to a much
3 more final resolution of these things before
4 we vote on them.

5 CHAIRPERSON MITTEN: Right.

6 COMMISSIONER PARSONS: And I would
7 caution, at least from my perspective, if you
8 went to all glass, I think it would be a
9 mistake, and I think that lightening up, and
10 those kinds of words have been expressed
11 here, I think that the brick is okay but it's
12 too heavy now.

13 Is there any way you could just
14 study that a little bit here in the next
15 couple weeks, so we could be more
16 comfortable?

17 MR. GHARAI: Yes; absolutely.

18 CHAIRPERSON MITTEN: Thank you,
19 Mr. Parsons.

20 COMMISSIONER PARSONS: You're
21 right; absolutely.

22 VICE-CHAIRPERSON HOOD: I sure

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1 hope I have the same liking for it like I
2 have now.

3 CHAIRPERSON MITTEN: I'm sure
4 you'll like it even more.

5 COMMISSIONER JEFFRIES: I don't
6 think, actually, we've--we're all pretty much
7 in the--I don't think there's any--you know,
8 Vice-Chair Hood, I think you'll still like
9 it.

10 CHAIRPERSON MITTEN: Okay. That's
11 all I have.

12 VICE-CHAIRPERSON HOOD: Madam
13 Chair, I did have one question about the soil
14 remediation. You said you had a lot of
15 experience with soil remediation. I know
16 it's taken off site, and it's heated up, to
17 some degree, and some heating point.

18 Is some of that soil ever brought
19 back to the--once it's been remediated, is it
20 ever brought back to the site and used as
21 fill? Or what happens to that soil after
22 that? And do we have places in the District

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1 that do that, that you know of?

2 MR. GHARAI: There are no places,
3 actually, within the confines of the
4 District. The thing that the soil is used
5 for afterward is actually making brick. It
6 becomes perfect soil for making brick.

7 VICE-CHAIRPERSON HOOD: So it
8 doesn't return to the site, or anything?

9 MR. GHARAI: No; it doesn't.

10 VICE-CHAIRPERSON HOOD: Thank you.

11 COMMISSIONER PARSONS: Well, wait
12 a minute. That's why you specified brick;
13 right?

14 MR. GHARAI: Perhaps.

15 COMMISSIONER PARSONS: It's coming
16 back.

17 [Laughter]

18 CHAIRPERSON MITTEN: Okay. Thank
19 you.

20 MR. GHARAI: Thank you.

21 COMMISSIONER JEFFRIES: I really
22 like the shot, 3303 Water Street. Where,

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1 exactly, is this?

2 MR. GHARAI: It's overlooking the
3 Whitehurst Freeway. So if you drive along
4 the Whitehurst Freeway--

5 COMMISSIONER JEFFRIES: Is it like
6 K Street? Is it--

7 MR. GHARAI: It's on K Street.
8 That's right. It's on K.

9 COMMISSIONER JEFFRIES: Wow.
10 Okay. Thank you.

11 CHAIRPERSON MITTEN: It's closer
12 to Key Bridge than it is to Wisconsin.

13 COMMISSIONER JEFFRIES: Oh, okay.

14 MR. GHARAI: Yes.

15 CHAIRPERSON MITTEN: Mr. Mordfin.

16 MR. MORDFIN: Good evening, Chair,
17 members of the Commission. I'm Stephen
18 Mordfin with the Office of Planning and the
19 Office of Planning has reviewed the subject
20 location and compared the requested relief to
21 the proffered benefits and amenities. The
22 application requests a 70 percent increase in

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1 FAR and a 25 foot increase in building height
2 over that permitted as a matter of right
3 within the C-2-A Zone District. The Office
4 of Planning does find the proposed building
5 at the subject location to be appropriate and
6 in conformance with the existing
7 Comprehensive Plan, the draft Comprehensive
8 Plan and the Georgia Avenue, Petworth Metro
9 station area, and corridor plan.

10 However, the requested relief must
11 be commensurate with the proffered amenities
12 package. Although the Applicant has
13 addressed some of the concerns of the Office
14 of Planning through the provision of
15 additional details on the proposed green
16 elements for the building and site that were
17 previously proffered, it did not expand the
18 amenities package, and it is the opinion of
19 the Office of Planning that the amenities
20 package is still lacking.

21 Additional information was
22 provided for the affordable housing

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1 contribution, and the Office of Planning does
2 view this as an amenity.

3 Additional information was
4 provided for the addition of bike storage,
5 the use of low-emission carpets, the use of
6 low-emission paints and coatings, the use of
7 low-emission adhesives and sealants, and
8 light pollution reduction from the building,
9 and each one of these is viewed as a benefit.

10 A green roof is proposed for
11 approximately 50 percent of the roof with
12 special roof treatments, or a cool roof
13 proposed for the remainder of the roof, and
14 this is also viewed as an amenity.

15 The application claims soil
16 remediation as a result of the use of the
17 property as a gasoline station for many
18 years. However, this would be required for
19 any residential use of the property,
20 including a matter-of-right residential
21 building.

22 The Commission previously ruled on

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1 Case 02-27, in October of 2002, for a
2 property at 13th and M Streets, N.W., that
3 this was not an appropriate amenity, and as a
4 result this cannot be considered an amenity
5 in this case.

6 The Office of Planning still
7 considers the community contribution of
8 \$100,000 to be an amenity. Although
9 additional information has been provided, we
10 still need to know that the necessary
11 agreements are in place and this can be done
12 prior to action taken on the application by
13 the Commission.

14 The application also considers the
15 provision of housing on the site as a benefit
16 and OP is in agreement. OP also considers
17 the LSDBE and first floor* agreements as
18 benefits, and would also consider an LSDBE
19 retail space for one of the small local
20 retail businesses in the building as an
21 amenity, or as a benefit, as was suggested by
22 Commissioner Jeffries.

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1 Section 2400.2 of the zoning
2 regulations states that the overall goal is
3 to permit flexibility of development and
4 other incentives such as increased building
5 height and density, provided that the project
6 offers a commendable number or quality of
7 public benefits, and the subject application
8 does not offer a commendable number of
9 quality public benefits to justify a 70
10 percent increase in FAR and a 25 foot
11 increase in building height.

12 Because the Office of Planning
13 finds the proposed development to be of
14 exceptional merit and in conformance with the
15 Comprehensive Plan, it recommends approval of
16 the application provided the amenities
17 package is in hand, so as to be commensurate
18 with the relief requested. Thank you.

19 CHAIRPERSON MITTEN: Thank you,
20 Mr. Mordfin. Any questions for Mr. Mordfin?

21 VICE-CHAIRPERSON HOOD: Yes, Madam
22 Chair.

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1 CHAIRPERSON MITTEN: Mr. Hood.

2 VICE-CHAIRPERSON HOOD: Mr.

3 Mordfin, in a DDOT report--hopefully you can
4 answer this for me. If not, maybe I'll ask
5 DDOT at another time. They expressed a
6 concern about the closing of the Shell
7 station. It talks about federal highway
8 dollars, and it talks about a number of our--
9 a mixture of development projects.

10 And what they go on to say, their
11 conclusion: The concern does not impact this
12 favorable review on this particular
13 development but it's telling us--I guess it's
14 putting us on notice to be able to consider
15 this, consider closing of gas stations in the
16 future.

17 Was that intended, I guess for us,
18 or for you guys as planners? I'm trying to
19 understand the significance of that
20 statement. What is that supposed to mean to
21 us?

22 MR. MORDFIN: I think what that

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1 means to us is, from my experience from
2 sitting on the environmental task force, that
3 gasoline stations are necessary in the city
4 because of the tax dollars that the city gets
5 from those for things like road maintenance,
6 and the more we close gas stations, the more
7 potential for gasoline to be sold outside of
8 the District exists, and when you sell more
9 of it outside the District, then there's less
10 tax dollars that are taken in by the city,
11 that are then used by DDOT.

12 So I think that's the concern that
13 DDOT has, is that if we eliminate all of our
14 gas stations, then we eliminate a source of
15 income.

16 CHAIRPERSON MITTEN: It's not a
17 land use problem in terms of service. It's
18 an economic problem because of the way that
19 DDOT generates matching funds for federal
20 highway dollars.

21 VICE-CHAIRPERSON HOOD: So I guess
22 the solution will come out some other time;

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1 later on. That's what I'm trying to figure
2 out. Not that I'm going to get the solution
3 here. But I'm just trying to figure out: Was
4 that intended for us, or was that intended
5 for planners, or what? It's still open-ended
6 to me.

7 MR. MORDFIN: I think it may have
8 been intended for us, and also for you, that
9 we have to be wary of how many gasoline
10 stations do get closed, because the more
11 gasoline that's sold in Maryland and
12 Virginia, you know, that has an impact on us.

13 VICE-CHAIRPERSON HOOD: I
14 understand, because in this city, from past
15 experience, it's probably easy to close them,
16 because people in the neighborhoods don't
17 want them open. So I would agree with DDOT
18 and hopefully we'll see what happens.

19 MR. GHARAI: Can I just add
20 something to this conversation? And that is
21 that as part of the current owner's contract
22 with Shell, he has to open another one down

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1 the street to replace this one. So this gas
2 station is actually being replaced by another
3 one. So we're not actually losing a gas
4 station in this case. And I don't know if
5 that's going to add to your--how you think
6 about this.

7 COMMISSIONER JEFFRIES: Well, just
8 two things. One is I think, you know, the
9 prominent location--I mean, this is a point
10 here, and would seem that, just better, that
11 you have this location to be housing or
12 retail, and if you need to put a gas station
13 somewhere, there might be sort of a better
14 place to put it as opposed to right at this
15 sort of point. That's one thing.

16 But two, it's just a quality-of-
17 life issue too, I mean, in terms of, you
18 know, conveniences, and being able to get
19 gas. I mean, there's a number of--I find
20 here, in the District, that sometimes it's
21 just tough, sometimes, finding certain types
22 of services, you know, which impacts on sort

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1 of quality of life.

2 So I know this is not all land use
3 but I just wanted just to add a little bit to
4 some of the discussion. You know, we're so
5 busy moving out so many uses in the District,
6 we're going to find that--you know, like I
7 can't find a car wash. But that's another
8 issue.

9 VICE-CHAIRPERSON HOOD: In my
10 neighborhood, we have everything.

11 COMMISSIONER JEFFRIES: I can't
12 find a car wash.

13 CHAIRPERSON MITTEN: All right.
14 That was very interesting and free-ranging.
15 Anyone else have questions for Mr. Mordfin?

16 COMMISSIONER PARSONS: Yes, I do,
17 and I've raised this before as we go along
18 Georgia Avenue, but here we're in the midst
19 of a C-2-A Zone and upgrading it to C-3-A.
20 So is there some planning exercise going on
21 in this immediate vicinity, that would lead
22 you to believe that more C-3-A is coming to

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1 this area, or this zone, if you will, this
2 place? Or is this going to be a spot within
3 another zone?

4 MR. MORDFIN: Well, I mean, I
5 don't know exactly what's going to be coming
6 in the future, but right now this does--it
7 works together with the 4100 building on the
8 south side of this square, which also has a
9 PUD, map-related amendment to C-3-A.

10 And then, you know, as is on the
11 corridor, and in conformance with the Georgia
12 Avenue plan, which is to increase housing
13 density on Georgia Avenue, that is one thing
14 that this does. It does work within that
15 plan, to increase the density of housing,
16 increase the residents on Georgia Avenue,
17 because one of the things that the Georgia
18 Avenue plan picked up on is that the retail
19 there is not in good shape, and part of the
20 reason why is because we need additional
21 density, additional people to be buying
22 things in these stores.

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1 And so what this does, by going to
2 C-3-A, is it increases the amount of density
3 that you can have there, and that then helps-
4 -not impact--further the Georgia Avenue
5 plan.

6 COMMISSIONER PARSONS: So there's
7 an overall Georgia Avenue plan but nothing
8 specific going on this area to take a look at
9 what C-3-A would do along this corridor. And
10 I'm reminded of, every time we go to a
11 commercial corridor like this, and begin to
12 up zone it, those who live adjacent to it,
13 once we get to a pure residential rear yard
14 situation, are here, pleading with us about
15 shadow studies, and so forth, and C-3-A is
16 not a insignificant zone.

17 So I was hoping you'd say yes,
18 there's a plan, tight now, we're out in the
19 community, we're talking to them, and
20 etcetera.

21 MR. MORDFIN: Well, there is the
22 overlay, the Georgia Avenue overlay which is

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1 currently being worked on. It's been set
2 down by the Commission, it's not yet been to
3 public hearing, and some of the things in
4 there, within that overlay, are to try and
5 make sure that some of these big developments
6 don't end up right behind an R-4 zoned
7 rowhouse. So that is something that's being
8 worked into the overlay district, and that
9 would be for the entire area that's within
10 the overlay.

11 COMMISSIONER PARSONS: That's
12 exactly what I was looking for. Thank you.

13 CHAIRPERSON MITTEN: Anyone else?
14 Questions for Mr. Mordfin? Ms. Prince,
15 questions? No? Okay. Then I would just
16 note--I don't see anybody here from DDOT but
17 we have a report from DDOT, saying in the
18 record, that they have no objection to the
19 project, and we also have--is there anyone
20 here from ANC 4C? Are you here from 4C, to
21 deliver the official report from the ANC?
22 Okay.

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1 MR. ANTHONY: The official report,
2 or--

3 CHAIRPERSON MITTEN: Yes. We have
4 the official report in the record. We do.
5 But are you representing the ANC, or you're a
6 single member district?

7 MR. ANTHONY: Single member
8 district.

9 CHAIRPERSON MITTEN: Okay. Well,
10 then I'll get to you in a minute but fill out
11 those cards for her in the meantime. Okay.
12 So then I'll just note that we do have the
13 report from ANC 4C in the record, dated March
14 1st, which is today, saying that they had a
15 meeting, properly noticed, and so forth, and
16 they voted to support the project.

17 Now I'll ask for anyone who'd like
18 to testify in support to come forward. Yes?

19 Please have a seat and turn the microphone
20 on, and if you would state your name for the
21 record.

22 MR. ANTHONY: Shanel Anthony.

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1 CHAIRPERSON MITTEN: Great. Go
2 ahead and deliver your report.

3 MR. ANTHONY: I came down here
4 today to express my support for this project.

5 This project is directly in my single member
6 district, and we've held several community
7 meetings to discuss the benefits--well, to
8 just discuss the project. I've gotten
9 minimal to none, pushback from the community
10 regarding this project.

11 We feel that Mr. Formant will be a
12 tremendous asset to our community as seen in
13 his amenity package. We feel like he has a
14 commitment to our community. He has other
15 projects in the area. So it's in his best
16 interest to provide a building that will
17 improve the area.

18 Georgia Avenue, as stated by Mr.
19 Mordfin, is definitely in one of the areas to
20 improve the outlay, addresses improvement of
21 Georgia Avenue, and with this building and
22 with the retail that it should bring, it

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1 should definitely address some needs that the
2 current residents have. So I'm fully in
3 support, our Commission voted in support of
4 the project, and we think it definitely would
5 be an asset to our community.

6 CHAIRPERSON MITTEN: Thank you.
7 You had one dissenter on the vote. What was
8 that about?

9 MR. ANTHONY: I think it was an
10 abstention.

11 CHAIRPERSON MITTEN: Three to one
12 to one is what is recorded. I don't know. I
13 mean, if we were to record a vote like that,
14 the second one would have been opposition.

15 MR. ANTHONY: You're right. He
16 didn't provide a reason why.

17 CHAIRPERSON MITTEN: Okay. In a
18 bad mood that night maybe. Okay. Any
19 questions for Commissioner Anthony?

20 COMMISSIONER JEFFRIES: Yes. I
21 have a question for Commissioner Anthony. I
22 don't know whether you were here--I know you

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1 just came in--I was talking with the
2 Applicant, Mr. Formant, about had he given
3 any thought to perhaps, as an additional
4 amenity tied to the PUD, of perhaps providing
5 discounted retail to a local business, local
6 small disadvantaged business that, you know,
7 here, at the Zoning Commission, we've had a
8 number of developers who have come forward
9 with, you know, such a proffer, and his
10 response was that, you know, he is still in
11 conversations with the ANC and the community,
12 and so forth.

13 But I just wanted to, you know,
14 make that suggestion, that perhaps that's
15 something to look at. I mean, obviously,
16 particularly in this area, I would imagine,
17 given the size and scale and the history,
18 that it might be somewhat of a good thing.

19 But I wasn't certain whether you
20 were here when we had our exchange. But I
21 just wanted to put that out there for you.

22 MR. ANTHONY: I heard you mention

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1 that and I thought that was a great idea. I
2 don't know if it's something that can be
3 added now, but I wouldn't want to limit Mr.
4 Formant to saying that it has to go to a
5 LSDBE, more so to say he can provide
6 preferential treatment to an LSDBE business.

7 I think that--

8 COMMISSIONER JEFFRIES: Well, let
9 me just state this another way, then.
10 Perhaps I should just do that.

11 I do believe that the amenities
12 package can be improved, so I guess, you
13 know, I just want to, you know, make certain
14 that, you know, this whole discussion around
15 an amenities package is taken seriously, so--

16 MR. ANTHONY: Okay. And improved
17 in terms of--

18 COMMISSIONER JEFFRIES: In terms
19 of what's being proffered. Such as, you
20 know, this discussion around, you know,
21 retail space for a local small business. It
22 doesn't have to be that but I'm saying, and I

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1 think the Applicant understands what I'm
2 saying, that I think there's expectations
3 that this amenities package should be
4 improved, and that one way to do that could
5 be retail, discounted retail space. That's
6 one way. There might be several other ways.

7 MR. ANTHONY: Okay. I'll keep
8 that in mind. Thank you.

9 CHAIRPERSON MITTEN: Ms. Prince,
10 did you have any questions for Commissioner
11 Anthony? Okay. Thank you very much..

12 MR. ANTHONY: Thank you.

13 CHAIRPERSON MITTEN: Anyone else
14 who'd like to testify in support?

15 [No response]

16 CHAIRPERSON MITTEN: Anyone who'd
17 like to testify in opposition?

18 [No response]

19 CHAIRPERSON MITTEN: Okay. If
20 you'd like to come back, and just let
21 informally poll, because we heard from me and
22 we heard from Commissioner Jeffries, that we

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1 share the concern of OP about the amenities
2 package, but I think, in fairness to the
3 Applicant, we need to know if that goes
4 beyond two. So could I hear from others.

5 COMMISSIONER PARSONS: I agree.

6 CHAIRPERSON MITTEN: Mr. Parsons.

7 Okay. That's three. That's fine. So you
8 have some direction from us about--you have a
9 suggestion and some direction on that point.

10 MS. PRINCE: These are just my
11 closing comments, is that--or did you want me
12 to specifically respond to that?

13 CHAIRPERSON MITTEN: I don't. I
14 mean, unless you feel--I don't know that
15 there's anything more you can say because you
16 anticipated all of this when you made your
17 opening.

18 But I just wanted to make it clear
19 before you all left, so you wouldn't be
20 surprised.

21 MS. PRINCE: We appreciate the
22 Commission's consideration of this case

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1 tonight, and all the comments about design,
2 and I certainly understood the point made
3 about a restudy of the turret. We can make
4 an effort to revisit the project amenities.
5 We're struggling a bit because this project's
6 level of amenities is very comparable to
7 amenities of projects of this size in this
8 kind of neighborhood. I will say that with
9 the adoption of I-Z, affordable housing is
10 not the amenity it once was. But for
11 projects that offer green design--and even
12 without remediation, our green design
13 elements are valued at about 200,000, and the
14 community contributions, and the catalytic
15 impact of a project like this, it's got
16 value, and there's a lost opportunity cost
17 issue that has struck me in this case, more
18 than most others, and that is that if the PUD
19 is not approved, or the amenities are
20 required to be at a level that just don't
21 work, what's the lost opportunity?

22 There's certainly a design lost

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1 opportunity that we roughly valued earlier at
2 a million dollars.

3 There's the loss to the community
4 of contributions. There's the loss of green
5 elements. There's the loss of housing, if
6 the site is simply pursued for straight
7 retail use, which is certainly a precedent
8 that's been set, up and down Georgia Avenue.

9 And then there's probably one of the most
10 significant losses of all, and that's the
11 design review.

12 And as we all drive up and down
13 Georgia Avenue, we see the effects of a lack
14 of design review in the nonhistoric
15 neighborhoods where there has not been a
16 heavy level of PUD or even BZA activity.

17 So I ask you to consider all of
18 that as you weigh the project amenities and
19 think about some of the projects that you've
20 approved, really, in the past year, that have
21 very comparable levels of amenity. But I
22 know it's a "gut check" kind of thing, and

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1 you're either there or you're not. But those
2 are certainly some of the factors that we
3 thought about in connection with the PUD.

4 We appreciate your time. We're
5 certainly willing to come back with a post-
6 hearing submission. Any very specific
7 direction from you is always appreciated. It
8 make our post-hearing discussions a lot more
9 clear, and thank you, once again.

10 CHAIRPERSON MITTEN: Thank you. I
11 think if we work backwards from our April
12 meeting date, that'll probably give you
13 enough time to work on any design
14 refinements, and so on.

15 MS. SCHELLIN: We can have
16 additional filings by Thursday, March 22nd,
17 any responses and draft proposed findings of
18 fact on the 29th, and then we could make the
19 April 9th meeting.

20 CHAIRPERSON MITTEN: How does that
21 sound, in terms of time?

22 MS. PRINCE: That's great.

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1 CHAIRPERSON MITTEN: Okay. Very
2 good. Thank you all for your participation
3 this evening, and we're adjourned.

4 [Whereupon, at 8:20 p.m., the
5 Commission was adjourned.]

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