

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: :

:

Capitol Gateway Overlay : Case No.

District Review at Square : 08-30

700, Lots 33, 802, 841, :

850, 857, 864, 865, 868, :

871, and 872 :

-----:

Thursday, January 29, 2009

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

The Public Hearing of Case No. 08-30 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 Hood, chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY HOOD Chairperson
- GREGORY N. JEFFRIES Vice-Chairperson
- WILLIAM WARREN KEATING Commissioner
- PETER MAY Commissioner (NPS)
- MICHAEL G. TURNBULL, FAIA Commissioner (OAC)

OFFICE OF ZONING STAFF PRESENT:

DONNA HANOUSEK Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
MATT JESICK

The transcript constitutes the minutes from the Public Hearing held on Thursday, January 29, 2009.

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

6:49 p.m.

CHAIRPERSON HOOD: I apologize for us starting a little late. We're going to go ahead and get started.

Good evening, ladies and gentlemen. This is the Public Hearing of the Zoning Commission of the District of Columbia for Thursday, January 29, 2009. My name is Anthony J. Hood. Joining me this evening are Vice-President Jeffries, Commissioners Keating, Nay and Turnbull. We're also joined by the Office of Zoning staff and the Office of Planning staff.

The subject of this evening's hearing is Zoning Commission case #08-01. This is a request by West Half LLC, et al, for review and approval under the Capitol Gateway Overlay District of property located at 25 M Street.

Notice of today's hearing was published in *D.C. Register* on December 28th,

1 2007. And copies of the announcement are
2 available to my left on the wall near the
3 door.

4 The hearing will be conducted in
5 accordance with provisions of 11 DCMR 3022
6 as follows: Preliminary matters,
7 applicant's case, report of the Office of
8 Planning, report of other government
9 agencies, report of ANC 6D, persons in
10 support, persons in opposition, rebuttal and
11 closed by the applicant.

12 The following time constraints
13 will be maintained: The applicant 60
14 minutes; organizations 5 minutes,
15 individuals 3 minutes.

16 Ms. Hanousek, let me ask this:
17 All this information we have up here was
18 just provided tonight? I'm sure there's a
19 good reason. Maybe that's why I can't get
20 through this opening statement because I
21 know my colleagues and I read through this
22 stuff very hard and we looked over this

1 stuff at night. And, Mr. Tummonds, I can
2 tell you that's quite a bit of information
3 for us. And I'm sure you have an answer for
4 us to read. I guess that's why I'm a little
5 disturbed. But anyway, I'm just reading
6 this.

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

14 When presenting information to
15 the Commission please turn on and speak into
16 your microphone first stating your name and
17 home address.

18 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 To avoid any appearance to the

1 contrary the Commission requests that
2 persons present not engage the members of
3 the Commission in conversation during any
4 recess or anytime. The staff will be
5 available throughout the hearing to discuss
6 procedural questions.

7 Please turn off all beepers and
8 cell phones at this time so as to not
9 disrupt these proceedings.

10 Would all individuals wishing to
11 testify please rise to take the oath. And,
12 Ms. Hanousek, would you please administer
13 the oath?

14 (Witnesses sworn.)

15 CHAIRPERSON HOOD: Okay. Let me
16 very honest, Mr. Tummonds. Let me see how
17 far we can go.

18 MR. TUMMONDS: Sure. I mean, and
19 maybe in my statement I can talk about I
20 think the materials that we had before may
21 aren't as daunting as they look in that the
22 plans that are before you, they're just a

1 PowerPoint presentation.

2 CHAIRPERSON HOOD: Okay.

3 MR. TUMMONDS: It's not anything
4 different than --

5 CHAIRPERSON HOOD: Okay. Okay.
6 Okay.

7 MR. TUMMONDS: That's probably
8 the most daunting looking thing, but it's
9 for the record. Sometimes we find it's
10 easier for you to have a copy in front of
11 you as opposed to having to look up towards
12 the screen.

13 CHAIRPERSON HOOD: Okay. Let's
14 do this: Let me ask this question first and
15 then I'll go to my colleague before we do
16 proffer the witnesses.

17 Ms. Hanousek, do we have any
18 preliminary matters?

19 MS. HANOUSEK: Just the proffered
20 witnesses that you have there.

21 CHAIRPERSON HOOD: Okay.

22 Does the staff have any

1 preliminary matters?

2 CHAIRPERSON HOOD: Okay.

3 COMMISSIONER TURNBULL: Mr.
4 Chair?

5 CHAIRPERSON HOOD: Any comments
6 my colleagues want to make before we get
7 started?

8 Mr. Turnbull?

9 COMMISSIONER TURNBULL: Yes, Mr.
10 Chair. I should point out for the record
11 that HOK is currently doing a master
12 planning effort for the Architect of the
13 Capitol. I think you know me as the
14 Assistant Architect, I get into the nuts and
15 bolts of everything and I don't think that
16 will have any bearing on this case.

17 CHAIRPERSON HOOD: Well, Mr.
18 Turnbull, you're very well respected. I'm
19 sure my colleagues, I can speak for them,
20 but we don't have any problems with you
21 remaining on this case.

22 Does anyone have any issues with

1 Mr. Turnbull remaining?

2 MR. TUMMONDS: None.

3 CHAIRPERSON HOOD: Okay. Good.

4 So if we have a split, you'll be all right.

5 Okay. Let me do this: Mr.

6 Tummonds, let's run through the proffered
7 witnesses.

8 MR. TUMMONDS: Sure.

9 CHAIRPERSON HOOD: And let me
10 just do this: We've already had Mr.
11 Esocoff. We've already had, hopefully I
12 pronounce this correctly, Mr. StreetSense.

13 MR. TUMMONDS: Mr. Eisen of
14 StreetSense, yes.

15 CHAIRPERSON HOOD: Eisen. Okay.
16 Eisen, StreetSense. Okay. Mr. Eisen,
17 StreetSense. Okay.

18 What is his last name?

19 MR. EISEN: Eisen.

20 MR. TUMMONDS: Eisen.

21 CHAIRPERSON HOOD: Well where did
22 StreetSense come? Well, you can tell that I

1 don't do this often. It's only after about
2 6:30 I get into this.

3 Okay. Mr. Eisen, forgive me.
4 Where's Mr. Eisen? Raise your hand. I
5 won't forget you. Okay.

6 They've already been previously
7 accepted.

8 And colleagues, I will tell you
9 that I have looked at Mr. Hellmuth's résumé
10 and Mr. Andres' résumé. And I think that
11 they meet classification of expert in front
12 of us tonight, but I'll open it up from any
13 comments from our colleagues. Not hearing
14 none, I guess everyone agrees with me. So
15 they will be accepted as experts.

16 Okay. Mr. Tummonds, we can get
17 started.

18 MR. TUMMONDS: Wonderful

19 CHAIRPERSON HOOD: Can you talk
20 about the information first?

21 MR. TUMMONDS: Yes, absolutely.

22 The documents that we have before

1 you, I think it's the one that caused the
2 greatest amount of concern is the package
3 with the color pages. That is merely the
4 printout of the PowerPoint presentation that
5 we are making this evening.

6 In addition, you have a community
7 benefits agreement that the applicant has
8 entered into with ANC 6D. That was just
9 finalized on Tuesday night.

10 There was also a one page
11 document that outlines the areas of relief.
12 We thought that that was a helpful thing for
13 you to have. Yes, that one page document.

14 CHAIRPERSON HOOD: Do you have a
15 signed copy of the community benefits?

16 MR. TUMMONDS: The community
17 benefits agreement, I think there are --

18 CHAIRPERSON HOOD: It is signed.

19 MR. TUMMONDS: Yes. There are
20 three signature pages. And put all three
21 together and it is signed by all the
22 relevant parties. Thank you.

1 The other materials presented:

2 One is a residential, the
3 checklist which shows that as Mr. Esocoff
4 will testify to , shows the LEED Silver
5 designation that will be achieved with, as
6 they were talking, aspirations of LEED
7 Platinum for the residential side.

8 And then, finally, we know that
9 there were some agency reports that had come
10 in recently. There was a report from the
11 Fire and Emergency Services and WASA. I
12 wasn't sure if they had made it into the
13 record or not. Out of an abundance of
14 caution we submitted them to just make sure
15 that you had them as well. Again, those
16 aren't our documents. We wanted to make
17 sure that record was complete.

18 I think that completes the
19 materials that were at your chairs when you
20 came in. So I don't think it's
21 subsequentially different than the
22 information that's been presented to you in

1 our filings on January 9th and January 16th.

2 CHAIRPERSON HOOD: Mr. Tummonds,
3 let me just ask this, and I'm not going to
4 keep interrupting. As you see this Capitol
5 Gateway, the CG Overlay, how do you envision
6 us -- we're not treating this as a PUD, as
7 you know. And typically, and I'm just going
8 to give you a specific question, you don't
9 provide an amenities package in a case like
10 this, right? So I guess what I wanted to
11 say is we need to keep it within the scope
12 of the CG Overlay?

13 MR. TUMMONDS: We agree
14 completely.

15 CHAIRPERSON HOOD: Okay. Thank
16 you.

17 Vice-Chair Jeffries?

18 VICE-CHAIR JEFFRIES: I just
19 wanted to point out, you know, OP's report,
20 Office of Planning's reported dated January
21 16th. And, you know, obviously as you know
22 I mean there are a lot of unresolved issues

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1 tied with various areas of relief that's
2 being requested. So you're going to address
3 this?

4 MR. TUMMONDS: Yes. And more
5 importantly, we have been working in concert
6 with Mr. Jesick and members of OP. And I
7 believe that OP is at the point tonight
8 where OP will present an unqualified report
9 this evening.

10 VICE-CHAIR JEFFRIES: Okay.

11 MR. TUMMONDS: OP, I think that
12 they have enough information now to make a
13 determination. There may be conditions to
14 that, but OP has been satisfied with the
15 information that's been presented. Mr.
16 Jesick can testify to some of the
17 information because of their move from their
18 offices at 801 North Capitol to 2014 Street
19 required them to have their information
20 ready to make sure that there was a timely
21 filing to the Commission.

22 VICE-CHAIR JEFFRIES: Okay.

1 Thank you.

2 CHAIRPERSON HOOD: I just have
3 one correction to make in the opening
4 statement. For the record, the case is 08-
5 30 and it was in the *D.C. Register* on
6 December the 15th, 2008. Okay.

7 Mr. Tummonds? No more
8 interruptions and you can begin again.

9 MR. TUMMONDS: Wonderful. Thank
10 you.

11 Good evening, Mr. Chairman,
12 members of the Commission. I am Paul
13 Tummonds of the law firm of Pillsbury
14 Winthrop. My colleague, Christine Reilly,
15 is also here with me this evening.

16 So in the Commission application
17 08-30 seeks Zoning Commission review and
18 approval of a mixed use project consisting
19 of residential, retail and commercial office
20 along two prominent streets in the Capitol
21 Gateway Overlay District and in half
22 streets.

1 This project requires special
2 exception and variance approval from the
3 Zoning Commission. A complete list of the
4 areas of special exception and variance
5 relief that we are requesting has been
6 included in the materials presented to you
7 earlier. As outlined in the materials that
8 we have previously filed in the record of
9 this case and in the information that we
10 will present this evening we fully satisfy
11 all the relevant standards for special
12 exception and variance relief.

13 The Office of Planning filed a
14 report on January 16th which stated that it
15 was very supportive of the project as it:
16 provides an attractive gateway to the
17 baseball stadium; provides for pedestrian
18 movement to and from the Navy Yard Metro
19 station, and; helps achieve an active mixed
20 use neighborhood all in keeping with the
21 objectives of the Capitol Gateway Overlay
22 District. As Commissioner Jeffries noted,

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1 requested additional information be
2 provided. We've been working with Mr.
3 Jesick and OP to provide that additional
4 information. And we now believe that we
5 have addressed all of OP's concern.

6 The District Department of
7 Transportation filed a report in this case
8 that included four conditions of approval.
9 The applicant is willing to agree to two of
10 those conditions:

11 1. The condition that it
12 provides six rather than three carsharing
13 service spaces, and;

14 2. The condition that a delivery
15 management coordinator position be
16 established to address the operation of the
17 shared loading docks.

18 The applicant does not agree with
19 DDOT's proposed conditions regarding the
20 number of parking spaces and the purchase of
21 various carsharing and bikesharing
22 memberships. The applicant believes that

1 the number of parking spaces provided in
2 this project is appropriate, and will
3 address this issue in its testimony this
4 evening.

5 In regard to DDOT's request that
6 the applicant agree to a very large
7 financial commitment to fund these
8 carsharing memberships and bikeshare
9 memberships for residents, tenants and
10 employees of the project we believe that
11 such a condition is outside of the scope of
12 this special exception and variance
13 application. This issue will also be
14 addressed in our testimony this evening.

15 The applicant is pleased to note
16 that ANC 6D adopted a resolution in support
17 of this project at its January 12th, 2009
18 public meeting. The applicant and ANC 6D
19 have entered into a community benefits
20 agreement that the applicant has agreed to
21 submit as a proposed condition of approval
22 in this project. Copies of the benefits

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1 agreement have been submitted to you
2 earlier, as I mentioned before.

3 In addition, we note the letters
4 of the support that have been submitted into
5 the record from the Deputy Mayor for
6 Planning and Economic Development and the
7 Executive Director of the Capitol Riverfront
8 Business Improvement District.

9 I will now have our first witness
10 Adam Gooch present his testimony.

11 MR. GOOCH: Good evening, Mr.
12 Chairman, members of the Commission. Thank
13 you very much for having us tonight.

14 My name is Adam Gooch with
15 Akridge, 601 13th Street.

16 Just quickly to give you a
17 background on Akridge since we're not up in
18 front of you everyday.

19 Akridge is a 34 year old real
20 estate development company that's been
21 headquartered here in Washington, D.C. since
22 1974. Since that time we've completed about

1 10 million square feet of real estate
2 development projects in and around the city
3 including such notable projects as Gallery
4 Place, the Homer Building, Carroll Square
5 and our most recent project which is
6 currently under construction, 700 6th Street
7 which is immediately adjacent to Gallery
8 Place.

9 In addition, Akridge has an
10 ongoing pipeline of about 600 million square
11 feet of real estate development projects in
12 the District, 400 million of which or is
13 located in the Capitol Riverfront bid where
14 tonight's project is also located.

15 Tonight on behalf of our design
16 team we are very proud to present to you the
17 plans for our project on Half Street. Half
18 Street, as we see it, is not your average
19 mid-block K Street building. It's a place.
20 It's a new place in D.C. that's not like
21 anything else we have. It has to be alive:
22 Alive not only in the architecture, in the

1 public space that we're designing but also
2 in the people. Half Street has to attract
3 people. It can't be dependent on a baseball
4 game or a convenient Metro stop. Half
5 Street, in and of its own right, has to be
6 the draw that people want to come down and
7 see 365 days a year.

8 It's going to require great
9 retail, great design, a great public space
10 and a highly programmed streetscape
11 programmed with live events, festivals,
12 outdoor dining and street performance.

13 We've designed this not only a
14 destination for visitors across the region
15 but also as the center of a neighborhood. It
16 should be place where people across the city
17 want to go on a Friday night and explore a
18 new restaurant or a new club, but it should
19 also be where people in the neighborhood
20 come on the way home from work to pick up
21 dinner, grab a beer, pick up flowers for
22 their wife. It can work for everybody.

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1 It should be a place where people
2 come time and time again to explore new
3 things that they haven't seen each time, the
4 last time they were there.

5 With that in mind I think we've
6 assembled what we feel is an all-star local
7 design team. Jon Eisen with StreetSense is
8 our retail architect and charged with what
9 could be the most important component of the
10 project: The pedestrian environment.

11 Jon is a native Washingtonian.
12 He's done place making design all across the
13 country, including locally. He's done
14 Bethesda Row.

15 For the office component we've
16 teamed up, as we've done many times in the
17 past, with Bill Hellmuth of HOK. Bill, and
18 you've seen his résumé, has some spectacular
19 projects all around the world including many
20 here in D.C.

21 And finally, we've asked Phil
22 Esocoff to design our residential building.

1 In our opinion, Phil has done some of the
2 best residential projects that have been
3 built in the city in the past several years.
4 And I think the design you're going to see
5 tonight on Half Street is going to really be
6 a great addition to the D.C. skyline.

7 We haven't worked in a black box
8 in the past few months while we put their
9 design together. We've worked with ANC 6D
10 who, as Paul mentioned, approved the
11 projects in their January 12th hearing. And
12 we've also worked with our commercial
13 neighbors, specifically Monument Realty.
14 Monument, Akridge and the District
15 Government are going to need to work in
16 close accord over the next few years to make
17 sure that Half Street is a fantastic place,
18 and it's going to live up to everybody's
19 expectations.

20 I hope that you'll find that our
21 plans tonight compliment Monument's side of
22 the street. And that the architecture is a

1 welcome bit of diversity in that
2 neighborhood.

3 And with that, I'd like to turn
4 it over to Jon Eisen who is going to walk
5 you through the urban planning, the retail
6 on the streetscape design.

7 MR. EISEN: Good evening.

8 Thanks, Adam. Jon Eisen,
9 managing principal StreetSense.

10 Tonight we're going to talk about
11 how we got started and where we're heading
12 with this portion of Half Street. Like Adam
13 said, we haven't been working in a black
14 box. We are immensely familiar, I personally
15 am very familiar having worked a lot with
16 the Anacostia Waterfront Initiative over the
17 last may years. But more over than that, we
18 know the city and we're doing a lot of work
19 in this area. I've been before you before
20 with Florida Rock and other assignments in
21 the same District. So we're going to bring a
22 lot of that experience there.

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1 What we did do or what we tried
2 to do, I should say, is not take for granted
3 some of the existing assets that exist. So
4 we want to try to better understand the
5 place of Half Street as it exists here and
6 how its position is in this surrounding
7 neighborhood. And we felt that there were a
8 number of significant contributors that were
9 already existing in place that we wanted to
10 play off of. That this just wasn't about
11 the ball park, that this is actually more
12 about the community, more about the District
13 than it is just the ball park. It feels
14 like the ball park is just an another asset
15 and an amenity because there are a lot of
16 existing conditions like the existing
17 neighborhoods, which I think is an amazingly
18 strong anchor.

19 The proposed River Walk and
20 redevelopment of the Anacostia Waterfront,
21 again another one-of-a-kind type of
22 destination and future anchor.

1 The redevelopment of the
2 Southeast Federal Center, the headquarters
3 of DDOT. Yes, the Department of
4 Transportation National.

5 The Metro.

6 And then ultimately, yes, the
7 ball park.

8 So given those ingredients and
9 understanding the infrastructure of South
10 Capitol and the 295/395. What we realized
11 very quickly was that the closed end
12 Southeast portion of Washington, D.C. is a
13 bit of an island. There's physical and
14 psychological barriers. But what's unique
15 about it is its position in the market and
16 its proximity to the rest of the community.
17 And what that means is we studied the
18 hierarchy of these streets. We've looked at
19 the connections from the primary, secondary
20 and tertiary streets; how we're going to
21 reach the tenacles of this closed end
22 portion of Southeast into the neighborhoods,

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1 engage with them and try to get them to be a
2 part of what we're trying to bring to vote
3 here.

4 So, again, we've been studying
5 all of these connections, looking at them
6 again from this hierarchical perspective and
7 most importantly, looking at this amazing
8 amenity that's going to change the city for
9 many, many years to come.

10 So kind of narrow in a little bit
11 more closely, this is the site that we're
12 talking about tonight. We have a number of
13 characteristics of the hierarchy of streets
14 that we talked about. M Street in particular
15 we find to be more of a corporate address.
16 It's established itself as that and we
17 believe that that's an important component
18 to the way we started to lay out our plan
19 and the placements of the office component.

20 Half Street, you know for a long
21 time Half Street have already been organized
22 and created and visualized as the

1 entertainment district. That's going to be
2 the place. And we want it to be fun and
3 have a lot of animation and activity, and we
4 agree with that and we want to support that.
5 And you will see in the documentation
6 tonight how we've tried to embrace with
7 that.

8 We also have Cushing Place and
9 Van Street as kind of, you know I'll call
10 them parallel secondary streets. Our
11 position, quite honestly, is mostly focused
12 on Van. And what we don't want to do is turn
13 our back to Van. We think Van should be a
14 street and we think it could be a great
15 local street, a great back of the house as
16 well. We're going to co-exist our loading
17 docks and our access to parking in these two
18 locations. But we feel like there's enough
19 area along Van that we can incorporate some
20 other uses as well. And you'll see how
21 we're going to try that.

22 And then we've tried to

1 incorporate a via, a pedestrian via that's
2 already been established on this side of the
3 block and carry it through this side. And
4 what we hope the via to be is a great local
5 destination for goods and services for
6 people to come. And we'll get to that more
7 in a second.

8 Additionally, we've been looking
9 at our primary points of access at M and
10 Half Street and in Half Street knowing that
11 there's a critical amount of importance at
12 those two intersections. We're focusing our
13 attention in both the place-making, the
14 streetscape, the retail, the building
15 massing and detailing accordingly.

16 The secondary street entrances
17 the same way.

18 And then again, I think at this
19 intersection where the via and Half Street
20 intersect there's a great opportunity to do
21 something there as well.

22 So with that we've been focusing

1 on figuring out how do we then take this
2 envelop looking at the office buildings in
3 this portion, the pedestrian via here and
4 then the residential building here along M
5 and Half Street with great views of the
6 stadium and the river, we recognized very
7 quickly that there are very interesting
8 opportunities here to create some character
9 defining elements that would start to become
10 ionic, not only for the District but for
11 this Half Street redevelopment.

12 So what we started to do was look
13 at views. We looked at views to the site, we
14 looked at views around the site, we looked
15 at views from the stadium, we've talked
16 about the views and trying to figure out,
17 you know, what it is when you're looking on
18 the other side of Half Street down towards
19 the stadium here, the existing view here.

20 This is looking at it from Van
21 Street and M, looking down. Seeing the
22 parking garages, is that the type of visual

1 terminus that we want? We think there's
2 opportunities to possibly change that.

3 Looking down Van Street going
4 back up towards, you can see a little shot
5 of the Capitol there. Other buildings will
6 get built and ultimately mask that. You'll
7 see that we're going to custom design our
8 buildings to try to maximize views back
9 towards to the CVD, back towards the federal
10 installations as well as to the river and
11 the stadium.

12 Other views, the primary corner
13 right up here at M and Half Street, again
14 trying to compliment what's already existing
15 here where the Metro is and Monument's
16 office building you'll see our architecture
17 evolve to become a really significant and
18 ionic corner.

19 N Street here looking up Half
20 Street you can see the office building, here
21 the corner of the residential building.
22 Again, you can see how that looks like today

1 in existing conditions.

2 This view here is a view from the
3 stadium looking out. And you'll see as Mr.
4 Esocoff articulates about this his
5 residential design how we're trying to
6 create a mass and a form that's going to be
7 very unique to the market area.

8 One of the things that we wanted
9 to try to also articulate was that currently
10 this is the view. We've diagramed the view
11 from the stadium looking out. And 20 M
12 Street you can see already is in place of
13 the view towards the Capitol. You can see
14 the blowup here and the outline of the
15 Capitol here. So when we add our building
16 here and ultimately whatever gets built
17 here, we're not changing the view towards
18 the federal installation in the city anymore
19 than it already has been today.

20 Additionally we've been looking
21 at some views. You can see the site line
22 views that we've been looking at on Half

1 Street and how 20 M Street also has a small
2 sliver that sticks out beyond kind of the
3 building plane.

4 And then what we've also tried to
5 do is we've tried to re-evaluate a little
6 bit the street.

7 What's happened is we've been
8 working with Monument and we've been working
9 with DDOT with regard to the design of the
10 street. And we believe personally that
11 we're looking to create an upgrade and
12 trying to create some timelessness with the
13 use of materials. And we want to try to make
14 an opportunity that can last a 100 years.
15 And quite honestly, we looked at the design
16 that we before you with Monument and the
17 stained or tinted concrete to us we want to
18 replace with a better material like granite.
19 Something that's going to, you know, really
20 last the test of time and it's going to be
21 at our expense.

22 And so we want to propose this to

1 you today. Again, we are working with
2 Monument. We are working with DDOT. We
3 want to try to find a way to see if we can
4 kind of change the quality of material and
5 the quality of the environment. With that
6 we've been studying in section the street.
7 We've kept the same premise of having a
8 piazza-like street, curbless from building
9 face to building face. We've been studying
10 in detail the store front zone out here
11 which could potentially have retail
12 projections in both bays in terms of windows
13 or in terms of entries and access to the
14 buildings, our opportunity for retailers to
15 explore themselves.

16 We've created a very clear
17 delineation on the sidewalk for the
18 pedestrian zone to make sure that they have
19 a clear path to move up and down even though
20 there is a store front zone. And then
21 outside of that is an amenity strip right
22 here. And that's going to be where our trees

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1 and our lights and our benches and tables
2 and other activities happen. And that
3 amenity strip is critical because we still
4 have parking and we still have cars, even
5 though it's a flat surface. So we needed to
6 create some type of physical barrier,
7 psychological barriers that protect the
8 pedestrian because they need to co-exist
9 with the vehicular traffic because there
10 will be cars here.

11 From a material perspective we're
12 looking at really choice materials of
13 granite and cobble and in slabs. We are
14 looking at working with a brickpaving
15 pattern that you can see in these examples
16 over here. And then possibly even adding
17 some slate accents.

18 We're also looking at some
19 pervious materials along the amenity strip
20 to help with our LEED certification. And,
21 hopefully, we can get into that a little bit
22 more.

1 These are just some examples of
2 some places that we've designed and places
3 that we visited and places that we think are
4 timeless and have been extremely well.
5 They're simple, they're elegant, they're
6 used with great quilt materials. And we
7 think that this is a series of examples that
8 could help you better visualize what we're
9 proposing.

10 VICE-CHAIR JEFFRIES: Jon, just
11 quickly on this particular page in terms of
12 scale, I'm concerned about the scale of Half
13 Street. Are these examples, do they indicate
14 a similar scale in some cases?

15 MR. EISEN: Yes. You know this
16 street and this street definitely, Greg.
17 You have the sidewalk, you have parallel
18 parking, two lanes of traffic, parallel
19 parking and sidewalk. I mean you do have
20 same types of scales. And our building face
21 to building face is not any different than
22 it is here or here. So we're trying to

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1 bring apropos, these images here were more
2 just about the quality of material. These
3 images here are more about scale and width
4 and distance.

5 VICE-CHAIR JEFFRIES: And those
6 onto the left, those are images of?

7 MR. EISEN: This is Bethesda Row.
8 This is Larimer Square in Denver.

9 VICE-CHAIR JEFFRIES: Okay. And
10 height of building and width of street are
11 similar --

12 MR. EISEN: Yes.

13 VICE-CHAIR JEFFRIES: -- there to
14 what we're looking at?

15 MR. EISEN: Well, no. The height
16 of buildings on these two blocks are
17 smaller. Our buildings will be taller on
18 half street. But again, we've been working
19 with OP and working with the massing and
20 looking at lighting and shadow and things of
21 that nature.

22 VICE-CHAIR JEFFRIES: Okay.

1 MR. EISEN: So we feel pretty
2 confident that we have the right street
3 width. And we've done a lot of street
4 designs and a lot of buildings on streets
5 like this and feel very confident that we've
6 got the right number working.

7 So what we then did is we started
8 to overlay within the plan, you know
9 recognizing that we've got a number of back
10 of house and lobby issues that we're going
11 to have to deal with but we wanted to make
12 sure that our merchandising strategy fit
13 within the contest of the framework that
14 we're working. And first we started with
15 Half Street. Again, a main street of sorts,
16 a fun entertainment animated mixed used
17 environment. And we feel that there's an
18 anchor opportunity here in Half Street.
19 There's a good contiguous amount of floor
20 area. It's really our only location to have
21 an anchor so we wanted to try to take
22 advantage of that.

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1 And we have isolated a number of
2 anchor tenant types that we are hopeful to
3 try to get as part of our development. But
4 in addition to that we're talking about
5 entertainment driven uses, restaurant uses
6 and possibly even some boutiques that would
7 compliment the street I think quite nicely.

8 CHAIRPERSON HOOD: House of Blues
9 is out of the picture?

10 MR. EISEN: This is probably not
11 a --

12 CHAIRPERSON HOOD: Go ahead.

13 MR. EISEN: Yes, I'd appreciate
14 that one. Thank you.

15 So this is, again, just some
16 examples of the type of animation and type
17 of expression that we have vision for the
18 portion of Half Street. We want to make this
19 a very animated, exciting environment that's
20 going to make pedestrians excited.

21 This is the via that I was
22 talking to all about earlier. And the thing

1 about this via is I think it's a great
2 opportunity to create an internal street for
3 pedestrians only. And this street in our
4 opinion can be great when it comes to having
5 the best of the local. Great local tenants,
6 a real market place. You could have the
7 butcher, baker, candlestick maker type of
8 combination. And we feel that you could have
9 this sort of environment for the
10 neighborhood, for the people who work there,
11 live there, visit there. And I think it's
12 something that could be very viable year
13 'round.

14 Again, we talked about Van Street
15 and trying to animate the back side of Van
16 Street. We don't want it to just be roll up
17 doors for the garages. But we think there's
18 a great chance to add some unique local
19 character, flare in businesses, incubate
20 some new businesses and try to create a
21 great local street.

22 Here is just again some examples

1 of how we see the architecture. You'll see
2 more from Mr. Hellmuth and Mr. Esocoff as
3 they talk about the architecture of the
4 office and residential. But, you know, this
5 is the corner of M and Half Street. And you
6 can see the two story expressions and how we
7 kind of animate the buildings by stepping up
8 and down with two story/one story
9 expressions. And you can start to see the
10 view right here of our via where we started
11 to turn the corners and pull people through.
12 Bill is going to talk quickly about our
13 views towards the end of Van Street and what
14 we're going to be looking at.

15 And then here's some examples of
16 some of the architecture in elevations, some
17 of the materials that we're using along Half
18 Street are varied, high quality materials, a
19 diversity of glass and metals and tiles.
20 And we feel that, you know, that type of
21 quality will really start to bring a lot of
22 the expression of the specific retailers

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1 when they come on line. We're going to give
2 them a great palate to work with and we're
3 going to work with them to kind of fit
4 within the building context that we have as
5 well.

6 And then as you start to get
7 further into the project we have the N
8 Street elevations here. And this is going to
9 be where you're facing the ball park. And,
10 again, we've been working very closely with
11 the architecture above and again trying to
12 find a way to create a great anchor
13 location.

14 This is the Van Street elevation.
15 You can start to see a little bit more
16 rustic materials. We're starting to turn the
17 corner, more of a local street. We think
18 that's a great opportunity.

19 This is at the corner of M and
20 Half Street. We showed you that in
21 prospective, but again trying to keep in
22 mind with the architecture above and the

1 character and to try to really create a
2 great front door for Half Street.

3 And then you start to begin to
4 see the next two slides are about our vias.
5 Again, two story expression but a lot of the
6 same cut stone materials and metals and a
7 very unique marketplace opportunity.

8 I'm going to turn this over to
9 Bill Hellmuth to talk about the office.

10 MR. HELLMUTH: Thank you.

11 When we started looking at the
12 overall design of the area -- actually you
13 can go right back to the second one.

14 We looked at the guidelines which
15 required you going up 65 feet and then
16 setting back and then going up from there.
17 And what that talks about is an attempt to
18 create human scale in the overall project.
19 However, we didn't think that goes quite far
20 enough. Because if you simply have a line
21 at 65 or 85 no matter how articulated the
22 facades are, you run the risk of being K

1 Street. You don't have -- you know
2 everybody wants to have Georgetown. And
3 Georgetown isn't a series of three story
4 buildings. There's some one story buildings,
5 there's some three story buildings, there's
6 a couple of fours. And it's all in between.
7 And there's different widths, different
8 heights and so forth. And a kind of scale
9 that really humanizes the place.

10 So what we've done is we wanted
11 to find way, and let me just orient you.
12 There are two office buildings. The larger
13 office building is here facing M, the
14 smaller office building is here and then the
15 residential building is there.

16 The via that Jon refers to is
17 basically within the property. We're cutting
18 this street through. And I think it really
19 helps tie both sides of the street together,
20 helps make it a real place. You really get
21 this great crossroads which you can start to
22 see in here. But then what we've done

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1 because we want this -- I really think that
2 the very best buildings are those buildings
3 that are connected to a place. And they
4 would look silly someplace else. And so in
5 finding ways other than just coming up with
6 just some sort of composition, we looked for
7 ways for these buildings to have meaning and
8 have that variety. And so we looked at what
9 is unique about here.

10 Well, what's unique is we've got
11 this great ball park down here. It's almost
12 like a catcher's mitt at the end of Half
13 Street that that becomes one anchor down
14 here and the residential with its projecting
15 bays gives people in their living rooms
16 views down to that down in one way. And the
17 office buildings do the same thing in an
18 office building way.

19 But what that allows us to do,
20 and go to the next slide, you can start to
21 see that when you come through here that
22 room looks down, that room looks down. And

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1 go to the next. What it does instead of all
2 of those projects that you see in too many
3 cities that go up, whether it's 20 feet, 30
4 feet, strike a line say okay the retail
5 starts or stops here, then you have an
6 office building above it; what we're able to
7 do is create pieces of the buildings where
8 the retail is higher, it's lower, it's three
9 stories, it's one story and you have that
10 cadence that gives you the human scale. And
11 you tie that together with a lot of the
12 facade treatments that Jon's talking about
13 in terms of the retail and you get that
14 sense of a real place that could have
15 developed over time, even though it didn't.

16 And you say, well Washington's
17 best developments are the ones where there
18 were some historic buildings in the way and
19 you had to build around them and that gives
20 you that same sort of sense of articulation.
21 And that's what we've tried to achieve here.

22 And you can start to see the

1 liveliness of the Half Street experience as
2 you come down there. Still clearly office
3 buildings. And what we've done, we've broken
4 the buildings into sort of masonry with
5 punched window pieces in an architecture
6 which is reminiscent of sort of industrial
7 kind of area. And then you have this one
8 diagonal piece which slices through is very
9 contemporary, is clad in this patina green
10 metal panel that comes through on the M
11 Street makes the entrance and at the via,
12 corner of via and Half, has this wonderful
13 projecting bay that looks down Half Street.
14 But it gives you that sense of identity of
15 each of the retailers, that human scale and
16 then the scale of the skyline as it moves
17 back and forth and breaks up and fractures
18 the mass. This does it in one way, the
19 residential building as Phil will explain
20 does it in another way. And I think the two
21 are very complimentary to each other as to
22 how they work along the block.

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1 Go ahead. Go back one. I'm
2 sorry.

3 Also at the corner, we've shown
4 this corner expression, this entry piece and
5 this architectural embellishment which
6 really becomes sort of the sign post of the
7 Half Street District. Sort of if you're out
8 on M Street it's kind of Half Street is down
9 this way. And it gives everyone a clue that
10 even though it's a commercial building
11 that's facing M Street, there's this whole
12 other world down Half Street that will lead
13 you down to the ball park.

14 VICE-CHAIR JEFFRIES: Just a
15 point of clarification on that previous
16 slide.

17 MR. HELLMUTH: Yes.

18 VICE-CHAIR JEFFRIES: Are we
19 looking north?

20 MR. HELLMUTH: Yes, we're looking
21 towards M. We're sort of standing right on
22 the sidewalk of Monument's building about

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1 two-thirds of the way down the block.

2 Actually, we're standing right here. Right
3 here looking up that way.

4 VICE-CHAIR JEFFRIES: Okay. Isn't
5 that Monument's building right there in the
6 upper part? That's what confused me.

7 MR. HELLMUTH: This?

8 VICE-CHAIR JEFFRIES: Other side.
9 No, the other side.

10 MR. HELLMUTH: This?

11 VICE-CHAIR JEFFRIES: Keep going.

12 MR. HELLMUTH: This?

13 VICE-CHAIR JEFFRIES: That looks
14 like Monument's building.

15 MR. HELLMUTH: That's 20 M.

16 VICE-CHAIR JEFFRIES: 20 M.

17 Okay.

18 MR. HELLMUTH: There's the Lerner
19 Building across the other side of M.

20 VICE-CHAIR JEFFRIES: Okay.

21 MR. HELLMUTH: Okay.

22 VICE-CHAIR JEFFRIES: But I will

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1 say, though, can you go back?

2 MR. HELLMUTH: Yes.

3 VICE-CHAIR JEFFRIES: I'm just
4 wondering whether this perspective is -- it
5 seems to be a little bit distorted to some
6 degree. Is it that much space, you know?
7 I'm just -- you know I'm an ant. You know,
8 just an ant view here and I'm looking at
9 this. Is there that much space in the
10 foreground?

11 MR. HELLMUTH: It's basically if
12 you look at it --

13 CHAIRPERSON HOOD: You'll need to
14 stay on the mic. Excuse me. You're going to
15 need to stay on a mic. Yes. Do we have a --
16 no, we don't. Okay. There it is. Okay.

17 MR. HELLMUTH: Does that work?

18 CHAIRPERSON HOOD: Yes.

19 MR. HELLMUTH: Okay. The wall of
20 Monument's buildings are really over here.

21 Now, could you take a camera with
22 a 60 degree angle and take this picture?

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1 The answer is probably not. But the way you
2 perceive the space, you know as I explained,
3 your head has a neck and it moves from side-
4 to-side. And you can experience. This is
5 taking in a slightly larger view than a
6 camera can, but it's as much as a human can
7 perceive. But do understand the next side
8 of the other buildings is right over here,
9 which is why we think it's even that much
10 more important. And you can see in the
11 model why we think it's so important to
12 create that articulation so that even with
13 the best intentions if you just come up and
14 have a setback at 65 feet, you could end up
15 with just another canyon. And what we
16 really want to do is articulate that and
17 break it down into pieces that are more
18 human.

19 Don't tip it too far, they'll all
20 come crashing.

21 CHAIRPERSON HOOD: Okay. Okay.

22 MR. HELLMUTH: So to give this

1 the articulation --

2 CHAIRPERSON HOOD: You're right
3 here?

4 MR. HELLMUTH: Yes, we were
5 standing right about here. Well, maybe
6 more.

7 CHAIRPERSON HOOD: Okay. There's
8 a lot of foreground in that, but that's
9 fine.

10 MR. HELLMUTH: You're right.
11 You're right.

12 COMMISSIONER MAY: Makes it look
13 more like one and a half street than half.

14 CHAIRPERSON HOOD: I understand
15 the point you were trying to make. I mean,
16 in terms of what you're trying to illustrate
17 here.

18 MR. HELLMUTH: So in the planning
19 of all of this we really took a lot of
20 efforts to do everything that would make the
21 retail the primary experience. We've taken
22 the building entrances, which quite often in

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1 buildings like this tend to be at the
2 corner, which is the most prominent
3 location. But we haven't put the building
4 entrances at the corner. WE've always saved
5 the corners for the retail experiences. So
6 that this is primarily a retail experiential
7 street. We've ganged the loading docks and
8 parking garage entrances together so we have
9 the minimum amount of expression on Van
10 Street. And all of that happens on Van
11 Street because that's really the only street
12 that's available for the loading docks and
13 the traffic in and out and so forth.

14 Now one other thing. The amount
15 of green shows the retail in the project.
16 And the underlying zoning says that 75
17 percent of the ground floor has to be
18 retail. I can tell you that 100 percent of
19 all of the space that's not lobbies and
20 truck docks is retail, but we can only get
21 it up to 69 percent even after all that
22 consolidation of stuff. You know, and

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1 they're relatively small lobbies and so
2 forth. But the rest of the green is retail,
3 and that's 69 percent.

4 IF you look at it just in terms
5 of frontage however, more than 75 percent of
6 our frontage is retail and that's largely
7 because we cut the via through and created
8 more frontage in there for shops and so
9 forth.

10 This is a view looking down.
11 You're on M and you're looking down towards
12 the ball park. And that is a view a camera
13 could take. And you can see that we've
14 really moved the entrance to the office
15 building over here someplace so that it's
16 really an expression of people coming and
17 retail and all that as opposed to an
18 expression of office building lobbies.

19 Go ahead.

20 CHAIRPERSON HOOD: Excuse me.
21 Can you go back to -- I just want to be
22 clear. That's the corner that's office --

1 MR. HELLMUTH: Yes.

2 CHAIRPERSON HOOD: -- that you're
3 trying to accentuate and make it like what?
4 Like a tower? What does it --

5 MR. HELLMUTH: Yes. What we've
6 done is this piece here is really -- this
7 embellishment here, which is really the gate
8 post that signifies the entrance to Half
9 Street.

10 CHAIRPERSON HOOD: Okay.

11 MR. HELLMUTH: We have this on
12 our side. There's the great Truss that's
13 over the Metro on the other side. And the
14 two work as a vertical and as a horizontal
15 together as a gateway to Half Street.

16 CHAIRPERSON HOOD: But the truss
17 is going horizontal, right?

18 MR. HELLMUTH: Yes. And this is
19 going vertically.

20 CHAIRPERSON HOOD: Do we have a
21 picture of the two of those together, what
22 they look like?

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1 MR. HELLMUTH: I don't think we
2 have that, but we could certainly provide
3 one.

4 CHAIRPERSON HOOD: Okay. Okay.
5 I'm sorry. Go ahead.

6 COMMISSIONER MAY: But what
7 actually is that on the corner? I mean
8 what's it made of, what does it -- it's got
9 lots of colors? What is it?

10 MR. HELLMUTH: It's made of --

11 CHAIRPERSON HOOD: Get on a mic.

12 MR. HELLMUTH: It's a metal mesh.
13 And the colors come from lighting the metal
14 mesh. So you get sort of soft colors that
15 reflect on it as you can project the light
16 on it.

17 COMMISSIONER MAY: And where is
18 the light being projected from?

19 MR. HELLMUTH: From within the
20 space that makes the mesh. In other words,
21 it's a slight --

22 COMMISSIONER MAY: So is it a

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1 wedge kind of shape to it?

2 MR. HELLMUTH: Well, more of a
3 it's like an airplane wing, actually. It's
4 an airplane wing shape and the lights are
5 within that and they project out within it.

6 COMMISSIONER MAY: Okay. And is
7 that going to be changing or is it just lite
8 that way and its fixed?

9 MR. HELLMUTH: It's connectic.

10 COMMISSIONER MAY: So it's going
11 to be like that glowing thing on top of a
12 building on K Street or whatever it is
13 downtown that we can see from great
14 distances that has attracted a certain
15 amount of criticism? Do you know what I'm
16 talking about? The glowing cube on top of
17 one of the office buildings downtown?

18 MR. HELLMUTH: Well, hopefully
19 it'll be much nicer. And the actual design
20 of the graphic and how much it glows and all
21 that is still to be determined. But the idea
22 is that there would be a soft glow. There

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1 wouldn't be -- the stuff on the top would
2 probably be the lesser of the intensity of
3 the light. The stuff down near the street
4 and the corner would be a greater intensity
5 and it would, as it went up would decrease
6 in intensity. I don't think we could get it
7 to get that much color and pop.

8 COMMISSIONER MAY: Okay.

9 MR. HELLMUTH: Yes. Okay.

10 The overall building we have in
11 the office buildings about 20 feet floor-to-
12 floor for the retail and then the office
13 spaces up above. That diminishes somewhat
14 as you go down the street because the street
15 slopes and Phil will talk about the height
16 for the retail and the residential. And
17 then it sits on top of three levels of
18 parking down below everything.

19 Go ahead.

20 This is a section looking the
21 other direction. Again you can see where the
22 retail is and how that relates to the

1 overall block.

2 Go ahead.

3 Now on the via we also have put a
4 couple of bridges across between the
5 buildings. This is the south elevation of
6 the building and the south side of the via,
7 that's the north elevation of the building
8 on the north side of the via. Really sort
9 of this elevation and that elevation and
10 here. And what the bridges do, right now
11 when you look down the via there's a self-
12 storage place. And we don't really quite
13 know what's going to be there. And it's too
14 important a view. We want to allow people
15 to sort of go through there, but we want to
16 sort of end the view. And with those
17 bridges connecting that both ends the view
18 and allows people to go through, and also
19 creates some really spectacular spaces.
20 This might be the cafeteria or coffee break
21 place for a company that had that floor.
22 This might be a board room for the company

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1 that had that floor. Those bridges are kind
2 of wonderful places to inhabit.

3 Go ahead.

4 Now you can see here this is
5 where the entrance is on M Street. And it
6 sort of starts this diagonal piece, that's
7 where the retail expression is and you can
8 start to see in here the various heights and
9 setbacks and the greater variety that you
10 get in the scale or pieces as you move down
11 the block as opposed to just a horizontal
12 line with a setback.

13 Go ahead.

14 COMMISSIONER TURNBULL: Could you
15 talk about the M Street facade?

16 MR. HELLMUTH: Yes. Now the M
17 Street, one of our -- thank you, Paul. One
18 of our variances is we have to stay 15 feet
19 back from the curb line on M Street, and we
20 do except for this projection which starts
21 up at the second floor. And that projection
22 is a bay into that. But the sidewalk is kept

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1 clear for the 15 feet and so forth. So this
2 is really a projecting bay, not unlike the
3 projecting bay here and here that goes out
4 beyond the face of the rest of the building.

5 Go ahead.

6 COMMISSIONER MAY: Your glowing
7 corner ornamentation, whatever you want to
8 call it, that also projects?

9 MR. HELLMUTH: That also
10 projects.

11 COMMISSIONER MAY: How far does
12 that project?

13 MR. HELLMUTH: That projects
14 about ten feet. It's within the property.

15 COMMISSIONER MAY: Okay. And I'm
16 sorry, and how much was the bay of the
17 building, how much did that project?

18 MR. HELLMUTH: That also -- the
19 front bay is 10 feet 8 inches and the two
20 side bays, one is 10 feet 11 inches and the
21 other one is 9 foot ten inches.

22 COMMISSIONER MAY: Okay. Thanks.

1 MR. HELLMUTH: And they all start
2 above the second floor.

3 On Half Street what we've done,
4 is we have these bay windows which give the
5 views up towards the Capitol, at least for
6 now, and those project about 5 feet 7
7 inches. And you can start to see that this
8 is the Van Street elevation and this is a
9 different kind of a character still with
10 retail and so forth but more than industrial
11 type of character. We have all of our
12 loading docks and entrances to the garage
13 and so forth. But Jon talked about how we
14 might treat all those facades in there. And
15 that actually might be one of the more
16 interesting parts of the project, but a
17 different kind of feeling than the feeling
18 you get on Half Street.

19 Go ahead.

20 Just to take you through the
21 plans, this is ground floor, residential
22 lobby, small office building lobby, large

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1 office building lobby and their loading
2 docks and so forth.

3 Go ahead.

4 Then as we go up through
5 residential office, office, you can start to
6 see both the projections and the set-ins.

7 Go ahead.

8 So there's a series where we set
9 back into the property line we've actually
10 given up more area than we would have had if
11 we had just followed the rules. So for
12 everything that we set in, set out forward
13 we set in somewhat more so that the net
14 effect is actually a somewhat smaller
15 building. We thought that was worthwhile in
16 order to get the overall articulation and
17 the scale that we were looking for here.

18 When you get up to the roof we
19 have these areas of viewing platforms where
20 people can come out here and, hopefully,
21 celebrate a win down in the ball park and
22 occupy these roofs in the office buildings

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1 here and here. Phil is going to talk about
2 how the residential building roof is
3 occupied. But all of this -- and click to
4 the next one -- will have 50 percent of its
5 roof in a green roof.

6 Go ahead to the next one.

7 We have been charged with
8 creating a platinum building here. We can
9 promise today that it's going to be LEED
10 silver with platinum aspirations. And I
11 will say looking down at the ball park, this
12 is two minutes after it was planted green
13 roof in the ball park, the ball park we got
14 the very first and only date major league
15 stadium of any kind that's LEED silver.
16 That's a first for Washington, and certainly
17 a first for us. And we are deeply committed
18 to the sustainability of all of our projects
19 and these are just some of examples of some
20 of the other green roofs.

21 This is the first one in the CBD,
22 which is at the Human Rights Campaign that

1 we did when we retrofit the Human Rights
2 Campaign Building, and then a couple of
3 others.

4 Go ahead.

5 The materials --

6 COMMISSIONER TURNBULL: Can we go
7 both to a roof plan?

8 MR. HELLMUTH: Yes.

9 COMMISSIONER TURNBULL: You can
10 see where the roof is only 50 percent.
11 Looks more I mean as I'm looking at it.

12 MR. HELLMUTH: Well, some of this
13 that you're seeing is gray in there.

14 COMMISSIONER TURNBULL: Oh,
15 you're saying the whole complex. But how
16 much of the office building? Looks like
17 it's --

18 MR. HELLMUTH: The office
19 building is a bit more, but we want to get
20 the whole complex to 50 percent.

21 COMMISSIONER TURNBULL: Right.

22 MR. HELLMUTH: So it has to be a

1 bit more because in the residential building
2 we're going to be occupying a lot more of
3 that by people and outdoor spaces and so
4 forth.

5 COMMISSIONER TURNBULL: Okay.

6 MR. HELLMUTH: But the overall
7 comes out at 50 percent. And actually there
8 are a lot of benefits that you get from
9 having a mixed use project in terms of
10 sustainability just in terms of the kind of
11 central plant things you can do. One needs
12 heat where the other one needs to be cooled.
13 There's just a terrific set of synergies
14 that work between the two.

15 Go ahead.

16 The materials, this is the patina
17 green metal on this piece. The body of the
18 building are two colors of brick; the lower
19 portion is this darker brick.

20 CHAIRPERSON HOOD: You have the
21 green?

22 MR. HELLMUTH: Yes.

1 CHAIRPERSON HOOD: Okay.

2 MR. HELLMUTH: Upper portion is
3 this lighter more rosed brick. So again not
4 only are we setting back but we're changing
5 the color as well which helps magnify that
6 setback.

7 This is the patina green piece
8 right now. And then you saw the mesh. And
9 then there are some other metal panels in
10 between these windows here which have a
11 certain amount of articulation. It will
12 basically be in that shade.

13 Why don't we go to the next.

14 You can start to see in these
15 diagrams the various places the sunshading
16 and light shelves which bounce daylight into
17 the space while shading the window which
18 really helps us get credits for daylighting
19 as well as shading the glass to get lots of
20 glass.

21 Go ahead to the next one.

22 How we do various, the

1 articulation so it doesn't just look like a
2 flat facade but we have reveals. This is the
3 sort of metal spandrel in here which would
4 be a shaped metal spandrel in between those
5 pieces in between the very heavy piers of
6 brick.

7 Go ahead.

8 This is one of the bridges.

9 Go ahead.

10 And, of course, our office is
11 right here and we live with all of these
12 bridges in the immediate neighborhood and we
13 know how potent having some of these bridges
14 can be and everybody loves -- they're a
15 place that people love to occupy and hang
16 out. A few too many people go out there to
17 smoke and so forth.

18 This is the metal mesh, and
19 that's what the material would be made of
20 that's that embellishment at the corner of M
21 Street and Half.

22 These are some examples of the

1 ashler stone at the base and again the
2 patina green metal on that one piece which
3 comes through on the diagonal.

4 CHAIRPERSON HOOD: The patina,
5 where's that? What is that? Okay.

6 MR. HELLMUTH: This one is --
7 Esther, do you remember where that is? I can
8 find out exactly where it is. This one.
9 Oh, where is it on the building or where is
10 that building?

11 CHAIRPERSON HOOD: I don't
12 recognize the building.

13 MR. HELLMUTH: Penn State.

14 CHAIRPERSON HOOD: Oh, okay.

15 MR. HELLMUTH: And that's the
16 piece that goes on this diagonal.

17 COMMISSIONER MAY: That's that
18 exact same material? It looks more like a
19 true aged cooper. That.

20 MR. HELLMUTH: This is a true
21 aged cooper there. And what we're doing is
22 right now we're looking at different shades,

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1 slight shades in the shingle effect in Kynar
2 hopefully as we develop it that's a
3 possibility that we could look at. But
4 right now we're looking at a Kynar type of
5 finished metal.

6 COMMISSIONER TURNBULL: Could we
7 go back to the large trellis on the diagonal
8 aspect?

9 MR. HELLMUTH: Sure. If I could
10 stop there for a second. There.

11 COMMISSIONER TURNBULL: How tall
12 is that?

13 MR. HELLMUTH: It's approximately
14 -- what is it, about 14 feet? The top of it
15 is about 14 feet up in the air. And
16 basically what that is is it gives some sun
17 protection for the people that are standing
18 out there on the terrace. It also --

19 COMMISSIONER TURNBULL: It almost
20 takes your eye away from the street level.
21 It's like you want to look up at the roof
22 more than you look at the activity on the

1 street.

2 VICE-CHAIR JEFFRIES: Right here.
3 This is where he was talking.

4 MR. HELLMUTH: Oh, sorry. Your
5 voice is going into the microphone here and
6 coming out of the speaker over there. I'm
7 sorry.

8 COMMISSIONER TURNBULL: I
9 practice that. I'm sorry.

10 MR. HELLMUTH: Like Edgar Bergen.

11 COMMISSIONER TURNBULL: I try to
12 defer down to -- make it look like the
13 others are doing the talking.

14 No. I guess I'm just a little
15 bit concerned that in looking at the
16 animated life on the street where all the
17 light shining up on that thing, my eye goes
18 up to the roof. And it looks like an
19 airplane landing up there or something. And
20 I'm just concerned that it's taking away
21 from some of the liveliness of the animation
22 of the street. It just -- it looks a little

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1 bit almost too dominant up there.

2 MR. HELLMUTH: I think part of it
3 is how we're looking at the rendering and
4 maybe it's been lite too -- you know, maybe
5 we've done too much uplighting in the
6 rendering. But I think the idea of
7 buildings that have this roof world that
8 people inhabit and as you walk along the
9 street you see these areas that are
10 inhabitable is one of the things that, you
11 know, Washington buildings, many of them do
12 quite well where you do have these areas
13 where people can get up and use the roof.
14 And this is exactly such an area.

15 You know, certainly in Chicago
16 you have all those people on the rooftops
17 looking at ball games and so forth around
18 Wrigley Field. This isn't going to be
19 bleachers or anything like that, but this
20 area where people can go outdoors and enjoy
21 what's unique about this site I think is a
22 real opportunity here.

1 COMMISSIONER TURNBULL: Of
2 course, now they have to look at those two
3 ugly garages.

4 MR. HELLMUTH: Well, we were --

5 COMMISSIONER TURNBULL: I didn't
6 mean to go there on that, but they're there.

7 MR. HELLMUTH: No, no. We can
8 give you an earlier version of this garage.

9 COMMISSIONER TURNBULL: Yes, I
10 know. So when are we going to get the other
11 design?

12 MR. HELLMUTH: Boy, your lips to
13 God's ears. What a heartbreak.

14 COMMISSIONER TURNBULL: Okay.
15 Thanks.

16 How tall is that roof section
17 actually over -- I mean the total? It's 134
18 feet above the roof, but what's the --

19 MR. HELLMUTH: It's a 110 foot
20 roof.

21 COMMISSIONER TURNBULL: Above the
22 110 foot?

1 MR. HELLMUTH: Yes. Below the
2 penthouse.

3 MR. ESOCOFF: Is this on? Yes.
4 Great.

5 Phil Esocoff, 2311 Connecticut
6 Avenue.

7 I'd like to start out by saying
8 that we were assigned the residential
9 portion of the project. And I was thinking
10 about the word "residential" and I was
11 thinking about what it means to reside
12 someplace. And as many of you know, my wife
13 and I and our family have lived in the same
14 residential building on Connecticut Avenue
15 for 30 years. So I have some expertise in
16 that also and what it takes to create a
17 building that people really love to live in
18 and want to stay in for a long period of
19 time. to create a more stable community and
20 loyal Washingtonians.

21 And so when I was asked to design
22 this, the first thing I thought about and

1 the first thing we always think about is
2 what is the character of the units people
3 live in and making sure that they're
4 liveable in many ways: That the layouts
5 work, that it's a beautiful place to come
6 home to every night, that there's good sound
7 insulation between units. And just that the
8 whole thing seems like a very comfortable
9 place, a place of sanctuary after a hectic
10 day as a type A and somewhere in downtown
11 D.C.

12 so we always have that on mind
13 while we're working and then we also think
14 about the urban design issues and try to
15 bring all those together into a nice piece
16 of architecture that will be a long lasting
17 contribution to the city. And I hope we've
18 accomplished that over the last ten years.
19 We've designed, I think, about 5,000
20 residential units in the District actually.
21 Almost none of our buildings have been
22 outside the District, which makes me nervous

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1 sitting here right now.

2 So we started with that, and then
3 we also started with the overall design of
4 this building thinking of the setbacks.

5 So the south end of the project
6 is the end that has the residential. And
7 similar to the office buildings we actually
8 divided and setback our building into two
9 portions: This white glass with fritted
10 glass balcony rails set back about 16 feet
11 at this location just over a screen wall
12 that will be the entrance to the apartment
13 building so that it's got its own identity
14 and it's not so next to, say, a restaurant
15 entrance that people will feel a little
16 imposed upon. Because as much as this
17 neighborhood is themed and activated by the
18 stadium and other types of activities, we
19 want to make sure that it remains an amenity
20 to the residents here and not a nuisance.
21 And a lot of that is making sure that points
22 of potential friction are minimized.

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1 So you enter the building over
2 here. And this would be the setback area,
3 sort of white glass. It's almost like a
4 curtain wall with an inset balcony that has
5 a fritted glass facade. And, actually, the
6 units that are right over the entrance have
7 these recessed areas with gardens. Then the
8 main residential portion is above the
9 retail. We bring down some more stone. I'll
10 talk about the materials in a minute.

11 And then we have the emphasized
12 corner to create a placemaker for the
13 neighborhood and for the overall ensemble of
14 buildings.

15 Next.

16 And here's where you walk in.
17 There's a little leasing office or some kind
18 of management suite, a sitting area and all
19 the things that go into every lobby.

20 There's also a door here so that
21 people can walk out, take these shuttle
22 elevators and go get their bicycles. So one

1 concern we've realized is that it's one
2 thing to provide a bicycle room, it's
3 another thing to ask people to come down a
4 12 percent ramp that's wet with cars coming
5 up the other direction. So we've worked
6 very hard in our last few projects
7 especially to make sure that we have a very
8 gracious way to get from your bicycle to
9 your apartment without damaging corridors
10 and also feeling safe that nobody's
11 following you, you know, in the city
12 afterall.

13 So here's the residential
14 portion. You come in and you turn towards
15 the elevators. There's a set of stairs that
16 take you up to the courtyard and it's a very
17 similar relationship that we had at the
18 Jefferson at Penn Quarter. We come into a
19 lobby and you look up through a two story
20 space to a courtyard.

21 If you go back for just one
22 second. This area of retail, I should point

1 out, because there's a change in grade from
2 Half Street to Van Street, is set down about
3 3 to 4 feet from the adjoining grade. So
4 when you walk in it's a little bit like if
5 you go into Oyamel restaurant, a Mexican
6 restaurant at 6th and D Street and it has a
7 split level. So you come in at one level
8 and these look down a few steps. This would
9 be maybe six or eight steps to another area.
10 It's sort of like when people walk into
11 Cheers and they're standing on a riser.
12 Well that's done because that does provide
13 sort of a dramatic effect and an overlook,
14 in a way. That doesn't happen anywhere in
15 this area of the retail, just in these
16 couple of locations.

17 And I know there's a concern on
18 OP's part to make sure that the 40 foot
19 clear height is from sidewalk, not from slab
20 because then you could just put it
21 underground. If this were 8 feet down, I
22 wouldn't be saying this. But I think 3 to 4

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1 feet is a minor amount since we do have 16
2 feet for the floor.

3 Next.

4 So you come up that set of stairs
5 and actually light can pour straight down
6 here. This faces south. And there'll be a
7 courtyard with a light colored brick and
8 lots of planting but gives these people a
9 place of sanctuary.

10 If any of you have had the
11 opportunity to be in the courtyard at the
12 Jefferson at Penn Quarter, you would know
13 that it's really quite still in there. It's
14 very quiet. You'd think you were out into a
15 woods somewhere compared to being out on the
16 street where you can hardly talk on the cell
17 phone.

18 And here's that relationship.
19 And this is 110 feet here just like the
20 place we're talking about. And as you get
21 to here you go down a set of stairs and
22 that's the lobby.

1 These plantings then are actually
2 over the loading dock. And this green space
3 is over a space that's reserved for grocery.

4 And even below that retail space,
5 here's the garden, is an area that at some
6 point could be transformed into accessory
7 retail.

8 Going back to the Jefferson once
9 again, Woolly Mammoth Theatre is in that
10 relationship. It's essentially on what
11 would be a P1 level. And there are area
12 under the retail that we have on D Street,
13 which are north end where we restored two
14 townhouses. And they also have a lower
15 level, a concourse level that can also
16 relate to the grocery store. Almost like you
17 step down and there would be a wine section.
18 Not exactly like Rodman's, if any of you
19 know that store, but in other words a split
20 level retail.

21 So I think there's some issue
22 about the number of parking spaces. And I've

1 been a proponent of having some surplus
2 space that may originally be parking but
3 could be reprogrammed very logically into
4 lower level retail. And there are other
5 projects we've had, 2401 Penn where there is
6 a whole floor of restaurants below grade.

7 Next.

8 So when you come up those stairs
9 there's a game room, club room, other kinds
10 of facilities. Back here is a fitness
11 center. And then you come out and there's a
12 gathering space and then some pathways,
13 shrubbery protecting the privacy of people
14 who have their units on this level. And
15 then a circular trellis structure, a
16 pergola, around which people can sit and
17 have dappled light. This faces south, after
18 all. And at the end there's an overlook and
19 stairways down.

20 What we've done is we've taken
21 our two extreme stairways here and instead
22 of bringing down to the retail and then

1 needing to bring a snorkel out and making
2 disconnected retail, we bring them out in
3 the courtyard over to the end and down these
4 stairs which actually will be integrated
5 with our garage intake requirement.

6 Next.

7 CHAIRPERSON HOOD: Excuse me. Mr.
8 Esocoff?

9 MR. ESOCOFF: Yes.

10 CHAIRPERSON HOOD: Could you go
11 back? I'm interested in those units that
12 are behind I guess that white curtain wall
13 that you talked about. What's the width of
14 that?

15 MR. ESOCOFF: Those are about 16
16 feet wide so they're like a loft with an
17 inboard bedroom and then a bathroom back
18 here. And we've actually produced some of
19 those units in town.

20 CHAIRPERSON HOOD: Okay.

21 MR. ESOCOFF: They're very nice.
22 And surprisingly we've done a number of

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1 units that have inboard bedrooms that people
2 rave about because they can actually sleep.

3 Downtown, I live on Connecticut.
4 I can tell you, it's very noisy. And
5 Patricia Zingsheim, for instance, is a
6 resident in one of the buildings I designed.

7 CHAIRPERSON HOOD: 400 Mass?

8 MR. ESOCOFF: And she has a
9 really deep unit and she thinks it's really
10 great to be away from all of that noise.

11 CHAIRPERSON HOOD: Yes.

12 MR. ESOCOFF: And I know other
13 people in the building have arranged it that
14 way, too. So I wouldn't make a whole
15 building out of that. but I think having
16 that as an option --

17 COMMISSIONER MAY: Are those
18 double height units?

19 MR. ESOCOFF: No, they're single
20 height units.

21 COMMISSIONER MAY: Single height
22 units.

1 MR. ESOCOFF: Yes.

2 CHAIRPERSON HOOD: Single height,
3 floor to ceiling?

4 MR. ESOCOFF: Yes. Floor to
5 ceiling they're 9 foot 1 ceilings. It's
6 about lower than this probably.

7 CHAIRPERSON HOOD: Okay. Okay.

8 MR. ESOCOFF: That's very
9 standard in a lot of our units. We've had
10 many buildings that seem to be very nice
11 when you're in them and they're 8 foot 4
12 ceilings. But generally they've been 9'0".

13 Did that answer your question?
14 Okay.

15 For instance this one actually
16 has a bedroom on the glass and a secondary
17 den/bedroom back here. And then, of course,
18 we've aimed these at diagonal views.

19 When you come up later there's a
20 terrace three floors from the top. There
21 are three stories like this with a terrace
22 at this level and single loaded corridor.

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1 And, you know, the width of this site,
2 though it's rather large, is actually as it
3 turns out an awkward dimension given the
4 width of apartment buildings. And you can
5 see that in that we weren't able to keep a
6 double loaded corridor here and have that
7 setback. And so whereas this side stays the
8 same as it goes up, this one sets back and
9 there are these curves forms that you'll see
10 in elevation and then on the lower levels --
11 maybe you'd go back one slide, please?

12 Yes. These are these screened
13 balconies. Most of our glass in the
14 building is set behind screens or it's
15 facing north as these edges are. And in
16 some cases we have south facing glass that
17 will have to be high tech glass. But we've
18 tried to create a situation where our glass
19 is essentially north facing because it's at
20 the back of a balcony well screened where
21 we'll have these metal screens that maximize
22 daylight but minimize solar impact.

1 CHAIRPERSON HOOD: Well, excuse
2 me, Mr. Esocoff.

3 MR. ESOCOFF: Sure.

4 CHAIRPERSON HOOD: Let me go
5 back.

6 MR. ESOCOFF: Sure.

7 CHAIRPERSON HOOD: Perhaps I
8 don't understand. Those units that are
9 behind the white curtain curtain glass, you
10 said those are 9 foot floor to ceiling but
11 you also said loft? Did you say loft?

12 MR. ESOCOFF: Well, they're like
13 a loft in that the feature here, instead of
14 having rooms that are discrete, some people
15 would probably prefer to have one large
16 space. So their living/dining/kitchen might
17 come all the way back to here and then
18 they'd have a sleeping area and bathroom
19 right at the back. So that you'd have one
20 big long floor in front of you that might
21 feel more like something in Soho.

22 CHAIRPERSON HOOD: But you market

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1 that as a loft even though it's 9 foot floor
2 to ceiling?

3 MR. ESOCOFF: Well, that's
4 interesting. A loft building really is a
5 building that doesn't have supporting
6 internal walls.

7 CHAIRPERSON HOOD: Yes.

8 MR. ESOCOFF: It's got piers. So
9 almost all office buildings in D.C. are
10 actually loft buildings. They're not heroic
11 loft buildings with tall ceilings like Soho
12 or milled buildings in Providence, Rhode
13 Island or something. But they are actually
14 by definition loft buildings.

15 CHAIRPERSON HOOD: Well, okay.
16 You can be technical all you like, but --

17 MR. ESOCOFF: But it is loft
18 style. As I like to say, it's like kosher
19 style meaning it isn't.

20 CHAIRPERSON HOOD: Okay. We can
21 move on.

22 MR. ESOCOFF: I'm sorry I even

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1 used that word because I actually have a
2 great disrespect for people who say this is
3 the loft apartment because I've had friends
4 who live in New York loft, 25 are
5 descriptive but 13 foot ceiling; that's a
6 loft. But these are loft style open floor
7 plans. And it's nice because they're small
8 enough units, though, in some regards that
9 they're sort of units. So they're affordable
10 for people who have less ability to pay for
11 larger units.

12 Then you come upstairs. We have,
13 you know, an entry area that leads to a roof
14 terrace. And there's like pergolas here
15 that provide much needed shade from the
16 south and the west. And then we have our
17 swimming pool that we have in a lot of our
18 buildings in a sort of a green area off of
19 it where you can sun a little bit more
20 privately. You can here, too. And then
21 there's a barbecue area. And then there's a
22 walkable lawn panel that's about 10 inches

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1 of soil. So it's engineered such as you can
2 walk on it during a party in a way that you
3 can't walk on what's called thin vegetative
4 roots that have like succulents. If you walk
5 on those, you got to replace the roof. This
6 is something that you could walk on and it
7 could take a reasonable amount of wear and
8 tear on a weekend.

9 In the other direction we have
10 reserverable areas that people can have for
11 parties. And then a deck area here with
12 shade again. And an area that would
13 actually have a few steps down to almost
14 look like a little bleacher. You probably
15 wouldn't see it from the ground, but it'd be
16 fun to sit there on a couple of large scale
17 wooden steps.

18 COMMISSIONER TURNBULL: Mr.
19 Esocoff, can you address the lot occupancy
20 variance?

21 MR. ESOCOFF: Yes. We're at 79
22 point something lot occupancy, not 75. But

1 because we have enough light and air around
2 all the building, we felt like this was an
3 adequate amount of light and air and we're
4 not negatively affecting any other property
5 within the site because we're occupying the
6 entire space and simply have a party wall
7 with the office building. So I don't
8 think there's any public harm being caused
9 by it, and we've certainly provided really
10 nice attractive light and air.

11 I would even say that these
12 curves that we like to put in our buildings
13 help us sculpt the light coming into a unit
14 and provide sort of screened views across so
15 that you're not imposed upon by people
16 looking across and you're not embarrassed by
17 having to look across and seeing something
18 when you weren't intending to. And at the
19 same time it shades you but will reflect
20 light in pretty interesting ways like they
21 taught you about in architecture school. And
22 that actually works when you do it.

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1 So coming upstairs this is
2 another area of relief. These stairs which
3 you have to have in order to not to have too
4 long a deadend are connected with these low
5 trellises. They're not 18 foot 6 high,
6 they're probably around 14 feet. And we
7 just can't not have them and occupy the
8 roof. And they're a little less than one to
9 one back from the edge, although here's the
10 property line. And in this case this is more
11 than one to one back from the street edge.
12 And they're a little closer to the edge of
13 the roof here, but that's our own courtyard.

14 Next.

15 And here's a reservable space on
16 the top of 400 about the same size as some
17 of ours. And it's very popular.

18 Next.

19 And here's the swimming pool on
20 top of the Senate Square. These are green
21 screens and trellises. So when we talk
22 about the percentage of roof as LEED

1 scorecards start to become more
2 sophisticated and recognize that a green
3 roof needs to also be walkable.

4 Can you just go back for one
5 second?

6 We also need to provide some
7 planting to shade people. So is this green
8 or not when it's underneath a trellis filled
9 with greenery that's watered by runoff from
10 these roofs go down into these planters, and
11 then this will all become green after a
12 while?

13 Next.

14 And there's a view of the
15 Washington Monument from one of these areas
16 where can people can get together who live
17 in the building. 4th of July it's a great
18 view.

19 Next.

20 And here's the materials. These
21 conical forms that come up and then form a
22 tower here, they're really based on both

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1 contemporary and very long historic
2 traditions of using glass around the
3 materials.

4 Here's the Shrine of the
5 Immaculate Conception, there's Saint Gauden
6 modern version. And here a modern version
7 done by Enrique Morales a Catalan architect
8 in Barcelona about ten years ago. A
9 beautiful building that is a true
10 preservation of history in that it's the
11 extension of historical lessons into
12 contemporary circumstances. And so Gauden
13 is the lesson and this is the new twist on
14 that.

15 And then these areas here are
16 perforated metal screens. And here's a laser
17 cut metal screen that I'll show you later
18 that is on Van Street.

19 And we're using two shades of
20 filamatic limestone. This one, which I think
21 is like snow leopard at the entrance and
22 then sort of a rudder color around the

1 retail base. And then a buffed brick white
2 span of glass.

3 Next. And there's the shrine,
4 it's a tile. There's that building in
5 Barcelona and these little hexagonal
6 patterns. Really I've seen this building in
7 life, it's really beautiful.

8 Next.

9 And here's our Van Street
10 elevation where the back of the white glass
11 portion is sort of like an industrial sash
12 with laser cut panels here to screen where
13 the recess where we have our transformer
14 vault. So we're very careful to find a
15 place early on for our transformer vault so
16 we can glow street trees and not have people
17 walk across gradings and not have them in
18 the street which Pepco doesn't like, and not
19 have them in the sidewalk so that DOT won't
20 allow us to plant trees. So we've tried to
21 take that into account.

22 There's the retail. There's a

1 small -- worked into the retail is the
2 parking entrance. And here's one of the
3 loading docks that we share with the
4 adjoining office.

5 Next.

6 And here's that laser cut metal.
7 There's the kind of windows we're talking
8 about. This is the side that faces the
9 train tracks on Senate.

10 Next.

11 So let's talk about urban design
12 and the need to create sort of signature
13 ionic moments in the urban fabric.

14 First of all, Washington is about
15 buildings defining urban space. So this is
16 15th and Mass seen over Scott Circle.
17 There's actually a little embassy in here.
18 And 14th Street actually goes through here.
19 But this building sort of creates this
20 backdrop and these are setback tiers of
21 apartments, step out balconies and then
22 trellises that are supported by exhaust

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1 shafts for kitchen, dryers and toilets. So
2 we're trying to take virtue out of --

3 CHAIRPERSON HOOD: I always
4 wanted to know how you arrived at the blue.

5 MR. HELLMUTH: We thought blue
6 would be nice and we might have gotten a
7 little carried away here, I think. I think I
8 would have made it grayer if I had a second
9 shot at it. It's hard to calibrate these
10 things sometimes. I try to make sure I love
11 it later on, but believe me all I can see in
12 my buildings are the flaws.

13 So these are these terrace, and I
14 think Phil mentioned, you know the ability
15 to sort of look across here. We see this
16 from our office now. And see people up
17 here, you don't really think about the
18 height of the building. You don't think
19 about, oh, what's the 1910 Height Act. You
20 think about what a great city that we have
21 this Height Act which makes low flat
22 buildings that allow us to have a whole

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1 second city of gardens up there if we desire
2 and do it.

3 Next.

4 And here's another one where we
5 actually made a tower within the height
6 limit. Because this sets back one to one
7 for zoning reasons but we don't need to set
8 it back on 8th Street we brought this thin
9 wall out and created sort of a tower that's
10 a new twist on D.C.'s towers. And there's
11 sort of our trellis, which is where
12 everybody likes to go and eat dinner every
13 night.

14 Next.

15 There's that ionic shape.

16 Next.

17 I was very much aware of that as
18 something we want to establish so that when
19 people see Washington in the background at
20 these ball games they see something
21 recognized like you recognize Baltimore.
22 And like you recognize Washington when you

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1 look at home plate and see that particular
2 stone that's behind home plate.

3 So here's the building I live in
4 and you know, it's got two towers actually,
5 one here that starts at the ground and you
6 read as a tower because it comes out 2½
7 feet. And this other one which has a little
8 crown up there overlooking Rock Creek Park.

9 Next.

10 And of course it forms a marker,
11 a placemaker in the urban landscape. So as
12 you come into Washington you know you've
13 arrived here and you actually say oh I know,
14 that's that next building down, 2101. And I
15 think these are very important elements in
16 the city fabric to help give a sense of city
17 scale to the scale.

18 And like 400, for instance,
19 you're coming east on Mass Avenue you know
20 here's my choice: I can go up ceremonial
21 Washington to the Convention Center and the
22 think tanks or I can bear left and go to

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1 Chinatown. And I think those are real
2 important urban design gestures.

3 Now here's the -- President
4 Monroe, Florida Avenue and 19th Street.
5 This trellis is gone, a significant piece of
6 trellis. But, you know, they didn't even
7 have air conditioning when these buildings
8 were built so they really needed to shade
9 everything. So these towers still exist but
10 not the trellis.

11 Next. Just go back one. Okay.

12 Okay. So, you know, here's our
13 interpretation of that down at Senate Square
14 with the trellis. That's where we had that
15 view of the Washington Monument.

16 Next.

17 And this is about the same size
18 as the end pier of our building with a space
19 behind it for people to get together and
20 look at the ball game, say.

21 Next.

22 COMMISSIONER TURNBULL: And also

1 tile?

2 MR. ESOCOFF: Yes. And I'll show
3 you something about that in a second. And
4 here are those towers. And I'll be glad, I
5 should show you the real materials.

6 MR. TUMMONDS: That concludes the
7 architectural portion of our presentation.
8 We'll now have Mr. Andres.

9 CHAIRPERSON HOOD: Before we move
10 on --

11 MR. TUMMONDS: Sure.

12 CHAIRPERSON HOOD: -- I think my
13 colleagues has a -- go ahead.

14 VICE-CHAIR JEFFRIES: Yes. I
15 mean, you're asking for lots of variances
16 here. So is anyone going to speak about the
17 variances in the presentation?

18 MR. TUMMONDS: Yes. Absolutely.
19 I think we wanted to address it in -- we can
20 do that in the text statement, but I can run
21 through that as well in closing.

22 VICE-CHAIR JEFFRIES: Okay.

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1 MR. ANDRES: Good evening,
2 Chairperson Hood, members of the Commission.
3 My name is Erwin Andres. I'm principal of
4 Gorove/Slade Associates. I reside at 2356
5 40th Street, Northwest.

6 As part of our review of the
7 access and circulation plan we've identified
8 the need for one variance regarding loading
9 docks. Actually, the variances are
10 associated with the number of loading docks
11 and the size of the loading docks. Based on
12 the zoning requirements we would need nine
13 loading docks ranging in size from 309 foot,
14 20 foot and 55 foot docks. What we're
15 proposing are seven loading docks, primarily
16 30 foot trucks which is your standard --

17 CHAIRPERSON HOOD: Why don't we
18 do this? Why don't I ask Mr. Esocoff. I
19 know that he's trying to help my colleagues
20 so we won't have to ask the same question
21 again. Why don't we just hold off, Mr.
22 Esocoff, if you can give us a break so we

1 can hear about loading docks. Okay.

2 MR. ANDRES: What's being
3 proposed are seven loading docks primarily
4 30 foot loading docks which are your box
5 trucks and one 20 foot loading dock. So
6 what is currently proposed is the
7 combination of these docks to minimize the
8 number of curb cuts on Van Street. The
9 obvious benefits of that is that we get to
10 maintain a continuous pedestrian path on
11 Half Street while providing for all of the
12 access to both the garages and loading docks
13 on Van Street.

14 As part of DDOT review they
15 suggested because of the fact that there are
16 five curb cuts on Van Street, three which
17 are related to the loading docks and two
18 which are related to the garage, they
19 recommended the designation of a
20 transportation and a delivery management
21 coordinator which the applicant has
22 committed to provide. And that coordinator

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1 will be responsible for organizing and
2 managing all the deliveries related to all
3 the three different uses on site.

4 In addition to that portion of
5 the DDOT review letter, Dated January 22,
6 2009, one of the other commitments that
7 Akridge will perform as part of the
8 development plan is to provide six
9 cautionary spaces as opposed to three.

10 And the two other conditions that
11 DDOT has requested consists of SmartBenefits
12 which Mr. Tummonds had earlier mentioned
13 that because of this type of application is
14 not relevant with respect to the type of
15 application that's before you.

16 And the last item is a request by
17 DDOT for a reduction of 100 spaces. Now
18 this request is something that we find as an
19 important component of the plan. Just to
20 start off with my testimony, we confirm and
21 we firmly believe that the number of parking
22 spaces that are currently proposed is the

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1 appropriate number of parking spaces. What
2 we've proposed is in keeping with current
3 market trends, in keeping with standard
4 parking practices.

5 The number of parking spaces that
6 we're providing for the residential
7 component is .75 spaces per unit. For the
8 office component it's .7 spaces per 1,000
9 square feet. And for the retail component
10 it's 1.2 spaces per 1,000 square feet which
11 are well below ULI's parking rates. So
12 given that, we understand that the site is
13 located at a Metro that only serves one line
14 with bus routes in the area. However, given
15 that these are within standard planning
16 principles we don't see how this parking
17 proposal is inappropriate for this location.

18 As a benchmark what we did is we
19 also looked at the Monument plan right
20 across the street. And their development
21 density is roughly in the range of ours and
22 they're proposing 543 spaces. And our plan

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1 is actually providing more retail which is
2 more exhaustive with respect to parking
3 demand.

4 One of the components of this
5 plan, as mentioned before, is that it is a
6 place, it is a destination. In order for
7 this place and destination to be successful
8 it will draw from patrons not only within
9 the District but within the suburbs, local
10 jurisdictions.

11 I just need to finish up.

12 CHAIRPERSON HOOD: I'm sorry. Go
13 ahead and continue.

14 MR. ANDRES: The buzzer threw me
15 off. I'm sorry about that.

16 Given that, it is a regional draw
17 and the fact that there are some
18 transportation improvements in the area that
19 will be coming including streetcar service,
20 including some of the changes to the bridges
21 and given the fact that there is a special
22 component of this which is unlike any other

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1 development in the District in that it is
2 adjacent to a 40,000 attendee or 40,000
3 person stadium. Given the demands
4 associated with the stadium as well as the
5 fact that it is a regional draw, we believe
6 that the parking is appropriate.

7 And I'm available for any
8 questions.

9 CHAIRPERSON HOOD: Okay.

10 MR. TUMMONDS: Real quickly I can
11 address to the constituent. Commissioner
12 Jeffries, you had raised the issue that were
13 asking for number areas of variance relief.
14 In detail pages 25 through 32 of our
15 statement dated January 9, 2009 goes through
16 the three prong variance test.

17 As you know, the property must be
18 subject to an extraordinary or exceptional
19 situation or condition, practical difficulty
20 will result if the applicant is required to
21 satisfy the strict of application of the
22 zoning regulations. And then the third

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1 prong is that no harm to the public or the
2 zone plan will occur as a result of the
3 variance application.

4 I think that through the
5 testimony that we've presented this evening
6 where I wanted to make sure that it was in
7 the record as Mr. Hellmuth talked about the
8 variance request we had from the Half Street
9 step back, from the M Street, step back.

10 Really I think most of those were to address
11 the practical difficulty standard. And I
12 know that at the BZA where we see most of
13 our variance cases we have a lot of
14 discussion about what exactly it means to be
15 practically difficult. And I would point
16 out page 26 of our statement from the Palmer
17 case. And the Palmer case states that
18 generally it must be shown that compliance
19 with the area restriction would be
20 unnecessarily burdensome, the nature and
21 extent of the burden which will warrant an
22 area variance is best left to the facts and

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1 circumstances of each particular case.

2 There are numerous other cases
3 that help us define what exactly does
4 "unnecessarily burdensome" mean. What that
5 has been intended to show is that
6 unnecessarily burdensome does not mean
7 impossible and three factors, I'm now
8 reading page 27 of our statement, that the
9 court has said the BZA, or in this case
10 Zoning Commission can review as to whether
11 or not something is unnecessarily burdensome
12 is: The weight of the noncompliance that is
13 requested; the severity of the variance
14 requested, and; and the effect the proposed
15 variance would have on the overall zone
16 plan.

17 As discussed in Mr. Hellmuth's,
18 Mr. Esocoff's, Mr. Andres' testimony this
19 evening in addition to the written materials
20 we've submitted, as I said on January 9th
21 and on January 15th, we believe that we do
22 satisfy all of those requirements.

1 That concludes our presentation.
2 We're available to answer any questions that
3 you may have.

4 CHAIRPERSON HOOD: There may be a
5 number of questions. So what I would like to
6 do is, if my colleagues would agree, that we
7 do six minute rounds so that way we won't
8 get a whole lot of air time but we'll get
9 some. Six minutes. And I would just like to
10 ask who would like to start asking
11 questions?

12 Mr. May?

13 COMMISSIONER MAY: Sure, I'll go
14 first.

15 You know, I don't know if anybody
16 else would need this among the
17 Commissioners, but it would be helpful to me
18 to walk through the variances one-by-one and
19 have that, but graphically. Not just --

20 MR. TUMMONDS: Sure. Absolutely.

21 COMMISSIONER MAY: But before we
22 get to that let me ask some other questions.

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1 Because if we want that by consensus, I
2 don't want to use my six minutes on it.

3 Anyway, I guess you know looking
4 at the overall design of the complex I can
5 understand the objectives, I can understand
6 some of the formal moves. But the overall
7 sense of things that I'm getting is just a
8 very, very chaotic look and feel. And on a
9 certain level there's the natural attractive
10 chaos of retail street and things like that.
11 And when you walk down through Chinatown
12 nowadays, you know, that vibrancy and things
13 that you feel, I mean it doesn't feel quite
14 in control but there's an excitement to it.
15 And so there's a certain benefit to that
16 chaos, if you will. But I'm not sure that
17 in this circumstance it hasn't gone a little
18 bit too far in that direction, at least
19 visually.

20 The residential building I'm
21 pretty comfortable with because all of the
22 formal moves above the retail level seem to

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1 make more sense. They seem to be -- there's
2 a relatively limited and consistent palate
3 and its a controlling factor over the
4 slightly more diverse retail level.

5 The office building I am really
6 troubled by because we have all of these
7 really I think good formal moves. The
8 shapes make sense. But how they're all clad
9 and how they interact with the retail level
10 just it sets my mind spinning. So I'm
11 wondering is there an order to the selection
12 of materials that I' not seeing and for, you
13 know, whatever reason because the way its
14 rendered or what have you, but I'm just
15 seeing sort of discordant elements, I'm
16 seeing too many different types of material,
17 too many different window shapes. I'm seeing
18 kind of historic sections of facade like
19 that projection on the left side that's kind
20 of jumping out at us and its cantilevered
21 over the street and it's this historic kind
22 of looking facade. I mean what drove some

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1 of those things?

2 That was a three minute question
3 and now you got a two minute answer. Sorry
4 about that.

5 MR. HELLMUTH: Thank you.

6 Basically when you get right down
7 to it what there are, there are two masonry
8 buildings, here and here. The masonry
9 buildings have a setback at that point and
10 then there's a diagonal. And this is pretty
11 much the same masonry building that comes
12 all the way around. It does different things
13 at the corners and so forth, but it's the
14 same masonry building, slightly different
15 brick, slightly different window openings as
16 it sets back, which lots of buildings do.
17 And then is something similar over here.

18 The piece which is different is
19 the diagonal, which has the patina green
20 metal on it, and that comes through here and
21 that comes through here as well. Those are
22 the pieces which tie back into the

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1 connection down here to the ball park, but
2 its essentially if you go go, and partly it
3 is the nighttime rendering with lights on it
4 at different angles and so forth, but its
5 essentially two masonry buildings with this
6 metal piece slicing through the diagonal.
7 It's not dissimilar as some of the building
8 around the Spy Museum for example. You have
9 the historic buildings and then the diagonal
10 that goes through which is clearly
11 different. And this is doing it for
12 different reasons, it's doing it for reasons
13 of connectivity down to the ball park as
14 well as emphasizing the corner in a
15 different way. But essentially and that
16 also allows us in the diagonal piece to come
17 down to one story for the retail and then
18 pop up to two stories in the other
19 locations.

20 This is essentially the retail
21 band through here. It drops down to a one
22 story piece here and it's really the

1 intersection of that green piece into these
2 two masonry more loft expression type
3 buildings.

4 COMMISSIONER MAY: Why did you
5 choose to take this brick facade here and
6 then turn it so that it lines up with that?
7 I mean, I would think that one of the things
8 about cranking something like that is that
9 you've got to have the norm to go against.
10 And that norm has just been disrupted over
11 here.

12 MR. HELLMUTH: Well, we weighed
13 the two. I mean, this also could have been
14 the green expression and there's sort of a
15 purest piece that says maybe this should be
16 the green expression as well coming through
17 here. But we also like the bookending of the
18 masonry on both sides.

19 You know, one could stop the
20 brick and make the projecting bay a green
21 metal projecting bay or something. But the
22 idea was --

1 CHAIRPERSON HOOD: Let's finish
2 up that question and then we'll have another
3 round. But finish answering that question
4 and we'll do another one.

5 MR. HELLMUTH: Okay.

6 VICE-CHAIR JEFFRIES: And,
7 Commissioner May, if you can finish your
8 thought on that question.

9 COMMISSIONER MAY: No. I was
10 going to ask for one other thing which was a
11 brick sample from the residential building,
12 and that was it. But I'm done for now.

13 CHAIRPERSON HOOD: Who wants to
14 go next? Mr. Turnbull, would you?

15 COMMISSIONER TURNBULL: Yes. I
16 wonder if we could take a minute. I don't
17 think you've completed all of your
18 presentation regarding design elements.
19 There's one part which was a little
20 frightening which you haven't talked about.
21 I wonder if you could spend some time
22 talking about heroic graphics?

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1 MR. HELLMUTH: Absolutely.

2 COMMISSIONER TURNBULL: You know,
3 we sometimes get a little intimidated by
4 large signs and things.

5 MR. HELLMUTH: Yes.

6 COMMISSIONER TURNBULL: That's
7 one of the questions.

8 MR. ANDRES: We have looked very
9 closely have Half Street in its entirety not
10 just our half of Half Street. But the
11 reality is is everybody has been focused on
12 this being the entertainment district. We
13 particularly anchored as a result of the
14 waterfront and the stadium and given that
15 the programming at the ground plane, the
16 ionic nature of what Half Street is going to
17 become and and has its relationship to M
18 Street and the stadium, it feels like the
19 opportunity for environmental graphics to
20 re-inenforce that this is a different place
21 without putting put a gigantic sign saying
22 you are here, you can do it through the

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1 built environment, which is the corner
2 element at the office building, the towers
3 that Mr. Esocoff has created in the
4 residential buildings. And the ground plane
5 we're hoping that the retail will become a
6 very expressive three dimensional event that
7 will carry a certain amount of environmental
8 graphics and signing and signing and
9 lighting.

10 We've also talked about doing
11 some digital boards or digital displays
12 similar to what you see here on the side of
13 Gallery Place. Again, those are for events
14 and for example if there's a ball game going
15 on you can have that. During the day you
16 could have news. There's opportunities to
17 have a whole variety of things happen there.
18 You could have almost a virtual experience.
19 You can be displaying, you know, an event in
20 some country and given the way technology is
21 somebody could be looking at you walking
22 down the street while you're looking at them

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1 walking down the square is Moscow.

2 So it's a great opportunity to
3 keep people animated, active, fun, exciting.
4 And we feel that, you know, if we do it the
5 right way it can be very tasteful and not
6 feel too much Times Square, which I think is
7 kind of what I think people are probably
8 feeling, but I don't think that's what we're
9 trying to imply here.

10 MR. TUMMONDS: And I think to
11 follow up on that, too, Mr. Turnbull, one of
12 the reasons why we included this in the
13 package is right now the D.C. Council has
14 not adopted legislation that would allow us
15 to do this. As you may remember that in
16 order to have this signage that occurs now
17 at Gallery Place the City Council had adopt
18 legislation. As part of moving this project
19 forward, making this the ball park district,
20 whatever signage we show here will have to
21 be the result of special legislation from
22 the City Council. So to a certain degree we

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1 show that we wanted to make you aware that
2 that's where we're going. We don't know what
3 it is exactly going to be at this point
4 because we don't know what the City Council
5 is going to permit.

6 We thought --

7 COMMISSIONER TURNBULL: The City
8 Council is approving signage?

9 MR. TUMMONDS: The City Council
10 had special signage legislation to create a
11 special signage district to allow Gallery
12 Place to happen. And I think Mr. Andres
13 could talk about the Anacostia Waterfront
14 Initiative --

15 MR. ANDRES: Right. There is a
16 set of design guidelines that have been
17 created. And the idea is that we try to
18 follow that. But there's a package and
19 there's a way to present this and there's a
20 way to do this so that we're not, again,
21 breaking outside the mold. But, again, this
22 has been designated as an entertainment

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1 district, no different than around the
2 Verizon Center in the East End and I don't
3 think people think that that's too over the
4 top. In fact, I think its intention was
5 actually to be a little bit further. And I
6 think it's been implemented tastefully and
7 organically over time. And I think the same
8 thing should happen here because this is
9 unique. It's one of a kind. You're not going
10 to have another one of these in the entire
11 area. So I think there's a great
12 opportunity to incorporate some of the
13 things that we're showing.

14 COMMISSIONER TURNBULL: Well, I
15 guess in looking at the elevations on the
16 back which you had marked out in red I see
17 the residential towers on N Street and I see
18 this huge red panel going up and across I
19 envisioned dancing ladies with bottles or
20 Miller High Life or something. And it's
21 just kind of scary that if someone's living
22 in that building and they're park of a

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1 display, it seems kind of Los Vegas or -- I
2 don't know. Definitely not Rush Street. No.
3 But I mean are you looking for Times Square,
4 are you looking for Los Vegas? I mean,
5 hopefully not.

6 MR. ANDRES: No.

7 COMMISSIONER TURNBULL: Hopefully
8 you're looking for something more refined --

9 MR. ANDRES: No.

10 COMMISSIONER TURNBULL: -- to
11 what this city is about.

12 MR. ANDRES: This is supposed to
13 be uniquely Washington. And we think that we
14 are hitting it. I mean, we're trying to do
15 it. No, you won't see dancing legs on those
16 two towers, but what you will see is a
17 certain form that those towers create that
18 become almost ionic in themselves. And, you
19 know, the way that we light it and the way
20 that we apply graphics to it needs to be in
21 keeping with the building. We're not looking
22 to spoil great architecture through signage

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1 and banners and things of that nature across
2 the whole facade, but we do want to have the
3 opportunity in certain special locations to
4 be able to, you know, identify and promote a
5 certain kind of awareness that's different
6 than, say, something on K Street in the
7 Golden Triangle or something on F Street --

8 COMMISSIONER TURNBULL: Well, I
9 think you have to be very careful in how you
10 work with the architecture because it's
11 going to totally change the appearance of
12 what you have.

13 MR. ANDRES: We agree with that.

14 COMMISSIONER TURNBULL: I think
15 it may not be the effect that you want. I
16 think there's got to be an interaction
17 between graphics and the architecture. I
18 mean, there's a certain aesthetic that
19 you're starting to develop and I'm just
20 concerned that the graphics may take away
21 from that if you're not careful. It's a very
22 suitable element that you can overdo too

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1 much.

2 MR. ANDRES: Again, that's why
3 we've tried to incorporate a lot of it into
4 the architecture and not just have a lot of
5 it being just applique.

6 COMMISSIONER TURNBULL: Okay.
7 Thank you.

8 MR. ANDRES: Yes.

9 CHAIRPERSON HOOD: Okay. And
10 we're going to do another round, Mr.
11 Turnbull.

12 Vice Chairman?

13 VICE-CHAIR JEFFRIES: Thank you.

14 I think at least for myself, you
15 know, I'm still somewhat sore over the
16 parking garage at the baseball stadium and
17 so I'm putting probably a lot more reliance
18 on design than urban planning for this
19 particular place because just to offset
20 that.

21 COMMISSIONER TURNBULL: I believe
22 we voted against those garages.

1 VICE-CHAIR JEFFRIES: Oh, we very
2 much did, but then they went over our head.
3 It was a smart thing on their part.

4 CHAIRPERSON HOOD: This is budget
5 time, so we're going to be real nice.

6 VICE-CHAIR JEFFRIES: Anyway, but
7 let me just say that I really, really very
8 much like the design of this. I mean, I
9 think it's a welcome relief to experiment,
10 to have some organic moving dynamic
11 architecture. And I actually sort of like a
12 little chaos, Commissioner May. I think D.C.
13 needs a little chaos in some places.

14 COMMISSIONER MAY: I do. But did
15 you hear me embrace chaos on a certain
16 level.

17 VICE-CHAIR JEFFRIES: Yes. Okay.
18 Okay. Yes. I think it needs to be somewhat
19 organic. I certainly appreciate the
20 perspectives more the elevations. And I just
21 like the movement of what's going on here
22 and the residential building, you know, is

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1 quite, quite nice.

2 So the concern I have from time-
3 to-time when you're looking at these things
4 is that, you know, I'm thinking about Silver
5 Spring and the Peterson project and
6 everything looks sort of Disney-like and it
7 looks a little too contrived. And I'm just
8 sort of concerned that we don't have that.
9 But I was really happy to see some of the
10 brick samples and so forth that are very,
11 very nice, by the way, that give me a lot
12 more comfort that this is going to have some
13 level of quality about it and be
14 substantial.

15 So I'm very happy. I think
16 there's some areas -- you know, some of the
17 rooftop details and perhaps how some of the
18 materials are colliding we might want to
19 sort of take a little look at.

20 And then also the bridges. I
21 don't know, the bridges seem to be somewhat
22 of an afterthought, and maybe they should

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1 be. Maybe they don't need much more detail
2 than what's there. But I wouldn't mind a
3 comment on that.

4 And then the other question I
5 have is vehicles. So whose driving down the
6 street? I mean I just feel maybe it terms
7 of what's been presented, it just seems so
8 incredibly pedestrian that, you know,
9 vehicular traffic is somewhat disruptive. It
10 just looks -- I mean, it has a very circus-
11 like quality about it, you know and so it
12 seems like vehicles just wouldn't be part of
13 this mix.

14 And so who is driving down this
15 street? I mean --

16 MR. ANDRES: Well, as you know,
17 for the Nationals to draw within the
18 metropolitan region, yes, for the attendance
19 that did come to the stadium there was a
20 percentage that did drive and they did
21 utilize some of the off-street parking and
22 some of the undeveloped lots in and around

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1 the stadium. So there is the regional draw.
2 You know, there are people who don't have as
3 good access to transit that many other
4 residents in the area that do have.

5 VICE-CHAIR JEFFRIES: No. I'm
6 actually not talking about the area. I can
7 understand why people are driving to the
8 area. I mean, this street, Half Street. I
9 mean because I mean if I'm driving, you
10 know, and I look at down this street it's
11 like there's no way that I want to drive
12 down that street. I mean, you know, so I'm
13 just -- because you've probably been so
14 incredibly successful with the scale and the
15 activity and so forth that it's just sort of
16 a conflicting thing for me. I mean, I
17 don't-- Mr. Eisen if you want would --

18 MR. EISEN: I'd like to talk
19 about it because quite honestly, 285 days a
20 year there's not a game going on.

21 VICE-CHAIR JEFFRIES: Yes.

22 MR. EISEN: And we believe that

1 this is a regional destination. That is
2 unique and one of a kind. And one of the
3 principle rules about creating an
4 environment like this is allowing the folks
5 who are occupying particularly the ground
6 floor to be seen.

7 There'll be a lot a folks who
8 drive here, you know whether they're driving
9 electric cars or hybrids or urban assault
10 vehicles, I'm not sure which one, but the
11 retailers want to be seen. And when people
12 are coming here those days other than a ball
13 game who are coming here to go out to dinner
14 or coming here to shop, coming here to just
15 be a part of an experience a lot of people
16 regionally and a lot of visitors are going
17 to drive here. And I think to have the
18 ability to drive past those store fronts, to
19 go and experience this place I don't think
20 is a bad thing. Because this isn't going to
21 be the only in the close end portion of
22 Southeast. I mean between what's happening

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1 at the Southeast Federal Center and what's
2 going to happen up and down M Street there's
3 quite a bit going on. And there's a lot of
4 people that are going to go the waterfront
5 and they're going to want to experience
6 that. So I think there's a real diverse
7 sense of visitorship that we expect to come
8 here.

9 VICE-CHAIR JEFFRIES: Okay. So
10 it's like a Bethesda Row. What's the
11 project in Northern Virginia with the Apple?
12 Shirlington, but oh there's the other one.
13 The other Apple location.

14 MR. EISEN: Clarendon Market.

15 VICE-CHAIR JEFFRIES: Clarendon
16 Market.

17 MR. EISEN: Yes.

18 VICE-CHAIR JEFFRIES: Is it of
19 that sort of feel? I mean, because there's
20 parking there and --

21 MR. EISEN: It's controlled.

22 Let's put it this way, we're going to keep

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1 traffic slow, we're going to make sure that
2 it's -- you know, that's why the cross
3 section we had talked about earlier we've
4 been studying very closely. We want to
5 change the materials that inherently will
6 slow traffic down. When you drive across a
7 cobble it's not like driving on asphalt. So
8 we are paying attention to a lot of those
9 traffic calming types of things.

10 And, yes, it will have some
11 characteristics of the Marketplace in
12 Clarendon.

13 VICE-CHAIR JEFFRIES: Yes.

14 MR. EISEN: You know, it'll have
15 some characteristics of Reston and places
16 like that that have taller buildings and
17 kind of a tighter street section with a lot
18 of animation at the ground plane.

19 VICE-CHAIR JEFFRIES: Okay.

20 Okay. Thank you.

21 CHAIRPERSON HOOD: Okay. Again,
22 we'll do another round.

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1 Commissioner Keating?

2 COMMISSIONER KEATING: Thank you.

3 I'm not going to repeat what
4 other colleagues have said, but I'll focus
5 on just a couple of things.

6 One, the residential building I
7 do like tremendously. I like the design, I
8 like the layout of it. I'm very impressed
9 with what's been developed there.

10 I'm a little more concerned about
11 the office structure, structures. It does
12 feel to me a little bit like there's an
13 effort here to stand out. I know that's been
14 part of the presentation and the desire is
15 to stand out and create a destination
16 location. But I do feel there is some
17 concern on my part about the impact on the
18 rest of the neighborhood with things like
19 the tower on the office building, the roof
20 over the green structure, green portion of
21 the office building. We're talking about
22 the large signage that's going to be hung on

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1 the building similar to Verizon Center. That
2 does raise a little concern for me of what
3 that impact might like look like.

4 I had a question about the via
5 because it seems that the via does somewhat
6 rely on a continuation across Half Street to
7 the other side and how that has been or
8 whether that is going to be the case or is
9 that just an assumption that that will
10 happen?

11 MR. EISEN: There is a via that
12 currently exists on the other side, but that
13 it will have pedestrian/vehicular traffic.
14 But the thing that does happen in the base
15 of the buildings is there is a commercial
16 opportunity to enhance the retail, for
17 example.

18 COMMISSIONER KEATING: Yes.

19 MR. EISEN: And so you'll see in
20 our diagram we show that those corners have
21 the ability to help re-enforce that whole
22 pedestrian experience. So it was actually

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1 their plan that kind of inspired us to
2 continue it through.

3 COMMISSIONER KEATING: Okay.

4 MR. EISEN: And we liked that as
5 an idea because it kind of pulls people into
6 the site and then it gives them a tangent to
7 work off of.

8 COMMISSIONER KEATING: Yes. No, I
9 do like the via. I think as a concept I
10 think that's great. And I like the way
11 you've laid out kind of pedestrian walkways
12 here at that intersection with the via. And
13 I was just hoping that that was the case
14 that it really could have the opportunity to
15 continue because I think it's a great
16 feature of the site.

17 The rest of my questions really
18 go back to some of the variances. So I'll
19 stop there.

20 CHAIRPERSON HOOD: And I will
21 tell you, Mr. Tummonds, so you can start
22 getting ready. I think what we want to do

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1 is -- and I know I've seen you here a few
2 times in front of the BZA, we want to be
3 more elaborate on exactly why you think you
4 meet each variance test, special exceptions
5 similar to what we did on the last variance
6 for the loading requirements 2201. So I'm
7 going to ask you, let's just quickly run --
8 not right now, but we want to address each
9 one of the variance. I mean I know you can
10 tell us to go to page 25.

11 MR. TUMMONDS: Yes. Correct.
12 You know, in our preparation for this
13 evening, as we know, a lot of these issues
14 were design related. But absolutely, we're
15 ready.

16 VICE-CHAIR JEFFRIES: Yes. I
17 mean, the variance test is a pure test, high
18 hurdle. I just like honoring it by being
19 very specific about -- yes.

20 CHAIRPERSON HOOD: That's why the
21 BZA loves Commissioner Jeffries and
22 Turnbull. They don't like me that much --

1 no, I'm just funning.

2 Let me just ask a few questions.

3 Let's look at the DDOT report and I just
4 want to make sure I have a clear
5 understanding, Mr. Tummonds, of exactly --
6 do we have -- yes. Yes. Definitely give me
7 six minutes.

8 Do we have agreement with the
9 carsharing folks that know that they will
10 commit to doing this on this project? Has
11 that already been done? Because I know that
12 that's one of the things that DDOT has asked
13 for?

14 MR. TUMMONDS: I think what we're
15 agreeing to is we would put in six spaces.

16 CHAIRPERSON HOOD: But you don't
17 know if they want to even put --

18 MR. TUMMONDS: We don't know.
19 Based on I think everyone at this table's
20 experience, I think they'd love to have
21 carsharing spaces in the garage.

22 CHAIRPERSON HOOD: But there's

1 been no commitment or anything?

2 MR. TUMMONDS: No.

3 CHAIRPERSON HOOD: Okay. Again,
4 can you explain to me about why we do not
5 want to do the reduction in vehicle parking
6 spaces? I'm not advocating one way or the
7 other, but I just want to hear you elaborate
8 a little more for me for here.

9 MR. GOOCH: The main reason for
10 the parking that we have right now, and
11 we've gone back and forth, we've looked at
12 the DDOT report and gone back and looked at
13 our parking numbers. But when you start
14 looking at these buildings and the parking
15 ratios that we're providing and comparing it
16 to downtown buildings from the office side
17 of things we're providing a 1 to 1400 square
18 foot ratio, which is market in East End and
19 CBD. And in a neighborhood like Capitol
20 Riverfront where it's just not quite built
21 out yet, it's not center field for a lot of
22 the mainstream office users, there are going

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1 to be probably more people driving on a
2 daily basis than you would have on the East
3 End and we're providing the same parking
4 ratios that we would on an East End
5 building.

6 For the retail -- and I should
7 say one thing that I don't think the DDOT
8 report addressed was that we really should
9 really be looking at the parking ratios for
10 this building assuming P1 level retail. If
11 we ever want the opportunity to do something
12 like a House of Blues or a theater down
13 there where we're going to have multi-story
14 retail, we're really going to have to be
15 able to program that space for retail. And
16 that means we're going to increase our
17 parking demand and reduce our parking
18 supply. And when you do that, frankly, our
19 parking numbers get very skinny. And the
20 last thing that we want to do is limit our
21 leasing capabilities in an evolving project
22 like this.

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1 COMMISSIONER KEATING: Just a
2 quick question on that. If you were to put
3 a House of Blues down there, I don't know
4 how many square feet that would take, how
5 many spaces would you lose by putting in
6 some sort of venue down there?

7 MR. GOOCH: Forty-one spaces.

8 MR. TUMMONDS:

9 Right now in an application that we
10 had submitted we asked for a range of 567
11 spaces, which would be the amount of spaces
12 if we'd have had that P1 concourse level to
13 607 -- I'm meaning if we didn't have that.
14 So we've asked for that flexibility.

15 COMMISSIONER KEATING: Okay.

16 MR. TUMMONDS: And I think Adam
17 raises a good point is that it's by turning
18 those spaces into retail is kind of a
19 double-head. You're removing parking spaces
20 and you're adding demand.

21 COMMISSIONER KEATING: Right.

22 MR. TUMMONDS: And so I think

1 that's one of the reasons why we believe
2 that the DDOT analysis of requesting kind of
3 a blanket 100 space reduction I think -- you
4 know, there wasn't a lot of analysis as to
5 why a 100 and I do think that when you look
6 at their statement they talked about the
7 idea that if -- I'm now on page 4 under the
8 trip generation section of the DDOT report,
9 I'm halfway through that paragraph that
10 states: "If the applicants lessen the
11 traffic quality, it will send a clear
12 message to visitors that driving personal
13 vehicles will not be rewarded."

14 I think that DDOT wanted to kind
15 of set an example to say we need to reduce
16 traffic; I'm not sure that this is the
17 project for this site based on the kind of
18 entertainment destination project,
19 entertainment district that is being created
20 at this site.

21 CHAIRPERSON HOOD: Okay. Well,
22 maybe one of these days we'll get to that

1 site. I think that we just had that
2 discussion recently in another case.

3 MR. TUMMONDS: Yes.

4 CHAIRPERSON HOOD: Let me ask,
5 and the reason why I'm asking these
6 questions is because actually the way I read
7 it, Mr. Tummonds, is DDOT's support is
8 contingent on these mitigations that they
9 have in place because they said "DDOT finds
10 the applicant's transportation study lacked
11 some components, however we believe these
12 matters may be addressed with DDOT
13 recommendations." So that's why I want to
14 make sure we go over these points.

15 MR. TUMMONDS: Okay. Great.

16 CHAIRPERSON HOOD: Now what did
17 we say again about the provisions of
18 SmartTrip memberships and Smartbike
19 memberships? I don't even know if Smartbike
20 was even offered, but --

21 MR. TUMMONDS: And we did not
22 offer SmartTrip -- I'm sorry.

1 CHAIRPERSON HOOD: SmartTrip or
2 Smartbike?

3 MR. TUMMONDS: SmartTrip or
4 Smartbike, or the carsharing memberships
5 that were in here. And I think to us that
6 went more to the idea I think what you had
7 mentioned at the beginning of the this case,
8 Commissioner Hood, the idea that this is not
9 a PUD. This is not a balancing of --

10 CHAIRPERSON HOOD: Right.

11 MR. TUMMONDS: And that,
12 truthfully with us, smacked more of the type
13 of PUD amenities type thing that we see;
14 this is not really that case.

15 CHAIRPERSON HOOD: And I agree.
16 But I want to caution -- and that's why I
17 said that up front because it looks like the
18 more we do these CGs or it seems like we're
19 starting to form in to PUDs, but I'm sure
20 we'll get back on track.

21 And then the other thing is a
22 delivery management coordinator. You agreed

1 to that?

2 MR. TUMMONDS: Yes. We called
3 that our loading dock manager.

4 CHAIRPERSON HOOD: Okay. The
5 dock master? Okay.

6 MR. TUMMONDS: Yes, exactly.
7 But, yes, we agree to that.

8 CHAIRPERSON HOOD: All right.
9 Okay. That's all I have.

10 Do we have some second round
11 questions? Mr. May?

12 COMMISSIONER MAY: Yes.

13 CHAIRPERSON HOOD: Why don't we
14 do four minutes.

15 COMMISSIONER MAY: Can you tell
16 me about the technology of some of the
17 heroic graphics? I don't like the term
18 "heroic graphics" because it makes it sound
19 inherently noble or something. But the
20 really the super graphics. I mean, are we
21 just talking about banners or are we talking
22 about projections? How does the image get up

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1 there?

2 MR. GOOCH: Sure. There's a
3 number of ways to do it, and we've worked
4 with the sign consultants, the one that
5 we're using for our Gallery Place project.
6 And it could be a number of technologies.
7 One technology that we've looked at which
8 could be appropriate for the corner screen
9 element on the office building would be a
10 metal mesh like you saw Mr. Hellmuth went
11 through earlier, possibly with LEDs embedded
12 in it so that you don't see the light on the
13 inside but you do see the light on the
14 outside. It allows for a lot of the LEDs
15 can be programmed. And I don't know if we
16 have a picture of one --

17 COMMISSIONER MAY: No, I'm
18 thinking more particularly about let's just
19 talk about the facade that's facing the ball
20 park where we have --

21 MR. GOOCH: Yes.

22 COMMISSIONER MAY: -- the big --

1 MR. GOOCH: Right. That facade,
2 really we haven't put a lot of study into it
3 as to what that type of graphic is going to
4 be.

5 COMMISSIONER MAY: That's sort of
6 a glass front, isn't it?

7 MR. GOOCH: It is.

8 COMMISSIONER MAY: The building?

9 MR. GOOCH: And it could be stuff
10 like you see something like this where they
11 have this -- really, it's a temporary type
12 installation where they do it for a month.
13 It could be a vinyl applied material that
14 goes on the glass.

15 COMMISSIONER MAY: You mean like
16 on buses?

17 MR. GOOCH: It could be.

18 Now, the intent of those drawings
19 weren't to say that there's going to be a
20 sign throughout that entire pink area. But
21 those are areas on the building where we may
22 entertain signage.

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1 Other things that we've
2 contemplated would be things more in the
3 public space realm on the ground plane.

4 COMMISSIONER MAY: Right. And,
5 Mr. Tummonds, you said that these will
6 require action by City Council.

7 MR. TUMMONDS: That's correct.

8 COMMISSIONER MAY: And so what
9 role do we have to play in this in terms of
10 this particular review?

11 MR. TUMMONDS: I think we wanted
12 to make you aware of that we were some of
13 the things that we were thinking of, you
14 know, so that if there was at some point in
15 the future someone drove there, I don't
16 remember ever seeing signage lighting up
17 things at the corner element of M and Half
18 Street; we wanted to convey that to you.

19 COMMISSIONER MAY: Okay. You
20 know, I'm going to return to my original
21 topic, and the graphics make it kind of --
22 What? Yes.

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1 Just there's already so much
2 going on architecturally and then to layer
3 on, you know, these super graphics above and
4 beyond that makes it even more confusing.
5 And I'm just -- I think that there's an
6 inherent confusion that's coming across and
7 particularly in the architecture of the
8 office building that the addition of such
9 graphics is only going to make, you know,
10 even more of a concern.

11 I'm not sure what else to say
12 about it. I think I want to learn more
13 about the specific relief for the zoning. So
14 we'll get to that.

15 Mr. Hellmuth, did you want to
16 respond to something?

17 MR. HELLMUTH: The piece on the
18 corner, which is really the only "heroic
19 graphic piece," which is at the corner here
20 can be anything from simply a lightly
21 glowing piece --

22 COMMISSIONER MAY: All of those

1 are flagged as potential graphics.

2 MR. GOOCH: Again, those are
3 locations, that whole area is a location.
4 It might be a small sign. I don't think we'd
5 ever coat the entire building.

6 COMMISSIONER MAY: Right. I
7 understand. But I thought Mr. Hellmuth was
8 saying that it was only the corner piece and
9 in fact it's a number of areas across the
10 whole facade, and that's just one of the
11 facades.

12 MR. HELLMUTH: I stand corrected.
13 At least in terms of what we were
14 envisioning in terms of the renderings and
15 so forth --

16 COMMISSIONER MAY: Right.

17 MR. HELLMUTH: -- was that the
18 corner piece is the place where the major
19 expression is. And that could be anything
20 from a softly glowing metal mesh with things
21 that look more like signage towards the base
22 and it gets softer as it goes up towards the

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1 sky to something which is much more dramatic
2 with LEDs that do have some sort of
3 changeover time.

4 COMMISSIONER MAY: Okay.

5 MR. HELLMUTH: That all is yet to
6 be developed.

7 COMMISSIONER MAY: Right. Thanks.

8 COMMISSIONER KEATING: I just
9 want to call up a thought I had earlier
10 about the impact of some of the lighting and
11 the heroic signs. Is that what they're
12 called, "heroic"? Okay. Heroic signage on
13 the rest of the neighborhood. And my
14 question really comes across Half Street,
15 kind of almost from this perspective,
16 although I know from this perspective we're
17 kind of inside the building across the
18 street. The impact of this lighting and
19 signage may have on any residential that's
20 built across the street. So if we've got
21 some of what we've been describing of, you
22 know, the tower lighting off the office

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1 building, the lights on the top of the green
2 thing on top of the green office building,
3 screens flashing how does that impact across
4 what is relatively narrow street, the
5 residential that may go in in Monument's
6 building? Has some thought been given to
7 that? I don't know.

8 MR. HELLMUTH: Most of what
9 you're seeing in this rendering is that --
10 well, most of what you're seeing in the
11 rendering are the lights that are in the
12 spaces of the buildings themselves. And
13 that's really 95 percent of everything
14 you're seeing in the building.

15 COMMISSIONER MAY: Yes.

16 MR. HELLMUTH: Essentially in
17 terms of something that looks like signage,
18 it's really this corner piece and those
19 areas which are down in the retail areas.

20 COMMISSIONER MAY: Yes.

21 MR. HELLMUTH: The uplighting of
22 the green trellis at the top is similar to

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1 the uplighting of any trellis on the top of
2 several of the projects that Phil showed,
3 some of the residential buildings. It's
4 just a question of whether you have uplight
5 on that or not.

6 COMMISSIONER MAY: Okay. And I
7 guess, I mean let me clarify a little bit.
8 Because when we were talking earlier about
9 this being a destination point we used a
10 comparison of Verizon, area around Verizon
11 Center. Now I know that that lighting and
12 signage around Verizon Center extends into
13 the residential units around Verizon Center
14 and that's somewhat of a sore spot I think
15 in the community. So that's really my
16 question is are we really talking about
17 something like that or not?

18 MR. GOOCH: I guess that signage
19 could be a lot of things. It doesn't
20 necessarily all need to be lite up LEDs. A
21 lot of it can be some of the things that you
22 see that are on Gallery Place like right

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1 now, you know, smaller neon signs and blade
2 signs. Maybe it's not lite up, it might just
3 be a metal sign.

4 There's a huge range of
5 possibilities on what those are. I guess
6 since we need to go through City Council for
7 approval on all of those kind of signage in
8 the future, I guess we weren't looking to
9 focus on that tonight. That what we were
10 looking to do is look at the architecture
11 and then that signage is going to be a long
12 way down the road.

13 COMMISSIONER KEATING: Something
14 to think about.

15 VICE-CHAIR JEFFRIES: You know,
16 and actually I mean this is considered
17 somewhat of a -- this is an entertainment
18 district, this is what this is intended to
19 do. So my suspicion is, you know, the types
20 of people who will want to live in this
21 area. I mean, you know there are sort of
22 assigning it all into something just very

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1 different than living, you know, in Woodley.

2 MR. GOOCH: Absolutely. And,
3 actually, if you go down there, which I'm
4 sure you guys all have for a night game at
5 the baseball stadium, those lights lite up
6 the entire neighborhood all the way up to
7 the freeway.

8 VICE-CHAIR JEFFRIES: I realize I
9 may just be showing my age, you know. Those
10 lights keep me up now where they didn't when
11 I was younger.

12 COMMISSIONER TURNBULL: Are you
13 envisioning a lava lamp type type thing on
14 the corner?

15 I'd like to talk about one of the
16 questions when you talked about the
17 streetscape when you showed the different
18 kind of materials, and I think that's all
19 well and good. I think a variety of
20 materials on the street. The only thing,
21 and I think it looked like I saw Belgian
22 pavers.

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1 MR. HELLMUTH: You did.

2 COMMISSIONER TURNBULL: Just
3 please go back and look at Union Station.
4 It's hard for a woman in an evening gown and
5 high heels to look elegant walking across
6 Belgian pavers, Architects like them, we
7 all like them, they're touchy-feely, they're
8 rough edge, they're nice but they're awkward
9 for people, elderly and as I say women in
10 high heels to walk down. So I don't where
11 you're going to limit it, but you can live
12 with do Belgian pavers. And I think from
13 sustainable -- as I say, they've come into
14 vogue, I mean they've been around for a
15 while and we've sort of latched on them as
16 something that's tacked on. But Union
17 Station is -- I mean, so many come into the
18 Capital, come up and they complain all the
19 time about how terrible it is to go across
20 Union Station to get onto the street and
21 come down. So I'm just throwing that out
22 there.

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1 I guess the other thing is I'm
2 looking at the roof plan and the highest
3 elements are either going to be the
4 penthouse or on the residential units the
5 two tile -- again, they're about 18'6", is
6 that it? And I'm assuming that. There's no
7 real section of the roof that shows --
8 there's some plans that show elevation marks
9 but it's very hard to read --

10 MR. HELLMUTH: I think they're
11 actually just 20 feet at the tips.

12 COMMISSIONER TURNBULL: Twenty
13 feet?

14 MR. HELLMUTH: They're about the
15 same as the two towers on --

16 COMMISSIONER TURNBULL: Okay.
17 Could you just provide for the file some
18 type of a section or something up on the
19 roof that shows the basic heights of all
20 those.

21 MR. HELLMUTH: Sure.

22 COMMISSIONER TURNBULL: I mean,

1 you guys have been before us. I trust
2 exactly what you're doing, but I just think
3 for the record I'd like to see some heights
4 on those things to make sure what we're
5 looking at.

6 MR. HELLMUTH: They're probably
7 in there. They may not have been turned --

8 COMMISSIONER TURNBULL: Well, I
9 saw a lot of elevation marks on the plans.
10 But I think a couple of sections on the
11 trellises.

12 MR. TUMMONDS: Just something
13 very easy just to --

14 MR. HELLMUTH: Yes. We can't draw
15 them with that actually on it.

16 COMMISSIONER TURNBULL: Yes,
17 okay. Thank you.

18 CHAIRPERSON HOOD: Let me just
19 ask how is this going to work on a game day?
20 And I know we're talking about gaining
21 access when it's not a game or when we're
22 out of season. But how is all of this going

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1 to work on a game day? Because don't they
2 usually cut streets off and limit access?

3 MR. ANDRES: Can I get a ground
4 floor plan?

5 CHAIRPERSON HOOD: At least the
6 ones that I go down to see.

7 MR. ANDRES: Well, we worked on
8 the TOPP for the ball park so we're familiar
9 of what streets are one way. As a matter of
10 fact, Van Street is actually one way
11 southbound on game day.

12 CHAIRPERSON HOOD: Okay.

13 MR. ANDRES: So those operations
14 will continue and vehicles will still have
15 access down Van Street.

16 Now it's important to know that
17 given all of these amenities that are
18 provided as a part of this development
19 you're going to have sort of like almost a
20 semi-tailgating experience where people will
21 actually come to the games a little bit
22 earlier than they do now. So you'll have an

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1 experience where, you know, somebody who
2 could potentially drive to the game,
3 depending on what time it is especially on
4 the weekends, where they're show up one or
5 two hours, maybe grab something to eat
6 beforehand and stay through the game and
7 then potentially stay for drinks or
8 something afterwards.

9 CHAIRPERSON HOOD: I'm thinking
10 more in terms of those who are going to be
11 residing there, residential.

12 MR. ANDRES: Okay. And have
13 streets closed. And I guess one of the
14 comments that were made about this being
15 entertainment district, you know obviously
16 as a resident you'd have to realize that if
17 you were going to purchase or rent a unit in
18 one of these buildings that on game day
19 there are certain limitations that you're
20 going to have to subscribe to.

21 CHAIRPERSON HOOD: Let me give
22 you an example. If I'm on game day and I'm

1 trying to get to my place and I'm driving --

2 MR. HELLMUTH: I might be able to
3 help answer that on this drawing over here.

4 CHAIRPERSON HOOD: Okay. Okay.

5 And then let me just preface that because
6 this Commission also we work with a traffic
7 pattern with the applicant and who was it?
8 I forgot who it was. But we had two
9 hearings or maybe three on what streets
10 should be, which way should be and you know,
11 that whole piece. And I want to make sure
12 that even with this project that we're in
13 compliance.

14 MR. HELLMUTH: Yes. Right.

15 CHAIRPERSON HOOD: Okay. If you
16 could help me.

17 MR. HELLMUTH: Well basically
18 what we've done is we've sat up everything
19 in the plus side of keeping all of Half
20 Street open for retail and N Street and M
21 over here all open for retail. All of our
22 ins and outs, the parking garage, the truck

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1 dock, the parking garage over here, those
2 are all on Van. And Van will always be kept
3 open during game day. Van, it will always
4 have the traffic moving along it so you can
5 get in and out.

6 So as a pedestrian, you know, yes
7 coming into the office, you can come into
8 this office building. If you're coming into
9 that one, you'll have to kind of fight
10 through the crowds a little bit to get into
11 the office buildings. But that's part of
12 what you sign on for. People will probably
13 find a back doorway to hop up into here if
14 that's too crowded for the residential. But
15 the main issue is really the cars coming in
16 and out, and that's all from Van Street and
17 all the servicing is from Van Street. And
18 that's intended to be kept open during the
19 games.

20 CHAIRPERSON HOOD: Okay. Now my
21 last question is can we view if I'm in the
22 residential portion, can I see into the

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1 stadium?

2 MR. HELLMUTH: Yes.

3 CHAIRPERSON HOOD: And if I
4 remember correctly, that was an issue. I
5 don't like specific games to cases, but that
6 was an issue one time. Has that been
7 discussed?

8 MR. HELLMUTH: I believe I was
9 part of that case. And it was when we were
10 putting the condominiums on top of the
11 parking garage. And there was a requirement
12 that did not allow open balconies on the
13 buildings that were part of the same
14 property to look into the ball park because
15 the idea is that revenue would be reduced by
16 that.

17 CHAIRPERSON HOOD: Okay. Right.
18 Yes. That's exactly the way I remember it,
19 something similar to that.

20 MR. HELLMUTH: Yes. But that
21 doesn't apply beyond the property line of
22 the ball park.

1 CHAIRPERSON HOOD: Okay. So that
2 discussion has been had. So when
3 Commissioner Keating buys that exact
4 apartment, we'll all come over to his house
5 and watch the game.

6 MR. HELLMUTH: Absolutely. And
7 you'll still turn around and watch the game
8 on the big screen TV next to it.

9 MR. TUMMONDS: Yes. It'll look
10 like ants playing from that distance.

11 CHAIRPERSON HOOD: Okay. I
12 gotcha. I gotcha.

13 Okay. Any other questions?
14 Okay. With that --

15 MR. TUMMONDS: Is now perhaps a
16 good time where we'll run through?

17 CHAIRPERSON HOOD: This is a good
18 time to let's go through each one of the
19 variances. And let's still touch on -- even
20 though it was --

21 MR. TUMMONDS: Sure. Okay.
22 I think the first prong is

1 obviously we have to show that the property
2 is subject to an extraordinary situation or
3 condition. We believe that there are a
4 number of unique conditions that satisfy
5 this, and then that will then go through for
6 all the various variance reliefs.

7 First, the property is
8 extraordinarily large in size at almost
9 90,000 square feet. Also very deep, the fact
10 that it's one square block. One deep, I
11 mean wide, from Half all the way to Van.
12 That's approximately 50 feet. That is a
13 unique condition. I'm sorry, 150 feet.

14 It's also located at a very
15 prominent location in the CG Overlay, M and
16 Half Street, which kind of layer on a number
17 of different requirements. And the
18 uniqueness of having a project in Square 700
19 that has specific requirements for itself in
20 addition to Half Street and N Street is
21 another layer that we add on to show that it
22 is in fact unique.

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1 We think that the via on the
2 other side of -- I'll just call it the
3 Monument project via and the fact that it's
4 there and it then calls for us to have a
5 similar type of connection, if you will, to
6 go through our property. And it really goes
7 to the whole goals of the Capitol Gateway
8 Overlay District of encouraging pedestrian
9 scale and pedestrian feel. We think that is
10 another unique condition.

11 You put all those together we
12 think that this property is subject to an
13 extraordinary situation or condition.

14 VICE-CHAIR JEFFRIES: Wait a
15 minute, that last one.

16 MR. TUMMONDS: Yes.

17 VICE-CHAIR JEFFRIES: I mean, no
18 one is compelling you to --

19 MR. TUMMONDS: Right. I mean --

20 VICE-CHAIR JEFFRIES: Continue.

21 MR. TUMMONDS: Right. Yes. It's
22 an intent going to the Capitol Gateway goals

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1 of pedestrian nature.

2 And then finally the fact that
3 we're located directly north of the ball
4 park which really requires a special design,
5 a special set of design requirements that
6 only exist in this property that has the
7 ability, as we just talked about, to look
8 into the ball park, to create views from the
9 ball park looking back to the Capitol. And
10 I think all those factors together satisfy
11 the uniqueness standard.

12 With regards established on the
13 variance, the unnecessarily burdensome
14 section, we'll start with loading. We can go
15 to the plan itself to -- because of the mix
16 of uses here, as Mr. Andres said, we're
17 required to have a number of loading berths.
18 We think that it would be unnecessarily
19 burdensome if we were to require more berths
20 just for the sake of requiring these berths.
21 By creating the situation we have here, we
22 are adequately addressing the demand for

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1 those berths yet we're also minimizing the
2 negative impacts to the pedestrian
3 streetscape along Van Street. So again, the
4 level of variance relief that we're
5 requesting is really minimal. We're
6 requesting relief that we not have 55 foot
7 loading berths. We find that in both the
8 residential uses often those aren't used
9 that much. And also we are requesting
10 relief from having multiple delivery spaces,
11 we are providing one, we think our loading
12 is sufficient.

13 The next issue would be our
14 ground floor retail. I think that Mr.
15 Hellmuth did a great job of addressing this.
16 This also shows up in this plan where you
17 can see that on our ground floor plan we are
18 providing 69 percent of the ground floor
19 uses are for retail or preferred uses. The
20 only areas that we're not providing are
21 lobby space or loading. And, again, the
22 level of relief we're requesting is six

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1 percent. We're providing 69 percent versus
2 75.

3 I think the fact, too, that we
4 are putting the via in and so we're having
5 really two office lobbies in this project,
6 that also cuts into our ability to reach
7 that 75 percent. We think we have satisfied
8 the unnecessarily burdensome standard with
9 regards to that.

10 Mr. Keating?

11 COMMISSIONER KEATING: Sorry.
12 Let me just go back for a second to the
13 loading.

14 The zoning regulation required
15 six loading berths and three service and
16 delivery spaces. And you've designed four
17 30 foot berths, am I reading that right?

18 MR. TUMMONDS: Yes. And two 55
19 feet deep.

20 COMMISSIONER KEATING: Give two
21 55--

22 MR. GOOCH: No. We have six 30

1 foot berths.

2 COMMISSIONER KEATING: You have
3 six 30 foot berths? Okay. And one delivery
4 space at 20 feet. Okay.

5 MR. GOOCH: So the delivery space
6 at 20 feet is in the northern building and
7 the remainder of the loading what we've done
8 is we've combined the residential office and
9 retail loading on the southern part of the
10 building. And so we have two loading berths
11 here. This is where we're contemplating our
12 vaults right now. And a third berth right
13 here that would be for the retail.

14 COMMISSIONER KEATING: Okay.
15 I've got some conflicting information.
16 Okay.

17 MR. TUMMONDS: As I'm going
18 through this it may be helpful, too. For
19 the two that I've done so far, loading and
20 the retail space, the third prong of the
21 test is that no harm will go towards the
22 intent or integrity of the zone plan. I

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1 think with regards to zoning what we're
2 proposing, this notion of shared loading
3 berths, is really in keeping with where the
4 Zoning Commission and the Office of
5 Planning, the zoning regulations rewrite is
6 heading, getting rid of these kind of excess
7 loading berth requirements if we don't need
8 them.

9 Similarly with regards to the
10 provision of retail ground floor spaces
11 we're providing, we think at 69 percent with
12 the design we have we are not impairing the
13 intent of the Capitol Gateway Overlay
14 District, which is to have exciting,
15 vibrant, active pedestrian level uses. We
16 think that we are accomplishing that with
17 our design.

18 And a good point, too, that Mr.
19 Hellmuth raises by putting the via in we are
20 in fact increasing the amount of frontage
21 that is retail space.

22 The next level of relief is the

1 setback of the roof structures. And I think
2 we go to the roof level plan.

3 There are a couple of areas of
4 relief we're requesting.

5 First, there's the requirement
6 that you have all of your roof structures in
7 one structure itself per each elevator core.
8 The fact that we have one structure for each
9 elevator core but we also on the residential
10 side have the two enclosures for the stairs.
11 I would go again to the idea of where we are
12 heading with rooftop structures in the
13 District and the idea of kind of recognizing
14 that the new regulations we're looking at
15 need to be cognizant of building code which
16 requires a minimum separation for the egress
17 up there. So maybe, Mr. Esocoff, you could
18 describe that further about the distance
19 needed between the stair enclosure and the
20 elevator closure?

21 MR. ESOCOFF: Well, if you go
22 down to typical floor plan, I think, yes.

1 You can see the amount of space beyond the
2 stairway is significant and we've tried to
3 pull them as far to the north as we can.
4 But at a certain point you create a unit
5 that is too long inside to the this fire
6 stair. In other words, there's not just 20
7 feet requirement from that last piece of the
8 hallway to that door, but there now is a
9 newer measure in IBC of a distance within
10 the unit. So at a certain point you would
11 make units that were so big if you tried to
12 move these back, it would be impossible. So
13 this has to be held.

14 We've tried to pull this far
15 enough back that we can get a space and then
16 have the stairs there. And we've got a
17 third stair here because that would
18 otherwise be a deadend.

19 Now, the position of the -- could
20 I --

21 MR. TUMMONDS: Yes, please.

22 MR. ESOCOFF: Could I go on then

1 about the lot occupancy, would that make
2 sense?

3 MR. TUMMONDS: Mr. Esocoff, first
4 also, how the location dictates the relief
5 from the --

6 MR. ESOCOFF: Oh, it's a life
7 safety code requirement. And there's no way
8 to lay out the building except with these
9 extreme ends. So we have to have two
10 separate pieces and it'd be silly, even
11 though we're under the amount of penthouse
12 we could have, to just to meet code to build
13 -- to extend the actual penthouse out there
14 would seem to be counter to the intention of
15 the code, which is a minimizer of top
16 structures. So that's why we made them
17 separate. We could actually connect them,
18 but then why would you build that?

19 MR. TUMMONDS: And then also is
20 the location of those structures and the
21 fact that we're asking for -- we're not
22 setback one to one from the interior

1 corridor--

2 MR. ESOCOFF: Yes, I was going to
3 get to that.

4 It really gets to the issue of
5 the width of this lot. It's 156 feet wide.
6 A typical width of an office -- of an
7 apartment house minimally is about 63 feet.
8 That's about as small as you can actually
9 get i. In other words from the brick
10 surface to the painted wall inside the
11 corridor is about 29 feet. So it's a one
12 foot wall, it's about a 12 to 14 foot
13 bedroom, eight feet for closets and some
14 columns and then eight feet for a
15 handicapped accessible bathroom. And all of
16 a sudden you're up to about 29 feet outside
17 the five foot corridor.

18 So, say, if you take the 29 feet,
19 you realize -- and you put those together
20 with the corridor, you have two pieces of --
21 two wings that are 63 feet wide, which is
22 126 feet, you only have 30 feet between the

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1 wings then, one narrow slot. So 30 feet
2 would be me standing at this column looking
3 at Mr. May, actually, across that courtyard.
4 Whereas, what we've done by skinnying up our
5 wings and angulating them, but also for that
6 reason covering more space, would be the
7 difference between me standing at this wall
8 and the court reporter, which starts to feel
9 like a reasonable distance. That's about 50
10 feet. Where it gets narrower, then you're
11 on the end and you're looking down, not to
12 your right and left.

13 So it's for that reason there are
14 two tied in that we have the skinny wings
15 and we put the stairways where we've put
16 them, it's hard to get them far enough away
17 from the edges. So we chose to put those on
18 the courtyard side because then they're only
19 affecting our courtyard. And on Van Street,
20 of course, there is more than one to one
21 back from edge. It's just this area where
22 we've been required to setback the top floor

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1 where we are a little less than one to one,
2 maybe two feet. You know if we were two feet
3 further back, we'd be legal. So we were
4 trying to do our best there.

5 And it's funny when you see a
6 rectangular box to think that that doesn't
7 work, but it can actually be an awkward
8 dimension.

9 MR. TUMMONDS: That's great.
10 Then, Mr. Esocoff, do you want to talk about
11 the lot occupancy?

12 MR. ESOCOFF: The lot occupancy
13 is a similar issue in that if we were not
14 cover the lot more than we do, these would
15 just be unusable pieces. Even now this
16 building is so much less efficient than some
17 of the buildings we've done over the last
18 ten years that we've usually had -- we're
19 like 36 feet from inside to outside. And so
20 it puts -- you know, it's a very inefficient
21 building which is, I guess, is a financial
22 hardship on the client. And then by having

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1 this setback if we were to make this even
2 skinner, these units would start to be too
3 small to take advantage of what is a very
4 prime location at the top of the building.

5 So I don't know how else to say
6 that.

7 MR. TUMMONDS: And again the idea
8 that the degree of variance we're requesting
9 is, we believe, de minimis though we are
10 allowed to have 75 percent, we are
11 requesting 79.8 percent on the residential
12 side. If you were to take the whole
13 cutthrough, it's only 81.8 percent

14 MR. ESOCOFF: Right. I guess
15 tempering that, though, that's not a BZA
16 thing. You know all the space that isn't
17 occupied is in fact pretty green. So we've
18 created a lot of rooftop garden amenity both
19 at the second level and at the top. So we
20 haven't just covered it with asphalt or
21 something.

22 MR. TUMMONDS: Right.

1 We're almost there. Two more.

2 The Half Street setback, and I
3 think that we went to a lot of discussion to
4 talk about this and why we believe that what
5 we were looking to do is appropriate. And I
6 think that Mr. Hellmuth in his testimony
7 really wanted to describe how we believe
8 that the satisfying restrict requirements
9 would be unnecessarily burdensome and we did
10 go -- it's all in number -- but in the
11 initial materials in the appendix we went
12 through an analysis to show that we were not
13 gaining additional density by not meeting
14 the strict requirements of the setback at
15 going up 65 and back. But we were really
16 doing this for design considerations. So
17 I'll have Mr. Hellmuth --

18 COMMISSIONER MAY: Do you mind
19 just showing it to us in plan? I mean it's
20 a setback at a certain height, right?

21 MR. HELLMUTH: Yes.

22 COMMISSIONER MAY: So if we go to

1 that height, we can just see it in the plan?

2 I just want to understand what --

3 MR. HELLMUTH: Okay.

4 COMMISSIONER MAY: I mean you can
5 tell us more than that, but just --

6 MR. HELLMUTH: This is the level
7 3 office, and this is the under the basic
8 guidelines, this could all be pulled out to
9 the front right here.

10 Now for the example in this
11 building -- oh, go back.

12 MR. TUMMONDS: And the setback
13 starts -- the requirement starts at 65?

14 MR. HELLMUTH: Yes, I know. But
15 let's go back.

16 What we've done is we've added
17 setback at the lower level here. Added
18 setback there and then protruded there.

19 Now go up to the next one. This
20 4 through 6. Now at levels 7 and 8 the
21 setback which you see over here would have
22 come through here. We've setback in greater

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1 proportion than the part that we've gone
2 forward. In other words, if you drew a line
3 sort of right through here, the part of the
4 triangle that sticks out is smaller than the
5 part of the triangle that sticks in. And
6 that happens in each case through here. In
7 this case it's not a triangle, it's a
8 hexagon over there versus that.

9 Now we have some diagrams --

10 MR. TUMMONDS: What about for the
11 apartment building?

12 MR. HELLMUTH: For the apartment
13 building, I will hand this to Phil.

14 MR. ESOCOFF: Yes. The apartment
15 building, this area would be setback at 65
16 feet instead we're doing it at 80 which
17 matches across the street. And, of course,
18 this we don't setback. This area. I'm
19 sorry. This area is setback at the second
20 floor, which is much lower than the 65
21 required. This is setback at the ground
22 level, which is obviously lower than the 65

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1 required along here but it is sort of volume
2 that we're adding to the street. So this is
3 probably equivalent to lowering that terrace
4 to 65. So I think it's probably a wash
5 between these. I haven't actually
6 calculated them. But it seemed to me that
7 the intent was to create sculpture richness,
8 not necessarily just a --

9 MR. TUMMONDS: Those last couple
10 of units to the southern end there, that's
11 where the violation is, if you will. It's
12 only on those couple of units?

13 MR. ESOCOFF: Yes, it's just the
14 top three floors right in here. Because
15 obviously those are the units that want to
16 take advantage of all this and when you cut
17 that back, it becomes a very difficult unit
18 to lay out. It's like you're losing --

19 COMMISSIONER MAY: Yes, that's
20 fine. I'm just trying to understand the
21 extent of the noncompliant condition.

22 MR. ESOCOFF: Right.

1 COMMISSIONER MAY: Okay.

2 MR. HELLMUTH: And actually if
3 you go to those other diagrams, we can go
4 through the whole.

5 What these diagrams show, this is
6 the basic diagram with the setback coming
7 up, setting back, going up. And this was the
8 alternate which is essentially what they had
9 across the street.

10 What we show -- that's all right.
11 We'll stick -- it was to do this one. Ye,
12 ye, ye. Okay. Go to the next one.

13 What we show in here is all these
14 areas in the darker orange including all of
15 the -- okay. Basically if you take all of
16 the area in the darker orange, those are all
17 areas that we would be able to have under
18 the basic regulation. We're foregoing
19 those, giving those up in order to get these
20 lighter colors. The amount of the orange is
21 greater than the lighter color. And what we
22 think that does in order to create this

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1 whole area, we really think as part of -- I
2 think it would be an absolute shame if this
3 very dynamic street ended up ending like
4 that all the way down. It would look like
5 any other street in Washington that had a
6 setback. And whereas, you know, Washington
7 has wonderful fine streets, we love them, we
8 work on them and all of that, but the idea
9 that this street is something different,
10 something special. No other street in
11 Washington has a ball park at the end of it
12 which is creating this special zone along
13 Half Street.

14 And so what all of these setbacks
15 and protrusions and all of that are really
16 doing and we're giving up more than we're
17 getting in terms of area, in terms of the
18 part which they can make profit on and all
19 that, is giving us more light and air, more
20 places for the scale to break down, more
21 real -- you're not just painting facades on
22 a box. You're not just, you know, trying to

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1 use our articulation to breakdown that
2 scale. But you've got ins and outs, you've
3 light and shadow and you can really start to
4 create a place. And that's really what
5 that's all about.

6 COMMISSIONER KEATING: Can I ask
7 a question?

8 MR. HELLMUTH: Sure.

9 COMMISSIONER KEATING: Is the
10 angle of this section of building as it
11 relates to kind of the street the same as
12 the angle here?

13 MR. HELLMUTH: Yes. Yes.

14 COMMISSIONER KEATING: It is? So
15 it's just optical illusion it looks
16 different?

17 MR. HELLMUTH: That's right.

18 COMMISSIONER KEATING: Okay. It
19 looks different on the plans, too. This
20 looks like the angle here is slightly
21 greater than the angle of this building.
22 But they match?

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1 MR. HELLMUTH: They do match.

2 They do match.

3 COMMISSIONER KEATING: Okay.

4 CHAIRPERSON HOOD: Do we have any

5 -- I forgot, who was asking?

6 MR. TUMMONDS: We're still
7 running forward. And I would add that the
8 information that we've shown here going
9 through this comparative study, the
10 potential density studies is included in
11 pages P-1, P-2, PR-1, P2 in our January 16th
12 submission.

13 And I think the final area of
14 variance relief, the last one, is another
15 issue that Mr. Hellmuth touched on and that
16 is the M Street setback. We're requesting
17 for -- or I say the zoning regulations
18 require that there be a uniform 15 foot
19 setback for the entire face of the building.
20 As we mentioned, at the ground level, the
21 ground two levels we are maintaining that 15
22 foot setback to allow sufficient pedestrian

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1 for the portion of --

2 MR. HELLMUTH: Let's go back to
3 the ground floor plan.

4 The property line is out here.
5 There's a requirement because of the way the
6 property lines and M Street were made at
7 some point in time that there be a 15 foot
8 setback from the curb of M Street to the
9 face of the building. And that is respected
10 all the way through here. There is,
11 however, this projection over the entrance
12 which does not project beyond the property
13 line but does project beyond that setback
14 line. So there's plenty of room for
15 pedestrians and so forth to go back. So it's
16 really like any other projection on a
17 building, it's just projecting into the
18 setback that happens to be along M Street.
19 It's still within the property line.

20 MR. TUMMONDS: And we think that
21 within regards to the variance the third
22 prong is that it not impair the intended

1 integrity, we think and in discussions with
2 Office of Planning the goal of that 15
3 setback was really to address the pedestrian
4 street level experience. And we are
5 addressing that allowing for sufficient
6 sidewalk width along M Street.

7 We think that having the
8 projections on M Street provides a variety,
9 provides a different experience then a
10 standard flat wall experience that we see in
11 other places in other areas of the city.

12 With that, I think that concludes
13 our rather exhaustive discussion of the
14 various area variances that we're requesting
15 this evening.

16 CHAIRPERSON HOOD: Mr. Keating?

17 COMMISSIONER KEATING: I just
18 wanted to clarify one thing. On A1, the
19 drawings on A1, just going back to the piece
20 that comes out on M Street. It looks like
21 it extends beyond the property line on A1.
22 And we were just saying that it doesn't

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1 extend beyond the property line.

2 MR. HELLMUTH: I'm sorry. I
3 wasn't clear. It's the occupy -- if you go
4 to the plan. Okay. Stop.

5 The occupiable space does not
6 extend beyond the property line. There is an
7 enclosure here and there which is
8 essentially like a fin or an embellishment
9 and that does go slightly beyond the
10 property line. But the occupiable space
11 always stays behind the property line.

12 I stand corrected.

13 COMMISSIONER KEATING: Okay.

14 CHAIRPERSON HOOD: Okay. Any
15 other questions or comments?

16 MR. HELLMUTH: You can see that
17 here where the glass is back there and it's
18 that thin right there that projects slightly
19 beyond the property line.

20 COMMISSIONER KEATING: Yes.

21 COMMISSIONER MAY: So it runs the
22 full height of the building?

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1 MR. HELLMUTH: Yes. Well, from
2 the second floor up.

3 COMMISSIONER MAY: Right.

4 CHAIRPERSON HOOD: I have a
5 question. On Van Street the plan is, Mr.
6 Eisen, that you're going to have sort of
7 neighborhood serving kind of retail on Van
8 Street. What's currently here or planned for
9 across from Van Street?

10 MR. EISEN: There's a storage
11 building there that's there today, and then
12 I think there's an industrial building as
13 well. But the reality is, is I think
14 Monument, is that correct, owns that block?

15 MR. GOOCH: Monument owns all but
16 the public storage spot on that block. And
17 they're planning, from what I understand, a
18 couple of 130 foot tall office buildings.

19 MR. EISEN: So to answer your
20 question we're hopeful that by us not
21 turning our back to Van Street that whoever
22 builds on the other side of the street will

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1 also do the same; that that will become a
2 real street. That there'll be storefronts
3 and it's be animated and activated and
4 become a real street. But, yes,
5 programmatically we are thinking that it's
6 more of a local tenenancy.

7 CHAIRPERSON HOOD: And you're not
8 concerned that the curb cuts that absolutely
9 have to be there won't have some impact on
10 the level of retail?

11 MR. EISEN: No, no. Because this
12 isn't high impact retail.

13 CHAIRPERSON HOOD: Okay. Let me
14 say, Commissioner McBee, do you have any --
15 I think we do cross examine. But let me ask
16 anyway. Do you have any cross examination?
17 Okay.

18 All right. Let's go to the
19 Office of Planning

20 MR. JESICK: Thank you, Mr.
21 Chairman, members of the Commission. My
22 name is Matt Jesick.

1 As has been mentioned at the
2 beginning of the hearing we did have a
3 number of outstanding issues in our report
4 and we have been working closely with the
5 applicant even since our report was
6 published to try and resolve those issues.
7 And I think part of the reason is just the
8 short time period between when the
9 application was submitted and tonight's
10 hearing date. And I'd say we'd reach more
11 material in the past two weeks than in the
12 past two months. So we really resolved, I
13 think, all of our issues. So the Office of
14 Planning can recommend approval of the
15 application.

16 We feel that it will meet the
17 intents of the Capitol Gateway Overlay
18 District to create an active and safe
19 pedestrian environment and to help create an
20 entertainment destination both for residents
21 of the neighborhood, the city and the
22 region.

1 So we are also generally
2 supportive of the requested zoning relief.
3 I'll touch on that briefly. But as the
4 Commission has already asked detailed
5 questions about that, I'll hit the
6 highlights. And then if you have other
7 questions for me, I'd be happy to answer
8 those.

9 So it is important to note, and I
10 think the Commission already has, that this
11 is not a PUD that they're not asking for any
12 type of zoning change. We just based our
13 review strictly on the criteria of the
14 Capitol Gateway Overlay and the goals of the
15 overlay.

16 COMMISSIONER KEATING: I'm sorry
17 to interrupt. Do you have a printed version
18 of what you're reading from?

19 MR. JESICK: These are just
20 notes.

21 COMMISSIONER KEATING: Just from
22 notes?

1 MR. JESICK: It's based on my
2 written report.

3 COMMISSIONER KEATING: Okay.
4 We've got memo dated January 16th and it
5 sounded like that's been updated
6 significantly but we don't have --

7 MR. JESICK: Yes. That was the
8 report that we issued based on the
9 information that we had at the time.

10 COMMISSIONER KEATING: Okay.

11 MR. JESICK: And I'll try to give
12 you updates on the issues that have been
13 resolved here.

14 COMMISSIONER KEATING: Okay.
15 Will we get an updated memo?

16 MR. JESICK: If you'd like one, I
17 could prepare one.

18 COMMISSIONER KEATING: That would
19 be great. Thank you.

20 VICE-CHAIR JEFFRIES: I mean, I
21 think all you need to do is really just
22 address those issues that were left

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1 unresolved. I mean, would that be
2 sufficient?

3 MR. JESICK: Well, I think what
4 you'll hear in my testimony is that we feel
5 all the issues have been resolved and we
6 feel that the applicant has submitted all
7 the information that we requested. There
8 was a detailed list on page 4 of my report.
9 And some of the renderings you've seen this
10 evening have gone a long in addressing those
11 issues. And so that's why we're
12 recommending approval this evening based on
13 all the new information that we've received.

14 VICE-CHAIR JEFFRIES: But I guess
15 what my colleague is stating that,
16 obviously, when we first read your report, I
17 mean there were serious concerns. And there
18 seems to be quite a leap, which is fine, but
19 I think just for the record in addition to
20 what you're going to say for the court
21 reporter --

22 MR. JESICK: Yes. I'd be happy to

1 prepare a written statement. That would be
2 fine.

3 COMMISSIONER TURNBULL: Well, Mr.
4 Jesick, let me just continue on with what
5 Commissioner Jeffries was saying. I mean, I
6 guess one of the issues, and I had asked the
7 applicant you had quite a few issues in your
8 report on rooftop and setbacks and
9 everything. And on page 7 of your report on
10 number 2 variance from the rooftop structure
11 setback requirements you also you say "OP
12 does generally not object to the
13 configuration of rooftop elements, but the
14 applicant should also address how all
15 rooftop structures are permitted under 411
16 and the Height Act." Have you received all
17 of the information related to that? I mean,
18 that was my question looking at heights, and
19 do you have that information?

20 MR. JESICK: The roof plans in
21 the appendix of the applicant's submittal
22 about two weeks ago were updated from the

1 original plans that this report was based
2 on. That included updated roof plans.

3 I think there might have been a
4 few typos in terms of the spot elevations of
5 the heights of the terrace roofs that --

6 COMMISSIONER TURNBULL: Okay.

7 MR. JESICK: -- you asked about
8 earlier. But that has been cleared up this
9 evening. They're 14 feet above the height
10 of the terrace itself.

11 I think we've received the
12 information that we need to proceed with our
13 analysis. But we'd certainly be open to
14 receiving any new information that the
15 Commission has already requested this
16 evening.

17 COMMISSIONER TURNBULL: Well, I
18 don't want to put the applicant under undue
19 pressure if you've already received. I
20 mean, I was just liking it because I didn't
21 really see it readily available to look at
22 some these things.

1 MR. JESICK: Yes. I believe page
2 A7 and A8 of the applicant's plan set
3 address a lot of those rooftop issues.

4 COMMISSIONER TURNBULL: Okay.
5 Thank you. I didn't mean to interrupt you.

6 MR. JESICK: Oh, that's fine.

7 Well just to continue, briefly
8 I'll mention the Comprehensive Plan. This
9 application is not inconsistent with the
10 Comprehensive Plan. It would meet several of
11 the guiding principles of the Plan, items
12 like in-fill development, redevelopment of
13 under utilized sites, transit oriented
14 development importantly making the District
15 more of a focus for the region's
16 entertainment and cultural entertainment.
17 And also the environmentally sensitive
18 design also meets the Comprehensive Plan
19 guiding principles.

20 Also the future land use map
21 calls for high density residential and
22 commercial uses on this site.

1 Of course, in order to develop as
2 it is proposed the applicant has requested
3 several areas of zoning relief. And in
4 their presentation they went through that in
5 detail.

6 I would like to highlight one
7 update from my report, which is on page 9
8 where we discuss the possibility for a
9 variance from the height of ground floor
10 preferred uses. And on earlier versions of
11 the plans it was unclear whether there would
12 be 14 feet of clear height in the retail
13 spaces. In the newer versions of the plans
14 they've clearly labeled the 14 foot clear
15 height and that would be in addition to any
16 mechanical equipment or ducts or items of
17 that above the 14 feet. So OP no longer
18 considers that area of relief necessary.
19 And I can certainly go into more detail on
20 the relief if the Commission feels it's
21 necessary.

22 Regarding the CG Overlay my

1 report goes into detail about the various
2 criteria that the overlay uses to achieve
3 its goals. And I certainly won't go through
4 all of those this evening. I'll just
5 summarize by saying the goals of the overlay
6 are:

7 1: To create a mixed use
8 neighborhood, a very active retail
9 neighborhood and one that will attract
10 visitors and tourists alike and importantly,
11 will also create a safe and an active
12 pedestrian environment. And the overlay
13 really emphasizes Half Street in that
14 regard. And through the criteria of the
15 overlay we feel that the applicant and the
16 design meet those criteria and will
17 encourage an active pedestrian environment.

18 One item that we have had
19 discussions with the applicant about is just
20 the idea of how will the private space
21 relate to the public space. While we don't
22 have any blank walls and certainly I think

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1 visually through the architecture they've
2 addressed that, we would just prefer it if
3 the applicant would go into a little more
4 detail and provide a little more information
5 about how the private space will relate to
6 the public space especially if an anchor
7 tenant is considered for the southern
8 portion of the property.

9 We don't feel there's anything
10 wrong with an anchor tenant. We just want to
11 be sure that that streetscape where the
12 anchor tenant is located does not become
13 inactive somehow. But, I mean, that's just
14 a detail and do feel that the application
15 meets the intent of the CG Overlay and that
16 the application also successfully meets the
17 specific criteria of the CG Overlay.

18 I believe this was already
19 mentioned, but we did receive two referrals.
20 One from WASA, one from the Fire and
21 Emergency Medical Services Department.
22 Neither of those agencies had any

1 outstanding issues. And the third referral
2 that we received was from the District
3 Department of Transportation, which was
4 already discussed.

5 So the Office of Planning feels
6 that its issues have been addressed. I will
7 be happy to put that in a more organized
8 format in a future memo. But we are happy to
9 recommend approval of the project this
10 evening.

11 CHAIRPERSON HOOD: Thank you very
12 much, Mr. Jesick. And I always commend you
13 on getting those referrals. You're one guy
14 that always get those referrals in.

15 Any questions of the Office of
16 Planning? Commissioner May?

17 COMMISSIONER MAY: Yes. Can you
18 explain to me what you believe the point of
19 the 15 foot setback is on M Street?

20 MR. JESICK: Yes. I believe the
21 primary purpose when the overlay created was
22 to make sure there's enough pedestrian space

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1 at the ground plane.

2 I think a secondary reason is to
3 create a street wall along M Street.

4 What we don't want to see is just
5 a blank street wall. So that's why we don't
6 object to the relief that the applicant is
7 seeking to puncture that street wall at a
8 couple of points to create a little bit of
9 relief along the facade of the building.

10 COMMISSIONER MAY: Okay. The
11 width of M Street is 110?

12 MR. JESICK: Ninety.

13 COMMISSIONER MAY: It's 90? And
14 so this pushes it up to 120 with the 15 foot
15 setback on both sides or is it just the one?

16 MR. JESICK: I believe it's both
17 sides of the street.

18 MR. LAWSON: Joel Lawson from the
19 Office of Planning.

20 The requirement applies to both
21 sides of the street. One of the problem
22 we're finding on M Street is that, quite

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1 frankly, very few of the buildings are being
2 able to meet the 15 foot requirement. A
3 number of buildings were built prior to the
4 15 foot setback being put in place and then
5 there was the USDOT building just down the
6 street which had provided a 50 foot setback.

7 So I think the original intention
8 of providing a street wall at 15 foot
9 setback was a laudable goal at the time.
10 But reality kind of conspired to make that
11 probably not a goal that's entirely
12 achievable anymore.

13 I think, though, that the main
14 purpose was to make sure that there was
15 adequate pedestrian movement space along
16 those sidewalks along M Street. The
17 sidewalks tend to be quite narrow. The
18 public portion of the sidewalk tends to be
19 quite narrow and we wanted to make sure that
20 there was comfortable space both for
21 pedestrians as well as leaving the space
22 for, you know, things like trees and street

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1 lights and that kind of stuff that also
2 happens along the sidewalk. And we feel
3 that they're clearly meeting that intent by
4 meeting that 15 foot setback at the ground
5 floor.

6 COMMISSIONER MAY: Yes. I can
7 certainly appreciate that because I know
8 that the sidewalk, particularly further to
9 the east, feels very narrow where the brick
10 wall is. And I know there was a terrible
11 accident there many years ago that
12 highlighted that sort of insecurity of being
13 next to all those lanes of traffic and not
14 much sidewalk space.

15 Did you all participate in the
16 discussions with DDOT where they send us
17 this memo in which they basically try to
18 leave the negotiating to us, I mean instead
19 of sort of figuring it out with the
20 applicant they just drop the bomb and say
21 "Hey, we'll be okay with it if you cut out a
22 100 spaces?" I mean, were you guys a part

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1 of that discussion or is this as much as a
2 surprise to you?

3 MR. JESICK: I did attend a
4 meeting with the applicant and the DDOT. I
5 think at that time no specific numbers were
6 brought up. But DDOT did mention that they
7 felt that the parking was a little higher
8 than they'd like to see. But when we saw the
9 referral, that was I guess the first time we
10 saw the specific suggestions from DDOT.

11 COMMISSIONER MAY: For what it's
12 worth, I'm not particularly fond of being
13 put in the position right now where their
14 support is conditioned on something that
15 they are, I guess, expecting us to extract
16 out of the applicant. I mean that just
17 seems to me that they should be working that
18 out a little bit better in advance. But
19 anyway, that's it for me.

20 CHAIRPERSON HOOD: Any other
21 questions of OP?

22 Okay. Does the applicant have

1 any questions of Office of Planning?

2 MR. TUMMONDS: No questions.

3 CHAIRPERSON HOOD: Commission
4 McBee, do you have any question of Office of
5 Planning? Okay.

6 All right. As Mr. Jesick has
7 already mentioned about a few reports that
8 we have from other government agencies, I'll
9 just mention that we do have a few support
10 letters from Capitol Riverfront Business
11 Improvement District. Okay. Mr. Michael
12 Stevens.

13 Also we have a letter of support
14 from the Honorable Deputy Mayor Neil Albert.

15 I'll let the ANC when they come
16 up next mention what they have, what their
17 position is. And I think -- okay. And then
18 we have a few letters -- well, I see one
19 letter here of opposition which I'm sure,
20 hopefully, Martin Greenbaum is here to
21 discuss. But anyway, we have a witness list
22 which we'll be getting to very shortly. So

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1 please be patient.

2 Mr. McBee, we'll now have the
3 report of the ANC 6D at this time.

4 COMMISSIONER McBEE: Hi. My name
5 is Ron McBee. I live at 827 Third Street,
6 Southwest.

7 Commissioners and staff, good
8 evening. I'm Ron McBee Advisory
9 Neighborhood Commissioner for ANC 6D-03. My
10 single-member district borders this project.
11 This evening I represent both my single-
12 member district and the Advisory
13 Neighborhood Commission ANC 6D in which I
14 serve.

15 Our ANC has a quorum of four. On
16 January 12th a motion passed six-zero with
17 one abstaining to support the application
18 contingent upon an ANC reaching on or before
19 January 28th a final community benefits
20 agreement and further provided any letter of
21 support includes reservations about the
22 height of the embellishment.

1 A motion for Ron McBee to
2 represent ANC 6D before the Zoning
3 Commission was voted six-zero with one
4 member not voting on the same evening.

5 On January 27th a motion to
6 accept the community benefits agreement was
7 passed five-zero with two abstaining.

8 We support the application this
9 evening being put forth by West Half 1, LLC,
10 West Half 2, LLC, and West Half 3, LLC.

11 First, many of us had problems
12 with specific design issues. Primary was the
13 metal screen embellishment on the corner of
14 Mad Half Street Southeast that extends to
15 146 feet and has a flag pole on top of it to
16 make the total height 160 feet. In our
17 dialogue with that Akridge they have reduced
18 the mass of the embellishment and the height
19 is below the light stanchions at the
20 National Stadium.

21 Secondly, the loading docks and
22 truck traffic presented issues. Akridge has

1 agreed to support four 30 foot loading docks
2 and the applicant agrees to limit the length
3 of trucks to 40 feet for recurring daily
4 deliveries due to the width of Van Street
5 Southeast being 50 feet.

6 Thirdly, moreover, we remain
7 concerned about the traffic flow around this
8 project, specifically the intersection of
9 Van and M Streets and the traffic egress
10 posed issues due to stadium events but
11 primarily because of its juxtaposition to
12 the major intersection of M Street and South
13 Capitol. Discussion was had on limiting
14 right turn zone to M Street Southwest from
15 Van Street Southwest as well as limiting
16 left turns into Van Street Southeast for
17 traffic heading west on M. Since none of us
18 has had training in traffic analysis, we
19 look to the D.C. Department of
20 Transportation and this Commission to ensure
21 the smooth flow of traffic around the
22 project once completed.

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1 We therefore support the current
2 project application that has been put
3 forward to the Zoning Commission. The
4 applicant has entered into a community
5 benefits agreement with ANC 6D and the Near
6 Southeast/Southwest community Coordinating
7 Council. The applicant agrees that it will
8 urge the Zoning Commission to include this
9 agreement as the condition of approval in
10 the Zoning Commission Order in Case No. 08-
11 30.

12 The agreement includes such
13 important items for our residents as
14 employment for our 6D residents where the
15 applicant will recruit construction workers
16 from ANC 6D, provide an overall 5 percent
17 first source employment goal for qualified
18 residents, tie-breaking preferences for
19 LSDBE companies headquartered in ANC 6D and
20 qualified workers living in the 6D area.
21 And after construction this employment
22 initiative will apply to retail sales,

1 administrative, management, community-
2 relations, landscaping, janitorial and other
3 such positions.

4 The applicant will participate in
5 good faith in the Near Southeast/Southwest
6 Community Benefits Coordinating Council's
7 Workforce Development Center Steering
8 Community to develop jobs and qualified
9 residents for jobs in employment.

10 The applicant will comply with
11 District "First Source" requirements.

12 The applicant seek Platinum LEED
13 certification and will establish the
14 recycling program for post consumer waste to
15 include residential, office, and retail
16 uses. Additionally, the applicant will
17 include planting strips on the ground level
18 of the project along Half Street Southeast.

19 Residential parking will be
20 provided as stated at .75 per and with
21 underground parking provided as well for
22 retail and consumer needs.

1 The applicant, in regard to
2 potential closings of Half Street, Van
3 Street, N Street has agreed to advise ANC 6D
4 a minimum of three business days prior to
5 the submission to the Emergency Management
6 Agency here in the District.

7 The applicant has stated it is a
8 good community partner and will act as such.
9 It or its designees will endeavor to provide
10 support to improve the quality of life for
11 residents in facilities such as the HOPE VI
12 "Capper Senior" DCHA facility. Additionally,
13 the applicant and/or its designee will seek
14 to support the civic, public school, and
15 cultural elements of the near
16 Southeast/Southwest community ANC 6D area.

17 The applicant will provide an
18 annual report each year to ANC 6D regarding
19 satisfaction of the benefits covered by our
20 community benefits agreement.

21 Because of this community
22 benefits agreement involving serious

1 commitments to our community, we consider
2 this project potentially a very important
3 addition to the cultural life of our
4 neighborhood. This is why we support this
5 applicant's current application to the
6 Zoning Commission. We urge you to include
7 our community benefits agreement in the
8 approval of this application.

9 Thank you very much.

10 CHAIRPERSON HOOD: Thank you, Mr.
11 McBee. I will tell you that I think because
12 of the vehicle we're using, there's not a
13 whole lot we can do with this. This is
14 unlike a PUD where we can really say, you
15 know, balance it. Actually, this is just
16 here for the record and it'll be there. I'm
17 not sure. I leave it up to our legal folks
18 to see if we can point to it.

19 COMMISSIONER McBEE: Okay.

20 That's fine.

21 CHAIRPERSON HOOD: I don't even
22 know if we can point to it. But I'm sure --

1 I don't know if Mr. Tummonds would have any
2 opposition, and I don't even know if we can
3 do it. But we will sure express that to our
4 legal folks and see what happens. But
5 again, with this vehicle, there's not a
6 whole lot we can do with this.

7 COMMISSIONER McBEE: Right.

8 CHAIRPERSON HOOD: But I want to
9 commend the ANC for getting this much done
10 not being a PUD. So it shows a job well
11 done.

12 Any questions, colleagues? Okay.

13 Does the applicant have any
14 questions?

15 MR. TUMMONDS: No questions.

16 COMMISSIONER MAY: Mr. Chairman,
17 can I follow up?

18 CHAIRPERSON HOOD: Mr. May.

19 COMMISSIONER MAY: The concerns
20 of the Commission had about the
21 embellishment of the corner, and you worked
22 it down from an original height much higher.

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1 Were there concerns --

2 COMMISSIONER McBEE: Well, it
3 really wasn't that the height was higher. It
4 was that the embellishment projected further
5 out into the street. So they narrowed that
6 projection and brought it back up. I think
7 they were talking earlier this evening, the
8 plane of the embellishment is much more like
9 a plane now as opposed to being sort of a
10 triangled device that we initially saw
11 sticking out. So they pulled that back and
12 lessened the --

13 COMMISSIONER MAY: Do you know
14 how far it came back off of where it was?

15 COMMISSIONER McBEE: I'm not
16 sure. But maybe, Adam, you can --

17 MR. GOOCH: It actually just got
18 a lot less bulky.

19 COMMISSIONER MAY: So it
20 narrowed.

21 MR. GOOCH: Narrowed and became
22 more of a blade sign than a wrapping of the

1 building that projected out.

2 COMMISSIONER MAY: Okay.

3 MR. HELLMUTH: It had been a plan
4 that came out this way and up this way. And
5 we reduced the bulk and made it into a
6 blade.

7 COMMISSIONER MAY: Okay. Did you
8 have concerns about the notion that it would
9 be lite either with LEDs or projected light
10 on the inside and be much of a sort of a
11 glowing sign marker thing?

12 COMMISSIONER McBEE: We actually
13 saw that enlivening the area and actually
14 helping to facilitate the designation of
15 this as actually being an entertainment
16 area. And so we really -- you know, and I
17 don't think from the light from the
18 discussion we've had that this is not like
19 a bright shining light, but these are much
20 more of a colored kind of like a neon or
21 something less than that. So from our
22 discussions so we were comfortable with that

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1 and felt that actually it was a positive
2 aspect to help people move in the area.
3 Because, you know all the buildings in our
4 community and Near Southeast are relatively
5 new. And so I think helping identify where
6 this area is going to be is going to be very
7 important, particularly for the M Street
8 traffic.

9 COMMISSIONER MAY: Okay. Thanks.
10 That's helpful.

11 CHAIRPERSON HOOD: Okay. Any
12 other questions.

13 Thank you very much,
14 Commissioner. We appreciate you coming down
15 and providing us testimony.

16 Okay. I'm going right to the
17 witness list that I have. I don't have
18 anyone who has signed up, any organizations
19 or persons in support. Do we have anyone
20 who is here who is not signed this who is in
21 support? An organization or person.

22 Now let me go to my witness list.

1 And I have five people on the list, Mr.
2 Tummonds. So you may have to move back a
3 little bit. Mr. Esocoff, you all can stay.
4 Okay. There we go.

5 Mr. Brenda Sales. I'm sorry,
6 Brenda Sales. Excuse me. D.C. Combined
7 Vendors Association.

8 Edith Mudd, Billie Ann Young, Sam
9 Dunston and Lisa Anderson.

10 Yes, you can have a seat, Ms.
11 Sales.

12 Okay. I have Edith Mudd and
13 Billie Ann Young, Sam Dunston and none of
14 them are here. Do we have anyone else here
15 that is in opposition of this -- an
16 organization or a person that is in
17 opposition of this application?

18 Okay. I think Sales -- Sales.
19 Oh, I had it right the first time. Okay.
20 Ms. Sales you are the lone witness and you
21 will five minutes. But, you know, we'll
22 deal with that accordingly. We appreciate

1 you staying down with us and hanging in
2 there. We only had a few questions.

3 Okay. If you could turn your mic
4 on and you may begin.

5 MS. SALES: Okay. I'm not in
6 opposition of this development. But as a
7 long term vendor that has worked at sporting
8 events at the old RFK Stadium and have
9 worked at the Nationals Park through
10 legislation, I'm concerned about primarily
11 about being able to have vending and to
12 remain in that area and particularly I heard
13 testimony talking about 15 foot setbacks
14 particularly on Half Street. Half Street and
15 N Streets are -- well Half Street has seven
16 designated vending locations statutorily and
17 N Street has four. And Half Street
18 currently has a 24 foot setback and N Street
19 has varying setbacks between 16 and 19½
20 feet.

21 And I'm hopeful that that we will
22 be able to work with the developers as well

1 as with the Zoning Commission to ensure that
2 vending will be able to stay on Half Street
3 as well as on N Street after this area is
4 developed.

5 CHAIRPERSON HOOD: Well let me
6 say while that is not necessarily our
7 purview, but what I will say is is have you
8 had a chance to talk to the applicant?
9 Well, first of all, where do you locate --
10 do you have a vending stand or --

11 MS. SALES: Yes. I'm on Half
12 Street.

13 CHAIRPERSON HOOD: Okay.

14 MS. SALES: Near the Metro subway
15 opening. And actually DCRA or no one else
16 informed the vendors. I just happened to be
17 in that area on Saturday and saw a posting
18 on the side of the building on the Half
19 Street side. That's the only reason that I
20 know about the application.

21 I knew that there were a couple
22 of groups that were trying to develop the

1 area, but I did not know that the legal
2 issues had been ironed out nor that there
3 was going to be a Zoning hearing today or
4 that other Zoning hearings had taken place
5 in the past. And we do meet regularly with
6 Sam Williams, who is the vending coordinator
7 at DCRA. And we're also in contact with
8 several of the Council people that work in
9 unison with what's going on in the Capitol
10 Waterfront area.

11 CHAIRPERSON HOOD: So again let
12 me ask, have you had a discussion with this
13 applicant or have you talked to the
14 coordinator Sam -- I forgot his last name.

15 MS. SALES: The vending
16 coordinator?

17 CHAIRPERSON HOOD: The vending
18 coordinator.

19 MS. SALES: Sam Williams. Have
20 you talked to Mr. Williams about this?

21 MS. SALES: Absolutely not. Like
22 I said, I was unaware, incompletely unaware

1 that the development had advanced to the
2 point where it is now.

3 CHAIRPERSON HOOD: Mr. Tummonds,
4 can you help us with this? No one's in the
5 business of putting anyone and taking away
6 anyone's livelihood. Can you help with
7 this?

8 MR. TUMMONDS: I can say that I
9 received a call yesterday from Mr. Mayhew
10 Greenbaum who filed a letter in the record.
11 And I think his issues I think were very
12 similar to Ms. Sales about the vending. So,
13 truly, it's new stuff we heard about it
14 yesterday at 5:00.

15 As you know, the DCRA vending
16 guidelines for public space, we don't have a
17 lot of control about what -- you know, we
18 have zero control about what D.C. allows in
19 public space. And I think that Mr. Gooch I
20 know reached out to Mr. Greenbaum today,
21 just called him yesterday, called him today.
22 I don't think we've had an opportunity to

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1 have a discussion about that. But I mean I
2 think that it is certainly something we can
3 talk with the existing vendors, talk with
4 DCRA about. Because obviously we're not
5 going to be -- the plans that we're showing
6 you today are not going to come to fruition
7 immediately. And so there will be
8 discussions that will occur about public
9 space, about construction management
10 activities that are going to happen. And
11 about ball park operations.

12 MR. GOOCH: I'll also say that it
13 sounded like your concerns were mostly
14 addressed to the setbacks on Half Street, N
15 Street and M Street.

16 MS. SALES: Yes.

17 MR. GOOCH: And just for your
18 information none of the setbacks, the
19 setbacks that we're talking, asking for
20 relief from occur on the second floor and
21 up. And so the street width and the sidewalk
22 width along Half Street and N Street will

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1 remain the same.

2 CHAIRPERSON HOOD: Your time is
3 up. No, I'm just joking.

4 MR. HELLMUTH: I do think it's
5 important to note and perhaps it's
6 nomenclature. I think you're referring to
7 setbacks from the curb to the face of the
8 building. It's the intention of this design
9 and when Jon Eisen went through his whole
10 presentation that all of Van Street from
11 building face to building face will be a
12 singular pedestrian zone, not cars.

13 Now having said that, I don't
14 have any providence over where vendors could
15 go or not, but it would be the available
16 horizontal area for things will be twice
17 what it is now because the street will be
18 closed, it'll all be a continuous surface
19 from shop front to shop front, the entire
20 width of the right-of-way of Van Street.

21 I don't know whether that helps
22 you at all.

1 MS. SALES: Not necessarily
2 because Van Street is not one of the
3 approved vending sites.

4 MR. HELLMUTH: I'm sorry. I mean
5 Half Street. I didn't mean -- I meant Half
6 Street, not Van Street.

7 MS. SALES: Okay. One of my main
8 concerns is often time during new
9 construction the streets are configured or
10 the development is configured with a lot
11 of what they're calling beatification,
12 specifically that has eliminated vendors
13 over the years. And I'm hopeful that that
14 will not happen in this instance.

15 VICE-CHAIR JEFFRIES: Well, I
16 mean, yes, I think we should manage
17 expectations. I think, you know tonight in
18 terms of your concerns it's just something
19 that the Zoning Commission is really --
20 can't really rule on or have any
21 jurisdiction over.

22 It sounds to me that you really

1 should sit down with the applicant and then
2 with DCRA and sort of work through the
3 issues. Because, you know, in terms of what
4 we're doing today we just have no
5 jurisdiction over this matter.

6 MS. SALES: But you do approve
7 how much space they utilize -- well, it just
8 seemed to me that the plan that they were
9 unfolding as far as the public space was
10 going to be diminished, although they're
11 talking about the building heights are going
12 to have -- the building is going to have
13 setbacks as opposed to D.C. public space
14 being diminished. So, I mean, there is a
15 difference.

16 VICE-CHAIR JEFFRIES: Yes. But I
17 mean your question is really around public
18 space. You're concerned that there's going
19 to be a diminishment of public space.

20 MS. SALES: Yes.

21 VICE-CHAIR JEFFRIES: Because of
22 the setbacks?

1 MS. SALES: Well, not only
2 setbacks but often time there are
3 beautification projects, there are street
4 cafes that are established, there are a lot
5 of furnishings and other things that tend to
6 displace vending sites that are legal
7 vending sites.

8 VICE-CHAIR JEFFRIES: Yes. I mean
9 just -- I mean I just --

10 CHAIRPERSON HOOD: I think for
11 the time being I think that discussion can
12 be had. Unfortunately, again as I said to
13 Commissioner McBee there's some things about
14 the location and the vendors being able to
15 continue and how they continue, I think this
16 PUD -- I've seen some PUDs last for -- I'm
17 not going to jinx this one, last for ten
18 years.

19 VICE-CHAIR JEFFRIES: It's not a
20 PUD.

21 CHAIRPERSON HOOD: I'm sorry.
22 What I did is say PUD. I'm sorry. CGs. I

1 have seen them --

2 VICE-CHAIR JEFFRIES: Design
3 review.

4 CHAIRPERSON HOOD: Design review.
5 Anyway. I lost my train of thought. But
6 what I'm saying is there's going to be time
7 to have the discussions, Mr. Williams, Mr. -
8 - I think -- Greenhouse and the applicant
9 and not just this applicant. Obviously
10 what's going on around there is more than
11 just one application. And I think there's
12 plenty of time to have those discussions.

13 VICE-CHAIR JEFFRIES: So we're
14 asking the applicant to talk to you about
15 these issues and so forth. But what we're
16 trying to tell you tonight is that we just--
17 yes, our hands are tied. We just can't
18 really, you know, make any judgments on the
19 issue at hand here.

20 MS. SALES: So what agency would
21 we address our issue with?

22 VICE-CHAIR JEFFRIES: Sounds like

1 DCRA.

2 CHAIRPERSON HOOD: DCRA has the--

3 MS. SALES: DCRA doesn't have
4 anything to do with the actual -- well, the
5 vending coordinator anyway doesn't have
6 anything to do with the construction of the
7 site.

8 CHAIRPERSON HOOD: But I thought
9 the issue was that you wanted to know if you
10 can continue to do whatever vending you were
11 doing?

12 MS. SALES: I do, but the bigger
13 issue is how the street is configured. That
14 will have a lot to do with determining how
15 many vendors will be able to continue to
16 operate in that area.

17 VICE-CHAIR JEFFRIES: So the
18 underlying -- again, I understand what
19 you're saying. But the underlying thrust of
20 your whole testimony to us is basically how
21 will vendors exist.

22 MS. SALES: Exactly.

1 VICE-CHAIR JEFFRIES: Okay. So
2 that's again we get back to what we were
3 saying. And, again, I appreciate you being
4 down here and we take that to heart. Like I
5 said at the beginning, this Commission and
6 I'm sure I can speak for my colleagues,
7 we're not in the business and I don't think
8 anyone in here, especially with this
9 economy, are putting anybody out of
10 business. I think that discussion, though,
11 is probably going to be better -- or
12 actually not better but has to be had with
13 the city and DC -- I'm sorry. The
14 Department of Consumer Regulatory Affairs.

15 MS. SALES: Okay. Okay.

16 VICE-CHAIR JEFFRIES: Okay?

17 MS. SALES: Thank you.

18 VICE-CHAIR JEFFRIES: But I think
19 -- I know, Mr. Tummonds. I see him maybe
20 once or maybe twice a week. I think they
21 hear you loud and clear. I think an attempt
22 has already been again. But, again, this is

1 not the only applicant for that area. So
2 those discussions need to be --

3 MS. SALES: They have more of the
4 vending sites, approved vending sites that
5 are south of M Street. The only other sites
6 are on 1st Street. And I don't think that's
7 a part of their development.

8 VICE-CHAIR JEFFRIES: Okay. But
9 I think that issue can be resolved or worked
10 out.

11 MS. SALES: Okay. Thank you.

12 CHAIRPERSON HOOD: Okay.

13 So, Mr. Tummonds, I'm sure you
14 all have heard that inquiry.

15 MR. TUMMONDS: Absolutely. And
16 hopefully that we can assist.

17 CHAIRPERSON HOOD: While we're
18 demanding you to do that, but I'm sure of
19 good faith you all will do that. Okay.

20 Did anyone have any questions of
21 Ms. Sales? Okay.

22 Is there anyone else that would

1 like to testify? Not hearing anyone.

2 Commissioners, I would recommend
3 -- oh, I'm sorry. Mr. Tummonds, rebuttal
4 and closing?

5 MR. HELLMUTH: Just very briefly.

6 We believe that this project that
7 we've shown you tonight that we've presented
8 in the materials that we've presented
9 previously creates a truly dynamic and
10 active retail and restaurant entertainment
11 district that will truly enhance the
12 pedestrian experience and activate the
13 streetscape in this very important part of
14 the city.

15 We believe that the mix of uses,
16 the design and height and density of the
17 project we are proposing are all consistent
18 with and help further the goals of the
19 Capitol Gateway Overlay District.

20 We believe that we've presented
21 evidence this evening and in our written
22 submissions to show that we have addressed

1 all the variance and special exception
2 relief standards. And as we noted, we
3 believe that specifically with regards to
4 the DDOT's comments, we believe that our
5 provision of 567 to 607 parking is
6 appropriate and adequately addresses the
7 expected parking demand for this development
8 and the surrounding district.

9 We request that you approve this
10 project. We know that there are some
11 additional materials that you've requested.
12 Based on the time frames that we have for
13 construction, obviously at this site
14 construction is really dictated a lot by the
15 baseball season. And so moving forward is
16 important for us. So we would love to kind
17 of look at having a decision at this -- I
18 know that you have a February 26th public
19 meeting, I believe. The 23rd or 26th?

20 CHAIRPERSON HOOD: That's our
21 oversight hearing, I do know that.

22 MR. TUMMONDS: We would like to

1 maybe take a look at your meeting schedule
2 and look to get on a decision as soon as
3 possible, also with us providing the
4 information that you requested this evening.
5 And we can go over that as well.

6 CHAIRPERSON HOOD: Okay.

7 MR. TUMMONDS: Thank you very
8 much.,

9 CHAIRPERSON HOOD: Ms. Hanousek,
10 turn your mic on.

11 Do we have a second meeting in
12 February?

13 MS. HANOUSEK: Yes. We have a
14 second public meeting Monday, February 23rd.

15 CHAIRPERSON HOOD: We can give it
16 to you three days earlier if you're able to
17 do that.

18 MR. TUMMONDS: We'll take it.

19 CHAIRPERSON HOOD: Okay. All
20 right. So, Ms. Hanousek come up with some
21 dates. We're going to hopefully make this
22 for decision February 23rd, but we have a

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1 few things that are required -- well, I know
2 Commissioner Keating has asked for a
3 supplemental report from the Office of
4 Planning. That's actually all I remember.

5 MS. HANOUSEK: Okay. Which do
6 you want first? Dates or the items?

7 CHAIRPERSON HOOD: Let's do the
8 items and then that way we can do the dates.

9 MS. HANOUSEK: I actually only
10 have two. One is from Commissioner Turnbull
11 some sections of the roof plan and then the
12 other item I have is, and I think it was
13 from Commissioner May, pictures -- or it
14 could have been Turnbull. Sorry. Pictures
15 of the vertical element and Half Street with
16 the horizontal element of the Metro.

17 CHAIRPERSON HOOD: No, I think
18 that was me.

19 MS. HANOUSEK: Sorry.

20 CHAIRPERSON HOOD: That's all
21 right. That's all right.

22 MS. HANOUSEK: Those are the only

1 two.

2 CHAIRPERSON HOOD: Can we just
3 scratch that. I don't need that.

4 So right now we only have two
5 things.

6 COMMISSIONER MAY: Mr. Chairman?

7 CHAIRPERSON HOOD: Commissioner
8 May?

9 COMMISSIONER MAY: Maybe we got
10 this and I missed it or -- but I'm not sure.
11 But I still have a question about the Height
12 Act issue that was raised in OP's report.
13 And, you know, and I'm guessing that since
14 we're using M Street with a 90 foot width
15 anything that above 110 we have to deal with
16 the setbacks. And if we don't meet the
17 setback for that one stair, the southeast
18 corner of the residential building that that
19 would actually be a Height Act violation.
20 So if it's not, somebody can prove that it's
21 not, then I'd like somebody to prove it.

22 CHAIRPERSON HOOD: But are we

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1 dealing with Height Act?

2 COMMISSIONER MAY: No, but I
3 don't think that we should knowingly approve
4 something that violates the Height Act. I
5 mean, I think that -- if it's apparent to
6 us. Our relief --

7 CHAIRPERSON HOOD: But it's not.

8 COMMISSIONER MAY: What do you
9 mean it's not in violation of the Height
10 Act.

11 CHAIRPERSON HOOD: No. It's not
12 apparent to us. I mean I --

13 COMMISSIONER MAY: Well, no, I
14 mean I think it is apparent to me.

15 CHAIRPERSON HOOD: Okay.

16 COMMISSIONER MAY: The building
17 goes to 110 feet and we have a penthouse or
18 a stair tower that is not setback one to one
19 off of the adjacent roof.

20 CHAIRPERSON HOOD: I think we can
21 show development of the area with a mixture
22 of residential and commercial use and a

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1 suitable height, bulk and design of
2 buildings. So I think that for me that's a
3 gray area. But I think that that's
4 something that we probably could have
5 someone address.

6 COMMISSIONER MAY: Okay.

7 CHAIRPERSON HOOD: It will
8 probably just be easier.

9 COMMISSIONER MAY: Yes, I mean it
10 shouldn't be too hard.

11 CHAIRPERSON HOOD: I think it
12 will be addressed.

13 COMMISSIONER MAY: Okay.

14 CHAIRPERSON HOOD: Anyway, go on.

15 MR. TUMMONDS: We'll address that
16 in our post-hearing submission.

17 CHAIRPERSON HOOD: Okay.

18 Anything else?

19 All right. Do we have when things
20 need to be, Ms. Hanousek?

21 MS. HANOUSEK: Can you have your
22 submissions in the 9th?

1 MR. TUMMONDS: Absolutely.

2 MS. HANOUSEK: Okay.

3 CHAIRPERSON HOOD: Okay. With
4 that I want to thank everyone for their
5 participation tonight. And, Ms. Hanousek, I
6 want to thank you for stepping up to the
7 plate.

8 COMMISSIONER MAY: Mr. Chairman?

9 CHAIRPERSON HOOD: Yes.

10 COMMISSIONER MAY: I'm sorry,
11 I've got one last question. I got
12 confused--

13 CHAIRPERSON HOOD: If I didn't
14 thank you, I probably could have went ahead
15 and hit the gavel.

16 COMMISSIONER MAY: No. I was --
17 anyway. IS this image of the projecting bay
18 is not the same as that image. Which one is
19 the current? That's the current. Okay. Do
20 we have that anywhere in what's been
21 submitted? Okay. Can we get that image
22 submitted as well?

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1 MR. TUMMONDS: We'll submit it.

2 COMMISSIONER MAY: Okay. Thanks.
3 That helps me because that looks better than
4 this one.

5 VICE-CHAIR JEFFRIES: Excuse me,
6 one second. I just want to be clear. What
7 exactly are we looking to get from this
8 applicant that's keeping us from taking a
9 vote tonight?

10 MS. HANOUSEK: Well --

11 VICE-CHAIR JEFFRIES: No. I just
12 want you to just tell me --

13 MS. HANOUSEK: The sections of
14 the roof plan and whatever Mr. May was
15 talking about now with the Height Act and
16 then there was supposed to be something from
17 Mr. Keating. But I --

18 CHAIRPERSON HOOD: We only get
19 one vote. We only get one vote of this.
20 The Office of Planning submittal.

21 MS. HANOUSEK: The Office of
22 Planning submittal.

1 VICE-CHAIR JEFFRIES: I'm very
2 clear that we get one vote.

3 CHAIRPERSON HOOD: All right.

4 VICE-CHAIR JEFFRIES: I know
5 that.

6 CHAIRPERSON HOOD: So we're on
7 the same page. All right. So February 26 -0
8 23rd.

9 MS. HANOUSEK: The 23rd.

10 CHAIRPERSON HOOD: I'm not going
11 to ask if there's anything else. With that
12 this hearing is adjourned.

13 (Whereupon, the hearing was
14 adjourned at 10:12 p.m.)

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