

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: CAPPER/CARROLLSBURG VENTURE, LLC, AND THE D.C. HOUSING AUTHORITY	 	Case Nos. 03-12G/03-13G, 03-12H/03-13H, 03-12I/03-13I
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Thursday,
March 19, 2009

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

The Public Hearing of Case Nos.
03-12G/03-13G, 03-12H/03-13H, and 03-12I/03-
13I, by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the
Office of Zoning Hearing Room at 441 4th
Street, N.W., Washington, D.C., 20001,
Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Chairman
GREGORY N. JEFFRIES	Vice Chairman
PETER MAY	Commissioner (NPS)
MICHAEL TURNBULL	FAIA, Commissioner (OAC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

STEVE COCHRAN
JENNIFER STEINGASSER

This transcript constitutes the
minutes from the Public Hearing held on
March 19, 2009.

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

2 (6:50 p.m.)

3 CHAIRMAN HOOD: This is the public
4 hearing of the Zoning Commission for Thursday,
5 May 19th.

6 My name is Anthony J. Hood.
7 Joining me is Vice Chairman Jeffries,
8 Commissioner May, and Commissioner Turnbull.

9 We are also joined by the Office
10 of Zoning staff, Ms. Sharon Schellin and Ms.
11 Donna Hanousek; the Office of Planning staff,
12 Ms. Steingasser and Mr. Cochran.

13 As you know, this proceeding is
14 being recorded by a Court Reporter, and it is
15 also webcast live. The subject of this
16 evening's hearing is Zoning Commission Case
17 03-12G/H -- no, let me say this -- Zoning
18 Commission Cases 03-12G/H/I, 03-13G/H/I.

19 This is a request by
20 Capper/Carrollsborg Venture, LLC, DCHA, for
21 approval of a second stage PUD in Squares 769
22 and 882, PUD modification in Squares 739, 767,

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1 768, 825S, and time extensions for the
2 Capper/Carrollsborg project in Southeast
3 Washington, D.C.

4 Notice of today's hearing was
5 published in the D.C. Register on January 23,
6 2009. Copies of that announcement are
7 available to you on the wall bin near the door
8 as you come in, to my left.

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

17 The following time constraints
18 will be maintained in this meeting: the
19 applicant, 60 minutes; organizations, five
20 minutes; individual, three minutes. The
21 Commission intends to adhere to the time
22 limits as strictly as possible.

1 All persons appearing tonight are
2 to fill out two witness cards. The cards are
3 located to my left on the table near the door.
4 As you come forward, please give both cards to
5 the Reporter sitting to my right before taking
6 a seat at the table. When presenting
7 information to the Commission, please turn on
8 and speak into the microphone, first stating
9 your name and address. And after you have
10 finished speaking, please turn your microphone
11 off, so as not to pick up any background
12 noise.

13 The decision of the Commission in
14 this case must be based exclusively on the
15 public record. The staff will be available
16 throughout the hearing to discuss procedural
17 questions. So we ask you, to avoid any
18 appearance to the contrary, the Commission
19 requests that persons present not engage the
20 members of the Commission in conversation
21 during recesses or at any time.

22 Please turn off all beepers and

1 cell phones at this time, so as not to disrupt
2 these proceedings.

3 Would all persons wishing to
4 testify please rise to take the oath?

5 Ms. Schellin, would you please
6 administer the oath?

7 SECRETARY SCHELLIN: Yes. Please
8 raise your right hand.

9 (Whereupon, an oath was
10 administered to those persons
11 planning to testify during the
12 proceedings.)

13 Thank you.

14 CHAIRMAN HOOD: Okay. Did we get
15 everybody? I saw somebody step up late. Did
16 we get them for the full oath? The gentleman
17 that just stood up, did we get you? Did you
18 -- could you stand and take the oath again,
19 please?

20 Could you administer it again?

21 SECRETARY SCHELLIN: Yes.

22 (Whereupon, the oath was

1 administered once again.)

2 Thank you.

3 CHAIRMAN HOOD: Thank you.

4 At this time, the Commission will
5 consider any preliminary matters.

6 SECRETARY SCHELLIN: Staff has
7 received the affidavit of maintenance, and it
8 is in order. Other than, as you know, we have
9 some proffered expert witnesses, and we do
10 have one other matter for the Commission to
11 consider, and that is for the Commission to
12 consider whether ANC-6B is an affected ANC or
13 not. They are within 200 feet.

14 CHAIRMAN HOOD: I did see a
15 submittal, colleagues, in the submittals from
16 ANC-6B. And I don't think that -- I think
17 this is automatic, or we need to make sure
18 that we want to give them the great weight.
19 6D is already given great weight. Does anyone
20 have a problem with 6B? Mr. Freeman, any
21 problems with that, the ANC?

22 MR. FREEMAN: No, sir.

1 CHAIRMAN HOOD: Okay. All right.
2 So we have -- in this case we have -- 6D is an
3 automatic, and 6B has been granted party
4 status.

5 Okay. Mr. Freeman, let's go
6 through the expert witnesses. Let's alleviate
7 Mr. -- we have three people -- well, two
8 people who have been previously accepted that
9 I remember, and that's -- actually, I don't
10 have Mr. Sher's name on what I have. Is it
11 Mr. -- are you proffering Mr. Sher? I mean,
12 we can --

13 MR. FREEMAN: Yes. We --

14 CHAIRMAN HOOD: -- dispel -- okay,
15 so we --

16 MR. FREEMAN: We have four experts
17 tonight -- Mr. Shalom Baranes, who has been
18 qualified as an expert before the Commission.

19 CHAIRMAN HOOD: We have done that
20 previously. Okay.

21 MR. FREEMAN: Steve Gang, whom I
22 believe has been an expert as well; Steve

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1 Sher, who has been an expert.

2 CHAIRMAN HOOD: Okay.

3 MR. FREEMAN: And Robert Schiesel
4 for transportation and traffic planning. So
5 four experts tonight.

6 PARTICIPANT: Could you identify
7 yourself for the record?

8 MR. FREEMAN: Kyrus Freeman,
9 Holland & Knight.

10 CHAIRMAN HOOD: And they are
11 behind tab -- what tab is that, Vice Chair?
12 Behind Tab G are the resumes? Okay. Oh,
13 behind Tab H, I'm sorry. I know it's back
14 there somewhere. Any problems with anyone?

15 VICE CHAIRMAN JEFFRIES: Well,
16 they have previously been proffered, so, I
17 mean, we --

18 CHAIRMAN HOOD: Well, we've got
19 now to look at the resumes, seeing the format.
20 So I wanted to make sure that everybody is
21 fine before --

22 COMMISSIONER MAY: Did we get

1 multiple submissions of resumes? Because I'm
2 looking at like a whole new set of them, I
3 thought. Maybe I just got too many sets of
4 the same thing.

5 CHAIRMAN HOOD: I think it's
6 behind each one, he has a divider sheet behind
7 each.

8 COMMISSIONER MAY: Yes. And the
9 one I didn't see was Gang. That's what I was
10 flipping through for, because I was thinking
11 I missed it.

12 PARTICIPANT: Who?

13 CHAIRMAN HOOD: Steve, Steve Gang.

14 COMMISSIONER MAY: I have other
15 people who are in the submission who are not
16 here or who are not proffered at the moment.

17 CHAIRMAN HOOD: Well, what we have
18 -- I think we have Mr. Baranes, Mr. Sher, who
19 we already know, and Mr. Schiesel. So the
20 only issue I think now is --

21 COMMISSIONER MAY: Those three
22 have been --

1 CHAIRMAN HOOD: Right, previously.

2 COMMISSIONER MAY: Yes, I have no
3 difficulty with that.

4 CHAIRMAN HOOD: Mr. Gang I think
5 is the question.

6 COMMISSIONER MAY: Right.

7 SECRETARY SCHELLIN: He is behind
8 Exhibit E.

9 COMMISSIONER MAY: Which
10 submission?

11 SECRETARY SCHELLIN: It is the
12 December 5, 2008, booklet. Tab E, I'm sorry.
13 Yes, it says Exhibit E. It is behind -- you
14 have to flip a couple of pages.

15 COMMISSIONER MAY: Oh, got it.
16 Okay.

17 SECRETARY SCHELLIN: Do you see
18 it?

19 COMMISSIONER MAY: Yes, I did see
20 that one. All right.

21 (Pause.)

22 CHAIRMAN HOOD: The format is a

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1 little different, but --

2 COMMISSIONER MAY: Yes. The
3 difficulty I have with it is that it is not
4 really saying much about what the -- what
5 particular projects he had worked on and what
6 their relevance were here. I see a list of
7 projects that I don't know what they are. I
8 don't know what Naval Square in Philadelphia
9 is. I don't know what his role was. It's --
10 so if we give a little bit more information
11 about --

12 MR. FREEMAN: Mr. Gang?

13 COMMISSIONER MAY: Yes, Mr. Gang,
14 just projects that are relevant to this.

15 VICE CHAIRMAN JEFFRIES: But you
16 have presented to us before.

17 MR. GANG: Yes, I have.

18 VICE CHAIRMAN JEFFRIES: Were you
19 previously accepted? Were you accepted as an
20 expert witness? Yes.

21 COMMISSIONER MAY: Okay. Well,
22 then, that's fine. I thought it was someone

1 new. I'll accept that.

2 CHAIRMAN HOOD: The only issue --
3 he has been in front of the Board. Have you
4 been in front of the Zoning Commission? Okay.
5 Because looking at your resume it says -- and
6 if we know that up front, we can get on
7 through all of that. And we could have been
8 well into the case. So you might want to do
9 -- I don't want to tell you what to do. You
10 might want to update.

11 Okay. All right. Mr. Freeman, we
12 are ready. Everyone is proffered, and we are
13 ready to go.

14 MR. FREEMAN: Good evening,
15 Chairman Hood and members of the Commission.
16 I am Kyrus Freeman with the law firm of
17 Holland & Knight, here tonight representing
18 the applicant in its three applications for
19 portions of the Capper/Carrollsborg
20 redevelopment.

21 The applicant, as you probably
22 know, includes the D.C. Housing Authority,

1 which owns the underlying land area included
2 in the applications, as well as
3 Capper/Carrollsbury Venture, LLC, which is a
4 joint venture between a number of entities,
5 including Urban Atlantic and Forest City
6 Enterprises, which are each building certain
7 portions of the development.

8 Just in terms of background, as
9 the Commission knows, Capper/Carrollsbury
10 redevelopment, which was initially filed in
11 2003, is one of the largest and we believe
12 most meaningful PUDs from the standpoint of
13 urban revitalization and social benefits ever
14 to come before this Commission.

15 The approved PUD provides for the
16 phased one-for-one replacement of 695 public
17 housing units onsite, in a mixed income
18 environment, which includes market rate and
19 public housing units, quality open space, and
20 a significant amount of neighborhood retail
21 use.

22 As will be described shortly, the

1 genesis of this project was based on a HOPE 6
2 grant, which the Housing Authority received,
3 which provides for three things: 1) physical
4 improvements related to the public housing,
5 2) management of improvements for the public
6 housing, and 3) social and community sources
7 to address the residents' needs.

8 Let me just say in 2003 when we
9 initially went through this project we
10 submitted a lot of information regarding the
11 CSSP and other issues associated with
12 relocation of the public housing residents,
13 but David could speak to that in a little more
14 detail.

15 Since the application was
16 initially filed in 2004, we have made
17 significant progress, and we have done a lot,
18 as will be discussed in more detail tonight.

19 Now, why are we here today? And
20 what are we doing tonight? Basically, we are
21 here to keep the project going, but on a
22 timetable that reflects the realities of the

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1 current economic situation, particularly given
2 the amount of leverage and market rate density
3 required that provide the key component of
4 this project, which again is the one-for-one
5 replacement of the 695 public housing units.

6 Specifically, as the Chairman
7 read, we have four applications -- three
8 applications, four things. One is an
9 extension to approve the overall -- extend the
10 overall PUD until December 31, 2013.
11 Secondly, we are looking to extend the timing
12 of the community center permit, such that we
13 file our permit application by January 1,
14 2011, and start construction by January 1,
15 2012.

16 Third, we are looking for --
17 seeking modifications to the overall
18 development, which are basically necessitated
19 by the need for increased density to support
20 the replacement of the public housing units.
21 And, fourth, we are here for second stage
22 approval for two squares, 769 and 882.

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1 You will hear a little bit more in
2 a second about the need for the extensions and
3 modifications, and the architects will discuss
4 in more detail the proposed buildings in
5 Squares 769 and 882.

6 And Mr. Sher will talk about the
7 areas of zoning relief that we need in order
8 to construct those buildings.

9 I would like to say we have worked
10 with ANC-6B and 6D, the Office of Planning,
11 and DDOT on this project, and both OP and
12 DDOT, as you know, have approved or
13 recommended that the Commission approve the
14 application.

15 As I said, we have been with ANC-
16 6D and 6B a number of times. We have met with
17 them, and we are happy that we have their
18 support on portions of the applications
19 actually, which, if you remember, in 2003 that
20 wasn't the case. So we do believe we have
21 come a long way in working with them.

22 We will address some of OP's and

1 the ANC's comments in more detail as we go
2 through our presentation tonight and our
3 rebuttal.

4 We believe our pleadings, which as
5 you know are rather thick, cover all of the
6 points necessary for your approval, and we
7 have just gone through our witnesses, who
8 include David Cortiella from the Housing
9 Authority, Shalom Baranes, who will be our
10 architect for the -- who is the architect for
11 the office building in Square 882, Steve Gang
12 with Lessard, who is the architect for the
13 residential building in 769 and the
14 residential building in 882, and Steve Sher,
15 who is the -- our expert in zoning and land
16 use.

17 And I would also just like to take
18 a second to introduce a couple of folks in the
19 audience that might -- we might call on to
20 answer some questions. We'll try to keep our
21 presentation short, but we do have Ms. Vicky
22 Davis, Scott Nordheimer, and Dan McCabe from

1 Urban Atlantic, who are again developing the
2 residential portions; David Smith from Forest
3 City, Washington, they are doing the office
4 building; Charles Warren and Gene O'Hong, both
5 architects who have helped on the design of
6 the buildings; and Robert Schiesel, again, who
7 is our transportation and traffic planning
8 expert.

9 We have also submitted just a
10 couple of additional exhibits, which I want to
11 make sure you have. The first is just a copy
12 of our PowerPoint, which goes through the
13 slides. The second are some revised sheets
14 that we have made some revisions to address
15 the comments raised by OP, and we will hit
16 those kind of as we go through our
17 presentation. And, finally, we have Mr.
18 Sher's report.

19 In conclusion, before I turn it
20 over to the witnesses, I just want to say, as
21 you know, we initially filed this application
22 in July of 2008, quite some time ago, and we

1 have worked extremely hard with the help of
2 Ms. Schellin to break it down and try to
3 simplify it, so that we could distill things
4 and move forward in as organized a fashion as
5 possible.

6 I am sure there will be some
7 questions which we might not have addressed in
8 our direct, but we are certainly prepared
9 tonight to fully respond to and answer any
10 questions that come up.

11 With that, we are ready to proceed
12 as the Commission sees fit.

13 CHAIRMAN HOOD: Mr. Freeman, first
14 let me ask, it took you all a long time to get
15 here -- July. But let me just ask you this.
16 As we get ready to talk about different
17 points, because we have a number of things
18 working here, I know from this particular
19 Commission I was one of the ones who was
20 confused, because there was a lot here, and I
21 want to make sure we make the right decision
22 on the right piece and just not carte blanche.

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1 MR. FREEMAN: Right.

2 CHAIRMAN HOOD: So as we talk
3 about the second stage, as we talk to the PUD
4 modification to the squares, and -- well, we
5 don't necessarily need to talk about the time
6 extension, but could you address -- as each
7 person gets ready to present their
8 presentation, I think it would help -- at
9 least it would help me --

10 MR. FREEMAN: Right.

11 CHAIRMAN HOOD: -- as we mention,
12 what are we talking about? Is this the second
13 stage, or is it --

14 MR. FREEMAN: Right.

15 CHAIRMAN HOOD: I just wanted to
16 say that, but I'm sure your presentation is
17 already set up that way.

18 MR. FREEMAN: We'll make sure we
19 specify that in the beginning.

20 CHAIRMAN HOOD: Okay. Thank you.

21 Any other comments, colleagues,
22 you would like to see in proceeding another

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1 way or fashion? Everybody is all straight?

2 (No response.)

3 Okay, good. Thank you.

4 MR. FREEMAN: Now, David Cortiella
5 from the Housing Authority is specifically
6 here to talk about the request for the
7 extensions, the community center, and the
8 overall PUD, as well as generally the need --
9 the modification to increase density to
10 support the public housing units.

11 CHAIRMAN HOOD: We may ask
12 questions right after that. So that's good.
13 Okay.

14 MR. CORTIELLA: Good evening. My
15 name is David Cortiella, 1133 North Capitol
16 Street, Washington, D.C., 20002.

17 My title is Project Coordinator of
18 the Capper/Carrollsborg HOPE 6 project at the
19 D.C. Housing Authority. I have been a
20 contractor to the Housing Authority over the
21 last four years. I have participated in the
22 Hanson -- second phase Hanson Ridge HOPE 6

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1 project, the St. Martin's deal, the initial
2 phases, putting that together, Parkside
3 development, which has come before the Board
4 also, and a number of other sundry programs.

5 Prior to that, I have headed up
6 Community Development Corporation. I was a
7 founder of a nationwide consulting company to
8 public housing agencies and the Director of
9 the Housing Authority in Boston in the early
10 '90s.

11 The Housing Authority is the owner
12 of this project. As Attorney Freeman
13 mentioned, in 2000, early 2000, the Housing
14 Authority successfully received a HOPE 6 grant
15 to revitalize the former Arthur Capper and
16 Carrollsburg public housing communities in the
17 near southeast neighborhood of the District.

18 The key components of that award
19 were its innovative approach to one-for-one --
20 to have one-for-one replacement on the site.
21 It is the only HOPE 6 project in the country
22 to have accomplished that once we build out

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1 the entire program.

2 Currently, we have 300 units that
3 have been completed and fully occupied. And
4 at this moment, as we speak, there are 39
5 additional public housing units being
6 constructed as part of Phase I townhome
7 redevelopment.

8 One of the important roles of the
9 Housing Authority is to secure and structure
10 the funds necessary to develop the project
11 infrastructure. A key part of each component
12 is that the Housing Authority have secured
13 financing for the massive underground and
14 above ground public infrastructure.

15 In 2006, the D.C. Council, with
16 the support of then-Mayor Williams, authorized
17 the Housing Authority to issue a pilot bond,
18 payment in lieu of taxes, a bond up to \$55
19 million that would support the buildout of the
20 entire infrastructure, as well as the buildout
21 of the community center.

22 I will give more detail as to the

1 community center and its relationship to the
2 pilot as I move forward in my presentation.
3 The initial PUD was approved in 2004, and we
4 continued to move forward aggressively on each
5 one of the different squares.

6 As I said, we are in the process
7 of completing 160 residential units in the
8 first phase of what is Capitol Quarters. In
9 fact, the first units will -- the first keys
10 will be delivered late April/May to the first
11 homeowners there. And the -- in May and June
12 we will have the first public housing
13 residents also moving into that development,
14 that component. And that will -- that
15 component will be built -- fully built out by
16 the end of 2010.

17 In addition to that, we have also
18 obtained second stage approval for residential
19 -- the residential component of Squares 798,
20 799, and 800, which becomes Phase II of the
21 townhomes, 163 townhomes made up of market
22 rate affordable workforce home ownership as

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1 well as public housing units.

2 And we have obtained the second
3 stage approval and subsequent modification for
4 the 250 M Street office building located on
5 the southern part of Square 769. And, in
6 addition to that, we filed, as you have before
7 you, the current application for 769
8 residential and 882.

9 In addition to that, what has come
10 before you, we have also been very aggressive
11 on ensuring their relocation of the families
12 that were residents of the former
13 Capper/Carrollsborg site. There has been a
14 case management process since they won for
15 ensuring that we track all our residents, and
16 to provide support, both to improve credit,
17 receive employment, or home buyer's program,
18 and for a couple of residents to assist with
19 resident-owned businesses.

20 We have demolished all of the
21 buildings at the site, successfully did that
22 over the course of about three years. And we

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1 are almost complete on the first phase of
2 public infrastructure that will provide to the
3 District full on-the-ground separation of
4 storm management and sanitary -- storm systems
5 and sanitary systems, new water lines, new
6 sidewalks, new streets, new curbs, new
7 gutters, and improved lighting and
8 landscaping.

9 Despite the significant efforts
10 that we have had to date, we still need an
11 extension of time to move the project forward,
12 and also to build the community center. The
13 modifications that we are requesting also
14 increase the density.

15 You are well aware of the
16 declining financial markets, both on the low
17 income housing tax credit side, as well as the
18 availability of capital generally. It becomes
19 more and more difficult for us to be able to
20 reach our goal of providing 95 onsite and 707
21 overall public housing units in this
22 environment. But we have a firm commitment

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1 from our Board, from Michael Kelly, from our
2 developer partners, that we will do everything
3 that we need in order to be able to reach the
4 goal of 707 total units.

5 The current environment -- the
6 extension is necessary, because the current
7 economic environments and the conditions -- we
8 need the project schedule to be on a more
9 realistic timetable. Both absorption of
10 residential housing in this market, as well as
11 commercial absorption in that area, and, more
12 importantly, the access to financing, are key
13 components of the need that we currently face
14 and the importance of granting the extension
15 of time.

16 Moreover, given the current market
17 conditions, we know it is unlikely the market
18 will be able to absorb all of the units that
19 have previously been approved by this
20 Commission. And, in fact, since we have built
21 300 units, and are currently building another
22 160 units, there are quite a number of units

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1 that we need to build out in order for us to
2 be able to subsidize the construction of the
3 additional 407 units of public housing units
4 that we have still remaining.

5 With respect to the community
6 building, we need an extension of time to fill
7 the building permit for the community center
8 by January 1, 2011, and start the construction
9 of the community center by January 2012.

10 A number of factors that have
11 contributed to this. I mentioned the access
12 to capital markets. We had always envisioned,
13 from day one of this project, that the
14 community center would be built with a -- with
15 pilot dollars.

16 Our initial approach was that we
17 would have a pilot in place, whether it be a
18 portion of our pilot, bond financing, or total
19 bond financing, by December of 2008. With the
20 decline of the market, the availability of
21 cash, the mergers and bankruptcies of a number
22 of key players in that market, after September

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1 the availability of cash -- the ability to
2 bring to market an unrated security as ours
3 would be became impossible.

4 And after January of this year to
5 the current position any municipal bond
6 offering less than BB, BB+, which is the
7 market grade, is not even coming to market.
8 So an unsecured or unrated security as ours
9 would have a difficult time even pricing it,
10 and the pricing would be absurd to carry for
11 a 20-, 28-year period, with that kind of
12 interest rate.

13 So, in the short run, what we have
14 been able to do is piece together interim
15 financing from private lenders to be able to
16 invest in the public infrastructure. The
17 Housing Authority has secured over \$13 million
18 worth of private loans on its own balance
19 sheets to be able to invest in the public
20 infrastructure and keep the project moving
21 forward.

22 The softening of the real estate

1 market, I mean, it is the chicken-and-egg
2 continuous problem. If you don't have the
3 buildout, you don't have the real estate taxes
4 that then pay the bonds, then you don't have
5 the bonds to be able to issue, it becomes a
6 real problem for us.

7 So as the softening of the
8 commercial and the residential real estate
9 market occurred, we know that our ability to
10 move forward and to secure the financing
11 became, then, nearly next to impossible.

12 Equally important, the access to
13 private lenders has become even more
14 difficult. Our primary lender for many years
15 had been Wachovia Bank. And with the takeover
16 first of Citi and now of Wells Fargo, the
17 availability or access to cash to be able to
18 finance -- even interim financing -- has
19 become extremely, extremely difficult.

20 So our need for an extension of
21 time is -- for the buildout of the community
22 center is both practical and financial. We

1 can't have access to financing, even on an
2 interim basis, and on the financial side we
3 don't have access currently to the municipal
4 markets.

5 Finally, with respect to the need
6 for a slight increase in the overall
7 development, one of the key components of the
8 project is the inclusion of the 695
9 replacement public housing units. So to
10 offset the construction costs, given that
11 public housing units are unable to carry a
12 mortgage on them, we need to be able to find
13 a subsidy.

14 Therefore, the density has to
15 increase as the availability of cash for
16 construction -- especially low income housing
17 tax credits for constructing these public
18 housing units becomes much more difficult.
19 Density, therefore, then has to increase over
20 what was originally projected in the 2003/2004
21 market conditions.

22 Therefore, we need an increase of

1 the market rate density in order to provide
2 for the public housing units, and our
3 witnesses will cover that increase here
4 tonight.

5 This concludes our testimony. I
6 want to end by saying that, once again, just
7 reiterating this is a practical issue, and
8 this is a financial issue. We cannot build
9 the community center. We cannot build the
10 public housing units and meet our one-for-one
11 replacement without the support of the Zoning
12 Commission.

13 Thank you very much.

14 CHAIRMAN HOOD: Okay. Mr.
15 Cortiella, if you don't mind, we are going to
16 ask you questions, colleagues, before we hear
17 the other witnesses. Vice Chairman Jeffries?

18 VICE CHAIRMAN JEFFRIES: There
19 really are a lot of moving parts here. I am
20 just trying to get my arms around -- and this
21 overall plan is actually very helpful in terms
22 of, you know -- and it probably would have

1 been very helpful if someone was sort of
2 pointing through that as they were sort of
3 walking through the genesis of this.

4 I just wanted to be -- what is
5 being requested in terms of an increase in
6 density? Which squares?

7 MR. CORTIELLA: 760 -- I mean,
8 882.

9 VICE CHAIRMAN JEFFRIES: 882?

10 MR. FREEMAN: Mr. Jeffries, the
11 best place for you to probably take a look at
12 that is if you take a look at Mr. Sher's
13 report, on page --

14 VICE CHAIRMAN JEFFRIES: Okay.
15 I've got to find Mr. Sher's report. Okay.
16 Here we go.

17 MR. FREEMAN: On page 3.

18 VICE CHAIRMAN JEFFRIES: Ah, okay.

19 MR. FREEMAN: It kind of does a
20 breakdown of the overall changes and where
21 they occur.

22 VICE CHAIRMAN JEFFRIES: So 3B?

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1 MR. FREEMAN: Page 3, start under
2 number --

3 VICE CHAIRMAN JEFFRIES: Oh, I'm
4 sorry. Just a minute, hold on. Okay.

5 MR. FREEMAN: And you also
6 reference the 1.3. That gives you a little
7 bit of a visual representation of -- let me
8 just walk through this quickly. Blue
9 represents things that have been approved --

10 VICE CHAIRMAN JEFFRIES: Right.

11 MR. FREEMAN: -- and are under
12 construction. Orange represents what we are
13 here for today.

14 VICE CHAIRMAN JEFFRIES: Okay.

15 MR. FREEMAN: And yellow
16 represents kind of the future. And what you
17 can see in these charts is what was approved
18 in stage one and what is proposed now. So you
19 can kind of get a difference in terms of
20 number of units and number of parking spaces.

21 VICE CHAIRMAN JEFFRIES: Okay. So
22 in terms of increased density, all we are

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1 dealing with today is 882A and B, and then
2 769A?

3 MR. FREEMAN: Our application for
4 a modification specifically applies to the
5 things shown in yellow -- 769, 739 and 768.

6 VICE CHAIRMAN JEFFRIES: Okay.

7 MR. FREEMAN: However, our second
8 stage application for square 769 and 882,
9 which is the second stage approval, also is
10 requesting some flexibility in that
11 application as well.

12 VICE CHAIRMAN JEFFRIES: Okay.
13 And then, page 3 of Mr. Sher's report really
14 speaks to, okay, here we go. Okay.

15 Okay. I just wanted to get -- I
16 mean, you gave a lot of great detail, and so
17 forth, but, you know, I'm trying to just get
18 my arms around all of the moving parts. And,
19 I mean, this is helpful, but -- that's all,
20 Mr. Chair.

21 CHAIRMAN HOOD: I basically wanted
22 to ask Mr. Cortiella about the community

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1 center, because I saw the ANC, and I hear you.
2 You know, I've been on this Commission a long
3 time, and every so often I would hear people
4 come in and talk about the market conditions.
5 And I used to sit up here and wonder. And
6 I'll be quite honest with you, I had nothing
7 to tell them. This was early on.

8 But now I know it is -- you know,
9 it is very legit. I'm not saying it wasn't
10 legit then, but I know for sure it is legit.
11 And one of the things that I noticed in the
12 communities, at least the two that I've had a
13 chance to look at so far, is that the issue I
14 think was the community center, and, of
15 course, they can speak for themselves when
16 they come up.

17 But my issue -- well, I am trying
18 to figure out exactly -- it seems like the
19 community center is a big issue. And maybe
20 it's because they think it won't get done is
21 why they are raising some of the issues.

22 And I look that you are trying to

1 extend -- the community center now is not
2 going to come online until, what, 2013, was
3 it? 2011. So I don't want to add two more
4 years to it. And that's construction.

5 Help me, refresh me. When was it
6 supposed to come online for construction?

7 MR. CORTIELLA: It's scheduled to
8 come online this year and next year.

9 CHAIRMAN HOOD: Okay. So it would
10 have --

11 MR. CORTIELLA: I'm sorry, last
12 year and this year. 2008/2009 period.

13 CHAIRMAN HOOD: One of the ANCs,
14 the one that -- in which it's in, we have
15 given both of them great weight -- is asking
16 us to extend it a year. You know, with the
17 market conditions, have you -- let me just ask
18 it this way. Have you had conversations with
19 the ANCs, and just tell them, you know, just
20 --

21 MR. CORTIELLA: We made the
22 presentation to the ANC, and, in fact, the

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1 last meeting a couple of weeks ago made the
2 presentation about the need -- the
3 relationship between financing the community
4 center with pilot bonds and the time extension
5 request.

6 I mean, we will, as soon as we
7 have access to capital, finance the community
8 centers. That is -- there are two parts of
9 it. One is that was a key component of the
10 request by the community as we had the
11 community planning process. And, second, you,
12 the Board, the Commission, conditioned our
13 moving forward with the entire PUD on that we
14 build a community center. So we have
15 integrated this into our entire planning
16 process, and it is just a matter of financing
17 right now.

18 CHAIRMAN HOOD: So can I get your
19 word there will never be the opportunity that
20 you will come down and -- well, you are always
21 entitled to make modifications and changes,
22 but you don't foresee that happening, and this

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1 neighborhood will get that community center in
2 which they have all agreed to in the planning
3 process?

4 MR. CORTIELLA: Absolutely.
5 Michael Kelly is on -- the Executive Director
6 of the Housing Authority is on record of
7 saying one-for-one replacement on the site,
8 and the community center. I mean, and that we
9 believe is -- I mean, those are my marching
10 orders, essentially, of making sure that I get
11 this financed.

12 CHAIRMAN HOOD: Okay. All right.
13 Any other questions pertaining to Mr.
14 Cortiella's comments?

15 COMMISSIONER TURNBULL: Let me
16 just -- I just want to get something straight.
17 The community center construction would start
18 in 2011?

19 MR. FREEMAN: We are asking to
20 file our permit application by January 1,
21 2011, and start construction by January 1,
22 2012. I know there are a lot of dates going

1 around.

2 COMMISSIONER TURNBULL: Right.
3 When will you know as far as financing that
4 the community center is a real thing?

5 MR. CORTIELLA: Our underwriters
6 for the Board, for the bonds, for the pilot
7 bonds, is telling me that we should not
8 anticipate even thinking of going to the bond
9 market before second quarter of next year, of
10 2010.

11 COMMISSIONER TURNBULL: 2010.

12 MR. CORTIELLA: Unless there are
13 dramatic changes in the market conditions, I
14 don't foresee us knowing before then.

15 COMMISSIONER TURNBULL: Do you see
16 yourself coming back before us again and
17 asking for an additional extension?

18 MR. CORTIELLA: I mean --

19 COMMISSIONER TURNBULL: I know
20 it's a tough time. I know. I'm just trying
21 to get a handle on how bad -- what kind of a
22 position you're in, and if your date is

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1 realistic for yourself.

2 MR. CORTIELLA: I believe it's
3 realistic. I mean, we -- and we've had many
4 conversations with the underwriters and bond
5 councils and others about the market
6 conditions. And we believe that that's a very
7 conservative date, the second quarter of 2010,
8 so we believe that we will be able to finance
9 this and then move forward with the 2011/2012
10 timetable.

11 COMMISSIONER TURNBULL: Okay.
12 Thank you.

13 MR. CORTIELLA: Yes, sir.

14 CHAIRMAN HOOD: Commissioner May?

15 COMMISSIONER MAY: I just had a
16 question about the one-for-one replacement.
17 Is that a -- is that an absolute requirement?
18 And, if so, who is requiring it? Or is it
19 just a promise?

20 MR. CORTIELLA: Two things. One
21 is a commitment we made in our application to
22 HUD, and it was a base -- one of the points of

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1 the basis for awarding the HOPE 6 grant to the
2 Housing Authority. We made a commitment to
3 the residents of public housing in stating
4 that that is how we were going to manage this
5 redevelopment project moving forward, and then
6 it is an absolute promise. All right?

7 So we have made it publicly, and
8 it has become part of our grant requirements,
9 and also of you conditioning the PUD moving
10 forward. And there is an absolute promise
11 also.

12 COMMISSIONER MAY: Okay. Thanks.

13 COMMISSIONER TURNBULL: Is the
14 one-to-one replacement not of just units but
15 types of units?

16 MR. CORTIELLA: Of public housing
17 units.

18 COMMISSIONER TURNBULL: Yes. But
19 I mean of one bedroom, two bedroom, three
20 bedroom? I mean, is it one-to-one equal as to
21 what was there, or are you -- just of units
22 themselves?

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1 MR. CORTIELLA: Units themselves.

2 COMMISSIONER TURNBULL: Okay.

3 CHAIRMAN HOOD: Any other
4 questions?

5 (No response.)

6 Mr. Cortiella, hopefully you will
7 stick around. There may be some cross
8 examination from the ANC, but I wanted to get
9 that out of the way, because once we get a
10 design around here it seems like we never get
11 back.

12 So, anyway, Mr. Freeman, you all
13 can continue.

14 MR. FREEMAN: That concludes our
15 direct testimony on the first two applications
16 -- the community -- the extensions and the
17 modifications.

18 Now what we would like to do is
19 have Mr. Baranes and Mr. Gang go through the
20 design of the buildings for our second stage
21 application, 739 and 882.

22 (Pause.)

1 CHAIRMAN HOOD: Commissioner May,
2 if we can turn the lights back on.
3 Commissioner May, I can't think of everything,
4 and that's why it's good to have four good
5 colleagues up here who come up with these
6 great ideas.

7 Commissioner May is thinking that
8 maybe we can do the cross examination on that
9 first, on what we just did, because we just
10 did the modifications and the time extension.
11 Let me just call for cross examination.

12 Now, I'm not sure how to work
13 this, because -- who is the chair of ANC-6D?
14 Mr. Litsky? I don't see Mr. Litsky, and I
15 don't see in this letter anyone who is
16 designated to speak for 6D or 6B. So, but
17 anyway, is there a representative from ANC-6D
18 that is here? Two representatives from 6D.

19 Mr. McBee, if you can come
20 forward. If you can get on the mic and
21 identify yourself. And you are in six --
22 well, I'll wait until you identify yourself.

1 I do see a letter here from you. I have not
2 had a chance to -- where is it? I saw a
3 letter here from you somewhere, or something,
4 but anyway.

5 MR. McBEE: Chairman Hood, I am
6 Ron McBee, ANC-6D, 6D-03. My single member
7 district borders next to 6D-07, which is
8 represented by Commissioner Bob Siegel here.

9 MR. SIEGEL: I am Commissioner Bob
10 Siegel. I live in the single member district
11 of this project.

12 CHAIRMAN HOOD: Okay.

13 MR. McBEE: I was just going to
14 offer up that perhaps that -- my testimony is
15 going to be radically -- as I can see from
16 here, from the Housing Authority, is going to
17 be quite different and 180 degrees in another
18 direction about the funding of this project
19 and support of it.

20 And I am not sure doing a cross
21 examination without my testimony would be, you
22 know, helpful for the Commissioners here on

1 the Zoning Commission tonight. And I would
2 hopefully like to be able to do that, and what
3 I am just thinking -- that perhaps they need
4 to go through theirs, then we presented, and
5 maybe at that point -- we are not trying to --
6 at least I am not, and maybe I'm -- I can't
7 speak for Commissioner Siegel here, but I am
8 not here really in trying to cross examine
9 them. I am here to offer what I have found
10 information about in support of and --

11 CHAIRMAN HOOD: So you will be
12 doing that in your testimony.

13 MR. McBEE: Yes. Yes, sir.

14 CHAIRMAN HOOD: Okay. All right.
15 That's fine, because -- and that was just it.
16 I mean, that was my point, because we don't --
17 actually, in the letter from your ANC, it
18 doesn't specify who will be speaking -- at
19 least I don't see it -- who will be speaking
20 for ANC-6D. We just have a letter. Even in
21 the resolution it doesn't name anyone.

22 MR. McBEE: It was a long meeting

1 that night. It was just that it was an
2 oversight on our part, and generally it is
3 usually the chair or Mr. Siegel here who
4 particularly is the Commissioner for the area,
5 unless somebody else is designated by the
6 panel.

7 CHAIRMAN HOOD: Okay. Here is
8 what happening. It doesn't happen with 6D,
9 but here is where we get into trouble. If I
10 do that, I wind up getting in a lot of
11 trouble.

12 MR. McBEE: Well, I don't want to
13 get in trouble either, so I -- I'll work with
14 you.

15 CHAIRMAN HOOD: But you know what?
16 I think what we can do when you do your
17 testimony -- and I will ask Mr. Jarboe to do
18 the same thing -- when you give your
19 testimony, if you have some questions
20 specific, we will ask them.

21 MR. McBEE: Okay.

22 CHAIRMAN HOOD: Okay? That way we

1 can work it out and keep it clean.

2 MR. McBEE: Okay.

3 CHAIRMAN HOOD: Okay. All right.
4 Well, I hope it's all clean, but, I mean, you
5 know, okay. All right. Thank you.

6 And, Mr. Jarboe, are we in --
7 okay. We are in agreement with that. Okay.

8 Obviously, there is no cross
9 examination.

10 All right. Okay. Mr. Freeman,
11 sorry about that. It was worth that exercise.
12 I guess we can turn the lights off, and we
13 won't interrupt any more, I don't think.

14 MR. GANG: Good evening. My name
15 is Steve Gang. I'm with the Lessard Group.
16 The presentation tonight, in reference to the
17 architecture, I am going to talk first about
18 the high-rise on Block 769. Then, Mr. Baranes
19 is going to talk about the office building on
20 Block 882, and then I will conclude with the
21 mid-rise on Block 882.

22 The location of the site is

1 located at 2nd, L, and 3rd Streets, Southeast.
2 Metro is a couple of blocks away, and the site
3 will front on future Canal Park. The three
4 photos you have here shows what has been going
5 on recently within the area. Existing office
6 buildings, residential, hotels, government
7 buildings, have all been constructed recently
8 within the area.

9 This is a perspective of our
10 proposed building. It is shown from L Street
11 across to future Canal Park. Our building is
12 on the left-hand side. The building on the
13 right-hand side is the proposed office
14 building that you recently approved.

15 This building I think was -- what
16 was originally mentioned was it was designed
17 originally for 107 home ownership units. It
18 has now been changed to 171 residential units.
19 And I think, as Commissioner May asked, there
20 is 20 percent of the 171 units are affordable
21 units, which are -- 34 will be public housing
22 units in this particular building.

1 The total FAR was just increased
2 by 11,500 square feet for the additional 64
3 units. The building height is identically the
4 same as was approved in the Phase I PUD at 110
5 feet.

6 The goal in the design of this
7 building was a contemporary building. Even
8 though it's a residential building, we wanted
9 to continue the extension of the park scene
10 along Canal Park. It is a concrete clad
11 building. We wanted to complement the office
12 building, so we used light colored brick and
13 light neutral tones of metal cladding. The
14 windows are aluminum, and we used a lot of
15 capstone banding details.

16 One of the comments staff made to
17 us during the review process was to -- on the
18 second floor to -- was to have a much stronger
19 concrete capstone to complement the office
20 building to the right, and that is what we
21 have done in the redesign of our buildings --
22 the building. We also emphasized where the

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1 residential lobby was, with a tall vertical
2 element. And I will get into a little bit
3 more details of how we did that.

4 There is retail on the first
5 floor, on the 2nd Street side. On the L
6 Street side, which is on the left-hand side of
7 this perspective, is -- there is residential
8 amenities, components. It has been activated
9 on all sides of the buildings.

10 Hopefully, you can see in the
11 middle of the building how we have articulated
12 emphasizing the center of the building. You
13 can notice that the windows have been extruded
14 from the buildings, and we provided a very
15 strong symmetry for the building, and, again,
16 you know, using multi-banding for the
17 buildings.

18 These are two cross-sections --
19 or, I'm sorry, two sections of the buildings
20 or elevations of the building. The one on the
21 left is the L Street elevation. The second
22 one is the 2nd Street elevation next to the

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1 office building. You will notice that -- in
2 the one on the right how we have transitioned
3 -- we started to transition in height along
4 the Canal Park.

5 The building approved -- you know,
6 the office building which was approved was for
7 130 feet. We are starting to set down to 110
8 feet as the progression of buildings along
9 Canal Park are designed. We have also added
10 in strategic locations balconies to also
11 soften the face of the building, and along L
12 Street, since there is townhouses across the
13 street, is where we have broken the building
14 into a U-shaped building to also soften the
15 character of the streetscape.

16 In reference to the details, the
17 details, which is labeled Detail A, is at the
18 corner of L Street and 2nd Avenue. It shows,
19 you know, metal cladding, the brick metal
20 canopies at strategic locations, the aluminum
21 store fronts, and the retail base with the
22 store front windows.

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1 The Detail B is at the center of
2 the building. On the left-hand side is a
3 metal cladding that basically starts from on
4 top of the canopy and extends upward, and you
5 can see the shadow. Also, you'll notice the
6 shadow of the curved windows, with the metal
7 cladding and the wide base -- wide stone
8 banding.

9 COMMISSIONER MAY: Do we have that
10 drawing?

11 MR. GANG: Yes, you do.

12 COMMISSIONER MAY: It wasn't in
13 the --

14 MR. GANG: It's sheet number 4.9.
15 Would you like me to wait or continue?

16 COMMISSIONER MAY: Go ahead.
17 That's all right. Found it.

18 MR. GANG: They're the new ones,
19 they should be, and this is the old.

20 And one minor thing, and I
21 apologize, this is my fault. The perspective
22 you see, it has been adjusted, and I think the

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1 -- for the record, we submitted additional
2 copies of what was approved with the -- you
3 know, the suggestion per Steve and his staff.

4 And on this one there was a strong
5 -- you know, the plans I think you --
6 hopefully you have in front of you shows a
7 stronger band on the second floor, as well as
8 between the eighth and ninth floor also.

9 Would you like me to continue or
10 wait? Okay. All right.

11 This here -- this is sheet 4.1.
12 The plan on your left is the ground floor.
13 You'll notice in the -- I'm going to call it
14 light red or wine color are the locations for
15 the retail. The lobby is in the center of the
16 building. The trash pickup for the retail,
17 which is always important, the building on the
18 corner of 2nd and L Street, we have set aside
19 a special trash room for that building, and
20 access for that will be off of L Street.

21 You know, there is double doors,
22 and, you know, when they come with trash, it

1 will have that. The trash for the other
2 building, the other retail component, will be
3 off the alley. There is a second series of
4 doors.

5 The trash for the residential is
6 off the alley off of 3rd Street and 2nd. You
7 will notice there is a trash room there, and
8 there is trash chutes basically in that corner
9 of the building that will go all the way down.

10 There is two service areas for the
11 trucks. One is off the second retail space,
12 which I mentioned, and there is another one
13 which is located off the lobby.

14 Now, this next plan, which is 4.1,
15 shows the -- I wanted to emphasize on the roof
16 plan, one of the modifications which we are
17 asking for is a setback relief for the
18 mechanical roof line. And the reason we are
19 asking for that is because you will notice in
20 the L-shaped portion we have sculptured that
21 -- sculptured the building somewhat, and
22 because of that we are asking a modification

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1 of somewhere between -- in one area four feet
2 one inch, and the other one is five feet.
3 And, again, this is because this is at the
4 narrowest point of the courtyard.

5 This is --

6 VICE CHAIRMAN JEFFRIES: Excuse
7 me. You are in 4.1 or 4 --

8 MR. GANG: 4.11.

9 VICE CHAIRMAN JEFFRIES: Oh, okay.

10 MR. GANG: I apologize if I said
11 4.1. But this is sheet 4.11, and it will show
12 where the mechanical room is. And that is on
13 the right-hand side, and one is -- the left-
14 hand diagram is how the typical floors work.

15 Sheet 4.12 on the left-hand side
16 shows the parking garage. The parking garage
17 was basically dictated by the width and depth
18 of the lot. It is quite narrow in width, and
19 basically the parking is a continuous ramp at
20 five percent on both the north side and south
21 side of the block. It is basically flat --
22 flat areas where the staircases come out, as

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1 where the elevators are.

2 The section A shows the three
3 levels of parking, also shows the extra width
4 or extra depth along the first floor. You
5 know, from the ground floor of the sidewalk to
6 the top of the second floor is 18 feet. So
7 there is extra depth for the lobby as well as
8 for the servicing in the parking area.

9 4.14 is the 2nd Street section.
10 This is basically -- was part I think of the
11 Phase I PUD. It shows the approved street
12 heights -- I mean, the approved building
13 heights along 2nd Avenue. And as you'll
14 notice on the right-hand side, that is the
15 office. The next building to the left of that
16 is the building under consideration, and
17 continuing down towards the west, showing
18 Squares 768, 767, and what is existing on 766.

19 Sheet 4.14 is the amenity
20 landscape plan. I think as I mentioned, there
21 is an amenity space at the corner of L Street
22 and 3rd Street to enhance the amenity package.

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1 I think as I mentioned before across 2nd
2 Street is where the Canal Park is. In the
3 staff report -- and just to mention again is
4 the applicant is making contributions to the
5 park after the release of the office permits
6 for both Squares 882 south and 769 south.

7 The courtyard is on top of the
8 second floor. This will -- it is open up to
9 the residents, and it will be an attractive
10 amenity space for all of the residences. In
11 reference to urban street sections along 2nd
12 Street, it is a fully paved section from the
13 curb line to the face of the building.

14 This will allow for the outdoor
15 opportunities to exist for the retail
16 components along L Street and 3rd Street. It
17 is lawn-paneled, street tree plantings, urban
18 -- wide urban sidewalks of 10 feet, and a
19 substantial green planting area between the
20 face of the building and the back of the
21 sidewalk.

22 This is the street section along

1 2nd Avenue. As I mentioned, you will notice
2 the urban section. We are allowing for cafe
3 sitting and extra wide sidewalks for those
4 things to occur, and also how this relates to
5 the park edge and 2nd Street.

6 Now, we also did a LEED checklist
7 to see where we stand from how we are going to
8 do sustainability for this building, and right
9 now we are at 29 points preliminarily, which
10 will put us into the certified level.

11 MR. FREEMAN: If I could just ask
12 a quick question. Do you want to stop and ask
13 questions after each building, or go through
14 all buildings?

15 CHAIRMAN HOOD: Let me check with
16 my colleagues. How would you all -- what is
17 your pleasure? Would you like to do it
18 individually or through the whole thing? I
19 heard individually, so we will ask questions.

20 MR. FREEMAN: Okay.

21 CHAIRMAN HOOD: So we are going to
22 do it individually, so -- so the applicant

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1 won't be confused. All right.

2 Okay. Who would like to start us
3 off?

4 VICE CHAIRMAN JEFFRIES: Can you
5 walk me through the elevations that are off of
6 3rd Street that face the townhomes? I just
7 want to get clarity on scale.

8 MR. GANG: Sure. The 3rd Street
9 elevation is identical to the 2nd Street
10 elevation.

11 VICE CHAIRMAN JEFFRIES: Okay.

12 MR. GANG: And that is also part
13 of your package. I think it's 4.8 -- 4.8, if
14 I'm not mistaken. I just did not include it,
15 because it is -- and the one that faces across
16 the street. And also on 4.8 is the elevation
17 facing the office building.

18 VICE CHAIRMAN JEFFRIES: Do you
19 have a section showing, you know, the
20 townhomes and how they interact with the
21 building?

22 MR. GANG: No, I don't.

1 VICE CHAIRMAN JEFFRIES: Okay.
2 And I was just trying to get a sense whether
3 there were any kind of cues on the actual face
4 of the building that sort of relate to scale
5 as it relates to the --

6 MR. GANG: Sure.

7 VICE CHAIRMAN JEFFRIES: -- the
8 townhomes.

9 MR. GANG: If I'm not mistaken, I
10 mean, we really haven't -- I mean, we know the
11 townhouse blocks are similar to what has been
12 approved recently. As I mentioned before,
13 this is the same height and bulk that was
14 approved as part of the Phase I PUD. The
15 Phase II PUD basically had this as an L-shaped
16 building without any breaks along the L
17 Street. We think this is an enhancement of
18 the compatibility between the future
19 townhouses and what is being proposed right
20 now.

21 VICE CHAIRMAN JEFFRIES: Okay. I
22 -- okay. I just -- so the townhomes have been

1 approved. So we could have been -- we could
2 have seen something showing sort of what this
3 looks like in a -- you know, adjacent to the
4 townhomes, right?

5 MR. GANG: Yes. And it should be
6 on the master plan, you know, as part -- I
7 mean --

8 VICE CHAIRMAN JEFFRIES: I mean,
9 obviously it's not a problem having a tall
10 building next to townhomes. I mean, we've
11 seen a lot of that. But we have also seen
12 situations where it hasn't been quite
13 graceful, and I just wanted to get a sense of
14 just, you know, how that comparison was, and
15 that it is not too abrupt, and so forth.

16 And whether there were certain
17 things in the ground floor, couple of floors,
18 that sort of, you know, created a more
19 peaceful scale if someone is walking through
20 as opposed to looking at a tall building next
21 to townhomes.

22 MR. FREEMAN: Commissioner

1 Jeffries, if I could just add one thing. When
2 we came through for a prior case, 250 M
3 Street, you might recall that building to the
4 immediate south is 130 feet, and we set this
5 one down to 110 feet, so that the scale could
6 kind of step back as you go a little further
7 north.

8 VICE CHAIRMAN JEFFRIES: But I am
9 not dealing with the envelope of the building.
10 I am really just dealing with --

11 MR. FREEMAN: With the designing
12 of the situation.

13 VICE CHAIRMAN JEFFRIES: Yes,
14 aspects of the ground floor and, you know,
15 that sort of relate to the pedestrian
16 experience. I am not on the page of the
17 envelope, so that's all.

18 CHAIRMAN HOOD: Commissioner
19 Turnbull?

20 COMMISSIONER TURNBULL: Let me
21 just go back. Did you say that the 3rd Street
22 elevation along the front is the same as the

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1 2nd, or similar?

2 MR. GANG: Yes, in reference to
3 the architectural character, where we have the
4 symmetry of the building.

5 COMMISSIONER TURNBULL: I guess
6 what I am trying to figure out is, looking at
7 your section on 412, 4.12, you have got
8 basically a big volume of garage for over half
9 that length.

10 MR. GANG: Right.

11 COMMISSIONER TURNBULL: So it is
12 not quite the same as having full retail. You
13 must have blank walls, or what do you have
14 along part of it?

15 MR. GANG: Let me get that one.
16 Just a second.

17 (Pause.)

18 COMMISSIONER TURNBULL: I mean, it
19 looks like on the 3rd Street on 4.10 that you
20 have the residential amenity piece at L and 3,
21 which maybe not a third of the --

22 MR. GANG: Right.

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1 COMMISSIONER TURNBULL: -- and
2 then it's --

3 MR. GANG: Do you have this sheet?

4 COMMISSIONER TURNBULL: Which
5 drawing is that?

6 MR. GANG: 8. It's sheet 4.8.

7 COMMISSIONER TURNBULL: Okay.

8 MR. GANG: And, yes, there is
9 garage along that face. And even though there
10 is a garage we are going to articulate the
11 building that looks like it is part of a
12 ground floor experience, instead of making the
13 blank wall.

14 COMMISSIONER TURNBULL: Okay. But
15 in reference to the symmetry of the building,
16 the details --

17 VICE CHAIRMAN JEFFRIES: What does
18 that mean, though? What -- I mean, it will
19 still be glass?

20 MR. GANG: Yes.

21 VICE CHAIRMAN JEFFRIES: I mean,
22 just --

1 MR. GANG: That's exactly right.
2 It will look -- I mean, quite obviously, it is
3 a garage behind there. We are all seeing
4 great garages in urban areas, and this will be
5 just -- it will be that type of experience
6 that you don't know it's a garage behind
7 there.

8 VICE CHAIRMAN JEFFRIES: Okay.

9 COMMISSIONER TURNBULL: I've got a
10 question. On drawing 4.10, the plan, the
11 second level -- well, it's the street level
12 plan. You have the loading dock, and then it
13 looks like you've got PEPCO vaults in front of
14 that. Are those just open grates or --

15 MR. GANG: In my understanding
16 they are. I mean, it is part -- you know, it
17 is a flat area. It's part of the -- I should
18 say part of the private drive there. It is an
19 extra wide private drive shared between --

20 COMMISSIONER TURNBULL: Okay.

21 MR. GANG: -- the office building
22 and the residential building, so in this case

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1 it is 25 feet wide, and those were the
2 locations chosen, you know, to make the office
3 building work. And that was acceptable to the
4 public utilities companies.

5 COMMISSIONER TURNBULL: Okay. The
6 trash room further down, that is where the
7 pickup then is?

8 MR. GANG: Yes.

9 COMMISSIONER TURNBULL: Okay.

10 MR. GANG: And, you know, just to
11 clarify, on 4.11 there is a T. That is where
12 the trash rooms are, and they basically go
13 down to that area.

14 COMMISSIONER TURNBULL: Okay.

15 MR. GANG: You know, there are
16 people on those upper levels, and that is
17 where --

18 COMMISSIONER TURNBULL: Yes.

19 MR. GANG: -- it will empty out.

20 COMMISSIONER TURNBULL: Okay.

21 Thank you.

22 MR. GANG: You're welcome.

1 CHAIRMAN HOOD: Commissioner May?

2 COMMISSIONER MAY: The building
3 basically has a U-shaped form. Why did you
4 choose to have the U pointing north? I mean,
5 were you more interested in the -- I mean,
6 were you concerned about the office building
7 to the south blocking the light or --

8 MR. GANG: That was, one, you
9 know, views of the Capitol; and, two, again,
10 because I think the question was with the
11 townhouses being across the street.

12 COMMISSIONER MAY: There are
13 townhouses across the street?

14 MR. GANG: I'm sorry. With the
15 high rise across the street.

16 COMMISSIONER MAY: Yes.

17 MR. GANG: Yes. We just thought
18 that would, you know, soften the L Street
19 elevation compared to having it face the
20 office component. The office component, with
21 being 130 feet, that would add a lot more
22 shadow within that courtyard. Opening it that

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1 way will allow a lot more light.

2 COMMISSIONER MAY: Yes. Of
3 course, it is all indirect light, because it
4 is all north facing. Do you have sample
5 boards?

6 MR. GANG: No, we don't.

7 COMMISSIONER MAY: And we
8 typically expect to see sample boards for
9 Phase II PUD or consolidated PUD. We wouldn't
10 have seen them at Phase I.

11 CHAIRMAN HOOD: We are going to
12 need a sample board.

13 MR. FREEMAN: We will be happy to
14 put those together for you.

15 CHAIRMAN HOOD: I'm sorry?

16 MR. FREEMAN: Yes.

17 CHAIRMAN HOOD: Okay.

18 MR. FREEMAN: We will do that.

19 COMMISSIONER MAY: Okay. I only
20 partially followed what you were saying before
21 about the garage entrance on 3rd Street. Can
22 you explain that again to me, because it

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1 doesn't -- it is not drawn on the elevation
2 that we have on 4.8.

3 MR. GANG: Sure. I think we start
4 clarifying and get into a little bit more
5 details our goal is that it looks like part of
6 the urban fabric -- it doesn't look like a
7 blank wall, it doesn't look like a garage.

8 COMMISSIONER MAY: Okay. And can
9 you --

10 MR. GANG: I'm sorry. And just
11 one -- there is no garage entrance off 3rd
12 Street.

13 COMMISSIONER MAY: Oh.

14 MR. GANG: The garage entrance is
15 off the back alley.

16 COMMISSIONER MAY: It's off the
17 alley.

18 MR. GANG: Yes. If you'll notice
19 on 4.10 --

20 COMMISSIONER MAY: Yes. So the
21 key plan is wrong where it shows a drive?

22 MR. GANG: The key plan is wrong?

1 What sheet are we looking at?

2 COMMISSIONER MAY: 4.8.

3 MR. GANG: 4.8.

4 COMMISSIONER MAY: It's hard
5 keeping three different buildings straight for
6 me, so I am -- that's why I am --

7 MR. GANG: Yes, that is correct.

8 COMMISSIONER MAY: So --

9 MR. FREEMAN: 4.8, the left-hand
10 drawing shows the view from the service drive,
11 so that is where you access --

12 MR. GANG: I think the reason that
13 is there is because there is an existing curb
14 cut right there right now, and that is why it
15 is shown.

16 COMMISSIONER MAY: I see. Okay.
17 Yes, I see where the entrance is on the plan
18 on 4.10. Okay. That's what threw me off.

19 Retail 2 is going to be serviced
20 by that same loading dock, so whatever goes in
21 and out of retail 2 is going to have to go
22 across the lobby. Is that right?

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1 MR. GANG: Let me -- what we
2 decided to do is --

3 COMMISSIONER MAY: Just past it.
4 There you go.

5 MR. GANG: You'll notice in this
6 diagram, in the upper -- in the corner, what
7 we did was we added a trash room, specifically
8 so they didn't have to go through the lobby.
9 And there is a --

10 COMMISSIONER MAY: I'm sorry.
11 Where is that in that -- is it the same as
12 4.10?

13 MR. FREEMAN: It's in the 4.10
14 sheets that we submitted to the Commission.

15 MR. GANG: This is -- there is a
16 trash room which we added, so they didn't have
17 to go through the lobby, with double doors.

18 COMMISSIONER MAY: I see.

19 MR. GANG: So we thought that made
20 a lot more sense than having them roll it
21 around the back or going through the lobby, so
22 --

1 COMMISSIONER MAY: So on L Street
2 -- so if we look at the facade for L Street,
3 does that now show that trash room door there?
4 I guess that's the blank door behind the red
5 car? That changed. That used to be a glass
6 door, so now it's a solid door.

7 I think I see my answer in the
8 drawing, so -- that's it for me, thanks.

9 CHAIRMAN HOOD: Any other
10 questions on Square 769?

11 (No response.)

12 VICE CHAIRMAN JEFFRIES: So there
13 is just one door on 3rd Street.

14 MR. GANG: That is correct.

15 VICE CHAIRMAN JEFFRIES: And the
16 residential amenity, what exactly -- that
17 would be --

18 MR. GANG: If it's all right, I
19 will have someone from Mid-City Urban answer
20 that, specifically what they had in mind.

21 VICE CHAIRMAN JEFFRIES: Okay.

22 MR. McCABE: Good evening. Dan

1 McCabe with Urban Atlantic. A typical program
2 for an amenity for a building like this would
3 be an exercise facility and a computer room.

4 VICE CHAIRMAN JEFFRIES: Okay.
5 Okay. I just -- we can -- we will probably go
6 back to this later. I am just -- I probably
7 have a question for Office of Planning in
8 terms of the character of 3rd Street. I mean,
9 I just want to make certain that this thing
10 doesn't look like it's -- like it has its back
11 to the townhomes or something. But that's it.

12 CHAIRMAN HOOD: All right. Any
13 other questions on Square 769?

14 (No response.)

15 Okay. Mr. Freeman, we can move
16 on.

17 MR. FREEMAN: Now, we'll do
18 Square 882 south, the office building.

19 MR. BARANES: Good evening. My
20 name is Shalom Baranes with Shalom Baranes and
21 Associates.

22 The site that is occupied by the

1 office building fronts on M Street between 7th
2 Street on the east side and this private area
3 which aligns generally with 6th Street on the
4 west side. And you can see that we created a
5 private alley between the residential and the
6 office building. That alley will be
7 approximately 35 feet wide.

8 Here is a view looking generally
9 to the northeast of our project. Now, from a
10 zoning standpoint, of course, we have
11 characterized this as a single building, and
12 it certainly meets all of the zoning
13 requirements for that. You will see shortly
14 it is connected on three levels above grade.

15 But given the length of the block
16 that we were dealing with, which is about 500
17 feet, we thought it would be more appropriate
18 to try to express this building
19 architecturally as two separate buildings
20 related, cousins essentially, having both
21 built out of the same kit of parts but having
22 somewhat different identities and different

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1 characters.

2 And you will see shortly that the
3 variation is really mostly with the color of
4 the materials that we use on the two
5 properties.

6 This view focuses on the -- on one
7 of the two corners of the building that we
8 have. Here we have the entrance to the lobby
9 with retail on both sides. And, you know, one
10 of the things I would like you to note here is
11 the level of effort -- and I will describe
12 this in more detail shortly -- but the level
13 of effort that has gone into creating a very
14 generous streetscape, a very generous base to
15 the building, a very generous pedestrian level
16 to the building.

17 We have made it much taller than
18 what you normally see. We not only have the
19 14-foot clear retail height, but then we also
20 try to incorporate one of the office floors
21 visually, again just to lift the building up
22 and give it a scale that we believe is

1 appropriate to the street.

2 You will see that in both
3 instances, on the far corner as well as this
4 corner, we have accented the entrance and the
5 -- at the intersection of two streets with
6 this glass element, which changes somewhat in
7 character as it moves along the street.

8 It becomes a little more
9 horizontal in character, but at the corner has
10 a fairly strong presence and creates a public
11 precinct here that just allows pedestrians to
12 cut across the block and essentially be a
13 little more inviting than I think one would
14 normally see with other buildings along this
15 street.

16 Here is the opposite corner.
17 Again, I think you can pretty clearly see the
18 relationship to the corner I just showed this.
19 This one, of course, hits the ground
20 differently. Here we -- we did almost the
21 exact opposite of what we did on that corner.
22 Rather than carving it out, we created a

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1 volume.

2 We created a distinct volume,
3 which again relates to the scale of the
4 pedestrian and not so much the scale of the
5 height of the building. And then, of course,
6 that continues to slip through behind the
7 columns as it slides down towards the east.

8 I am showing you the section again
9 just to be sure that it is clear that we
10 really have designed this as a single
11 building. We have actually -- this is more of
12 a single building than most of our other
13 projects are single buildings. We have a
14 connection here at three floors. Not only
15 does the retail go through, but we have two
16 office floors going through. We have a slot
17 between the two buildings that is about 24
18 feet wide. And I really do think it is the
19 right thing to do.

20 VICE CHAIRMAN JEFFRIES: What page
21 is that?

22 MR. BARANES: I'm sorry, I don't

1 have page numbers. Let me see.

2 VICE CHAIRMAN JEFFRIES: Because
3 my vision is going, and I -- what page? Okay,
4 we got it. 218.

5 MR. BARANES: All right. All
6 right, good.

7 We don't know how the building
8 will be tenanted, but I believe we designed it
9 -- we have designed it in a way where it could
10 either accommodate two major tenants, one in
11 each building, each one having its own
12 distinct identity, or, alternatively, it could
13 be occupied by a single tenant occupying the
14 entire 500,000 square foot development.

15 Here is a plan at one of the -- at
16 floors two and three, where you can see it is
17 a contiguous floor plate with two separate
18 cores. And then, up above that, this is where
19 we introduce the split, and basically
20 functions as most other buildings do on the
21 street. And, by the way, both of these
22 buildings as shown here separately have about

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1 the same scale. They are slightly smaller
2 than many of the new buildings built in the
3 last seven or eight years along M Street, so
4 --

5 VICE CHAIRMAN JEFFRIES: Well, you
6 characterize them as two buildings.

7 MR. BARANES: I realize I just did
8 that.

9 VICE CHAIRMAN JEFFRIES: Yes,
10 okay. I just wanted to catch --

11 MR. BARANES: I was not speaking
12 from a zoning perspective.

13 VICE CHAIRMAN JEFFRIES: Okay.
14 (Laughter.)

15 MR. BARANES: Now, one of the
16 major challenges in dealing with this site was
17 the topography, the grade. There is a 20-foot
18 drop from the east side of the site down to
19 the west side of the site, and the reason that
20 was challenging -- the reason that is
21 challenging is because, you know, we are
22 trying to activate the sidewalks. We are

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1 trying to create active retail. We want to
2 have a lively pedestrian environment. And, of
3 course, you know, it is very difficult to do
4 that when you have these stepping floor
5 plates.

6 So I am going to walk you through
7 different sections of the building here in a
8 little more detail to show you how we
9 accommodated the change in grade.

10 So if we start at the lowest
11 level, so this corner here is 20 feet below
12 this corner on the right. So the corner on
13 the left, which is the west side, we have that
14 open area, that open plaza accessible to the
15 public, and that is the point at which you can
16 access the lobby to the west building. So all
17 of this that you see here is basically at
18 grade, at sidewalk level.

19 You can come in here, access the
20 elevators to take you up to the lower upper
21 floors or garage elevators to take you down
22 into the garage. And then, also along here we

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1 have retail frontage, which is essentially at
2 the same level as the sidewalk.

3 Now, as you get over here, the
4 grade starts to rise. And, of course, you
5 know, we are -- everything -- this whole floor
6 plate here is buried into the hill, so the
7 parking that you see here is really two levels
8 below the sidewalk at that end. It is 20 feet
9 down.

10 This particular drawing shows you
11 what the building is -- how the building is
12 configured in the middle of the block. We
13 have inserted here a retail floor plate.
14 There is a slight change in elevation from
15 retail B to retail C on the floor elevations,
16 but they are very, very close, so that
17 basically once you come past the lobby that I
18 just showed you along here and you start to
19 rise, you now come -- arrive at an area of the
20 building where all of this retail here is
21 essentially at grade. It is mostly at grade,
22 and the entrances to it could happen along

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1 here or along here. They can't happen either
2 at this end or this end, because the grade
3 doesn't quite meet the floor plate there.

4 But, you know, I think the beauty
5 of the scheme is that we designed it so that
6 this could operate either as a single large
7 retailer or as multiple smaller retailers.
8 All of that would work.

9 And then, as you continue to walk
10 east, of course, this office area that we have
11 shown here is really an English basement type
12 office area. It is below grade. And you have
13 to keep walking up the hill in order to reach
14 the entrance to the east lobby, which, again,
15 is accessed off of 7th Street and has glass
16 all along the sidewalk here. And it is a bit
17 of a walk to the elevators. There is an
18 alternate entrance right here, which has
19 steps. It is not handicapped accessible, but
20 you have the choice of entering at either
21 side.

22 This is a composite floor plate,

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1 which more than the other floor plans you can
2 see there are breaks in it. There is a break
3 here and a break here. But it does show you
4 what the pedestrian walking up and down M
5 Street would experience -- retail, office
6 lobby, you know, retail along here, and then
7 another office lobby along here with more
8 office moving to the north on that side. And,
9 of course, that corresponds to the elevation
10 that you see along the top here as you rise to
11 the right.

12 And, again, I would ask you to
13 note how we have designed the base of the
14 building to essentially step up as it moves up
15 the hill, so that you always have this very,
16 very generous base to the building, which I
17 think, again, has the appropriate scale to
18 10th Street.

19 This is the landscape plan
20 prepared by Edaw. It is -- essentially, our
21 idea here is just to continue the streetscape
22 standards that have been developed elsewhere

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1 in the neighborhood. We are really not
2 proposing anything different than what you see
3 elsewhere.

4 We did pull our building back.
5 This is M Street, it's a section through M
6 Street, looking east. We did pull our
7 building back from the property line. You see
8 here is the property line. We pulled it back
9 in order to allow ourselves a 22-foot wide
10 sidewalk from the curb all the way back to the
11 face of the building. Most of the sidewalks
12 and other areas here tend to be quite shallow,
13 and we felt that this is really the
14 appropriate thing to do for the public realm
15 here.

16 And here our a couple of views,
17 again closeups, showing the retail along here,
18 the lobby entrance, and then looking the other
19 direction of course the retail along here.
20 And I keep showing you these imagines just
21 because I do think that this is probably the
22 most important part of the building.

1 I think that is really one of the
2 problems right now as you walk along M Street
3 is there is just not quite enough activity I
4 think at the base of many of these buildings
5 to activate the sidewalks. You know,
6 hopefully this will represent an improvement.

7 COMMISSIONER TURNBULL: I wonder
8 if you could go back to that last slide.
9 Where is the English basement office area at
10 that entry?

11 MR. BARANES: Well, it would be
12 below the lobby here.

13 COMMISSIONER TURNBULL: Okay.

14 MR. BARANES: And it is really --
15 I described it as an English basement. It may
16 have a couple of windows right here, but it
17 really doesn't have much natural light at all
18 coming into it.

19 VICE CHAIRMAN JEFFRIES: It's like
20 back office space.

21 MR. BARANES: It's back office
22 space.

1 COMMISSIONER TURNBULL: Okay.

2 MR. BARANES: Yes. Yes. Okay.

3 So here is the overall south elevation. And
4 the materials -- and, again, I'm sorry I don't
5 have a board showing material samples, but we
6 will submit something to you.

7 VICE CHAIRMAN JEFFRIES: Excuse
8 me. Mr. Baranes, were you the architect for
9 Monument Realty?

10 MR. BARANES: Yes. For the
11 Randall School?

12 VICE CHAIRMAN JEFFRIES: Oh, no,
13 no, no. No, no. This is for M Street.

14 MR. BARANES: Perhaps the --

15 VICE CHAIRMAN JEFFRIES: No. You
16 weren't the architect for --

17 MR. BARANES: Not for the office.
18 We're the architect for the two residential
19 buildings and the hotel, which have not been
20 built yet.

21 VICE CHAIRMAN JEFFRIES: Okay.
22 Because there is some very similar

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1 architectural styling going on, so I was just

2 --

3 MR. BARANES: Oh, I'm sure we did
4 it first.

5 VICE CHAIRMAN JEFFRIES: Yes,
6 okay. Great, great.

7 (Laughter.)

8 All of this sculpting and, you
9 know, various volumes and movement, and so
10 forth, it looks very similar to what --
11 remember the Monument -- I think it was
12 Monument Realty? But anyway --

13 MR. BARANES: You're talking about
14 the building on Hatch Street with the large
15 trusses --

16 VICE CHAIRMAN JEFFRIES: Yes,
17 right.

18 MR. BARANES: -- at the base.

19 VICE CHAIRMAN JEFFRIES: Right,
20 right. So I think across the street from
21 that, so -- but anyway.

22 MR. BARANES: Right. The

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1 materials here are generally curtain wall here
2 with metal panels. And we use that here, and
3 then we use it again in the other building
4 here. the colors are different on the two
5 buildings.

6 And then, also the second material
7 that we use on each of these buildings is
8 brick. We have a punched brick vocabulary
9 that you see here on the west side building,
10 and then we go to a darker brick, an iron spot
11 type brick, on the east side of the property.

12 So here is a closeup of the
13 curtain wall on the west side. There is a
14 detail right there from here. These are metal
15 panels, gray, with clear low E glass
16 throughout this whole facade.

17 And here up in the corner, which I
18 know it is hard to see, is a picture of the
19 Georgetown Ritz-Carlton project we did a few
20 years ago where we have a similar color in the
21 metal that we would like to propose here.
22 This is a -- it's a -- it's not quite black.

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1 It's a charcoal color, and what we are
2 proposing here is a -- it is slightly lighter
3 than what we used in Georgetown.

4 And then, here is a closeup of the
5 brick. Again, we intend to develop this brick
6 so that it has a range to it. We don't want
7 this to be a flat surface.

8 And this is the westernmost
9 elevation. This is M Street here. We are
10 looking south to the Navy Yard across the
11 street. And what I would like to point out
12 here is that we are wrapping these finished
13 facades all the way around the building, on
14 the alley elevation as well as these side
15 street elevations. We are really not cutting
16 any corners in terms of materials here, as we
17 move around to the different facades.

18 And then, on the east side of the
19 project -- again, here is the rendering you
20 have already seen. Again, it is brick that
21 you see here. Curtain wall, more brick here,
22 with punched in window wall which is very

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1 similar to the curtain wall. And here is a
2 detail of that.

3 And unlike the building on the
4 east side here we are looking for a much
5 flatter but darker color. It won't have the
6 same range that you see in the other building.
7 And at the top of the building we have a
8 mechanical penthouse, which will have -- which
9 will be louvered.

10 And moving off of the architecture
11 a little bit, here is our score sheet. We are
12 committing to developing a certified -- LEED
13 certified building. We think we may be able
14 to get up to silver LEED, but we don't know
15 yet. It depends on how the new -- what the
16 new regulations look like when they come out
17 later this year.

18 And we are asking for three
19 variances or three -- I don't know if they are
20 special exceptions or variances relating to
21 height, floor area, and parking, which I will
22 describe in a little more detail here. Under

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1 height, we are asking for two additional feet.
2 We are asking for 92 feet as opposed to 90
3 feet. When we came to you originally in the
4 stage 1, we had proposed a building that was
5 1110 feet, and you asked us to reduce it down
6 to 90.

7 As we studied the 90-foot height,
8 and tried to incorporate the 14-foot clear and
9 the retail, we found that unless we went to 92
10 we would lose an entire floor across the
11 entire site. So it is because of the tall
12 retail that we are asking for the additional
13 two feet. The office floors are only eight-
14 six clear, you know, nothing terribly
15 glamorous, but certainly adequate.

16 And on the parking -- well,
17 actually, let's see. Yes. On the parking we
18 are asking for a reduction from what we had
19 proposed last time. The parking we are
20 currently proposing is actually in conformance
21 with the zoning regulations. It is not
22 anything below that. It is just that in stage

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1 we had proposed providing considerably more
2 parking than is required by the zoning
3 regulations.

4 And then, as far as the density is
5 concerned, we are asking for an additional --
6 I think it's about 3,500, 4,000 square feet
7 roughly, from what we showed you last time.
8 And that is really just the result of
9 developing the building in more detail,
10 working on the five-foot grid module, looking
11 -- determining the size of the shafts. They
12 don't count in the FAR. We wound up coming up
13 slightly more than what we had last time, so
14 it is less than a one percent increase.

15 Okay. And I think we are ready to
16 -- well, I guess you probably want to take --
17 I'll take some questions now.

18 CHAIRMAN HOOD: Okay. These are
19 questions for Square 882. Oh, can you hear
20 me? Oh, you have some questions. Oh, okay.
21 This is the first time. Good, go right ahead.

22 (Laughter.)

1 PARTICIPANT: Edaw?

2 MR. BARANES: Yes. That's spelled
3 E-D-A-W.

4 PARTICIPANT: Okay.

5 PARTICIPANT: And iron --

6 MR. BARANES: Iron spot. Darker.
7 Maybe I should just say darker brick? Darker
8 brick.

9 CHAIRMAN HOOD: You learn
10 something new every night. So I'll start with
11 you first, and then we'll come up here.

12 (Laughter.)

13 All right. Commissioner May?

14 COMMISSIONER MAY: Okay. With
15 regard to the retail space, the long block of
16 retail space across the main facade, you said
17 that that could work as multiple smaller
18 tenants? And with the grade changing so much
19 across that, how are you going to deal with
20 the entrances at the different -- if you were,
21 in fact, to divide it up that way?

22 MR. BARANES: Right. I mean, we

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1 have a couple ways to do it. If we wanted to
2 introduce an entrance site at the far east end
3 or the far west end, you would have to come in
4 onto a platform, and then we'd have to put a
5 handicapped lift on the inside with stairs.
6 That is the only way we could accommodate a
7 small tenant at two ends.

8 However, in the center part here,
9 I mean, we have the ability to introduce
10 entrances from about here all the way to here
11 without having to rely on handicapped lifts.
12 So that could be divided into probably a
13 maximum of four tenants.

14 COMMISSIONER MAY: Okay. Can you
15 show the perspective from the southeast
16 corner? Right, that one. It is hard to tell
17 from that, and I can't quite see from the
18 elevations. But what is happening at the top
19 of that -- the office entrance there, right at
20 the corner there? How is that -- how is the
21 top -- I mean, it looks like you've got sheet
22 glass that is just going straight up past the

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1 roof, and it is -- and then, there is nothing.
2 Is that right? I mean, am I reading that as
3 a separate volume, and it projects out from
4 the --

5 MR. BARANES: Yes. The second
6 floor is setback there.

7 COMMISSIONER MAY: Yes. Am I
8 reading it correctly that it is just this
9 sheer sheet of glass that goes past the roof?

10 MR. BARANES: Right here?

11 COMMISSIONER MAY: Yes.

12 MR. BARANES: Yes. It essentially
13 becomes the railing. This is the treatment we
14 often use at the tops of buildings where the
15 current wall --

16 COMMISSIONER MAY: Right.

17 MR. BARANES: -- becomes a
18 railing.

19 COMMISSIONER MAY: Okay.

20 MR. BARANES: We are doing the
21 same thing there.

22 COMMISSIONER MAY: Interesting.

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1 You know, from this distance, it just kind of
2 looks unfinished, so -- but I imagine up
3 closer it might look a little better.

4 Now, for the brick building, or
5 the brick portions of the building, we are
6 just -- we are just seeing that facade
7 continue up to a point, and it just stops.
8 And there is no rail or anything there, at
9 least that I could see. Is that --

10 MR. BARANES: There's a parapet
11 there.

12 COMMISSIONER MAY: There is a
13 parapet?

14 MR. BARANES: There will be access
15 to that terrace.

16 COMMISSIONER MAY: And the parapet
17 will be 42 inches or whatever --

18 MR. BARANES: Yes.

19 COMMISSIONER MAY: Okay.

20 MR. BARANES: Yes.

21 COMMISSIONER MAY: Okay. Part of
22 me wants to have something more there to just

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1 kind of say something about the top, but I am
2 -- but that isn't happening anywhere else in
3 the building. It is all -- it is all these
4 planes that continue without articulation at
5 the top.

6 So, that's okay. I have no real
7 constructive or other criticism for you, so
8 thanks.

9 VICE CHAIRMAN JEFFRIES: You
10 should savor that.

11 (Laughter.)

12 Let it set on your palate for a
13 while and --

14 (Laughter.)

15 It doesn't happen often.

16 Anyway --

17 MR. BARANES: Thank you.

18 (Laughter.)

19 VICE CHAIRMAN JEFFRIES: I have
20 grown to really appreciate Commissioner May.
21 So, first of all, I am very appreciative of
22 your attention to the ground floor, and I --

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1 and I think it is -- I love how you are -- you
2 know, it's being sculptured, and so forth, and
3 all of the various blocks and things. I think
4 it is fine.

5 And I also like it as it relates
6 to the townhomes that are to the north in
7 terms of, you know, like these building
8 blocks. I mean, I don't know if that was the
9 plan, but -- and I think it is Akerage. I
10 think it is Akerage, and it might be our
11 friend with the bow tie.

12 MR. BARANES: Asikoff?

13 VICE CHAIRMAN JEFFRIES: Yes, yes.
14 He -- I think that he has some very similar
15 things that are, you know, these blocks that
16 are moving in and out, and so forth.

17 MR. BARANES: I have not seen
18 that.

19 COMMISSIONER MAY: No, it's the
20 HOK Building, the office building at the
21 front.

22 VICE CHAIRMAN JEFFRIES: Oh, okay.

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1 Okay. Who is -- do you remember who the
2 architect is? But Asikoff did -- he did the
3 -- no, no, but he did one of those buildings,
4 didn't he?

5 COMMISSIONER MAY: Asikoff is
6 doing the residential building at the southern
7 end of the block.

8 VICE CHAIRMAN JEFFRIES: Right,
9 right, right. Okay. Well, the whole block is
10 moving. It is very dynamic. This is not a
11 static thing at all.

12 The only question I have is the
13 retail that faces -- that one retail space.
14 I was really just wondering about the
15 viability of it, and I don't know whether it's
16 something that you would take -- you probably
17 wouldn't take that up. But I am just sort of
18 wondering, it is sort of sitting out there.
19 I mean, what is the square footage of that?

20 MR. BARANES: This one?

21 VICE CHAIRMAN JEFFRIES: Yes, that
22 one. In terms of how -- given the topography,

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1 and so forth, it is just sort of sitting
2 there. And I'm just -- how big is it, and --
3 excuse me?

4 MR. BARANES: I'm sorry. It's
5 about 2,500 square feet.

6 VICE CHAIRMAN JEFFRIES: 2,500?

7 MR. BARANES: Yes.

8 VICE CHAIRMAN JEFFRIES: Okay.

9 MR. BARANES: Yes.

10 VICE CHAIRMAN JEFFRIES: So can
11 someone speak to -- I mean, maybe Mr. Smith --
12 I mean, in terms of the viability of that
13 space, I mean, just given the topography and
14 where it is located? Because it is --

15 MR. BARANES: Let me just say it
16 is at grade.

17 VICE CHAIRMAN JEFFRIES: Yes. Oh,
18 I recognize it is at grade.

19 MR. BARANES: Okay.

20 VICE CHAIRMAN JEFFRIES: But it is
21 just sitting there, you know, in somewhat
22 isolation. At least that is what it appears

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1 to --

2 MR. SMITH: My name is David
3 Smith, development management, Forest City,
4 Washington. That space was thought to be, as
5 it is just off the lobby, a coffee
6 shop/restaurant, something --

7 VICE CHAIRMAN JEFFRIES: Oh. So
8 it is going to be some convenience --

9 MR. SMITH: Yes.

10 VICE CHAIRMAN JEFFRIES: -- kind
11 of thing. Okay. Okay.

12 MR. SMITH: Some convenience for
13 both the tenants in the building and the
14 general neighborhood.

15 VICE CHAIRMAN JEFFRIES: Okay.
16 And it is just 2,500 square feet?

17 MR. SMITH: Yes.

18 VICE CHAIRMAN JEFFRIES: Okay.
19 And it is served off of the --

20 MR. SMITH: The entrance for these
21 stores are double-height. I'm not sure if
22 it's 25 or so feet above that, so it is pretty

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1 open area.

2 VICE CHAIRMAN JEFFRIES: Okay. So
3 that just -- okay. Because when I see, you
4 know, separation of retail, I get a little
5 concerned. But that is fine. I just, you
6 know, wanted to make certain that there was a
7 -- you know, whether it was some -- if it is
8 just a convenience thing, I mean, that's very
9 different. Okay. Thank you.

10 That's it.

11 CHAIRMAN HOOD: Mr. Turnbull?

12 COMMISSIONER TURNBULL: Thank you,
13 Mr. Chair.

14 I just had a question. Maybe I
15 missed it when you were going through it.
16 Right now I am looking at the -- I am looking
17 at that plan right there. And I keep going
18 back to 223. It looks like you've got a
19 couple of options for loading berths. You
20 showed the one loading berth, and then
21 possible office loading. Is that -- and a
22 possible garage entrance, and you had -- is

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1 that just allowing for what a client or
2 another client, if it is two --

3 MR. BARANES: Yes. Yes. We --
4 for example, on the garage entrance we showed
5 entrance both off the east side, which will --
6 on the west side, which we will definitely put
7 in. And then, depending how the building is
8 tenanted --

9 COMMISSIONER TURNBULL: Right.

10 MR. BARANES: -- if a particular
11 tenant wants to have a separate entrance to
12 just half of the garage, and then seal off
13 that part of the garage and make it secure --

14 COMMISSIONER TURNBULL: Okay.

15 MR. BARANES: -- we would be able
16 to do that. The same thing with the loading.

17 COMMISSIONER TURNBULL: And if you
18 don't do that, does it become --

19 MR. BARANES: That area which is
20 shown as a possible garage entrance would just
21 have an extended basement office space.

22 COMMISSIONER TURNBULL: So it

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1 would be continued. Okay. And if the garage
2 ramp then goes away, that extra becomes just
3 more parking or --

4 MR. BARANES: Well, no. This
5 level here, it would actually become this --

6 COMMISSIONER TURNBULL: Office.

7 MR. BARANES: This office space
8 would extend to the corner, and it is --
9 really, it is mostly below grade there.

10 COMMISSIONER TURNBULL: Okay.

11 MR. BARANES: The level of that
12 floor space.

13 COMMISSIONER TURNBULL: Thank you.

14 CHAIRMAN HOOD: Any other
15 questions on -- which square is this -- 882?

16 COMMISSIONER MAY: I just do want
17 to confirm that we would want to see the
18 sample board.

19 CHAIRMAN HOOD: Sample boards,
20 right.

21 MR. BARANES: Do you want actual
22 samples, or should we photograph them and

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1 submit the photographs?

2 CHAIRMAN HOOD: We need to touch
3 them. I don't need to touch them. You --

4 (Laughter.)

5 MR. BARANES: The real stuff.

6 COMMISSIONER MAY: Yes. We would
7 like to see the board.

8 CHAIRMAN HOOD: And the
9 photographs. Actually, we need both.

10 COMMISSIONER MAY: The photographs
11 need to go in the record, yes.

12 CHAIRMAN HOOD: The photographs
13 need to go in the record, but some of us like
14 to put our hands on them.

15 MR. BARANES: Right, right. Okay.

16 COMMISSIONER MAY: 15.

17 MR. BARANES: Okay. Thank you
18 very much.

19 CHAIRMAN HOOD: Okay. Mr.
20 Freeman, I guess we can continue.

21 MR. FREEMAN: Now we'll do -- back
22 to Steve Gang for 882 north, the residential

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1 building.

2 MR. GANG: Now, before the clock
3 starts again, my hunch is I am going to take
4 between 12 and 15 minutes, and we have another
5 witness who needs to testify. So option 1 is
6 I do, you know, the full testimony, and then
7 we are extended, or I cut my testimony, and
8 then you can ask me the questions, to make
9 sure Mr. Sher gets his testimony.

10 CHAIRMAN HOOD: Oh, he doesn't
11 need much time. So just go ahead and take
12 your 12 minutes.

13 (Laughter.)

14 MR. GANG: Excuse me?

15 CHAIRMAN HOOD: He doesn't need
16 much time. Go ahead and --

17 (Laughter.)

18 MR. GANG: He can do it in --

19 CHAIRMAN HOOD: No, but that's
20 fine. We'll be flexible.

21 MR. GANG: Take the time, as
22 necessary.

1 CHAIRMAN HOOD: Right.

2 MR. GANG: Whatever.

3 CHAIRMAN HOOD: Do what you have
4 to do.

5 MR. GANG: Okay. Just want to
6 make sure.

7 PARTICIPANT: Take your time, but
8 hurry.

9 MR. GANG: Right. All right.
10 Great. Thank you.

11 Again, Steve Gang with the Lessard
12 Group. This is the south side of Square 882
13 -- or the north side, I'm sorry.

14 The goal of redesigning this block
15 from townhomes to a mid-rise building was
16 basically to act as an appropriate transition
17 from the office building, which I think in the
18 Phase 1 PUD where you suggested they -- you
19 know, the office building be dropped from 130
20 feet to 110 feet, with the Marine Barracks
21 across the street.

22 So now we are providing a mid-rise

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1 building of 60 feet, which is hopefully, as
2 you can see in this perspective which is taken
3 from the northeast corner of 7th and L, it now
4 becomes a much more appropriate transition.

5 The original plan had 75
6 townhomes, three stories. This proposed plan
7 has 172 residential units and, again, the
8 public housing units exceeds 20 percent on
9 this. We are proposing 38 public housing
10 units on this particular block.

11 This is the view from 6th and L
12 Street going up the hill. And similar to the
13 office building, we also had the challenge of
14 how to handle a 20-foot drop from one side of
15 the building to the other, and I have some
16 sections and some additional elevations which
17 I will get into additional details of how we
18 handle that.

19 The architectural character was --
20 depicts a variety of 19th and 20th century
21 architectural styles. And I think the other
22 important consideration when we designed this,

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1 even though it was townhouses originally, we
2 wanted to keep the scale of the building down.

3 So what we did was basically still
4 kept the opening along L Street similar to
5 what we had with the townhouses. However, we
6 broke this up into individual components, so
7 it softens the views.

8 The other thing which hopefully
9 you will notice on this, at the top of each of
10 the buildings there are private courtyards.
11 Each of the units on the top floor has private
12 courtyard with a mezzanine to it.

13 Now, the section across L Street,
14 on the left-hand side is 7th Street, on the
15 right-hand side is 6th Street. You'll notice,
16 you know, how the transition occurs. The
17 building is 60 feet. However, because of the
18 transition, most of these are four-story
19 components. It really is a total of seven
20 story -- it is really a seven-story building,
21 if you added all the stories starting at the
22 base of 6th Street going up to 7th Street.

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1 To the original plan we have a
2 series of courtyards to help break up the
3 elevation along L Street. I guess we can go
4 back to this. I'll get into a little more
5 details about the buildings themselves.

6 This is the rear elevation. The
7 rear elevation facing the office building is
8 a more modernistic and contemporary look to
9 start complimenting the office building. It
10 is a simple rhythm building emphasizing a
11 series of bold and soft tones along the top of
12 the building. On the top of the roof, those
13 are the windows off the mezzanine.

14 You will notice that there is a
15 grade differential. The two garage entries
16 are -- the one on the right, which is the G-2
17 level. There is another entry level for the
18 G-1 level.

19 To soften the elevation along this
20 edge, it is basically broken into five
21 components, and which we have also recessed
22 with gray panels in four strategic locations

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1 to help break up the mass.

2 This is the elevation along 7th
3 Street, noticing the transition from the
4 office building down to 6th Street. Also,
5 again, even though it's a mid-rise building,
6 we broke down the building into five separate
7 components. The building width is about 110
8 feet, and we basically broke it down into a
9 variety of five 22-foot wide widths.

10 Same thing along 6th Avenue.
11 Different elevation, but basically the same
12 concept. And you can see the transition from,
13 you know, how the office building steps down
14 from M Street down to L Street.

15 To get into some of the details,
16 again, it was supposed to look -- you know, we
17 designed this as an individual series of
18 units. The detail on A is at the -- is at the
19 corner of L and 7th Street. This is where the
20 residential entrance is. It is all dark red
21 brick. We have some molded millwork basically
22 at the second and third level.

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1 We also have some rustification
2 also to add for a stronger base. We have
3 added also some rounded mullions at the top,
4 even though it is the same type of windows,
5 Juliet balconies, the trellis for the private
6 courtyards on the top level, also metal canopy
7 with glass, so you get the shadows along the
8 face of the building.

9 This is the elevation -- I'm
10 sorry, let me go back one. Detail B is the
11 main face along L Street. This is the
12 recessed portion along the courtyard. Along
13 the base it is in brick, and transitioning
14 over to fiber cement paneling. When you see
15 the color boards, we will show you how the
16 colors will be almost identically the same.

17 In strategic locations we have
18 added bay windows, also brick banding to break
19 up the building, and at the top molded
20 millwork dentals.

21 In the courtyards, a very simple
22 form -- fiber cement panels of the same

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1 colors, and also Juliet balconies at strategic
2 locations.

3 The detail on sheet 3.1, this is
4 at the corner of 6th Street and along the face
5 of the office building. It is a series of
6 complimentary light and dark colors with a
7 concrete masonry base, also using fiber cement
8 panels that will wrap around to the rear of
9 the building. And that was -- I think I
10 showed you that as -- was on sheet 3.6.

11 We used strategically bold colors
12 to accent the corners. You will notice the
13 rooftop. This is where the rooftop terrace
14 is, and these are strategically placed windows
15 in the areas to add some light. And I will
16 walk you through the floor plans where the
17 majority of lights for those rooftop terraces
18 are.

19 For Detail B, Detail B is in the
20 middle of the rear of the building facing the
21 office. This is where the garage entrance is.
22 This is one of the doors. It shows the

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1 transition in colors between the stepping of
2 the building -- stepping down from 6th Street
3 to 7th Street and how -- the transition of
4 colors and how that occurs.

5 Now, to show you how the building
6 works, this is a section along L Street. The
7 left side is 7th Street, the right side is 6th
8 Street. The dashed line is the actual street
9 elevation along L Street, which is a
10 continuous elevation. You will notice it is
11 a series of basically four-story mid-rise
12 buildings stepping down, courtyards of
13 approximately 46 feet strategically located
14 almost at grade. This one I will get into a
15 little bit more detail why this is above
16 grade.

17 You'll notice that each of the
18 unit tops, each of the top floors, as I
19 mentioned, has private terraces with the
20 mezzanine level. And on top of the mezzanine
21 level is where the individual mechanical
22 equipments will be located.

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1 The gray area is where the parking
2 is, and predominantly it is below grade along
3 L Street. There is basically .9 spaces per
4 unit as planned for this residential building.

5 Now, to take you floor by floor,
6 this is the lowest level along 6th Street.
7 Along here there are units that will have
8 individual entries. One of the interesting
9 things about this is we have an amenity
10 package with an indoor pool, and that is why
11 I think I mentioned before the courtyard is
12 two floors up within this area, and that
13 should create volume. We have a skylight
14 going down into this pool, as well as exercise
15 room.

16 There is also individual entrances
17 for the units above here, and they will also
18 have their own elevators to get up to those
19 seven units. And this is where the larger
20 affordable units are, the three- and four-
21 bedroom units are located.

22 COMMISSIONER MAY: Can you explain

1 that again? What is that?

2 MR. GANG: Sure. Each of those
3 units in that location of the building --

4 COMMISSIONER MAY: Yes.

5 MR. GANG: -- they each have their
6 own individual elevator, as well as an
7 individual access to the outside to start
8 adding some -- yes, these are where the
9 disable units are, so they will have
10 individual elevators to get up to those units.
11 And I think one of the questions was, out of
12 the 695 units, does it match exactly, you
13 know, what was there originally?

14 The intent was to get the bedroom
15 count as close as possible. In the original,
16 you know, 695, there were a number of three-
17 and four-bedroom units. And this is where in
18 the building -- I mean, in reference to the
19 total PUD where some of those three- and four-
20 bedroom units are located.

21 COMMISSIONER MAY: Okay. Thanks.

22 MR. GANG: All right? So this is

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1 the lowest level. Well, this is the G-2
2 garage level. Even though there is units, as
3 I mentioned it is really a seven-story
4 building stepping up the grade. The next
5 level -- this is the G-2, which shows the
6 second parking entrance.

7 I think there is like 24 units at
8 this level, the volume for the indoor pool,
9 and the amenity space, and the skylight for
10 this entrance. And these are the other --
11 those seven units which I mentioned which had
12 individual entries off of 6th Street.

13 The trash pickup -- let me just go
14 back one step. There is two trash pickup
15 areas. And there is a trash pickup area here
16 for the lower units. There is another trash
17 pickup here for these units. And on the main
18 level there is a trash chute, which will
19 handle the trash pickup for all of the units
20 which are on top of the residential building
21 sitting within this area.

22 COMMISSIONER TURNBULL: On your

1 plan you showed before on 3.13 -- yes --
2 you've got areas there on that private
3 driveway, service delivery, loading/platform.

4 MR. GANG: Right.

5 COMMISSIONER TURNBULL: How is
6 that working?

7 MR. GANG: Sure. I think one of
8 the comments -- I don't know if you saw the
9 letter from DDOT -- talked about how we were
10 going to handle this. I mean, they basically
11 didn't have an issue. One of their
12 suggestions or comments was that we let the
13 tenants know the hours and times that this
14 would occur, that it wasn't an open-ended
15 thing.

16 So the intent was during those
17 hours, which would be posted, that they would
18 have the actual -- how should I say -- move-in
19 time. The actual trash would be picked up in
20 this location off this garage entrance, as
21 well as the management will, you know, bring
22 the trash in, you know, from these two areas

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1 and either roll it out for trash pickup in
2 those areas during the appropriate time, or
3 they will roll it up the alley for those
4 areas, or the private drive.

5 I don't know if you remember the
6 perspective also that Mr. Baranes showed that
7 -- the enhanced detail for this private drive.
8 It is paved. It will have a sidewalk. You
9 can see how well the office building I think
10 complements the scale of the residential
11 building. So we did take extra care of how
12 that area of the community was going to be
13 handled in detail-wise.

14 And you will see that also I think
15 -- I don't know if you noticed like in the
16 landscape plan. I don't know if that was
17 before the landscape plan developed by Edaw.
18 You will notice the specialty pavers, the
19 landscaping, to assure that there was an
20 appropriate transition for that area. It
21 wasn't handled as an alley, but was handled
22 really as a private drive, which had, you

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1 know, the proper dimension in the scale.

2 COMMISSIONER MAY: So if you have
3 one of those accessible units, right, that is
4 where -- in the area of the accessible units,
5 you are -- you walk out your door and you are
6 looking at the loading dock.

7 MR. GANG: No. The loading --
8 this is basically an area designated on the
9 site, because we had to show an area --

10 COMMISSIONER MAY: So only on
11 Saturdays when people are moving in and out it
12 is a loading dock.

13 MR. GANG: Right. Whatever the
14 areas that have been agreed upon when that
15 area could be used for loading.

16 COMMISSIONER MAY: So if I have
17 one of those accessible units, I am going to
18 be right next to the loading area.

19 MR. GANG: Or the other option, I
20 mean -- just go through -- you'll notice that
21 there is another elevator on the upper -- on
22 this garage level. Your other elevator is

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1 there. That, you know, someone -- you know,
2 the loading could occur within this area, and
3 they could roll it up, and they could go up
4 that elevator.

5 The point -- I mean, there are a
6 number of options, and I think the -- I mean,
7 our application shows that this is the
8 designated area. I mean, it could easily have
9 been moved up the hill and showed that as the
10 loading area also. The reason we showed it on
11 G-1 was because the parking goes all the way
12 across, that if someone wanted to get in they
13 also had that option of how they could load.

14 Let me continue. So this was G-2.
15 It shows the volume, shows the two courtyards
16 in the center. You know, as I mentioned, the
17 building is basically broken down into three
18 components, stepping down from 7th Street to
19 6th Street. So you will notice the two
20 courtyards, which are basically in the center
21 of the site, where the garage entrance is,
22 which is basically one level below L Street

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1 and 7th Street.

2 This is the upper level where the
3 lobby is at the entrance off of 7th Street and
4 L Street lobby, where the leasing office is.
5 As I mentioned, the light well off of the open
6 space, which goes down to -- two levels down
7 to the swimming pool, and the four courtyards.

8 I think you've seen the landscape
9 plan. I think the concept for the courtyards
10 is to have a variety of options. Each of the
11 courtyards are accessible from the internal
12 building out to those courtyards.

13 Again, the street sections are
14 street -- I mean, green panels, sidewalks, and
15 landscaping along all three edges, and
16 specialty pavers from the 6th Street up to the
17 first entrance, and softening and making it as
18 accessible for those units having a sidewalk,
19 street tree plantings, etcetera.

20 I mentioned I was going to talk in
21 a little bit more detail about the mezzanines
22 and the private patios. Each of the upper

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1 levels have private areas. This shows, on the
2 left-hand side, the private areas, the
3 location of the private patios which sits on
4 top of the roof. Based upon the size of the
5 units, we will have a variety of private patio
6 size.

7 The majority of glass for the
8 units in this area, quite obviously, will be
9 along this face. There will be smaller
10 windows along this face. And this is where
11 the majority of windows will be placed along
12 that edge.

13 The next level up, you know, the
14 private patios for those units with the
15 mezzanine. And last but not least, you know,
16 where those private patios are.

17 I think one of the comments or
18 questions that might be asked is in reference
19 to the amount of open space we had between the
20 original plan and this plan. This plan,
21 including the courtyards and the private
22 patios, is around 23,500 square feet of open

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1 space. The courtyards were 8,800. The
2 private patios were around 14,700 square feet.

3 The original plan had
4 approximately 12,500 square feet of open space
5 at the ground level.

6 VICE CHAIRMAN JEFFRIES: What
7 percentage of this is market rate?

8 MR. GANG: Slightly less than 80
9 percent.

10 VICE CHAIRMAN JEFFRIES: Slightly
11 less than 80 percent.

12 MR. GANG: Less than 80 percent.
13 The affordables were 38 out of 172, so that's
14 slightly more than 20 percent.

15 VICE CHAIRMAN JEFFRIES: Okay.

16 MR. GANG: I'm sorry, 189.

17 VICE CHAIRMAN JEFFRIES: Okay.

18 MR. GANG: I had the wrong number.
19 It's 189. So it's 20 percent.

20 VICE CHAIRMAN JEFFRIES: And I am
21 certain it was here in terms of where those
22 affordable units -- I mean, the public housing

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1 units --

2 MR. GANG: They are intermixed in
3 the building, except for those units along --

4 VICE CHAIRMAN JEFFRIES: That are
5 on --

6 MR. GANG: -- 6th Street.

7 VICE CHAIRMAN JEFFRIES: 6th
8 Street, okay.

9 MR. GANG: Right. So 14 units are
10 along that; the other 24 units are integrated
11 within the building.

12 VICE CHAIRMAN JEFFRIES: But you
13 don't know exactly where they will be. I
14 mean --

15 MR. GANG: I'll let someone
16 from --

17 VICE CHAIRMAN JEFFRIES: -- at
18 this point -- okay. Sure.

19 MR. GANG: -- Mid-City Urban,
20 because they might know exactly where they
21 are.

22 VICE CHAIRMAN JEFFRIES: Sure.

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1 Yes.

2 MR. GANG: And, last but not
3 least, our green component of the project,
4 also we're at 29 point at this point in time,
5 which will put us in the middle of LEED
6 certified.

7 So I am ready for any questions
8 you have. Thank you.

9 CHAIRMAN HOOD: Before we ask
10 questions on north, let's hear from Mr. Sher.
11 And we'll give you more than a minute and 22
12 seconds.

13 MR. FREEMAN: I did give you all
14 advance warning it was going to be that much.

15 CHAIRMAN HOOD: Well, he normally
16 does a minute and --

17 MR. FREEMAN: Okay.

18 (Laughter.)

19 CHAIRMAN HOOD: Let's give him a
20 minute and 23.

21 (Laughter.)

22 MR. FREEMAN: We'll do what we

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1 can.

2 CHAIRMAN HOOD: All right.

3 MR. SHER: Good evening, Mr.
4 Chairman, and members of the Commission. For
5 the record, my name is Steven Sher, the
6 Director of Zoning and Land Use Services with
7 the law firm of Holland & Knight.

8 A lot of what I have in my outline
9 has been covered in various ways by other
10 people, but I want to try and pull it together
11 again if I can for you. I would like to start
12 by asking you to turn to the three aerial
13 photographs at the back of the outline, just
14 to give you a sense of where we have been and
15 where we are.

16 The first one is a photograph
17 about 1995, and it shows the Arthur Capper and
18 Carrollsburg dwellings as they existed before
19 any of this started, and, in fact, before much
20 in this neighborhood started. And you can
21 just see the extent of the existing dwellings,
22 or the then existing dwellings.

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1 The second aerial photograph is
2 from 2005, and you can see changes. It is the
3 exact same geographic extent, but what you
4 will notice is that a bunch of the dwellings
5 in the center part of the property have
6 already been demolished. The Marine Barracks
7 reconfiguration has occurred on the right-hand
8 side. The U.S. DOT headquarters under
9 construction at the bottom left. The office
10 building at 1100 New Jersey done at that
11 point. The office building at 300 M Street
12 done at that point.

13 Then, you go to the third
14 photograph, which is about 2008, last year,
15 and it shows basically all of the public
16 housing units gone, the U.S. DOT headquarters
17 building done, Senior 1, and what I will still
18 call Senior 2, which is now no longer limited
19 to seniors, are done, and shown completed on
20 this drawing.

21 You can see groundwork underway
22 for construction of the low-rise units in the

1 middle. And, in fact, if you went out there
2 today you would see a lot more construction
3 than what this aerial photograph shows in that
4 central portion of the site.

5 You see the completed buildings on
6 the left-hand side, not part of the project.
7 But you can see the progress that has been
8 made just by looking at the overall scope of
9 the photographs.

10 I think we have been through the
11 three pieces of what we are here for this
12 evening, the extension for the overall part of
13 the PUD, also the extension involving the
14 construction of the community center, the
15 changes to the overall PUD, and then the three
16 buildings which we have just been through in
17 great detail.

18 If you look at page 3, Roman
19 number five, I have tried to summarize in a
20 table what the overall changes in the PUD
21 area. The overall density, in FAR terms, has
22 gone from 3.17 up to 3.32. The overall gross

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1 floor area has gone down. How does that
2 happen?

3 Well, what happened was DDOT told
4 us they wanted us to dedicate the streets,
5 which was have previously originally shown as
6 private streets. So the land area of the site
7 decreased, which meant the FAR of the site
8 increased, but the overall gross floor area is
9 down by just under 2,000 square feet as a
10 result of everything that is going on here.

11 Top of page 4 shows how that
12 breaks out among the various uses in the
13 project. And then, in the middle of that
14 chart, you will see that as -- as Mr.
15 Cortiella indicated at the very beginning, the
16 number of residential units has gone up by
17 about 100, and the number of parking spaces
18 has gone down by about 10 overall.

19 But the distribution of those
20 parking spaces has changed significantly,
21 because the number of commercial spaces has
22 gone down by 116, but the number of

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1 residential spaces has gone up by 105. So we
2 are still at 1,780, as we were at 1,791, but
3 the distribution of that has changed.

4 With respect to the three
5 buildings, you have heard some of this before,
6 but let me just give it to you real quickly
7 again. If you turn to page 5, and look at the
8 table that starts at the bottom there under A,
9 this is Square 769, the first project that Mr.
10 Gang showed you.

11 And what has happened there is we
12 have added about 11,500 square feet of gross
13 floor area, but because it went from a for
14 sale project to a for rent project, the size
15 of the units went down, and the number of
16 units went up from 107 to 171, an increase of
17 64 units.

18 In the earlier version there were
19 no affordable units in this particular
20 building. Now, 20 percent of the units will
21 be affordable, or 34, in this building.

22 The number of parking spaces in

1 this building has gone up from 107 to 152, an
2 increase of 45. With respect to the office
3 building, which Mr. Baranes went through with
4 you -- I'm sorry, I've got this out of order.

5 The second apartment house in
6 Square 882, what happened there was we took
7 what were a bunch of townhouses and converted
8 them into a mid-rise apartment building. The
9 number of units went up from 75 to 189. That
10 is a pretty big increase.

11 The height of the building went
12 from 45 to 60 feet, and, again, you may
13 remember originally what we had when we came
14 in here was a 110-foot office building, 45-
15 foot low-rise buildings, and then the Marine
16 Barracks on the other side of L Street. The
17 Commission told us, "Reduce the height of the
18 office buildings to 90 feet." So we sort of
19 evened out that differential. The office
20 building went down, the residential building
21 went up, so instead of being 110 to 45, it is
22 now 90 to 60.

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1 We have, again, added 114 units to
2 the building compared to what was on the site
3 proposed before. Twenty percent of those
4 units would be affordable, which means 38. In
5 the early version, 34 of the units were
6 affordable. The percentage has gone down; the
7 number has gone up.

8 And then, with respect to the
9 office in this building -- with respect to the
10 office building, we were given a height of 90
11 feet. As Mr. Baranes explained, we would like
12 to be able to do 92 feet. When the office
13 building laid out on the site, we wound up
14 with about 3,800 square feet more than the --
15 that what was originally provided for. That
16 is less than a one percent increase.

17 On this site, we have reduced the
18 number of parking spaces from 400 down to 284.
19 So we have taken 116 commercial office parking
20 spaces out of this particular site.

21 With respect to where we don't
22 comply with the normal requirements of the

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1 regulations, there are three things, and they
2 all basically are related to the Square 769
3 apartment house.

4 Mr. Gang mentioned the first one.
5 The setback of the roof structure from the
6 interior court, the U-shaped building with the
7 court facing north, if you look at sheet 4.11,
8 you will see that there are some cutouts in
9 those courts as you get further back off the
10 street to make them a little bit larger as you
11 get into the corner. And what happens then is
12 that where the setbacks otherwise would have
13 complied they dropped down below the one-to-
14 one.

15 So we are five feet six inches and
16 four feet one inch short of the one-to-one.
17 But we meet the one-to-one setbacks on all of
18 the street sides and on the private service
19 side on the south. So that is one area, roof
20 structure setback.

21 The second on this particular
22 building is loading. We are required to have

1 one 55-foot berth and a service delivery
2 space. We have one 30-foot berth and no
3 service delivery space. We believe that that
4 is adequate for the needs of the building, but
5 that is a second area where we don't comply.

6 The third is that because this
7 property is zoned CR, you have that I'll call
8 it somewhat quirky provision that requires 10
9 percent of the lot to be devoted to public
10 space at the ground level. It applies only in
11 the CR district. I think at some point that
12 will go away, but it hasn't yet.

13 So we have -- we don't have any of
14 that on the ground floor. We have got -- as
15 an offset to that, of course, we have about
16 4,000 square feet of retail. We've got the
17 courtyard at the second floor, and we are
18 directly across the street from the Canal
19 Blocks Park on the other side of 2nd Street.
20 So we think that not having that space on this
21 lot would not be a particular detriment.

22 We have also asked for some

1 additional flexibility in the future
2 development. On the two apartment houses, we
3 would like the ability to increase or decrease
4 the number of units by five percent within the
5 maximum gross floor area that we proposed. We
6 think we are pretty good on the number of
7 units, but we just would like the ability to
8 shift that around a little bit if we have to.

9 On the office building, as Mr.
10 Baranes described, we would like the ability
11 to construct that building in two phases. It
12 might be all done at once, or it might be done
13 once in half and half, or a piece and a piece.

14 VICE CHAIRMAN JEFFRIES: Because
15 it's one building.

16 MR. SHER: Because it's one
17 building. Absolutely.

18 We would like the ability to
19 eliminate that easternmost driveway, if in
20 fact we don't need it, because one tenant
21 doesn't have security issues, or whatever.
22 And we would also like the ability to reduce

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1 from five to three the number of 30-foot
2 loading berths. Three is the minimum required
3 under the regulations.

4 We showed two separate loading
5 pieces, one on one side and one on the other
6 side. In case it broke out that each tenant
7 wanted to have a secure set of loading berths,
8 we would like the ability just to get rid of
9 the two of them if we don't need them.

10 And then, we have also asked for
11 some of the standard design flexibility
12 provisions, which you have generally
13 incorporated into PUD orders.

14 We have -- we went through the
15 comp plan only because the comp plan changed
16 since this was originally approved with the
17 adoption of the 2006 plan. I am not even
18 going to talk about that, but we believe that
19 we are completely consistent or not
20 inconsistent with the current comp plan.

21 And then, so with respect to
22 overall conclusions -- and I know I'm pushing

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1 my time here -- we believe the project is not
2 inconsistent with the comprehensive plan, that
3 the modifications and refinements to the
4 design are improvements over what was
5 originally approved, that the increase in the
6 number of market rate units provides greater
7 leverage in the one-to-one replacement of the
8 public housing units, that the granting of the
9 time extensions will allow the project to
10 continue without the need to resubmit the
11 entire plan and start all over again for those
12 things which have not proceeded within the
13 originally specified timeframes, that the
14 second stage applications are consistent with
15 the project as we have discussed it, and that
16 -- without going through all of the other
17 things -- the project should be approved.

18 (Pause.)

19 I'm done.

20 CHAIRMAN HOOD: All right. Is
21 that -- that's all you have, Mr. Freeman?

22 MR. FREEMAN: Yes, Mr. Chair.

1 CHAIRMAN HOOD: Okay. Let's open
2 it up for questions.

3 COMMISSIONER MAY: Mr. Chairman?

4 CHAIRMAN HOOD: Mr. May?

5 COMMISSIONER MAY: What about all
6 of those other modifications on the other --
7 the other case essentially?

8 CHAIRMAN HOOD: I thought we did
9 the --

10 COMMISSIONER MAY: Modifications
11 and conditions regarding 739, 767, 768, S825.
12 Did we cover that somewhere in the
13 presentation and I was --

14 MR. SHER: Those are the squares
15 that have not yet been before you for second
16 stage approval.

17 COMMISSIONER MAY: Right.

18 MR. SHER: So a) we need the
19 extension to be able to come back with those
20 in the time period we have suggested, which
21 would be by 2013. The modifications relate to
22 the fact that the overall project has had

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1 changes in the parameters. So the number
2 of units, the number of parking spaces, the
3 FAR, which are in the table on pages 3 and 4,
4 relate to what is going to happen in the
5 future on those sites.

6 COMMISSIONER MAY: Right.

7 MR. SHER: They really don't
8 change much, but the overall changes. If you
9 go -- where is that? The chart on page 1.3,
10 this is the one that is -- of the booklet
11 dated December 1, 2008, shows each one of
12 those squares. And then, the chart on 1.2 has
13 a lot -- has more of the specific numbers.

14 But it shows you what is happening
15 on each one of those squares. And you can
16 see, for example, if you look at 767 on the
17 top left corner, the total number of units is
18 still 147. The total number of parking spaces
19 has gone down a little bit. The number of
20 public housing units has gone down a little
21 bit. So each one of those changes are
22 detailed between those two sheets.

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1 And what happens is we come back
2 here at some point in the future, and you get
3 a presentation on each one of those specific
4 buildings. And we will show how each one of
5 those buildings complies with the overall PUD.

6 COMMISSIONER MAY: So you are not
7 asking us to modify those right now.

8 MR. SHER: Well, they would fit
9 within the overall framework. But the changes
10 are --

11 COMMISSIONER MAY: So you are just
12 informing us that these modifications will be
13 forthcoming.

14 MR. SHER: If you approve what you
15 have before you, the ultimate development of
16 those squares will be consistent with what you
17 see today.

18 COMMISSIONER MAY: I guess what I
19 am wondering is: are we being asked in this
20 presentation to approve -- let's just take one
21 condition of them, which is the approved
22 number of parking spaces on these three

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1 blocks. All of them are being reduced by a
2 total of 87 when you add up the number of
3 parking spaces.

4 So, I mean, is that -- are we
5 being asked to prove that in the sense that it
6 is part of the overall picture and the overall
7 number is capped, as part of the PUD? Or is
8 it -- are we being asked to approve these
9 individually? Or are you just giving us a
10 heads up that ultimately these are going to be
11 smaller?

12 MR. SHER: Well, we are asking
13 that you approve the overall, which means that
14 when we come back they will be smaller.

15 COMMISSIONER MAY: So, in other
16 words, it is the modification to the first --
17 to the first phase.

18 MR. SHER: The first phase. Yes,
19 sir.

20 COMMISSIONER MAY: Okay.

21 MR. SHER: That's why it was
22 described that way.

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1 COMMISSIONER MAY: Okay. But it
2 is just -- do you all understand?

3 VICE CHAIRMAN JEFFRIES: Well,
4 yes, but it is a little -- seems a little
5 awkward, but --

6 COMMISSIONER MAY: Well, I am
7 starting to get the picture now. I mean, it
8 is --

9 MR. SHER: We've got to come back
10 with those buildings. We could --

11 COMMISSIONER MAY: Right.

12 MR. SHER: We could, in theory,
13 put all of that off. But we wanted to --

14 COMMISSIONER MAY: And I am not
15 suggesting that you should. I am just -- you
16 know --

17 MR. SHER: Right.

18 COMMISSIONER MAY: -- I am -- this
19 is an unusual case, because we have -- I have
20 three different sets of stuff. I have got
21 modifications, I have got the second stage,
22 and then I have got the time extensions.

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1 MR. SHER: Right.

2 COMMISSIONER MAY: And embedded in
3 one of the modifications is also a time
4 extension, right? Isn't there a time
5 extension for the --

6 MR. SHER: The time extension for
7 the community center --

8 COMMISSIONER MAY: Is embedded in
9 one of those --

10 MR. SHER: Somewhere in there.

11 COMMISSIONER MAY: Right.

12 MR. SHER: We have called it two
13 time extensions.

14 COMMISSIONER MAY: So it --

15 MR. SHER: One for the remaining
16 pieces that you have never seen, and one to
17 allow the community center to be built --

18 COMMISSIONER MAY: Right.

19 MR. SHER: -- because the time on
20 that has otherwise run.

21 COMMISSIONER MAY: Okay. It is
22 just a little bit confusing dealing with all

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1 three at the same time. So, and since I
2 didn't hear a lot of direct testimony on the
3 subject of the modifications to those other
4 squares, I was just -- you know, did you make
5 the case somewhere in there, or am I just --
6 like, for example, on 767 why are we having
7 that many fewer parking spaces, for example?
8 Did anybody testify to that? Did I miss it?

9 MR. FREEMAN: We can have Dan
10 McCabe from Urban Atlantic talk
11 about generally some of the changes and how
12 they kind of figured out the unit counts and
13 the parking counts for those future buildings.

14 COMMISSIONER MAY: Okay. I mean,
15 is this -- am I on the right track here, Mr.
16 Chairman?

17 CHAIRMAN HOOD: You actually are.
18 If you remember, Commissioner May, it was two
19 times. We dealt with this twice. The third
20 time we finally set it down for that very same
21 reason that we are dealing with tonight. But
22 anyway, okay.

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1 MR. McCABE: Generally, what we
2 have done as far as the overall PUD goes, and
3 the components that have not yet been started
4 or approved, is we have tried to do a better
5 distribution of where the public housing
6 residents are going to be housed, so that they
7 are not overhoused on one block as opposed to
8 another, and, in conjunction with that, trying
9 to stay somewhere close to where the approved
10 number of parking spaces were.

11 And seeing the fact that these
12 buildings now are rental as opposed to for
13 sale, we have implemented about a 75 to 80 --
14 or 85 percent parking ratio as far as the
15 number of units goes.

16 Two things on the overall
17 development or the redevelopment of the PUD.
18 One, we had areas within this site that had
19 higher densities of public housing residents,
20 and what we have done is we have tried to
21 redistribute the public housing over -- more
22 evenly over all components, so that there is

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1 not a high density of public housing in future
2 components.

3 And, secondly, because of the fact
4 that a lot of the future components now are
5 going to be rental as opposed to for sale, and
6 trying to keep the overall structured parking
7 count to somewhat similar to where we were
8 approved initially, we have reduced some of
9 the parking ratios from 1.0 down to .75 or .8.

10 So that is why you will see, for
11 example, on -- on Square 767 you will see an
12 increase in the number of parking -- of public
13 housing units to 20 to 25 percent. Some of
14 those might have come from Square 882, which
15 the last time we were in here was all the way
16 up to almost 50 percent.

17 So we have lowered the percentage
18 of public housing on 882 and redistributed it
19 more evenly on some of the blocks around Canal
20 Park, and then, at the same time, lowered the
21 parking ratios, like I said, from
22 approximately one down to .8.

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1 COMMISSIONER MAY: Okay. Now I am
2 going to ask a really stupid question, but
3 your charts all show ACC rental units.

4 MR. McCABE: And those are all
5 public housing units.

6 COMMISSIONER MAY: Okay. Because
7 I would have -- if you just looked at this,
8 you might think that they were accessible. I
9 don't know. But what does ACC actually stand
10 for?

11 MR. McCABE: That's Annual
12 Contributions Contract.

13 COMMISSIONER MAY: Wow. We are
14 really not going to know that one.

15 (Laughter.)

16 MR. McCABE: No. That is how HUD
17 classifies them.

18 COMMISSIONER MAY: Okay. Well --

19 MR. McCABE: No, but I understand.

20 COMMISSIONER MAY: -- we are not
21 HUD. Yes, all right. So that explains some
22 of my confusion.

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1 VICE CHAIRMAN JEFFRIES: I have a
2 question. I mean, you know, I mean, this
3 development is clearly under the jurisdiction
4 of HOPE 6. I mean, you have certain
5 programmatic requirements. I mean, in terms
6 of, you know, the percentage of public housing
7 to affordable housing to market rate, where is
8 the overall development at currently in terms
9 of those percentages? I mean, what are the
10 current percentages for HOPE 6? And then,
11 where are you in -- where are you in relation
12 to those?

13 MR. McCABE: We have -- we have
14 delivered and have occupied 300 public housing
15 units right now. We are in the first phase.
16 We are under construction in the first phase
17 of the townhouse -- the first phase of the
18 townhome component, that that contains 39
19 public housing units intermixed with market
20 rate workforce housing, and then also some
21 Section 8 housing.

22 And then, following that up will

1 be another townhouse component, depending on
2 how the sales go in the first -- which have
3 been relatively strong. That will be another
4 47 public housing units, so that is the --
5 that is 300 plus 86 in the two townhouse
6 phases that are under construction, and then
7 we are in here now for the second stage
8 approval on our -- on the two next residential
9 components. They have another 72.

10 VICE CHAIRMAN JEFFRIES: Okay.
11 Just -- why don't we do -- why don't we start
12 big and then just go down. So total
13 residential for the entire PUD is?

14 MR. McCABE: 1,747.

15 VICE CHAIRMAN JEFFRIES: 1,747.
16 And then, of the 1,747, how many will be
17 public housing?

18 MR. McCABE: 695.

19 VICE CHAIRMAN JEFFRIES: Okay.
20 Okay. And then, how much will be workforce or
21 affordable --

22 MR. McCABE: We have -- there will

1 be 50 Section 8 for sale home ownership.

2 VICE CHAIRMAN JEFFRIES: Okay.

3 MR. McCABE: And 75 workforce
4 housing townhouse units. And then, we will
5 have approximately 200 and -- I'm sorry, 137
6 market rate townhouse units, and then we will
7 have -- the rest will be multi-family rental,
8 which will either be market rate or public
9 housing.

10 VICE CHAIRMAN JEFFRIES: Okay.
11 Okay. And then, there was a question about
12 how they were configured. I mean, you know,
13 you were clustering too much public housing in
14 certain areas. I mean, did HUD or someone,
15 you know, comment? I mean, I guess I'm just
16 -- what pushed you to make some of those
17 changes?

18 MR. McCABE: A more even
19 distribution across the entire property.

20 VICE CHAIRMAN JEFFRIES: Okay.

21 Okay. Thank you.

22 COMMISSIONER TURNBULL: Do you

1 have that information on a map or a diagram of
2 this nature?

3 MR. McCABE: Yes.

4 COMMISSIONER TURNBULL: Do we have
5 that?

6 MR. FREEMAN: We can submit this.

7 COMMISSIONER TURNBULL: Could you?

8 MR. FREEMAN: Yes.

9 COMMISSIONER TURNBULL: Oh, good.

10 Thank you.

11 CHAIRMAN HOOD: I just want to
12 make sure I understand. I was -- so the --
13 I'm going to go back to Commissioner May's
14 question about the modifications. Until he
15 asked it, I thought I was understanding what
16 we were doing here.

17 And I think, Mr. Sher, you may
18 have answered this. I just want
19 clarification. So the modifications are just
20 on the first stage -- modifications to the
21 first stage to the PUD -- to the approved
22 first stage PUD, am I correct?

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1 MR. SHER: Yes. Just as an
2 example, the approved first stage said, "There
3 shall be a maximum of 1,695 units." I'm
4 sorry, 1,645 units across the project as a
5 whole. When you add up all the units that we
6 are proposing, because we have added units in
7 Square 769, and we have added units in Square
8 882, we will have 1,747 units.

9 If we didn't change the original
10 1,645, when we came back to do one of these
11 other projects later on we would have used up
12 all our units. And we wouldn't have been able
13 to build the number of units that were
14 programmed for those sites from the very
15 beginning, because we have increased over here
16 and increased over here, but we didn't
17 increase the total.

18 So what this is doing is taking
19 the big picture and saying, "Instead of 1,645
20 overall, we are going to have 1,747 overall,"
21 which allows for the number of units in
22 Squares 739, 767, 768, to be what we said they

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1 were going to be.

2 VICE CHAIRMAN JEFFRIES: And
3 that's all market rate, right?

4 MR. SHER: No. That's a mix of
5 market rate and --

6 VICE CHAIRMAN JEFFRIES: Well,
7 between the 1,645 and the -- I'm sorry, Mr.
8 Chair, -- between 1,645 and 1,747.

9 MR. SHER: Yes. That increase --
10 that 102 is all market rate.

11 VICE CHAIRMAN JEFFRIES: That is
12 all market rate.

13 MR. SHER: 695 public housing
14 hasn't changed.

15 VICE CHAIRMAN JEFFRIES: Okay.
16 Okay. I think --

17 MR. SHER: All of those will be
18 below market, because they are Section 8 or
19 workforce housing.

20 CHAIRMAN HOOD: Okay. I think
21 that example -- I think we can understand it.
22 We just need to place it. But I'm looking at

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1 like different submittals that we got. And
2 case in point, I am looking at the DDOT
3 report. The DDOT report says second stage
4 PUD, PUD modification, and time extension. To
5 me, they are saying -- they are asking for
6 modifications in something that is a second
7 stage.

8 I am just saying this is -- again,
9 it goes back to the comments that were said up
10 here. It is just all over the place. But I
11 can tell you before we vote on it, colleagues,
12 we are going to understand it, at least I am,
13 because it took us three times to get to this
14 -- to have a hearing. And if it takes us
15 three times to figure it out, then that's what
16 we'll do.

17 But anyway, I think we're getting
18 there. I think we're getting there.

19 VICE CHAIRMAN JEFFRIES: Mr.
20 Chair, so, I mean, I think we are all set up
21 here about 769, 882 -- and 882. I think we
22 are really just dealing with this overall PUD

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1 modification of changes, and so forth, and
2 just dealing with the overall -- I mean, that
3 is what you -- that is what we are discussing
4 now.

5 MR. SHER: Yes, that was --

6 VICE CHAIRMAN JEFFRIES: Yes.

7 CHAIRMAN HOOD: Well, I am just
8 looking at the report, because we have a DDOT
9 report. And as I look at it -- and then, when
10 I look at the past orders that were submitted,
11 I don't see H. But anyway --

12 MR. FREEMAN: Mr. Chair, if I
13 might, initially we had one application that
14 was asking for a number of --

15 CHAIRMAN HOOD: Right. I remember
16 that.

17 MR. FREEMAN: -- things in July
18 2008. After that, we filed -- working Ms.
19 Schellin and the Office of the Attorney
20 General, we broke that down into three
21 separate applications, which have the three
22 separate letters. Again, I is for the

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1 extensions, because the underlying first stage
2 PUD order expired October 2008. So in order
3 for us to continue with this project, we need
4 an extension to extend the validity of the
5 underlying PUD order.

6 And we talked about the community
7 center, the extension for that. So that is
8 case I. I am going to just use the last
9 letter.

10 Case H -- again, as Mr. Sher said,
11 are for modifications to the overall PUD,
12 because, as he said, you need those -- those
13 modifications in order to make the project
14 work. For example, some of the changes in
15 unit count are incorporated into Squares 769
16 and 882. So when you tally them all up --
17 and, again, our sheet -- 1.2 shows where the
18 gross floor area and unit counts and parking
19 spaces are located, 1.2 and 1.3.

20 So that is the modifications, not
21 -- they don't all apply to 769 and 882, but we
22 know what is shown in yellow will be subject

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1 to those modifications as well. And Mr.
2 McCabe just kind of talked through like the
3 justification of how they came up with the
4 numbers and locations of those units.

5 And then, as you know, our third
6 application is G for 769 and 882. I think
7 what might be confusing is that in 769 and 882
8 there are modifications there. For example,
9 the office building was 90 feet, and now we
10 want to go to 92 feet. There were 400 parking
11 spaces, and now we want to go down to 284.
12 The residential portion on the northern part
13 of 882 were townhouses, and now they are
14 apartments. So those are -- that might be
15 part of the confusion. I think hopefully that
16 kind of cleared it up a little bit.

17 CHAIRMAN HOOD: Actually, it is
18 not even that. The confusion is not even
19 that. It was just the last piece that
20 Commissioner May asked.

21 But let me ask you this: have you
22 seen the DDOT letter?

1 MR. FREEMAN: Yes, sir.

2 CHAIRMAN HOOD: Okay. Where does
3 that apply?

4 MR. FREEMAN: I think that --

5 CHAIRMAN HOOD: The case in point,
6 they are asking for like somebody to manage
7 the loading docks, and we have them all over
8 the place. Are we asking -- is that what
9 they're asking for?

10 MR. FREEMAN: I don't want to
11 speak for DDOT, but the way we read their
12 report is that they support the overall
13 reduction in parking spaces down to 1,747.
14 And that would apply throughout the entire
15 project. They support eliminating the
16 condition for what was Senior Building 2 to
17 get rid of those 37 offsite parking spaces.

18 And those specific conditions
19 regarding hours of loading would be specific
20 to 769 and 882, since that is what is before
21 you today, in terms of what buildings we know
22 where their loading is and how -- what we can

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1 commit to in terms of hours of loading.

2 CHAIRMAN HOOD: So I'm just
3 looking at what they say here, and I might
4 have missed something because I was sitting
5 here reading. "DDOT urges the applicant to
6 demonstrate that delivery and trash service
7 traffic will not negatively impact pedestrian,
8 bike, and vehicle traffic operations when
9 entering and exiting the private alley system
10 contained in the development plans. DDOT
11 recommends the following item be included in
12 the zoning order."

13 They are asking us to include
14 something, and I am -- I guess my question is:
15 is it everywhere we are doing loading, or is
16 there specific places? And I can ask Office
17 of Planning.

18 MR. FREEMAN: Yes. Not to speak
19 for DDOT, but like in the third line where
20 they talk about private alley system, the only
21 private alley systems that we have located,
22 for example, right now are in 769 and 882.

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1 CHAIRMAN HOOD: And we talked
2 about that tonight.

3 MR. FREEMAN: Right. So --

4 CHAIRMAN HOOD: I understand that,
5 yes.

6 MR. FREEMAN: And we haven't
7 designed or shown any floor plans for the
8 remaining square. So, again, our view is that
9 these had to apply to 769 and 882, because
10 those are the only buildings we designed at
11 this --

12 CHAIRMAN HOOD: And we can clear
13 that up, because, again, it goes on asking us
14 again to include an order to building
15 management to retain the services of a dock
16 manager to oversee freight delivery, trash,
17 and building-related operations. Building-
18 related operations I guess -- what building?

19 MR. FREEMAN: Again --

20 CHAIRMAN HOOD: Oh, I know it's
21 only one. I know that one is only one, so --

22 MR. FREEMAN: Well, there are

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1 three buildings, so --

2 CHAIRMAN HOOD: But, I mean, that
3 one that -- that one that connects.

4 MR. FREEMAN: Oh.

5 (Laughter.)

6 Yes.

7 VICE CHAIRMAN JEFFRIES: That's
8 one building.

9 CHAIRMAN HOOD: Yes, that's one
10 building. But, anyway, we can get
11 clarification there. And I was doing pretty
12 good until Commissioner May, but I think I'm
13 okay, other than the DDOT report.

14 VICE CHAIRMAN JEFFRIES: Yes. I
15 have to say, I mean, I started off, you know,
16 like, wow, this -- and there are still a lot
17 of moving parts here, and this is, you know,
18 just a little bit unusual in terms of what we
19 normally get. I mean, you have, you know, new
20 applications with modifications, overall PUD
21 with some modifications, and then extensions,
22 and it is just, you know, a lot of moving

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1 parts.

2 But, I mean, I think I have -- I
3 think, Mr. Sher, your analysis here is
4 helpful. And my only question is I am trying
5 to -- what is -- what is next? What is the
6 next thing that is coming down the pike? We
7 are going to go over stage 2 --

8 MR. SHER: There are three squares
9 which have not yet been submitted to you.
10 They are 739, 767, and 768. Those are all
11 around the Canal Blocks Park, two on the east
12 side and one on the west side.

13 VICE CHAIRMAN JEFFRIES: We've
14 done the overall envelope, but we have not
15 done the actual --

16 MR. SHER: You haven't seen those
17 designs.

18 VICE CHAIRMAN JEFFRIES: -- the
19 designs, right. Okay. Okay.

20 MR. SHER: And then, the last
21 piece -- and I don't know whether the last
22 piece will ever turn into anything -- was the

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1 Van Ness School.

2 VICE CHAIRMAN JEFFRIES: The
3 school.

4 MR. SHER: That was added at the
5 request of the Office of Planning. We don't
6 have any control -- none of the applicants
7 here have anything to do with the Van Ness
8 School. I don't know whether that will ever
9 change, but that is the last phase.

10 VICE CHAIRMAN JEFFRIES: But the
11 overarching issue that you want to leave with
12 us as it relates to 767 and 739, in terms of
13 the changes in the overall, you know, PUD, is
14 that they don't have any -- I mean, what is
15 your overarching statement there as relates to
16 the larger --

17 MR. SHER: Those three squares, in
18 terms of the total number of units that are
19 proposed for each of those blocks, is
20 unchanged.

21 VICE CHAIRMAN JEFFRIES: Right.

22 MR. SHER: It is unchanged from

1 what was approved originally, and what we are
2 suggesting will be coming to you in the
3 future. If we didn't change the overall
4 number from 1,645 to 1,700, we would have to
5 -- and we were limited to 1,645 --

6 VICE CHAIRMAN JEFFRIES: You would
7 have to go back with --

8 MR. SHER: -- we would lose 100
9 units out of those three squares.

10 VICE CHAIRMAN JEFFRIES: Okay.

11 MR. SHER: Because the hundred
12 units are being taken up in 769 and 882. So
13 that is why the overall gets bigger. These
14 three squares don't get bigger.

15 VICE CHAIRMAN JEFFRIES: See, and
16 this is -- and, see, this is why you've got
17 these parallel tracks going, and so forth. I
18 mean, I think if -- and, you know, I know
19 these things, you know, don't develop this
20 way, but, you know, to the extent that we
21 could have looked at the overall PUD changes
22 without really taking a look at these three,

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1 and got a sense --

2 MR. SHER: Sure. Looked at the
3 overall PUD changes until you realize that the
4 other two squares are being redesigned, and
5 that is what forces the overall change.

6 VICE CHAIRMAN JEFFRIES: Okay. So
7 you have to put that in in order to --

8 MR. SHER: Yes.

9 VICE CHAIRMAN JEFFRIES: That
10 drives the overall changes to the PUD.

11 MR. SHER: Drives the overall
12 changes. That is --

13 VICE CHAIRMAN JEFFRIES: Okay.

14 MR. SHER: -- exactly it.

15 VICE CHAIRMAN JEFFRIES: Okay.

16 Okay.

17 CHAIRMAN HOOD: Okay. And, again,
18 I know we said this early on, that this is
19 changing the whole scope of a whole
20 neighborhood. So, anyway, as much as -- Mr.
21 Freeman, we appreciate your trying to help us
22 understand it. But we are getting there. It

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1 just takes us a little while.

2 Okay. Any other questions?

3 COMMISSIONER MAY: Absolutely. We
4 kind of skipped over the architectural
5 questions for the last apartment building. So
6 I have a few of those.

7 CHAIRMAN HOOD: I didn't, but
8 okay. Go ahead, Commissioner May.

9 COMMISSIONER MAY: You might want
10 to start the clock. I'll go first.

11 CHAIRMAN HOOD: Can you put two
12 minutes on the clock, please?

13 (Laughter.)

14 No.

15 COMMISSIONER MAY: I don't know.

16 CHAIRMAN HOOD: I'll just start
17 frowning.

18 COMMISSIONER MAY: Given where we
19 are in the evening, I am trying to keep it
20 limited.

21 First of all, the change to the
22 residential units there -- and, I mean, if you

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1 want to start the clock, that's fine. I
2 recall -- and maybe my memory is vague on this
3 -- but I recall back when the original PUD was
4 approved that I wasn't really happy about this
5 bunch of townhouses backing up against the
6 office building like that.

7 And I, frankly, am a lot more
8 comfortable with the idea of these -- this
9 taller apartment building there. Now, that
10 doesn't -- I am not dismissing the concerns
11 that the neighborhood may have about density
12 or parking or any of those sorts of issues
13 that come in, but I think, generally speaking,
14 that is a very positive move, particularly
15 since I am not a fan of the particular type of
16 townhouse -- the no backyard, pull in from the
17 garage -- I mean, pull in from the alley into
18 your garage under the building townhouse that
19 is -- comes before us so regularly.

20 VICE CHAIRMAN JEFFRIES: From this
21 architect.

22 COMMISSIONER MAY: Exactly. But

1 others as well.

2 PARTICIPANT: Thank you.

3 (Laughter.)

4 Thought I'd put it on the record.

5 PARTICIPANT: You're getting a
6 compliment.

7 PARTICIPANT: Yes.

8 (Laughter.)

9 COMMISSIONER MAY: So I think,
10 generally speaking, the move to the apartments
11 is a positive thing. I am concerned by one
12 statement that you made, which was that -- and
13 this shows up in the design -- is that you
14 used a variety of 19th and 20th century
15 architectural styles.

16 I mean, I seem like I say this
17 with frequency -- and, again, with your firm
18 but also with other firms as well -- that the
19 architecture is -- doesn't need to be mixed up
20 for the sake of mixing it up. I mean, I think
21 that it's -- there is a certain style that
22 needs to come through that should be a bit

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1 more consistent across this.

2 And we don't need to do this kind
3 of random sampling of different architectural
4 styles, particularly when you are also at the
5 same time mixing all of these different
6 materials. I mean, we have -- you have fiber
7 cement siding, and you have brick. And fiber
8 cement siding is -- gives you this wooden
9 aesthetic, and so you have the feel of wood.

10 But then you have these -- you
11 know, these half-circle arches, which are
12 really descendent of a brick form. And you
13 have it on a brick base. You have the fiber
14 cement panels, which, you know, kind of look
15 like the metal panels that are on the office
16 building across the alley. I mean, it is this
17 weird mixture of stuff, and I find it rather
18 incoherent.

19 I think that, I mean, there are
20 some good things to like about it. I mean, I
21 think formally, the way things are laid out,
22 the shapes and the way the massing works I

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1 think is a very positive thing. But I just
2 think that there is just way too much going
3 on, and that shows up, as I said, not just in
4 the materials but also in some of the
5 detailing.

6 I mean, you have what you call the
7 Juliet balconies, but what I see in the
8 elevations is a little grate -- or a rail that
9 is tacked onto the building below a regular
10 window. It is not even a full height window.
11 And, I mean, that's -- that's not a Juliet
12 balcony. It is not even a fake Juliet
13 balcony. It's a handrail -- I mean, a rail
14 out of place.

15 I guess I have questions about how
16 the larger pieces of fiber cement panels are
17 actually detailed. I mean, is this just hardy
18 board of a particular thickness and it gets --
19 I mean, how does that get cut, and how are the
20 edges treated, and things like that? I mean,
21 I have never seen the larger sort of panel
22 applications.

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1 MR. GANG: I think, you know, when
2 we bring in the sample boards, that will show
3 you what the sizes are. And I think the
4 transition -- you know, we'll do the panel of
5 where the brick -- how the brick meets the
6 panel boards, and how we --

7 COMMISSIONER MAY: Stay on that
8 mic.

9 MR. GANG: Excuse me?

10 COMMISSIONER MAY: Stay on the mic
11 a little bit.

12 MR. GANG: Oh, I'm sorry.

13 COMMISSIONER MAY: Your voice was
14 drifting. Okay. Keep going.

15 MR. GANG: So I think when we
16 bring in those sample boards, we will be able
17 to -- you will be able to see how those mixing
18 of materials do work. And we have designed I
19 think some of these very -- I mean, at least
20 in our mind, very successfully, and, quite
21 obviously, you will all be the judges for
22 that. But we will show you examples, you

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1 know, of how that is put together.

2 COMMISSIONER MAY: Okay. I would
3 like to see that in finer detail for some of
4 these things that are -- where you have sort
5 of detailed pieces that are created using
6 fiber cement panels, because it is not a --
7 the material and the -- what I am seeing in
8 the elevation in my mind don't match. But
9 that is only because I have never done
10 anything like that. I have never seen
11 anything like that.

12 What is the marginal size of the
13 architectural CMU that we see on the back of
14 the building, and then kind of wrapping around
15 at the ends? Is that an 8 by 16 CMU? The
16 other detail page. There we go.

17 MR. GANG: I think so. I will
18 have to get back to you with the exact
19 dimension, which we had --

20 COMMISSIONER MAY: Okay. If it
21 isn't 8 by 16, I would encourage you to look
22 at something else, because it just looks like

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1 cinderblocks. It doesn't look like a fine
2 finished building.

3 I also think, in terms of the
4 material pallet, I think you do need to look
5 at how you could simplify it. I mean, either
6 stick with the -- you know, the stick-built
7 aesthetic and don't show too many sort of
8 masonry-like features rendered in fiber cement
9 board, or you -- you know, it becomes more of
10 a masonry kind of feel to it.

11 Let's see. I've got a long list
12 here. I am really not enthused about the
13 loading situation and how people are expected
14 to load in from that -- from that alley,
15 particularly how it relates to those units
16 that have their doors onto that alley. I
17 mean, I -- it is odd enough having a door unto
18 what would otherwise be considered an alley,
19 even though it's really a private road, and
20 hopefully it is going to be much, much nicer
21 than your average alley.

22 But the idea of having loading --

1 even if it is, you know, only Saturdays, or
2 something like that, I don't think that is a
3 particularly attractive --

4 MR. GANG: I don't remember why we
5 didn't move it up to the G-2 level. My hunch
6 is it probably could move up to that area away
7 from the residential units.

8 COMMISSIONER MAY: Right.

9 MR. GANG: And we will doublecheck
10 that also.

11 COMMISSIONER MAY: Yes. I mean,
12 it would be ideal if it could actually go into
13 the building itself and get out of the --

14 MR. GANG: Sure. And the reason
15 it wasn't put into the building was we were
16 trying -- I mean, we're less -- we're like I
17 think at .9 spaces per unit, and just the
18 whole dimension of how many spaces it would
19 take up. And we thought, you know, being
20 under one was the right number of parking
21 spaces for this building. So I think it was
22 a conscious decision, you know, to be at

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1 around .9 spaces per unit, and having the
2 private drive wide enough, but we will look
3 into that.

4 COMMISSIONER MAY: Okay. Well, I
5 will -- I'm done. We'll see if any of my
6 comments resonate with my fellow
7 Commissioners.

8 CHAIRMAN HOOD: Okay.
9 Commissioner Turnbull?

10 COMMISSIONER TURNBULL: Thank you,
11 Mr. Chair.

12 I guess my comment is directed --
13 it is sort of following up on what
14 Commissioner May had started with. I guess
15 I'm a little bit concerned about the private
16 driveway. And I'm concerned -- I was just
17 looking -- and, again, following up on what --
18 I was looking at, you know, 3.6, which shows
19 the elevation of the rear of the residential.

20 I mean, we can see what you are
21 trying to do and break up the facade. But
22 what gets to be a little bit overpowering,

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1 especially when I go back and I look at an
2 elevated section, is the very top you've got
3 the fiber cement panels all the way along in
4 that top, which really is a huge wall, and
5 you've got these punched elements of different
6 colors coming out from it.

7 If I go back to 2.4, which shows
8 the office building, I mean, I went back to
9 what -- looking at the Edaw plan that shows
10 the landscaping. But when I go back and I see
11 there this perspective -- I mean, I was
12 getting excited that the -- it wasn't an
13 alley, but after I see the -- both facades on
14 both buildings are fairly flat. The
15 residential building looks fairly flat, and it
16 has got this -- all these panels that are tied
17 together at the top.

18 And I am just wondering that if we
19 have an -- just maybe a pre-alley. And I'm
20 just concerned that it is not quite as -- I
21 see people walking down there, but I'm just
22 wondering if it is going to turn out to be a

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1 dirty alley. I am just -- it is about 35 feet
2 wide. Your building is 60 feet high. And it
3 is very flat, and I've got an office building
4 which is fairly flat.

5 And I am not sure what kind of a
6 space I'm going to be looking at between these
7 two buildings. I am just concerned that with
8 Commissioner May's -- Commissioner May talked
9 about some of the elements and the size and
10 coloration.

11 Other than the masonry units that
12 add some texture on the ground floor, I see
13 these very flat areas, especially at the top.
14 This looks like it is -- well, if you look at
15 the plan, it looks like they do step back a
16 bit. But on this elevation it looks fairly
17 flat all the way along.

18 And I don't know. I am just
19 concerned that I've got a canyon going here.
20 And I am just a little bit concerned about the
21 -- a residential building looking out onto
22 this, and it just seems a little bit

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1 formidable.

2 For either one of you.

3 MR. GANG: I understand your
4 concern. I think we probably have to think
5 about the context and other places around the
6 city. You know, if the way you start to think
7 about this and your initial basis is that this
8 is a street, and this -- as you look at this,
9 it doesn't feel like a street. It's not going
10 to have the life of a street. I think you're
11 right, this is really not a street.

12 On the other hand, you know, we
13 started out treating this as service alley,
14 and it is really no different than most
15 service alleys that you see downtown with
16 apartment buildings, often facing the back of
17 office buildings, only across a 20-foot alley.
18 We start out with that, and we try to improve
19 it slightly.

20 So the facades remained flat. The
21 service entrances remained there. But we gave
22 it a lot more light and air by just adding the

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1 15 feet beyond what you normally see in an
2 alley downtown.

3 So, you know, I think the
4 condition that we have here is the typical
5 urban condition that you see all over
6 downtown, except it is slightly improved
7 because of the 35 feet versus the 20 feet.

8 COMMISSIONER TURNBULL: I guess,
9 you know, after seeing your other elevations
10 it is like you turn the corner and it's -- it
11 is just radically different. It looks like
12 it's going back to the old design of the -- if
13 you were back in the downtown and it's -- you
14 are turning your back on the alley a bit.

15 And I'm just a little concerned --
16 and more concerned not so much about the
17 office building but the residential building.
18 And it is -- if I look at -- I folded down
19 some pages here. I guess on 2.7 -- and maybe
20 it's -- you're right. I mean, maybe I was
21 expecting more, and still a service alley is
22 a service alley is a service alley, even if

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1 you call it a private street.

2 MR. GANG: Yes. I think that's
3 the way you really have to think about it.
4 It's a certain -- these are the backs of two
5 buildings facing each other across a 35-foot
6 alley. Maybe we went a little too far in
7 describing it as being something more than
8 that.

9 COMMISSIONER TURNBULL: I guess
10 when you see the Edaw plan, you see the trees,
11 it's curved, there is a little bit -- and the
12 sidewalk only goes actually down a little bit
13 on the residential side and then it ends.

14 MR. GANG: Right.

15 COMMISSIONER TURNBULL: And I
16 guess I am -- I was starting to read into that
17 a little bit more of a -- an urban experience
18 that was a little bit different than just a
19 regular alley. But I guess it's -- it is
20 still a service alley.

21 MR. GANG: It is still a service
22 alley. Right. It is an enhanced service

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1 alley, I would say.

2 COMMISSIONER TURNBULL: Okay.

3 VICE CHAIRMAN JEFFRIES: So maybe
4 you can put a nightclub back there or
5 something and really spruce it up.

6 (Laughter.)

7 MR. GANG: Right.

8 CHAIRMAN HOOD: Any other
9 questions?

10 (No response.)

11 Okay. Matt, do you have any
12 questions?

13 PARTICIPANT: Oh, no. Not right
14 now.

15 (Laughter.)

16 CHAIRMAN HOOD: Okay. It's
17 getting late. Anyway, okay, let's -- we asked
18 our questions. Okay. Let's go to the --

19 COMMISSIONER MAY: I'm sorry. I
20 didn't realize you were coming back to me
21 again.

22 CHAIRMAN HOOD: I actually wasn't,

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1 but I asked if there were any questions.

2 (Laughter.)

3 Do you have some more questions?

4 COMMISSIONER MAY: Yes. I thought

5 --

6 CHAIRMAN HOOD: Okay.

7 COMMISSIONER MAY: I didn't think

8 all the --

9 CHAIRMAN HOOD: Okay. Let me
10 start the clock again.

11 COMMISSIONER MAY: It'll be real
12 quick.

13 VICE CHAIRMAN JEFFRIES: Do you
14 need an additional seven minutes?

15 COMMISSIONER MAY: No.

16 CHAIRMAN HOOD: Let's give him
17 seven minutes.

18 COMMISSIONER MAY: Okay. I'll
19 beat that.

20 Why is there an awning in the
21 northeast corner, that red brick building? Is
22 something special going on there? I don't

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1 need to see it. Just tell me why that's going
2 on.

3 MR. GANG: That's the entrance to
4 -- that's the lobby entrance.

5 COMMISSIONER MAY: That's the
6 lobby entrance, okay. Now, on that -- on the
7 detail elevations for the -- well, actually,
8 not even the detail elevations. The eastern
9 facade, you've got the -- that -- the corner
10 building, the entrance I guess to the building
11 is the red brick facade.

12 And then, you have this -- there
13 is a yellow building that is a couple of doors
14 away, or a -- what looks like a yellow
15 building a couple of doors away that is -- it
16 is not clear. Is the base of that also brick?

17 MR. GANG: Yes, it is.

18 COMMISSIONER MAY: And then, above
19 it it is fiber cement plank?

20 MR. GANG: That is correct.

21 COMMISSIONER MAY: Is that fiber
22 cement plank is the same plane as the brick of

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1 the upper level of the corner building?

2 MR. GANG: No. It is -- in
3 reference to the corner building, yes, and the
4 other two buildings step back.

5 COMMISSIONER MAY: The other two
6 buildings step back. I mean, this is where
7 things get very confusing in the way things
8 are detailed. It is not -- I mean, first of
9 all, I don't know why you have exactly the
10 same window -- stacked window treatment
11 between the yellow brick and the red brick.
12 Why isn't it all just red brick? And why
13 isn't that whole corner red?

14 I mean, you don't -- that is not
15 an exceptionally long facade. There isn't
16 really a reason to break it up necessarily.
17 I mean, you are trying to do something special
18 at the corner with the entrance I guess, but
19 then you ruin that by rendering the same kind
20 of facade in the yellow brick and fiber
21 cement.

22 On the east facade -- I'm sorry,

1 the west facade, there is -- it doesn't seem
2 that there is a lot of care that went into the
3 composition of the elevation. I mean, you go
4 to great lengths to create these -- this
5 vertical relationship between the windows, and
6 then between the second and third floor and
7 the first and second floor.

8 That falls apart, at least when
9 you are looking at the yellow portion of the
10 building, and then the red -- the dark red
11 portion of the building, and then the gray
12 portion of the building. I mean, it works at
13 the very ends of that facade. There is a
14 relationship. Things line up. But it doesn't
15 line up in between. And I'm not saying it has
16 to line up. It is just that it has to be
17 resolved in some way. You can't just --

18 MR. GANG: Sure. We will go back
19 and look at it. As I mentioned, the lower
20 units were the three- and four-bedroom units.
21 The upstairs was -- were basically one- and
22 two-bedroom units. And we'll try to line

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1 those up better.

2 COMMISSIONER MAY: It looks like
3 things were designed from the inside out, and
4 we are looking for things that are good on the
5 outside as well as from the inside.

6 And then, on the south elevation,
7 all along that, we've got -- on the top level
8 you've got just those narrow windows.

9 MR. GANG: Is this the elevation
10 you're talking about?

11 COMMISSIONER MAY: No. The
12 elevation that faces south. There you go.

13 MR. GANG: This one?

14 COMMISSIONER MAY: On the top
15 floor --

16 MR. GANG: Right.

17 COMMISSIONER MAY: -- you've got
18 what looks like -- I mean, it looks like a
19 penthouse, but I know that that's the
20 mezzanine level of those upper units, right?

21 MR. GANG: Right.

22 COMMISSIONER MAY: And then,

1 you've got these very narrow windows. They
2 don't -- I'm not even sure if they are
3 operable or what. But it seems to me you are
4 wasting a south-facing facade, even if it is
5 -- even if you don't want to be really
6 visible.

7 MR. GANG: Sure. And I think the
8 concept there was, I think as can be seen
9 here, the majority of windows do face outward
10 facing northward, which is the better views
11 outward, and that is where the majority of
12 where the outdoor private areas are.

13 And even on the upper ones, which,
14 you know, back up to the windows, the actual
15 outdoor private area is facing away from the
16 office building. I mean, we did have that
17 choice of putting them in and having the
18 private area face your office building. We
19 thought it was more advantageous to have them
20 face the other direction.

21 COMMISSIONER MAY: I'm not
22 questioning so much that decision. It is just

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1 I hate to see a south-facing facade with just
2 a single narrow window that, you know, even
3 looks inoperable.

4 MR. GANG: You know, we'll look at
5 that in detail.

6 COMMISSIONER MAY: Yes, okay.
7 That's all.

8 MR. GANG: See what happens.

9 COMMISSIONER MAY: 2:39 to spare.

10 CHAIRMAN HOOD: You're right, Vice
11 Chair. Give him five minutes.

12 Okay. Any other questions?

13 (No response.)

14 Okay. Let's go to the Office of
15 Planning's report. Ms. Steingasser? Mr.
16 Cochran, okay.

17 MR. COCHRAN: Thank you, Mr.
18 Chair. For the record, Steve Cochran, D.C.
19 Office of Planning.

20 I am going to work from the
21 assumption that you have heard all of the
22 presentation tonight, you have had a chance to

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1 review the OP report. So I am not going to
2 regurgitate that. I am going to try to focus
3 on just a few points.

4 The applicant is seeking
5 modification of the previous preliminary PUD
6 approval conditions and one second stage PUD
7 approval condition. If you will remember OP's
8 setdown report, when the application was a
9 little bit more difficult to understand
10 structurally, we had started to write examples
11 of what might be changes in the conditions to
12 the preliminary PUD conditions.

13 I think that all of this will
14 become clearer when the applicant actually
15 does its draft order. You may want to think
16 about suggesting that the applicant do a draft
17 draft order, so that you can actually see
18 before you make a preliminary decision what
19 kinds of changes in the conditions the
20 applicant is proposing.

21 I think it is a lot easier to
22 follow the entire PUD, if you see the changes

1 that are being asked to what you have already
2 approved, and you can then -- and you can then
3 have separate and perhaps redundant
4 consideration of the changes that they are
5 proposing as part of this second stage
6 application. so you might want to consider
7 that.

8 I think the time extensions for
9 the overall PUD and for the construction of
10 the community center, those requests are
11 clear. And, again, regardless of what you
12 have discussed tonight of the merits -- and
13 also, too, is what is being requested for the
14 second stage PUD for the three buildings.

15 OP is recommending that the
16 Commission approve the application. We do
17 think that several issues have been raised
18 tonight. If you decide to go to an additional
19 discussion about this, we think that would
20 give the applicant time to address some of the
21 questions that you have raised tonight, and OP
22 would certainly be happy to work with the

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1 applicant on addressing some of those
2 questions.

3 Let me just go through what OP had
4 asked the applicant and the Commission had
5 asked the applicant to look at previously
6 after setdown, and give you sort of a status
7 report on some of those things. Now, when it
8 comes to parking, the applicant obviously is
9 requesting modification to the preliminary PUD
10 order for the total.

11 The final number that is now
12 requested is clear -- 1,780 spaces. There are
13 some minor inconsistencies if you look at some
14 of the numbers as they are added up versus
15 some of the numbers as they are subtracted.
16 The applicant has done their best to explain
17 why some of these discrepancies are there.

18 They are very minor, but in time
19 for the final order I think it is going to be
20 important to understand exactly what number of
21 parking spaces they are asking for in each
22 development, and what kinds of modifications

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1 they are asking for in each of the preliminary
2 PUD buildings. It is only a couple of spaces
3 here and there, but it still needs to be
4 clarified.

5 We had asked the applicant to
6 present information discussing the
7 relationship, if any, of the requested parking
8 reductions to the supply of on-street parking.
9 DDOT has looked at this and is comfortable
10 that the supply of on-street parking is
11 adequate, and they have recommended that you
12 approve -- go ahead and approve the requested
13 reduction. Because DDOT has said this, OP is
14 also satisfied with this -- with their
15 request.

16 And DDOT emphasized the proximity
17 of the PUD to the Navy Yard Metro. As it is,
18 the applicant is proposing .75 parking spaces
19 for every one residential unit. This is
20 certainly well over what is required by
21 Zoning.

22 When it comes to sustainability,

1 the applicant has provided the LEED checklist
2 that the Commission requested for the
3 commercial building. OP is still encouraging
4 the applicant to seek to be qualifiable for
5 silver LEED. We know that they may not
6 actually seek the certification, but they
7 should, we think, be eligible for it.

8 OP had also asked the applicant to
9 submit a LEED checklist for both of the
10 residential buildings. The applicant has
11 submitted that for LEED and C, again at the
12 certified level.

13 When it comes to flexibility, the
14 applicants asked for flexibility in the ranges
15 of units for the residential buildings. They
16 have given you the specific numbers. They
17 have asked for five percent flexibility up or
18 down. That is very typical for a planned unit
19 development, and OP recommends that that be
20 approved.

21 For the trash and freight, OP and
22 the Commission have asked the applicant -- had

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1 asked the applicant to provide trash storage
2 and hauling descriptions that would be
3 acceptable to DDOT for the residential
4 building in Square 769. The applicant has
5 actually provided these descriptions for both
6 769 and 882.

7 DDOT has -- doesn't have a problem
8 with the trash locations per se. What DDOT
9 has a problem with is the freight deliveries.
10 When will the freight deliveries occur? What
11 will be the hours of restriction? Etcetera.

12 Their concerns are focused on the
13 residential buildings in Squares 769 and 882,
14 not the rest of the PUD. The only buildings
15 for which they are asking for personnel to
16 direct deliveries for posting of the signs on
17 the hours is these two residential buildings.
18 They may well come back in the future when
19 there are additional second stage applications
20 and ask for the same thing, but right now they
21 are focused on just these two buildings.

22 The DDOT memo came out today.

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1 There are some points of -- was filed today.
2 There are a few more points that need more
3 clarification, like, what are those hours they
4 are suggesting? Typically, they want the
5 deliveries not to be in the middle of the
6 night, things like that. We think, again, if
7 you go to a second hearing that the applicant
8 will be able to meet with DDOT and clarify the
9 exact hours of the restrictions.

10 The applicant could also address
11 concerns about personnel that might be
12 available to manage some of the loading. I
13 don't think that DDOT wanted to say that a
14 person has to be permanently assigned to this.
15 It just seemed like that from the wording of
16 their letter, but I don't think that's what
17 they intended.

18 Okay. For design, there have been
19 several questions on that. Let's start with
20 Square 769. OP has worked with the applicant
21 to make some changes to that building. You
22 have distributed tonight the changes, although

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1 they weren't in the PowerPoint. The applicant
2 has strengthened the cornice or the datum line
3 at the second floor level. This ties in
4 better with the office building on the rest of
5 Square 769.

6 This also, if you go around to 3rd
7 Street, ties in with the height of the
8 residential buildings that will be across the
9 street. You have a datum line that reflects
10 the residential character of the buildings
11 that will be across the street, the height of
12 those buildings.

13 We have also asked the applicant
14 to thicken the band at the next-to-top floor
15 of the building to reflect an element that was
16 in the Square 769 office building. They have
17 also done that.

18 Now, there are a couple of things
19 that the applicant doesn't seem to have
20 requested with respect to zoning relief. They
21 all relate to roof structures. If you look at
22 the single building that comprises the office

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1 building on Square 882, you will see that it
2 has two roof structures. They are not
3 connected. So there are two roof structures.
4 The applicant would need to ask for relief to
5 have two structures on one building.

6 It is pretty clear that the
7 applicant can meet any of those tests, because
8 of their elevator banks, etcetera. So we
9 would recommend that if the applicant asks for
10 such relief that it be approved by the
11 Commission.

12 The architect for Square 882's
13 residential building referred to there being
14 roof structures. OP hadn't really been aware
15 that there were going to be roof structures
16 there. If so, again, we think that they may
17 need to ask for relief to have multiple roof
18 structures. Minor points, but still would
19 need to get into an order.

20 The ANC comments on the community
21 center's time extension -- OP has tried to
22 address this in its setdown report -- excuse

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1 me, in its final report. As you know, OP also
2 had questions about whether the community
3 center shouldn't be built earlier than the
4 applicant is requesting it.

5 We have examined the DCHA's
6 report. We have also talked with staff. We
7 do understand the kinds of financial
8 constraints that the Authority is under, and,
9 reluctantly, we have to recognize those -- we
10 have acknowledged those conditions and do feel
11 that the applicant has made a legitimate case
12 for requesting such an extension, although we
13 are certainly aware of all of the very
14 legitimate reasons for wishing that community
15 center could be built sooner.

16 The ANC requested the provision of
17 50 parking spaces for the health care workers,
18 the 200 health care workers. DDOT has told us
19 verbally that they think that all of those can
20 be accommodated on the street, and neither
21 agency really quite understood the request,
22 since the provision of those parking spaces

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1 would be only temporary until construction
2 starts in Square 882. So I am just pointing
3 that out now before the ANC speaks.

4 And then, I just wanted to correct
5 one little thing on our own report. Page 4,
6 Section 4A, the requested 0.04 increase in
7 commercial space would result in an increase
8 of 6,301 square feet, not the number that we
9 had included on page 4.

10 I am happy to -- oh, one more
11 thing that they would need to do. They will
12 need to give you the location of the
13 affordable units. You have asked that before
14 in PUDs. By the time you get to the final
15 order, they will need to show that. If they
16 need to change it later beyond whatever
17 flexibility you give them, they would need to
18 come in for a modification.

19 That concludes our testimony. I
20 am happy to answer any questions.

21 CHAIRMAN HOOD: Okay. Any
22 questions of the Office of Planning? Any

1 questions?

2 (No response.)

3 Okay. All right. Okay. Does the
4 applicant have any questions of the Office of
5 Planning?

6 MR. FREEMAN: I don't think we
7 have any questions. I just think we want to
8 clarify a couple of things. In terms of the
9 number --

10 CHAIRMAN HOOD: I think you
11 probably could do that at rebuttal. This was
12 cross examination of the Office of Planning.
13 Okay?

14 PARTICIPANT: Are you asking him
15 if he --

16 CHAIRMAN HOOD: Yes. But he has
17 some comments that he wants to clarify, and we
18 can do that on the back end.

19 Okay. Report of other government
20 agencies? It was mentioned about the DDOT
21 report. I think the Housing Authority had a
22 letter of support, naturally, in there from

1 Michael Kelly. That's all I remember off the
2 top of my head. I don't know who else was --
3 it's in the file, if it's there.

4 Okay. ANC-6D and 6B.

5 Unfortunately, I know they have Commissioners
6 here, but, unfortunately, the letters do not
7 state who is representing them. So what we'll
8 do is we'll hear their testimony in
9 coordination with the sign-in sheet, and we
10 will -- and the public has been very patient,
11 and I know it's late, but I want to make sure
12 those who have been here -- sitting here
13 listening to us for four hours that we -- this
14 is a hearing. So we will give them some time
15 and listen to them.

16 I'll let them speak for
17 themselves, but we have our letter -- their
18 letters. One of them -- I think we have two
19 copies of 6B's letter, which is Exhibit 9.

20 And I'm not sure what the other copy was. But
21 anyway, one is Exhibit 9 and one is -- that we
22 received tonight from 6D.

1 And it has -- it spells out some
2 of the issues, both from 6D and 6B. 6D is in
3 support with conditions; 6B is in opposition.
4 And they spell out their opposition, and I
5 will let one of the Commissioners who comes up
6 at the appropriate time speak to that.

7 Okay. Let's go to organizations
8 and persons in support. And what I would like
9 to do -- according to my list, I don't see
10 anyone. Let me just call for it. Is there
11 anyone here who -- organizations or persons in
12 support of this particular application or
13 project?

14 (No response.)

15 Okay. Now, let's do the
16 opposition. And what I would like to do is
17 ask for the Commissioners to come first. I
18 would like for -- Mr. Ken Jarboe, Robert
19 Siegel, and Ron McBee. Did I get all of the
20 ANC Commissioners that are here? And, again,
21 you are speaking on behalf of your Commission,
22 but you can bring to us the relevancy of the

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1 -- I'm sure you participated in the votes and
2 everything. You can let us know a little bit
3 about that.

4 Typically, as individuals you have
5 three minutes. But we will adjust that. Just
6 let's not take 20. Okay? Let me start off
7 with the Commissioners whose SMD it is in. I
8 will go with Mr. McBee to my left, if you
9 would like to begin.

10 MR. McBEE: Sure. Thank you very
11 much. Commissioners, staff, good evening. I
12 am Ron McBee. I am Advisory Neighborhood
13 Commissioner for ANC-6D03. My single member
14 district borders South Capitol Street in the
15 single member district of 6D07 in which the
16 Capper/Carrollsborg project, Venture, LLC, and
17 the D.C. Housing Authority PUD project
18 resides, which we understand tonight from the
19 testimony that this is a DCHA project.

20 I am testifying in support for the
21 position of ANC-6D took in its business
22 meeting on March 9th that has been transmitted

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1 to the Commissioners in a letter dated March
2 18th. Our ANC has had several meetings
3 regarding this project. I am glad to see that
4 our confusion mirrors some of yours to try to
5 get -- to get ourselves wrapped around and
6 understand this project completely.

7 Due to the public good of a HOPE 6
8 project and its intentions, I am not -- I, nor
9 other Commissioners, had pursued a separate
10 community benefits agreement, but tried to
11 focus on the promised quality of life issues
12 contained within the HOPE 6 project.

13 We have sought information which I
14 believe still has not been provided to our
15 ANCs, such as a report on the community
16 support services provided to the original
17 residents of the Capper/Carrollsborg
18 community.

19 We have asked for a representative
20 from HUD to appear at these meetings, and the
21 applicants have not been able to provide this.
22 Additionally, the D.C. Housing Authority

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1 representative only attended late at the last
2 session in front of our business meeting.

3 I, and certainly all Americans,
4 understand the financial constraints that are
5 being placed on our economy and its effects on
6 development. In good faith, I support the
7 increase in office building height and other
8 modifications proposed under 13G and 13H, with
9 the exception of the reduced parking spaces
10 for the project.

11 This does remove a number of
12 townhomes from the catalog of buildings, and
13 I believe alters the social matrix for the
14 project and street ambience.

15 The partners have assured ANC-6D
16 they will increase the number of private --
17 public-private units --

18 VICE CHAIRMAN JEFFRIES: I'm
19 sorry. Can you push back from the mic just a
20 little bit.

21 MR. McBEE: Oh.

22 VICE CHAIRMAN JEFFRIES: Because

1 it is --

2 MR. McBEE: Oh, I'm sorry.

3 VICE CHAIRMAN JEFFRIES: That's
4 all right.

5 MR. McBEE: The partners have
6 assured ANC-6D they will increase the number
7 of private-public --

8 COMMISSIONER MAY: I think you
9 need to go further. Push the microphone away.
10 Just put -- no, the base of it. Can you push
11 the base of it away?

12 MR. McBEE: Yes.

13 COMMISSIONER MAY: There we go.

14 MR. McBEE: The partners have
15 assured ANC-6D they will increase the number
16 of public-private units proportionately, and
17 these new public units will not be segregated
18 or aggregated in one building or floor.

19 Parking is a critical element, and
20 the new proposal is below the number required
21 under the zoning requirement that we
22 understood. These spaces are needed. I asked

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1 the Commissioners to tour the project, our
2 near southeast community. You will find large
3 mega blocks that are isolated from the main
4 public transportation corridors on M Street.

5 Additionally, one senior building
6 in a Capper/Carrollsborg complex has 161 units
7 with 160 home health care aides delivering
8 services to the active adults who live there
9 independently. Without this daily or periodic
10 help from these resources, we threaten their
11 quality of life and their ability to live
12 independently.

13 I might add this independent
14 living not only provides the ability for one
15 to seek their own needs and activities, but it
16 saves tremendously in terms of health care
17 costs. These parking spaces cannot be given
18 up without an alternative to serve these
19 valuable seniors.

20 This last issue under 131 is --
21 this last issue under 13I is why I am in front
22 of you this evening. The others are

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1 important, but the building of the community
2 center is critical to everyone, but especially
3 the seniors. And I think it is for everyone.
4 These facilities were designed so that their
5 community rooms are small due to the coming of
6 the center.

7 These parts of the Capper/
8 Carrollsburg project were designed together
9 and not independently. These are not nursing
10 homes for seniors but facilities for active
11 adults. They reminded me of this recently on
12 a visit. We have been told by the applicants
13 that they need a critical mass to start the
14 construction on the community center.

15 No one on the project team can
16 define this term. I certainly hope that this
17 is not like the Metro where the green line
18 serving the lowest wealth community in the
19 District was the last to get rail service.
20 Without the community center, you are
21 warehousing these seniors who live in the
22 Capper/Carrollsburg complex.

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1 We were told that few -- that few
2 stimulus dollars were coming to the D.C.
3 Housing Authority. I have attached notices of
4 capital dollar projects funded under HUD, who
5 is receiving \$10 billion under the stimulus
6 project. \$4 billion is earmarked for capital
7 projects, such as the community center, which
8 is a shovel-ready entity -- by the
9 Capper/Carrollsborg community. Plans have
10 been developed by the architectural firm of
11 Tory Gellis.

12 The D.C. Housing Authority is
13 receiving over \$27 million, and this
14 represents the seventh largest amount among
15 the 3,700 housing authorities across America
16 receiving these capital stimulus fund dollars.

17 These funds were awarded
18 formulaically with the D.C. Housing Authority
19 deciding -- with the D.C. Housing Authority to
20 decide whether projects receive these funds.
21 We should not keep these seniors in warehouses
22 like conditions for community activities and

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1 social involvement. The community center is
2 ready to be built and can easily meet the
3 mandates of HUD.

4 I ask that the Zoning Commission
5 grant only a delay in the construction of the
6 community center for 12 months. These active
7 adults do not deserve to be warehoused as they
8 are now currently for social interaction.
9 They need this community center as the venue
10 for recreation and entertainment, as well as
11 the nexus to connect, exchange, and belong.

12 It is also a big step in returning
13 the community to the people who live there and
14 for the people who will be moving into the
15 near southeast community.

16 Thank you very much.

17 CHAIRMAN HOOD: Okay. Thank you.

18 MR. McBEE: And I have added
19 copies from the HUD webpage to the back to
20 make my point, and so --

21 CHAIRMAN HOOD: Okay. Just hold
22 your seat. We may have some questions.

1 Mr. Siegel, Commissioner Siegel?

2 MR. SIEGEL: My name is
3 Commissioner Robert Siegel, and I am appearing
4 personally in front of you as a resident, but
5 a concerned resident with 11 years of being an
6 ANC Commissioner and a long-time resident in
7 the area. We are certainly going under some
8 drastic changes, wonderful changes.

9 In fact, I very well support the
10 Capper/Carrollsbury Venture with DCHA.
11 Unfortunately, I live right across from some
12 senior citizens in 900 5th Street, and they
13 actually feel like they are hostages.

14 According to Dan McCabe, personal
15 amenities such as an exercise room and a
16 computer room have never been built into this
17 new building. That is horrible, and that
18 building came before this Commission. But
19 there are other mistakes that DCHA does, and
20 they are agreeing with and working with --
21 unfortunately, they are working with DOT and
22 the Office of Planning to reduce well-needed

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1 parking spaces. Parking spaces are something
2 that I wish you would add up those little bit
3 of parking spaces, because they really will
4 add up. The --

5 VICE CHAIRMAN JEFFRIES:
6 Commissioner Siegel, can you just move back
7 from the mic, just a little bit? I'm sorry.
8 It is just right over my head, and you are --
9 okay. Thank you.

10 MR. SIEGEL: All right. Well, it
11 is unfortunate, but during the daytime massive
12 amounts of people do come to our area for the
13 free parking. And it is not just construction
14 workers; they are a minor part.

15 But other things are happening in
16 the area. For instance, our neighbors in
17 Capitol Hill towers, they pay over \$300 for a
18 single parking spot. DCHA has a management
19 contract agreement with Edgewood Management,
20 and, unfortunately, what was for free for DCHA
21 public housing people they now pay from \$30 to
22 \$100 a month just for parking within their

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1 buildings.

2 People are being forced out into
3 the street. It is just horrible, and a lot of
4 people just don't like the inconvenience of
5 going into the Navy Yard or DOT buildings,
6 because they have to go through security
7 checks.

8 We have a terrible overflow
9 problem with parking during the daytime and
10 weekends, and I feel it is only going to get
11 worse, especially when maybe Lot W, which is
12 what 882 -- when the construction starts
13 there.

14 Maybe I was unfortunate in
15 thinking that my ANC would get 50 parking
16 spaces for the 200 people that actually care
17 for senior citizens in my community.

18 But, however, maybe because the
19 community building is not going to be built
20 for another three years before construction
21 can start, maybe they could pave that
22 particular piece of property and use that for

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1 the overflow parking, because my seniors in --
2 not only in 900 5th Street but in 410 Carroll
3 Seniors Apartment, and 400, a mixed residence,
4 even though it is called Arthur Capper Senior
5 Number 2. They have quite a lot of wheelchair
6 people, and they need people also that park.

7 And I'm telling you, parking is
8 very expensive, especially if you get a ticket
9 when you are caring for a person all day, when
10 you are only allowed to be on the parking area
11 for like two hours.

12 Again, I have an objection to a
13 number of things, but overall the project is
14 looking very good. In fact, I saw pictures
15 today that they have never even presented at
16 our ANC. And, yes, there were lots of things
17 flying around in the air, because we had asked
18 them to come back three times. So I know it
19 was complicated for this Commission.

20 But I need -- my seniors need, and
21 my area needs relief from parking. And I
22 think DDOT and the Office of the Planning,

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1 again, are out of their minds thinking that my
2 residential streets are adequate for overflow
3 parking.

4 That ends my testimony.

5 CHAIRMAN HOOD: Thank you.

6 Commissioner Jarboe?

7 MR. JARBOE: Mr. Chairman, members
8 of the Commission, for the record my name is
9 Ken Jarboe. I am Vice Chair of ANC-6B. ANC-
10 6B is an affected ANC. In fact, when this
11 project first started, the project was
12 actually in our boundaries, and Commissioner
13 Siegel was a member of our Commission at that
14 time. So there is a few of us in this room
15 who have been here for the duration. I know
16 the Chairman has been here as well on this
17 project from the beginning.

18 At is regular meeting on February
19 10th, ANC-6B voted eight to nothing to support
20 the time extension for the PUD, but to oppose
21 the request for the additional height for the
22 office building on Square 882 to oppose the

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1 proposed new apartment building at 882, and to
2 oppose the request for the extension on the
3 community center.

4 You've got my testimony. Let me
5 go through it very quickly on some of the
6 highlights. On the community center, the
7 basic reaction here is the same as our fellow
8 Commissioners, is here we go again. One of
9 the things we testified about six years ago at
10 the very beginning was we need to build the
11 community center first. We need to frontload
12 this on this.

13 Now, I understand that the
14 financial markets are bad. In my day job, I
15 deal with those markets as a policy analyst.
16 So I know things are bad out there.

17 But there was an old saying by
18 President Reagan, "Trust but verify." Well,
19 in this case, I want to trust, but I want an
20 enforceable contract. I don't want them
21 coming back in two years, which I think is
22 going to happen, for another delay in building

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1 the community center because yet again they
2 didn't get the money or they didn't do this or
3 they didn't do that. We have seen this over
4 and over again.

5 With the Alan Wilson project, it
6 took 10 years before they built a community
7 center. That is simply unacceptable.

8 So I don't care if you don't give
9 the extension, or you simply find a way to
10 lock it in, but the community center needs to
11 be in place as fast as it humanly can.

12 On the height, the second part
13 that we testified as being a problem back six
14 years ago was the height of the building at
15 600 M. Originally, as you have heard, they
16 wanted it to be 110 stories -- 110 feet. The
17 Commission put it down to 90 feet. The reason
18 being that building is up on the top of the
19 hill.

20 A building down at M and New
21 Jersey has a very different massing, because
22 of that hill, than the building that is going

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1 to be up on the top at 7th Street right next
2 to the historic Latrobe Gate, right next to
3 the Blue Castle.

4 And, in fact, with this particular
5 proposal, they are actually getting what it
6 was that you didn't give them before, because
7 the measurement point for this building is not
8 the front of the building on M Street. Under
9 the zoning regs, if the building faces more
10 than one street, you get to pick and choose
11 where the building point measurement is.

12 The building point measurement on
13 this is in the middle of the face on 7th
14 Street at the very highest point. So it is
15 going to be 90 feet there. And, as you have
16 heard, it is a 20-foot drop. So you are going
17 to have a 110-foot building on this site, even
18 though you said it should only be 90 foot.

19 So we oppose -- it sounds like
20 only two feet, but if that two feet is going
21 to take a story off this building that
22 shouldn't have been on there in the first

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1 place, that is what we want. We in fact
2 wanted a building that would step down as it
3 goes towards the Latrobe Gate and towards the
4 Blue Castle and the historic overlay there.

5 What we are getting here is we are
6 getting a back door way of getting a 110-foot
7 building. And you are getting a height as
8 well, the additional massing, because, as the
9 person who sat in this chair testified, they
10 are evening it out. Yes. They brought down
11 the office building a little bit, but the
12 apartment building is going up. So you end up
13 with greater massing than we originally
14 proposed, or which was originally proposed and
15 was originally accepted by this Commission.

16 Now, I agree with Commissioner May
17 that actually I had problems with those
18 particular -- putting the townhouses in the
19 middle there as well. And this is a better
20 thing, but you are losing green space on this.
21 You are going from courtyards of 12,000 square
22 feet to courtyards of 800 square feet. And,

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1 frankly, mezzanines, i.e. roof decks, don't
2 count as open space in my book. That is not
3 what we mean by "open space."

4 Open space has to do with the
5 massing of the footprints of the building, and
6 you are decreasing the amount of open space in
7 this particular proposal.

8 If you are not going to force them
9 to change the design of the apartment building
10 -- and that is fine with me -- they at least
11 ought to have to come up with more open space
12 someplace else.

13 The real issue here that we have
14 is -- that we are concerned about, and what I
15 call project creep -- over the years, this
16 project has gotten bigger, denser, higher. We
17 are not getting what you originally approved
18 back six years ago. It is just expanding,
19 expanding, expanding. And the concern is it
20 may sound like -- two feet may sound like a
21 lot. It's not a lot, but it is a place to
22 draw the line.

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1 Let's do what we originally said
2 we were going to do.

3 That concludes my testimony. I'm
4 happy to answer any questions.

5 CHAIRMAN HOOD: Thank you very
6 much.

7 Colleagues, any questions?
8 Commissioner May?

9 COMMISSIONER MAY: One question
10 for Commissioner Jarboe. When the decision
11 was made to drop the height limit on that
12 particular parcel down to 90 feet, wasn't it
13 possible at that time to measure that 90 feet
14 from 7th Street, or from the high end? Is it
15 7th or 6th? It's 6th. 7th.

16 MR. JARBOE: 7th. Yes, it was.

17 COMMISSIONER MAY: So, really, it
18 is only two feet higher than they were allowed
19 to -- than they are allowed to do it right
20 now.

21 MR. JARBOE: Correct. What I am
22 asking for is a revisiting of that decision.

1 COMMISSIONER MAY: Right. Another
2 way to push it down a little bit. Okay.
3 Thanks.

4 CHAIRMAN HOOD: Okay. Any other
5 questions?

6 (No response.)

7 Okay. Thank you all for your
8 comments, and we will take them under
9 advisement. Oh, before you leave, any cross
10 examination?

11 (No response.)

12 Okay. Thank you all for your
13 comments.

14 Okay. Mr. Olena Oliphant, Debra
15 Frazier, do you want to come forward? David
16 Meadows? Ms. Frazier is from Friends and
17 Residents of Arthur Capper/Carrollsborg, and
18 Ms. Oliphant also is a resident. And I think
19 we know David Meadows.

20 Let me see who else. That's all I
21 have. That's it. David Meadows. That's it.
22 That's all I have on here.

1 Who crossed her out? I must have.
2 Oh, I crossed her out. Ms. -- what is it?
3 Ms. Vandana -- come on up. I'm sorry. I
4 don't know how I crossed you off. Oh, I meant
5 to cross Commissioner McBee out.

6 And, Commissioner McBee, I have
7 read your testimony. I had to step out for a
8 moment. I don't want you to think I just got
9 up and left while you were testifying.

10 Okay. Let's go with Ms. Oliphant
11 first. Turn your microphone on, please.

12 MS. OLIPHANT: Good evening,
13 everybody. I am a resident of Carrollsburg,
14 and I am here to oppose of the delay of the
15 community center, because the residents
16 community has not received CSSP, which is the
17 Community Support Services Program, training
18 and education, and it was required under the
19 HOPE 6 program, 400 units, and that is like
20 800 families, because the children and adults.

21 And the needy, they need like
22 training and skills and education. The

1 average income for residents in our community
2 was \$800 a year, working poor, disability,
3 TANF, and fixed incomes. The social benefits
4 we didn't get.

5 I am just saying that of -- we
6 need the matters to make the training and
7 education support system for the jobs
8 eligibility for affordable homeowners. And we
9 didn't get that, you know. We at least need
10 to make \$13 to \$14 an hour. That would give
11 us \$1,400, you know, a year a survey.

12 Now we just didn't get our
13 training. And an example for the training
14 that they promised us, they told us that they
15 were going to give us computer training, which
16 we didn't get. I have a young lady that was
17 going to be -- she worked in the drug store,
18 and they said that she needed a year of drug
19 -- to work in the pharmacy for a year to be a
20 phlebotomist.

21 She didn't get that training, and
22 the three guys that worked in our -- that

1 lived in our neighborhood that they hired in
2 construction, they didn't get -- they were
3 terminated -- the lease in nine months, you
4 know, so we didn't get our training.

5 Where is the money? Because CSSP
6 did get the money. And that's my testimony.

7 CHAIRMAN HOOD: Okay. Thank you.
8 And hold your seat, because I definitely have
9 some questions for you.

10 MS. OLIPHANT: Thank you.

11 CHAIRMAN HOOD: Ms. Frazier? Turn
12 your microphone on.

13 MS. FRAZIER: I am Debra Frazier.
14 I am a member of a group called Friends and
15 Residents of Arthur Capper/Carrollsborg. We
16 have been here before this Zoning Commission
17 before in the early days of the HOPE 6,
18 because we fought desperately for the language
19 to be changed. The initial language with the
20 HOPE 6 was that you could be -- you could make
21 60 percent of Washington metropolitan area
22 median income and still be considered low

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1 income.

2 We fought very hard for the
3 Housing Authority and HUD to change that
4 language to enable the one-to-one replacement.
5 Since that time, we have been working
6 diligently to encourage the Housing Authority
7 to keep up with returning residents.

8 I am -- the residents in the
9 community, there are friends of our community,
10 there are people who are housing activists,
11 they are United Nations' activists that we
12 work with, housing activists in this city and
13 around the world, because housing is a human
14 right.

15 Within that context, we are
16 opposed to increasing the number of
17 apartments. My initial thought becomes, as I
18 listen to this dialogue, we -- the developers
19 need more market rate units, more market rate
20 units, more market rate units, more density,
21 to -- why? To pay for the ACC units. Has the
22 cost of the ACC units suddenly gone up?

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1 The one-on-one replacement is 707
2 units. It is still 707 units. If we need
3 more, if there is more market rate units
4 needed to pay for the ACC units, I don't
5 understand, unless the price of ACC units has
6 gone up. That original HOPE 6 grant was \$25
7 million.

8 The other thing that we are
9 disturbed about as residents and friends is
10 that there has been forked tonguiness in the
11 language. When we -- now that the units have
12 gone up, we understand that instead of
13 townhouses, and the original development, the
14 original HOPE 6, the original language, which
15 is on paper to this moment, says that we would
16 -- that there would be replacement of -- one-
17 to-one replacement of 400 units, townhouses.

18 We assumed the townhouses would be
19 townhouses. Imagine our surprise when we see
20 the layout of the initial Phase 1, and
21 townhouses are not townhouses. They are
22 stacked -- they are called now stacked units.

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1 Well, they're not stacked units. They're
2 apartments. We have moved out of apartments.
3 We are moving back into apartments, but the
4 vernacular is calling it townhouses.

5 Did the developers know from the
6 beginning that the townhouses were actually
7 stacked units, or did that change someplace in
8 time? And if the stacked units, which are
9 townhouses, are actually condos, that changes
10 the whole nature of the piece.

11 And it is part of what we
12 struggled with with this development from the
13 beginning, that, like the other gentleman
14 mentioned, it is a beast. It gets bigger and
15 larger and it changes, and the actors change.
16 And our role and our R&Ds, the consideration
17 of the community changes.

18 I urge this Zoning Commission to
19 recognize and do not underestimate the voices,
20 the community concern, by the number of people
21 that are here at this Zoning meeting. Some of
22 us are raising families, some of us are

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1 working. Do not underestimate the amount of
2 people who are concerned about this
3 development because we are not here today.

4 That, and with the language of the
5 zoning, we feel like we were duped by the
6 language, and we feel like now we're getting
7 -- we moved out of apartments. We're moving
8 back into apartments. We feel that we are
9 owed some consideration or some -- something
10 based on that.

11 There has been talk of social
12 benefits, and social and community resources.
13 One example of assisting us with that would be
14 the home ownership program for the few HIV --
15 for the few housing choice voucher units that
16 are available for us to purchase.

17 Well, there has not, since 2003,
18 2005, been any type of consistent home
19 ownership program. Every time they start one,
20 we get in one, and then, just like with the
21 CSSP benefits, the person doing the workshop
22 disappears. Or it is started, it goes for

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1 three months, and then we are not having it
2 anymore.

3 In terms of social and community
4 resources, we began this project with case
5 managers for all 700 of us -- for all 700 of
6 us. Our case management team has been reduced
7 -- it began with eight, 10 people. Our case
8 manager now consists of one -- count it, one
9 -- count it, one person, who at the most
10 critical time in the HOPE 6 project is charged
11 with finding, assisting, doing credit checks,
12 for 400 residents, 200 of which the Housing
13 Authority magically can't find.

14 So we are opposed to apartments.
15 We are opposed to apartments being called
16 townhouses that are now condos. We feel like
17 we have been duped, and we are asking for the
18 Zoning Commission to reexamine the social and
19 community resources and social benefits that
20 we are not getting for this project, because,
21 as many people have pointed out, this project
22 is being built on the backs and the lives and

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1 the houses.

2 And the future and the community
3 of the 700 low-income residents that initially
4 began in this HOPE 6 project is based on a
5 one-to-one replacement, and we are supposed to
6 be treated fairly, like everybody else, and
7 that is not happening.

8 CHAIRMAN HOOD: Thank you. David
9 Meadows?

10 MR. MEADOWS: Good evening.
11 Before I give my testimony, I just want to say
12 that it is based on information I have
13 received from the zoning office and not from
14 the testimony that the developers have given
15 this evening.

16 So I would first like to say good
17 evening, members of the Commission. My name
18 is David Meadows. And thanks to this
19 Commission, I am still a homeowner living at
20 305 K Street, S.E., which is located on the
21 north side of Square 999. My property is
22 completely surrounded by the entire

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1 Capper/Carrollsbury development.

2 Concerning zoning case G, I have
3 no objection to the request of modifying the
4 height of the proposed office building to 92
5 feet. I previously wrote I can neither object
6 nor approve of the plan to exchange the
7 planned stacked townhouses to the apartment
8 building, based on my lack of details. After
9 further hearing, I think that the Commission
10 will work together to modify that, and I see
11 that could be a plus to that block.

12 However, I also do not object to
13 the proposal to increase the 15 feet of the
14 residential unit for Squares 799 and 882 on
15 L Street, S.E., as they will in fact create a
16 better buffer abutting the planned M Street
17 office buildings, and granting the height
18 increase will provide a gradual visual slope,
19 and it will make a more visual pleasant
20 appearance than just a 10-story office
21 building sticking out into the sky.

22 Concerning the zoning 13H, I am

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1 against the approval of increasing the
2 residential units up to 1,747 without any
3 provisions for parking, which would add a net
4 gain of 102 units. I am against the approval
5 of request to increase the floor area ratio of
6 the apartment buildings of Squares 767, 768,
7 in effect creating more units, more smaller
8 units.

9 I am against increase of the
10 office floor area ratio. I am against the
11 increase of the commercial gross floor area.
12 And I am unequivocally against the reduction
13 of parking spaces down to 1,780, which is a
14 net loss of 65 spaces. I am against the
15 request to change Square 725 south parking
16 requirements, which basically gets rid of the
17 70 offsite parking spaces, which would be a
18 net loss of those 70 spaces.

19 In summation, I respectfully
20 request that you not approve any of these H
21 changes, in each of the -- if you add each of
22 the 102 units, one parking space, to the 135

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1 lost parking spaces, this would add 237
2 vehicles.

3 I ask for a little extension,
4 please.

5 This does not include the
6 additional office workers, and it does not
7 include the current 500 vehicles that are
8 paying to park in the National parking lots.

9 To add more residential office
10 space, combined with the reduced parking, is,
11 frankly, poor urban planning, and the overall
12 effect of approving the proposal will add to
13 pollution and traffic congestion.

14 And I will close up to -- with my
15 summation about the community center. It is
16 my recollection -- and perhaps Chairman Hood
17 can clarify this -- but I remember the
18 developers touting this community center as an
19 asset for the overall approval of the project.
20 And their promise -- it would become one of
21 the first buildings constructed following the
22 seniors building.

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1 I do agree, however, that in these
2 economic times, and without the presence of a
3 viable community living there currently, that
4 the community center is unwarranted at this
5 date currently, and that somehow the
6 Commission and developer could work together
7 to create a median date and not push the
8 community center to the end of the overall
9 project date.

10 CHAIRMAN HOOD: If you want to go
11 ahead -- go ahead and finish your testimony.

12 MR. MEADOWS: And, in conclusion,
13 I request the Commission remember that this
14 was an approved HOPE 6 townhouse community
15 redevelopment, not an apartment condo complex
16 cluster, as we currently have, with numerous
17 condo buildings located to the south in the
18 Navy Yard area, to the west of South Capitol
19 Street southeast of New Jersey Avenue, and, in
20 approved, ensure that this bait-and-switch
21 tactic will not reappear in the next stage.

22 The modification would not only go

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1 against the overall plan of creating a
2 community that seamlessly blends in with the
3 historic Capitol Hill district to the north,
4 but would also be an affront to those who have
5 already purchased and await occupation of said
6 townhomes.

7 These yet-to-be residents would
8 have cause to complain, and perhaps maybe seek
9 legal action of misrepresentation, believing
10 that they were going to live in a neighborhood
11 of townhomes and moving into a neighborhood of
12 scattered apartment buildings.

13 Thank you for your time, and I am
14 available for your questions.

15 CHAIRMAN HOOD: Okay. Thank you.

16 Ms. Gardeen? Can you help -- I
17 didn't know it was you. Sardeen? What is it?

18 MS. SAREEN: Sareen.

19 CHAIRMAN HOOD: Sareen, I'm sorry.
20 I'm sorry. I'm sorry, Ms. Sareen.

21 MS. SAREEN: Good evening,
22 everybody. I will try and be very brief. My

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1 name is Vandana Sareen. I am a resident of
2 6D06, and I would say that I -- in my
3 professional day life I do manage HOPE 6
4 developments, so I do understand the
5 complexity with which this entire team which
6 is sitting behind me is dealing with,
7 especially at this current time.

8 You know, having said that, I am a
9 resident only who has come here four years ago
10 and not when this thing was being planned or
11 developed, and so I am just getting to figure
12 this entire program.

13 However, and I think the two
14 things I did put there up -- but along with
15 the community, as our ANC decided, I think
16 overall we support this HOPE 6, and we
17 understand the economic downturn that is being
18 faced by everybody right now. And we do see
19 that what they are trying to do is make the
20 numbers work and make sense of all of this.

21 So having said that, I do think
22 the main thing that is sticking out is the

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1 community center right now, because given that
2 the economic downturn has happened, there is
3 drastic economic downturn, so they have got
4 this drastic change to the program I guess and
5 -- because it is changing overall.

6 In that sense, I would like to say
7 one thing, that while they are changing the
8 program on the M Street side in the future
9 phase, which is the third stage, that we
10 consider not giving carte blanche the same
11 kind of density to them at this point, given
12 that they are increasing the density now, so
13 that at least there is some quality of life
14 still available as we go into the whole
15 community.

16 The second thing is on the
17 community center. Currently, I see that there
18 are 500 of those 1,500 or 1,600 units that are
19 currently being developed already in place.
20 So by the time 2010 happens, as I heard today,
21 500 of these units will be there. So I think
22 that's the critical mass there for this

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1 community building to be there, the critical
2 mass should be there.

3 But the main thing that the folks
4 are saying is that there is no money to build
5 this community center because of the drastic
6 economic situation. Yes, it wasn't. However,
7 the Obama administration has given a drastic
8 input into making sure that there particular
9 projects, which are shovel-ready to go in the
10 communities, take benefit of the stimulus
11 money, I think the ANC-6D or the community for
12 -- the Ward 6 definitely deserves this
13 community center and definitely deserves that
14 the Housing Authority keep to its commitment
15 and use those projected dollars which were
16 given for this kind of specific development to
17 take place, which were stalled because of this
18 economic downturn.

19 And I think I will stop there.

20 CHAIRMAN HOOD: Well, thank you
21 very -- thank you all for your testimony.

22 Colleagues, any questions?

1 Commissioner May?

2 COMMISSIONER MAY: Yes, I'm not
3 sure that I -- that we can get this clarified.
4 But this stacked unit that I think a couple of
5 you referred to, can somebody explain to me
6 what that means, what a stacked unit is, or
7 what you think it means?

8 MR. MEADOWS: Basically, it was
9 the townhouses that were separated, and they
10 had different apartments. They would be one
11 townhouse structure, is what they proposed in
12 2005, '03, but they had three different units
13 within that one structure.

14 COMMISSIONER MAY: Yes. I seem to
15 recall that there was something like that, at
16 least in the corner units in the blocks. I am
17 seeing a lot of heads shaking on that.

18 MR. MEADOWS: And through the
19 inner -- I guess the way I could describe this
20 whole planning is a -- a narrowing --

21 VICE CHAIRMAN JEFFRIES: If you
22 can step back from the mic.

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1 MR. MEADOWS: -- blocks of
2 townhouses.

3 VICE CHAIRMAN JEFFRIES: Mr.
4 Meadows, can you just step back from the mic?

5 MR. MEADOWS: Surrounded by
6 apartment buildings and office buildings on M
7 Street.

8 COMMISSIONER MAY: I mean, I just
9 have this recollection that they were part of
10 the mix before. Were they -- did the mix
11 change, to your knowledge?

12 MR. MEADOWS: Well, they want to
13 change to Square 882.

14 COMMISSIONER MAY: No, I know
15 that. I'm just talking about what -- the
16 claim was made I guess tonight that it has --
17 that what a lot of people thought were just
18 going to be townhouses are these stacked
19 units. But I thought there were -- there were
20 always going to be some stacked units.

21 MR. MEADOWS: No. I'm just saying
22 that to my testimony I -- you know, if they

1 are going to come back and say, "Well, we want
2 to change this block over here from these
3 townhouses also to apartment buildings," that
4 is my concern.

5 COMMISSIONER MAY: Okay. I'm
6 sorry. Do you want to --

7 MS. FRAZIER: May I speak to that?

8 COMMISSIONER MAY: Yes, please.

9 MS. FRAZIER: As Friends and
10 Residents of Capper/Carrollsborg, resident
11 councils, and a few other people in this room
12 were at the HOPE 6 from the beginning, these
13 units were never referred -- our townhouses
14 were never referred to as stacked units. That
15 has come up within the last year or so.

16 Maybe the developers knew that
17 among themselves, maybe Housing Authority knew
18 that among themselves. But when speaking to
19 the community at the quarterly, or the yearly
20 community task force meetings in talking about
21 one-to-one replacement of our units, and that
22 they would be townhouses, no one said they

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1 would be stacked units.

2 Now, there was an allusion to
3 vertical townhouses, that the disability units
4 would be on ground level, and it would be a
5 three-bedroom apartment. And so as the
6 disability units goes like this, two
7 townhouses would be above the disabled units.
8 And as they explained it to us, they
9 consistently used the words "townhouses." We
10 never heard "stacked units." We never heard
11 "apartments."

12 That was not made clear to us, and
13 we have a conscientious objection to that.
14 That hurts intensely.

15 COMMISSIONER MAY: Okay.

16 MS. FRAZIER: We moved out of
17 apartments.

18 MR. MEADOWS: But I have to
19 reiterate that I was aware of those stacked
20 townhouses. I was in favor of them. I am in
21 favor of changing them to an apartment
22 building on Square 882, because it goes

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1 against that office building, and it does look
2 better, as you mentioned earlier.

3 But I am, like I said, leery that
4 they will come back and say, "Well, we want to
5 change this block," and then the next block,
6 and then the next block, to stacked units.

7 COMMISSIONER MAY: Right, okay.
8 All right. Thanks. That helps me, because I
9 was having trouble understanding the stacked
10 units, but just talking about it reminded me
11 of what I had recalled before. And I am sure
12 that the applicant would be able to offer some
13 further clarity on this issue.

14 CHAIRMAN HOOD: Any other
15 questions?

16 (No response.)

17 I want to talk to Ms. Frazier and
18 Ms. Oliphant. You mentioned about the
19 training. Nothing irritates me more than
20 applicants coming down and telling us that
21 they are going to do a training program. And
22 I am trying to look through the order to

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1 refresh my memory -- that they are going to do
2 something that doesn't get done.

3 I'm actually a victim of that in
4 my community when I -- before I got on the
5 Zoning Commission, and that irritates me,
6 because we sit down here, as you know -- what
7 time is it now? It's going on 11:00. We sit
8 down here some nights until 10 minutes of
9 12:00. And some nights I have been here until
10 1:30 catching a cab home.

11 So, to sit down here and go
12 through all of this, hear these nice
13 presentations by developers -- and I am not
14 picking on this one. I am just talking in
15 general now. And then to hear a report from
16 you that these things are not happening is
17 very disturbing to me.

18 I will vote against it unless at
19 the end of it you come back -- this applicant
20 -- particularly this applicant comes back and
21 tells me, or explains to this Commission, how
22 these things are getting done and what they

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1 are doing. If not, I can tell you right now,
2 they don't have my vote.

3 I can tell you that right now,
4 because that means what we approved you did
5 not carry out. I need to know why it's not
6 carried out, because it irritates me. I am
7 very irritated right now about that, because
8 I can tell you we sit down here and we work
9 hard in crafting these things. And you look
10 at the orders, we put the decision. And I
11 will just tell you, I have a problem with it.
12 I really have a problem with it.

13 So, I mean, unless you have
14 something to add to it, I don't think you can
15 -- from what I am hearing, the program
16 disappeared, whoever was doing the training.
17 That is -- not this particular applicant, but
18 I have heard that before. I have witnessed
19 it. But I just think it is unfair to the
20 folks who live in the neighborhood who deal
21 with the construction, and I may be off
22 center. But I can tell you I have a problem

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1 with it.

2 The program about the returning
3 residents, what is the deal with that? What
4 is going on with that? Because I think we
5 asked for that, if I remember correctly, but
6 I have to read the order.

7 Can you turn your microphone on?
8 It was training and education?

9 MS. OLIPHANT: Training and
10 education.

11 CHAIRMAN HOOD: Who was doing
12 that, the Housing Authority?

13 MS. OLIPHANT: It was -- yes.

14 CHAIRMAN HOOD: Okay.

15 MS. OLIPHANT: HOPE 6. Under
16 CSSP, which that was under Betsy Swann,
17 community --

18 CHAIRMAN HOOD: No. But, I mean,
19 was that the Housing Authority, that was part
20 of -- with the Housing Authority?

21 MS. OLIPHANT: I don't --

22 CHAIRMAN HOOD: I really need to

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1 read the order. But I can tell you, if that
2 is part of it, then I have a problem with it.

3 MS. OLIPHANT: Well, the training
4 came in for some computers. Then, after that
5 didn't work, then the other training came in.
6 That didn't work. And then, the -- they were
7 supposed to have been giving out some GEDs for
8 the people in the community. That didn't work
9 either.

10 CHAIRMAN HOOD: Okay.

11 MS. OLIPHANT: And I have people
12 that can testify to this. Matter of fact, I'm
13 a victim.

14 CHAIRMAN HOOD: Okay. Well, here
15 is what I want to happen, and I am hoping the
16 applicant will listen. I need to know a
17 status of what is going on with that. I need
18 to know a status. I'm sorry. I need to know
19 what is going on. I just need to know a
20 status.

21 Mr. Meadows, I am glad -- I heard
22 you say you are still there. I am glad to see

1 you are still there.

2 MR. MEADOWS: Thank you.

3 CHAIRMAN HOOD: I remember how
4 that went. I am glad to see you are still
5 there.

6 That's all. Any other questions?

7 VICE CHAIRMAN JEFFRIES: I think
8 perhaps Mr. Cortiella -- is that his name?
9 Yes. You know, perhaps, you know, when they
10 come back up should probably speak, because we
11 might have some other questions based on some
12 of the testimony for him. So --

13 CHAIRMAN HOOD: And not only that,
14 I want to see something in writing. I don't
15 know what we asked for previously, but I want
16 to look at these orders. I appreciate them
17 coming back up here tonight, but I need to see
18 a detailed -- exactly what is going on. I
19 know we also talk about the reentry program,
20 how residents come back, and, you know, I
21 thought we had done that, but I see now we are
22 going to have that hearing all over again.

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1 Okay. Anything else? Oh, cross
2 examination. Any cross examination?

3 (No response.)

4 Okay. I thank you both. Thank
5 you all for coming down and testifying.

6 Anyone else wishing to testify?

7 (No response.)

8 Okay. Mr. Freeman, if you can
9 come back up on rebuttal and closing. Forgive
10 me for omitting you. I forgot that time.

11 MR. FREEMAN: It's Kyrus, K-Y-R-U-
12 S.

13 Let me start by actually thanking
14 Commissioners McBee and Jarboe and Siegel. We
15 actually met with ANC-6D a number of times.
16 I want to say close to four times, and I think
17 going through that process has helped us kind
18 of clarify what the issues are, so we are
19 definitely ready to respond to everything that
20 they talked about tonight.

21 We will have Mr. Sher talk,
22 respond to some of the issues raised from the

1 zoning and planning point of view, and we will
2 have Mr. Cortiella respond to the issues such
3 as the CSSP and the status of that. I think
4 there is a thought that there are some
5 stimulus dollars that there are not, and just
6 kind of some of the other issues that were
7 raised. And he will hit most of those points,
8 and I will make sure he supplements if he
9 misses anything.

10 Mr. Cortiella?

11 MR. CORTIELLA: Good evening. My
12 name is David Cortiella, Project Manager --
13 Project Coordinator for HOPE 6
14 Capper/Carrollsborg.

15 Let me start off with the CSSP
16 program, because the --

17 CHAIRMAN HOOD: Is that the
18 training program, the CSSP?

19 MR. CORTIELLA: It is Community
20 Support Services Program.

21 CHAIRMAN HOOD: Okay.

22 MR. CORTIELLA: It is an integral

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1 component of any HOPE 6 project throughout the
2 entire United States. It is a required
3 component of any HOPE 6 grant.

4 To date, the Housing Authority has
5 spent over \$3.4 million of -- just over 10
6 percent of our grant dollars on providing
7 services. We have had multiple contracts. We
8 have had contracts with multiple vendors to
9 provide everything from job training to credit
10 enhancement to home buyers' program, computer
11 training.

12 Over the last three years we have
13 had a contract directly with the Wheeler Creek
14 CDC. Wheeler Creek was a prior HOPE 6, a very
15 successful community development corporation,
16 that has established a very well-run community
17 services program, that manages the community
18 services program for the entire portfolio of
19 HOPE 6 projects that the Housing Authority
20 has, which are seven properties to date.

21 I mean, you know, I learned early
22 and involved in politics that the actions and

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1 the reaction and hyperbole gets the action --
2 the reaction. And, unfortunately, the facts
3 do not bear truth to what the accusations are
4 right now.

5 The CSSP program is a requirement
6 -- or participation in the community services
7 program is a requirement for reentry.
8 Residents are required to be involved with
9 their case managers at the housing -- at the
10 Wheeler Creek community development
11 corporation, so that they can resolve multiple
12 issues that they themselves, with their case
13 manager, are able to develop, everything from
14 training to obtaining jobs to resident
15 programs, credit enhancement.

16 And a group that I have been
17 meeting with regularly over the last two years
18 -- and Ms. Frazier herself has been involved
19 in, and Ms. Rose also -- is the home buyer's
20 program, because we are ready to get
21 individuals into our home -- affordable units.
22 And the Community Supportive Services Program

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1 is the home buyer training program that
2 provides them certificates, so they can go to
3 HPAP to be able to get the subsidies through
4 HPAP also.

5 So there are a lot of accusations
6 that have been made. It doesn't bear out. We
7 would be more than willing to provide you the
8 written annual reports from the Wheeler Creek
9 community development corporation, information
10 that we are required to provide to HUD, and
11 you will -- if you want to see the budget
12 items, you will see the budget items of where
13 this money has flowed.

14 And it upsets me that, I mean, the
15 accusation is made because this is a key part
16 of what we stand for. We say this is not
17 about brick and mortar, this is about human
18 capital development. And human capital
19 development is a key component of what we talk
20 about when we talk about community
21 development.

22 Let me address a couple of the

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1 other issues. I mean, it's the same thing.
2 I mean, and to me it is a lot of information
3 but not based a lot in facts. There is, yes,
4 \$27 million that based on a formula the
5 Housing Authority will receive from the
6 stimulus package. And pure -- yes, we are a
7 very successful housing authority in the
8 country.

9 The Housing Authority, beyond its
10 HOPE 6 developments, has thousands of public
11 housing units. We receive a small amount of
12 capital dollars annually from HUD to be able
13 to improve those developments. Before you see
14 the HOPE 6s, which is comprehensive
15 modernization, knock it all down and start all
16 over again, but how about those that are
17 standing throughout the entire portfolio, the
18 bad reforms, the Langston, the -- off the top
19 of my head -- anything, all right?

20 Parksides, Kenilworth, you name
21 it, in any of the quadrants throughout the
22 District, we have many properties which are in

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1 dire need of capital dollars. And the \$27
2 million is approximately one year's worth of
3 capital dollars to the Housing Authority, will
4 spread almost like thin peanut butter, because
5 there are -- the needs are so dramatic in the
6 District, and the capital that is being
7 provided is so meager.

8 So we would love the -- we would
9 have -- that we could use the \$27 million, but
10 the reality is that we cannot.

11 One hundred sixty home health
12 aides, the accusation is made that we need to
13 make sure that we retain parking to be able to
14 provide for these 160 home health aides. We
15 do not run a 160-bed nursing facility where
16 individual home health aides are required to
17 provide services to the residents.

18 Where that number comes from,
19 beyond anything that we know about. In fact,
20 for both buildings, the building on 5th Street
21 and the building on M Street, we built -- we
22 provided parking spaces for any home health

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1 care worker that comes there, because in the
2 beginning, and especially during this first
3 season, the baseball season, a lot of them
4 were getting ticketed.

5 And I -- and we built those
6 parking spots down on Square 882, and the ones
7 further down on 767 and 768, and we made
8 available seven parking spots for -- and this
9 was in the beginning, because we were getting
10 complaints from the Council Members' office.
11 We provided seven parking spots, so they could
12 join -- even gain time, park free at either
13 882 or the other lots.

14 In the entire year, since we
15 opened those lots -- so the end of March of
16 last year -- we have not received a request
17 from either the managers in the 5th Street --
18 in the Capper I Senior Building, or Capper II,
19 for an increase to the number of available
20 parking spots that are necessary.

21 Our assumption -- and I spoke to
22 Carmen yesterday down at 400 M Street, and I

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1 said, "Carmen, I mean, we are getting all of
2 these complaints about -- that people aren't
3 -- don't have sufficient parking around here."
4 And she said, "David, I still haven't used all
5 of my seven parking spots."

6 So there isn't the 160 home health
7 aides that need parking to service the needs
8 of the resident population there.

9 Let me speak about the services,
10 then, at 400 M Street, or even at Capper
11 Senior. Capper Senior received a national
12 award for one of the best-run and planned
13 affordable senior developments in the country.
14 And we provide there a whole host of community
15 supportive services for the residents that are
16 there, so this notion that we are warehousing
17 individuals is mind-boggling again, because it
18 just doesn't stand up to reality -- Meals on
19 Wheels, supportive services program.

20 The residents themselves developed
21 a community support program to be able to
22 bring in movies, do gospel studies, walking

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1 tours to different shopping malls, shopping
2 days outside of the area. And it is
3 coordinated with both our community support
4 services program and a number of service
5 providers in southeast and southwest.

6 Our 400 M Street facility has a
7 computer room, an exercise room, meeting
8 spaces, individual -- the centralized laundry
9 facilities, that could be used both by the
10 seniors as well as the residents of 400 M
11 Street. We have a number of facilities there
12 that are integrated into the buildings
13 themselves that are available to residents of
14 either building.

15 I think those are the high points
16 of some of the statements that were made, and
17 I would be more than willing to answer any of
18 your questions.

19 CHAIRMAN HOOD: Mr. Cortiella, let
20 me just start off. We are going to do it in
21 sections. Let me just ask you, I am wondering
22 -- the ladies came down and mentioned -- I

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1 guess it was in a program. I guess they have
2 come down and mentioned that it just ain't
3 happening. When we did Montana Terrace some
4 years ago, even though it wasn't HOPE 6 I
5 don't think, but I wasn't -- anyway, same
6 thing, it just wasn't happening.

7 This training program that -- when
8 the residents went up for the training
9 program, guess what? It wasn't there. So
10 that story that I heard from her rehashed --
11 brought back a memory that happened in the
12 '90s when Montana Terrace was done. And that
13 is just not a good feeling.

14 So can you explain to me, or, you
15 know, or before I do final, or even before I
16 do proposed, if I can find out what the
17 Housing Authority is doing with that program,
18 that training program. What do you call it,
19 CSPP or whatever.

20 MR. CORTIELLA: CSSP.

21 CHAIRMAN HOOD: CSSP, okay. And
22 here is the thing, they have been down here

1 all night. They wouldn't come down here all
2 night just to sit around here and hear what we
3 are doing down here unless it -- I'm not
4 saying it ain't happening, and I ain't saying
5 it is, but something is wrong, because if they
6 want to come down to the Zoning Commission and
7 stay with us all night, then something is
8 definitely not happening. So I would like a
9 report back.

10 MR. CORTIELLA: I will definitely
11 provide the report.

12 CHAIRMAN HOOD: Okay. Any other
13 questions?

14 VICE CHAIRMAN JEFFRIES: I would
15 only, you know, say that obviously, I mean,
16 you know, some, you know, cursory background
17 with the HOPE 6 programs and projects around
18 the country, these are very tough programs.
19 And, you know, there is so much suspicion on
20 the part of the original residents. And so,
21 you know, there are just tensions that are in
22 place.

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1 And you know this Mr. Cortiella, I
2 mean, just your background and experience with
3 dealing with these kinds of things. And so,
4 you know, in forums like this it is always,
5 obviously, very helpful to try to, you know,
6 get across the landscape there and make
7 certain that, you know, you are sort of
8 addressing all of these issues, because when
9 people come in, I mean, you know, it comes
10 across.

11 And I appreciate your passion,
12 because you clearly, you know, showed some
13 level of being offended here by some of the
14 comments that you heard. But, you know, our
15 job here is to make certain that we are, you
16 know, watching over and protecting the
17 residents of the District.

18 And so I just want to say that,
19 you know, obviously, you know, you -- I am
20 certain you are doing great work, and so
21 forth, but just, you know, if we can just get
22 some of this stuff recorded in the record

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1 before we take final action it would be
2 appreciated.

3 CHAIRMAN HOOD: Any other
4 questions of Mr. Cortiella?

5 COMMISSIONER MAY: Mr. Chairman?

6 CHAIRMAN HOOD: Commissioner May?

7 COMMISSIONER MAY: Yes. I am
8 troubled by much of the testimony with regard
9 to the timing of the community center and when
10 that would be built. And I don't recall --
11 and I need to reread the order I guess to
12 understand what was originally intended with
13 regard to the community center.

14 But I also feel that, based on
15 what was submitted for the record, that I
16 didn't have a really good feeling for why this
17 is financially difficult at this time. Most
18 of the emphasis seemed to be on the issue of
19 critical mass of users, and so on.

20 And I would just ask that the
21 applicant explain that case a bit more
22 thoroughly. And also, frankly, take a look at

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1 how aggressively that particular part of the
2 development might be -- might actually occur,
3 because right now we are asking for almost two
4 years before you file for a building permit.
5 And if there is a way to accelerate that, I
6 think that would be very well received with
7 the community.

8 MR. CORTIELLA: Let me reference,
9 there was a letter dated February 26th
10 submitted by Michael Kelly that outlines
11 essentially the financial background of our
12 limitation on our financing a community center
13 at this time.

14 And it talks about our going after
15 the pilot legislation as a way of not only
16 financing the public infrastructure at the --
17 at Capper throughout all of the squares, but
18 also the community center, and the limitations
19 being access to capital market, the lack of
20 commercial property, demand down there which
21 spins off \$1.8 million worth of real estate
22 taxes, our softening of the real estate

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1 market, because without additional real estate
2 taxes, whether on the commercial or
3 residential, we can't float a bond.

4 And then, equally important is the
5 softening of the lender's market, just equity,
6 just any kind of money available to us.

7 And we said there that in
8 understanding that the markets were going
9 through some dramatic downturn that we were
10 out there working overtime to try to get
11 interim financing. As I stated earlier, we
12 have secured up to now \$13 million of private
13 financing, loans and lines of credit, to be
14 able to complete the infrastructure. Without
15 the infrastructure -- the public
16 infrastructure, Phase I would not be currently
17 under construction.

18 And the relationship between the
19 -- our ability to finance future squares
20 depends on our ability to secure financing for
21 the public infrastructure. There is a direct
22 correlation there.

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1 And what we have in this very
2 tight market been able to accomplish of going
3 out and getting \$13 million is -- it is not
4 something that you are able to do as you were
5 two years, even one year ago. A year ago you
6 were able to get your commitments.

7 VICE CHAIRMAN JEFFRIES: Excuse
8 me. Commissioner May, what is -- are you
9 concerned that we should not provide the
10 extension on the -- or you weren't satisfied
11 with the reason he had given before?

12 COMMISSIONER MAY: Yes. I mean,
13 there was a lot of -- there was emphasis in
14 the explanation for the community center on
15 the idea of having critical mass of users for
16 it before it is built. And that didn't --
17 that didn't really ring a bell with me, and
18 Mr. Turnbull just provided the original order,
19 or pointed out in the original order what the
20 timing was supposed to be, and it was supposed
21 to be July 1 of 2005.

22 Now, obviously, that was extended

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1 at some point, because it is -- it is supposed
2 to be 2008, right? So the community has
3 already had this pushed out once before. I
4 don't know what the intention was with regard
5 to funding when they committed originally to
6 July 1 of 2005 as a start, and whether that
7 was based on pilot funding. But I -- you
8 know, I don't know whether that was or wasn't
9 the case.

10 But, you know, maybe something
11 else was in mind, and this is what was decided
12 later on.

13 I just feel like there -- this is
14 one of the ways when -- I mean, it -- this
15 sort of massive reconstruction of the
16 neighborhood has such a huge impact, and it
17 was very important to the community that the
18 community center come online relatively
19 quickly.

20 And I -- you know, I want to make
21 sure that the applicant is using all available
22 resources to live up to that equipment, and to

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1 do so as quickly as they can.

2 VICE CHAIRMAN JEFFRIES: I don't
3 want to get into a debate or a discussion. I
4 mean, it --

5 COMMISSIONER MAY: Right.

6 VICE CHAIRMAN JEFFRIES: -- this
7 is a hearing with you. I just, you know,
8 thought, I mean, when Mr. Cortiella had gotten
9 up before, he had sort of walked us through --
10 you know, obviously, I mean --

11 COMMISSIONER MAY: No. And I
12 understand that. It just -- you know, we hear
13 these things in different order, right? We
14 got their case, we got the community's case
15 about the community center, and, frankly, I am
16 sympathetic to their argument.

17 VICE CHAIRMAN JEFFRIES: Oh, I
18 think we are all sympathetic to the argument.
19 But, you know, I also recognize that there are
20 some serious realities.

21 COMMISSIONER MAY: I understand.

22 VICE CHAIRMAN JEFFRIES: And

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1 things get prioritized in such a way that, you
2 know, people have to start to make tough
3 choices.

4 COMMISSIONER MAY: Right.

5 VICE CHAIRMAN JEFFRIES: And, I
6 mean, my suspicion is that, you know, they
7 will be coming back about this community
8 center, and you will be dealing with that.
9 But I think -- you know, well, I don't want to
10 get --

11 COMMISSIONER MAY: What, coming
12 back for another extension?

13 VICE CHAIRMAN JEFFRIES: Well --

14 CHAIRMAN HOOD: I'll tell you what
15 --

16 COMMISSIONER MAY: I was just
17 asking for further explanation.

18 CHAIRMAN HOOD: -- we will have a
19 -- I think we will have a good, lively debate
20 when we start dealing with this and
21 deliberating. So any other questions of --

22 COMMISSIONER TURNBULL: Well, Mr.

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1 Chairman, was not the community center a major
2 amenity referenced at the time?

3 CHAIRMAN HOOD: Yes. Oh, yes.
4 There is -- I think there is no doubt about
5 that. Yes.

6 COMMISSIONER TURNBULL: Well, I
7 think we ought to still keep focused on the
8 fact that it is a major amenity.

9 CHAIRMAN HOOD: Okay. I --

10 VICE CHAIRMAN JEFFRIES: I mean,
11 everybody -- well, it is a major amenity. It
12 should be there. I mean, and in a different
13 kind of environment, it would clearly -- it
14 should be there, and we should push for it.
15 But, you know, I am just -- okay, I don't want
16 to get into deliberating the --

17 CHAIRMAN HOOD: I think that same
18 -- we can have that same conversation.
19 Hopefully we will have it at 6:30 at opposed
20 to 11:30. Okay? So we are going to have this
21 discussion, so to be continued. Okay?

22 MR. CORTIELLA: May I make one

1 statement?

2 CHAIRMAN HOOD: Sure.

3 MR. CORTIELLA: And it is the last
4 statement that is made in Michael Kelly's
5 letter, is that once the real estate taxes
6 begin to be generated at the rates that
7 support -- that service payments, DCHA will
8 issue a pilot bond. The use of the bonds are
9 -- the first item right there is investing in
10 the construction of the community center, and
11 also, then, after that public infrastructure,
12 etcetera, etcetera.

13 The commitment is there. It is
14 solid, it has been repeated time and time
15 again, and it is a key point also of your
16 order, since the first one that this
17 Commission has issued. There is no wavering
18 on that.

19 We just need the time to be able
20 to continue to build the real estate that then
21 will support our ability to issue a bond that
22 gets paid with real estate taxes being

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1 generated on this property.

2 COMMISSIONER MAY: I guess I'd
3 just have to question whether that was always
4 the intended method of funding that, because,
5 if it was, how could you have committed to
6 July 1, 2005?

7 MR. CORTIELLA: I don't believe
8 so, because the pilot bill wasn't passed until
9 December of 2006.

10 COMMISSIONER MAY: Right.

11 MR. CORTIELLA: There were other
12 --

13 COMMISSIONER MAY: So what was the
14 financing plan before? And why doesn't that
15 work now?

16 MR. MEADOWS: The original intent
17 was to finance the community center with --

18 CHAIRMAN HOOD: Can you turn your
19 microphone on?

20 MR. MEADOWS: -- land sale
21 proceeds that are from -- sorry. The original
22 intent was to finance the community center

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1 with land sale proceeds from the -- from one
2 of the two office buildings. And that market,
3 as you know, has really dried up. And I think
4 that the Housing Authority has actually been
5 proactive by realizing that those funds are
6 not going to be available as soon as the
7 possibility now that they may be able to
8 finance it with these pilot bonds.

9 VICE CHAIRMAN JEFFRIES: I'm
10 sorry. I am just having some difficulty here.
11 You know, not with you, but, I mean, this is
12 a HOPE 6 project, and we are sweating a HOPE
13 6 project in this economic times. It's just
14 crazy. I just don't understand.

15 I mean, I understand your
16 questions, and so forth, and we need to keep
17 pushing this. But, you know, it --

18 COMMISSIONER MAY: I have no
19 problem with what he said. I asked for
20 further explanation. I don't see why you're
21 objecting to my asking for that.

22 VICE CHAIRMAN JEFFRIES: I wasn't

1 objecting to it. I was not objecting.

2 CHAIRMAN HOOD: Here is what we
3 are going to do. Here is what we are going to
4 do. It's getting late. We're going to go
5 ahead and finish rebuttal, and we are going to
6 come back and fight about that later.

7 MR. FREEMAN: Okay. At this point
8 I think what I'd like to do is have Mr. Sher
9 address a couple of the points raised by the
10 Office of Planning, and then I think that is
11 pretty much it.

12 MR. SHER: Yes, just a couple of
13 very quick points to respond to a few things
14 that were raised. Mr. Cochran's suggestion
15 that we need relief because we have two roof
16 structures on the office building, the
17 regulations specifically provide that where
18 you have two elevator cores you can have two
19 separate roof structures.

20 We've got an elevator core on the
21 one side, an elevator core on the other side.
22 We have two roof structures.

1 With respect to the top of the
2 apartment building in 882, the only things
3 that are on the top of the roof there is
4 mechanical equipment less than four feet tall.
5 If you look at the section on page 3-11, you
6 will see there is a screen wall on either side
7 of that roof at a height of three feet 10
8 inches. There are no elevator overrides.
9 There are no cooling towers. There is just
10 some limited mechanical equipment that is
11 entirely below that three foot ten screen
12 wall.

13 So all regulations permit stuff
14 less than four feet high to be exempt from the
15 otherwise requirements of the Section 411, so
16 that is what is going on on top of the 882
17 residential building.

18 A question was -- a statement, I
19 believe it was from Commissioner McBee, that
20 this project is providing less parking than
21 required by Zoning. In all cases, we meet the
22 zoning requirements. Zoning requirements are

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1 fairly low in some of these situations.

2 In some of the residential -- in
3 the residential requirements, R-5-B is only
4 one-for-two. In CR, and in those zones, it is
5 only one-for-three. We have way more than
6 what the zoning requires, but we are asking,
7 as we have detailed, to reduce the number by
8 a small amount and reallocate between
9 commercial and residential.

10 Number three, a statement was
11 made, I believe it was by Commissioner Jarboe,
12 about the loss of green space on Square 882.
13 And just to make sure the numbers are correct,
14 the original plan had 12,500 square feet. We
15 have 8,800 square feet in the courtyards by
16 themselves, and then there is additional space
17 in the private terraces. There were
18 additional spaces.

19 The closest apples to apples I can
20 give you is 12,500 to 8,800. Okay? So it is
21 a little bit less, but we believe we have
22 offset that with some other things.

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1 With respect to project creep,
2 again, I want to point out that the overall
3 gross floor area of this project is down by
4 slightly less than 2,000 square feet. It is
5 not up; it's down. We have asked for two feet
6 more on the office building, as Mr. Baranes
7 explained, solely to accommodate the 14-foot
8 retail on the first floor.

9 All of the other projects are the
10 same heights. If you look at the charts on
11 page 1.2, compare the heights on the left-hand
12 side, which were the original approved
13 heights, and the heights on the right-hand
14 side, they are all the same.

15 VICE CHAIRMAN JEFFRIES: With the
16 exception of the residential, 882.

17 MR. SHER: Yes. The north side of
18 882 goes from 45 to 60. I am talking about
19 the future stuff that you haven't seen yet.
20 Okay? We are not asking for any changes in
21 those heights, densities, etcetera. When you
22 look at the overall number of changes in the

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1 number of units, most of that comes from the
2 two projects you saw tonight, the increase in
3 769 and the increase in 882.

4 There were some minimal changes of
5 a unit or two here or a unit or two there.
6 And, again, that is all right here on this
7 page, so you can view it at your leisure. I'm
8 not going to go through that any further.

9 VICE CHAIRMAN JEFFRIES: But you
10 have to admit, it was effective to say Patrick
11 Court creep, though. It got --

12 MR. SHER: Oh, I remember --

13 (Laughter.)

14 I think we are creeping in place.
15 How about that?

16 And I think -- I think I'm done.

17 Mr. Freeman reminds me, as Mr. May
18 pointed out, the measuring point for that
19 office building has always been at the same
20 place it is now. So if we were at 110 feet
21 before, we are at 92 feet now.

22 I'm done.

1 CHAIRMAN HOOD: That's it? Mr.
2 Freeman? Any questions?

3 COMMISSIONER TURNBULL: Mr. Sher,
4 there is no roof relief, then, on the
5 residential on 882?

6 MR. SHER: No. The only --

7 COMMISSIONER TURNBULL: Setbacks?

8 MR. SHER: -- residential relief
9 is the setback on 769 around that interior
10 court.

11 VICE CHAIRMAN JEFFRIES: Driven by
12 the elevator cores, because there is two
13 separate elevator cores?

14 MR. SHER: No, that is on --

15 VICE CHAIRMAN JEFFRIES: For 882
16 south.

17 MR. SHER: For 882 office building
18 --

19 VICE CHAIRMAN JEFFRIES: Office
20 building.

21 MR. SHER: -- we have two cores.

22 VICE CHAIRMAN JEFFRIES: Right.

1 MR. SHER: For 882 residential, we
2 don't have any elevator pop-ups at all.

3 VICE CHAIRMAN JEFFRIES: Right,
4 right.

5 MR. SHER: The only thing that is
6 up there is mechanical equipment less than
7 four feet high.

8 COMMISSIONER TURNBULL: I guess we
9 -- I just want to be sure that when I look at
10 the roof plan on 3.20 that that corresponds to
11 the perspective on 3.3. I see trellises and
12 structures up there that do not reflect on the
13 roof plan. So I just want to be sure that --

14 MR. FREEMAN: Mr. Gang can talk
15 about the roof plan, but what you are seeing
16 is actually the pop-up of the mezzanine. That
17 is actually not a roof surface; that is
18 habitable space. But Mr. Gang could just talk
19 about the roof plan a little bit more.

20 COMMISSIONER TURNBULL: Okay.

21 (Pause.)

22 MR. GANG: I want to look at Sheet

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1 3-11, which is the cross-section. The
2 elevator -- the highest elevator bank will be
3 on the left-hand side near 7th Street. And
4 because the mezzanine is a full story higher,
5 and there is no direct access from the
6 elevator, those are just individual units.

7 VICE CHAIRMAN JEFFRIES: It's
8 11:15, and you are bringing down the screen?

9 MR. GANG: I didn't do it.

10 (Laughter.)

11 CHAIRMAN HOOD: Do not turn the
12 lights off.

13 MR. FREEMAN: The mezzanines are
14 habitable space, and not roof structures, and,
15 therefore, there is no need for roof structure
16 relief. This will just take a second.

17 MR. GANG: The residential
18 building all the way on the left-hand side,
19 which is 7th Street, which is the highest
20 component of the building, the elevator core
21 will fit within the fourth floor and the
22 mezzanine, within that area. Again, the

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1 mezzanine is just individual access. The
2 elevator doesn't go all the way up to that
3 point. It only goes up to the fourth floor.

4 So from the fourth floor up within
5 the top of that mezzanine is where the
6 elevator will fit in.

7 COMMISSIONER TURNBULL: So it fits
8 totally within the mezzanine.

9 MR. GANG: Well, it's mezzanine --
10 it's mezzanine, yes.

11 COMMISSIONER TURNBULL: And all of
12 the -- any kind of mechanical is -- you have
13 a parapet up there.

14 MR. GANG: Correct. Individual
15 units will be located on top of the roof
16 within that three foot 10 where it is labeled
17 "parapet."

18 COMMISSIONER TURNBULL: Okay.

19 MR. GANG: Within that area. That
20 is where the individual mechanical equipments
21 would be located.

22 COMMISSIONER TURNBULL: Thank you.

1 MR. GANG: You're welcome.

2 CHAIRMAN HOOD: Any more
3 questions?

4 (No response.)

5 Are you finished, Mr. Freeman?
6 This was a little -- this one was a little
7 more harder than that other one we had --
8 great one we had, when was it, last Monday?
9 Okay. That's all right.

10 MR. FREEMAN: I was still going to
11 ask for a decision tonight.

12 (Laughter.)

13 I thought it went rather well. I
14 thought we covered everything.

15 CHAIRMAN HOOD: Mr. Freeman, you
16 are really pushing the Board, I'll tell you.

17 MR. FREEMAN: May I am just too
18 optimistic.

19 COMMISSIONER MAY: You know, he's
20 got good comebacks, too, that's the other
21 thing.

22 CHAIRMAN HOOD: Oh, yes. That's

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1 all right. I've got to get on my game for
2 him.

3 Okay. Do we have anything that is
4 old? I am confused. Did anybody ask me
5 anything?

6 (No response.)

7 Okay. Who has the list? Ms.
8 Schellin?

9 SECRETARY SCHELLIN: I have a list
10 -- Mr. Jeffries, did you see what you needed
11 to regarding the townhouses next to the tall
12 building? Did you see what you needed to?

13 VICE CHAIRMAN JEFFRIES: I mean, I
14 do --

15 SECRETARY SCHELLIN: Are you still
16 looking to see --

17 VICE CHAIRMAN JEFFRIES: I'm fine.

18 SECRETARY SCHELLIN: Okay.

19 VICE CHAIRMAN JEFFRIES: I think
20 we have enough things to deal with at that
21 point. I mean, it's, you know --

22 SECRETARY SCHELLIN: All right.

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1 We are looking for a sample board, plus photos
2 for the record. We need to have the exact
3 location of the affordable housing, a map of
4 some sort giving us that, the breakdown of the
5 unit types, the mix, on a map.

6 I believe they were going to take
7 a look at the loading on the private alley.

8 Mr. May had asked for something
9 about the lower level elevations. And the
10 south-facing facade, something about the
11 narrow windows that looked inoperable.

12 COMMISSIONER MAY: Yes. I think
13 they know what --

14 SECRETARY SCHELLIN: They know
15 what they are looking for.

16 COMMISSIONER MAY: It's up to them
17 to decide what to do.

18 SECRETARY SCHELLIN: And some
19 clarification from DDOT, I believe OP was
20 going to -- or maybe the applicant would work
21 with DDOT to give some clarification about
22 exactly what they are looking for regarding,

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1 for example, the hours on the restrictions
2 they are looking for.

3 CHAIRMAN HOOD: Also, if we can
4 get the draft of the draft. I thought that
5 was a good suggestion.

6 SECRETARY SCHELLIN: The draft --
7 well, yes, we'll ask --

8 CHAIRMAN HOOD: Maybe we'll start
9 asking for that draft of the draft.

10 SECRETARY SCHELLIN: Well, we'll
11 be asking -- we'll be asking for that anyway.
12 That is always a given. But also --

13 CHAIRMAN HOOD: No. But we always
14 get -- do we ask for the draft of the draft
15 before the proposed or before final?

16 SECRETARY SCHELLIN: Yes, we
17 always ask for a draft order. There is no
18 proposed.

19 CHAIRMAN HOOD: Oh. We just never
20 get it.

21 SECRETARY SCHELLIN: No, we get
22 it.

1 CHAIRMAN HOOD: Not before
2 proposed, do we?

3 SECRETARY SCHELLIN: Yes, we do.
4 Yes, we do.

5 CHAIRMAN HOOD: Is that what you
6 were talking about, draft of the draft?

7 SECRETARY SCHELLIN: He was asking
8 for something, but we always get it anyway.
9 We get a draft order before proposed action.

10 MR. COCHRAN: It would have been
11 easier had there been such things tonight,
12 which we had tried to get from the applicant.

13 SECRETARY SCHELLIN: He was
14 thinking that proposed action was going to
15 happen tonight, but --

16 CHAIRMAN HOOD: Who was thinking
17 that?

18 SECRETARY SCHELLIN: Is that me?

19 (Laughter.)

20 We get a proposed order before --
21 I mean, a draft order before a proposed
22 action.

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1 One other thing, there was going
2 to be some information provided regarding the
3 training program.

4 VICE CHAIRMAN JEFFRIES: I would
5 say that, Mr. Cortiella, you might want to
6 expand on that just a little bit in terms of
7 just talking about the training program, but
8 just doing something broader in terms of some
9 of the services, and so forth.

10 SECRETARY SCHELLIN: Right.

11 CHAIRMAN HOOD: Let me know that
12 this happened, because I know HOPE 6 has some
13 requirements. I just need to know that this
14 happened.

15 SECRETARY SCHELLIN: And if we
16 could get those by April 6th.

17 MR. CORTIELLA: Well, we've got
18 some work to do on the 882 north. I think
19 that might take us about 30 days.

20 SECRETARY SCHELLIN: Oh.

21 MR. CORTIELLA: Just based on some
22 of the comments we heard.

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1 MR. GANG: Commissioner May made
2 some very good suggestions, and for us to make
3 sure we look at this correctly. I mean, I
4 hear my client saying, no, 15 days. My hunch
5 is to get the color boards and get the
6 materials in takes longer than 15 days. I
7 mean, we could say 15 days, and we could see
8 where it is and --

9 CHAIRMAN HOOD: She is saying no,
10 so I guess you can do it in --

11 MR. GANG: I mean, we'll do the
12 best we can --

13 CHAIRMAN HOOD: Okay. Well, see,
14 here is another issue.

15 MR. GANG: -- to get it in on
16 April 6th.

17 CHAIRMAN HOOD: If you don't mind,
18 here is another issue. Our Commission is
19 going to change --

20 MR. GANG: We'll try to be done on
21 April 6th.

22 SECRETARY SCHELLIN: Okay.

1 CHAIRMAN HOOD: Okay, good.

2 SECRETARY SCHELLIN: April 6th.

3 CHAIRMAN HOOD: The Commission is
4 going to change, and we've got --

5 SECRETARY SCHELLIN: Right. We
6 are going to lose a Commissioner.

7 CHAIRMAN HOOD: We have a good
8 Board here, and we balance each other, and we
9 need to have this discussion on this.

10 SECRETARY SCHELLIN: So April 6th,
11 and ANCs will have until April 13th to file
12 responses thereto. And the parties will have
13 until April 13th to provide draft findings of
14 fact and conclusions of law, and then we will
15 consider this at our April 27th meeting.

16 MR. FREEMAN: April 6th for the
17 submission of our materials. April 13th for
18 the -- for a draft order. And a --

19 SECRETARY SCHELLIN: ANCs to
20 respond thereto.

21 MR. FREEMAN: -- ANC's response to
22 the specific information that we submitted.

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1 SECRETARY SCHELLIN: For their
2 responses to what you file on April 6th, draft
3 orders by April 13th, and then we will
4 consider this April 27th.

5 MR. FREEMAN: Thank you.

6 CHAIRMAN HOOD: Everything is in
7 order?

8 (No response.)

9 I want to thank everybody for
10 their participation. This hearing is
11 adjourned.

12 (Whereupon, at 11:22 p.m., the
13 Public Hearing was adjourned.)

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