

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:

BROADWAY I ASSOCIATES
LLC, PUD MODIFICATION

Case No. 05-15A

Thursday,
February 7, 2008

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

The Public Hearing of Case No. 05-15A by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- GREGORY N. JEFFRIES, Vice Chairman
- CURTIS L. ETHERLY, JR., Commissioner
- MICHAEL G. TURNBULL, FAIA, Commissioner (OAC)
- PETER G. MAY, Commissioner (NPS)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

ARTHUR JACKSON

JOEL LAWSON

This transcript constitutes the minutes from the Public Hearing held on February 7, 2008.

I-N-D-E-X

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

2 (6:39 p.m.)

3 CHAIRMAN HOOD: Okay. We're going
4 to get started with our hearing for tonight.

5 Good evening, ladies and
6 gentlemen. This is the Public Hearing of the
7 Zoning Commission of the District of Columbia
8 for Thursday, February 7, 2008.

9 My name is Anthony J. Hood.
10 Joining me are Vice Chairman Greg Jeffries,
11 Commissioners Etherly, May, and Turnbull. We
12 are also joined by the Office of Planning
13 Staff, Ms. Sharon Schellin.

14 These proceedings -- this
15 proceeding is being recorded by a Court
16 Reporter and is also webcast live.
17 Accordingly, we must ask you to refrain from
18 any disruptive noises or actions in the
19 hearing room.

20 The subject of this evening's
21 hearing is Zoning Commission Case Number 05-
22 15A. This is a request by Broadway I

1 Associates for approval of a modification to
2 a PUD for property located in Square 775, Lot
3 50, known as 318 I Street, N.E.

4 Notice of today's hearing was
5 published in the D.C. Register on December 21,
6 2007, and copies of that announcement are
7 available to my left on the wall bin near the
8 door.

9 This hearing will be conducted in
10 accordance with the provisions of 11 DCMR 3022
11 as follows: preliminary matters, applicant's
12 case, report of the Office of Planning, report
13 of other government agencies, report of the
14 ANC, in this case 6C, organizations and
15 persons in opposition, organizations and
16 persons -- I mean, sorry, in support,
17 organizations and persons in opposition,
18 rebuttal, and closing by the applicant.

19 The following time constraints
20 will be maintained in this meeting: the
21 applicant, 30 minutes; organizations, five
22 minutes; individuals, three minutes.

1 The Commission intends to adhere
2 to the time limits as strictly as possible in
3 order to hear the case in a reasonable period
4 of time. The Commission reserves the right to
5 change the time limits for presentations if
6 necessary and notes that no time shall be
7 ceded.

8 All persons appearing before the
9 Commission are to fill out two witness cards.
10 These cards are located to my left on the
11 table near the door. Upon coming forward to
12 speak to the Commission, please give both
13 cards to the Reporter sitting to my right
14 before taking a seat at the table.

15 When presenting information to the
16 Commission, please turn on and speak into the
17 microphone, first starting your name and home
18 address. When you are finished speaking,
19 please turn your microphone off, so that your
20 microphone is no longer picking up sound or
21 background noise.

22 The decision of the Commission in

1 this case must be based exclusively on the
2 record, the public record. To avoid any
3 appearance of the contrary, the Commission
4 requests that persons present not engage the
5 members of the Commission in conversation
6 during any recess or at any other time.

7 The staff will be available
8 throughout the hearing to discuss procedural
9 questions. Please turn off all beepers and
10 cell phones at this time, so not to disrupt
11 these proceedings.

12 Would all individuals wishing to
13 testify please rise to take the oath?

14 Ms. Schellin, would you please
15 administer the oath?

16 (WHEREUPON, AN OATH WAS
17 ADMINISTERED TO THOSE PERSONS
18 PLANNING TO TESTIFY.)

19 CHAIRMAN HOOD: At this time, the
20 Commission will consider -- thank you, Ms.
21 Schellin -- the Commission will consider any
22 preliminary matters. Does the staff have any

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1 preliminary matters?

2 MS. SCHELLIN: Just one -- to
3 advise that we have received the affidavit of
4 Maintenance, and it's in order. And then, the
5 only other one is the expert witness proffer.

6 CHAIRMAN HOOD: Okay. Good
7 evening, Ms. Prince. You may begin. And I
8 think you have two witnesses you're
9 proffering?

10 MS. PRINCE: That's correct.

11 CHAIRMAN HOOD: Okay. Could you
12 just tell us who they are?

13 MS. PRINCE: David Weldler of
14 Broadway Management, and Phil Esocoff of
15 Esocoff Architects.

16 CHAIRMAN HOOD: Okay. Mr. Weldler
17 is being proffered as a --

18 MS. PRINCE: The owner.

19 CHAIRMAN HOOD: The owner? Okay.

20 MS. PRINCE: An expert in
21 ownership.

22 CHAIRMAN HOOD: Expert in

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1 ownership. I've heard a lot. I don't think
2 I've heard that one yet. Expert in ownership?
3 I mean, I don't know. Was he proffered before
4 as an expert in ownership?

5 MS. PRINCE: I was kidding, I'm
6 sorry.

7 CHAIRMAN HOOD: Oh, okay. I mean,
8 okay. You got me that time.

9 MS. SCHELLIN: We had something
10 similar to that once.

11 CHAIRMAN HOOD: But, sincerely,
12 what is he being proffered as?

13 MS. PRINCE: The applicant.

14 CHAIRMAN HOOD: The applicant.

15 MS. PRINCE: He's, yes, the owner
16 of the property.

17 CHAIRMAN HOOD: Okay. Anything
18 specific -- I think we need some specificity
19 I believe, right? What is he -- in building
20 or --

21 MS. PRINCE: Real estate
22 developer.

1 CHAIRMAN HOOD: Real estate
2 development, thank you.

3 Okay. Any problems? Commissioner
4 May?

5 COMMISSIONER MAY: Did we receive
6 his resume? I didn't see it.

7 CHAIRMAN HOOD: I don't think we
8 have it, and I'll tell you why. Ms. Prince
9 has not been in front of us since we've --
10 well, actually, what we would like from here
11 on out are resumes for anybody you're going to
12 proffer.

13 MS. PRINCE: Even not as an
14 expert? Really?

15 CHAIRMAN HOOD: Oh, you're not
16 proffering him as an expert?

17 MS. PRINCE: No. He's the
18 property owner.

19 CHAIRMAN HOOD: Right, right.

20 MS. PRINCE: He's the applicant.
21 He's not an expert.

22 COMMISSIONER MAY: So the only

1 proffered expert, then, is Phil Esocoff.

2 MS. PRINCE: Exactly.

3 CHAIRMAN HOOD: Oh. Well, I'm the
4 one who is confused. I apologize. I thought
5 you were proffering him as an expert. I know
6 he has been in front of us. Okay. Well,
7 good. I'm sure we all have seen Mr. Esocoff.

8 COMMISSIONER MAY: Okay.

9 CHAIRMAN HOOD: Thank you, Ms.
10 Prince.

11 COMMISSIONER MAY: And we have his
12 resume, then.

13 CHAIRMAN HOOD: Yes, we have his
14 resume. And that's another --

15 MS. PRINCE: We do. We
16 resubmitted it.

17 CHAIRMAN HOOD: Okay. Thank you.
18 You may begin.

19 MS. PRINCE: Good evening, members
20 of the Commission. My name is Allison Prince
21 of Pillsbury Winthrop Shaw Pittman. I'm here
22 tonight with David Weldler of Broadway, and

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1 Phil Esocoff of Esocoff and Associates
2 Architects, and Jeff Utz of Pillsbury also.

3 We are appearing on behalf of
4 Broadway in connection with what we consider
5 to be a fairly minor PUD modification, but it
6 was deemed major enough to necessitate a full
7 hearing. So that's why we're here.

8 This PUD modification is being
9 requested for one reason and one reason alone,
10 and it's a reason you've heard a lot about of
11 late and that's changing market conditions.
12 The project remains an entirely residential
13 project on land that is zoned C-2-B, and,
14 therefore, would allow an entirely commercial
15 development.

16 The proposed PUD basically centers
17 on an all residential project with 166 to 180
18 units. As originally approved, the unit count
19 was slightly less. It was 125 to 140 units.

20 The FAR for the project will
21 remain unchanged, and the height will increase
22 very slightly, by five feet to 70 feet. The

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1 lot occupancy will be reduced from 85 feet to
2 80 feet. Therefore, it's a conforming lot
3 occupancy in the zone.

4 The project will offer 140 to 180
5 parking spaces, and 12 additional visitor
6 spaces. That was a topic of conversation with
7 the community. They were interested in the
8 continued presence of visitor spaces in
9 addition to those that are assigned to
10 residents.

11 The project is well within the
12 zoning parameters for a C-2-B PUD. As you
13 know, a C-2-B PUD could have a 90-foot height
14 and an FAR of six. We're 20 feet below the
15 permitted height, in deference to a concern
16 about height, a general Office of Planning
17 expressed concern about height east of 3rd
18 Street. So we have really tried to stay very
19 close to the matter of right height. And
20 there is even a setback once we get over the
21 matter of right height.

22 So, basically, this project

1 tonight is about a building that has gotten
2 smaller in terms of lot occupancy and a little
3 bit taller. And the result of that are more
4 efficient, smaller units that allow us to
5 increase the unit count, to turn it from a
6 condominium project that would not have been
7 viable, is not viable, into a rental project
8 that can be viable. And that's why we're
9 here.

10 As I said, with me is David
11 Weldler of Broadway, and Phil Esocoff. You
12 can hear directly from David about not only
13 this project, but the many others that he is
14 working on that demonstrate his strong
15 commitment to residential in the District.

16 And if you have no questions, we
17 can proceed with the testimony of David
18 Weldler.

19 (No response.)

20 MR. WELDLER: Good evening. I am
21 an expert at nothing. I can tell you that.
22 My children will certainly back that up.

1 My name is Weldler. I am a member
2 of Broadway I Associates, the applicant
3 tonight. As many of you on the Commission
4 know, I have been before you many times over
5 the last few years, and the Broadway Group has
6 demonstrated I think an unparalleled
7 commitment to quality residential housing at
8 no one else's expense, no displacement, and
9 really, really good buildings within the
10 District.

11 And I think that if you put all of
12 our eggs into one basket, and most people
13 can't really put all of the dots together,
14 you'll find that we are involved in about 5.5
15 million square feet of housing for the
16 District.

17 Those of you who have been by our
18 Senate Square Project, which is diagonally
19 across the street from the subject site
20 tonight, will see a building -- a self-
21 contained community that is actually
22 unparalleled in the District. And we continue

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1 to build and build excellent product, despite
2 the softening in the market.

3 We did not take the softening in
4 the market as an opportunity to downgrade our
5 property. Instead, we, more than anyone else,
6 have invested over \$200 million in that
7 property alone, which has sparked and spurred
8 the H Street redevelopment that we all are
9 seeking, and that 318 I is actually part of.

10 Without listing all of our
11 projects -- and, again, if the Commission
12 would like to know more about any of the
13 individual projects that we're doing, I'm
14 happy to be more specific. It's a very
15 difficult environment for developers now. We
16 have been successful in bringing lenders to
17 the table, allowing us to continue with our
18 projects, and we want to continue doing our
19 projects.

20 We think that the long-term
21 aspects of everything we're doing here will
22 benefit everybody -- the District, and, of

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1 course, we're doing this as developers to
2 hopefully benefit from that as well.

3 But there is a lot of arm-
4 twisting, and there is a lot of relationships
5 that one has to beg for in this environment to
6 get anything done, even if it's a sound
7 project. And many developers are dropping out
8 with -- from what they had planned to do.

9 We are going to watch Senate
10 Square lease up over the next two years and
11 stabilize as a quality project in the
12 District. And we know that 318 I directly
13 across the street should come online directly
14 after that. So we are plowing ahead and
15 trying in this difficult environment to get
16 this to happen.

17 And to that end, as Allison
18 pointed out, we do have to have this minor
19 reconfiguration of the project in order for it
20 to be viable. And we think it's the right
21 thing to do to continue. Many other
22 developers would buy their head in the sand

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1 and just not do this at this point in time,
2 but we want to try to get this done. We think
3 it's another vital piece of the H Street
4 redevelopment.

5 The property -- I mean, we have
6 adequately proffered this project. The
7 Commission has approved our previous project,
8 and the community is benefitting from that.
9 But despite that, we are in continued
10 conversations with the ANC to see whether
11 there is something else that we can do with
12 them, and those conversations continue.

13 Honestly, from my perspective as
14 the developer, we have put on the table
15 everything we need to, and the Commission
16 agreed with that by the fact that they voted
17 for and approved our project in the past. And
18 in this environment, I'm not sure anybody else
19 should have their hand out.

20 But despite that, there are a
21 couple of things that we think the community
22 could actually use, and some things that we

1 think we can do to help the ANC. And we are,
2 therefore, continuing to discuss these things
3 with them, and probably will work with them on
4 some additional proffers.

5 Again, we are just reconfiguring.
6 The original approval was for 125 to 140
7 units. We are just looking for a larger range
8 -- 166 to 180. That will allow us to have
9 more efficient units and more affordable
10 units, allow it to underwrite as a rental
11 project.

12 We are not looking for additional
13 density, and I think on that basis we would
14 hope that the Commission would see what we're
15 trying to accomplish and applaud our attempts
16 to continue this and back what we're looking
17 for.

18 Thank you.

19 MS. PRINCE: If the Commission has
20 no questions, we can proceed with the
21 testimony of Phil Esocoff.

22 CHAIRMAN HOOD: You know what

1 would be good? We have seen something
2 similar. It would be good if we just hit the
3 changes.

4 MR. ESOCOFF: Yes.

5 CHAIRMAN HOOD: Okay. You were
6 already going to do that, so I could have
7 saved that.

8 MR. ESOCOFF: Can you hear this?

9 CHAIRMAN HOOD: Yes.

10 MR. ESOCOFF: Phil Esocoff, Mr.
11 Chairman, and members of the Commission. What
12 I thought is -- it's always hard to sort of
13 lead people through these things logically,
14 but what we tried to do is make our slides
15 follow the handout we had, and we have just a
16 few supplementary drawings in there.

17 Allison gave you all of the
18 statistics. Let's see -- is this not working?
19 Oh, there it is. Too bad it's washed out.
20 But the site is just to the northeast of
21 Senate Square.

22 Next?

1 You can see -- this is the -- down
2 here we've put approved and proposed. You can
3 see these were very deep units. That was a
4 unit type that made sense over the last few
5 years, but it doesn't anymore. It had usually
6 an inboard den that might be as big as 10 by
7 12 that was essentially almost like a second
8 bedroom.

9 In the hotter market, that sold.
10 And actually, those are pretty nice units.
11 But we've made units that are more standard in
12 size. They're not substandard. I hope people
13 don't think that because this is becoming
14 rental that these units wouldn't be market-
15 worthy if they were condos. It's actually
16 very nice, but a mix of smaller one-bedrooms
17 without as many windowless bedrooms.

18 Next?

19 You can see in the proposed scheme
20 these are much shallower, all of the units,
21 and then just a few deep efficiencies over
22 here, and then a two-bedroom. And by pulling

1 back here we created some extra window space
2 along that lot line.

3 But the footprint of the building
4 has gotten smaller. Right in here is where
5 the building used to be. Now it's back to
6 here. So we skinned it up, and we pushed it
7 five feet into the ground and five feet higher
8 than what was the matter of right -- 65 feet.

9 But when we did that, we moved the
10 very top floor back five feet. So the sight
11 lines are almost identical to what they were.
12 We added some greenery in here. We maintained
13 the green space in the center, so kids on Hot
14 Wheels can go riding around here.

15 One of the amenities for the
16 project is still repaving this area with an
17 asphaltic paver that DDOT will approve. We
18 had originally shown brick. They won't
19 approve that. But they would approve sort of
20 a unit paver, an asphaltic paver, which is a
21 lot nicer, more historic looking.

22 One of the changes -- can you go

1 back one slide quickly?

2 The streetscape that we had
3 proposed before had brick along the sidewalks.
4 In the intervening time, DDOT has come up with
5 a new standard, so we've taken the opportunity
6 to revise that and had a predesign and review
7 meeting that DDOT approved.

8 Next?

9 That shows what is called LID, a
10 low-impact development guideline, where water
11 comes off the sidewalk and then goes into this
12 planting strip here, and then this front yard
13 planting as it was before, And the
14 sidewalks, unlike what has been -- well, it's
15 sort of a mixed bag in northeast.

16 DDOT now prefers to have exposed
17 aggregate sidewalk, which is surprisingly
18 attractive. Actually, they use broomswept,
19 but they will allow you to upgrade to sort of
20 a pebble-finished concrete, like the National
21 Park Service uses. But our spec is a little
22 bit less than that, because obviously we don't

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1 have to last quite as long.

2 Next?

3 There is just a blowup of what was
4 there before.

5 Next?

6 And you can see this is the
7 paving. If you've been by Senate Square,
8 you'll see that exact same paving and green
9 space. Here along the red, along the edge of
10 the curb, is what's called a landing strip.
11 It's a narrow section of brick pavers, like
12 you see on the redone parts of U Street, so
13 people can get out of their cars and not
14 trample all over the grass and stuff.

15 And there are a couple of little
16 -- every now and then they want you to put
17 like a little brick lead walk, and that's
18 where -- when we get to the traffic light
19 department, they will want us to put the
20 traffic lights in sequence with those little
21 things.

22 So that's something we'll iron out

1 at permit stage.

2 Next?

3 This is just showing where the --
4 somebody asked where the affordable units are.
5 We've got them spread out throughout the
6 project. Some of them are these -- like on
7 grade level here, two-bedroom units, so that
8 there is actually some yard space that unit
9 gets to use. And then, there are some in the
10 back, and some in the front there.

11 Next?

12 The top floors are here looking
13 all the different directions.

14 Next?

15 This is the roof plan as approved.
16 We have sort of extensive green roof on this
17 side of the penthouse, and then a paved area
18 with a swimming pool and more ornamental
19 plantings than what are technically thought of
20 as green roof systems.

21 Next?

22 The new scheme is very similar,

1 extensive area of green roof behind the
2 penthouse, a swimming pool with sort of a deck
3 around it, and then pavers in here.

4 The upper roofs of the penthouses
5 we've done in a very light material to get a
6 point for urban heat island effect. You have
7 to have it very reflective or you can put a
8 very thin roof covered with sedum. They're
9 like a succulent that is drought resistant.
10 So if it rains, they suck up the water. If it
11 doesn't, they just go dormant. And we've been
12 doing a lot of that on different projects.

13 In fact, Senate Square has quite a
14 bit of green roof up there. Though we didn't
15 promote that as a lead project, it does have
16 a lot of lead aspects to it.

17 Next?

18 The elevations that were approved
19 -- the new elevation, though it's set back,
20 comes up to about here, and then there's sort
21 of different pieces of penthouse. A lot of
22 those are really just where we've gathered

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1 toilet dryer and kitchen exhausts, so they
2 don't come out through the face of the
3 building, they go out through the top, keep
4 the complexion of the building free of zits as
5 it were.

6 Next?

7 The new building -- there is a
8 change that takes place. Even though we're
9 going from seven to eight -- 7-1/2 floors,
10 some numbers just trip you over into whole
11 different elevational strategies. So what
12 we've tried to do is look at making this feel
13 more like a series of townhouse elements, that
14 we've added a richer pallet of materials than
15 just the yellow brick. Some of that came out
16 of our experience.

17 As you know, we came back for
18 modification for the pallet and brick colors
19 on Senate Square. That turned out very
20 successful. They look very comfortable in the
21 Victorian neighborhood, so we took this
22 opportunity to do that.

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1 And then, at the very top, we
2 actually put a green roof in here on this one
3 setback floor. We're actually proposing to
4 use a green terra cotta tile. It's like a
5 glazed terra cotta tile, and we have -- maybe
6 Allison can hold that up. It's kind of a nice
7 system. It can be done vertically, and you
8 see it -- this is the same kind of material
9 you see on the Federal Triangle.

10 Yes, anyway.

11 MS. PRINCE: You can look at it
12 after.

13 MR. ESOCOFF: Anyway, you can get
14 those in colors, so on the terrace level where
15 there are units -- next? I think I have a
16 blowup of that. Yes. There you go. It would
17 be this green on this terrace level. That's
18 vertical.

19 And then, the penthouse itself,
20 rather than wrapping it in brick or concrete
21 block, or, God forbid, drive it, we are
22 proposing to do that in like a deep -- no, a

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1 medium blue, and it has these kind of ribbed
2 effects. So it should look very interesting,
3 pick up and shimmer and become a feature of
4 the building, since you do see penthouses.

5 And then, the bricks -- you can
6 see there are darker ones at the bottom. They
7 get lighter as they go up.

8 Next?

9 Here is the top with our pergola
10 and the vertical -- it looks like siding here,
11 but it actually is going to look like a very
12 rich terra cotta medium, sky blue as you can
13 see.

14 Next?

15 This is the sight line. The
16 yellow part is the building where it's
17 disappeared, where we have skinned it up, put
18 it on a diet. And that dark green is where we
19 are actually building a little bit more than
20 what was there before. We didn't show this,
21 but, you know, this is down a little bit. And
22 then, this is new, but this yellow is gone.

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1 The yellow part is done. The darker green is
2 the new stuff.

3 And then, you can see the sight
4 line before was this lower line. This other
5 line is the sight line as proposed, and this
6 other line here, the one that goes through
7 what looks like air, is the one that we would
8 achieve if we had a 90-foot building, which
9 the PUD would allow as an upper limit, if you
10 could prove your point, obviously.

11 So we think it's all pretty
12 reasonable changes from what was there before.
13 In fact, we took our new line, and we took it
14 through -- we assumed a parapet. Just to make
15 sure that nobody said, "Oh, well, you took a
16 throughway to some railings," we wanted to be
17 conservative in our view of that -- in our
18 presentation of that.

19 This little purple cone here, we
20 colored it on this slide, but it's not in your
21 booklet. That shows the kind of cone of
22 vision that we talked about in terms of

1 setting the scale for bigger buildings and
2 smaller buildings.

3 Next?

4 And I want to go back to when we
5 were presenting the -- and we have paper
6 copies of this that we'll hand out. When we
7 were presenting our design for the lower
8 levels of Senate Square along -- this is 3rd
9 Street. There is World Vision, and this is
10 the old Children's Museum, one of the wings.

11 We're trying to make the point
12 that, you know, it could be three stories tall
13 and still not in any way in scale with the
14 surrounding neighborhood, even though if you
15 measured it you could say, "Oh, it's the same
16 size as everything else. Therefore, it's in
17 scale." And that's just the difference
18 between scale and size, and I'm sure all of
19 the architects on the Commission understand
20 that, probably everybody else at this point,
21 too.

22 Next?

1 So we did this drawing showing the
2 buildings across the street and how we were
3 trying to create scale at the base of that
4 building.

5 Next?

6 And then, the building, as built,
7 has these little balconies and a lot of
8 planting here. Of course, this was taken this
9 morning, and nothing has come out yet,
10 flourished. But it's looking very credible.
11 You know, these lines across here.

12 This cone of vision I think looks
13 like a very comfortable relationship between
14 a larger and a smaller building, but both --
15 with the same level of resolution and detail.
16 That's what we're trying to do now at 318.
17 Not that we wouldn't have done it anyway, but
18 given the extra time we decided we'd put more
19 detail into it.

20 Next?

21 This was sort of an up close
22 version before we came back to you and asked

1 for the darker colors.

2 Next?

3 And here is what it looks like
4 now. We have these little balconies. You can
5 see all of this planting here that is going to
6 flower. These trees, they're like flowering
7 trees, and then the street trees, the new D.C.
8 lamps, and all of the detail we've put into
9 the brick. These little -- almost like a
10 Flemish bond here, with these dark headers and
11 this very dark brick called cerise.

12 Next?

13 And you can see the -- that's that
14 exposed aggregate paving, which is -- this
15 photo doesn't really do justice to.

16 Next?

17 And there's a head-on view of it,
18 as though it were drawn in elevation. You
19 come up these steps, this all feels very
20 comfortable when we go by there. And I'm kind
21 of a nitpicker when I go by things, so I was
22 kind of actually pretty pleased with it.

1 This unit, this is really
2 someone's living room. And if they ride their
3 bikes or they want to walk their dogs, they
4 can come right out these steps. But they do
5 connect inside to the building, so they are
6 accessible units. They'll use the garage and
7 the mailroom, all that kind of stuff.

8 So I think this is a good model.
9 I'm not sure -- I'm not aware of any other
10 buildings that have had ground-level access to
11 units along the perimeter, so that you have
12 that sort of Jane Jacobs lively street. I'm
13 not sure there are any others in town that
14 have done it, or at least done it this well.

15 I know there are some doors into
16 the ground level of The Mondrian on 13th
17 Street, but I wouldn't call that an
18 architectural success at doing that. Whereas,
19 I think somebody could say, "Oh, do you have
20 -- is this your townhouse?" Well, in fact,
21 no, it's just that person's apartment.

22 Next?

1 And this is what we had approved,
2 which is, you know, kind of simplistic, even
3 though I know we work it out. But even the
4 bonny pattern is there, just a third lap.

5 Next?

6 And if you were to look closely,
7 you'll see there is almost like a bargello in
8 here, because we've actually worked at --
9 there's a brick bounding pattern we -- once
10 again, in the intervening time, did a building
11 called The Whitman on 9th Street where used a
12 row of four by eight bricks and a row of four
13 by 16-inch bricks.

14 And it produces kind of a Flemish
15 bond, but the bonding patterns themselves
16 start to create these sort of diagonal argyle
17 lines through it, and they're almost like a
18 colonial bargello up there.

19 Those are the sort of subtle
20 things that actually make a building have
21 scale relationships with its smaller
22 neighbors. And you can see we have plantings

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1 in here, and then there are stairs in these
2 little symbols where stairs up.

3 Next?

4 And so there's a perspective view
5 of it. There's that kind of green tile up
6 there. And there's some -- I guess these are
7 salvias or something.

8 But, you know, this is what it
9 would be like along the street. These people
10 have an entrance up here, there's a lower
11 level, and then there will be these little
12 doorways along the street.

13 And from a distance, you'll see
14 that. But when you're looking at this
15 townhouse, your view is really just in here.
16 It's not -- you can't look at this. Even if
17 you look at this slide, I can't look at this
18 and look at that and have them both in the
19 same level of resolution and the back of my
20 eye. They're not -- it's not that one is in
21 focus and one isn't. It's that one is
22 actually higher resolution.

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1 VICE CHAIRMAN JEFFRIES: But,
2 excuse me, do we have that? Do we have a --

3 MR. ESOCOFF: We have handed --
4 we'll hand out hard copies.

5 VICE CHAIRMAN JEFFRIES: Oh, okay.

6 MR. ESOCOFF: We just finished
7 these like minutes ago.

8 Next?

9 We also made it a one-way street,
10 and there's one of those little entries with
11 the ornamental gates. And this is what -- if
12 you were standing across the street, just like
13 the photograph we took of Senate Square, this
14 is about the amount of the building you'd see,
15 and you see these other buildings here. And
16 it has that kind of nice eclectic mix that
17 really characterizes Capitol Hill and this
18 area north of Capitol Hill.

19 Next?

20 In our minds, anyway.

21 Here is a little diagonal view.

22 Thank God the world isn't this crisp and like

1 perfect.

2 (Laughter.)

3 We'd all have to walk around with
4 irons constantly, you know, taking the
5 wrinkles out of our clothes.

6 You can actually see the
7 difference between the standard streetscape
8 and the part down here that has that landing
9 strip, and then the water catch area. The
10 idea is that water comes across the sidewalk
11 and goes into these areas, instead of going
12 into the storm sewer.

13 Next?

14 View the other way -- somebody
15 coming out of there. And so there is a little
16 bit of planting here, and then an areaway.

17 So I think that may be the last
18 shot. We had some shadow studies. They are
19 also in your book, but they show that there's
20 minimal change. In fact, this yellow area
21 shows where the shadow has been reduced, and
22 this one little area here on the roof of that

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1 building is where it has been extended. I
2 don't know that we need to show -- oh, are
3 they in the book?

4 Okay. So I'll stop there, if you
5 have questions.

6 MS. PRINCE: Any questions for Mr.
7 Esocoff?

8 (No response.)

9 CHAIRMAN HOOD: Okay. Let's --
10 well, is that --

11 MS. PRINCE: That completes our
12 presentation.

13 CHAIRMAN HOOD: Oh, okay. Okay.
14 All right. We may have some questions for
15 your traffic consultant. Do you have a
16 traffic --

17 MS. PRINCE: We don't have a
18 traffic consultant here with us tonight.

19 CHAIRMAN HOOD: Okay. Well, maybe
20 you can respond to the DDOT report.

21 MS. PRINCE: Sure.

22 CHAIRMAN HOOD: Okay.

1 MS. PRINCE: Sure.

2 CHAIRMAN HOOD: All right. Have
3 you seen the latest -- what came out February
4 1st?

5 MS. PRINCE: Yes.

6 CHAIRMAN HOOD: Okay. And are you
7 ready to respond to it?

8 MS. PRINCE: Sure.

9 CHAIRMAN HOOD: Okay. Well, not
10 right now. Let's go with the -- all right.
11 Any questions?

12 (No response.)

13 Okay. There appears -- I have to
14 always do that, and that will always get --

15 COMMISSIONER MAY: I'm looking
16 down there to see if Commissioner Jeffries
17 wanted to go first. I hate to take up all the
18 time.

19 Anyway, I do have a couple of
20 questions.

21 CHAIRMAN HOOD: All right. Good.

22 COMMISSIONER MAY: Now I have to

1 read my notes. That's a challenge. Something
2 also that you didn't highlight in the drawings
3 that changed from the earlier iteration to the
4 current one is there seems to be some sort of
5 undulation in the facade, and then there are
6 these piers that continue all the way to the
7 top. Do you want to talk about what was
8 driving that?

9 MR. ESOCOFF: Well, we were just
10 putting them there as sort of a divider
11 between two terraces in some cases, and units.
12 And we were trying to add that kind of
13 ornamental detail that you see on some of the
14 historic buildings. They are not actually
15 chimneys. They are really just --

16 COMMISSIONER MAY: Right.

17 MR. ESOCOFF: -- vertical
18 ornamental piers.

19 COMMISSIONER MAY: Yes.

20 MR. ESOCOFF: Since we submitted
21 our first one, we actually lowered about half
22 of them a bit.

1 COMMISSIONER MAY: I see.

2 MR. ESOCOFF: Because they seemed
3 a little bit too much when we saw the
4 perspective.

5 COMMISSIONER MAY: Yes. And am I
6 right that the facade is sort of going in and
7 out a little bit?

8 MR. ESOCOFF: Yes, it just
9 slightly angles so that it catches sun a
10 little bit more than just like being flat. We
11 didn't put curves on it, because we always do
12 that. And we thought maybe we need to try
13 some other trick.

14 COMMISSIONER MAY: Yes, I've seen
15 those curves.

16 MR. ESOCOFF: Yes. And those
17 little piers where they -- the bricks tooth
18 together is something we're using up at 4th
19 and Mass. And it's amazing how they catch the
20 light, but we certainly like flexibility to
21 play with some of those little motifs.

22 COMMISSIONER MAY: Yes.

1 MR. ESOCOFF: Did you have a
2 thought on that, or --

3 COMMISSIONER MAY: Well, no, I
4 just wanted to understand kind of what was
5 driving it, because it seems that you could
6 have taken the -- you know, entirely the same
7 vocabulary that was used in the previous
8 iteration, and just kind of move things up and
9 down a little bit, and made it still work.

10 MR. ESOCOFF: Yes.

11 COMMISSIONER MAY: But clearly you
12 didn't. There were some other things that
13 were going on in the development of the
14 design, and I didn't know whether that was
15 driven by the particulars of changing the
16 configuration of the building and the floors
17 and dropping it, or whether it was just other
18 design ideas that started to filter in as you
19 were developing it.

20 MR. ESOCOFF: It's a little bit of
21 all of those things.

22 COMMISSIONER MAY: Yes.

1 MR. ESOCOFF: One is that I felt
2 the other one didn't look necessarily like --
3 it didn't seem quirky and idiosyncratic enough
4 for a Victorian neighborhood. It just seemed
5 a little bit too simple.

6 COMMISSIONER MAY: Yes.

7 MR. ESOCOFF: You know, and the
8 windows almost seemed a little too big. This
9 allowed us to have a little bit more surface
10 to void area on the facade.

11 COMMISSIONER MAY: Right.

12 MR. ESOCOFF: A little more
13 plasticity.

14 COMMISSIONER MAY: Yes.

15 MR. ESOCOFF: So it was really
16 aesthetic sort of thing.

17 COMMISSIONER MAY: Okay. I will
18 say the first thing I looked at was the
19 interim version, which had the metal panels on
20 the bays. And I'm glad to -- I was glad to
21 see the newest version of it, because I
22 thought it was a significant improvement.

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1 MR. ESOCOFF: Yes.

2 COMMISSIONER MAY: And I also,
3 frankly, in the newest version appreciate some
4 of the changes in the detailing, eliminating
5 the arched windows, and I think some of the
6 spandrel kind of details which I think were --
7 were necessarily kind of adding to the
8 vocabulary of this specific building. It was
9 kind of -- it's almost like grabbing a couple
10 of features from nearby buildings and --

11 MR. ESOCOFF: Right.

12 COMMISSIONER MAY: --
13 incorporating them as opposed to sort of being
14 more organic to what you had designed.

15 MR. ESOCOFF: You know, I have to
16 say sometimes I bristle at commentary from
17 people at the ANC, but occasionally within
18 that what they say are a few things that I'd
19 go back and on reflection think, "Well, there
20 are a couple of things there that were right,
21 and I'll just go back and change them."

22 COMMISSIONER MAY: Yes.

1 MR. ESOCOFF: And never tell them
2 because I would not give them that
3 satisfaction.

4 (Laughter.)

5 COMMISSIONER MAY: Okay. Now -- I
6 have to keep flipping through my papers,
7 because there's too many to -- I can't quite
8 keep them straight. What's going on in the
9 very corner windows? Because we have -- you
10 know, at the corner of 4th and I, where we
11 have --

12 MR. ESOCOFF: Yes.

13 COMMISSIONER MAY: -- the sort of
14 --

15 MR. ESOCOFF: Well, there's like a
16 kitchen inside there. We're trying to put
17 some kind of interest -- almost like Conning
18 Tower kind of slit windows there to give it
19 that -- once again, to make it kind of quirky.

20 COMMISSIONER MAY: Yes.

21 MR. ESOCOFF: Before, it's almost
22 like we had -- it was too routine. And

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1 there's that building when you go down Florida
2 Avenue, not far west of Rhode Island, that has
3 these like two bullet windows in it. You know
4 that Victorian building that has like double
5 circular windows that --

6 COMMISSIONER MAY: Oh, yes.

7 MR. ESOCOFF: -- this way? Yes,
8 so we're trying to find some reason to do
9 something that has that kind of odd quality.
10 And in that particular unit the kitchen winds
11 up there, and so this would be like a little
12 window, if somebody is watching the dishes
13 there, looking out over the neighborhood. So
14 we thought that would make it a little
15 intriguing, you know, sort of an enigmatic
16 like, "Oh, what's going on in there?" Because
17 it's not the living room, and it's not really
18 a Victorian townhouse.

19 COMMISSIONER MAY: Right. Right.
20 It's kind of interesting, because, you know,
21 on a corner like that you'd kind of expect
22 that you'd want to put in lots of big glass

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1 and --

2 MR. ESOCOFF: Yes.

3 COMMISSIONER MAY: -- put the
4 living room there, and make it into something
5 from the inside as well as from the outside.
6 And it just -- it's -- I understand what
7 you're trying to get to, but I can't say that
8 I feel really persuaded by it. But it is
9 unusual and interesting --

10 MR. ESOCOFF: Yes.

11 COMMISSIONER MAY: -- I'll give
12 you that.

13 MR. ESOCOFF: Well, you know,
14 that's one of the problems with the PUD for
15 people that like to, like, keep working on it,
16 like ourselves.

17 (Laughter.)

18 And we got called out on Senate,
19 like, "Oh, wait. That doesn't look like it.
20 It looks better, but I think you have to get
21 a modification."

22 So I wish -- maybe rewriting the

1 Zoning Code, which is going on now, we can
2 find some way to define reasonable levels of
3 aesthetic flexibility, you know, how to define
4 what -- what we've shown here, how do you
5 define that? Is it a series of bays, four
6 colors of bricks, or --

7 COMMISSIONER MAY: Right.

8 MR. ESOCOFF: -- like who sits in
9 judgment and says, "No, that's major, that's
10 minor." But I don't know how to --

11 COMMISSIONER MAY: Right. Well --

12 MR. ESOCOFF: That hasn't been
13 resolved yet. I hope it can be.

14 COMMISSIONER MAY: Yes. On that
15 subject, I am glad to see that this has come
16 back, because I do think adding a floor to a
17 building is major, not minor.

18 MR. ESOCOFF: Oh, yes.

19 COMMISSIONER MAY: And I'll say
20 that for the sake of the broader picture
21 beyond this specific case.

22 MR. ESOCOFF: Well, if you go from

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1 six floors to seven floors, it's like going to
2 sleep six feet tall and waking up seven feet
3 tall. I think you'd notice, you know?

4 COMMISSIONER MAY: Yes.

5 MR. ESOCOFF: You'd have to let
6 your sleeves out and --

7 COMMISSIONER MAY: Right. Now,
8 one of the things that is a concern is the
9 penthouse. And I understand -- I mean, it
10 seems like what's happening there with the
11 penthouse is in addition to having these
12 different sort of functions, also trying to
13 make it a little bit more interesting. But in
14 a way, we just want the penthouse to go away
15 and make it as, you know, flat and invisible
16 as possible on a certain level.

17 And it just -- it seems like
18 another very busy layer that makes the overall
19 building seem taller. Now, granted, we are
20 not really going to see it from the street.

21 MR. ESOCOFF: No, that's right.

22 COMMISSIONER MAY: But it's -- I

1 mean, there are circumstances where you do,
2 and we don't have to just think about this
3 case, but think about --

4 MR. ESOCOFF: Right.

5 COMMISSIONER MAY: -- kind of
6 everything, and what happens in all buildings,
7 and --

8 MR. ESOCOFF: Right.

9 COMMISSIONER MAY: I'm just
10 wondering if there's a way to simplify that
11 and then still get some of the effect that
12 you're looking for, because I think that maybe
13 it could be simplified and maybe it could --

14 MR. ESOCOFF: Well --

15 COMMISSIONER MAY: -- you could
16 get the openings in it that you want, because
17 you've got that opening where the --

18 MR. ESOCOFF: Well, the short one
19 here -- I mean, the view from the south, you
20 can see the swimming pool just has these piers
21 that come up, which are really vents.

22 COMMISSIONER MAY: Right.

1 MR. ESOCOFF: And we've got that
2 one fire stair on the end. Our elevator core
3 is here. We might have just like some
4 bathrooms and stuff, and some pumps. And
5 then, this is actually an outdoor space with
6 our cooling tower, and then our other
7 stairwell.

8 So it's kind of linear, because
9 you're trying to hold back -- you know, when
10 you step buildings back, then what happens is
11 you get these big long, skinny penthouses.
12 You can see one on 16th Street. It's like 10
13 feet wide, because they didn't want to ask for
14 relief. I think that's -- I think what you're
15 saying is very interesting.

16 My own feeling is that the idea
17 that we don't see penthouses because they're
18 set back, no, not from the opposing curb. But
19 we do see them from upper stories of other
20 buildings. And if you think about the Dupont
21 Circle Building, for instance, it has one of
22 the best penthouses in town, right? It has

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1 that jolly there, and it's really an
2 ornamental part of the building.

3 So I was kind of hoping to develop
4 something with a glazed terra cotta, a little
5 bit like the -- you know, Federal Triangle has
6 those red tile roofs. I think those add to
7 that building. I'm not sure that this does
8 that, but it's a pretty expensive material.
9 It's not a -- you know, it's actually ludowici
10 tile.

11 COMMISSIONER MAY: Yes. I was
12 going to say ludowici, yes.

13 MR. ESOCOFF: My client wants me
14 to give that up, so --

15 (Laughter.)

16 Because he thinks it's money, but
17 we can't not put wrapper around the cooling
18 tower, so --

19 COMMISSIONER MAY: Yes. Well, no,
20 I really appreciate having that material up
21 there and not just doing the most -- the least
22 expensive thing possible.

1 MR. ESOCOFF: Right.

2 COMMISSIONER MAY: And having it

3 --

4 MR. ESOCOFF: Right.

5 COMMISSIONER MAY: -- you know, be
6 something. But I'm not -- it just feels a
7 little too busy, and it draws the eye kind of
8 too -- too far up.

9 MR. ESOCOFF: Okay.

10 COMMISSIONER MAY: But I had a
11 couple of other smaller questions. I really
12 like that tree in the alley idea. I mean,
13 just -- something that I've never ever seen
14 before, except in sort of those cases where,
15 you know, you have alleys that kind of wrap
16 around and all of a sudden it captures a
17 little bit of green space, and you've got
18 something in there. But I've never seen it
19 sort of in a new development to have something
20 like that, and I just think that's a really
21 nice idea about how to handle that and get
22 plenty of circulation.

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1 I guess I had a question about how
2 you define affordable for rental units.
3 That's not really an architectural question,
4 but --

5 MR. ESOCOFF: No.

6 MS. PRINCE: Affordable -- there's
7 a rental housing schedule that we work with
8 Office of Planning on, and it's an 80 percent
9 AMI level.

10 COMMISSIONER MAY: Eighty percent
11 AMI.

12 MS. PRINCE: Yes.

13 COMMISSIONER MAY: Okay.

14 MS. PRINCE: There's an actual
15 rental schedule that has been worked out with
16 Art Rodgers at Office of Planning.

17 COMMISSIONER MAY: Okay. Okay. I
18 don't think that was spelled out in what we
19 had, but I think that's fine.

20 Let's see. I had something else I
21 wanted to ask you. I think that's it for
22 right now. I think I had another question,

1 but I can't -- I didn't write it down. It'll
2 come back to me.

3 MR. ESOCOFF: Can I just clarify
4 something? Do you think that a series of
5 openings in the penthouse, as though it had
6 windows but they weren't really windows?
7 Because you do see that on some older
8 buildings.

9 CHAIRMAN HOOD: Commissioner, do
10 you want to turn your microphone on?

11 COMMISSIONER MAY: Something that
12 was a little bit more arcade-like up there?

13 MR. ESOCOFF: Yes.

14 COMMISSIONER MAY: I mean, that's
15 -- certainly that treatment has been done, and
16 particularly on roofs that have outdoor
17 recreation space or --

18 MR. ESOCOFF: Right.

19 COMMISSIONER MAY: -- you know,
20 rooftop patios.

21 MR. ESOCOFF: Well, I don't know
22 if it showed up enough, then, maybe, because

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1 I think our intention was to have a trellis.

2 COMMISSIONER MAY: Right. And I
3 saw that. I saw -- sort of saw the notion --

4 MR. ESOCOFF: But it wasn't as
5 strongly shadowed I think as it probably would
6 be in --

7 COMMISSIONER MAY: Well --

8 MR. ESOCOFF: -- greenery and --

9 COMMISSIONER MAY: -- what it
10 feels like is piers with like a pergola
11 between it, as opposed to, you know, an arcade
12 which has some mass to it.

13 MR. ESOCOFF: I see, okay.

14 COMMISSIONER MAY: Just like you
15 can -- you know, you were talking about having
16 -- the building facade having a little more
17 surface area and a little less glass.

18 MR. ESOCOFF: Yes. So is it
19 possible for us to have this part of our
20 flexibility to -- the ability to do that?

21 COMMISSIONER MAY: Well, we'll see
22 if any of the other --

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1 MR. ESOCOFF: Okay.

2 COMMISSIONER MAY: --

3 Commissioners feel the same way I do about it.

4 CHAIRMAN HOOD: All right. Do we
5 have any other questions? Commissioner
6 Turnbull?

7 COMMISSIONER TURNBULL: I see
8 everybody is looking at me, so I'd better ask
9 some questions.

10 (Laughter.)

11 I guess I would kind of -- I guess
12 when I first saw the change in the elevations,
13 I guess my thoughts were similar to
14 Commissioner May's, that I looked at the
15 original approved submittal and the color
16 scheme looked -- seemed to blend very nicely.
17 And then, when I saw the new ones, the new
18 elevation, it was a little jarring, this sort
19 of industrial Victorian Gothic aspect to it.
20 And it just -- I just didn't know how to take
21 it.

22 And I had looked at the other

1 submission in November, too, and I was -- at
2 least I liked the one that was -- we are
3 looking at now. And I guess I was concerned
4 about the dark aspect of the roof, and a lot
5 of this depends upon colors that you see on
6 the screen, colors that you see in print, and
7 you really can't tell. But it just seemed
8 very foreboding up there. It just seemed very
9 -- and I was happy to see on the slide that
10 the colors seemed to be lighter than what they
11 appear in actual -- in print.

12 And I guess I was happy -- in the
13 submittal that we just got tonight on the
14 rendering, perspective rendering on page 26,
15 it does read a lot better in perspective than
16 it does in elevation. I think the colors --
17 I'm a little bit -- I feel a little bit -- I
18 feel a lot relieved that the sense of the
19 flaring of the projections seems to work in
20 perspective when you see it in 3-D better.

21 I guess the only thing that sort
22 of troubled me, and it just -- maybe it's the

1 rendering -- the terra cotta up at the -- at
2 that top level, from the perspective -- when
3 I first looked at it, it sort of reminded me
4 of cedar shakes trying to be a mansaur or
5 something.

6 MR. ESOCOFF: That's funny,
7 because when I saw it I thought it looked like
8 a Pizza Hut, like pressed metal.

9 COMMISSIONER TURNBULL: Yes, and
10 I --

11 MR. ESOCOFF: Much to the chagrin
12 of my team. But it's really difficult to get
13 a perspective, to really give you the sense
14 of -- because it wouldn't look like that at
15 all, obviously.

16 COMMISSIONER TURNBULL: No. It --

17 MR. ESOCOFF: We use metal and --

18 COMMISSIONER TURNBULL: It -- I
19 guess the only thing that -- I like the
20 Victorian aspect, especially at the top. I
21 think the white and the -- the trim that is
22 going along that -- interspersed with the

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1 brick adds a lot to it, and the flavor of the
2 whole thing.

3 What sort of is jarring, and I
4 think is -- is the piers. And I know they are
5 tapered, and they are trying to reduce the
6 aspect, but I almost want that to be a little
7 bit more Victorian, either step back or an
8 opening or some other little pattern in the
9 two, to keep up that nice Victorian feel.

10 MR. ESOCOFF: Right.

11 COMMISSIONER TURNBULL: But other
12 than that, I like the -- as I say, the
13 elevation -- the elevation, when you look at
14 it on page 17, doesn't do justice to the
15 perspective on page 26, which I think plays up
16 what you're really trying to do.

17 MR. ESOCOFF: Right, right.

18 COMMISSIONER TURNBULL: I just
19 wish somehow the piers could be -- pick up a
20 little bit more of the character that I see on
21 the back wall there that -- the modulation of
22 the brick. You almost want to --

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1 MR. ESOCOFF: Yes.

2 COMMISSIONER TURNBULL: -- step it
3 back or do something. But I know what you're
4 trying to do with the separation with the --
5 with the units up there, but you could almost
6 make it like -- want to see it more Victorian
7 up there, you know, or Gothicy. You want to
8 see an opening and maybe an oriole or
9 something up there.

10 But, no, I think --

11 MR. ESOCOFF: Well, can I just
12 say --

13 COMMISSIONER TURNBULL: Yes.

14 MR. ESOCOFF: -- I completely
15 agree with your comments on what you're
16 looking at. If you look at page 21 of the
17 original booklet, you can see in the light
18 brick the kind of joint work and stuff like
19 that. And I think that's -- for some reason
20 in the perspectives we have never been able to
21 get those piers to read as any -- they almost
22 look like corten steel.

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1 COMMISSIONER TURNBULL: Yes.

2 MR. ESOCOFF: It's hard to get
3 that texture.

4 COMMISSIONER TURNBULL: Yes.

5 MR. ESOCOFF: So, yes, we will be
6 able to accomplish what you're talking about,
7 because I think it's very desirable and it has
8 been our intent. It's just really had to
9 get --

10 COMMISSIONER TURNBULL: It doesn't
11 show, yes.

12 MR. ESOCOFF: -- an inkjet to spit
13 it out just the right way.

14 COMMISSIONER TURNBULL: I think
15 that would enhance it quite a bit.

16 MR. ESOCOFF: Yes. I completely
17 agree.

18 COMMISSIONER TURNBULL: Those are
19 my questions. They weren't really questions,
20 just comments.

21 CHAIRMAN HOOD: All right. Anyone
22 else right quick? Any questions?

1 (No response.)

2 Mr. Esocoff, help me --

3 COMMISSIONER MAY: Sorry. I'm
4 always slow. I remembered my other question,
5 which was about the bicycle parking in the
6 garage. And it's a lot of spaces, which is
7 good.

8 MR. ESOCOFF: Yes.

9 COMMISSIONER MAY: But it's spread
10 out on three levels, is that right?

11 MR. ESOCOFF: Right. Well, we had
12 a leftover dimension, and our intention was to
13 put bicycle lockers against the wall, so that
14 bikes weren't ripped off, because no matter
15 how nice a building it is bikes seem to get
16 ripped off.

17 But it also seemed to me that one
18 thing that LEED doesn't even talk about, which
19 is when somebody comes home with a bike, and
20 they've got their helmet and a chain and a
21 backpack, or they need a place to keep a pump,
22 where do they do that, in their unit and

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1 they're dragging it through the hallways?

2 So, you know, part of the idea is
3 to make bicycle riding convenient. So we are
4 trying to do a series of lockers along the
5 wall, rather than one big room, so that it
6 would be -- nobody could see what's in there.
7 So if they had an expensive bike, at least
8 nobody knows it's in there, and they could
9 keep their backpack and chain and whatever --
10 locks.

11 COMMISSIONER MAY: So they are
12 deep enough to pull your bicycle in?

13 MR. ESOCOFF: Yes, they are
14 vertical versions of what you see outside the
15 Metro stops. It's like --

16 COMMISSIONER MAY: Oh, so you'd
17 have to tilt your bike up.

18 MR. ESOCOFF: Yes, it's like a
19 hook thing.

20 COMMISSIONER MAY: Yes.

21 MR. ESOCOFF: The same people make
22 the ones that sit --

1 COMMISSIONER MAY: Yes.

2 MR. ESOCOFF: -- low down, make
3 ones that sort of you open -- it's almost like
4 a big locker with a hook. You put your bike
5 in there and you have a place for your pump
6 and other stuff like that.

7 COMMISSIONER MAY: Okay.

8 MR. ESOCOFF: I think --

9 COMMISSIONER MAY: Well, I was --
10 my initial comment was going to be, you know,
11 I've -- I ride my bike a lot, and I -- you
12 know, I park it in garages, and I've done that
13 before. But I would really not want to have
14 to ride down to the bottom to put my bike
15 away.

16 MR. ESOCOFF: Yes.

17 COMMISSIONER MAY: I'd want to --
18 you know, it would be more convenient to sort
19 of lock it up at the top.

20 MR. ESOCOFF: Right.

21 COMMISSIONER MAY: But for a
22 locker, maybe that would be different. I

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1 mean, there is definitely some value to that.
2 So I'm not sure -- I mean, it would be
3 interesting to see how well those rent, or if
4 they go, you know, one per unit --

5 MR. ESOCOFF: Yes.

6 COMMISSIONER MAY: -- or whatever,
7 how well they do.

8 MR. ESOCOFF: Yes.

9 COMMISSIONER MAY: Because, you
10 know, I really, really -- you know, as a bike
11 rider, I really like that idea.

12 MR. ESOCOFF: Right.

13 COMMISSIONER MAY: Being able to
14 do that.

15 MR. ESOCOFF: Well, we have
16 another project that didn't go through PUD,
17 through mine, where we actually have a big 20-
18 foot diameter spiral stair in the courtyard up
19 by Madison and 4th. And you can come in the
20 courtyard and go down this spiral ramp with a
21 -- you know, one of those little gullies for
22 your wheel to go down.

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1 And then, we have one big glass
2 block enclosed bike room on that level, on the
3 P1 Level. But this is also a project for
4 David. This one, the geometry didn't quite
5 work out yet, but we've been trying on all of
6 our projects to find a good way to come down
7 either in a -- not one of the fancy elevators
8 with, you know, wet tires and everybody gets
9 upset and --

10 COMMISSIONER MAY: Right.

11 MR. ESOCOFF: -- so --

12 COMMISSIONER MAY: Yes. I think
13 if -- I mean, I was going to say if you -- if
14 you -- a lot of your spaces were down on the
15 lowest level, you'd wind up with a lot of
16 people taking their bikes up to their units --

17 MR. ESOCOFF: Yes.

18 COMMISSIONER MAY: -- one way or
19 another.

20 MR. ESOCOFF: Well, I have to say,
21 there's a lot of unprogrammed space still, or
22 undefined amenity space on the first level

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1 below grade, and it's hard to know what the
2 market is going to be doing but my own
3 contention is that if people wanted to rent
4 out those spaces that creating bike rooms with
5 a place to fix your bike and to wash it would
6 be a great amenity, especially in an area
7 where that's as flat as Washington.

8 COMMISSIONER MAY: Yes, I agree.

9 MR. ESOCOFF: You know? And
10 somehow maybe that can get into the Zoning
11 Code a little bit, too, in this rewrite. It's
12 hard to convince clients, because for some
13 reason clients feel that there is a zoning
14 requirement to provide a certain amount of
15 parking, and they don't feel it anyway that
16 they should give that away free.

17 But because there is a zoning
18 requirement to provide bicycles, somehow that
19 is always seen as, "Oh no, that will be free."
20 Well, I don't think it should be necessarily
21 free. And that if you created something
22 that's 25 bucks a month, or \$50 a month, if

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1 somebody has a \$2- or \$3,000 bicycle and a
2 bunch of gear, they might be perfectly happy
3 that way, and then they might store other
4 stuff in there. It doesn't really matter.

5 COMMISSIONER MAY: Right.

6 MR. ESOCOFF: But to make units in
7 the city livable, you need places to store
8 things. And some of those things are bikes,
9 and some are just old leftover books and stuff
10 like that.

11 COMMISSIONER MAY: Right. Okay.
12 That's good. Thank you.

13 MR. ESOCOFF: That's more than you
14 wanted to know.

15 COMMISSIONER MAY: That's okay.

16 CHAIRMAN HOOD: Okay. Mr.
17 Esocoff, let me ask you a few quick questions,
18 and I think you already mentioned -- quick,
19 we're going to move through this right
20 quickly.

21 MR. ESOCOFF: Okay.

22 CHAIRMAN HOOD: On page 27 of the

1 perspective, I think you said if I'm standing
2 across the street, then that's about how much
3 I'll see of the building. I think that's --
4 well, it was a slide. I'm not sure what it
5 was.

6 MR. ESOCOFF: Okay. Yes. In
7 other words, if you were -- like this is like
8 some of the photographs we took at Senate. We
9 got up on the stoop of the house across the
10 street and just looked straight ahead, like --
11 like I'm looking down there now and I'm not
12 seeing stuff much above.

13 So, in other words, if you stood
14 there and you looked up at the top, yes, you
15 would see the top. But when you're looking at
16 that, you also couldn't see the bottom. In
17 other words, your eye is set up to sort of
18 focus, like right now I'm looking down there
19 and I know -- I can sort of sense that you're
20 there. I see that there's -- you're up there.
21 But I can't even look at you and see that
22 thing down there, the front of this desk where

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1 the ceiling --

2 CHAIRMAN HOOD: Okay.

3 MR. ESOCOFF: -- at the same time.
4 So what we're trying to say is that when
5 somebody looks across the little townhouse and
6 says, "Oh, is that compatible with what I'm
7 looking at?" well, all they can possibly be
8 looking at are the lower reaches of our
9 building.

10 CHAIRMAN HOOD: Okay.

11 MR. ESOCOFF: And I think one of
12 the problems in town is that people design an
13 elevation showing an eight-story building that
14 looks beautiful and busy and rich. But if you
15 looked at this level of it, it would be as
16 boring as so many of them are.

17 CHAIRMAN HOOD: All right. Thank
18 you.

19 MR. ESOCOFF: So --

20 CHAIRMAN HOOD: Ms. Prince, I see
21 we got tonight the checklist, even though
22 you're not going for -- we got the checklist,

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1 and I think I read -- let me ask, Commissioner
2 May, do you want them to revisit the bicycle
3 --

4 COMMISSIONER MAY: Oh, no, not at
5 all.

6 CHAIRMAN HOOD: Okay.

7 COMMISSIONER MAY: I'm convinced.

8 CHAIRMAN HOOD: Okay.

9 COMMISSIONER MAY: I think that's
10 good.

11 CHAIRMAN HOOD: All right.

12 COMMISSIONER MAY: I'd like to,
13 you know, know how it works in the future, so
14 we'll see.

15 CHAIRMAN HOOD: Ms. Prince, let's
16 -- can we walk -- can you walk us through the
17 DDOT letter?

18 MS. PRINCE: Sure.

19 CHAIRMAN HOOD: The two or three
20 things that were raised. Let's start with the
21 overparking. Well, I think the way I'd want
22 to phrase it is that DDOT is concerned about

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1 overparking on the site.

2 MS. PRINCE: Right. This is the
3 classic balancing of interest. The
4 neighborhood would very much like to see one
5 to one parking, and DDOT thinks that one to .8
6 is excessive. So we've really just done our
7 best to get close to one to one, not exactly
8 at one to one, to recognize the proximity to
9 Metro, encourage people to use bikes, but
10 still provide a level of parking that the
11 community is comfortable with. And this was
12 an issue that was discussed heavily, and the
13 community is absolutely not comfortable with
14 a ratio that is anything less than .8 to one,
15 and probably .9 to one.

16 So we've set up our ranges so the
17 absolute worst-case scenario would be .8 to
18 one, but it's really more likely that we'll
19 end up at .9 to one. So we're doing our best.

20 VICE CHAIRMAN JEFFRIES: Excuse
21 me. How far are you from the Metro?

22 MS. PRINCE: Very close. It's

1 about four-tenths of a mile. It's a 10-minute
2 walk.

3 VICE CHAIRMAN JEFFRIES: To the
4 New York or Union Station?

5 MS. PRINCE: Well, New York is
6 even closer now. That is true. New York is
7 closer, but Union Station is -- is a -- I
8 consider it a 10-minute walk. I'm a fast
9 walker. It's four-tenths of a mile. New York
10 -- New York I guess would be about three-
11 tenths of a mile.

12 VICE CHAIRMAN JEFFRIES: Yes,
13 okay.

14 CHAIRMAN HOOD: But New York is
15 closer?

16 MS. PRINCE: Yes.

17 CHAIRMAN HOOD: Because I'm not
18 sure how many ways you can get to Union
19 Station, but I know you have to -- I'm
20 thinking of going up the bridge, but I'm sure
21 there's probably a quicker way somewhere.

22 MR. ESOCOFF: Yes. You would just

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1 walk north on 4th, and then K Street right
2 under the railroad tracks.

3 CHAIRMAN HOOD: Oh, okay. Okay.
4 Good. Because that hill kind of scared me a
5 little way about the 10-minute walk, but
6 anyway --

7 MR. ESOCOFF: Actually, if you
8 take a 10-minute safety course, you could walk
9 across the MARC tracks by going through the
10 RAA Building.

11 CHAIRMAN HOOD: Mr. Esocoff,
12 you're an expert in everything. You're all
13 right.

14 (Laughter.)

15 MR. ESOCOFF: No, no, no. It just
16 happens that things that surround urban design
17 and stuff I --

18 CHAIRMAN HOOD: Oh, okay.

19 MR. ESOCOFF: -- I know a lot
20 about.

21 CHAIRMAN HOOD: Okay.

22 MR. ESOCOFF: I don't know a hell

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1 a lot about a lot of other things.

2 CHAIRMAN HOOD: Okay. Let's see.
3 Okay. We talked about the bicycle parking.
4 I think there was one more -- anyway. I think
5 there -- Ms. Prince, have we covered
6 everything in the DDOT?

7 MS. PRINCE: Yes. I didn't see
8 three issues in the DDOT report, but --

9 CHAIRMAN HOOD: Okay.

10 MS. PRINCE: -- I'll defer to you
11 on that. I simply noticed the comment about
12 excessive parking.

13 CHAIRMAN HOOD: Okay. All right.
14 And the other issue is, I know this was a
15 modification and this Commission has
16 previously approved what was in front of us
17 previously. What is the issue with the ANC
18 that you may know of, and I'm sure -- it
19 appears that there was an unfortunate incident
20 that happened with one of the Commissioners.

21 But what do you perceive to be the
22 issue with why they are opposing this now when

1 previously they had -- was it because the ANC
2 has changed? And I'm sure I can ask them when
3 they come up, Ms. Wirt, but -- Commissioner
4 Wirt. But is it that the ANC has changed, or
5 is it something has been pulled back, one of
6 -- something has been taken out of the
7 amenities package, or what is the issue?

8 MS. PRINCE: Absolutely nothing
9 has been removed from the amenities package.
10 I think it was really a philosophical
11 difference. Mr. Weldler is trying to create
12 a viable project, and he feels that modifying
13 the PUD in a way that increases unit count but
14 does not increase density in any way isn't a
15 more intensive PUD that would require
16 revisiting the originally proposed amenities,
17 particularly in this economic climate.

18 The ANC had a different attitude.
19 They felt that even though there was not an
20 increase in gross floor area, from their
21 perspective more units, albeit it smaller
22 units, but more units was a density increase.

1 David can speak for himself, but we really --
2 we really had to draw the line on that.

3 This is a project that we are
4 trying to make viable. It was approved
5 already at this density level. We are talking
6 about a unit configuration change to enhance
7 marketability. We're not adding square
8 footage.

9 But having said all of that, we're
10 still in conversations. We're not closing the
11 door. We have a huge commitment to this ward,
12 to this city in general, and we have made good
13 progress. And Karen Wirt is here in case I've
14 put words in the ANC's mouth. She can correct
15 me.

16 CHAIRMAN HOOD: Okay.
17 Commissioner --

18 VICE CHAIRMAN JEFFRIES: Mr.
19 Chair, I just -- so the argument -- and they
20 will step up -- is that because you're
21 increasing the unit count by 40, obviously
22 more people, more intensity in the

1 neighborhood, and area, and so forth, and so
2 because of that they feel there should be
3 greater amenities to address this increase of
4 intensity of use.

5 MS. PRINCE: That would be the
6 argument, and I would say if we want to split
7 hairs along those lines, I'd say, "Well, the
8 comprehensive plan changed between our first
9 PUD and now, such that it's split between
10 moderate density residential and commercial
11 use," And here we're still proposing an all
12 residential project. We're not taking
13 advantage of that change in any way. We're
14 simply trying to enhance marketability.

15 CHAIRMAN HOOD: Because we
16 reviewed the old order, and I was just trying
17 to see what -- other than those few things
18 that changed, and I specifically -- we
19 specifically went to the -- or I specifically
20 went to the ANC to remember where they were
21 with their decision. And I think it was
22 unanimous.

1 But I'm going to cut off those
2 questions and hear from the ANC at the
3 appropriate time.

4 Any other questions?

5 COMMISSIONER MAY: Yes. Something
6 occurred to me as I'm thinking about this.
7 You added a -- you decreased the size of the
8 footprint, and you pushed the building down a
9 little bit, right? Is that lower level of
10 units --

11 MS. PRINCE: Counted in the gross
12 floor area.

13 COMMISSIONER MAY: It is still?

14 MS. PRINCE: It is.

15 COMMISSIONER MAY: Does it have to
16 be? I mean, is it below -- is the ceiling --

17 MS. PRINCE: Was the ceiling more
18 than four feet out of grade?

19 COMMISSIONER MAY: Yes.

20 MS. PRINCE: Yes. It's countable
21 space.

22 COMMISSIONER MAY: It is countable

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1 space.

2 MR. ESOCOFF: We're not trying to
3 -- yes, because we want it to be as livable as
4 possible and --

5 COMMISSIONER MAY: That's fine. I
6 was just curious, because just looking at the
7 little drawings it was hard to tell, and I was
8 wondering, you know, because we certainly see
9 that often enough that people push it down at
10 311 and then --

11 MS. PRINCE: Right. It's not a
12 good story. No.

13 COMMISSIONER MAY: -- all of a
14 sudden it's --

15 MS. PRINCE: No.

16 COMMISSIONER MAY: -- doesn't
17 count. Yes. Okay. Thanks.

18 CHAIRMAN HOOD: Okay.
19 Commissioner Etherly?

20 COMMISSIONER ETHERLY: Thank you
21 very much, Mr. Chair.

22 Very quickly, Mr. Esocoff, if I

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1 could. One of the new perspectives that was
2 provided at page 28, I wanted to just walk
3 through, again, very quickly the idea of the
4 landing strip and what is happening with water
5 in that regard. It sounds like a very good
6 story to tell, but I just want to be sure I'm
7 clear in terms of how that is operating.

8 MR. ESOCOFF: Right. Well, what
9 -- from a green perspective, and from the city
10 arborist point of view, the Office of Planning
11 and DDOT and Public Space -- Chris Shaheen
12 especially -- want to reduce the amount of
13 storm flow coming from the city, and increase
14 the health of the city's trees.

15 So the idea is to create as much
16 of a continuous soil panel as possible between
17 the curb and the sidewalk, but also allow
18 people to get out of their cars without
19 falling into these hoops and lirope growing up
20 and like that.

21 And where there's enough room --
22 there wasn't enough room to do this detail at

1 Senate Square. But where there is enough
2 room, they'd like to have -- whether it's a
3 total of two feet or three feet, which is what
4 we're going on 4th Street, Northwest, by The
5 DuMont, some place so that people can get out
6 of their cars and walk -- and walk -- you
7 know, if the door opens, if it's a handicapped
8 person or anybody, if you open up the
9 passenger door, and you're in one of these
10 planter boxes, it's pretty hard to get out of
11 your car, because parking is critical and they
12 don't want all the plants to get destroyed and
13 people being inconvenienced.

14 They said, "Well, why don't we
15 just put a" -- essentially, it's a wider curb
16 almost. And then, we can walk out and then
17 cross over maybe every 30 feet or every 60
18 feet, at one of these crossing pads. They
19 like the streetlights now to be I think 60
20 feet on center.

21 And then, also, in those areas
22 where they have the universal meters, which I

1 don't think they're proposing for here, they
2 also associate those with those little cross-
3 slips. And we haven't gone into this, but
4 maybe public bicycle parking will happen in
5 some of these, too.

6 COMMISSIONER ETHERLY: Okay.

7 MR. ESOCOFF: So it's just a new
8 cross-section for the street they have come up
9 with. Where it's -- you can see it actually
10 already built on the west side of 4th Street
11 just north of Pennsylvania Avenue --
12 Massachusetts Avenue by The Madrigal. That
13 part of that is --

14 COMMISSIONER ETHERLY: Am I
15 correct to understand that you're doing
16 something special with respect to water
17 filtration or retention issues as it relates
18 to the tree box areas of --

19 MR. ESOCOFF: Yes.

20 COMMISSIONER ETHERLY: --
21 identified on that rendering?

22 MR. ESOCOFF: The tree box areas

1 don't have any curbs on them. It almost looks
2 like they are showing that in this elevation,
3 but they're not. The idea is that water
4 sheets over the sidewalk and goes into the --
5 can go into those planting beds instead of
6 into the curb.

7 COMMISSIONER ETHERLY: Okay.

8 MR. ESOCOFF: And it recharges the
9 aquifer in the tree. We're not watering those
10 trees because, as I understand it, in a large
11 part of the District, the trees suffer from a
12 lack of air, not water. That the soil is too
13 wet, and they need to aerate the roots.

14 COMMISSIONER ETHERLY: Okay. So
15 you're just using natural rainfall.

16 MR. ESOCOFF: Yes.

17 COMMISSIONER ETHERLY: You're not
18 doing any supplemental watering.

19 MR. ESOCOFF: Yes. You might
20 water these for the first couple of years to
21 make sure the trees don't die, and then
22 they're into the groundwater again.

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1 COMMISSIONER ETHERLY: And these
2 are all new plantings that are indicated here,
3 or are these existing?

4 MR. ESOCOFF: I think mostly they
5 are new plantings. You know, we didn't want
6 to show it with twigs here. These are
7 substantial-looking trees in this perspective,
8 but we would be planting, yes, whatever the
9 street arborist tells us to do.

10 COMMISSIONER ETHERLY: Okay. And
11 then, as you come back towards the building
12 line itself, I see that same type of -- that
13 same type of box or pattern kind of
14 replicated. Are you doing similar water
15 issues as it relates to filtration --

16 MR. ESOCOFF: On the right-hand
17 side?

18 COMMISSIONER ETHERLY: -- adjacent
19 to the building? Yes, sir.

20 MR. ESOCOFF: That's our front
21 yard. I don't know if we are -- well, the
22 water is going to fall on this and stay there.

1 And then, water falls on the sidewalk and
2 sheets off to the side. So I guess that does
3 do the same thing, in that it's open and it's
4 natural grade below it.

5 COMMISSIONER ETHERLY: Each of the
6 -- all of the faces of the buildings --
7 traditional downspouts, or what is happening
8 to the water as it comes from the roof down?

9 MR. ESOCOFF: Those are going to
10 be collected inside the building, and they go
11 through a storm detention sand filter system.

12 COMMISSIONER ETHERLY: Okay.

13 MR. ESOCOFF: Or bio -- what do
14 they call those? Bioretention?

15 MS. PRINCE: Bioretention.

16 MR. ESOCOFF: Bioretention. In
17 some cases, we're trying to find a way to get
18 a green point, and that it's -- we're going
19 through this on some other projects. If you
20 can keep half your water, half your rainwater,
21 onsite, you get a point. If you use -- I
22 think it's 50 percent of your irrigation is

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1 with recaptured rainwater, you get a point.

2 If it's 75 percent, you get two points.

3 COMMISSIONER ETHERLY: Okay.

4 MR. ESOCOFF: That's why we
5 haven't promised those points, even in this
6 19, because it's also up in the air right now.

7 COMMISSIONER ETHERLY: Okay.

8 MR. ESOCOFF: So we want to make
9 sure that we weren't promising things that
10 then we'd have to come back and say, "Gee, we
11 couldn't do that."

12 COMMISSIONER ETHERLY: Okay. So
13 if I understand correctly, there is clearly a
14 retention plan as it relates to water that is
15 coming through the roof.

16 MR. ESOCOFF: Sure.

17 COMMISSIONER ETHERLY: You have as
18 --

19 MR. ESOCOFF: Well, on the roof we
20 actually have two things. We have this
21 extensive roof system, which is -- that's
22 thin. And if you want to get a tour sometime

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1 of the Senate Square, we have very much --
2 almost all medium dense. There's -- extensive
3 green roof is like four inches.

4 There is some that are a little
5 deeper than that with grasses. That's what we
6 have on the building on the east side of
7 Senate Square.

8 COMMISSIONER ETHERLY: Okay.

9 MR. ESOCOFF: There's like a
10 wandering garden there with --

11 COMMISSIONER ETHERLY: Okay.

12 MR. ESOCOFF: -- grasses and
13 stuff. That's not the thinnest kind. And
14 then, we will have some of that up on our
15 roof. Maybe there will be herbs or something.
16 It will be like little footpaths through
17 there.

18 COMMISSIONER ETHERLY: Okay.

19 MR. ESOCOFF: And that's on the
20 back side of the penthouse. And then, on the
21 other side, we have more ornamental plantings.

22 COMMISSIONER ETHERLY: Okay.

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1 MR. ESOCOFF: And we would capture
2 water from that, and it goes to the storm tank
3 that sand filters it. The question is whether
4 or not we are going to filter enough of it
5 through the green space to not have to do
6 that, which is a big savings, which is good.
7 And maybe that will make having a cistern to
8 capture rainwater -- a rain budget, a water
9 budget for your building for how much water
10 your plantings need.

11 COMMISSIONER ETHERLY: Okay.

12 MR. ESOCOFF: So we haven't done
13 any of those calculations yet.

14 COMMISSIONER ETHERLY: Understood.

15 MR. ESOCOFF: So --

16 COMMISSIONER ETHERLY: Understood.

17 MR. ESOCOFF: But that would be
18 our intention as an office is to make green
19 buildings.

20 COMMISSIONER ETHERLY: Okay. But
21 in terms of the green space that's immediately
22 adjacent to your walls --

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1 MR. ESOCOFF: Right.

2 COMMISSIONER ETHERLY: -- on the
3 right side --

4 MR. ESOCOFF: Yes.

5 COMMISSIONER ETHERLY: -- that's
6 not necessarily anything -- I don't want to
7 use the term "special" and try to be
8 descriptive, but for lack of a better term,
9 that's not anything special, other than it is
10 -- it is green space, it is pervious --

11 MR. ESOCOFF: Right.

12 COMMISSIONER ETHERLY: -- to an
13 extent that it will provide some filtration.

14 MR. ESOCOFF: Right, yes.

15 COMMISSIONER ETHERLY: It's the
16 greenest of green roofs. It's green open
17 space.

18 MR. ESOCOFF: It's like on natural
19 soil and --

20 COMMISSIONER ETHERLY: Okay.

21 Thank you.

22 MR. ESOCOFF: So it's great stuff.

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1 COMMISSIONER ETHERLY: Thank you.

2 Thank you, Mr. Chair.

3 COMMISSIONER MAY: Mr. Chairman,
4 can I ask a couple followups?

5 CHAIRMAN HOOD: Commissioner May?

6 COMMISSIONER MAY: The landing
7 strip, as you call it, what's the setting bed
8 for that?

9 MR. ESOCOFF: I don't know what
10 they're going to require us to do there. But
11 hopefully it would be structural enough that
12 it wouldn't compact the soil under it.

13 COMMISSIONER MAY: Right. So it
14 might be just crushed stone or something
15 that's going to be --

16 MR. ESOCOFF: Yes, it might be
17 crushed stone. Yes, that would be my
18 preference.

19 COMMISSIONER MAY: Right.

20 MR. ESOCOFF: That actually the
21 soil is -- those trees should have a lot of
22 soil, because they don't get rain. Some of

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1 the water that falls into that secondary strip
2 Commissioner Etherly was talking about, that
3 also helps recharge. You can see trees in the
4 city that are doing well, because they've got
5 a large green lawn on the other side of the
6 sidewalk.

7 COMMISSIONER MAY: Right.

8 MR. ESOCOFF: And then some that
9 don't do so well. It's like a poke through
10 the brick.

11 COMMISSIONER MAY: Well,
12 Commissioner Etherly was asking if the landing
13 strip was pervious. It depends on the setting
14 bed if there's -- if water falls on top of it,
15 and it's just set on crushed stone, there will
16 be some filtration of the water through the
17 stone.

18 MR. ESOCOFF: Right.

19 COMMISSIONER MAY: But it's not
20 set on concrete.

21 MR. ESOCOFF: I don't think
22 they're asking us to set it on concrete.

1 COMMISSIONER MAY: Right.

2 MR. ESOCOFF: I think it will be
3 up to DOT, but --

4 COMMISSIONER MAY: Right.

5 MR. ESOCOFF: -- but there are two
6 different things here. One is the aeration.
7 In other words, if that -- they are also
8 worried about compacted soil in the District,
9 not just getting water to trees, but not
10 having their roots just drown and get mashed.

11 So it could be counterintuitive
12 that if there's a concrete slab under there
13 that is spanning in a way, that it would keep
14 foot traffic from banging that soil down,
15 which also kills the roots.

16 COMMISSIONER MAY: Right.

17 MR. ESOCOFF: Because the trees
18 have enough water. It's air and uncompacted,
19 unhard -- non-hard that they need.

20 COMMISSIONER MAY: All right. One
21 last question. I'm sure this is a detail that
22 hasn't been worked out, and it's just showing

1 up in the rendering. But you've got this
2 mismatch between the neighbor's sidewalk and
3 your sidewalk, and that will be resolved in
4 some appropriate way, I assume.

5 MR. ESOCOFF: Right, right. It
6 doesn't look this good north of us.

7 COMMISSIONER MAY: Well --

8 MR. ESOCOFF: So it's a question
9 of how we -- how we line this up and what the
10 city's plans are, because, you know, the city
11 came through and rebuilt a lot of the streets
12 in this area.

13 COMMISSIONER MAY: Yes.

14 MR. ESOCOFF: Within the last 15
15 years with new granite curb and brick.

16 COMMISSIONER MAY: Right.

17 MR. ESOCOFF: And then, we offered
18 that on Senate Square, and we got stopped
19 until we went and put in concrete.

20 COMMISSIONER MAY: Right.

21 MR. ESOCOFF: Which was less
22 expensive, but --

1 COMMISSIONER MAY: Right. Okay.

2 MR. ESOCOFF: So who knows what
3 will happen north of here when we --

4 COMMISSIONER MAY: Right.

5 MR. ESOCOFF: -- this? They may
6 --

7 COMMISSIONER MAY: Got it.

8 MR. ESOCOFF: -- go back to brick.

9 COMMISSIONER MAY: Okay.

10 CHAIRMAN HOOD: Okay. Thank you.
11 Any other questions?

12 (No response.)

13 Okay. We're going to ask the
14 Chair of ANC-6C, do you have any -- Ms. Wirt,
15 Commissioner Wirt, do you have any cross
16 examination?

17 (No response.)

18 Okay. All right. With that, we
19 will go to our Office of Planning's report.
20 Mr. Jackson and Mr. Lawson, good evening.

21 MR. JACKSON: Good evening,
22 Chairman Hood, and members of the Zoning

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1 Commission. My name is Arthur Jackson. I'm
2 the Development Review Specialist for the
3 District of Columbia Office of Planning, and
4 I will give a brief summary of the Office of
5 Planning's final report on this application.

6 Overall, the proposed -- this
7 proposal, as modified, can be accommodated in
8 the 6.0 FAR, 90-foot height, and 80 percent
9 lot occupancy percentage allowed under the
10 current C-2-B PUD zone district. Relief is,
11 however, required for the proposed multiple
12 roof structures of different heights.

13 The additional information
14 provided by the applicant after the Office of
15 Planning's report was written indicates that
16 other relief described in the Office of
17 Planning report will not be needed.

18 During discussions of the
19 application for setdown, the Commission and
20 Office of Planning raised questions about the
21 abrupt transition and height between the
22 proposed building and the adjacent buildings

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1 on 4th Street; the size, type, and location of
2 affordable housing, rental units; the
3 environmental benefits associated with
4 building, engineering, and design per the
5 leadership and environmental -- sorry --
6 energy and environmental design or lead
7 standards; and whether the District of
8 Columbia Department of Transportation would
9 accept the proposed I and 4th Street
10 streetscape and alley improvements.

11 In response, the applicant
12 provided, as demonstrated, detailed building
13 elevations showing significant improvements in
14 project architecture, a comparable level of
15 architectural detail, at the same level as the
16 neighboring two-story dwellings, and floor
17 plans showing the location of affordable units
18 on the first through sixth floors of the
19 proposed building.

20 The applicant also modified the
21 proposed streetscape and alley improvements to
22 meet DDOT's standard -- I'm sorry, Department

1 of Transportation standards.

2 Again, after the Office of
3 Planning's report was completed, the applicant
4 has provided a summary of the overall unit
5 types and percentages, and the units types and
6 percentages of the affordable housing units.
7 I believe you have copies of their summary as
8 provided.

9 And tonight of course we have the
10 list of all of the benefits that this project
11 would provide in terms of lead certification
12 -- that are eligible for lead certification.

13 With regard to PUD standards,
14 under Chapter 24 of the regulations, the
15 benefits and amenities provided the overall
16 project -- that is, urban design, superior
17 architecture, residential and affordable
18 residential opportunities, residential use of
19 an underutilized industrial site, and
20 pedestrian access, employment and training
21 opportunities would essentially be the same,
22 and would continue to be significantly greater

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1 than the required relief.

2 The proposed PUD modification
3 would continue not to be inconsistent with the
4 comprehensive plan, and to support more
5 specific housing, employment, urban design,
6 and neighborhood stabilization goals
7 identified in the comprehensive plan.

8 The Office of Planning, therefore,
9 recommends approval subject to the following
10 information being added to the public record
11 prior to proposed action. The referenced
12 breakdown provided by the applicant of the
13 total overall units, the percentages by unit
14 type, and floor area, and the percentages and
15 floor area of the project affordable units,
16 should be added to the record.

17 We also would like to see this
18 listing of environmental benefits, and, for
19 the record, a copy of the signed agreements to
20 participate in the Department of Employment
21 Services' First Source Employment and Minority
22 Business Opportunity Commission programs, and

1 documentation explaining just how the \$25,000
2 from the applicant to the Advisory
3 Neighborhood Commission will be used and when
4 it would be provided.

5 That concludes the summary of the
6 Office of Planning report, and we are
7 available to answer questions.

8 CHAIRMAN HOOD: Okay. Thank you,
9 Mr. Jackson.

10 Any questions of the Office of
11 Planning?

12 COMMISSIONER TURNBULL: I just had
13 one question. As far as the location of the
14 affordable units --

15 MR. JACKSON: Yes.

16 COMMISSIONER TURNBULL: -- you've
17 reviewed those with the applicant, and feel
18 comfortable, or --

19 MR. JACKSON: Well, the applicant
20 is providing -- and different locations on
21 various floors, and they are increasing the
22 number of units that are being provided. So

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1 we are comfortable with the locations as
2 proposed.

3 COMMISSIONER TURNBULL: Okay.
4 Thanks.

5 CHAIRMAN HOOD: Any other
6 questions?

7 (No response.)

8 Commissioner Wirt, do you have any
9 -- oh, I'm sorry. Applicant -- does the
10 applicant have any cross examination?

11 (No response.)

12 Commissioner Wirt, do you have any
13 cross examination?

14 (No response.)

15 Okay. Thank you.

16 Okay. The only other report that
17 I saw -- my colleagues can help me -- was the
18 DDOT report, which we've already discussed.
19 Okay.

20 Next, we will have the report of
21 ANC-6C. We want to ask the Chair --
22 Commissioner Wirt, if she would come forward.

1 MS. WIRT: Good evening. My name
2 is Karen Wirt. I'm Chair of ANC-6C, and I'm
3 here tonight to represent not only 6C, but
4 Commissioner Alan Kimber, who represents the
5 single member district, and unfortunately who
6 cannot be here tonight because of a death in
7 the family. I understand it was a younger
8 sibling, and an accident in her twenties, auto
9 accident.

10 As far as the ANC vote on
11 January 9th, we voted unanimously to oppose
12 the application based on the citizen input
13 that was there that evening. However, the
14 Commissioners felt strongly that negotiation
15 could work out the differences.

16 And Commissioner Kimber began
17 those negotiations and was doing fairly well,
18 and, in fact, reported back to me that he was
19 very satisfied with the way it was going. He
20 just wanted to be able to come back, finish
21 out the discussions, get back to his
22 constituents, and close out the talks.

1 The Commissioner's concerns that
2 evening, what they heard from the community
3 were exactly as Ms. Prince outlined.
4 Increasing the number of units would mean more
5 density, more people. Parking was a concern.
6 You heard about the ratios.

7 Also, there were a couple of
8 people who live in the small houses just
9 adjacent to the property on 4th Street that
10 were worried about height. However, the
11 Commissioners understand that this building is
12 much below what it could be.

13 Most of the Commissioners were
14 very pleased with the design as far as I could
15 tell. There were a few other concerns about
16 the sidewalk, some other minor points. But I
17 spoke with Commissioner Kimber as recently as
18 6:00 this evening. He called me and said that
19 he hoped that the Board would approve another
20 two weeks of leaving the record open, so that
21 he would have the opportunity to come back
22 from Alabama, finish up discussions, and go

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1 from there.

2 We actually have an ANC full
3 Commission meeting on February 13, so we would
4 be able to vote again on this matter and have
5 a vote for you, I'm hoping positive. And if
6 you could leave the record open until the
7 21st, we could complete that business.

8 CHAIRMAN HOOD: Okay. If you can
9 pass something on to Commissioner Kimber -- I
10 mean, I know, unfortunately, those things do
11 happen. And I think at least -- I'm sure my
12 colleagues would agree -- we will work
13 something out where we can make that happen.

14 MS. WIRT: Thank you.

15 CHAIRMAN HOOD: Any questions,
16 colleagues?

17 (No response.)

18 Let me ask this, Commissioner
19 Wirt. Did the ANC change -- was there a big
20 changeover from ANC Commissioners from --
21 well, first of all, was Commissioner Kimber --

22 MS. WIRT: No, Commissioner Kimber

1 is new.

2 CHAIRMAN HOOD: He's knew.

3 MS. WIRT: We had four new
4 Commissioners out of nine. So it was a
5 substantial increase.

6 CHAIRMAN HOOD: Okay. Okay. All
7 right. That's all I have.

8 Any other questions, colleagues?

9 (No response.)

10 Does the applicant have any
11 questions?

12 (No response.)

13 All right. Thank you very much
14 for coming down.

15 MS. WIRT: Thank you.

16 CHAIRMAN HOOD: Let me just see by
17 a show of hands -- do we have anyone here who
18 wants to testify in support? Any
19 organizations or persons who want to testify
20 in support? Any organizations or persons who
21 want to testify in opposition? Or any
22 organizations -- since we don't have -- any

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1 organizations or persons who may be in the
2 middle? Or anybody who wants to testify, just
3 come up and -- come up.

4 Let's do that, because I -- I
5 heard your comment, even though it wasn't on
6 the record. So just come on up to the table
7 and we'll take it however it comes.

8 MR. MULLY: I apologize about
9 that. My name is Zack Mully. I live at 925
10 4th Street, N.E., which is directly across
11 from the proposed development. And I must
12 apologize, I have not been able to attend any
13 ANC meetings due to scheduling conflicts.

14 But as I have seen in the letter
15 that I received -- and I do not know if the
16 DDOT has resolved this, one of my major
17 concerns is with the actual traffic flow in
18 the alley.

19 The letter that I received had
20 said that it will continue south to north in
21 the alley. Where the alley comes out on K
22 Street is a very, very bad place. It's mid-

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1 block. Its sight lines are extremely poor.
2 So I have not seen anything to the extent of
3 what's going to be happening with that. I'm
4 trying to think here, where it's --

5 CHAIRMAN HOOD: Do you have the
6 date of the -- was it a letter from DDOT?

7 MR. MULLY: This was -- I
8 unfortunately don't have -- I have -- all I
9 have is what I received from the Zoning Board
10 in my mailbox.

11 CHAIRMAN HOOD: You referenced a
12 letter --

13 MR. MULLY: I was just saying you
14 were saying you had received something from
15 DDOT. I have not seen anything, and, like I
16 said, I don't know if they have addressed it
17 already. But from the letter that I received
18 from the Zoning Board here, it's -- I must
19 apologize -- this is in the third paragraph of
20 the first page of the letter. It says,
21 "Access to below-grade parking for the entire
22 project will be provided by the existing

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1 north-south public alley."

2 Now, at least the last time I had
3 spoken with the developers, they were
4 intending to have that remain a one-way alley
5 exiting onto K Street. And I feel having
6 lived there for three years that is an
7 extremely poor -- K Street is extremely busy,
8 both in the mornings and the evenings, as it
9 is a major commuter route for people.

10 And I feel that's going to be a
11 very dangerous place to be exiting those cars
12 onto K Street.

13 VICE CHAIRMAN JEFFRIES: Excuse
14 me. You're on 4th Street, Northeast? You're
15 right across -- you're on the east side of the
16 street.

17 MR. MULLY: Yes, I'm directly
18 across the street from the development.

19 VICE CHAIRMAN JEFFRIES: So the
20 alley that you are referencing is where?

21 MR. MULLY: Is behind their
22 development, between I and K Streets, and 3rd

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1 and 4th Streets.

2 VICE CHAIRMAN JEFFRIES: And that
3 impacts you how?

4 MR. MULLY: I'm -- well, it
5 impacts me because I use K Street every day
6 when I ride to work. But also, I am concerned
7 about the impacts it will have on the
8 neighborhood. I have not seen any traffic
9 studies detailing the exit of the cars, you
10 know. We're bumping this up to 180 possible
11 cars, vehicles, exiting onto K Street. And
12 that is an -- there is no traffic control at
13 that light.

14 So -- and, again, I apologize if
15 this is not the proper forum for this or --

16 CHAIRMAN HOOD: Oh, no. No.
17 Actually --

18 MR. MULLY: I am more than happy
19 to submit whatever is necessary, or if I could
20 receive any materials to the point --

21 CHAIRMAN HOOD: Why don't we do
22 this? What is your name? Can you spell your

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1 last name?

2 MR. MULLY: I'm sorry. My name is
3 Zack Mully, M-U-L-L-Y. And I am located at
4 925 4th Street, Northeast.

5 CHAIRMAN HOOD: Okay. Well, Mr.
6 Mully, because of what we are probably going
7 to do, there will be opportune time to raise
8 any concerns with your ANC. And I -- in all
9 of the letters that I have from DDOT, at least
10 unless I missed it, I didn't even see that
11 even addressed. So, obviously, they must not
12 have had any issues with it. But I'm not
13 saying it's not an issue.

14 MR. MULLY: I understand.

15 CHAIRMAN HOOD: Because they
16 obviously don't -- don't mention it, at least
17 from what I've read. But let me ask this, and
18 I want to make sure this is the site -- is
19 this the site where the old Ace Hardware used
20 to be?

21 MR. WELDLER: Yes.

22 CHAIRMAN HOOD: Oh, okay. Thank

1 you. Okay, yes. So I'm familiar with the --
2 let's talk on the record, though. Talk --

3 MR. MULLY: I'm sorry. It was a
4 train in a coal yard as well, and a fuel
5 depot, I believe as well.

6 CHAIRMAN HOOD: Okay. It probably
7 was, but I'm just trying to make sure I
8 referenced it -- I'm trying to get myself
9 familiar with --

10 MR. MULLY: Correct.

11 CHAIRMAN HOOD: Let me just --
12 what we can do is we can probably go back and
13 ask -- because I don't see anything
14 referenced, and I'll ask Ms. Prince when she
15 comes forward, because I don't see anything --
16 and I may have missed it -- that addresses
17 that issue with the alley.

18 MR. MULLY: Yes, okay.

19 CHAIRMAN HOOD: I'm not saying
20 it's not an issue, but I --

21 MR. MULLY: No, no, no. I
22 understand.

1 CHAIRMAN HOOD: Here's how I want
2 you to -- the best way to handle it.

3 MR. MULLY: Certainly.

4 CHAIRMAN HOOD: Because of what
5 we're going to do, possibly with the ANC,
6 you'll have time to go back and work this.

7 MR. MULLY: In this intervening
8 time period?

9 CHAIRMAN HOOD: Yes, and I'll be
10 looking -- we will be looking when we come
11 back --

12 MR. MULLY: Okay.

13 CHAIRMAN HOOD: -- possibly for
14 proposed or final action to see what the
15 results --

16 MR. MULLY: Okay.

17 CHAIRMAN HOOD: -- because I have
18 it written down and we'll write that out. But
19 anyway, Commissioner Jeffries?

20 VICE CHAIRMAN JEFFRIES: I just
21 want to be clear. Is your issue about the
22 two-way direction of traffic in the alley, or

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1 that they have the parking ramp off the alley?

2 MR. MULLY: Absolutely no -- not.
3 And like I said, please correct me if I'm
4 wrong, and it sounds like there has not been
5 a traffic study submitted. I'm not really
6 sure what has been submitted. To the best of
7 my knowledge, it was going to be a one way,
8 come in from the south, exit from the north,
9 since the alley is rather narrow. I don't
10 think it's even wide enough to support two-way
11 traffic.

12 Two-way traffic perhaps at the
13 south end, if they were to widen it, but
14 certainly not throughout its entirety. Up at
15 the north end of the alley there is a large
16 metal shop, or it used to be a metal shop --
17 I think he is trying to sell the building --
18 and then, there is a residential house on the
19 east -- on the west side of the alley. And
20 it's not wide enough for two-way traffic to go
21 in and out of there.

22 So, I mean, really my concern is,

1 you know, if they have a presence on I Street,
2 I would like to keep that presence on I
3 Street. And if possible, I Street on that
4 block is one way. If you turn that block of
5 I Street into a two-way street, it makes a lot
6 more -- we're not going to -- I Street is a
7 very lightly trafficked street, whereas K
8 Street is extraordinarily heavily trafficked
9 in the mornings and the evenings.

10 And trying to have people -- a lot
11 of people exit from an alley mid-block where
12 you have no sight lines whatsoever for
13 oncoming traffic, or any proposed stoplight,
14 or anything like that, I just think is a very
15 poor way of putting this many potential
16 vehicles onto our streets.

17 VICE CHAIRMAN JEFFRIES: Okay.
18 Thank you. Thank you.

19 MR. MULLY: That is all.

20 COMMISSIONER MAY: Mr. Chairman?

21 CHAIRMAN HOOD: Okay. Let me just
22 say, when I look in the old order, it looks

1 like there was something done to that alley.
2 But what I'm going to do -- I'm looking in the
3 old order, I'm trying to see -- and it's like
4 it's talking about widening the alley. But
5 hold tight, Mr. Esocoff. I know you're
6 passionate. I appreciate it.

7 (Laughter.)

8 MR. ESOCOFF: Yes.

9 CHAIRMAN HOOD: But just hold
10 tight for me one second.

11 MR. ESOCOFF: All right.

12 CHAIRMAN HOOD: Because I -- one
13 thing about me, I try to get to everybody at
14 the same time, and get confused, and then I'll
15 mess up.

16 Okay. Commissioner May?

17 COMMISSIONER MAY: Yes. I was
18 just going to point out the fact that the
19 traffic and the access to the garage
20 theoretically would have been more thoroughly
21 addressed in the original order when this was
22 approved and the order was issued last

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1 January, so about a year ago.

2 MR. MULLY: Right.

3 COMMISSIONER MAY: And so the case
4 would have been heard last fall -- I mean, the
5 fall of '05 sometime.

6 MR. MULLY: Yes.

7 COMMISSIONER MAY: And that's why
8 I think tonight we're not really -- we weren't
9 really talking much about it, simply because
10 this is just a modification to what had been
11 previously approved.

12 Along those lines, though, the --
13 you know, in terms of where we are right now,
14 you know, given where the site is, I think
15 there was basically -- you know, I mean, there
16 were three choices on where you could enter
17 and exit from the building, I mean, with the
18 garage, and that would be on the alley or on
19 I Street or on 4th Street. And I'm not sure
20 any one of those would have been any better
21 from your point of view.

22 MR. MULLY: No. I think that the

1 arrangement that they have now with the --
2 with using the southern end of the property --
3 I Street -- as I'm saying, this assumes a
4 south to north one-way direction. Widening
5 the alley at the south end of I Street to
6 allow two-way traffic going in and out of the
7 garage at that point, and possibly making I
8 Street a two-way street, I think is a
9 fantastic idea in my mind.

10 I'm just concerned that -- and I
11 don't know if anyone has addressed the point
12 that trying to get traffic onto K Street out
13 of that alley is going to be suicidal. I
14 mean, trying to get people out of an alley
15 that has cars parked directly up onto it in
16 the morning or in the evening when there are
17 a lot of people taking that road in and out of
18 the city is really not a good idea. And I
19 hope that there would be some measures put in
20 place, so that that does not become a common
21 occurrence for people using that parking
22 garage.

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1 COMMISSIONER MAY: I think DDOT
2 will put a right turn only sign at the exit of
3 the alley.

4 MR. MULLY: I would not even allow
5 that, to tell you the truth. You cannot see
6 -- coming out of the alley, you cannot see
7 oncoming traffic.

8 COMMISSIONER MAY: Right. But you
9 have to come out of the alley -- I mean, if
10 you're coming out of the alley, you've got to
11 come out. It's always safer to make a right
12 turn than it is to make a left turn.

13 MR. MULLY: No, I understand.
14 Yes, yes.

15 COMMISSIONER MAY: It's kind of an
16 inside joke, because they think that when you
17 put a sign up there at the end of the alley
18 that says "Right Turn Only" that people
19 actually make right turns only.

20 (Laughter.)

21 COMMISSIONER ETHERLY: Mr. Chair,
22 real quickly, if I could -- I want to make

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1 sure I understand the logistics of the alley.

2 Ms. Prince, would you be kind
3 enough to -- if your Powerpoint is still up,
4 I believe there was an indication -- I think
5 there was an illustration at page 5 of the
6 presentation.

7 I just want to make sure that I'm
8 picturing the right illustration, because I
9 think it's a very good picture of perhaps the
10 condition as it perhaps used to exist or
11 currently exists. And I don't want to dig too
12 deeply into it, because I think the Chair's
13 direction is right on target.

14 In our presentation, it is -- it's
15 a page that has two photographic
16 representations of the alley, both looking --
17 one looking north, one looking south, so it
18 provides kind of an excellent look.

19 Let me just simply perhaps ask
20 this question for you, sir, as a follow up to
21 your testimony. There appears to be a parking
22 area of some type on the other side of the

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1 alley. Is that area still in existence? And,
2 Mr. Chair, if you don't mind -- and if you
3 could just identify yourself for the record
4 very quickly, sir.

5 MR. McHALE: My name is Joseph
6 McHale, and that's my garage. Do you see that
7 little square in the big white area?

8 COMMISSIONER ETHERLY: Yes, sir.

9 MR. McHALE: That's my garage, and
10 I actually exit into that alleyway.

11 COMMISSIONER ETHERLY: So --

12 MR. McHALE: If you're looking at
13 -- my garage is like right here.

14 COMMISSIONER ETHERLY: Okay.
15 Excellent, excellent. Mr. McHale is
16 indicating on page 5 of one of our submittals
17 there is a chain link fence, and his garage is
18 within that enclosure somewhat.

19 MR. McHALE: Do you mind if I
20 approach the picture up there? I can point
21 out exactly what he's talking about.

22 COMMISSIONER ETHERLY: Well, we'd

1 miss you on the record, but I think I have it.

2 MR. McHALE: Okay.

3 COMMISSIONER ETHERLY: I think I
4 have it. I think I'm --

5 MR. McHALE: As you're exiting
6 this way on the alleyway, I Street -- to the
7 south -- I Street runs west --

8 MS. PRINCE: East.

9 MR. McHALE: -- east, okay. There
10 is never any traffic. I mean, kids could have
11 a football catch out there and very rarely be
12 bothered by cars, by traffic. But if you exit
13 north in the alleyway, I'll tell you what, the
14 cars are parked right up to the alleyway.
15 K Street is very busy, especially during
16 rushhour, but even during the midparts of the
17 day. It's very, very dangerous.

18 If you have 180 parking spots
19 coming out of that alleyway, you're going to
20 have accidents eventually.

21 COMMISSIONER ETHERLY: Okay.

22 That's --

1 MR. McHALE: I mean, seriously,
2 he's got a very, very valid point.

3 COMMISSIONER ETHERLY: No. And I
4 definitely don't doubt the experience that you
5 are both probably bringing to the table,
6 having experience with that alley. I just
7 wanted to make sure, one, I was looking at the
8 right photographic illustration of the alley.
9 But, again, I agree with the Chairman that
10 there will probably be ample opportunity for
11 a deeper look at this.

12 Thank you, Mr. Chair. Thank you,
13 both.

14 MS. PRINCE: Can I address the
15 alley condition? Not to beat a dead horse.
16 Number one, this -- the entire alley
17 configuration, parking access, was reviewed by
18 DDOT exhaustively, exhaustively, as is covered
19 in the original record.

20 Number two, we are widening the
21 end of the alley. Right where our parking
22 garage is located, as you can see, we're

1 widening the alley to a total width of 23
2 feet, three feet beyond the city's standard
3 for two-way traffic.

4 In the event that it's determined
5 that K Street is not a functional situation,
6 and we want to introduce the concept of two-
7 way traffic at our end of the alley, we can do
8 that. But as I said, this was reviewed
9 exhaustively by DDOT. We are not changing
10 anything. It's not the subject of this
11 modification in any way.

12 CHAIRMAN HOOD: I really think
13 that from what I'm hearing, and what I've seen
14 from Mr. Weldler, I feel very confident to the
15 two gentlemen who just -- Mr. Mully and I
16 forget the other gentleman's name, but I think
17 that -- and forgive me, but I think that with
18 the time we're going to allow for the ANC, I
19 think there will be ample time to deal with
20 that, because this Commission has dealt with
21 that.

22 And I'm looking at it -- when we

1 dealt with this in January of 2006, and I'm
2 sure we exhausted -- I'm not saying we didn't
3 miss anything, but I'm glad you brought that
4 to our attention. And I will ask what you are
5 working with the ANC -- and I'm sure -- it
6 seems like Mr. Weldler is a good guy to work
7 with, and the good neighbor policy is what I
8 see to a point.

9 So I'm sure that that won't be an
10 issue, and there's going to be time to have
11 those concerns addressed before we do proposed
12 and final of this modification. We may have
13 missed it, Ms. Prince, but anyway.

14 Okay. Is there anyone else who
15 would like to testify? Anyone else?

16 (No response.)

17 Okay. Ms. Prince, you can do --
18 Mr. Esocoff, please come back. We are ready
19 to hear from you. Oh, I thought you wanted to
20 come back. Oh, okay. So we're straight? Oh,
21 okay. See, I called on you that time. All
22 right.

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1 Okay. Ms. Prince?

2 MS. PRINCE: Thank you for your
3 time this evening. As I said at the outset,
4 I think this is a fairly minor modification.
5 We've gone through all of the changes in great
6 detail, and we would appreciate your action,
7 really, as soon as possible, understanding the
8 constraints of the schedule that you've
9 discussed tonight.

10 But we do feel that we've worked
11 hard to explain the changes to address
12 community concerns, to balance interests. And
13 we thank you for your time.

14 CHAIRMAN HOOD: Thank you, Ms.
15 Prince.

16 Ms. Schellin, do we have some
17 dates how we can move at this? And we want to
18 make -- hopefully give the ANC -- well, get
19 the ANC -- they are requesting two weeks. And
20 that's okay, right, Ms. Prince?

21 MS. PRINCE: Well, with great
22 reluctance, I mean, we are -- you know, we

1 will continue to work with the ANC. I mean,
2 we would continue to work with the ANC no
3 matter what. So if you feel compelled to
4 leave the record open, so be it. If you
5 don't, we'll continue to work with the ANC
6 anyway. We are here for the long haul.

7 CHAIRMAN HOOD: Good. Thank you.

8 Ms. Schellin?

9 MS. SCHELLIN: Okay. To allow for
10 the ANC to respond, if we could have that
11 filing by February 25th? It's a Monday, by
12 3:00 p.m., and responses from the applicant to
13 whatever the ANC files by March 3rd, 3:00 p.m.
14 And if the ANC and the applicant would like to
15 provide findings of fact and conclusions of
16 law, they may do so by March 3rd also, and
17 then we can put this on our March 10th meeting
18 agenda.

19 MS. PRINCE: We're happy to
20 provide findings of fact and conclusions of
21 law. I would note that if there isn't a party
22 in opposition, in the event that things are

1 worked out with the ANC, you typically
2 wouldn't need findings, but we'll go ahead and
3 do it if that's what you'd like. It's our
4 prerogative. Okay.

5 CHAIRMAN HOOD: Let the record
6 reflect Ms. Schellin said it was up to the
7 applicant.

8 Okay. Anything else? Are we all
9 straight? Everybody is on board?

10 I appreciate everyone's
11 participation in this hearing tonight. And
12 those two gentlemen, again, work with your
13 ANC, and we will look at this, because part of
14 our job is to look out for safety. That's
15 what we're supposed to do also.

16 Okay. Thank you. This hearing is
17 adjourned.

18 (Whereupon, at 8:16 p.m., the
19 proceedings in the foregoing
20 matter were adjourned.)

21
22