

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

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IN THE MATTER OF: :

:

UNITED HOUSE OF PRAYER FOR : Case No.

ALL PEOPLE -- CONSOLIDATED : 09-05

PUD & RELATED MAP AMENDMENT :

:

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Thursday,

September 10, 2009

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 09-05

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.

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ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairperson
WILLIAM WARREN KEATING, Vice Chairperson
KONRAD SCHLATER, Commissioner
PETER MAY, Commissioner (NPS)
MICHAEL G. TURNBULL, FAIA, Commissioner
(AOC)

OFFICE OF ZONING STAFF PRESENT:

JAMISON WEINBAUM, Director
SHARON S. SCHELLIN, Secretary
DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

MAXINE BROWN-ROBERTS
JOEL LAWSON

This transcript constitutes the minutes
from the Public Hearing held on September 10,
2009.

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

2 6:33 p.m.

3 CHAIRPERSON HOOD: Good evening,
4 ladies and gentlemen.

5 This is a public hearing of the
6 Zoning Commission of the District of Columbia
7 for Thursday, September 10, 2009.

8 My name is Anthony Hood. Joining
9 us shortly will be Vice Chairman Keating,
10 Commissioner Schlater, Commissioner May, and
11 Commissioner Turnbull.

12 We are also joined by the Office of
13 Zoning Staff, Ms. Sharon Schellin and Ms.
14 Donna Hanousek, and tonight joining us for his
15 first hearing in this capacity, I think
16 Director -- his name is Director Jamison
17 Weinbaum.

18 Mr. Weinbaum, I believe, and this
19 is not written, so I'm just going on -- I
20 believe he has joined us before, so I don't
21 want to say this is his first hearing, but in
22 this capacity this is his first hearing. So,

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1 we want to welcome him.

2 DIRECTOR WEINBAUM: That's correct.

3 CHAIRPERSON HOOD: He will -- well,
4 we want you to come back and see us Monday.
5 Monday he's going to bring us some greetings.

6 DIRECTOR WEINBAUM: Yes.

7 CHAIRPERSON HOOD: Again, welcome.

8 DIRECTOR WEINBAUM: Thank you very
9 much, Mr. Chair.

10 CHAIRPERSON HOOD: Okay. The
11 proceeding is being recorded by a court
12 reporter, and is also webcast live.
13 Accordingly, we must ask you to refrain from
14 any disruptive noises or actions in the
15 hearing room.

16 The subject of this evening's
17 hearing is Zoning Commission Case No. 09-05.
18 This is a request by the United House of
19 Prayer for approval of a consolidated PUD and
20 related map amendment for property located at
21 Square 442.

22 Notice of today's hearing was

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1 published in the D.C. Register on July 24,
2 2009, and copies of the announcement are
3 available to my left on the wall near the
4 door.

5 The hearing will be conducted in
6 accordance with provisions of 11 DCMR 3022 as
7 follows: preliminary matters, applicant's
8 case, report of the Office of Planning, report
9 of other Government agencies, report of the
10 ANC 2C, organizations and persons in support,
11 organizations and persons in opposition,
12 rebuttal and closing by the applicant.

13 The following time constraints will
14 be maintained in this meeting. The applicant
15 30 minutes if needed, organizations five
16 minutes, individuals three minutes. The
17 Commission intends to adhere to the time
18 limits as strictly as possible in order to
19 hear the case in a reasonable period of time.

20 All persons appearing before the
21 Commission are to fill out two witness cards.
22 These cards are located to my left on the

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1 table near the door.

2 when presenting information to the
3 Commission, please turn on and speak into the
4 microphone, first stating your name and home
5 address. When you are finished, please turn
6 your microphone off so that your microphone is
7 no longer picking up sound or background
8 noise.

9 The decision of the Commission in
10 this case must be based exclusively on the
11 public record.

12 The staff will be available
13 throughout the hearing to discuss procedural
14 questions.

15 Also, I got wrapped up in what I
16 was doing here with the new Director, I want
17 to also acknowledge the Office of Planning,
18 Mr. Lawson and Ms. Brown-Roberts.

19 The staff will be available, as I
20 stated, throughout the hearing to discuss
21 procedural questions.

22 Please turn off all beepers and

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

3 Would all individuals wishing to
4 testify please rise to take the oath.

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

7 MS. SCHELLIN: Please raise your
8 right hand.

9 Do you solemnly swear or affirm the
10 testimony you will give this evening will be
11 the truth, the whole truth, and nothing but
12 the truth?

13 WITNESSES: I do.

14 MS. SCHELLIN: Thank you.

15 CHAIRPERSON HOOD: All right. Good
16 evening, Mr. Freeman.

17 MR. FREEMAN: Good evening,
18 Chairman Hood.

19 Should I start?

20 CHAIRPERSON HOOD: So, we have you
21 tonight.

22 MR. FREEMAN: Yes, sir.

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1 CHAIRPERSON HOOD: Let's do this.
2 Let's go through the proffer of witnesses. We
3 already know Mr. George and Mr. Sher. Ms.
4 Reatig, I believe?

5 MR. FREEMAN: Yes, sir.

6 CHAIRPERSON HOOD: What about Megan
7 Mitchell?

8 MR. FREEMAN: Our primary witness
9 tonight will be Megan Mitchell, and we'd like
10 to proffer her as an expert in architecture
11 and urban design.

12 Her resume is included with our
13 prehearing submission materials that we
14 submitted, dated July 2, 2002 -- 2009.

15 CHAIRPERSON HOOD: Yes, we have the
16 announced submittal. 2002? Oh, well anyway,
17 we have it. Put it like this, we have it.

18 MR. FREEMAN: She's been an expert
19 since 2002.

20 CHAIRPERSON HOOD: Okay. Has she
21 been proffered before this Commission?

22 MR. FREEMAN: Not before the Zoning

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1 Commission, but I know she has before
2 participated in hearings before the BZA.

3 CHAIRPERSON HOOD: Okay.

4 Colleagues, any questions for Ms. Mitchell?

5 So noted, and she will be accepted
6 as an expert.

7 MR. FREEMAN: Thank you.

8 CHAIRPERSON HOOD: Okay. You may
9 begin.

10 MR. FREEMAN: Again, good evening,
11 Chairman Hood and members of the Commission.
12 My name is Kyrus Lamont Freeman with the law
13 firm of Holland & Knight, here tonight
14 representing the Applicant, United House of
15 Prayer for All People, in its proposed
16 redevelopment of an approximately 16,000
17 square foot site on Rhode Island Avenue,
18 between 6th and 7th Street.

19 We are happy to be here this
20 evening to present what we think is a very
21 exciting project, which includes a significant
22 amount of affordable housing, specifically,

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1 half of the 16 units, or eight units, will be
2 devoted to affordable housing.

3 Indeed, as many of you may already
4 know, the United House of Prayer has a long
5 history of providing safe, clean and
6 attractive affordable housing, including
7 projects within this very square that we are
8 here about tonight.

9 We are here for two things, a PUD,
10 as well as a Zoning Map amendment to rezone
11 the subject property from R-4 to C-2-B. The
12 approvals would allow us to construct a four-
13 story residential building, with a gross floor
14 area of a little over 32,000 square feet, 1.97
15 FAR, and as you will hear briefly from our
16 architect tonight the project includes ten
17 surface parking spaces, bike racks,
18 residential courtyards and amenity areas, and
19 a roof deck.

20 We also seek some relief from the
21 roof structure requirements, which is detailed
22 in the Office of Planning report, our

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1 materials, as well as Mr. Sher's report, which
2 we submitted tonight.

3 Again, the OP report, which is very
4 thorough, confirms that our project meets all
5 of the applicable requirements, is consistent
6 with the Comp Plan, the intended purposes of
7 the zoning regulations.

8 We worked very hard to obtain
9 support for the project, and have a letter
10 from ANC 2C in the record. We have a very
11 good report from the Office of Planning in
12 support of the project, and DDOT's report
13 recommends approval of the project. We
14 appreciate their recommendation of approval of
15 the project, however, we do disagree with
16 their report in two important respects. We
17 can talk about that now or we can come back to
18 it.

19 We believe, again, all of our
20 pleadings and witnesses cover all of the
21 points necessary for approval of the project,
22 so we'll make a very brief presentation

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1 tonight.

2 Megan Mitchell will be our primary
3 witness, but we do have Apostle Green here
4 tonight on behalf of the United House of
5 Prayer, Susane Reatig, Susane Reatig
6 Architecture, Steven Sher of Holland & Knight,
7 Osborne George of OR George & Associates,
8 David Lansman, or Curt Schreffler of CAS
9 Engineering to answer any questions.

10 We've already submitted Ms.
11 Mitchell as an expert, and that, basically,
12 concludes my opening statement, and we are
13 ready to proceed however you deem appropriate.

14 Thank you.

15 CHAIRPERSON HOOD: Okay, thank you
16 very much, Mr. Freeman.

17 Let's do this. Let's talk about
18 the DDOT report.

19 MR. FREEMAN: Right.

20 CHAIRPERSON HOOD: Then once we do
21 that, then we can -- Ms. Mitchell can give her
22 presentation, but I do want to take a couple

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1 of minutes, if the Apostle -- I think Apostle
2 Green -- would like to say a word. We don't
3 want him to come in here and not say anything,
4 but if he would like to say a word he could.
5 We don't want to overlook him.

6 MR. FREEMAN: And, he appreciates
7 the offer, but we are willing to just rest on
8 our record.

9 CHAIRPERSON HOOD: Okay, good.
10 Fine.

11 So, we are going to go ahead, let's
12 do DDOT.

13 MR. FREEMAN: With respect to the
14 DDOT report, first of all, as you know, they
15 recommend approval of the project, so we
16 definitely agree with that part.

17 They find that our project only
18 generates very few traffic trips, four to be
19 exact, 2.12 with respect to their public space
20 recommendations on page two, the location of
21 the utility vaults have not been determined at
22 this point yet.

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1 As the Zoning Commission has found
2 in a number of other cases, including I have a
3 recent order here, Case No. 08-26, location of
4 utilities is an issue to be resolved during
5 the permitting process, not at the Zoning
6 Commission, and, therefore, consistent with
7 all of your other rulings on this matter we
8 ask that you continue to not require the
9 utilities to be located within the private
10 property lines at this point, because we'll
11 have to resolve that as we go through the
12 permitting process.

13 I'd reference you to Zoning
14 Commission Case No. 08-26, finding of fact No.
15 56, in which the Zoning Commission said, and I
16 quote, "Moreover, a number of the public space
17 concerns raised by DDOT will have to addressed
18 during the permitting process, which the
19 Commission finds is the most appropriate
20 setting for resolving those issues for this
21 project."

22 So, we think that's a sufficient

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1 basis. It's consistent with your prior
2 rulings, not to adopt their public space
3 recommendations at this point.

4 With respect to their
5 transportation demand measures, again, they
6 note on page two that the project will not
7 have a significant vehicle traffic burden, and
8 that the site is well served by mass transit.

9 Again, we certainly agree with these
10 conclusions, but we don't agree with their
11 proposed transportation demand management
12 measures.

13 It's noted in Mr. Sher's report,
14 but this project, despite -- you could build
15 ten units on this site as a matter of right.
16 Our proposal calls for 16 units, therefore,
17 that's a net addition of six, six units.
18 These units, again, don't generate any
19 significant traffic. We are adjacent right
20 next to two Metro entrances. Their report
21 specifies that on page -- let me just get the
22 exact cite -- it's a transit-oriented

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1 development, so there's really nothing in here
2 that indicates the need or demand for
3 SmartTrip cars, or ZIP car spaces, or
4 SmartBikes, there's, in our opinion, no basis
5 demonstrated in the record, definitely not in
6 the DDOT report, and, in fact, I think all of
7 our materials indicate that there is
8 sufficient public transportation, and does not
9 warrant the implementation of these TMD
10 measures.

11 We definitely take issue with their
12 proposal to install a real-time schedule.
13 They propose that in an 80-unit building
14 before. The Commission rejected that. We
15 think, given that this is a much smaller
16 building, a 16-unit building, it doesn't
17 include any retail or office use, most folks
18 that are coming out to catch the bus or go to
19 the train likely know those schedules, and we
20 don't see any basis for doing that in this
21 project, and there isn't any basis on the face
22 of the DDOT report that indicate why we should

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1 need to do those things.

2 We have our traffic consultant, Mr.
3 Osborne George. He can speak to these points
4 in more detail, regarding why our project does
5 not really need TDM measures. We have their
6 report, which was included as an exhibit to
7 our PUD application, and we definitely are
8 prepared to have Mr. George talk in more
9 detail about it tonight. But, we would,
10 again, respectfully, request that you not
11 adopt their public space or TDM proposals.

12 CHAIRPERSON HOOD: Okay, let's do
13 this, colleagues, since we have the DDOT
14 report in front of us, before we go to
15 architectural questions, if we have any, let's
16 see if we have any questions on the DDOT
17 report for what Mr. Freeman has just spoke
18 about. We may have a question or two for Mr.
19 Freeman.

20 Let me ask, what is the closest
21 Metro -- I think I know what it is, but what
22 is the closest Metro to this area?

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1 MR. FREEMAN: I'm going to point
2 your attention to one of the sheets in our
3 plans, because it gives you a really good idea
4 of the location, the adjacency of our site to
5 Metro. It's the Howard -- Shaw-Howard Metro
6 Station, and if you look at Sheet C.10 of our
7 plans, which are dated March 20, 2009, we are
8 about 825 feet from one of the Metro
9 entrances, and, approximately, that same
10 amount to the other station as well.

11 CHAIRPERSON HOOD: Thank you.

12 I don't want you to think we don't
13 have it, but we have -- what was the page
14 again?

15 MR. FREEMAN: You can look at sheet
16 C.10, and you can look at C.2. C.2 is
17 actually an aerial photograph, but start at
18 C.2. C.2 shows our site outlined in red, and
19 if you look at 7th Street going north you can
20 see one Metro entrance, and if you look at,
21 basically, the northeast intersection of 8th
22 and R that's the location of the Metro, the

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1 other one. So, it's within easy walking
2 distance to two Metro stations.

3 CHAIRPERSON HOOD: So, basically,
4 in the TDM there's really nothing, card
5 sharing, transit incentives, there's really
6 nothing that the Applicant has agreed with
7 DDOT on, am I correct?

8 MR. FREEMAN: At this point, Mr.
9 Chair, no. We think the -- we really don't
10 think there's going to be a demand for these
11 measures in this project.

12 CHAIRPERSON HOOD: Okay. All
13 right.

14 Any other questions? Not hearing
15 any, we can --

16 MS. MITCHELL: Is this the end of
17 the DDOT discussion?

18 CHAIRPERSON HOOD: I just wanted to
19 have it, if we need to we can have Mr. George
20 come up if we need to further peruse it.

21 MR. FREEMAN: Yes.

22 MS. MITCHELL: Do we know whether

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1 we are going to have anybody from DDOT here,
2 because I'd like to ask them questions about
3 it.

4 Don't know. They've been pretty
5 good about showing up.

6 CHAIRPERSON HOOD: They have been,
7 yes, but I don't know if they are coming for
8 this case.

9 MS. MITCHELL: All right. Well,
10 I'll hold out on the hope that they do show
11 up, and if not then I may have some questions
12 of OP.

13 CHAIRPERSON HOOD: We can come back
14 and revisit that. So, if there are none right
15 now, let's move right on into the
16 architecture.

17 Ms. Mitchell?

18 MS. SCHELLIN: Do you guys want to
19 turn off the lights?

20 MR. FREEMAN: Yes, please.

21 MS. SCHELLIN: Okay.

22 MS. MITCHELL: Good evening, ladies

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1 and gentlemen, members of the Commission, and
2 Commissioner Hood.

3 My name is Megan Mitchell. I'm
4 with Susane Reatig Architecture, and this
5 first image is the Rhode Island Avenue view of
6 the entry to the building that we're
7 proposing, and it's showing the gradual
8 escalation and scale from the existing context
9 along Rhode Island Avenue. And so, we are
10 stepping up gently towards the larger
11 buildings along 7th Street, and opening the
12 building to the street with large expanses of
13 grass and entry canopies here that's very
14 visible from the street.

15 This is the zoning map, so you can
16 see the relationship, what we are requesting,
17 where our site is located relative to the
18 current C-2-B Zone.

19 And, this is the site plan of the
20 building, showing the situation of the
21 building on the site allowing for a large
22 green space, which we are pretty excited

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1 about, and will give the members off the
2 community, as well as the members of the
3 building, a really nice amenity to look at.

4 And then, there are ten parking
5 spaces along the alleys, and we had 11 parking
6 spaces before, and in response to a comment
7 from Office of Planning we made the parking so
8 that there can be a handicapped spot on either
9 side of the aisle, and that will show up in
10 the next image a little bit better.

11 Yes, so spots four and five could
12 either be a handicap accessible spot.

13 You can see in this image the
14 details of the first floor plan and the large
15 green space. All of the units have patios or
16 balconies, outdoor spaces. This building is
17 very family oriented, and the units are large,
18 most of them two and three bedrooms, which we
19 think is a big amenity for the community as
20 well, so to have families.

21 We are also showing the location of
22 the dumpster here, convenient to the alley and

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1 convenient to people coming out of the
2 apartments.

3 This is also an image in response
4 to comments from the Office of Planning
5 regarding the depth of the public space, and
6 the public space starts from this point out to
7 the sidewalk, and is about 25 feet.

8 Currently, the sidewalk extends to
9 this line, this heavier line that you'll see
10 in the image, and it gets pretty tight beside
11 the tree boxes, about three or four feet, so
12 we are proposing to pull back the planted and
13 paved area of the public space another four
14 feet, so we have about an eight-foot clear as
15 the tightest part on the sidewalk, and a
16 little bit more than 12 feet from the
17 sidewalk, from the curb to the public space
18 planting.

19 These are the elevations of the
20 building. You can see the mapping and scale,
21 and lots of shadow and light, and we think the
22 building will be a real amenity for the

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1 community, and kind of a lantern at night, and
2 good addition to that area.

3 And, these are the other two views.

4 This is the side of the building adjacent to
5 the Catholic Charities building, which is the
6 building in the image that we saw earlier.
7 Let me just go back to that. You can see it
8 in the public space here, so it's the building
9 right beside us. And so, it's a little bit
10 lower in mass, but we are just stepping this
11 kind of gently, and we have a nice courtyard
12 in the middle of the building, so the
13 apartments have light and cross ventilation.

14 For the materials, we are looking
15 at some kind of classic, neutral materials, a
16 warm grey corrugated metal, and a nice block
17 that we like to use on our projects, and have
18 used on many project, as you can see in some
19 of these images.

20 We are looking at a fun color for
21 the windows, maybe a green color, and some
22 brightly colored canopies, maybe an orangy red

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1 or something in that color.

2 So, we think the building should be
3 kind of neutral against this lush landscape
4 that we are surrounding it with, and will be
5 kind of classic and maintenance free.

6 And then, these images are also in
7 response to Office of Planning. We are
8 showing a six-foot security gate around the --
9 or security fence around the green space that
10 you can see a little detail of that fencing
11 material here in this image. And, you can see
12 that it doesn't really appear as a severe
13 security kind of fencing wall, but it looks
14 nice, and you can see through it, so it kind
15 of works out well that way.

16 And then, we are showing some
17 images of the dumpster, to show that that area
18 will be maintained and attractive from the
19 view of the alley.

20 And then, here's some renderings
21 showing the building in its context, so this
22 is if you were standing at 7th Street looking

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1 east on Rhode Island Avenue this is kind of
2 the view. So, you can see the green space all
3 along the front of the building, or the side
4 of the building around the alley.

5 And then, this view would be from
6 in the alley, kind of looking back out. Rhode
7 Island Avenue is out here, and then this is an
8 image from in the garden space looking out
9 towards Rhode Island Avenue, so you can get a
10 sense of the scale of that space, and you can
11 see some of the materials, the block and the
12 corrugated metal, and the colored windows, and
13 the railing with wood hand railings.

14 So, I think that's about it.

15 Oh, okay, in response to Office of
16 Planning we did have -- we did have a gate
17 similar to the fencing on the dumpster, and
18 they requested that we do something a little
19 bit more enclosed, just to keep that area
20 looking a little bit more clean. So, we did a
21 more private enclosure there. We are showing
22 that here.

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1 And, I think that's it.

2 MR. FREEMAN: That concludes our
3 direct presentation. We are ready to rest and
4 respond to any questions the Commission has
5 for either Ms. Mitchell or any other member of
6 our team.

7 Thank you.

8 CHAIRPERSON HOOD: Okay, thank you
9 all very much.

10 Let's open it up for questions.

11 Commissioners?

12 COMMISSIONER MAY: Mr. Sher wasn't
13 going to give us two minutes at high speed on
14 building aspects?

15 MR. FREEMAN: He can.

16 COMMISSIONER MAY: I'm going to
17 have some questions.

18 MR. FREEMAN: Okay. He can do a
19 presentation.

20 COMMISSIONER MAY: I don't really
21 need to do it, I was just a little surprised.

22 You usually take a couple minutes for him.

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1 But, no, I do have a question for
2 him.

3 MR. FREEMAN: Tonight is a special
4 night.

5 COMMISSIONER MAY: I'm just
6 wondering why we are looking at a PUD with C-
7 2-B rather than C-2-A.

8 MR. SHER: C-2-B is the adjacent
9 zone across the alley to the west, so it's an
10 extension of an existing zone category.

11 C-2-A would allow the density and
12 the height, but it's just not there now.
13 Frankly, we don't care, if you wanted to do it
14 C-2-A we'd do it.

15 COMMISSIONER MAY: It's not right
16 there, but it's across the street.

17 MR. SHER: South of Rhode Island
18 Avenue and going the other way.

19 COMMISSIONER MAY: Yes, both
20 directions.

21 MR. SHER: It's not adjacent, but
22 it's nearby. We can live with that either

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1 way. We don't much care.

2 COMMISSIONER MAY: I mean, I think
3 that the -- I don't know, in other -- in other
4 zoning cases that's been a big issue, you
5 know, why over step what you absolutely need,
6 and in some cases we've even gone down even if
7 it meant relief. But, it would work as a C-2-
8 A?

9 MR. SHER: C-2-A allows a 50-foot
10 height as a matter of right, 60 feet on the
11 PUD. We are at 48.7, so we are below the
12 matter of right height. It allows 2.5 FAR, we
13 are at 1.97. So, that would be okay.

14 The rear yard, side yard lot
15 occupancy issues we would comply with either
16 way, so it could work on the C-2-A. As a
17 practical matter the PUD is going to control
18 what gets built on the site.

19 COMMISSIONER MAY: Right.

20 MR. SHER: So, if you zone it C-2-A
21 or C-2-B, we don't care.

22 COMMISSIONER MAY: Okay. I do have

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1 some architectural questions. I won't cover
2 all of them, but first of all I saw the LEED
3 score card, and I'm wondering why it's at 32
4 points right now, and you are saying that it's
5 going to go to LEED Certified, but not LEED
6 Silver. You only need one more point. What's
7 the -- why don't we aspire for something more,
8 because, frankly, we are accustomed to getting
9 Silver at a minimum.

10 MR. FREEMAN: Well, we set
11 Certified as a minimum, and we always strive
12 to do better, but as you know, you don't
13 actually get Certified until the building is
14 built.

15 COMMISSIONER MAY: Absolutely.

16 MR. FREEMAN: And, you won't know
17 what level you are at until the building is
18 built. I've never seen a 16-unit Silver
19 residential building.

20 COMMISSIONER MAY: Well, this is
21 unusual in terms of the size.

22 MR. FREEMAN: Right.

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1 COMMISSIONER MAY: In terms of the
2 ones that we -- the projects that we normally
3 see, I mean, Silver is usually, I'd say more
4 often than not, is the minimum aspiration.
5 So, I'm wondering how -- I mean, how far would
6 it -- how hard would it really be, how much
7 more expensive might it really be, to push for
8 Silver?

9 MR. FREEMAN: I think we can
10 definitely hit Certified, we can strive for
11 Silver, I think.

12 MS. MITCHELL: I don't know that we
13 can answer how much more expensive it would
14 be, but we will certainly push to make it as
15 LEED --

16 COMMISSIONER MAY: Yes, I mean, at
17 Certified it's almost like it's not -- it's
18 not really anything exceptional, is what it
19 boils down to, I mean. And, what we look for
20 in PUDs is something that's going to be a real
21 exceptional benefit. I mean, Certified is
22 just a hair above ordinary. So, anyway,

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1 that's just a general thought.

2 I'm interested in the materials.
3 Did you have a material board that you
4 brought, or samples, or something?

5 MS. MITCHELL: I have some samples.

6 COMMISSIONER MAY: Okay. Could you
7 bring those up, because I'd like to see them
8 up close, particularly, the CMU.

9 I have to say off hand, and I don't
10 think this is a secret, but I'm not a real big
11 fan of CMU, particularly, on the front of a
12 building. So, but the picture looks better
13 than the average CMU, so I would really like
14 to see that.

15 Oh, we've got little tiny samples.
16 Well, I can live without a board, but -- okay,
17 so this is the CMU?

18 CHAIRPERSON HOOD: We're going to
19 need her to be on a mic, so if she responds to
20 your questions -- do we have a hand-held?

21 COMMISSIONER MAY: That's okay. If
22 I have any questions about the materials I'll

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1 just take a minute and look at it while others
2 are asking questions.

3 What's -- what's happening with the
4 parcel next door, that little triangle,
5 further down Rhode Island Ave.? I mean, is
6 that just -- is it vacant?

7 MR. SHER: It's a parcel owned by
8 the District of Columbia.

9 COMMISSIONER MAY: Is it going to
10 be -- is it a buildable lot?

11 MR. SHER: It is a separate piece,
12 a little triangular piece, created by the
13 alley and Rhode Island Avenue. We understand
14 that that is going to be offered by the
15 District in conjunction with the parcel on the
16 other side of the alley, at the intersection
17 of 7th and Rhode Island, but it's not ours.

18 COMMISSIONER MAY: So, it may
19 become -- it may become part of that --

20 MR. SHER: Yes, we don't know.

21 COMMISSIONER MAY: -- settlement.
22 I mean, it seems a shame to have a really

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1 lovely side yard and then have a, I don't
2 know, kind of a garbage collecting triangle
3 there.

4 MR. SHER: It is an empty lot at
5 the moment, but --

6 COMMISSIONER MAY: But, it's not
7 buildable as it is, I assume it's too small.

8 MR. SHER: Probably not.

9 COMMISSIONER MAY: Yes.

10 And, what's the story with that
11 building, the building immediately adjacent to
12 the property? It looks from the site plans
13 that it goes all the way back to the alley.

14 MR. SHER: It is owned by Catholic
15 Charities, and they use it as a transitional
16 housing facility.

17 COMMISSIONER MAY: Okay.

18 MR. SHER: It's an existing
19 building, been there for many years.

20 COMMISSIONER MAY: How many rooms
21 is it, or how many people live there?

22 MR. SHER: I don't know.

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1 COMMISSIONER MAY: I mean, it's a
2 really unusual shaped building.

3 MR. SHER: It's a much deeper and
4 bigger building than anything else around
5 that.

6 COMMISSIONER MAY: Right. And,
7 it's just a two-story building, is that right,
8 or is it three stories?

9 MS. MITCHELL: You can see the
10 image behind the dumpster image.

11 COMMISSIONER MAY: Yes.

12 MS. MITCHELL: That's kind of what
13 the whole back of it looks like. It's taller
14 in the front, and then it steps down to two
15 stories, and kind of extends back like it
16 might be dormitory-type rooms.

17 COMMISSIONER MAY: Yes.

18 So then, it's like a -- they are
19 going to wind up with, essentially, like a
20 five-foot side yard there?

21 MS. MITCHELL: I think there's
22 about eight or nine feet.

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1 COMMISSIONER MAY: Oh, it's eight
2 or nine?

3 MS. MITCHELL: From their -- from
4 the wall of the building to their little wall
5 at the property line.

6 COMMISSIONER MAY: Right, and you
7 are butting right up against the wall with
8 your very large blind space.

9 MS. MITCHELL: We also have the
10 courtyard in that area, where there will be
11 some relief there.

12 COMMISSIONER MAY: Yes.

13 And, how much taller is your
14 building than their building at that back
15 portion?

16 From the front portion I'm less
17 concerned about, because it's -- you don't
18 have that side yard there.

19 MS. MITCHELL: The back of their
20 building is probably maybe 25 feet.

21 COMMISSIONER MAY: And, you go up
22 to 40.7 or something?

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1 MS. MITCHELL: Yes.

2 COMMISSIONER MAY: Okay. And, is
3 there an elevation of the courtyard? I mean,
4 we have the one side elevation, where we can
5 see -- yes -- do we have the other faces?

6 MS. MITCHELL: We don't have the
7 other faces drawn in this presentation.

8 COMMISSIONER MAY: Okay. It's not
9 clear from the plans, but I assume that
10 there's glass in there.

11 MS. MITCHELL: They are floor to
12 ceiling glass, yes.

13 COMMISSIONER MAY: Floor to ceiling
14 glass. Okay.

15 MS. MITCHELL: I think you can see
16 it. Yes, we don't have the full plans in this
17 presentation, so --

18 COMMISSIONER MAY: I think from the
19 plans that I have it's -- the resolution of
20 the printing or something doesn't really show
21 it --

22 MS. MITCHELL: Oh, okay.

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1 COMMISSIONER MAY: -- very clearly.

2 But, there's -- well -- I'll also say that
3 ordinarily on the major elevations, and we
4 have a little bit of a blow-up on your
5 drawings, but ordinarily I'd like to see
6 something at a larger scale that shows the
7 full side elevation. Yes, I mean, you have
8 that lower -- that drawing on the lower left,
9 I mean, something bigger than that, so you can
10 see the -- get some sense of the relationships
11 between the size of the window frames and the
12 corrugation of the metal, and then the framing
13 of the structure itself, just to get a better
14 sense of it. I mean, what we have right now
15 is relatively -- it's really pretty limited.

16 MS. MITCHELL: You can see a little
17 more detail starting here.

18 COMMISSIONER MAY: Yes, but,
19 unfortunately, what it's showing there in
20 terms of detail isn't doing it any favors.
21 It's not showing anything about the depth of
22 the window frame itself, or whether there's

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1 anything to the point where the corrugated
2 metal meets up with other materials and so on.
3 I mean, is there any kind of -- is there any
4 material in between them, or are these just
5 butt joints that are caulked? I mean, not
6 that I'm expecting to see the caulk --

7 MS. MITCHELL: Right.

8 COMMISSIONER MAY: -- but I expect
9 to see something in a straight-on elevation
10 that shows something about the relationships
11 between the materials and maybe the depth of
12 the material good, shadows on them, or
13 something like that.

14 I mean, it might be nice to see
15 that. I don't know whether that resonates
16 with the rest of the Commission. We'll see
17 whether they are interested in seeing
18 something more on those.

19 But, we usually with these you see
20 a fairly detailed, enlarged elevation --

21 MS. MITCHELL: Okay.

22 COMMISSIONER MAY: -- of the major

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1 elevations. You know, we have a little bit of
2 the side here. The front we don't really see
3 very much of either, although I think that's
4 the one that's actually -- you have shown in
5 more detail.

6 MS. MITCHELL: Yes.

7 COMMISSIONER MAY: Slightly more
8 detail.

9 I think that -- I think I'll stop
10 here. I do have questions about color, but I
11 think maybe some of my colleagues want to
12 raise those, and I'll just join in.

13 Thanks.

14 CHAIRPERSON HOOD: Who wants to go
15 next, Vice Chairman?

16 VICE CHAIRPERSON KEATING: I might
17 as well start with the color. In this still
18 kind of evolutionary phase, I look at this
19 building, I look at the materials, I do like
20 what I see there.

21 I was a little thrown off by the
22 lime green, and I heard you say that that was

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1 kind of evolving. It didn't feel like, when I
2 looked at the other buildings next to it, that
3 it fit quite right. And so --

4 MS. MITCHELL: Yes, I think it's
5 definitely -- it's definitely evolving, yes.

6 VICE CHAIRPERSON KEATING: Okay.
7 All right. So, no one is wed to that.

8 MS. MITCHELL: Yes.

9 VICE CHAIRPERSON KEATING: Okay.
10 Can I go back to the LEED question for a
11 second, because I have the same -- I was
12 wondering the same thing about that, with one
13 point away from being able to stretch to
14 Silver. It seemed to me that there's a great
15 opportunity simply in construction waste
16 management to pick up a few more credits, if
17 you are willing to, in the process of building
18 the building, use LEED Certified disposal for
19 construction debris. It's not difficult to
20 do, there's two points sitting there if you
21 divert 75 percent of the waste.

22 MS. MITCHELL: Right.

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1 VICE CHAIRPERSON KEATING: And,
2 it's something to look at a little more
3 closely if you are trying to get over that
4 hump, and looking to make that commitment. It
5 seems to be pretty standard these days,
6 particularly, in buildings in the District
7 where folks are using LEED Certified disposal.
8 We've got four facilities in the area to go
9 to. It's not hard to get. I'd look a little
10 closer at that.

11 More about the green roof, how that
12 -- what you plan to use up there, and how it's
13 maintained, I don't see enough about it.

14 MS. MITCHELL: Right.

15 VICE CHAIRPERSON KEATING: Maybe
16 you could tell me a little more about it.

17 MS. MITCHELL: Well, we are
18 planning to do an extensive green roof, which
19 is, you know, a thinner green roof, probably
20 about six inches, six inches to a foot depth,
21 and ideally we would use adaptive or native
22 plantings so we don't require irrigation

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1 beyond the first year, and it would give us
2 some benefit to helping to mitigate storm
3 water management, and also provide good
4 insulation at the roof level. Those are the
5 aspects we've been focusing on at this point.

6 VICE CHAIRPERSON KEATING: I see on
7 one of the pictures trees on the roof.

8 MS. MITCHELL: There won't be trees
9 on the roof, yes.

10 VICE CHAIRPERSON KEATING: There
11 won't be trees?

12 COMMISSIONER MAY: Yes, this should
13 have been removed from the rendering, sorry
14 about that.

15 VICE CHAIRPERSON KEATING: Okay, I
16 just wanted to make sure.

17 MS. MITCHELL: Yes.

18 VICE CHAIRPERSON KEATING: And
19 again, it looks like the roof is sort of --
20 it's kind of sunken some, at least the deck is
21 sunken and away from the edge. I noticed on a
22 couple of images --

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1 MS. MITCHELL: Yes.

2 VICE CHAIRPERSON KEATING: --
3 there's a couple that standing what looks to
4 be fairly close to the edge of the roof.

5 And, how do you anticipate the roof
6 deck being used, as a disposal space, is it
7 just --

8 MS. MITCHELL: I think it's a
9 social space for the residents.

10 VICE CHAIRPERSON KEATING: For
11 cookouts?

12 MS. MITCHELL: Maybe, I don't know
13 if you can have open flames on the roof.

14 VICE CHAIRPERSON KEATING: Okay.
15 You answered the question about the triangle
16 next to the property, part of it.

17 I think that's it for me for now.

18 Thank you.

19 MS. MITCHELL: Thank you.

20 CHAIRPERSON HOOD: Thank you, Vice
21 Chairman.

22 Mr. Turnbull?

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1 COMMISSIONER TURNBULL: Yes, thank
2 you, Mr. Chair.

3 When I looked at the first drawing
4 of the elevation, I was taken back by the
5 brightness of the green windows. But, I've
6 seen some of the elevations, actually, it
7 looks very playful and light. I think you
8 were right.

9 But, do you see those windows, and
10 I was just thinking about a finish, would they
11 be like an anodized finish, or do you see a
12 painted metal?

13 I mean, when you were talking about
14 longevity, and I was just worried about how
15 long those windows are going to last with that
16 finish. But, if it's anodized then --

17 MS. MITCHELL: Yes. I mean, we
18 would definitely select a finish that was long
19 lasting and durable, and that's part of the
20 point of selecting this materials palette, I
21 think it's for long lasting durability.

22 COMMISSIONER TURNBULL: It is a

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1 very striking view, and when you look at that
2 elevation, or the perspective of the houses
3 next door, but it -- and I don't know whether
4 -- but I think on the other elevations it sort
5 of loses it and becomes a lot lighter looking.

6 Maybe it's because of the trees that are
7 here.

8 But, yes, I think, I don't know
9 whether it wants to be toned down a bit. This
10 is sort of a neon green I think.

11 MS. MITCHELL: Right.

12 COMMISSIONER TURNBULL: But, it's
13 still -- it's very playful. I will admit
14 that.

15 Getting back to the roof. The roof
16 relief you are looking for is for the elevator
17 and the one stair tower?

18 MR. FREEMAN: We have multiple
19 stair towers.

20 COMMISSIONER TURNBULL: You have
21 two.

22 MR. FREEMAN: Right.

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1 COMMISSIONER TURNBULL: One looks
2 like it satisfies everything, it's right in
3 the middle.

4 MR. FREEMAN: And, the elevator one
5 doesn't meet all of the setback requirements.

6
7 COMMISSIONER TURNBULL: You have
8 three stair towers.

9 MS. MITCHELL: Two stair towers.

10 MR. FREEMAN: Two stair towers and
11 one elevator.

12 COMMISSIONER TURNBULL: Right.

13 MR. FREEMAN: Looking at A1.4.

14 COMMISSIONER TURNBULL: And, the
15 last -- the stair tower at the back is sort of
16 a free-standing -- it's like an isolated --

17 MR. FREEMAN: At the southern-most
18 look, right.

19 COMMISSIONER TURNBULL: The roof, I
20 think you were talking, this was going to be a
21 sedum roof then? You are not going to walk on
22 it, you are just going to go up to walk on teh

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1 deck, and maintain the roof by -- who would
2 maintain the roof?

3 MS. MITCHELL: Part of the --

4 COMMISSIONER TURNBULL: The
5 ownership of the building?

6 MS. MITCHELL: -- the ownership of
7 the building, yes.

8 COMMISSIONER TURNBULL: Okay. The
9 little park down there, and I think I really
10 don't -- I think the railing, is that an
11 aluminum fence?

12 MS. MITCHELL: Yes.

13 COMMISSIONER TURNBULL: That's
14 aluminum?

15 MS. MITCHELL: Yes. You have that
16 right beside you.

17 COMMISSIONER TURNBULL: Okay, and
18 is that going to be, it looks like there's two
19 gates on either end.

20 MS. MITCHELL: Right.

21 COMMISSIONER TURNBULL: Is that
22 going to be locked some of the time, or most

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1 of the time, or --

2 MS. MITCHELL: It's likely to be
3 locked most of the time, if not all of the
4 time.

5 COMMISSIONER TURNBULL: And,
6 basically, only the occupants of the building
7 could go into it.

8 MS. MITCHELL: Right.

9 COMMISSIONER TURNBULL: Okay. So,
10 although the public can see it and enjoy the
11 green space, that's one thing, but it's only,
12 basically, the tenants of the apartment
13 building that get to go inside.

14 MS. MITCHELL: That's correct.

15 COMMISSIONER TURNBULL: Okay.

16 Those are all my questions, Mr.
17 Chair. Thanks.

18 CHAIRPERSON HOOD: Mr. Schlater.

19 COMMISSIONER SCHLATER: Thank you.

20 Well, I'm looking at the materials
21 here, just trying to get my bearings correct.

22 MS. MITCHELL: Okay.

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1 COMMISSIONER SCHLATER: Is this the
2 flooring on the inside of the building?

3 MS. MITCHELL: No, it's just --
4 it's kind of looking at a palette of
5 materials, and we are using wood on the
6 trellis and on the hand rails at the balcony
7 railings. So, I just wanted to kind of put a
8 palette together so you could see all of the
9 different exterior. And, that little piece of
10 ceramic is an idea about a color for the
11 canopies.

12 COMMISSIONER SCHLATER: For the
13 canopies out front.

14 MS. MITCHELL: Yes, right.

15 COMMISSIONER SCHLATER: That's the
16 main entry canopy.

17 MS. MITCHELL: Right, and then
18 there's a canopy along the side, at the side
19 entrance as well.

20 COMMISSIONER SCHLATER: And, what
21 have we got here, charcoal?

22 MS. MITCHELL: Yes, that's an

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1 accent metal. There's kind of a framing --
2 picture frame piece on the front elevation.

3 COMMISSIONER SCHLATER: Where is
4 that, can you point it out?

5 MS. MITCHELL: I can see it on this
6 view here, it's that kind of edge around.

7 COMMISSIONER SCHLATER: Okay. So,
8 in the front -- do you have a bigger picture
9 of the front of the building you can point to?
10 Just show me which materials are where.

11 MS. MITCHELL: Okay. So, this is
12 kind of the dark charcoal metal picture frame,
13 and then this is the corrugated metal going up
14 here. This is a steel railing with wood hand
15 rails, and these are wood trellis areas at the
16 top.

17 COMMISSIONER SCHLATER: Okay.

18 MS. MITCHELL: And, the canopy is
19 back there, and then all of this kind of
20 background material is the concrete masonry
21 units.

22 COMMISSIONER SCHLATER: Is the

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1 entrance recessed behind the Catholic
2 Charities building?

3 MS. MITCHELL: It is recessed back
4 of it.

5 COMMISSIONER SCHLATER: How far is
6 that?

7 MS. MITCHELL: I believe it's 15
8 feet. You can get a view of it there.

9 COMMISSIONER SCHLATER: Oh, yes.

10 MS. MITCHELL: It might be about 20
11 feet back.

12 COMMISSIONER SCHLATER: But, you
13 think that's a defensible space, and you are
14 not worried about it being, I don't know, a
15 dark corridor?

16 MS. MITCHELL: I think it will be
17 well lit and secure. I mean, I would expect
18 it to be -- I mean, we would design it to be
19 very well lit.

20 COMMISSIONER SCHLATER: The --

21 MS. MITCHELL: We try not to make
22 our buildings seem like defensive, which, I

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1 mean, we try to make them feel open and
2 welcoming.

3 COMMISSIONER SCHLATER: Of course.

4 MS. MITCHELL: Yes.

5 COMMISSIONER SCHLATER: I guess the
6 point, the entrance seems like it's kind of
7 hidden.

8 MS. MITCHELL: Right.

9 COMMISSIONER SCHLATER: Or, you
10 know, kind of hiding back there.

11 MS. MITCHELL: Right.

12 COMMISSIONER SCHLATER: But, that's
13 just because of the way you've massed the
14 building, where you want to put your entrance?

15 MS. MITCHELL: I mean, trying to
16 get as many exposures on the apartment units,
17 so you get much more of a corner in this unit,
18 so you can have windows on two sides, and make
19 the interior space much more liveable.

20 COMMISSIONER SCHLATER: Okay.
21 Well, you answered the question about whether
22 the green space was open to the public. What

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1 is the open little triangular open lot look
2 like right now?

3 MS. MITCHELL: I think it's just
4 grass or gravel.

5 COMMISSIONER SCHLATER: It is.

6 MS. MITCHELL: Yes.

7 COMMISSIONER SCHLATER: Not looking
8 good.

9 MS. MITCHELL: It's really small.

10 COMMISSIONER SCHLATER: It's really
11 -- how big are we talking, how many square
12 feet?

13 MS. MITCHELL: It feels like it's
14 not much more than 15 feet wide, and then
15 it's, you know, a triangle. I'm not sure
16 exactly how big it is, but it feels very small
17 when you are there on the site.

18 COMMISSIONER SCHLATER: Yes.

19 MS. MITCHELL: There you can see it
20 better.

21 COMMISSIONER SCHLATER: How long is
22 that face, your frontage on that triangle?

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1 Can you read it down there?

2 MS. MITCHELL: I think it's 97
3 feet.

4 COMMISSIONER SCHLATER: Okay.

5 MS. MITCHELL: It's a little fuzzy
6 on the screen.

7 COMMISSIONER SCHLATER: Well, it
8 would be nice to see somebody improve that,
9 particularly, if you are --

10 MS. MITCHELL: I agree.

11 COMMISSIONER SCHLATER: -- putting
12 up a fence.

13 MS. MITCHELL: I agree.

14 COMMISSIONER SCHLATER: A green
15 space there.

16 Well, everybody has touched on the
17 LEED certification. I'm going to touch on it
18 as well.

19 If you read your application, and
20 it talks about the amenities, it doesn't speak
21 to the building actually becoming LEED
22 Certified. I know you put in a LEED checklist

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1 in there. It speaks to some sustainable
2 features that will be implemented in the
3 project.

4 Is it your intention to seek LEED
5 certification and commit to seek LEED
6 certification for the project?

7 MR. FREEMAN: We are committed to
8 seek LEED certification for the project, at a
9 minimum level of Certified, and we would
10 strive to get as many points as possible, but
11 at this point we are committed to be LEED
12 Certified.

13 COMMISSIONER SCHLATER: Okay. And
14 then, I think another, obviously, defining
15 feature of this development is the fact that
16 it's providing much needed affordable housing,
17 and larger units, which I think you should be
18 lauded for doing. It's a good project for it.

19 My question is, in terms of the
20 affordability, half the units are affordable,
21 correct?

22 MS. MITCHELL: That's correct.

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1 COMMISSIONER SCHLATER: And, how
2 long are you committing to keep those units
3 affordable?

4 MR. FREEMAN: In perpetuity they
5 will always be affordable.

6 COMMISSIONER SCHLATER: Okay,
7 great. That's what I wanted to hear.

8 I don't have much else. That's it.
9 Thank you.

10 CHAIRPERSON HOOD: Any follow-up
11 questions?

12 Commissioner May?

13 COMMISSIONER MAY: Yes. I'm sorry,
14 maybe I missed this, but what was the -- you
15 gave us a little piece of red tile, was that
16 just for the color red?

17 MS. MITCHELL: Yes, it's an idea
18 about the color maybe for the canopies.

19 COMMISSIONER MAY: The canopies.
20 Okay.

21 I guess we are -- I'm not
22 accustomed to having some of the major colors

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1 of a project not defined in some manner. I
2 mean, usually, if it's not actually defined,
3 like this is the brick, or this is the metal
4 we use, it's usually, you know, somewhere
5 between this brick and this brick, and there's
6 a range defined, or, you know, it's one of
7 these, you know, it's either this palette of
8 metal and wood and so on, or this palette, you
9 know, some sort of range, so that we know what
10 we are buying into, I guess, in theory.

11 I'm not particularly comfortable
12 with the green on the windows, although I'm
13 not -- I won't -- I wouldn't make an issue
14 just with that, I think what makes me
15 uncomfortable is the idea that it's too
16 undefined at this moment. So, it may be
17 worthwhile, you may want to consider getting
18 some definition before any decision making on
19 this becomes final.

20 Right now there is an existing
21 building on the lot that's immediately
22 adjacent to the Catholic Charities building,

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1 is that right?

2 MS. MITCHELL: There are four.

3 COMMISSIONER MAY: Okay.

4 MS. MITCHELL: Row houses.

5 COMMISSIONER MAY: And, is that a
6 party wall that's shared with Catholic
7 Charities?

8 MS. MITCHELL: I believe so.

9 COMMISSIONER MAY: So, how are you
10 going to treat the side of the Catholic
11 Charities building, where you push the front
12 door back?

13 MS. MITCHELL: I would propose to -
14 - there's no party wall?

15 COMMISSIONER MAY: Not a party
16 wall?

17 MS. MITCHELL: Not at the front.

18 Just a moment.

19 COMMISSIONER MAY: Sure.

20 MS. MITCHELL: Yes, here's the --

21 COMMISSIONER MAY: Yes, we can't
22 really see that, do you have a head-on

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1 elevation somewhere?

2 MS. MITCHELL: Yes. It's right
3 here. I don't have the existing --

4 COMMISSIONER MAY: Yes.

5 MS. MITCHELL: -- drawings head on,
6 but I would propose that that wall be
7 stuccoed or, you know, finished in some clean
8 way.

9 COMMISSIONER MAY: Okay. I think
10 you might want to clarify that in the
11 drawings. I mean, first of all, confirm that
12 if it's going to be a party wall that it gets
13 cleaned up and stuccoed or something like
14 that, just so we know what's going to happen
15 to it.

16 MS. MITCHELL: Right.

17 COMMISSIONER MAY: We certainly
18 don't want to have a beautiful new building
19 next to an older building, which, you know,
20 seems pretty nice in its own right, and then
21 have that face not dealt with.

22 MR. FREEMAN: Commissioner May, I

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1 think Mr. Sher pointed out that C.4 of our
2 plans call that wall out as a party wall. As
3 Megan mentioned, that would be stuccoed.

4 MS. MITCHELL: I think so.

5 COMMISSIONER MAY: So, just a note
6 in the drawings to that effect, that it would
7 be stuccoed, I think would be helpful.

8 I think that's it. I mean, I think
9 the big thing for me that is a concern is
10 probably just defining the colors in some
11 manner. It doesn't have to be absolutely
12 nailed down, just something that helps us
13 understand the range.

14 MS. MITCHELL: You are asking
15 specifically for the windows, or for the whole
16 project?

17 COMMISSIONER MAY: Well, the things
18 that are variable. Your drawings call out --

19 MS. MITCHELL: Right.

20 COMMISSIONER MAY: -- I mean, it
21 doesn't -- the charcoal picture frames --

22 MS. MITCHELL: Right.

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1 COMMISSIONER MAY: -- it doesn't
2 seem to be variable. Right?

3 MS. MITCHELL: Right.

4 COMMISSIONER MAY: That and the
5 corrugated are fixed.

6 MS. MITCHELL: The block is set.
7 The corrugated is fixed.

8 COMMISSIONER MAY: Yes, so it's the
9 rails and the balconies -- I'm sorry, the
10 windows and the canopies that are varying a
11 lot.

12 MS. MITCHELL: Yes, right. Right.

13 COMMISSIONER MAY: So, just explain
14 that variation in some manner, I would
15 suggest.

16 Thanks.

17 MS. MITCHELL: Okay, thank you.

18 CHAIRPERSON HOOD: Any other
19 questions?

20 Let me just ask, on what we
21 received tonight on page six, first, can you
22 explain to me, or help me understand, how the

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1 parking is going to work? Is each unit going
2 to have a space, or is it going to be bundled,
3 unbundled, how is that going to work?

4 There's something tonight that I
5 think shows -- it was the last rendering that
6 we got tonight, on six. Yes, okay, yes.

7 MS. MITCHELL: This one shows that.

8 CHAIRPERSON HOOD: That will be --
9 it looks better up here, but anyway, no, I'm
10 just -- if you could just tell us, how is that
11 parking going to work? Is it bundled, is it
12 unbundled? We have, what, ten spaces?

13 MS. MITCHELL: Ten spaces, right.

14 CHAIRPERSON HOOD: And, we have 16
15 units.

16 MS. MITCHELL: Right.

17 CHAIRPERSON HOOD: While you meet
18 your requirement, what is it, how is it going
19 to work? Is everyone going to be offered at
20 least one space, or first come first serve?

21 MS. MITCHELL: Typically, it's
22 first come first served.

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1 CHAIRPERSON HOOD: So, if I've got
2 four cars I can -- I can come in and take all
3 four.

4 MS. MITCHELL: I guess they have to
5 work that out with the owner.

6 MR. FREEMAN: We wouldn't allow,
7 not to speak for the church, but we wouldn't
8 allow one person to take up four spots.

9 The owner of the church is going
10 to, and the property manager, would certainly
11 establish a set of rules and regulations for
12 how the parking spaces are allocated.

13 But, not to speak for Apostle
14 Green, but, typically, in most of their
15 projects they have a number of seniors, for
16 example, who, typically, don't have cars.
17 Given the location of the project adjacent to
18 the Metro, we don't anticipate that each unit
19 will need a vehicle or own a vehicle.

20 So, and as you indicated, we meet
21 the parking requirement under the zoning
22 requirement, so we don't think that -- parking

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1 will be unbundled, we don't think that the
2 management of those parking spaces would be an
3 issue in this case, in terms of how you
4 access, when you access them from the public
5 alley, as well as the loading the dumpster's
6 access from the public alley as well.

7 CHAIRPERSON HOOD: And, I'll tell
8 you what I understand, Mr. Freeman, you meet
9 it, our charge is to protect the residents of
10 the District of Columbia also, and I just know
11 how parking can be. And, we don't want to
12 create a problem without a plan. And, I just
13 think we probably need to look into that,
14 while I have every bit of confidence that
15 Apostle Green and the parties to be will make
16 sure there's a plan, we want to go into
17 something, because if I move in and I got --
18 and I'm going way on the deep end, I've got
19 four cars, I'm going to move one of -- or if I
20 have three and an extra one, I'm going to move
21 one at a time so I always have a parking
22 space. That's just the way it operates,

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1 that's human nature.

2 So, I just wondered how all that
3 was going to work. But, anyway --

4 Another question, the residents, do
5 I have to be a member of the United House of
6 Prayer to be able to --

7 MR. FREEMAN: No. The units are
8 available to anybody who wants to rent a unit,
9 although you are certainly welcome to join the
10 United House of Prayer.

11 CHAIRPERSON HOOD: That's your
12 affiliation?

13 MR. FREEMAN: It is tonight.

14 CHAIRPERSON HOOD: Oh, okay. That
15 was a very good answer.

16 You know what, I usually try to
17 come back, I can't even come back on that one.

18 Okay, any other questions,
19 colleagues?

20 Okay, do we have anyone from ANC
21 2C? I believe it's 2C, Ms. Schellin? I don't
22 want to get it wrong, and I'll get in trouble.

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1 Okay, ANC 2C?

2 Not seeing anyone for any cross
3 examination, let's go to the Office of
4 Planning's report.

5 MS. BROWN-ROBERTS: Good evening,
6 Mr. Chairman, and members of the Commission.

7 I'm Maxine Brown-Roberts from the
8 Office of Planning.

9 I am going to stand on the record
10 this evening, except that there -- I think
11 there are two issues that I wanted to address.

12 The first one is the question about
13 why did we not recommend C-2-A for the subject
14 property. As the Applicant said, and we
15 agreed, that the adjacent properties were in
16 the C-2-B and, therefore, we thought it
17 appropriate to just extend the zoning line to
18 this property.

19 The Applicant also has a property
20 which is to the north of the site, which we
21 also did a zoning -- a zoning change on some
22 years ago, and I think it was a similar

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1 argument, where we extended the C-2-B line,
2 and we thought it appropriate for this
3 property also.

4 Again, although the C-2-B would
5 allow some higher densities and height, we
6 thought that we are controlling the
7 development of the site through the PUD
8 process.

9 In our report, I also highlighted a
10 number of issues that concerned the enclosure,
11 the fencing, the gate and also the gate for
12 the dumpster. The Applicant has addressed
13 those, I think, to our satisfaction, and so we
14 will withdraw those comments.

15 But, we think that with the
16 proposed development it would be an asset to
17 the redevelopment of the Shaw neighborhood,
18 and we are particularly excited about the
19 moderate income housing, the green roof, and
20 the open space that is being provided along --
21 around this building, and, therefore, we
22 recommend approval of the development and the

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1 related map amendment.

2 Thank you, Mr. Chairman.

3 CHAIRPERSON HOOD: Thank you, Ms.
4 Brown-Roberts.

5 Are there any questions for the
6 Office of Planning?

7 Commissioner May?

8 COMMISSIONER MAY: Yes, I was
9 wondering what the Office of Planning's
10 opinion was of the DDOT report, because we
11 don't have anybody here from DDOT to speak to
12 it, and whether you think that imposing the
13 sort of standard package of TDM is appropriate
14 in a project of this scale.

15 MS. BROWN-ROBERTS: I have -- I
16 have reviewed the -- as I say, I reviewed the
17 submission by DDOT. We -- the Office of
18 Planning did not discuss it, and, therefore, I
19 think that most of -- the answer that I have
20 is sort of my own, and I don't think that I am
21 comfortable expressing it tonight.

22 COMMISSIONER MAY: If you don't

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1 want to express an opinion now, I understand
2 that.

3 MS. BROWN-ROBERTS: Okay, thank
4 you, Mr. Chairman.

5 CHAIRPERSON HOOD: Any other
6 questions?

7 COMMISSIONER MAY: I got a no
8 answer answer, but I understand why she
9 couldn't answer.

10 CHAIRPERSON HOOD: Are you
11 satisfied with your answer?

12 COMMISSIONER MAY: I'm -- no, but I
13 know I'm not going to get a better one
14 tonight, so I'll --

15 MS. BROWN-ROBERTS: I think --

16 CHAIRPERSON HOOD: No, you don't
17 have to answer.

18 MS. BROWN-ROBERTS: -- I was going
19 to offer something else.

20 COMMISSIONER MAY: Oh, okay.

21 MS. BROWN-ROBERTS: Since, as I
22 think that I don't know if we are going to

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1 make a decision tonight, I know Mr. May had
2 asked for some additional -- some additional
3 information, so, therefore, I think that the
4 record may be left open for the Applicant to
5 submit these things. So, maybe I think we can
6 talk to DDOT and maybe get some additional
7 information or explanation for the Applicant.

8 MR. LAWSON: If I may, Mr. Chair,
9 I'll just add one quick comment.

10 Joel Lawson, from the Office of
11 Planning.

12 I would note that TDM measures
13 normally come forward kind of in one of two
14 ways. They are either proffered up as part of
15 the amenity package by the Applicant. In this
16 case I believe that that's not the case.

17 Or, DDOT notes that they are needed
18 as mitigation for aspects of the proposal.

19 I haven't actually seen the DDOT
20 report, so I'm not sure in this case if they
21 are saying that the TDM measures, in their
22 opinion, would be mitigation for the level of

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1 density that's being proposed, or some other
2 aspect of this project. It does seem like a
3 fairly small project.

4 But, from what I understand, it's
5 not being proffered up as an amenity, and so
6 normally the Office of Planning doesn't --
7 can't require that an applicant bring it
8 forward out of the proffer.

9 CHAIRPERSON HOOD: Okay, thank you
10 very much.

11 COMMISSIONER TURNBULL: Mr. Chair,
12 I've just got a few comments in regard to what
13 Commissioner May was talking about.

14 I mean, the Applicant has provided
15 bike facilities. There is a bike room in the
16 building.

17 But, I don't see why they have to -
18 - I mean, normally when we've done this, the
19 Applicant is providing it sometimes the
20 SmartBike site, too, the pad. I don't think
21 we are going to do that here, it doesn't make
22 sense. So, I don't see why DDOT should be

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1 requiring someone to get the Smart -- pay the
2 SmartBike fee if we don't even know where the
3 nearest SmartBike pad is from here.

4 I think that's excessive.

5 COMMISSIONER MAY: I'm not so sure
6 about that. I agree with you, I mean, they
7 are not asking for a pad, and I don't think
8 that would be --

9 COMMISSIONER TURNBULL: I don't
10 think that would be appropriate.

11 COMMISSIONER MAY: -- that would be
12 --

13 COMMISSIONER TURNBULL: Would be
14 ridiculous.

15 COMMISSIONER MAY: The notion that
16 there might be a SmartBike station nearby,
17 say, near the Metro, is not unreasonable.
18 And, I also think that the relative cost for
19 16 units and whatever it is for the one-year
20 fee that they are suggesting to get people --
21 try to give people a taste of it and get them
22 hooked on it, I don't think that's

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1 unreasonable at all, because I think that
2 city-wide DDOT should be doing everything it
3 can to promote it.

4 I think that some of the rest of
5 it, it may be a little bit more excessive.

6 COMMISSIONER TURNBULL: Well, the
7 ZIPcar.

8 COMMISSIONER MAY: Well, I don't
9 what the annual membership is for that, what
10 the relative cost of that is, but with 16
11 SmartBike memberships is \$400 or \$500. I
12 mean, that's not a huge expense.

13 Some of the other things, I mean,
14 they may be very convenient, but I don't know
15 what they cost and whether they are really a
16 burden that's appropriate for a project this
17 size.

18 COMMISSIONER TURNBULL: For a
19 project of this size. I would agree.

20 COMMISSIONER MAY: But, I think --
21 I mean, I'm a big proponent of bicycling, so,
22 I mean --

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1 CHAIRPERSON HOOD: You ar?

2 COMMISSIONER MAY: Yes.

3 CHAIRPERSON HOOD: Oh, I didn't
4 know that.

5 COMMISSIONER MAY: You didn't know
6 that?

7 COMMISSIONER TURNBULL: Well, I
8 just wanted to try to put some closure on
9 this.

10 COMMISSIONER MAY: Well, no, I
11 think the Zoning Commission -- well, if we
12 were to take action tonight, I'm sure we could
13 a way to work that out tonight.

14 COMMISSIONER TURNBULL: All right,
15 I was just trying to get a handle on where we
16 are going with this.

17 CHAIRPERSON HOOD: Commissioner
18 Turnbull, I, actually, appreciated the
19 dialogue that you were just having, with
20 running down the list and calling the roll
21 with Commissioner May, because I was
22 interested in hearing that, and I thank you

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1 for doing that. Saved me some work.

2 I mean, do we -- well, we'll get to
3 that at the end. I think we'll probe into
4 that a lot more at the end.

5 Do we have -- well, we don't have
6 anyone here from the ANC to cross examination
7 the Office of Planning.

8 We do have the -- we do have the
9 report of the District Department of Trans --
10 I mean, Transportation.

11 Also, does the Applicant have any
12 cross examination?

13 MR. FREEMAN: No, Mr. Chair.

14 CHAIRPERSON HOOD: Okay, thank you,
15 Ms. Schellin, I'm just skipping right on
16 through, must be in a rush to go somewhere.

17 Okay, so we do have the District
18 Department of Transportation's report, we've
19 already commented on that.

20 I'm going to ask at this time,
21 Commissioner Schlater has agreed to just
22 summarize the report of ANC 2C, which is, I

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1 think, Exhibit 26 in our files. Actually,
2 it's 22 and 26.

3 COMMISSIONER SCHLATER: Let's see.

4 At their December 3rd public meeting, they
5 voted unanimously to support the request by
6 United House of Prayer to rezone the property
7 to C-2-B zoning, and they noted the affordable
8 housing as the main reason why they supported
9 it.

10 CHAIRPERSON HOOD: All right, thank
11 you.

12 Do we have any organizations and
13 persons in support who would like to testify?

14 Any organizations and persons in
15 opposition?

16 Okay, any closing remarks, Mr.
17 Freeman?

18 MR. FREEMAN: I'd just like to have
19 Mr. Osborne George come up to give just a two-
20 minute discussion regarding the DDOT report.

21 You heard, and Mr. George is going
22 to reiterate, that TDMS are usually proffered

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1 or imposed to mitigate adverse traffic
2 impacts. In this case, there are no adverse
3 traffic impacts to mitigate.

4 Cost is not necessarily the issue.
5 Obviously, all projects are operating within
6 budgets, but I think it's the principle,
7 there's really nothing in the DDOT report that
8 suggests a need for these measures, and I
9 think Mr. George will just highlight that in a
10 minute.

11 CHAIRPERSON HOOD: Well, good
12 evening, Mr. George, turn your mic on and you
13 may begin.

14 MR. GEORGE: Thank you, sir.

15 Good evening, Mr. Chairman and
16 members of the Commission.

17 For the record, Osborne George.

18 I think I can be very brief, just
19 to provide a bit of background and context
20 regarding the TDM requirements, and I'd like
21 to just quote on DDOT's website, on the page
22 describing transportation demand management,

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1 DDOT cites that they, typically, outreach to
2 employers and market-sustainable
3 transportation, which is another way of
4 referring to transportation demand management,
5 but that's with respect to projects which have
6 at least 100 employees, and that's for
7 employers.

8 I'd like to also cite that we are
9 within the National Capitol Region, and NCPC,
10 and the General Services Administration has a
11 requirement that TDMs are required for sites
12 that have at least 50 employees.

13 So, I think by -- this provides us
14 some measure of comparison to a site that
15 houses 16 units, perhaps, with between one and
16 two residents, with a total population,
17 perhaps, of about 30 or so persons.

18 I think many speakers have cited
19 the TDM location. It's, actually, between 600
20 to 700 feet from the Metro station. The trip
21 generation is extremely low, well under five
22 trips, five vehicle trips during the peak

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1 hours. So, I think mitigation is out of the
2 question, it's not an issue.

3 And so, there are things that an
4 employer would, typically, do on a voluntary
5 basis, as far as providing information to
6 residents and so on, who may need, but I think
7 the question, based on these factors, the
8 question of TDM measures that DDOT has
9 recommended here, it is, I think, way out of
10 what you would expect for a project of this
11 magnitude.

12 CHAIRPERSON HOOD: Not to cut you
13 off, is your microphone going in and out, or
14 is it cutting off and on, because I think we
15 are picking up some of it.

16 MR. GEORGE: The green light is on.

17 CHAIRPERSON HOOD: Okay. All
18 right, had you finished?

19 MR. GEORGE: I am done, sir.

20 CHAIRPERSON HOOD: Okay. Any
21 questions, I guess, colleagues, of Mr. George?

22 Okay, thank you very much for that

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1 explanation.

2 MR. GEORGE: Thank you, sir.

3 CHAIRPERSON HOOD: Appreciate it.

4 Okay, anything else, Mr. Freeman?

5 MR. FREEMAN: That concludes our
6 direct presentation. I think we've answered
7 most of the questions that the Commission
8 raised.

9 There were two points of additional
10 materials that Commissioner May asked us to
11 get in, but I think we would request that the
12 Commission take some form of action so that
13 the church could know how to begin planning,
14 and then we could just submit whatever.

15 I think the two additional things
16 that Commissioner May asked for, we could
17 definitely get that in within the next couple
18 days, certainly, before final action.

19 Thank you.

20 CHAIRPERSON HOOD: Okay, let's see
21 what we asked for. I think -- let's see what
22 we asked for.

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1 Ms. Schellin?

2 MS. SCHELLIN: I wrote down some
3 enlarged elevations.

4 CHAIRPERSON HOOD: Yes.

5 MS. SCHELLIN: And, he also --

6 COMMISSIONER MAY: I'm much more
7 concerned about the color. I mean, I don't
8 know if others really want to see the enlarged
9 elevations. If you do, I'd be happy to see
10 them, but at this moment I'm most concerned
11 about getting the colors somewhat more
12 defined.

13 MS. SCHELLIN: All right.

14 COMMISSIONER MAY: So, Mr.
15 Turnbull, how do you feel about elevations?
16 Do you want to see them?

17 COMMISSIONER TURNBULL: I think
18 when we were talking about it earlier, I think
19 the entry definitely would be something I
20 would want to see, the entry elevation.

21 COMMISSIONER MAY: So, a large
22 elevation of the entry. Okay, that would be

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1 helpful to me.

2 MS. SCHELLIN: Do we need a new
3 roof plan that removes the trees, so that we
4 have one in the record, or not? Do we not
5 need one, so that when they go for permitting,
6 don't we need that? Yes, I think we need a
7 new roof plan that removes the trees.

8 CHAIRPERSON HOOD: I think we need
9 to clean up -- clean the record up, with the
10 things that was asked for tonight.

11 The other thing is the DDOT issues.

12 Ms. Brown-Roberts mentioned, I think, some
13 additional conversation or work. I'm not
14 sure, you proposed something, you said because
15 before final or something you mentioned.

16 MS. BROWN-ROBERTS: Yes, I was
17 saying that I could speak to them, and ask
18 them to further address, you know, if there
19 was any mitigation. The recommendation was
20 based on any mitigation.

21 CHAIRPERSON HOOD: Okay, great. If
22 we could do that.

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1 I think, colleagues, we could get
2 that before final, if everyone is in
3 agreement.

4 COMMISSIONER TURNBULL: Mr. Chair,
5 I just wanted to clarify with Commissioner
6 May, but you also wanted to see a blow up of
7 how the different materials come together?

8 COMMISSIONER MAY: Well, no, I
9 think if we just saw an enlarged elevation of
10 the entry, I think that would be good enough.

11 COMMISSIONER TURNBULL: Okay.

12 COMMISSIONER MAY: For me to be
13 able to see it, see enough of it.

14 And, there's just a clarifying note
15 on the treatment of the side of the building
16 next door, at the entry.

17 MS. SCHELLIN: Right.

18 COMMISSIONER MAY: That could even
19 be on the same drawing, if you wanted.

20 COMMISSIONER TURNBULL: And, I
21 think the other thing was the color green
22 being more definitive.

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1 COMMISSIONER MAY: Yes.

2 MS. SCHELLIN: Right.

3 COMMISSIONER TURNBULL: A comment
4 or a picture of that.

5 COMMISSIONER MAY: A little bit
6 more specific on the range of colors for those
7 areas that are not defined yet. So, that's
8 the windows and the canopies.

9 CHAIRPERSON HOOD: Okay.

10 COMMISSIONER MAY: Okay, I would
11 like to make a motion, but before I do I would
12 like to ask one last question of the
13 Applicant, and that has to do with the
14 mechanical systems for the units, because I
15 don't see any indication of how the units are
16 going to be heated and cooled. Are they going
17 to be -- is there going to be a condenser farm
18 on the roof, is there going to be through-wall
19 units?

20 MS. MITCHELL: There will be
21 condenser farm on the roof.

22 COMMISSIONER MAY: Okay.

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1 MS. MITCHELL: Yes.

2 COMMISSIONER MAY: So, if you are
3 going to give us a revised roof plan, I think
4 just to indicate what it is. I think the
5 exact placement is probably still okay to move
6 around.

7 MS. MITCHELL: Right.

8 COMMISSIONER MAY: It's just to get
9 a sense of how big it is and how much of an
10 intrusion it is.

11 MS. MITCHELL: Okay.

12 COMMISSIONER MAY: Because
13 sometimes these things can be very intrusive,
14 and they would impede the actual use of the
15 roof, if that were intended.

16 MS. MITCHELL: We, actually, didn't
17 show trees on the roof. I think we showed
18 trees on one of the elevations, so I can
19 revise the elevation, but otherwise, we
20 wouldn't be providing --

21 COMMISSIONER MAY: The trees, I'm
22 sorry, on the roof plan --

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1 MS. MITCHELL: Right, the roof plan
2 didn't show trees.

3 COMMISSIONER MAY: -- okay.

4 MS. MITCHELL: So --

5 COMMISSIONER MAY: Well, I mean,
6 just draw in the condenser farm on the
7 existing roof plan.

8 MS. MITCHELL: That's fine. Okay.

9 COMMISSIONER MAY: That's not too
10 hard.

11 Okay. Before I make a motion, one
12 thing I want to say about this project is
13 that, while there are certain aspects of the
14 architecture that I might want to fuss with
15 more, or a bit more controversial, I just
16 think that overall the project is truly
17 commendable for a couple reasons.

18 And, the first one is that even
19 though it's clear that you are trying to make
20 the best of relatively inexpensive materials,
21 I think that overall the design of it has been
22 done very carefully and doesn't really cut

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1 corners the way we often see on affordable
2 housing projects.

3 And, this shows up I think,
4 particularly, in the plans, where the spaces
5 of the individual units are generous and are
6 well laid out, and you don't have the kind of
7 -- kind of stupid mistakes that show up in the
8 unit plans.

9 I mean, we don't really care that
10 much about the unit plans, frankly, it's not a
11 big issue for us, but it's something that --
12 it tells me something about the thought that
13 went into the design here, that's not apparent
14 in -- well, it's, frankly, not been apparent
15 in any affordable project I've seen on the
16 Zoning Commission, and I've been here for a few
17 years.

18 So, I think that really is
19 commendable.

20 I also think some of the features
21 that wind up showing up in here, like the fact
22 that you have very large windows into the

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1 corridor space, where the courtyard is, is a
2 big thing. The fact that you have large
3 openings between the floors on the two-floor
4 units, I think those are significant things,
5 and I think that really -- I think these are
6 going to be really terrific units, and I think
7 that you should be commended for that.

8 So, with that, I would make a
9 motion that we approve Zoning Case No. 09-05,
10 United House of Prayer, Consolidated PUD and
11 related map amendment, at Square 442, and
12 would ask for a second.

13 COMMISSIONER TURNBULL: Second.

14 CHAIRPERSON HOOD: It has been
15 moved and properly seconded.

16 Any further discussion?

17 COMMISSIONER TURNBULL: I would
18 just to concur with Commissioner May, that the
19 layouts are extremely well done, and I know
20 we've seen a lot of different plans where
21 you'll see a bedroom suddenly ends up with
22 like a 3-foot window, or you'll see a lot of

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1 gymnastics to squeeze units in around the
2 plan. And, those work very well.

3 CHAIRPERSON HOOD: Any further
4 discussion?

5 All those in favor, aye?

6 (Whereupon, ayes.)

7 CHAIRPERSON HOOD: Not hearing any
8 opposition, Ms. Schellin, would you record the
9 vote?

10 MS. SCHELLIN: Yes. Staff records
11 the vote 5-0-0, to approve proposed action in
12 Zoning Commission Case No. 09-05, Commissioner
13 May moving, Commissioner Turnbull seconding,
14 Commissioners Hood, Schlater and Keating in
15 support.

16 CHAIRPERSON HOOD: Okay, I thank
17 everyone for their participation tonight.

18 Again, we want you to come back and
19 hear the opening comments of Director
20 Weinbaum. We are very excited about him being
21 on board, so we are going to save that for
22 Monday. Won't you come back and join us.

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1 Thank everyone for their
2 participation tonight, and this hearing is
3 adjourned.

4 MR. FREEMAN: Thank you.

5 (Whereupon, the-above entitled
6 matter was concluded at 7:51 p.m.)
7
8

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