

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

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IN THE MATTER OF: :
: :
TR SW 2, LLC : Case No.
: 07-13D
: :
-----:

Monday,
December 2, 2013

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

The Public Hearing of Case No.
13-06 by the District of Columbia Zoning
Commission convened at 6:31 p.m. in the
Jerrily R. Kress Memorial 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
MARCIE COHEN, Vice Chair
MICHAEL G. TURNBULL, FAIA, Commissioner
(AOC)
PETER MAY, Commissioner (NPS)
ROBERT MILLER, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

MATT JESICK

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

ALAN BERGSTEIN, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

FLEMING EL-AMIN

JAMIE HENSON

The transcript constitutes the
minutes from the Public Hearing held on
December 2, 2013.

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

(6:31 p.m.)

CHAIRMAN HOOD: Okay. We're ready to get started, our second hearing. Again, good evening ladies and gentlemen. This is a hearing of the Zoning commission of the District of Columbia for December 2, 2013.

My name is Anthony Hood. Joining me this evening are Vice Chair Cohen, Commissioner Miller, May and Turnbull, the Office of Zoning staff Ms. Sharon Schellin, the Office of Planning staff Mr. Jesick, and the District Department of Transportation Mr. Henson and Mr. El-Amin.

We will not go through all of the rest of the opening statement. I'm going to try to hit the highlights though for the most part.

This hearing will be conducted in accordance with provisions of 11 DCMR 3021 as follows, presentation by the Office of

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1 Planning, reports of other government
2 agencies, report of the ANC, organizations
3 and persons in support, organizations and
4 persons in opposition.

5 Again, the subject of this
6 evening's hearing is Zoning Commission Case
7 Number 13-06. I'm sorry. That is not the,
8 the subject of this evening's hearing is
9 Zoning Commission Case Number 07-13D.

10 This is a request by TR SW 2, LLC
11 for approval of the modification of a PUD for
12 property located at Square 3587. Again,
13 preliminary matters, applicant's case, report
14 of the Office of Planning, report of other
15 government agencies, the report of the ANC.

16 In this case, it's 6D,
17 organizations and persons in support,
18 organizations and persons in opposition,
19 rebuttal and closing by the applicant.

20 The applicant will have 30
21 minutes. Organizations will have five
22 minutes, individuals three minutes. For

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1 those who may have just joined us, all
2 persons appearing before the Commission are
3 to fill out two witness cards.

4 These cards are located to my
5 left on the table near the door. Upon coming
6 forward to speak to the Commission, please
7 give both cards to the reporter sitting to my
8 right before taking a seat at the table.

9 When presenting information to
10 the Commission, please turn on and speak into
11 the microphone first stating your name and
12 home address. When you are finished
13 speaking, please turn your microphone off so
14 that your microphone is no longer picking up
15 sound or background noise.

16 The decision of the Commission in
17 this case must be based exclusively on the
18 public record. To that effect we ask to
19 avoid any appearance to the contrary, the
20 Commission requests that persons present not
21 engage the members of the Commission in
22 conversation during any recess or any time.

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1 Please turn off all beepers and
2 cell phones not to disrupt these proceedings.

3 Would all individuals wishing to testify
4 please rise to take the oath. Ms. Schellin,
5 would you please administer the oath?

6 MS. SCHELLIN: Yes.

7 (Witnesses sworn)

8 CHAIRMAN HOOD: Ms. Schellin, do
9 we have any preliminary matters?

10 MS. SCHELLIN: We have a couple
11 of proffered expert witnesses, and that
12 appears to be it this evening.

13 CHAIRMAN HOOD: Okay. Before we
14 go to the expert witnesses, excuse me, I have
15 a statement I'd like to read again. The
16 Zoning Commission will hold a further hearing
17 on Zoning Commission Case Number 08-06A, the
18 Zoning Regulations Review, on Thursday,
19 January 30, 2014 from 6:00 p.m. to 10:00 p.m.
20 to hear the Advisory Neighborhood Commissions
21 and commissioners.

22 This hearing is being held in

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1 conjunction with Chairman Mendelson's ANC
2 quarterly meeting, and will be held at the
3 John A. Wilson building in Room 412. Notices
4 will be mailed to every commissioner in the
5 very near future. Thank you.

6 Okay, let's go Ms. Brown to
7 preliminary, I mean to our expert witnesses.

8 Good evening Ms. Brown.

9 MS. BROWN: Good evening Mr.
10 Chairman. For the record, Carolyn Brown with
11 the law firm of Holland and Knight. I am
12 joined by my partner, Mr. Glasgow of the law
13 firm of Holland and Knight.

14 We're pleased to be here tonight
15 on behalf of the applicant TR SW 2, LLC, and
16 I just want to clarify for the record the
17 square number of the project is Square 643-S
18 Lot 801. And we're prepared to proceed with
19 our expert witnesses.

20 CHAIRMAN HOOD: I read the square
21 wrong?

22 MS. BROWN: I believe so, but

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1 just wanted to confirm it.

2 CHAIRMAN HOOD: I said Square
3 3587. That's not the square?

4 MS. BROWN: No, sir.

5 CHAIRMAN HOOD: Okay. All right.
6 Well, thank you for the correction.

7 MS. BROWN: We have our expert
8 witnesses listed in Exhibit 14-D. We are
9 very pleased to have quite a bit of support
10 for our project tonight, and because of that
11 we plan on only presenting two witnesses
12 tonight, a representative of the applicant
13 Ms. Marilyn Melkonian and Mr. Hany Hassan, an
14 expert in architecture.

15 But if you have questions for any
16 of our other witnesses, we are holding them
17 in reserve. And if it's appropriate we ask
18 that they all be qualified as experts for
19 when they do answer any questions that you
20 may have.

21 All of them have qualified before
22 the Zoning Commission before as witnesses,

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1 with the exception of Michael Heeney. He has
2 qualified as an expert in architecture before
3 the Board of Zoning Adjustment but not before
4 the Zoning Commission.

5 CHAIRMAN HOOD: Ms. Brown, the
6 person that we have is Mr., I'm sorry, what
7 was the name?

8 MS. BROWN: We have Mr. Hany
9 Hassan with Beyer Blinder Belle --

10 CHAIRMAN HOOD: Okay.

11 MS. BROWN: -- expert in
12 architecture, Dan VanPelt as an expert in
13 traffic engineering. We have Ms. Lisa
14 Delplace, an expert in landscape
15 architecture, Ms. Emily Eig, an expert in
16 historic preservation and architectural
17 history and Mr. Michael Heeney with Bing Thom
18 Architects as an expert in architecture.

19 And again, he's the only one that
20 has not been qualified before the Zoning
21 Commission, but he has been qualified before
22 the Board of Zoning Adjustment.

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1 CHAIRMAN HOOD: Okay, so the only
2 person we'll basically deal with calling is
3 Mr. Heeney who has not been --

4 COMMISSIONER TURNBULL: Do we
5 have a resume on him? I don't have a resume
6 on him.

7 MS. BROWN: On Mr. Heeney?

8 COMMISSIONER TURNBULL: No.

9 MS. BROWN: Then that case I
10 withdraw him as an expert.

11 COMMISSIONER TURNBULL: Okay.

12 CHAIRMAN HOOD: So Mr. Tom is not
13 --

14 MS. BROWN: He is not present
15 this evening.

16 CHAIRMAN HOOD: Okay because
17 that's who I think we have.

18 MS. BROWN: Yes.

19 CHAIRMAN HOOD: Okay. All right,
20 so we only have, well everybody else has been
21 previously accepted?

22 MS. BROWN: Yes.

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1 CHAIRMAN HOOD: Okay, so with the
2 exception of Mr. Heeney who we don't have a
3 resume for, everyone else we've already
4 accepted. Any questions Commissioners? Okay
5 Ms. Brown, we're ready to move forward.

6 MS. BROWN: Thank you. Again,
7 we're very pleased to have quite a bit of
8 support for this project. The Office of
9 Planning, BTA, information support from the
10 Advisory Neighborhood Commission 6D.

11 And we are not aware of any
12 opposition to this, so we have, we're
13 prepared to make a very abbreviated
14 presentation. We do have, want to clarify a
15 couple of issues that were raised in the
16 Office of Planning report.

17 Mr. Hassan will be addressing
18 these in his direct testimony in the chart
19 that was prepared by Mr. Jesick. He, in Mr.
20 Jesick's report he discussed the parking
21 relief that he wanted some clarification from
22 us on the compact spaces we believe since we

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1 are, this project in essence is an addition
2 to an historic building that we can provide
3 compact spaces under Section 2120.

4 We do have some additional relief
5 under the, for courts that will be presented
6 in the slide show tonight that we have some
7 clarification based on a meeting we had with
8 Mr. Le Grant.

9 Finally, we submitted today some
10 additional information on our most recent
11 presentation to the Historic Preservation
12 Review Board. We have concept approval for
13 the designs that are submitted to you, and
14 that will be reviewed tonight with you.

15 The Historic Preservation Review
16 Board granted concept approval for those.
17 We're very pleased with that to resolve all
18 those outstanding issues. We have one last
19 regulatory hurdle to go through after the
20 Zoning Commission.

21 And that is to go back to the
22 mayor's agent for historic preservation to

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1 submit our revised Project of Special Merit,
2 which is again substituting the museum use
3 for the Corcoran School of Arts.

4 So it's very similar to what
5 you'll be seeing tonight that we need to go
6 back to the mayor's agent. We anticipate
7 doing that in January. So with that, we're
8 ready to proceed with our first witness, Ms.
9 Marilyn Melkonian. Thank you.

10 MS. MELKONIAN: Thank you. Good
11 evening. I'm very happy to be here this
12 evening. It's a pleasure to be back before
13 this board that we met with without
14 presenting, briefly back in June.

15 So we look forward to making our
16 presentation to you in full this evening. On
17 behalf to Telesis, my company, and our
18 partners the Rubell family, we want to thank
19 the Commission for its prior support,
20 comments and direction in developing this
21 design into a respectful composition of
22 historic and contemporary structures.

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1 The project will have the
2 catalytic value for redevelopment and growth,
3 will have true catalytic value for
4 development and growth in this area of our
5 city.

6 The adaptive reuse of the
7 historically significant school structures
8 include a non profit contemporary art museum,
9 restaurant, culinary incubator, educational
10 opportunities and other potential uses.

11 In addition, the new development
12 will address the District's need for housing
13 by providing over 500 units of which 20
14 percent, over 100 units, will be affordable.

15 The development has much to
16 recommend it in the way of design, openness
17 to the community and public benefits. We
18 seek your support.

19 Over more than two years, the
20 development team has actively engaged with
21 and incorporated views from the community,
22 including the ANC, the HPRB, the City

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1 Council, the Mayor's Office, and the Office
2 of Planning.

3 A signed ANC agreement was
4 reached. It's in the PUD. It's unanimous
5 report was submitted to you on November 25th
6 with only a few clarifications remaining to
7 be completed.

8 The City Council passed
9 legislation to create the statutory framework
10 for the program you see before you today as
11 well as its significant community benefits.

12 To quote Bing Thom who just
13 received the distinguished Margolese National
14 Design for Living Award prize, a reason which
15 keeps him from being with us today.

16 To quote Bing Thom, "Architecture
17 has a huge potential to change our world for
18 the better when it authentically engages the
19 community in which it is placed."

20 This site, the architectural
21 design and the process to achieve it have
22 done just that. The building design opens

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1 into a significant landscaped courtyard,
2 adding green space to the neighborhood to be
3 enjoyed by residents and neighbors alike.

4 The landscape design created by
5 Oehme van Sweden Associates, surrounds the
6 perimeter of the building, including the
7 three historic buildings along I Street.

8 Also improvements benefitting the
9 adjacent Randall Recreation Center and public
10 ball fields include a passenger drop off and
11 easements granted to maintain full public
12 access to the recreational facilities.

13 We are fortunate to have a highly
14 talented design team. Since Bing's original
15 concept was presented on May 27th, the design
16 has been evolved and enhanced by Beyer
17 Blinder Belle, architects of record in
18 collaboration with BTA.

19 Hany Hassan, who has brilliantly
20 led this effort, will present both the
21 historic and contemporary designs to you
22 today. The centerpiece of the development is

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1 a new museum of contemporary art, Art in Real
2 Time, from the Rubell Family Collection.

3 The Rubell Collection began in
4 '64, and is one of the world's largest
5 privately owned contemporary art collections.

6 We may all recall the groundbreaking exhibit
7 at the Corcoran Gallery of Art last year
8 drawn from this collection, 30 Americans.

9 I'm thinking you may have seen
10 it, showing the work of 30 African American
11 artists collected over the last 50 years.
12 And this catalogue represents that
13 collection, which we'd be happy to share with
14 you.

15 Today in Miami, the Rubella, who
16 are also not here, are debuting an exhibit at
17 their museum in connection with the Art Basel
18 Miami called 28 Chinese, which was a show
19 collected over the last decade and six
20 intensive trips to China to be able to begin
21 to show contemporary Chinese art to an
22 American audience.

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1 This is the quality of the
2 collection that you can expect to come to
3 this community. We anticipate that a new
4 contemporary art museum in Southwest will
5 have the same transformative effect on the
6 city's art community as did their museum in
7 Miami's Wynwood neighborhood more than 20
8 years ago.

9 The main floor of the new museum
10 is focused on interacting with the community,
11 gallery space for local artists, 100 seat
12 multimedia auditorium space, library,
13 bookstore, café, all open to the general
14 public, making a significant contribution to
15 the growing art scene in Southwest.

16 The museum's Cultural Ambassador
17 Program will recruit neighborhood residents,
18 especially youth, to provide training as tour
19 guides for the neighborhood and the city's
20 cultural assets, a activity that you see
21 routinely in foreign capitals, especially
22 European capitals where the young people and

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1 other people are trained to understand an
2 exhibit information, present information
3 about the community's cultural assets for
4 both enjoyment and profit.

5 The design of the historic
6 building's entrance on I Street was driven by
7 both practical and desirable relationships.
8 I'm sorry, desirable spatial relationships.

9 The most practical reason is the
10 ability for everyone to enter at the same
11 place, able bodied and otherwise, without the
12 need of a mechanical lift for wheelchairs to
13 negotiate the change in levels.

14 The design converts the front
15 entrance of the Randall school into an
16 accessible descending ramp. Entering at
17 ground level also creates a different
18 relational aesthetic to the art and to the
19 museum.

20 It is not treated as a temple or
21 a shrine with stairs ascending as in many
22 institutional museums. This museum entrance

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1 changes the first experience of the museum
2 into one of welcoming.

3 It brings the visitor into the
4 museum's cultural living room through the
5 back of the wardrobe so to speak into the
6 social community space where the first
7 encounter with the art is the art created by
8 local artists.

9 Instead of a security checkpoint,
10 the first encounters by people will be with
11 each other in the theater, the library, the
12 café, the art project room all through the
13 ground door.

14 The opportunity exists for lively
15 conversations with neighbors, artists, people
16 from around the city and the world and then
17 ascending, following the museum's walkways
18 and lifts to its upper level galleries for
19 encounters with art imported across time and
20 place for residents to enjoy the intimate
21 experience between themselves and the work.

22 In summary, a world class

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1 contemporary art museum, a beautiful
2 landscaped site, building design which opens
3 to the community, enhanced by a destination
4 restaurant with outdoor dining space that
5 will enliven the street scape and over 500
6 units of housing, 20 percent of them to be
7 affordable and the creation of over 1100
8 construction jobs and over three score
9 permanent jobs with a commitment to real and
10 local businesses, training and hiring local
11 residents through certified business and
12 first source agreements.

13 Thank you for your time and
14 thoughtful consideration. We hope for and
15 welcome your support in response to the
16 presentation that you will see today. Thank
17 you very much.

18 MR. HASSAN: Good evening. My
19 name is Hany Hassan. I'm a partner with
20 Beyer Blinder Belle Architects, and I must
21 say that I am absolutely privileged, myself
22 and my team, to be involved in a project of

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1 this importance that will bring new life to
2 historic buildings within the Southwest area
3 and bring new life and new energy to this
4 particular site, which I think it would be a
5 tremendous accomplishment to see this project
6 go forward.

7 For the purpose of this
8 presentation, we have in terms of
9 presentation materials the physical models
10 that you see in front of you, the scale model
11 for the entire site, in addition to a
12 detailed model for the historic building, the
13 center historic building.

14 We also have complementary boards
15 to the presentation that I'm just about to
16 make, but I would rather go through the
17 PowerPoint. And if we could just soften the
18 light a little bit to be able to see the
19 screen, which is identical to the package in
20 front of you in terms of resolution or
21 clarity, if you will.

22 The image on the top of the

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1 screen shows the site highlighted in the red
2 outline, which shows the image of the
3 historic building as well as the addition
4 which is residential addition and it shows
5 how compatible and fitting this particular
6 development within the context of the
7 Southwest area.

8 The image at the bottom is as you
9 approach the site from the east, you will see
10 the historic buildings prominently displayed
11 on I Street, with the residential buildings
12 in the background.

13 Just as a reminder to, back to
14 the approved PUD in 2007, the image on the
15 left, in that particular proposal the
16 addition practically enveloped the historic
17 buildings and wrapped around it, creating an
18 enclosed courtyard, highlighted in red, as
19 opposed to the proposed plan that you have in
20 front of you.

21 Our proposal opens the courtyards
22 completely, allows the historic buildings

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1 more room to breathe as you could see in that
2 diagram. Beyond that, when we started our
3 concept you could see in this diagrammatic
4 illustration, a three dimensional model.

5 It does show how the residential
6 addition was relatively closer to the
7 historic buildings, and since then, in the
8 proposal today brings the wings east and
9 west. It opens up that entire area, allows
10 the center historic building to breathe.

11 We also set back the wings to
12 allow the, more room around the historic
13 buildings. In addition to the fact that we
14 did articulate also the massing by opening up
15 the northern block on center of the historic
16 building to bring, not only to be
17 symmetrically positioned in this composition
18 but also to bring natural light into the
19 courtyard.

20 The proposed plan consists of a
21 museum space, which is going to be housed in
22 the historic building as well as the

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1 addition. The East wing, which is currently
2 the auditorium, will house a new restaurant
3 with an outdoor terrace.

4 And the West wing will be a
5 commercial space potentially housing a
6 culinary school that will complement this
7 particular wishes.

8 The housing part of this
9 composition, the residential, will be on the
10 north side, depicted in this image in the two
11 L-shaped buildings, which will consist of 520
12 units which will be built in two phases.

13 As an alternate plan on the
14 ground level in particular, we are proposing
15 potentially having six commercial spaces open
16 to the courtyards in that area.

17 Those commercial spaces could
18 house artist studios, maybe photography,
19 pottery or crafts and will complement the
20 uses of the museum and the other
21 complementary uses and it would use more
22 energy around that level.

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1 It is not certain whether we're
2 going to pursue this approach or not, but we
3 wanted to put this as an option in front of
4 you. We did also study that fully in terms
5 of access, in terms of loading and service,
6 which I will explain in a moment when I go to
7 the second image to explain all the vehicular
8 circulation and service of the plan.

9 In terms vehicular circulation,
10 below this level there is two levels of
11 parking accessible from the north through
12 this entrance on H street. And there will
13 also be a drop off area, which will be used
14 to access the restaurant as well as the
15 recreation area here as well.

16 There will be potentially a drop
17 off on I Street in front of the center
18 building. All the service for this entire
19 complex will come from this area, and it will
20 be completely contained below grade. I will
21 explain this in a moment.

22 With the exception of once or

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1 twice a year, there will be delivery to the
2 museum in terms of relatively large objects
3 that will come through First Street up to
4 this area here.

5 And it will back up into the
6 loading dock, and after this delivery they
7 will leave from I Street. On the lower
8 level, we were asked to also define
9 specifically the separation between the
10 residential parking and the commercial
11 parking.

12 So the areas indicated in the
13 gray tone on the east side and the west side
14 are conveniently accessible to the two main
15 courts of the residential buildings.

16 And the center area is
17 essentially dedicated for commercial and
18 separated from the residential through the
19 security gate here and the security gate on
20 this end as well.

21 As I mentioned before, all the
22 service will be coming to this area here for

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1 trash, recycling collection as well as the
2 move in. On the lower level, the parking is
3 completely separate for residential indicated
4 in the light gray tone, with potentially an
5 addition of, which is shown in this darker
6 gray.

7 The total amount of parking in
8 the development is 290 spaces. If we add
9 this option that I just mentioned, it will go
10 up to 370. More importantly in our mind is
11 the ability to provide 550 bicycle spaces
12 within the two levels.

13 On the upper levels above grade,
14 the building in terms of massing, as you
15 recognize it from the various renderings, it
16 consists of two segments. There's the lower
17 six levels and the upper six levels, which is
18 indicated here.

19 This is the lower six levels and
20 the upper six levels depicted in this diagram
21 here. All the affordable units are
22 distributed in such a manner to allow for

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1 various possibilities in terms of location of
2 the units with respect to height location and
3 distributed in a manner that it's, that will
4 add up to 20 percent of the development with
5 the exception of the two top floors.

6 And 32 percent of the roof are
7 going to be green as you see in those
8 diagrams, leaving only areas for mechanical
9 spaces or mechanical penthouse and the pool
10 and pool tech.

11 Also wanted to call your
12 attention to the penthouse in terms of
13 details. The penthouse height varies between
14 18 foot six to 14 foot six. And it varies
15 depending on location, and I have that
16 depicted in the model as well.

17 The setback is 1:1 on the
18 perimeter, and on the inside is ten foot
19 eight within the inside of the courtyard
20 area. We're also asking for relief in terms
21 of the three open courts indicated in red
22 here and in blue is the closed court.

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1 This image depicts practically
2 all the innovations around the site, so on
3 the south elevation you see the historic
4 buildings are prominently having their own
5 presence along I Street with the residential
6 buildings in the background.

7 Also, very likely shown that are
8 probably more visible in your package are on
9 the top two floors we have Juliet balconies,
10 which is the image here. Similarly, that
11 also exists in all elevations.

12 In addition to that, we have also
13 articulated the north facade in this manner
14 with that opening in the center of this
15 composition and highlighted the base of the
16 building by the introduction of the
17 expression of the town houses and two story
18 duplexes adding more texture to the base with
19 respect to additional balconies and also the
20 introduction of the wood doors, which are
21 accessible at H Street as well as at First
22 Street on the west elevation.

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1 Also wanted to emphasize not only
2 in those images but in the previous
3 elevations as well, throughout the entire
4 development we have introduced the grounded
5 windows that are essentially staggered and
6 randomly located through the development
7 consistent with the language of the tall
8 elevation, expressing the idea of the image
9 of dwelling in this case.

10 This particular view shows the
11 corner windows prominently. This is from the
12 corner of First Street.

13 And from the community recreation
14 side, we also wanted to show the possibility
15 of the mural that could be applied to this
16 area, which is the entrance to the loading
17 dock, which is reminiscent of some of the
18 language and the mural that it already exist
19 within the neighborhood.

20 On the, in terms of the historic
21 buildings, the center building as you see it
22 illustrated here.

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1 We looked very closely at the
2 original architect's intent in terms of the
3 design of this building, which if you look
4 at the existing conditions, we see that much
5 of its fabric was unfortunately removed
6 particularly at the top with the balustrade,
7 the shield and the flag.

8 We are really proud to feel, to
9 see this kind of feature of the building come
10 back because it truly completes the
11 composition with the presence of the existing
12 Juliet balcony, the pediment and the center
13 of this entire composition.

14 So all this would be brought
15 back. We show it in these illustrations as
16 well as the physical model. When we turn on
17 the light, you will have the opportunity to
18 see that as well.

19 In terms of the addition to the
20 historic building in the center, with respect
21 to the art museum, we could see that the new
22 contemporary addition is clearly separated

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1 from the historic building by the
2 introduction of the glass transparent feature
3 here, completely hyphenated from this mass.

4 Also, I'd like to call your
5 attention to this view where it shows through
6 the transparent glass, the historic fabric is
7 visible. And also we return the vertical
8 plane of clear glass to the roof to be able
9 to see not only the cornice but also the
10 balustrade that will be up in the back.

11 Ms. Melkonian also made reference
12 to the philosophy of the main museum being
13 accessible, totally accessible, to the
14 public. And when you look in this section,
15 it makes the point even more clearly.

16 In this particular case, showing
17 the existing condition, it shows like
18 approximately nine foot five from grade,
19 approximately 18 rise or 18 steps to get up
20 to the first floor level.

21 By comparison to entering the
22 building at this level, which is only two

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1 foot six closer to grade, which would be
2 fully accessible to the public not only
3 physically but also to make it accessible to
4 the community functions that are going to be
5 housed at that level.

6 To complement this feature, we
7 introduced the two story lobby in this case,
8 which will ultimately will have the potential
9 of having art display within it.

10 And even in the display model
11 that we would present in a minute, it will
12 give the opportunity of being able to see the
13 art display through what used to be the
14 original door and pronounce the new use and
15 the real life of this building and attract
16 people to enter the museum.

17 We've also introduced an opening
18 within the slab to bring natural light to the
19 skylight. And in the section here you see
20 also how the museum addition is separated
21 from the historic structure.

22 The, just very briefly going

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1 through the plans, the lower level is open to
2 some of the local art galleries and community
3 space, flexible space through this area here
4 for auditorium and other functions, including
5 library, café and others.

6 And the upper levels are
7 dedicated to some of the art gallery, and the
8 roof of the addition will be all green. The
9 image on the top shows the overall
10 development with respect to the three
11 historic buildings.

12 As you know, at the edge or the
13 back of the sidewalk I should say currently
14 is a retaining wall. It's a brick retaining
15 wall, which is not original to this site.

16 We would like to bring back the
17 original road curve and berm that rises up to
18 the buildings in this area on the west and
19 the east. But it will roll down towards the
20 center of the building which creates this
21 very undulated, sculptural form.

22 On the east side with the

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1 auditorium will be housed with the restaurant
2 will be housed. We're keeping the windows
3 and the original character and original
4 proportion and introducing this glass
5 addition which will be attractive from the
6 east as people approach the side.

7 Within it is this glowing box,
8 which potentially will be the kitchen, which
9 is in place of the proscenium which used to
10 be in this area in terms of interpretive way
11 of introducing interest in this area and
12 create the necessary synergy complemented by
13 this outdoor terrace which will bring life to
14 the street as well.

15 On the west side, in the area
16 where we will be removing part of the
17 building and where some of this demolition
18 will occur will be replaced with those glass
19 bay windows, large glass bay windows to show
20 the activity within.

21 We were also asked to depict the
22 image of the loading dock within the

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1 courtyard, which is shown in this image here
2 and the canopy above the loading dock versus
3 this area is essentially staggered due to
4 step to show the windows in its fullest
5 extent in historic building.

6 And lastly, two images here shown
7 day and night how this area will be very
8 inviting for people to come into the
9 courtyard.

10 As you enter the courtyard, we're
11 showing the museum addition with just a
12 subtle recess here with the introduction of
13 wood once again, which is similar to the
14 introduction of wood on H and First Street in
15 the residential building.

16 And we were also asked to
17 illustrate how the commercial buildings, in
18 terms of renderings, will be displayed on the
19 courtyard area. So you could see that it's
20 screened with photos and lined with wood,
21 which is a similar texture as it is in the
22 museum here.

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1 I do have material boards and
2 material samples, which shows the type of the
3 metal and the type of glass as well as wood
4 as depicted in those diagrams.

5 And the, as I mentioned before,
6 the project is going to be in two phases, so
7 as we come in with the first phase which
8 includes the renovation of the historic
9 buildings as well as the East wing, if you
10 will.

11 The remaining area will be
12 completely landscaped and will be open, this
13 complete open path for maximum flexibility
14 for uses by the community perhaps in this
15 area, and it will also be accessible through
16 this path in this area here.

17 I believe that this is one last
18 image to share with you showing the gates on
19 the east and the west. We intend to use this
20 feature here. These are folding and
21 collapsible gates that will sort of fold and
22 pivot to be retracted in this area here.

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1 And I do have complementary board
2 that depicts this idea even more fully, but
3 for the benefit of the time I will just leave
4 it at this brief note. And this is the last
5 image. If there is more time, I would like
6 to show the models if we turn on the lights.

7 CHAIRMAN HOOD: Okay. You can go
8 ahead.

9 MR. HASSAN: First, in terms of
10 the overall composition, I just wanted to
11 call your attention to a few features of this
12 model.

13 One is the fact that the
14 residential buildings are set back or more
15 set back than before when it was presented
16 but also opened up substantially, allowing
17 the center building to breathe and be able to
18 see the courtyard within as well.

19 Also, it's a little bit hard to
20 see from here, but from the ground level, if
21 you look from the street level you will be
22 able to see the approach to the courtyard

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1 from the east and the west.

2 And we intend to improve the
3 support of those areas by perhaps
4 illumination at night as you walk through
5 that area. The, potentially the addition,
6 the contemporary addition of the museum,
7 could perhaps have the potential of being
8 luminous if you will.

9 Also on the north side we created
10 the translucent material in the balcony,
11 which also will enhance the courtyard feature
12 as well. We did depict very specifically the
13 historic building, the balustrade around the
14 entire roof and the shield and flag as I
15 mentioned before.

16 The other point to make is all
17 the connecting corridors in terms of glass.
18 They are completely transparent, so if you
19 look at the site from any vantage point you
20 could essentially see the transparency of
21 these corridors connecting that composition.

22 This is not my favorite part of

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1 the project, so I'll just keep it out until
2 the right moment. This shows specifically,
3 and it's symmetrical on both sides.

4 You could see that we were very
5 careful in terms of positioning the
6 penthouses and the mechanical spaces within
7 this area here. And this shows also the deck
8 and the folding it symmetrically applied to
9 both sides.

10 I'll just take a moment to also
11 explain the details of the center building.
12 The center part of this composition obviously
13 is most important. It anchors the entire
14 building to the ground.

15 And in keeping with the
16 philosophy of this project in terms of
17 accessibility, you could see that very subtle
18 gradual slope that kind of brings you to that
19 level. With the set of steps and ramps on
20 both sides, you're accessible from all sides.

21 The, as I mentioned before, the
22 skylight would illuminate through this cut in

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1 the slab here and the lower level. And the
2 two story lobby, you can see the two story
3 lobby here with the installation of
4 potentially artwork in this area.

5 We will be able to see the
6 artwork through that space, through this
7 lantern here if you will, to really pronounce
8 the new use of the museum. I can, I will be
9 pleased to answer any questions or elaborate
10 on any of these details. Thank you very
11 much.

12 MS. BROWN: Mr. Chairman, if it's
13 appropriate I just had a couple quick follow
14 up points to make sure that Mr. Hassan
15 covered a couple issues raised by the Office
16 of Planning Report.

17 Mr. Hassan, could you quickly run
18 through the information about the alternative
19 plan for the commercial areas?

20 MR. HASSAN: Yes, I could do it
21 through the slides, but I can also refer to
22 the package. In terms of the commercial

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1 spaces, which are six along the courtyard, in
2 terms of operation, they will be from 8
3 o'clock in the morning until 9 o'clock at
4 night.

5 They will also be accessible in
6 terms of loading from First Street, and in
7 terms of service, trash collection and
8 recycling will be through the corridors
9 immediately leading to the trash chute.

10 They go down to the lower level,
11 which would be collected through the main
12 loading and unloading area. And I believe I
13 covered also the area in terms of the
14 required renderings of the image of that
15 space. I believe I covered it.

16 MS. BROWN: And just to clarify
17 the loading for the museum piece, I believe
18 you said it was going to be one to two times
19 a year. And I think you meant to say one to
20 two times per month.

21 MR. HASSAN: Right. Yes.

22 MS. BROWN: Okay, and then for

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1 the affordable dwelling units, I believe you
2 said that they would not be on the top two
3 floors, but I believe you meant to say it's
4 the top three floors. Is that correct?

5 MR. HASSAN: The top three, yes.

6 MS. BROWN: Okay. Thank you.
7 That concludes our direct testimony.

8 CHAIRMAN HOOD: Okay. Thank you
9 very much. We appreciate the presentation.
10 Commissioners, any questions? Anybody?
11 Okay, Commissioner May?

12 COMMISSIONER MAY: Okay. The
13 first question I have is about the courtyard,
14 and I guess this is a landscape question. So
15 I'm a little concerned about what's, the
16 landscape areas that are below the building
17 in those wings.

18 I mean how confident are we that
19 what's planted there is really going to take
20 root and grow and flourish and not be sort of
21 the dead space next to other growing things
22 that are in the courtyard that will get

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1 direct sun?

2 MS. DELPLACE: Hi. My name is
3 Lisa Delplace. I'm with Oehme, van Sweden
4 Landscape Architects. To address that issue,
5 as you know, there are several garden types
6 and habitat types that are completely shade
7 gardens.

8 And my firm has a great deal of
9 expertise in growing in shade gardens. The
10 real factor that the plants need to grow is
11 really water, and we're providing that
12 because they would be in the shadow of all
13 the buildings and not able to get water.

14 However, those buildings are high
15 enough, and we anticipate that it's going to
16 be a deeply shade garden. So we had planned
17 that from the get go.

18 COMMISSIONER MAY: And the fact
19 some of it's going to be shaded and some of
20 it's going to be in the sun, it can, there
21 won't be a differentiation between them?
22 Because you have these mounded areas that are

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1 planted, and so are they going to be planted
2 more uniformly or are we --

3 (Crosstalk)

4 MS. DELPLACE: Absolutely.

5 COMMISSIONER MAY: Yes?

6 MS. DELPLACE: They'll have to
7 vary. I mean we've looked at the sun and
8 shade studies, and absolutely. They have to
9 transition between kind of a more of a shade
10 garden.

11 But as you know the western sun
12 is the most detrimental to any garden, so
13 morning sun, midday sun, but afternoon sun.
14 So we've mitigated. We've studied the plants
15 in order to select the hardiest of plants.
16 But we're not concerned about that western,
17 deep western sun.

18 COMMISSIONER MAY: Okay. Is
19 there actually a plan that you submitted of
20 the commercial, I'm sorry. I'm off the
21 landscape questions, but you can stay in case
22 another one comes up. Do you actually have a

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1 plan of that commercial space? Is that in
2 the, it was in what we received today?

3 MR. HASSAN: Yes. The plan that
4 we presented is on the board. It's the lower
5 diagram showing the six commercial spaces --

6 COMMISSIONER MAY: Ah, I see
7 there. Okay.

8 MR. HASSAN: -- facing the
9 courtyard.

10 COMMISSIONER MAY: Got it. Okay.
11 I'm kind of bouncing all over the place.
12 The --

13 MS. BROWN: I'm sorry, Mr. May.
14 It's also in our drawings from November 12th
15 --

16 COMMISSIONER MAY: Okay.

17 MS. BROWN: -- on Sheet A-07.

18 COMMISSIONER MAY: All right.
19 The north gap, if you will, between the two
20 phases you have I don't know 130 foot high
21 blank walls that are 30 feet apart, something
22 like that.

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1 And then on the ground plane it's
2 half grass and half garage ramp. So it's not
3 sounding like it's a really wonderful space,
4 so I'm wondering, I mean if you thought about
5 how, what the treatment was of that space and
6 whether there actually is an opportunity for,
7 do something a little different there.

8 I mean it just feels like it's
9 going to be just this big blank space between
10 two close buildings. I mean, am I right? Is
11 it about 30 feet or is it --

12 MR. HASSAN: Yes, it's 30 and 17.

13 COMMISSIONER MAY: Yes.

14 MR. HASSAN: It varies depending
15 on what --

16 COMMISSIONER MAY: Got it.

17 MR. HASSAN: -- level, and it is
18 partially a landscape of the lower level.
19 And the rest is headroom for the garage --

20 COMMISSIONER MAY: Yes.

21 MR. HASSAN: -- at the ground
22 plane.

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1 COMMISSIONER MAY: Yes. I mean
2 it's, I don't know. The space itself feels
3 like it's kind of left over. I mean did you
4 think about or consider doing any other
5 treatments there or consider not having the
6 ramp there so that you could actually go
7 through it?

8 Or is that the plan, that you
9 have the ramp there so you can't go through
10 it because it's not going to be a great
11 space? I mean it just seems like a,
12 everything else seems to be so well thought
13 out. And that just feels like it's left over
14 and kind of dead.

15 MR. HASSAN: Well, in terms of
16 the, thank you. In terms of the ground
17 plane, we did think about the possibility of
18 sloping the roof in that area on an incline
19 to allow for the headroom but also to green
20 that area as opposed to essentially having
21 the open ramp visible as it is in the current
22 plans.

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1 We also, we haven't looked into
2 fenestration with respect to that area
3 because the units are mostly oriented north
4 and south, so they do have sufficient light
5 coming through that.

6 So we didn't look into puncturing
7 those areas. Although in the 30 foot there
8 is a possibility to potentially stagger them
9 in a way that they're not essentially facing
10 each other per se, which will add interest in
11 that area. Maybe it will benefit those units
12 so that's a possibility.

13 COMMISSIONER MAY: Yes. I mean I
14 think it's worth taking a look at it, even if
15 it's not perfectly staggered so you have the
16 total privacy because we see projects with a
17 30 foot space between residential units.

18 And it's not uncommon to have
19 that. I mean some people find that perfectly
20 fine, and I would prefer, if I were living in
21 one of those units I'd prefer to have windows
22 on two sides than windows on only one.

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1 Anyway, I think it's worth taking
2 a look. I also think that the treatment of
3 the ground plane needs some look. And maybe
4 it's what you describe, or maybe it's
5 actually just a ground floor building
6 connection.

7 I don't know. I guess, I think
8 something there because it just feels like
9 it's kind of leftover dead space. The, I'm
10 also curious. I mean to the north of the
11 project you have two large playing fields.

12 I don't know how, what the future
13 holds for them, but if they wind up being
14 something else I'm hoping that there's at
15 least going to be some sort of public amenity
16 there.

17 And your building sort of, the
18 way you've designed it, you have no easy
19 access to the north side at all. And I'm, it
20 just also seems a big curious because if
21 you're actually living there and you want to
22 go use the ball field, you've got to come out

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1 on the south side of the building and make
2 your way around.

3 Have you thought at all about, I
4 mean are you deliberately trying to sort of
5 fence it off or block it off from the north?

6 MR. HASSAN: It was not a
7 deliberate attempt. We, it is true that from
8 the overall development you have to
9 essentially come around the block either way.

10 The only area that is really
11 accessible to bring life to that area was
12 very intentional, which is on the ground
13 plane on H and First where we put the sort
14 like the expression of the townhouse
15 duplexes, which will bring people in and out
16 that.

17 So our intention was really to
18 bring life to that street and make that
19 connection. But what we did not do is having
20 that connection from the inside of the
21 complex to there.

22 COMMISSIONER MAY: Well, I think

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1 you're missing an opportunity there because
2 as I said I hope that in the future either
3 the fields will continue to be there or
4 there'll be some other public amenity there
5 that will make it desirable for people to
6 leave this building and head out there.

7 The, I have to say I'm not really
8 fond of the treatment of the penthouses, and
9 some of the images that were in the
10 presentation or in the drawings that we
11 received in advance show sort of a skyline.

12 I'm looking at A-17, which, yes
13 A-17's a good example. First of all, it
14 appears that you've got this screening around
15 the pool area, which is taller than in the
16 earlier version that we had seen at set down.

17 And then you have it looks like
18 three at least, three different heights of
19 the penthouse enclosure. And the penthouse
20 enclosure looks exactly like the clouding of
21 the building.

22 So, one of the things, and I

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1 don't know, not all the Commission always
2 agrees with me on this, but I am strongly in
3 the camp of having very simple penthouses
4 that do not really look like the rest of the
5 building and are generally darker in color
6 than the rest of the building.

7 But are uniform to the greatest
8 extent possible in height because creating
9 these sort of up and down and different
10 treatments and things like that sort of
11 increase that sense of the height of the
12 building.

13 This is a building that's going
14 to be, because it's set back, it's going to
15 be seen. You'll be able to see the
16 penthouses more than you would in another
17 building that's right up on the street.

18 And when that's the case, I mean
19 the regulations are designed I believe to
20 minimize the appearance of height from
21 penthouses. They're set back, uniform in
22 height, but it's a single mass.

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1 It's to make it all as simple as
2 possible to make it disappear. And what
3 we're seeing here is not disappearing at all.

4 If it's the metal panel, I assume that it's
5 going to be catching a lot of light.

6 And it's going to be very bright,
7 and I think actually it needs to be maybe a
8 different, maybe it can be the same metal
9 panel. It just needs to be a different
10 color, or maybe it needs to be a different
11 treatment altogether.

12 And I think that the, whatever
13 you can do to get the heights in sync would
14 be best, particularly if you can bring the
15 tall parts of it down because I think it
16 really would make an improvement to the, make
17 it seem more simple.

18 Having a couple heights isn't
19 that big a deal, but I'm looking at one, two,
20 three, four, five different heights, maybe
21 six, so. I guess do we have a report from
22 the November 21st HPRB meeting?

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1 MS. BROWN: That was submitted
2 this morning, so it is in the record.

3 COMMISSIONER MAY: It was
4 submitted this morning?

5 MS. BROWN: Yes.

6 COMMISSIONER MAY: So did we
7 receive it tonight?

8 FEMALE PARTICIPANT: Yes.

9 COMMISSIONER MAY: Okay. I'll
10 look for that in my pile of stuff. Thanks.

11 CHAIRMAN HOOD: Okay. Thank you.
12 Vice Chair?

13 VICE CHAIR COHEN: Thank you, Mr.
14 Chairman. I'm probably going to be skipping
15 around, too, because my notes come from
16 several places.

17 The PowerPoint from tonight, you
18 have an alternative ground floor plan, a
19 commercial storefront and coincidentally they
20 all state art studio.

21 Are those going to be the studio
22 spaces or gallery spaces you were talking

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1 about, or is this something different to have
2 artists actually work in those studios?

3 MR. HASSAN: It hasn't been
4 determined yet specifically, but we want it
5 to put this option in front of you because
6 it's undetermined right now whether they're
7 going to be residential or commercial. But
8 we wanted to resolve that in case we go that
9 route.

10 VICE CHAIR COHEN: Okay.
11 Actually, before I move on I want to thank
12 the applicant and their attorneys for putting
13 together these tables that say Zoning
14 Commission Comp, Comments at Set Down and
15 then you're addressing the OP reports.

16 I often don't compliment
17 attorneys, so I thought I would do that
18 tonight. Okay, does the Corcoran still have
19 a role in this property, project other than
20 in the proffers?

21 MS. MELKONIAN: Well, the
22 Corcoran has been part of the ANC agreement,

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1 for example, to be able to provide free
2 admission to the Corcoran. And also we
3 anticipate collaboration between the Corcoran
4 and this museum.

5 As you know, this exhibit, the 30
6 Americans exhibit, was at the Corcoran
7 gallery. And we think there is potentially a
8 longer relationship to be realized from our
9 work with Corcoran through the project.

10 VICE CHAIR COHEN: All right,
11 because you're offering several benefits and
12 I was just wondering if they're agreeing to
13 those.

14 MS. MELKONIAN: Yes.

15 VICE CHAIR COHEN: And are they
16 long term meaning each year, or is there
17 going to be a cut off to the benefits that
18 are being proposed?

19 MS. MELKONIAN: Well --

20 VICE CHAIR COHEN: Because you do
21 say each year, but you don't give a period of
22 time.

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1 MS. MELKONIAN: I mean we could
2 not officially commit, but informally based
3 on that agreement, they plan to do it.
4 They're doing it today I believe or within
5 the last few days was the free admission into
6 the Corcoran. So we expect it to be kept up
7 as long as there's a --

8 VICE CHAIR COHEN: A Corcoran?

9 MS. MELKONIAN: -- Corcoran.

10 VICE CHAIR COHEN: All right,
11 because again, every year annual memberships
12 for five. And so every year to me would mean
13 the life of the --

14 MS. MELKONIAN: Yes.

15 VICE CHAIR COHEN: -- project.

16 MS. MELKONIAN: We hope for that.

17 VICE CHAIR COHEN: And free
18 admission to the museum, I think you need to
19 clarify it in your proffers later on who that
20 is. And recruiting volunteers from the
21 neighborhood, I don't know if that's a
22 benefit to the neighborhood as much as a

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1 benefit to the museum to get volunteers.

2 But those are just some reactions
3 that I had. Question about the east
4 courtyard, again from tonight's presentation
5 it seems like it's empty.

6 Is there going to be any type of
7 possible art feature there or seating
8 features? It just looked totally cold and
9 empty. But you're showing, I don't know if
10 it extend. It looks like it may extend into
11 part of it.

12 MS. MELKONIAN: We have always
13 hoped that that east wall of the museum would
14 be for outdoor video and movies, sort of a
15 Café Paradiso idea with the café being right
16 in that foreground.

17 VICE CHAIR COHEN: Okay.

18 MS. MELKONIAN: So that has been
19 the concept from the beginning of the design.

20 VICE CHAIR COHEN: Okay, and then
21 the materials, the metal, how does that age?
22 Does that just remain the same coloration,

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1 or does it change colors over time?

2 MR. HASSAN: This particular
3 metal panels are factory applied, so it has a
4 pretty long longevity in terms of durability.

5 And it's been improved through the years.
6 There is maybe several examples that we can
7 point to that have that.

8 VICE CHAIR COHEN: That would be
9 helpful because I also wanted to know is it a
10 sustainable material. And were we importing
11 it from, is it being made in the USA? Is it
12 being made close by, so it's life cycle
13 history?

14 MR. HASSAN: Will do.

15 VICE CHAIR COHEN: Again, I know
16 this is going to be market driven, but do you
17 have any idea when you're going to time Phase
18 2 after the completion of Phase 1?

19 MS. BROWN: I think what we had
20 planned to do, which is pretty consistent
21 with other PUDs that are phased is that we
22 would complete Phase 1 and then the Phase 2

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1 permit application would need to be filed
2 within two years after completion of Phase 1.

3 VICE CHAIR COHEN: Okay. That's
4 good. One of the things about tandem
5 parking, are you talking about them to be one
6 car pulls in and one behind?

7 Because my experience is they
8 often don't work unless you have somebody
9 who's a valet who can move cars around? Is
10 that the tandem you're talking about.

11 MR. HASSAN: Yes. That is the
12 case.

13 VICE CHAIR COHEN: So will you
14 have a valet? Because I would seriously
15 reconsider that if you're not planning to
16 unless two people have, a family has two cars
17 it really does not work well.

18 One car will take up two spaces
19 because they don't want to be at the mercy of
20 another car behind them and especially if
21 this is a future condominium, that's going to
22 be, you know, impossible thing.

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1 My last question is really we
2 talk about affordable housing and Ms.
3 Melkonian I've known you for many years and
4 your work especially in Hope 6, Ellen Wilson
5 as an example.

6 So I consider you an expert in
7 affordable housing. Is this going to be like
8 an 80/20 deal where 20 percent is affordable
9 to 80 percent of median income is my
10 understanding?

11 And I don't need a precise
12 answer, but based on your experience. Let's
13 say you're required to make some of those
14 units available to 60 percent of median
15 income.

16 What would that do to the
17 economics of the project? How much would you
18 think it would take to subsidize the other 10
19 percent to bring them down to 60 percent of
20 median?

21 Do you have any idea off the top
22 of your head, on the back of a napkin? Do

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1 you need five minutes, and I'll come back to
2 you?

3 MS. MELKONIAN: Well, you're
4 talking about a capital subsidy to do that
5 that the city would provide?

6 VICE CHAIR COHEN: Yes.

7 MS. MELKONIAN: Is that what
8 you're, well --

9 VICE CHAIR COHEN: I think that's
10 what it would have to be.

11 MS. MELKONIAN: It would.
12 There's no question about that. As you know,
13 the 80 percent is in the legislation along
14 with the other community benefits.

15 I mean there's just no minimizing
16 the non-revenue generating aspects of this
17 development, especially its heart and soul
18 which you'll see, contemporary art museum.

19 So I mean we could let you know
20 the answer to that, but to give you an idea,
21 80 percent of median is about a third below
22 market.

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1 It's about a third below market,
2 so you can see the relative increase and
3 therefore the loss of additional revenue and
4 therefore the outright capital subsidy that
5 would have to substitute for that. So I'd be
6 happy to give you an example.

7 VICE CHAIR COHEN: Could you
8 please? I just am trying to understand.

9 MS. MELKONIAN: Understand how
10 deep the subsidies have to be to --

11 VICE CHAIR COHEN: Yes.

12 MS. MELKONIAN: Well, we share
13 the same objectives as you, but I think in
14 this case the community benefit package has
15 been amply devoted to the uses that we've
16 described tonight.

17 VICE CHAIR COHEN: Well, I agree
18 with it.

19 MS. MELKONIAN: Yes.

20 VICE CHAIR COHEN: Twenty percent
21 affordable housing is pretty significant.
22 The retention of a historic project, I don't

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1 know if you're going in for historic tax
2 credits or not.

3 But the other things are, they're
4 important, but I just was, I am curious to
5 know. And I'm going to be asking this a lot
6 because I think that one of the problems the
7 city will have is that we're going to be able
8 to house people at 80 percent of median
9 income, which is workforce housing.

10 But 60 percent of median income
11 and 50 percent of median housing is also
12 workforce housing. So I just want to get a
13 handle on that. Okay, thank you.

14 MS. MELKONIAN: You're welcome.

15 CHAIRMAN HOOD: Okay, thank you.
16 Commissioner Miller?

17 COMMISSIONER MILLER: Thank you,
18 Mr. Chairman. I just want to start by
19 reiterating what I said and what the
20 applicant said tonight and what I had said at
21 the set down that I shared with you that
22 there is an enormous catalytic value of this

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1 project for the redevelopment and growth of
2 the Southwest neighborhood and the adaptive
3 reuse of this historic landmark with this
4 world class contemporary art museum.

5 It's really a benefit not just to
6 the neighborhood but to the District as a
7 whole and to the region and all the activity
8 that's going to go on inside that museum and
9 the interactive space and the housing, 500
10 housing units, 20 percent of which are
11 affordable to 80 percent AMI is all great.

12 And I appreciate the applicant's
13 responsiveness to the issues raised by both
14 the Office of Planning and Zoning Commission,
15 as Vice Chair pointed out.

16 And the chart that was prepared
17 was very helpful, and some of that
18 responsiveness was to particularly concerns I
19 had raised including you've eliminated the
20 bollards at the ground, and you've added
21 balconies at the top and randomly throughout.

22 On the balconies, which I think

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1 will help establish a residential, more of a
2 residential character to the building when
3 you look at it in the context of the
4 neighborhood and help break up some of the
5 massing.

6 But they're Juliet balconies
7 which I realize there's a connection with,
8 there's a Juliet balcony apparently that was
9 on the historic central Randall building.

10 And I guess you're trying to keep
11 somewhat of a, some design concept is to keep
12 somewhat of a flat plane behind this historic
13 landmark so that it stands out.

14 But I'm wondering if you
15 considered, if you did consider as Office of
16 Planning points out in its report, the use of
17 actual usable balconies.

18 And if you did and if you're not
19 proposing that, if not why not? And how many
20 Juliet balconies actually being proposed in
21 the current iteration? Yes, how many are
22 being proposed?

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1 MR. HASSAN: I don't have the
2 exact number of the Juliet balconies, but I
3 just realized you just made reference to
4 that. But I did not mention that there are
5 Juliet balconies in the courtyard itself that
6 I didn't point out.

7 But they are in the package, and
8 they're highlighted as well. So in addition
9 to the upper levels all around the exterior
10 on the interior of the courtyard there are
11 balconies, but they are kind of randomly
12 placed throughout not only on the top floors.

13 We did not consider projecting
14 those balconies out at those levels with the
15 exception of the lower levels to create that
16 expression of the base.

17 We opted to keep them sort of
18 flat within the surface in order to maintain
19 the expression of the mass and not break it
20 at that level. So it's kind of a subtle
21 change.

22 But it's relatively effective as

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1 you open the windows. It's like as if there
2 is a balcony. It is true that it doesn't
3 project out as a real balcony.

4 COMMISSIONER MILLER: Well, if
5 you're able to provide, I think I'd like a
6 little bit more information on the exact
7 number of I guess those ground level.
8 They're Juliet balconies, they're not real
9 balconies either?

10 MR. HASSAN: The lower levels are
11 real balconies.

12 COMMISSIONER MILLER: Are real
13 balconies, yes. I can see that rendering a
14 lot better. I think I'd like to see a better
15 rendering of the Juliet balconies, or maybe
16 I've just missed it on one of the slides
17 here.

18 But I'd like to see that, but I'd
19 also like, and I appreciate all that you've
20 done to try to break up the massing with all
21 the glass and the rounded.

22 And now you have the glass

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1 window, the curved windows. I guess they're
2 going to be curved windows?

3 MR. HASSAN: They will be curved.
4 They're not segmented.

5 COMMISSIONER MILLER: That's a
6 very, that will be something unusual to see
7 and probably very pretty. I still would, so
8 I think I'd like to get a rendering of the
9 Juliet balconies, an exact number, not exact
10 but some approximate number of how many of
11 the units will actually have them.

12 And I would, I personally think
13 that the more usable balconies would add to
14 the building. And I don't think it would
15 detract from. Of course this is all in the
16 eye of the beholder.

17 I don't think it would detract
18 from the concept that you're trying to create
19 of a totally different backdrop to the
20 historic landmark. It is such a, it is kind
21 of a big massing that it needs, I think it
22 just needs all that, as much articulation as

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1 it can.

2 And because of that I also would
3 agree with Commissioner May's comments that
4 to the extent the, and because it is so set
5 back from the street, to the extent that
6 those roof structures can be, can disappear
7 more the better.

8 And I'm thinking you maybe had
9 some good suggestions of possible ways to do
10 that. The, one aspect I had as Chairman
11 notes on the LEED. They're trying to go for
12 LEED Silver.

13 But I saw on the charts that you
14 had possible points to go as high as Gold and
15 for Platinum. Can you just speak to that a
16 little bit more.

17 MR. HASSAN: We are, we can
18 easily achieve the certified, but we can
19 accomplish the Silver. So we're, we can work
20 on achieving that now.

21 COMMISSIONER MILLER: Okay. All
22 right. Thank you very much. Thank you, Mr.

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1 Chair.

2 CHAIRMAN HOOD: Thank you. Mr.
3 Turnbull?

4 COMMISSIONER TURNBULL: Thank
5 you, Mr. Chair. I would associate my
6 comments with Commissioner Miller. I think
7 this is going to be a significant project in
8 the area, and I think you're doing a very
9 strong job at trying to get it to work.

10 But that being said, I wanted to
11 go back up. With the HPRB report, have you
12 addressed, they had a couple of concerns in
13 here. Have you done any changes, avoid
14 lowering the auditorium windows? Was that --

15 MR. HASSAN: Yes, we did. And we
16 complied with that in terms of the, there's
17 one image and there's several images in the
18 package. Actually, it's on A-15, the
19 auditorium building.

20 We have maintained the windows in
21 their current configuration and proportion.
22 And we have decided not to elongate them, and

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1 not to --

2 COMMISSIONER TURNBULL: Okay.

3 MR. HASSAN: -- extend them down.

4 So we've responded to it practically.

5 COMMISSIONER TURNBULL: Then on
6 the west elevation, the West wing north
7 elevation, the windows here, how high are
8 they above grade? I'm looking at them
9 individual there, and it looks like it's, is
10 it seven feet, eight feet?

11 MR. HASSAN: The sill of that
12 window, I'll bring that page, just one
13 second. Thank you. The sill for the first
14 floor coincides with the existing sill of the
15 existing windows. And the uppers is at the
16 floor level. The second sill for the second
17 floor.

18 COMMISSIONER TURNBULL: I guess I
19 was just trying to get from that elevation.
20 I'm looking at the door that, which has got
21 to be about a six foot eight, seven foot
22 door.

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1 MR. HASSAN: It's approximately
2 seven feet about grade.

3 COMMISSIONER TURNBULL: Seven
4 feet? So I just thought it was kind of low
5 for people walking by that somebody might get
6 hit. It just looked awfully close.

7 I mean I understand what you're
8 trying to do, have people look in and make a
9 very visual and I think that's commendable.
10 But it just looked a little low right there
11 that it didn't meet, that's a code issue.
12 That's a building code issue.

13 MR. HASSAN: Understood.

14 COMMISSIONER TURNBULL: It's not
15 for us. I just thought it was. On the
16 parking you mentioned light gray and dark
17 gray on the lower level. The dark gray is
18 not in the plan right now. It's an option or
19 what?

20 MR. HASSAN: On the lower level,
21 the second level down, the dark gray is an
22 optional parking area that we may go to,

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1 which will bring the parking from 290 to 370.

2 COMMISSIONER TURNBULL: So in
3 your first phase you're not building that
4 parking? You're not building it out. It's
5 just going to be empty space?

6 MR. HASSAN: We will only be
7 building the area that it's under the first
8 phase and is depicted in the plan.

9 COMMISSIONER TURNBULL: Okay.

10 MR. HASSAN: You have the page.

11 COMMISSIONER TURNBULL: Okay, so
12 it's still going to be an option. You
13 haven't really decided whether or not you're
14 pursuing that.

15 MS. BROWN: Yes, we would ask for
16 flexibility to pursue the additional
17 alternate P-2 level.

18 COMMISSIONER TURNBULL: On the
19 commercial units, which is an option also, if
20 you're not providing affordable units I am
21 assuming you're going to take away an overall
22 affordable unit from the plan. Are you going

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1 to keep them at the same amount? Or is it 20
2 percent of whatever you're going to end up
3 with?

4 MS. BROWN: It's 20 percent of
5 the gross square footage.

6 COMMISSIONER TURNBULL: Okay.
7 The landscape area, heavily landscaped berms,
8 very intense, lots of different variety of
9 plants going on.

10 Are you familiar with Bartholdi
11 Park in the National Garden, very intensive
12 areas, lots of varieties? But the Architect
13 of the Capitol has a professional staff that
14 can maintain those. Who's going to maintain
15 these?

16 MS. DELPLACE: Well, as you know,
17 we've been doing gardens of this intensity
18 for a long time in Washington, and the plants
19 that we select are low maintenance. And
20 that's not no maintenance but low
21 maintenance.

22 So we really look at associations

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1 and plants that grow together, and they're a
2 four season garden. So we're depending on
3 those plants to look fabulous even in the
4 fall and winter.

5 COMMISSIONER TURNBULL: I'm just
6 concerned that the best of all worlds, I mean
7 you've got an image of what you want to
8 maintain, and I'm just concerned that there's
9 going to be people coming up. They're going
10 to be, if you, I'm not sure what the
11 intensity of use you're going to have in that
12 courtyard.

13 But I'm just, if you don't have
14 dedicated people, at least a couple of
15 grounds people that are going to be taking
16 care of those, I think you're going to have
17 some issues at trying to maintain that
18 character especially if you've got a museum
19 and you want to maintain an appearance.

20 And I don't know if you've
21 thought about that, but I think it should be
22 something in your plans to be able to think

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1 about an area like that.

2 MS. DELPLACE: Oh, you would
3 absolutely have to have maintenance. That's,
4 I'm not saying that there's no maintenance,
5 but in the gardens that we've been designing
6 for years, we've been looking.

7 And those have been pretty
8 intense, the World War II Memorial, Martin
9 Luther King Memorial, so we have experience
10 in public spaces. So we know about how
11 people use the space.

12 And we really want people to
13 engage in this space. And so the berms
14 actually in the courtyard are designed so
15 people can engage with those plants. It's
16 really important. It's part of the overall
17 concept of that.

18 COMMISSIONER TURNBULL: Well,
19 they're not going to be going up the berms.

20 MS. DELPLACE: No.

21 COMMISSIONER TURNBULL: Okay. I
22 would agree with Commissioner May's comment

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1 about some kind of a pathway or something
2 that would lead through going to the north.
3 It has, there's an advantage.

4 There's an opportunity there that
5 you might be missing, whether it's a kind of
6 continuing on with that curvilinear theme
7 some kind of a path. My other thought is
8 that if those are commercial units, isn't the
9 courtyard feeling going to change?

10 Why would you have heavily
11 planted berms in an area where you're going
12 to have artist studios or something going on.

13 Now, you've changed the intensity of the use
14 of the courtyard.

15 You're introducing an element
16 that goes beyond. Now you're going to have
17 people coming in and out of a store or a
18 craft or a studio, and I'm just wondering
19 maybe you might want to look at, I mean the
20 plan is different.

21 But I'm just wondering if there's
22 again, there's another change of use.

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1 There's another character that you might want
2 to be looking at as far as that area. I'm
3 just throwing that out.

4 It just seems that instead of
5 just having residents walking around, now
6 you've introduced or visitors walking and
7 meandering. There's another intensity with,
8 you've stepped up the use of it.

9 And it just seems like that being
10 the case maybe you might want to rethink how
11 that courtyard actually gets played out. I'm
12 just throwing that out. It just seems like
13 it's different.

14 You're creating something
15 different. It could be an opportunity with
16 either paving, different changes in paving or
17 something, but it's like you want it. If
18 you're going to change from residential, it's
19 something else.

20 I think the other thing is
21 there's a, we talked about lighting I mean in
22 this area, and the museum hours and you

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1 talked about the commercial area being open
2 6:00 to 9:00.

3 And I don't know how late the
4 museum stays open, if it's going to be 8:00
5 or 9:00 until 6:00 or go longer, but I'm just
6 wondering about what the, again, I'm looking
7 at the life of this courtyard.

8 You've got a dichotomy. You've
9 got an exciting art facility. You want to
10 have an intensity of bringing people in, but
11 you've also got the residential character
12 where maybe most of them are going to be
13 artists so they won't care.

14 But I'm just wondering about the
15 low lighting. If you're going for LEED I'm
16 assuming you're having low lighting in the
17 courtyard, not shining up into the building.

18 But I guess I'd like to see that
19 described a little bit more as to what your
20 intent is as for light levels and what that
21 courtyard is going to look like at night when
22 the residents are there.

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1 I guess the other thing,
2 continuing on with I think Commissioner May
3 and Commissioner Miller both talked about the
4 penthouses, and I'm concerned, too.

5 I guess we don't have a drawing,
6 an actual drawing of penthouse roofs where
7 I'd like to see a section through where the
8 pools are. I don't think we have a sectional
9 drawing. I don't think. Do we?

10 FEMALE PARTICIPANT: L-16.

11 COMMISSIONER TURNBULL: Yes, L-
12 16's only a plan, but if we could have a roof
13 section through that. I'd like, again
14 looking at, although you've said you'd meet
15 the height restrictions back and forth, I
16 really don't have anything that shows me
17 that.

18 Some of the things looked higher
19 than 14'6" and 16'6" near the face of some of
20 those buildings. And maybe they all are
21 within, but I'd like to see a roof plan of
22 the various buildings showing either the 1:1

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1 setback and actual section through it to make
2 sure that what we're looking at.

3 And maybe a little bit more on
4 the penthouse area for the pool, what's going
5 on with the roof up there. Bike racks, you
6 got a lot of bikes in the building. I only
7 see 12 bikes on the top right now, six and
8 six.

9 Am I wrong, or is there more? I
10 think there's a comment where you might be
11 having more or you're going to work with our
12 friends at the end of the year, end of the
13 dais here.

14 MS. BROWN: Yes, we have ten bike
15 racks now.

16 COMMISSIONER TURNBULL: Ten?

17 MS. BROWN: Ten.

18 COMMISSIONER TURNBULL: I gave
19 you 20.

20 MS. BROWN: Well, there's 20.
21 There's a total of 20 --

22 COMMISSIONER TURNBULL: Twenty.

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1 MS. BROWN: -- capacity for 20
2 that we're showing both on the east and west.

3 COMMISSIONER TURNBULL: Okay, and
4 I think they were looking for some more, so
5 you're working on developing a plan to get
6 more.

7 MS. BROWN: Well, we have, I'm
8 trying to think about the proffers for the
9 capital bike share, and --

10 MR. VANPELT: Yes, I mean I think
11 that there's, in our plans there's a proffer
12 or TDM plan to have capital bike share
13 contribution.

14 But I think one of the things
15 that DDOT notes in their staff report that
16 you've already picked up on, Commissioner
17 Turnbull, is that we're going to be working
18 with DDOT through the public space review
19 process to kind of define the right spaces
20 for those --

21 COMMISSIONER TURNBULL: Okay.

22 MR. VANPELT: -- of the short

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1 term bike spaces and where they would be
2 located on the ground level.

3 COMMISSIONER TURNBULL: Okay.

4 MS. BROWN: And for the record,
5 Mr. VanPelt just answered that question.

6 MR. VANPELT: Yes, that's right.
7 Dan VanPelt with Grove/Slade.

8 COMMISSIONER TURNBULL: The
9 gates, you went quickly through the gates and
10 showed a little drawing of it, but when do
11 those gates go up? Or what's the nature of
12 those? How does that work?

13 MR. HASSAN: It's the last one.
14 They do occur only on the east and the west
15 here, and it's they're bifolding on rails.
16 And I think Lisa could assist me in that as
17 well because they also sort of pivot as well.

18 So, Lisa maybe you want to elaborate on this
19 more in detail?

20 MS. DELPLACE: So currently as
21 they're designed, they're designed to fold
22 flat against both buildings so that most of

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1 the time they would be completely open.

2 But we did want to show how that
3 would function if the gate does in fact go in
4 because we wanted to make sure. So it's a
5 bifold rolling on a track and then folds
6 against the historic West wing and the East
7 wing and the new building.

8 COMMISSIONER TURNBULL: So would
9 they potentially close like at 10 o'clock at
10 night, or is the park open all the time or
11 are we, is there hours that the park is going
12 to be, the courtyard's going to be open then?

13 MS. DELPLACE: I think the
14 intention is that they would remain open most
15 of the time, that this is part of the --

16 COMMISSIONER TURNBULL: Okay.

17 MS. DELPLACE: -- community
18 experience.

19 COMMISSIONER TURNBULL: All
20 right, so there's --

21 MS. DELPLACE: And so if in the
22 future there needed to be gates, we imagine

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1 them being very transparent and the ability
2 to fold completely back.

3 COMMISSIONER TURNBULL: If the
4 President shows up, you could close it off.
5 I see. Okay. I'm trying to think if there's
6 anything else.

7 Oh, ANC 6D sort of has in their
8 reported stated that you're working on a
9 construction management agreement with them.
10 Did I understand that correctly, or is that
11 one of their, I need to get the report out I
12 guess.

13 Exhibit 22, the issues that we,
14 they said that they voted conditionally to
15 approve it, but they did mention agreement
16 with the applicant on a formal construction
17 management plan. So I take it that's
18 something you're going to be working with
19 them on?

20 MS. MELKONIAN: Yes, and I
21 believe Chairman Litsky from the ANC is here
22 tonight.

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1 COMMISSIONER TURNBULL: I do see
2 him in the back.

3 MS. MELKONIAN: And so we have
4 not, as he said in his report in the ANC's
5 report, which he transmitted --

6 COMMISSIONER TURNBULL: Okay.

7 MS. MELKONIAN: -- we have not
8 had the opportunity to sit down and talk
9 about these items --

10 COMMISSIONER TURNBULL: Okay.

11 MS. MELKONIAN: -- that were
12 listed in the report and that --

13 COMMISSIONER TURNBULL: With the
14 ANC, okay. All right. Thank you. Okay, I
15 think Mr. Chair, I'll relinquish. I'm done.

16 CHAIRMAN HOOD: Okay. I don't
17 want to be redundant as all my colleagues
18 have went forward, and a lot of my concerns
19 and questions have been asked.

20 But I, too, am going to associate
21 myself with what Mr. Turnbull just asked
22 about the ANC and those four points. And you

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1 clarified. I would be interested in seeing
2 how that's going to come back to the
3 Commission.

4 Also, I think you mentioned about
5 the penthouses. I would agree with what I've
6 heard from all my colleagues, not to be
7 redundant. The only other issue that I did
8 not understand or was not clear, and this is
9 way back when Commissioner May was asking.

10 I think one of the questions
11 that, and I also, too, appreciate the way
12 it's outlined. I just noticed that my name
13 is omitted, which was fine, but I think my
14 question was what are the impacts to the
15 Randall Recreation Center and baseball field.

16 I didn't understand that Mr.
17 Hassan, the way that you were saying that.
18 How do we access? In the report it says the
19 modification PUD will improve access to the
20 Randall Recreation Center. What about to the
21 baseball fields?

22 I didn't understand that because

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1 I can tell you those baseball fields now are
2 being used quite frequently by a lot of
3 people across the city. And I just don't
4 understand. How is that going to better
5 improve?

6 Are we talking about the
7 recreation center and the baseball field or
8 just the entrance to the rec center? How is
9 the access going to improve?

10 MR. HASSAN: I mean the access is
11 going to be in general on the side of the
12 recreation center. I'm not sure.

13 CHAIRMAN HOOD: Yes, so in other
14 words --

15 MR. HASSAN: I'm sorry. I'm not
16 understanding the question. I apologize.

17 CHAIRMAN HOOD: Well, I guess
18 when I look at the report, and I heard a
19 conversation that you and Commissioner May,
20 sounds like the access is going to be more
21 difficult to get back to the ball fields.

22 So the report, at least the way I

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1 understand it, what I see here on, behind Tab
2 C was not exactly what was testified to. So
3 I'm just trying to understand the access to
4 the baseball fields and that conversation
5 because that conversation was had.

6 MS. MELKONIAN: The access to the
7 baseball fields will be along H Street, and
8 that will be improved. And they'll be cross-
9 easements given by the private owner, land
10 that we own to make sure that there's access,
11 public access, continuing to the baseball
12 fields themselves.

13 The turnaround will also serve as
14 a drop off for people going to the swimming
15 pool, going to the baseball field, and there
16 will be an improvement to the south side, I'm
17 sorry, the north side of the building roadway
18 you see. You don't see it on this side, but
19 it's on this drawing here. Yes.

20 CHAIRMAN HOOD: So help me
21 understand, when you say improvement to get
22 to the baseball field?

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1 MS. MELKONIAN: So if you visited
2 it lately --

3 CHAIRMAN HOOD: I have. That's
4 why I know. I know exactly what, I was just
5 on the baseball field about two or three
6 months ago --

7 MS. MELKONIAN: Right.

8 CHAIRMAN HOOD: -- before it got
9 cool --

10 MS. MELKONIAN: So that's a very
11 --

12 CHAIRMAN HOOD: -- for a
13 championship game. I want you to know I do
14 come around there.

15 MS. MELKONIAN: Needs adequate
16 paving and improvements that way, and I think
17 we have shown, I believe, well, yes.

18 MS. BROWN: If I may, Mr. Hood,
19 this area of H Street up here is private
20 property, and it's part of the Telesis or the
21 private property.

22 There will be an easement that

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1 will allow the public to cross over this
2 private property, and that's the access point
3 that's going to be part of the cross-
4 easements with the city.

5 So that that's why the access to
6 the ball fields will improve because the
7 public will be allowed to cross this private
8 property that is part of H Street that is
9 closed right now.

10 CHAIRMAN HOOD: Okay. All right,
11 so your testimony is that it will be
12 improved. Okay. I'll take your word for it.

13 Other than that I think the way the make up
14 is, especially with the view going into the
15 historic part and just being able to see the
16 art, I really like the way that's done.

17 I would associate myself with
18 Commissioner Miller. I think that the
19 project is going to uplift. With a few of
20 the comments that I've heard today, if we do
21 that, I think it's going to uplift the
22 neighborhood. But I would be interested to

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1 see what comes back from ANC 6D. Okay.

2 MS. BROWN: Okay.

3 CHAIRMAN HOOD: All right.
4 That's all I have. Anything else?
5 Commissioner?

6 COMMISSIONER TURNBULL: Mr.
7 Chair, I just have one question. A building
8 permit, are you going to be going by March
9 2014?

10 MS. BROWN: And then that's one
11 of the issues that I did want to bring up
12 when we wrap everything up in the areas of
13 flexibility. We, this, our PUD extension
14 request does expire March 24, 2014.

15 COMMISSIONER TURNBULL: Right.

16 MS. BROWN: And in any approval
17 that we get for this PUD modification, we
18 would need the order issued prior to that
19 expiration or we would ask for an extension
20 during that time period in that gap that
21 might exist.

22 COMMISSIONER TURNBULL: When do

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1 you think you might be going for a building
2 permit?

3 MS. BROWN: We would, well we'd
4 have to obviously get building permit
5 drawings together once this gets approved.

6 COMMISSIONER TURNBULL: Right.

7 MS. BROWN: So I would, it's
8 going to take quite, at least another six to
9 12 months before we could pull that together.
10 So --

11 COMMISSIONER TURNBULL: So you're
12 looking at a one year extension or two year
13 extension or one year extension?

14 MS. BROWN: I mean ideally we
15 would have the gap between March 24, 2014 and
16 the issuance of this new PUD modification
17 order so that the, it would be stayed I would
18 say until this new order were issued. And
19 then, if that makes sense.

20 COMMISSIONER TURNBULL: Okay.
21 Yes, I just don't, I guess we'd have to, I
22 don't know whether we need a follow extension

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1 or whether we --

2 MS. BROWN: Right, and we can
3 talk to the Office of Attorney General may be
4 the best way to handle that.

5 COMMISSIONER TURNBULL: Okay.
6 All right. Thank you.

7 COMMISSIONER MILLER: Thank you,
8 Mr. Chairman. I just wanted to, I neglected
9 to mention a couple of the other exciting
10 uses when I was going over all the exciting
11 uses of the project and I don't want to leave
12 them without being mentioned.

13 The restaurant and the upper
14 terrace is fantastic, and the culinary
15 incubator if that's what that commercial
16 space turns out to be or the art studios I
17 think that's all great.

18 And public benefit of, is it
19 still a public benefit that there's free
20 admission to the museum, or what is the
21 actual admission cost or policy?

22 MS. MELKONIAN: It is in our

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1 agreement with the ANC. There will be free
2 admission to residents of Southwest.

3 COMMISSIONER MILLER: Right.

4 MS. MELKONIAN: Sure. Whether
5 it's free always we don't know, but it may
6 be.

7 COMMISSIONER MILLER: You mean
8 free always for outside Southwest?

9 MS. MELKONIAN: Yes.

10 COMMISSIONER MILLER: So I think
11 that is an important neighborhood community.

12 MS. MELKONIAN: Yes, but it will
13 be free to Southwest residents.

14 COMMISSIONER MILLER: And I think
15 the, I do think that the training, even
16 though it's not paid, Madam Vice Chair, I
17 think training neighborhood youth in art
18 education and how to maybe lead tours could
19 be a very beneficial opportunity that might
20 lead to other paid opportunities for them in
21 the future. I didn't want to discount that.

22 VICE CHAIR COHEN: And I don't

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1 disagree with the way you've presented it,
2 but the way it's been presented. I would say
3 that it's a greater benefit to the museum and
4 you get volunteers since, I just don't, I
5 think it needs to be elaborated if intended
6 the way you've mentioned it. That's all.

7 COMMISSIONER MILLER: I saw it as
8 a win-win.

9 CHAIRMAN HOOD: And I just wanted
10 to bring to attention, I know the Vice Chair
11 mentioned about some of the public benefits
12 that we're going to be, I'm going to be
13 looking for the response of the 2403 of our
14 new regulations.

15 We used to it call the, I used to
16 like the old name baffle order or buffle,
17 whatever it was. But now we do 2403.15 with
18 some of these new things because I'm looking
19 at some specificity on some of these public
20 benefits.

21 So we'll be looking for that at
22 the appropriate time. Are there any other

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1 questions or comments? Okay. Oh, cross, I
2 was just trying to see where we were. Thank
3 you. It's always good to have somebody to
4 help you. Okay, let's do cross examination.

5 Chairman Litsky, you have any
6 cross? Okay, if we don't have any other
7 parties, we'll go now to the report of the
8 Office of Planning and the District
9 Department of Transportation.

10 MR. JESICK: Thank you, Mr.
11 Chairman and members of the Commission. My
12 name is Matt Jesick. The Office of Planning
13 strongly supports the proposed modification
14 application.

15 We are very pleased to have
16 worked with the applicants and sat down and
17 are pleased with the results of some of the
18 design changes they made including locating a
19 break in the northern facade and using glass
20 in the bridges or hyphens.

21 We feel that those changes help
22 to break up the mass of the building.

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1 There's also been a significant increase in
2 bicycle parking, which we strongly support,
3 and the use of rounded class on the corner
4 elements of the building.

5 Since our report has been issued,
6 we had further discussions with the applicant
7 on the items in which we requested more
8 information. And I believe they've addressed
9 all those items.

10 Two small things that I wanted to
11 bring to the attention of the Commission,
12 which I think may have been discussed to some
13 extent this evening, one item we were looking
14 for was the commitment to a no idling policy.

15 And I don't think that has been
16 mentioned this evening, but in my discussions
17 with the applicant they did say that that
18 would not be a problem, that above ground
19 loading dock.

20 They could commit to a no idling
21 policy. Also there was some discussion about
22 the hours of the security gates at the

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1 entrances to the courtyard.

2 In my discussions with the
3 applicant, there was some talk of placing
4 definitive hours on that. I think we'd be
5 looking for a little bit more elaboration,
6 either in a future submission or in the order
7 on what, if any, those particular hours would
8 be. But other than that, we fully support
9 the project and recommend approval. Thank
10 you.

11 CHAIRMAN HOOD: Thank you, Mr.
12 Jesick. Mr. El-Amin?

13 MR. EL-AMIN: Thank you, Mr.
14 Chairman and fellow Commissioners. We have a
15 brief presentation. Overall, DDOT supports
16 the, excuse me, we found that the proposed
17 modifications to the previously adopted
18 Randall school PUD is not likely to have
19 additional impact on the District's
20 transportation network.

21 The applicant's proposal to
22 reduce the onsite parking and also relocate

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1 the primary loading docks to the underground
2 garage are very positive changes.

3 DDOT is concerned about the back
4 end truck movements for the museum that would
5 encroach into public space. However, the
6 applicant has agreed to work with DDOT to
7 resolve all outstanding public space issues
8 as we've outlined in our report.

9 This also includes the public
10 space bicycle parking as well as some of the
11 design issues that were brought up in their
12 presentation this evening.

13 There was one issue related to
14 their TDM plan concerning the proffer for the
15 capital bike share station. The condition in
16 the comprehensive transportation review
17 indicates that a proffer would only be
18 offered if there was not a capital bike share
19 station constructed within a two block radius
20 of the site.

21 There already is a station within
22 that vicinity, so that almost rescinds the

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1 proffer. So we would ask that particular
2 element be struck and that the offer would
3 stand without that condition. And that
4 concludes my report. Thank you.

5 CHAIRMAN HOOD: Okay. Thank you
6 both, Mr. Jesick, Mr. Henson, Mr. El-Amin.
7 Any questions of either DDOT or Office of
8 Planning? Vice Chair?

9 VICE CHAIR COHEN: Thank you, Mr.
10 Chairman. I would just like to ask DDOT what
11 they're going to do about I Street SW and
12 South Capitol Street.

13 There seems to be an
14 extraordinary number of crashes that occur,
15 and it seems like we shouldn't wait for
16 another couple of years. I think something
17 needs to be done, and I'm referring to Page
18 50 of the traffic impact study.

19 MR. HENSON: Jamie Henson with
20 DDOT. We have an \$800 million South Capitol
21 Street corridor reconstruction project that's
22 in the process of working its way through the

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1 environmental process to address that and
2 many other issues in the area.

3 That'll reconstruct that area,
4 bring M Street and South Capitol Street at
5 grade, re-imagine the area where you're
6 referring to at I Street and then do away
7 with the hanging ramp that goes under the
8 bridge there, which is one of the problems.

9 And then rationalize the ramp
10 that's coming down from 395 onto South Cap,
11 but --

12 VICE CHAIR COHEN: Can you --

13 MR. HENSON: Sure, go ahead. I'm
14 sorry.

15 VICE CHAIR COHEN: Can you give
16 me a better estimate of timing though? I
17 know that it's --

18 MR. HENSON: Oh, I wish I could.
19 I don't. I'm --

20 VICE CHAIR COHEN: Could that --

21 MR. HENSON: But you're looking
22 at build out in five to seven year range give

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1 or take at least for all of those.

2 There's some pretty complicated
3 things going on there with a lot of different
4 movements between the off ramp and the ramp
5 coming down and then I Street and then M
6 Street diving and service roads. We're
7 working on fixing that, but that's no, those
8 are not quick fix items.

9 VICE CHAIR COHEN: Okay, so there
10 are no priorities for that?

11 MR. HENSON: Well, the priority
12 is to replace the bridge that's --

13 VICE CHAIR COHEN: The whole
14 bridge, okay.

15 MR. HENSON: -- in pretty bad
16 shape. And I don't know what comes next, but
17 then there's three or four other sub-
18 projects.

19 VICE CHAIR COHEN: So when you
20 replace that bridge, does that contribute to
21 eliminating or reducing the number of crashes
22 because it's really disturbing.

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1 MR. HENSON: Not necessarily at
2 that intersection, but as we move through the
3 project and begin to rationalize the
4 capacity, make it a little more neighborhood
5 focused, take away some of the service lanes,
6 that will because you start removing some of
7 the conflict points. But no, it's not going
8 to be a quick operation.

9 VICE CHAIR COHEN: I'm going to
10 avoid that intersection from now on.

11 CHAIRMAN HOOD: Okay. That will
12 be less traffic down there for me, so I can
13 go in that area. Any other questions?
14 Commissioner Turnbull?

15 COMMISSIONER TURNBULL: Yes,
16 thank you, Mr. Chair. This is for Mr. El-
17 Amin or Mr. Henson. The order for this,
18 although this is a modification, it's a
19 significant modification.

20 I mean if you go back to the old
21 order of 2008, it makes a lot of reference to
22 the Corcoran this. The operation has

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1 changed, and I didn't look and I meant to ask
2 the applicant.

3 But shower facilities for
4 cyclists? Does a shower for cycle, it's in
5 the original order? As I say, we have, this
6 is a modification, but I don't know if we've
7 talked.

8 I think you need to go back and
9 look at this original order. And it also
10 talks about the Corcoran. It says the
11 Corcoran will incorporate transit information
12 in the new employee student orientation
13 information.

14 And then for the residential
15 building, transit information will be
16 provided to new residents upon moving. Have
17 you talked about screening?

18 MR. EL-AMIN: Yes, sir. Transit
19 screens are actually offered. They --

20 COMMISSIONER TURNBULL: Okay.

21 MR. EL-AMIN: -- updated their
22 TDM in the comprehensive transportation

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1 review, and so they did include, the transit
2 screens are included.

3 COMMISSIONER TURNBULL: I guess I
4 missed that.

5 MR. EL-AMIN: Okay. It's
6 included.

7 COMMISSIONER TURNBULL: But I
8 think we'll want to make sure, I mean when we
9 talk about a modification I think we're going
10 to, the order's going to have to be
11 significantly changed, the language and
12 everything in it. That was it.

13 CHAIRMAN HOOD: Any other
14 comments from either one? Commissioner May?

15 COMMISSIONER MAY: Office of
16 Planning, so what does the future hold for
17 the Randall Rec Center and athletic fields.

18 MR. JESICK: To my knowledge,
19 there are no plans at this time to do away
20 with the rec center or the fields.

21 COMMISSIONER MAY: But there have
22 been, I've seen proposals in the newspaper

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1 that people are, I don't know offering
2 unsolicited proposals to redevelop the area.

3 Is any of that gaining any sort of traction?

4 MR. JESICK: Not that I know of.

5 There was one proposal for I believe a
6 school, which we may be referring to, and as
7 far as I know that is, well I can't say it's
8 off the table. But I haven't heard anything
9 lately about that proposal.

10 COMMISSIONER MAY: Okay. All
11 right. Well I know that the land is
12 transferred to the ownership of the District
13 as part of the D.C. Federal Lands Act some
14 years ago, and I think you, I mean I don't
15 know what the thoughts were at the time.

16 But I always had the impression
17 that there might be some other development
18 there, but that's not moving along, so okay,
19 thanks.

20 CHAIRMAN HOOD: Okay, no other
21 questions. Do we have any cross examination
22 Ms. Brown?

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1 MS. BROWN: No cross.

2 CHAIRMAN HOOD: Okay. Chairman
3 Litsky, you have any cross examination?
4 Okay, other government reports, and I'm just
5 going to read into the record straight from
6 the Office of Planning's report.

7 Mr. Jesick, I appreciate you
8 summarizing this. He says that in a November
9 5th email, DACB states that the reuse of the
10 school is appropriate and should enliven the
11 I Street area.

12 They also note that the
13 provisions of affordable housing supports the
14 core mission of DACB. The Metropolitan
15 Police Department and D.C. Water have no
16 objections to the project though D.C. Water
17 notes that some of the water infrastructure
18 near the project, which is over 100 years
19 old, would likely need to be replaced by the
20 applicant.

21 D.C. Water will conduct a more
22 detailed engineering review at the time of

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1 building permit, and that saved me from
2 having to look at all three of those letters
3 and read all that. I really like the way you
4 captured that.

5 Okay. Again, thank you both Mr.
6 El-Amin and Mr. Jesick and Mr. Henson. Let's
7 go to the report of ANC 6D. Mr. Litsky? Ms.
8 Brown, I think we have an extra seat, so you
9 all don't have to move.

10 MR. LITSKY: Thank you
11 Commissioners. My name is Andy Litsky. I'm
12 the chairman of ANC 6D, and the project falls
13 within our ANC. I'm here this evening with
14 Commissioner Roger Moffatt, who's in the back
15 who actually may be our incoming chair in
16 January.

17 But tonight I'd like to thank you
18 for allowing us to testify and support this
19 project. This is something that ANC 6D has
20 been very interested in getting underway for
21 a very long time.

22 Indeed at the Randall school we

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1 had our offices for a number of years, and
2 the community knows the Randall school very
3 well. Those who had not attended the Randall
4 school when it was a junior high came to our
5 ANC meetings there for a period two years as
6 well.

7 So everybody and anybody's very
8 interested in making sure that this project
9 gets underway. When, I guess it was Monument
10 that had originally had this with the
11 Corcoran and we weren't terribly thrilled
12 with what it is that was going to come to
13 pass in terms of the building.

14 We've seen such tremendous
15 difference between what had been presented in
16 2007 and what BTA has done over the course of
17 the past several years, and particularly due
18 to we believe the vision of Marilyn Melkonian
19 and Bing Thom and Mera Rubell.

20 We are really thrilled at the ANC
21 that we're going to be able to activate this
22 portion of Southwest. This is going to be,

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1 we'd expect, the largest building on the
2 northeast section of Southwest.

3 So we don't expect that the
4 fields are going to be built on. We don't
5 expect that Randall Rec is going to be built
6 upon. We expect that this is going to be the
7 signature in that corner of Southwest.

8 We are particularly thrilled that
9 there is going to be a major museum there.
10 It's going to be a huge benefit to the
11 neighborhood and to the District of Columbia.

12 And it's going to really help
13 establish Southwest as an arts corridor going
14 all the way from some of the things that will
15 be happening on the Southwest waterfront at
16 the wharf to the arena stage and linking to
17 this wonderful facility once it's built.

18 So we're extraordinarily
19 enthusiastic. I also just really want to
20 speak to the fact that the applicant has
21 worked with community groups throughout and
22 especially I wanted to talk to them working

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1 with the condominium associations.

2 I think it's CP4 that's located
3 closest to where this is going to be built,
4 and I spoke with the president of CP4 and she
5 told me, and the vice chair of CP4, said that
6 they spent the better part of the day walking
7 the property with the architect.

8 And they actually were very
9 interested in what the community had to say
10 and how they could kind of, I think that what
11 we've seen with the use of the courtyards is
12 not too dissimilar from what we see with the
13 way that the courtyards are designed at CP4
14 because you have all of these wonderful
15 little pathways that are going through.

16 And what this, although on a
17 larger scale does, is to similarly have, it's
18 not exactly seamless but you have that same
19 flavor worked into this much larger
20 development.

21 And I think that that's extremely
22 positive in terms of recognizing what the

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1 community is and how to build things that
2 will acknowledge the kinds of community that
3 we had before and that we're seeking to grow
4 into.

5 So I also want to apologize for
6 not having written testimony submitted to
7 you. This is a travel day for me. My
8 computer crashed, and so rather than to give
9 a slap dash I'd prefer to send something in
10 if I can do that in the next couple of days.

11 I also wanted to acknowledge all
12 the work that Commissioner Ron McBee had put
13 into this project. Commissioner McBee as you
14 know, may know, had passed away last month.
15 And so it has, he spent a lot of time on this
16 proposal going all the way back to 2007.

17 It was he who, along with
18 Commissioner David Sobelsohn did most of the
19 negotiation with the Corcoran and with
20 Monument. And so Ron followed through with
21 this applicant as well.

22 And so we've had a considerable

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1 amount of study up since his passing to kind
2 of get the details of what it is that he was
3 working at, at the time of his death.

4 They were not on paper, and so
5 when we put in our report that we approve
6 this with, we're going to put provisionally.

7 Indeed there were some things that we just
8 did not have answers to and that we felt
9 needed greater clarification.

10 And so we're really looking
11 forward to working with Marilyn Melkonian and
12 the team to get those things resolved. There
13 were a couple of things that I just wanted to
14 as well mention because of the discussion
15 that you had with the applicant.

16 To Commissioner May's point about
17 the potential nexus between the buildings and
18 whatever may be the eventual use at Randall
19 Field, and we expect it's going to remain
20 recreational, we're in the middle of the
21 Southwest neighborhood plan right now.

22 And so we are doing that

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1 visioning, if you want to use that word, of
2 what will happen with all of those sites,
3 that site being among them. And our
4 neighborhood feels very, very strongly that
5 it remain a recreational site.

6 Maybe baseball fields, maybe one
7 field, but also recognizing that we have all
8 of this area being built south of the
9 expressway, we have a virtually new city
10 being built down there.

11 And so we want to make sure that
12 we have recreation fields that are also going
13 to serve the residents of that neighborhood
14 since most of the parks that we currently
15 have are very passive.

16 So, but I agree that having
17 access from your facility and making sure
18 that there's access to the park would be very
19 important to me, too. As well, I just wanted
20 to thank Commissioner Cohen for her question
21 about what it take to have a percentage of
22 the affordable housing at 60 percent versus

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1 80 percent.

2 I'm not suggesting that that's
3 something that we would embrace for this
4 project. I think it's pretty well set, but I
5 think frankly as Department of Planning makes
6 suggestions to projects that come before them
7 and as the Zoning Commission has an
8 opportunity, workforce housing isn't just at
9 80 percent.

10 I mean people who work in retail
11 are also part of the workforce, and they have
12 to be able to be afforded places to live in
13 this city. We shouldn't just be talking
14 about affordable housing. We ought to be
15 doing something about it.

16 And particular in Southwest for
17 new developments that come up, we expect that
18 a good percentage of that or existing
19 affordable housing was going to be
20 disappearing. It's going to be revamped,
21 whether it's going to be a Hope 6-ish kind of
22 thing, we don't know.

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1 But there are residents there who
2 would like to stay in Southwest, so as you
3 look at future projects coming to you, I
4 would encourage you to encourage the
5 developers to include greater affordability
6 within their projects.

7 I also want to thank Commissioner
8 Turnbull for bringing up how the courtyards
9 are going to be maintained. That's critical.

10 I know that we have encountered that same
11 situation positively with Harbor Square that
12 has terrific landscaping throughout.

13 It's part of the hallmark of what
14 it is that they provide to their own
15 residents, and I hope that similarly the
16 landscaping is going to be kept up here as
17 well.

18 It's going to be not just
19 important to the folks who are living in the
20 high rise but the people who come to the
21 museum and actually the neighborhood's
22 because that's going to be part of our

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1 neighborhood as well. So again, I would just
2 like to commend this project to you and
3 encourage you to support it.

4 We look forward to coming back to
5 you, in the next several weeks we hope, with
6 agreements and some of the answers to the
7 questions that we were not able to have when
8 we voted on this several weeks ago, so thank
9 you.

10 CHAIRMAN HOOD: Thank you,
11 Chairman Litsky. Let's see if we have any
12 questions. Commissioners, any questions?
13 Commissioner May?

14 COMMISSIONER MAY: Yes, I was
15 just curious. Several weeks you think before
16 we have finality from the ANC?

17 MR. LITSKY: Well, we haven't sat
18 with the applicant yet. Additionally, our
19 next ANC meeting is going to be next week, so
20 if we have an opportunity to sit with them
21 and work out all of these details and present
22 it to the Commissioners, then we can wind up

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1 having that done on the 9th.

2 That's when our next meeting is.

3 It's next Monday. We additionally have two
4 new ANC commissioners, one of whom took
5 office today and another one who will take
6 office on Thursday, so there's a little bit
7 of study up there.

8 COMMISSIONER MAY: So I think
9 when it comes time for us to figure out how
10 we're going to schedule this, we'll need to
11 get, have some certainty about when --

12 MR. LITSKY: Yes.

13 COMMISSIONER MAY: -- you and the
14 applicant think that you can get together and
15 get us what we need before we start to take
16 action.

17 MR. LITSKY: I appreciate that.
18 Thank you.

19 CHAIRMAN HOOD: Okay, and just be
20 mindful of this. This is a two vote case, so
21 we might be able to deal with it and give you
22 all more time, so okay. All right, any other

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1 comments? Vice Chair?

2 VICE CHAIR COHEN: Thank you, Mr.
3 Chairman. Mr. Litsky, I have an odd question
4 for you. I mean as you said, Southwest is
5 really developing a new city and there's been
6 a lot of PUD approvals along the way even
7 though I've been sitting for the last two
8 years.

9 The question to you is the ANC
10 spends a lot of time negotiating proffers.
11 How do you monitor whether they've been
12 delivered or not as so stated? Do you
13 actually have ways of doing that?

14 I'm really curious because I hear
15 things in the community. I don't live in a
16 bubble, and people are saying promises have
17 been broken. I don't know if that's true.

18 MR. LITSKY: And I don't know
19 that that's true either. Nobody's come to me
20 and stated that. One of the things I know
21 that you know that we have this community
22 benefits coordinating council.

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1 That was really why they were
2 established, to help to coordinate some of
3 these things over a long period of time. So
4 it's really very difficult for us, as
5 volunteers, to do this.

6 We keep records, and we have
7 institutional memory. And we have been
8 trying to pass on that institutional memory
9 as best as we can to the folks over the
10 course of time. Clearly these larger
11 projects that are being built, we know what's
12 happening with them.

13 We know what is going to be
14 coming forward, but some of these projects
15 take a very long time. And so you're right
16 to question what happens ten years down the
17 pike when finally we have the waterfront
18 built out.

19 And those of us who are currently
20 on the ANC are no longer sitting on the ANC,
21 and we have to develop a better tracking
22 system to ensure that everything that was

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1 developed and approved and the promise to the
2 community comes to pass.

3 The larger things I believe do
4 and have been. If you're aware of anything
5 that has not, that slipped by, it would be
6 helpful to let us know and make sure we move
7 on it.

8 VICE CHAIR COHEN: The benefits
9 council, that's not a volunteer group. They
10 actually are supported financially?

11 MR. LITSKY: Not really. The
12 CBCC, it's the CBCC that had been part of the
13 discussion that we encountered with workforce
14 housing issues and employment issues as part
15 of the wharf discussion.

16 Reverend Hamilton testified.
17 She's the chairman of that group. And the
18 CBCC has people who sit on it from many of
19 the different organizations in Southwest, and
20 so you have different hats that are coming to
21 the table to help monitor these agreements.

22 That's really what they're

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1 supposed to be doing and focusing on, but
2 you're right. We just need a better system
3 because they're absolutely so much before us.

4 VICE CHAIR COHEN: At the risk of
5 probably pissing off somebody, but I do that
6 a lot, apparently some promises were made
7 about Greenleaf.

8 And they were never met. They
9 were never engaged, so just there. I don't
10 know if that's true or not, but it's what
11 I've heard. Okay.

12 CHAIRMAN HOOD: Speaking of
13 Greenleaf, I think they came once before.
14 The Commissioner that represents this is a
15 young lady. I'm sorry. It was. Okay. He
16 was the one representing.

17 MR. LITSKY: Yes.

18 CHAIRMAN HOOD: Well, I know they
19 were very well represented. Okay. Any other
20 questions? Thank you, Chairman Litsky, and
21 thank you for everything that your commission
22 does, you and Mr. Moffatt and all the other

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1 commissioners. We appreciate it. We know
2 it's a lot of work, but you all are
3 definitely taking the task. Thank you.

4 Cross examination --

5 (Crosstalk)

6 MS. BROWN: No cross.

7 CHAIRMAN HOOD: You know what,
8 most of the time when somebody supports and
9 his testimony, you usually don't have cross.
10 I'm waiting for that. But let me ask, do
11 you have any cross?

12 MS. BROWN: No cross.

13 CHAIRMAN HOOD: Okay. Thank you.

14 Thank you again, Mr. Chairman.

15 MS. MELKONIAN: I do want to
16 thank the ANC commissioners and particularly
17 the loss of Ron McBee, which was very heart,
18 it touched all of us and the hard work that
19 this commission has done over these few years
20 to truly work as partners in bringing this
21 about. So I do want to thank each and every
22 one of them.

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1 CHAIRMAN HOOD: Okay. Thank you.

2 Is there anyone else who's here who would
3 like to testify in support of this project?
4 Anyone else who's here who'd like to testify
5 in opposition to this project? Okay, Ms.
6 Brown do we have any rebuttal or any closing?

7 MS. BROWN: No, Mr. Chairman.

8 CHAIRMAN HOOD: Okay. Hold on a
9 second. I happen to see somebody's hand in
10 support or in opposition. You want to
11 testify? You need to come forward. You want
12 to testify, come forward, introduce yourself
13 and let us know if you're in support or in
14 opposition.

15 MR. CARTER: I'm sorry. My name
16 is Fitzgerald Carter. I am the pastor of the
17 church that's right next door to you, Bethel
18 Pentecostal Tabernacle, and I just basically
19 wanted just to say I'm not in support or
20 opposition.

21 But I would like to have the
22 opportunity to sit down with you and have

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1 lunch or something so that we can be able to
2 talk about the way forward as we move
3 forward.

4 CHAIRMAN HOOD: Okay.

5 MR. CARTER: Okay.

6 CHAIRMAN HOOD: And then again do
7 you attend your ANC meetings, too? That
8 would be another.

9 MR. CARTER: I don't get to
10 frequent them as much as I used to because I
11 do work now. So that's kind of tied me up a
12 little bit more between church and working,
13 but I understand that they're doing a great
14 work. And I appreciate all that they've
15 done, and we look forward to working with
16 them in the future.

17 CHAIRMAN HOOD: To help you with
18 your assistance in getting some of that great
19 rate, you might want to tie into them also.

20 MR. CARTER: Amen.

21 CHAIRMAN HOOD: All right. Now
22 I'm not a preacher. You don't want to say

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1 amen around me. I'm just playing. Thank
2 you. All right. Thank you very much. Hold
3 on. Did anyone have any cross examination?

4 Ms. Brown? Any cross of the
5 gentleman? Okay. And we did get your name,
6 Pastor? Fitzgerald. That's Fitzgerald
7 Carter. Okay. Thank you for coming out. We
8 appreciate it. Okay, Ms. Brown?

9 MS. BROWN: Thank you, Mr.
10 Chairman and members of Commission. We
11 appreciate the opportunity to present our
12 case this evening, and we appreciate your
13 comments on the various components that we've
14 presented.

15 And it looks like we have some
16 additional materials to submit for the record
17 for you, and I think we probably need to set
18 up some dates on getting those materials to
19 you.

20 And I guess I'm looking for your
21 guidance then on when you would like to see
22 those materials. And maybe Ms. Schellin can

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1 help us on that.

2 CHAIRMAN HOOD: Okay. From what
3 I'm hearing, looks like January is out. We'd
4 probably start with February and work our way
5 forward.

6 MS. BROWN: I'm sorry.

7 CHAIRMAN HOOD: Looks like, I
8 know the ANC, you all are not meeting no
9 more, or this month you have your meeting.
10 I'm sure your agenda has already been
11 agenized, so we're looking to January.

12 And the conversation that
13 Commissioner May had, we're looking at
14 January to start, right? Am I correct,
15 Chairman Litsky? Okay. So.

16 MS. BROWN: Perhaps if we can
17 maybe establish when we could have
18 preliminary action and work backwards from
19 that on when materials should be submitted in
20 order to make that deadline.

21 CHAIRMAN HOOD: Is February the
22 month we can start? We can start in

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1 February, right or maybe our second meeting
2 in January? It depends on --

3 MS. SCHELLIN: The second meeting
4 in January is January 27th. I think what
5 he's trying to get to is that you guys need
6 to get with the ANC.

7 CHAIRMAN HOOD: And now you're
8 all going to have lunch with the pastor
9 because, so we've got a number of things
10 going on here.

11 MS. SCHELLIN: So you got to be
12 able to meet with the ANC and report back.

13 MS. BROWN: I think that we
14 should be able to, and I think the
15 outstanding issues for the ANC, some of them
16 are very easy and I, but others may be more
17 involved. Yes, right. So, yes, but I think
18 if we can try to target for the second in
19 January, I think that would be helpful.

20 MS. SCHELLIN: Okay, do we want
21 to go through the list first to make sure you
22 got everything?

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1 CHAIRMAN HOOD: Does everybody
2 need a list, or do we need to go through?
3 Let's go through the list.

4 MS. SCHELLIN: Okay.
5 Commissioner May asked that they take a look
6 at the space between the two buildings. That
7 looks like dead space, and it doesn't look
8 very attractive. Maybe stagger the unit
9 windows between the two buildings.

10 He is not fond of the treatment
11 of the penthouse. He's drawing A-17
12 reference, looks like three different heights
13 on the penthouse. Actually, I think he may
14 have said five. And looks like the same
15 materials as the buildings.

16 He would prefer that the higher
17 height come down, and Commissioner Miller
18 agreed with that comment. Commissioner Cohen
19 asked that they clarify who gets the free
20 admission to the museum.

21 Commissioner Cohen asked that
22 there be some additional information provided

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1 on the metal, how it ages, provide some
2 samples of how long it lasts, where it's
3 made, the life cycle history.

4 Commissioner Cohen asked how deep
5 would the subsidies have to be, go down to
6 hit the 60 percent of AMI for the affordable
7 units. Commissioner Miller asked for a
8 better rendering of the Juliet balconies and
9 approximately, with the number of units that
10 will have those balconies.

11 Commissioner May and Turnbull
12 asked for some kind of pathway, felt that
13 there should be some kind of pathway going to
14 the north. Commissioner Turnbull stated that
15 if there is commercial use instead of
16 residential use then the courtyard
17 landscaping may need to be rethought. And
18 maybe not just the landscaping but the paving
19 also.

20 Commissioner Turnbull asked what
21 the intention of the lighting for the
22 courtyard would be when residents are there

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1 at night, maybe some type of rendering for
2 that.

3 Commissioner Turnbull asked for a
4 screen section through the pool and then
5 brief plans for the various buildings showing
6 all the heights of the penthouses.

7 Commissioner Turnbull asked if
8 they concerned of providing showers for the
9 cyclists as stated in the original order.
10 Commissioner Litsky asked that the record be
11 opened so he could provide written testimony
12 from the ANC, and that's all I have.

13 VICE CHAIR COHEN: I would just
14 add that they were asked to expand and
15 clarify some of the proffers as to the length
16 of time that they were being offered.

17 COMMISSIONER TURNBULL: And we
18 still have to deal with the extension.

19 MS. SCHELLIN: If they're asking
20 for an extension, then they need to file a
21 time extension. Have you filed a time
22 extension?

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1 MS. BROWN: The current one
2 expires March 24, 2014. It's just whether or
3 not this process would conclude before that,
4 and we'll coordinate with OAG and get
5 something filed if we need to. In theory
6 this could conclude prior to the expiration.

7 MS. SCHELLIN: I'm not sure
8 you'll get an order.

9 MS. BROWN: Yes, and I think
10 that's the way we're heading.

11 MS. SCHELLIN: I would suggest
12 that you file a time extension.

13 MS. BROWN: Yes, that's what it's
14 looking like.

15 MS. SCHELLIN: Yes, I don't think
16 you're going to get an order done by then, so
17 I would suggest that you file a time
18 extension.

19 CHAIRMAN HOOD: You're running
20 real close, so yes, you want to do the file
21 extension.

22 MS. SCHELLIN: Because you're

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1 figuring 30 days for final action. This is
2 July, I'm sorry, January 27th going into our
3 February second meeting. I think it's going
4 to run you into March.

5 CHAIRMAN HOOD: Even at that,
6 it's not good. Whenever we come back,
7 there's no guarantees, you know, the more we
8 will grant it.

9 MS. SCHELLIN: Yes, I can't
10 remember off the top of my head, but I just
11 did the schedule for 2014. I don't think
12 it's going to happen.

13 MS. BROWN: Okay.

14 MS. SCHELLIN: So I would
15 recommend that you file a time extension.

16 MS. BROWN: Thank you.

17 CHAIRMAN HOOD: Okay. All right.
18 Anything else? We're all on the same page?
19 I just had one announcement I have to read,
20 and maybe eventually I'll learn this
21 announcement by heart.

22 The Zoning Commission will hold a

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1 further hearing on Zoning Commission Case
2 Number 08-06A. This is the Zoning
3 Regulations Review on Thursday, January 30,
4 2014, from 6:00 p.m. to 10:00 p.m. to hear
5 from the Advisory Neighborhood Commissions
6 and Commissioners.

7 This hearing will be held in
8 conjunction with Chairman Mendelson's ANC
9 quarterly meeting and will be held at the
10 John A. Wilson building in Room 412. Notices
11 will be mailed to every commissioner in the
12 very near future. Thank you. So with that -
13 -

14 MS. SCHELLIN: I need to give
15 dates. I'm sorry.

16 CHAIRMAN HOOD: Oh, okay.

17 MS. SCHELLIN: I didn't give the
18 dates yet.

19 CHAIRMAN HOOD: The dates.

20 MS. SCHELLIN: If we could have
21 the additional filings Mr. Litsky or your
22 testimony also by January 10th, 3:00 p.m.

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1 Any responses to the ANC would be able to
2 respond to those additional filings by 3:00
3 p.m. the 17th of January. And then we'll
4 take this up on the 27th of January.

5 CHAIRMAN HOOD: Okay, anything
6 else?

7 MS. SCHELLIN: No, sir.

8 CHAIRMAN HOOD: All right. I
9 want to thank everyone for their
10 participation tonight, and this hearing's
11 adjourned.

12 (Whereupon, the hearing in the
13 above-entitled matter was concluded at 8:48
14 p.m.)

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