

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:
  
IN THE MATTER OF: :
  
:
  
VISION MCMILLAN PARTNERS LLC : Case No.
  
AND THE DISTRICT OF COLUMBIA : 13-14
  
- FIRST STAGE CONSOLIDATED :
  
PUD AND RELATED MAP AMENDMENT:
  
@ 2501 FIRST STREET, N.W. :
  
(SQUARE 3128, LOT 800) :
  
:
  
:
  
-----:

Thursday,
  
May 1, 2014

Hearing Room 220 South
  
441 4<sup>th</sup> Street, N.W.
  
Washington, D.C.

The Public Hearing of Case No.
  
13-14 by the District of Columbia Zoning
  
Commission convened at 6:30 p.m. in the Jerrily
  
R. Kress Memorial Hearing Room at 441 4<sup>th</sup>
  
Street, N.W., Washington, D.C., 20001, Anthony
  
J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman  
MARCIE COHEN, Vice Chair  
PETER MAY, Commissioner (NPS)  
ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,  
Development Review & Historic Preservation  
JOEL LAWSON  
MAXINE BROWN-ROBERTS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF  
PRESENT:

ANNA CHAMBERLIN  
JAMIE HENSON  
JONATHAN ROGERS

The transcript constitutes the minutes  
from the Public Hearing held on May 1, 2014.

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

2 (6:30 p.m.)

3 CHAIRMAN HOOD: Good evening,  
4 ladies and gentlemen. This is the public  
5 hearing of the Zoning Commission for the  
6 District of Columbia for May the 1st, 2014.

7 My name is Anthony Hood. Joining  
8 me this evening is Vice Chair Cohen,  
9 Commissioner May. We're expected to be joined  
10 by Commissioner Miller shortly.

11 Also I would ask that you would be  
12 mindful that of our colleagues took ill today.  
13 Hopefully, we will wish him well and hopefully  
14 things work out for him. I'm sure they will.  
15 And he will read into the record.

16 We're also joined by the Office of  
17 the Zoning staff, Ms. Sharon Schellin, Office  
18 of Planning staff, Ms. Steingasser and Mr.  
19 Lawson, Ms. Brown-Roberts and Mr. Rogers, and  
20 also the District Department of Transportation  
21 staff, Ms. Chamberlain and Mr. Henson. I think  
22 I've got everybody.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 (Off the record comments)

2 CHAIRMAN HOOD: Oh, Mr. Rogers is  
3 with DDOT, okay. Now see, we had Rogers with  
4 the Office of Planning, Rogers with DDOT, okay.  
5 I'll get it right eventually.

6 This proceeding is being recorded  
7 by a court reporter and is also web cast live.  
8 Accordingly, we must ask you refrain from any  
9 disruptive noises or actions in the hearing  
10 room including display of any signs or objects.

11 Notice of today's hearing was  
12 published in the D.C. Register, and copies of  
13 that announcement are available to my left on  
14 the wall near the door.

15 To be clear, this evening's hearing  
16 will only focus on the Stage 1 Master Plan, open  
17 spaces, and parks and the community center.  
18 Other parcels will be discussed at the other  
19 hearing nights as advertised. Again, this  
20 evening we are only going to be discussing the  
21 Master Plan, open spaces, and parks and the  
22 community center.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           This hearing will be conducted in  
2 accordance with provisions of 11 DCMR 3022 as  
3 follows, preliminary matters, applicant's  
4 case, report of the Office of Planning, report  
5 of other Government agencies if any, report of  
6 the ANC -- in this case it's 5E, and I believe  
7 it's one, 5E and it's other ANCs who we will deal  
8 with as we move forward -- organizations and  
9 persons in support, organizations and persons  
10 in opposition, rebuttal and closing by the  
11 applicant.

12           The following time constraints be  
13 maintained in this meeting, the applicant up to  
14 60 minutes, organizations, five minutes,  
15 individuals, three minutes. The Commission  
16 intends to adhere to the time limits as strictly  
17 as possible in order to hear the case in a  
18 reasonable period of time.

19           The Commission reserves the right  
20 to change the time limits for presentations if  
21 necessary and notes that no time shall be ceded.

22           All persons appearing before the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Commission are to fill out two witness cards.  
2 These cards are located to my left on the table  
3 near the door. Upon coming forward to speak to  
4 the Commission, please give both cards to the  
5 reporter sitting to my right before taking a  
6 seat at the table.

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

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

20 In addition, there should be no  
21 direct contact whatsoever with any  
22 Commissioner concerning this matter, whether

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 it be in the grocery store, street, whatever,  
2 be it written, electronic or by telephone.

3 Any materials received directly by  
4 a Commissioner will be discarded without being  
5 read, and any calls will be ignored. The staff  
6 will be available throughout the hearing to  
7 discuss procedural questions.

8 Please turn off all beepers and cell  
9 phones at this time so not to disrupt these  
10 proceedings. Will all individuals wishing to  
11 testify please rise to take the oath? Ms.  
12 Schellin, would you please administer oath?

13 (WITNESSES SWORN)

14 CHAIRMAN HOOD: The other ANC's that  
15 I have listed are ANC 5A (sic) and ANC 1B, okay?

16 MS. SCHELLIN: Correct.

17 CHAIRMAN HOOD: Okay. We've also  
18 been joined by Commissioner Miller. I  
19 mentioned that you would be joining us shortly.

20 Okay, let's move into preliminary  
21 matters. Ms. Schellin, do we have any  
22 preliminary matters?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MS. SCHELLIN: Yes, sir, we do have  
2 a two party status request, both in our  
3 position. And we also received today a  
4 request, a motion rather to dismiss or to  
5 postpone which was filed by one of the groups  
6 that filed for a party status request.

7 And also we have the expert  
8 witnesses that have been proffered from the  
9 Applicant when we get to that portion of the  
10 hearing.

11 CHAIRMAN HOOD: Okay. Thank you,  
12 Ms. Schellin. I think before we do party  
13 status, we have someone from the Deputy Mayor  
14 for Planning and Economic Development's  
15 office, Mr. Shiv Newaldass.

16 Hopefully I pronounced your, didn't  
17 mess your last name up. Shiv Newaldass, I  
18 believe is how it's pronounced. I'm going to  
19 ask him to come forward. That's typically what  
20 we do. We take Mayors, Deputy Mayors, staff  
21 from Councilman was first.

22 (Pause)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1                   CHAIRMAN HOOD: Let me ask you to  
2 hold one minute. I'm being reminded that we  
3 need to do party status, because once you  
4 testify, you're subject to cross examination.  
5 Okay, you just hold tight. Thank you, Ms.  
6 Schellin.

7                   Okay, let's go with party status,  
8 colleagues, let's look at Exhibit Number 42.  
9 This is the McMillan Coalition for Sustainable  
10 Agriculture.

11                   I'm going to ask the Applicant also  
12 to come to the table. Because typically before  
13 we make a decision we usually yield and ask the  
14 Applicant if they have any objections,  
15 especially if we're granting.

16                   Okay, again, Exhibit Number 42,  
17 Commissioners. Let's look at that. We have a  
18 submission from the McMillan Coalition for  
19 Sustainable Agriculture. Let me open it up for  
20 discussion, any discussion. Vice Chair Cohen?

21                   VICE CHAIR COHEN: First of all, I  
22 believe that there is an extension request that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 is before us. And the party status, the party  
2 has not properly, has not submitted any of the  
3 party status requests in a timely manner. And  
4 so I think that is the first one in front of us.

5 CHAIRMAN HOOD: Well, the first  
6 thing, let me just ask the two gentlemen who have  
7 taken a seat at the table. We have not ruled  
8 on any party status. So right now it's kind of  
9 preemptive for you to come to the table, okay.

10 (Off the record comments)

11 CHAIRMAN HOOD: No, no, I didn't.  
12 Okay.

13 VICE CHAIR COHEN: So --

14 CHAIRMAN HOOD: Vice Chair Cohen, I  
15 got something confused. We're doing Exhibit  
16 Number 42.

17 VICE CHAIR COHEN: Yes.

18 CHAIRMAN HOOD: Which is the  
19 McMillan Coalition for Sustainable  
20 Agriculture, okay. The postponement, we will  
21 deal with once we do party status. I think --

22 VICE CHAIR COHEN: Oh, okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 CHAIRMAN HOOD: -- we'll do party  
2 status first and then we'll do --

3 VICE CHAIR COHEN: Well, I am of the  
4 belief that they have not made a strong argument  
5 how are they are uniquely affected by this  
6 property. I think some of the concerns are  
7 duplicative of another party, and so my feeling  
8 is that there, I would not recommend them  
9 receiving party status approval.

10 CHAIRMAN HOOD: Any other comments?

11 COMMISSIONER MAY: I agree with  
12 Commission Cohen. I don't think a strong  
13 argument has been made by this party, this  
14 proposed party is uniquely affected. I don't  
15 think that they've really given persuasive  
16 answers to the key questions of party status  
17 criteria.

18 Plus, I think you didn't note that  
19 this is a tardy request. It came in a few days  
20 after the deadline. Not that that's, I mean,  
21 my basis for not agreeing with their request for  
22 party status is that they haven't submitted

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 compelling information to indicate that they  
2 warrant party status.

3 Certainly we are very interested in  
4 hearing what they have to say. And they listed  
5 seven people. If they all get three minutes,  
6 you know, there'll be a substantial  
7 presentation from these individuals.

8 CHAIRMAN HOOD: I thank you,  
9 Commissioner May, for bringing up the late  
10 filing. The late filing actually is what we  
11 should have ruled on first. But since we spoke  
12 about it, I guess we were fine with just moving  
13 into it.

14 But I also would agree with what I've  
15 heard. I don't think this application sets to  
16 our standard as far as granting party status.  
17 Again, this is an organization. One person  
18 will get five minutes and the rest will get three  
19 minutes. Commissioner Miller, did you want to  
20 say anything?

21 COMMISSIONER MILLER: No. Thank  
22 you, Mr. Chairman. I will defer to my

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 colleagues on this particular question.

2 CHAIRMAN HOOD: Okay. I would move  
3 that we deny party status Application Number 42  
4 and ask for a second.

5 VICE CHAIR COHEN: Second.

6 CHAIRMAN HOOD: We move and  
7 properly second. Any further discussion? All  
8 those in favor, aye?

9 (Chorus of Ayes)

10 CHAIRMAN HOOD: Not hearing any  
11 opposition of those present, Ms. Schellin,  
12 would you record the vote?

13 MS. SCHELLIN: The staff records  
14 the vote four to zero to one to deny party status  
15 in opposition to the McMillan Coalition for  
16 Sustainable Development. Commissioner Hood,  
17 moving, Commissioner Cohen, second,  
18 Commissioners May and Miller in support of  
19 denial. Commissioner Turnbull, not present,  
20 not voting.

21 CHAIRMAN HOOD: And again, so the  
22 party, well, not the party but the group, we just

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 denied, Mr. Peloquin and others, you all will  
2 be able to have one person that can speak on  
3 behalf of your organization for five minutes,  
4 and the rest will get three minutes.

5 Okay. Let's move to the next party  
6 status request which is case Exhibit Number, I  
7 think that's, is that 84 or 30 --

8 (Off the record comments)

9 CHAIRMAN HOOD: Thirty-four, okay.  
10 Case Number 34. This is from the Friends of  
11 McMillan Park. Okay, Commissioners, any  
12 comments? I'll open it up.

13 VICE CHAIR COHEN: I think the  
14 Friends of McMillan Park have made a stronger  
15 case. The work is from a number of people in  
16 the neighborhood. I don't know how many are 200  
17 footers.

18 I know that what concerns me about  
19 this group is that they have gone to numerous  
20 distant neighborhoods to get signatures. So of  
21 their thousand-plus members, there aren't many  
22 living in the immediate neighborhood versus

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 those in outlying neighborhoods. But I still  
2 think that they have made a case for becoming  
3 a party to this application.

4 CHAIRMAN HOOD: Okay, any other  
5 comments? Let me back up. Ms. Brown, the last  
6 party status that we just dealt with, did you  
7 have any objections? No objection, but would  
8 you like to see them be a party?

9 MS. BROWN: I agree with the ruling  
10 of the Commission.

11 CHAIRMAN HOOD: Okay, thank you.  
12 And I actually was supposed to do that prior,  
13 so forgive me. Okay. Trying to cover  
14 everything. Okay, Vice Chair, anything else?

15 VICE CHAIR COHEN: No.

16 CHAIRMAN HOOD: Okay.  
17 Commissioner Miller?

18 COMMISSIONER MILLER: I would  
19 concur with the Vice Chair. I think this group  
20 has been long involved in this project and  
21 deserves party status in this case.

22 CHAIRMAN HOOD: Okay, anyone else?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   COMMISSIONER MAY:    I would just  
2                   agree.

3                   CHAIRMAN HOOD:    I would also agree.  
4                   But when I look at the submission I think it's  
5                   far reaching.  Vice Chair, you have to really  
6                   look through the submittal to find the  
7                   uniqueness.  I think it just comes in under the  
8                   cover, at least what's submitted to us.  So  
9                   somebody can make a motion.

10                  MALE PARTICIPANT:  Do you want to  
11                  hear it from --

12                  MS. BROWN:    Mr. Chair?

13                  CHAIRMAN HOOD:    Oh, I'm sorry.  
14                  Yes, I need to come to you.  Okay.

15                  MS. BROWN:    Again for the record,  
16                  Carolyn Brown from Holland-Knight on behalf of  
17                  the Applicant.  I do have a similar concern  
18                  that, Commissioner Cohen, you have about the  
19                  number of members that are within 200 feet.

20                  And I think that we should ask the party  
21                  to explain exactly how many members are within  
22                  that area.  And I would like to hear how many

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 members they actually do have and those that are  
2 within 200 feet.

3 CHAIRMAN HOOD: I think, Ms. Brown,  
4 during the submission they listed four or five  
5 people who are right around that area.

6 MS. BROWN: I agree with that, yes.

7 CHAIRMAN HOOD: I think that's  
8 what, again, what I meant. They got right up  
9 under the cover for me. The other 5,000  
10 probably includes me. So I just wanted to make  
11 sure that we know that the other ones, I think  
12 they do have some people that are right there.  
13 So I think, unless my colleagues want to hear  
14 from them --

15 COMMISSIONER MAY: I agree. I mean,  
16 they demonstrated that there are a number of  
17 people who are close. And there's no minimum  
18 number of people to be, you know, considered a  
19 party. So I think that they meet the test  
20 fairly easily.

21 CHAIRMAN HOOD: I think you're  
22 exactly correct. It's far stretching, but they

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 do have some members that are right there which  
2 I think would suffice for our rule.

3 MS. BROWN: I agree. And I don't  
4 oppose the party status on that basis. But I  
5 think it is far reaching, as you said.

6 CHAIRMAN HOOD: Okay.

7 MS. BROWN: Thanks.

8 CHAIRMAN HOOD: Okay.  
9 Commissioners, where were we?

10 (Off the record comments)

11 CHAIRMAN HOOD: Oh, we moved and  
12 properly seconded. Oh, it hasn't been moved  
13 and -- I just got a lot of stuff up here going  
14 on.

15 COMMISSIONER MILLER: I would move  
16 that we grant status to the Friends of McMillan  
17 Park.

18 COMMISSIONER MAY: Second.

19 CHAIRMAN HOOD: Okay, it's been  
20 moved and properly seconded. Commissioner May  
21 seconded. All those in favor? Any further  
22 discussion? All those in favor? Aye.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 (Chorus of Ayes)

2 CHAIRMAN HOOD: Not hearing any  
3 opposition, Ms. Schellin would you record the  
4 vote.

5 MS. SCHELLIN: The staff records  
6 the vote four to zero to one to approve party  
7 status in opposition to the Friends of McMillan.  
8 Commissioner Miller moving, Commisioner May,  
9 seconding, Commissioners Hood and Cohen in  
10 support. Commissioner Turnbull, not present  
11 and not voting.

12 CHAIRMAN HOOD: Okay, Mr.  
13 Newaldass, we have one more issue we need to deal  
14 with. Commissioners, this evening we  
15 received, I mean, I look at it as evening. We  
16 probably got it some time today.

17 We received a request which is  
18 Exhibit, well, anyway it's a request from the  
19 Friends of McMillan Park, a motion to dismiss  
20 or alternatively to postpone this proceeding  
21 based on, they are saying there're some other  
22 approvals need to happen prior to this.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I think, when I look at this, there  
2 is no law requiring other forms of permissions  
3 to go before the Zoning Commission. As you all  
4 know, we do this quite often.

5 Transfer of ownership through a LDA  
6 to the developer really is not germane to our  
7 proceedings. Whether the Historic  
8 Preservation Board has done their due diligence  
9 is really not germane to our proceedings. I  
10 think what is germane is that we deal with what  
11 comes as far as the zoning application is  
12 concerned.

13 So there're almost no provisions,  
14 and I think case law will say that, there are  
15 no provisions that we have to wait on someone  
16 else. If that's the case, we probably would  
17 never hear any cases down here. So that's my  
18 conversation on it. Would somebody like to  
19 add?

20 VICE CHAIR COHEN: Mr. Chairman, I  
21 concur with you. So I believe we should not act  
22 on the dismissal or the postponement.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 CHAIRMAN HOOD: Okay. Somebody  
2 like to make a motion?

3 (No response)

4 CHAIRMAN HOOD: I would move that we  
5 deny the -- well, this is the party now -- the  
6 Friends of McMillan Park's motion to dismiss or  
7 alternatively to postpone this proceeding and  
8 ask for a second.

9 VICE CHAIR COHEN: Second.

10 CHAIRMAN HOOD: It's been moved and  
11 properly seconded. Any further discussion?  
12 All those in favor? Aye.

13 (Chorus of Ayes)

14 CHAIRMAN HOOD: Not hearing  
15 opposition, Ms. Schellin, would you record the  
16 vote.

17  
18 MS. SCHELLIN: The staff records  
19 the vote four to zero to one to deny the Friends  
20 of McMillan's motion to dismiss or  
21 alternatively to postpone the hearing.  
22 Commissioner Hood, moving, Commissioner Cohen,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 second, Commissioners Miller and May in  
2 support. Commissioner Turnbull, not present  
3 and not voting.

4 (Pause)

5 CHAIRMAN HOOD: Okay. The party  
6 that we denied felt that we did not review their  
7 request. Typically, let me just explain  
8 something to you. That's why have problems  
9 when we get stuff like this the night of a  
10 hearing.

11 We spend a lot of time reading,  
12 believe me. And I will tell you that they don't  
13 think that we went in depth about why we denied  
14 them. So let me open it back up, colleagues,  
15 and let's go in depth. All we have to really  
16 do is read from their submission.

17 MS. SCHELLIN: They just want  
18 assurance that you actually read it. And they  
19 just want to make sure that you actually read  
20 their submission and then also the supplemental  
21 submission which I emailed to you guys earlier  
22 today, even though you didn't get a hard copy

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 in time this evening. So I think they just need  
2 assurance that you actually did receive it and  
3 you did read it.

4 VICE CHAIR COHEN: Mr. Chairman, I  
5 would state for the record, and for the party  
6 that requested party status, I read the entire  
7 record and actually have read, because I  
8 believed that you would want me, they're arguing  
9 strongly, I re-read their submission.

10 So I would not change my vote and  
11 continue to believe they did not make a strong  
12 representation why they are uniquely affected.

13 CHAIRMAN HOOD: Would anybody else  
14 like to comment, or do we all stand with the Vice  
15 Chair Cohen? Commissioner Miller?

16 COMMISSIONER MILLER: I would  
17 concur. Thank you, Mr. Chairman, I would  
18 concur with the Vice Chair. And I didn't read  
19 it twice though, but I think I know more about  
20 aquaponic farming than I ever thought I would.

21 COMMISSIONER MAY: So, Mr.  
22 Chairman, I read what we received in our regular

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 package. I have not read anything that was in  
2 here. Was it in here? I didn't see it. Did  
3 we receive anything today?

4 MS. SCHELLIN: It was emailed to  
5 you.

6 COMMISSIONER MAY: Second copy.

7 MS. SCHELLIN: The second copy, the  
8 second memo. Then you show request for party  
9 status you received last week in your package  
10 --

11 COMMISSIONER MAY: So I haven't  
12 been able to print anything today.

13 MS. SCHELLIN: Their supplemental?

14 CHAIRMAN HOOD: Do you want to take  
15 time and look at that?

16 COMMISSIONER MAY: If that's the  
17 order of the day, yes.

18 CHAIRMAN HOOD: Let me just say  
19 this. I read what I had. And I perused what  
20 I didn't have. So, you know, this is the first  
21 this Commission's been on the witness stand.  
22 Maybe we should go sit down there.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1                   But I will tell you, I don't have any  
2 problems with answering the question. Again,  
3 like I said, their application did not meet the  
4 threshold of party status.

5                   We look at, particularly five and  
6 six. They had a lot of proposals. I  
7 understand what they're trying to do, what  
8 they're trying to achieve. And I think that can  
9 be done through testimony.

10                  So unless, Commissioner May, you  
11 want to look at what I perused and what others  
12 may have read which we got tonight, we can do  
13 that or we can stick with what we had on this  
14 one --

15                  COMMISSIONER MAY: No. Any mail we  
16 received today in support of a party status  
17 application, I don't believe actually has to be  
18 considered. It's supposed to be a complete  
19 application, 14 days in advance.

20                  CHAIRMAN HOOD: Right. The  
21 beginning of it wasn't timely. It wasn't even  
22 timely. So that was what we should have ruled

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 on and dismissed it. But we were nice enough to  
2 at least discuss it. Because we could have,  
3 with a timely issue, we could have ruled on a  
4 timely issue and moved forward. Okay.

5 (Off the record comments)

6 COMMISSIONER MAY: There should be no  
7 conversation from the audience.

8 (Off the record comments)

9 CHAIRMAN HOOD: I hate to throw out  
10 people I know. So let me just say this, we will  
11 take a recess and we will have you removed. We  
12 will do that down here. Okay. Now, where were  
13 we, Ms. Schellin?

14 MS. SCHELLIN: Thanks. And I just  
15 wanted them to be assured that you did have it  
16 in the package that you received last week and  
17 that there was a supplemental that we did try  
18 to get to you ahead of time.

19 CHAIRMAN HOOD: Okay. And we  
20 appreciate it, thank you. Okay. Now, let's go  
21 to the Deputy Mayor's Office for Economic  
22 Development, Shiv Newaldass. Good evening.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. NEWALDASS: Good evening.

2 CHAIRMAN HOOD: Go ahead, turn your  
3 mic on. Do we have a copy of this statement?

4 MR. NEWALDASS: I will provide one,  
5 but I don't have. Good evening, Chairman Hood,  
6 and other members of the Zoning Commission.

7 My name is Shiv Newaldass, project  
8 manager in the Office of the Office of the Deputy  
9 Mayor for Planning and Economic Development.  
10 Since 2012, I've been the project manager for  
11 the redevelopment of the McMillan Sand  
12 Filtration Site.

13 I'm pleased to be here tonight on  
14 behalf of the Deputy Mayor's office to testify  
15 in strong support of the PUD application for the  
16 McMillan Sand Filtration Site as well as to  
17 answer your questions concerning the Deputy  
18 Mayor's role in the project.

19 As you will hear tonight, the  
20 District's efforts on this project date back  
21 many years. The commitment of this  
22 administration and those who developed, those

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 paths to develop this complex site has been  
2 unwavering, and we are pleased by the progress  
3 and milestones made by the team in recent  
4 months.

5 The District's involvement with the  
6 site dates back to almost three decades. On May  
7 15th, 1986, the U.S. General Service  
8 Administration declared the McMillan Sand  
9 Filtration Site a surplus property.

10 On September 25th, 1987, the  
11 District of Columbia acquired the site for \$9.3  
12 million for the purpose of creating a mixed use  
13 project with new commercial, residential,  
14 recreational and community development and open  
15 space.

16 Since the acquisition of the  
17 property, the McMillan site has been the subject  
18 of multiple efforts to develop this very  
19 complicated site that unfortunately were never  
20 able to materialize.

21 In the early 2000s, the District  
22 conducted planning workshops for the site to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 explore potential uses. Several options were  
2 considered, however each option had to conform  
3 to a set of community revitalization goals as  
4 follows, provide open space, preserve and  
5 adaptively reuse the site features, creativity,  
6 mitigate neighborhood impacts, provide a  
7 feasible development plan and be responsive to  
8 community needs and concerns.

9 As you will hear from the  
10 Applicants, all of these community  
11 revitalization goals are being met by the plans  
12 submitted in the PUD application.

13 The site currently appears to be an  
14 area of open space with two rows of distinct  
15 above-ground structures. However, beneath the  
16 surface there are located 20 filter cells  
17 constructed well over 100 years ago.

18 These cells were constructed with  
19 unreinforced concrete, and each is one acre in  
20 size. The cells are in varying conditions, and  
21 some are significantly deteriorated with only  
22 four that have been deemed stable.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           For the District, this site presents  
2           a severely underutilized asset that, if  
3           properly leveraged, could create a world class  
4           community comprised of new mixed income  
5           housing, office space, retail, substantial  
6           historic preservation and adaptive reuse.

7           All these components would be  
8           anchored by an eight acre publicly accessible  
9           park, the largest new park of this kind being  
10          planned in the District.

11          Over the years, several  
12          solicitations for the site were issued.  
13          However, again, due to the complexity of the  
14          site a viable plan did not materialize.

15          In March of 2006, the District  
16          transferred jurisdiction of the property to the  
17          National Capital Revitalization Corporation.  
18          The intent was for NCRC to act as the master  
19          developer and pursue a phased development  
20          approach, starting with the significant land  
21          development and infrastructure work needed.

22          In order to do that, NCRC issued a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 solicitation for land development partners.  
2 With the new person in place, it was finally,  
3 at this time, that more substantial interest was  
4 received for the development of the site.

5 In September of 2006, five bids from  
6 various development partnerships were  
7 received. A rigorous year-long vetting and  
8 community engagement process ensued. The  
9 community provided feedback which supported the  
10 ultimate selection of Vision McMillan Partners  
11 in June of 2007.

12 NCRC was dissolved, and  
13 jurisdiction of the property was transferred  
14 back to the District. Since NCRC was no longer  
15 acting as the master developer, the District  
16 consulted with the community, and the  
17 determination was made to include in the  
18 development structure vertical development  
19 responsibilities for VMP.

20 Since 2007, the District has  
21 negotiated and executed term sheets, an  
22 exclusive rights agreement, and a development

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 and management services contract with VMP.

2 Finally, the District and the  
3 development team are negotiating the land  
4 disposition which we intend to submit to Council  
5 for review and approval in the coming months.

6 The McMillan project is geared to  
7 promote community development and economic  
8 growth on the 25 acre site located in Ward 5.  
9 Specifically, the McMillan development team  
10 prioritized the following, open space, parks  
11 and green space, historic preservation,  
12 cultural amenities, controllable housing,  
13 neighborhood serving retail, job creation with  
14 a healthcare industry focus and positive fiscal  
15 and economic impacts.

16 Further, both multi-family parcels  
17 which comprise approximately 25 percent of the  
18 development footprint will be wholly owned and  
19 developed by Jair Lynch Development Partners  
20 which is a CVE entity. The significant  
21 involvement of a CVE company is supported by  
22 DMPED.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1           Additionally, our fiscal analysis  
2 estimates that 3,200 permanent jobs and 3,000  
3 construction jobs will be created by the  
4 project. And over a 30 year period, the project  
5 will generate \$1.2 billion in new tax revenues.

6           Lastly, we see an expansion of much  
7 needed affordable housing, neighborhood  
8 serving retail for an area that's being deemed  
9 a food desert, and the creation of world class  
10 community amenities to an area that has been  
11 lacking.

12           Special attention is being focused  
13 on the public amenities for this project by all  
14 involved, especially the District. DC Water is  
15 currently utilizing portions of the site to  
16 address long standing storm water management  
17 issues in parts of Ward 5.

18           The District is responsible for  
19 funding and completing the park and community  
20 center portions of the project and will commence  
21 construction of those amenities pursuant to all  
22 receipts of applicable permits after DC Water's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 completion of its work and vacation of the  
2 property.

3 At current, DC Water intends to  
4 complete its work at McMillan by the second  
5 quarter of 2016, and work can begin to deliver  
6 a best new class recreation space for the  
7 surrounding communities and the District as a  
8 whole.

9 In conclusion, this is not an easy  
10 site to develop. It is complex to say the very  
11 least. And staff noted, during the HPRB  
12 process, McMillan represents one of the most  
13 challenging sites imaginable to both preserve  
14 and adapt for current use.

15 The deteriorated structural  
16 condition, the paucity of viable reuse options  
17 for the below grade cells, the enormity of the  
18 infrastructure and site alteration necessary to  
19 stabilize the site, have made planning for  
20 preservation and adaption for the site  
21 unusually difficult.

22 I think the team has struck a balance

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 of economic development and preservation of  
2 open space and historic structures, of fiscal  
3 impact and community amenities, of re-weaving  
4 the urban fabric while distinguishing a  
5 historic landmark.

6 Collectively, they have maximized  
7 the overall benefit to both the surrounding  
8 communities and the District as a whole. The  
9 potential benefits for the McMillan Sand  
10 Filtration Site to Ward 5 community and the  
11 District as a whole are clearly significant.

12 The economic development and social  
13 and fiscal impact of a project of this magnitude  
14 would bestow considerable benefits to the  
15 residents of Ward 5 and the residents and the  
16 visitors of the District in general and should  
17 not be deferred.

18 The Deputy Mayor's office position  
19 is that there should be no undue delay in  
20 approving the PUD application and realizing  
21 these benefits for the Ward 5 community. Thank  
22 you for the opportunity to present testimony in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the PUD application. I'll be happy to answer  
2 any questions you may have.

3 CHAIRMAN HOOD: Okay. Thank you  
4 very much. Commissioners, any questions?  
5 Vice Chair Cohen?

6 VICE CHAIR COHEN: Thank you, Mr.  
7 Chairman. I hope I pronounce your name  
8 correctly, Newaldass?

9 MR. NEWALDASS: Newaldass.

10 VICE CHAIR COHEN: Okay. That's  
11 exactly what I said, isn't it?

12 MR. NEWALDASS: Close.

13 VICE CHAIR COHEN: I would like to  
14 know, since the neighborhood, especially  
15 Bloomingdale, and there's a lot of flooding. And  
16 you mentioned that DC Water will remain on site.  
17 Is it to address this problem? Could you tell  
18 me exactly what their role is going to be into  
19 2016 or 2017 at the site?

20 MR. NEWALDASS: So I don't want to  
21 speak for DC Water, but the plans that we have,  
22 DC Water is going to utilize one of the cells,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Cell 14, as a storm water retention tank.  
2 They're going to store about two million gallons  
3 of storm water in that Cell 14 which we  
4 integrated into the development footprint.  
5 And it won't impact the project going forward.

6 As for the southern portion where  
7 the park is located, DC Water, they're using it  
8 for staging and to start the tunneling project  
9 for the First Street tunnel project.

10 And they will be on that portion of  
11 the site until the second quarter of 2016. At  
12 that point in time, they will restore the cells  
13 that they've demolished back to its original  
14 historic plant elevation and vacate the  
15 premises with only an easement for access to  
16 service the First Street tunnel.

17 VICE CHAIR COHEN: So at least, to  
18 your knowledge, the continued presence of DC  
19 Water, this project will not have a negative  
20 impact on the flooding surrounding the  
21 neighborhoods. Do you know the answer?

22 I'm just concerned about the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 neighborhoods flooding. And I just want to  
2 make sure that the impact of this particular  
3 project, and again, you may not be the best  
4 person to answer this question, I understand  
5 that. But do you have any idea whether or not  
6 this would have a negative impact on the  
7 flooding?

8 MR. NEWALDASS: So no, but I will  
9 defer the Applicant to get into more details.  
10 And we've done a lot of studies to assess the  
11 project's storm water capacity. We have a  
12 great plan in front of us. But I'm sure the  
13 Applicant can go into more detail about that.

14 VICE CHAIR COHEN: Okay. And did I  
15 understand you that the City's role in this  
16 project is to pay for the improvement, the  
17 parking improvements? Is that correct?

18 MR. NEWALDASS: That is correct.

19 VICE CHAIR COHEN: And to your  
20 knowledge is there a, because the City did spend  
21 some money back in 2006 to purchase this  
22 property, is the developer going to have to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 reimburse the City for expenses or anything like  
2 that?

3 MR. NEWALDASS: Well, the developer  
4 is purchasing finished pads from the District.  
5 The District is essentially, we're putting in  
6 new infrastructure, new roads and creating the  
7 park and the rec center.

8 And in order to support the  
9 development, the arrangement is now we're  
10 getting fair market value for the various  
11 components, the medical office building, the  
12 townhomes and the multi-family building. So  
13 that's the structure we have agreed upon.

14 VICE CHAIR COHEN: All right, so now  
15 I'm going to get a little ahead of myself, and  
16 I hope you'll allow me to do that, Chairman.  
17 Has the City considered taking back the -- or  
18 not charging for roads so that the developer can  
19 provide deeper subsidy housing to address the  
20 need in the City before the new housing.

21 MR. NEWALDASS: So it's something  
22 we're apparently negotiating through our land

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 disposition. Currently the plan is to have a  
2 minimum of 20 percent affordable housing for the  
3 project for the multi-family component. We  
4 would like to have a senior housing component  
5 with ten percent of the multi-family units as  
6 affordable and ten percent of the townhomes as  
7 affordable.

8 VICE CHAIR COHEN: What is your  
9 definition of affordable, what percent of their  
10 income?

11 MR. NEWALDASS: Okay. So for the  
12 senior housing, and I'm sure the Applicant can  
13 expand on this as well, for the senior housing  
14 it's 50 to 60 percent AMI. And for the towns  
15 it's essentially IZ, inclusionary zoning.

16 VICE CHAIR COHEN: Inclusionary.

17 MR. NEWALDASS: Yes.

18 VICE CHAIR COHEN: I will ask this  
19 of the Applicant, but I think you should be  
20 aware as well. But I think senior housing, and  
21 looking again, because I'm a senior myself, but  
22 I think the need in the City happens to be for

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 families. And it happens to be for very low  
2 income families.

3 So I would like data, not just, you  
4 know, the need, data that says how you have  
5 determined the distribution and the need for  
6 senior housing.

7 A lot of the seniors in the  
8 neighborhood live in their homes, and we're  
9 pushing aging in place. A lot of seniors have,  
10 if they own their own homes, they have equity.  
11 And so they may not even be eligible for the  
12 affordable units, because they have equity.

13 So I would like data from the City  
14 to justify that this is not formula subsidized  
15 housing. We have 70,000 people on the D.C.  
16 Housing Authority waiting list where the City's  
17 new communities program is woefully a part.

18 I would like to see why we're not  
19 going to do subsidy housing when the City owns  
20 the land and could, in some way, provide greater  
21 subsidy.

22 CHAIRMAN HOOD: Okay. That's a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 request. You're asking for a response?

2 VICE CHAIR COHEN: Yes.

3 CHAIRMAN HOOD: Okay.

4 MR. NEWALDASS: I'm happy to do so.

5 CHAIRMAN HOOD: Okay. Any other  
6 questions? Commissioner May?

7 COMMISSIONER MAY: I'm sorry, I  
8 just want to clarify something that you just  
9 said. You said the City is putting in the new  
10 roads?

11 MR. NEWALDASS: Yes.

12 COMMISSIONER MAY: But I thought  
13 they were going to be private streets.

14 MR. NEWALDASS: We'll do the land  
15 development. So the way we phase the  
16 development is we have to do the land  
17 development first. And the City's responsible  
18 for creating the infrastructure to support  
19 developable pads.

20 When we convey the sites to the  
21 private developers, those pads are going to be,  
22 they are to include the roads there which

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 essentially will be built to DDOT standards and  
2 owned and operated through a management entity  
3 that will also operate the park and rec center.

4 CHAIRMAN HOOD: Let me go back.  
5 So you said the three private streets which was  
6 represented to us are going to be public  
7 streets.

8 MR. NEWALDASS: They're going to  
9 be built to DDOT standards. So it's going to  
10 be accessible to vehicles. But the way it's  
11 being conveyed, we're going to do the land  
12 development component first which includes the  
13 creation of the street grade.

14 And then when we convey the site at  
15 the sale, the private developers are purchasing  
16 pads that will include the streets that are  
17 there. They will not be public streets, they  
18 will be private streets. But there're going to  
19 be essentially granting --

20 CHAIRMAN HOOD: Private street for  
21 public access.

22 MR. NEWALDASS: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD:   Okay.   So if it  
2 moves forward, when it's all said and done, the  
3 streets are still going to be private.

4                   MR. NEWALDASS:   Yes.

5                   CHAIRMAN HOOD:   Okay, thank you.

6                   COMMISSIONER MAY:   They're going  
7 to be private but they're going to be, the fact  
8 that they're private will not be apparent to  
9 anybody.

10                   It'll look just like a regular  
11 public street.   And it'll have the same parking  
12 restrictions, and signage and things like that  
13 that are consistent with the rest of the network  
14 of streets.

15                   MR. NEWALDASS:   I believe so, but  
16 I will punt to DDOT.

17                   CHAIRMAN HOOD:   Yes, we'll find  
18 out.   Because my question is the upkeep.   I  
19 mean, you know --

20                   MR.   NEWALDASS:           Well,   yes.  
21 Upkeep is going to be, the creation of the  
22 management entity to do the upkeep of that and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the park.

2 COMMISSIONER MAY: Okay. Yes,  
3 I'm concerned about upkeep. I'm also  
4 concerned about the, you know, how the future  
5 of this public street in private ownership will  
6 be maintained in perpetuity, that it will be  
7 maintained as public.

8 So we received some information,  
9 and this is really just for background, for my  
10 sake. I'm not sure whether it plays any role  
11 in our decision making ultimately. But I'm  
12 sure we're going to hear testimony about it.

13 And that is the extent to which this  
14 project, the development, the future LDA,  
15 whatever, complies with the terms under which  
16 the land was acquired from the GSA.

17 If you could just speak to that a  
18 little bit, because I know we're going to get  
19 a lot of testimony about it. And I just want  
20 to understand what your, you know, if you can  
21 explain to us how you believe this complies with  
22 the covenants in the property.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   MR. NEWALDASS:   Absolutely.   I  
2                   mean, as you know, the covenants that were  
3                   attached to the deed upon the transfer when the  
4                   District purchased in 1987, the process that we  
5                   have gone through with the Historic  
6                   Preservation Review Board, and will continue  
7                   going through as we go in front of the Mayor's  
8                   agent and also possibly for the Advisory  
9                   Commission, ACHP, I forget the --

10                   COMMISSIONER   MAY:           Advisory  
11                   Council on Historic Preservation.

12                   MR.    NEWALDASS:           These    are  
13                   processes that we will have to address, and we  
14                   will have to comply with.   And we fully intend  
15                   to do so.

16                   COMMISSIONER MAY:   So you will be  
17                   referring it to ACHP as required under the  
18                   covenants?

19                   MR. NEWALDASS:   So I will defer to  
20                   the Applicant.   But our plan has been to comply  
21                   with everything that's required.

22                   COMMISSIONER MAY:   Okay.   So what

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 we've essentially got is that there are  
2 covenants, and we're going to comply with them.

3 MR. NEWALDASS: Absolutely.

4 COMMISSIONER MAY: Okay. So maybe  
5 a little more detail on that would be  
6 appropriate if the Applicant can supply that.  
7 Again, it's primarily as background.

8 You know, we understand a little  
9 bit about the atmosphere and the general  
10 situation under which we're making a decision,  
11 again, not that it applies specifically to the  
12 zoning decisions that have to be made. But we  
13 also want to know that the decisions that we  
14 made are going to stand up or not going to wind  
15 up, you know, we're not going to have to revisit  
16 decisions that we have made because of things  
17 that go awry in the rest of the process. So  
18 thank you.

19 CHAIRMAN HOOD: Any other  
20 questions? Commissioner Miller?

21 COMMISSIONER MILLER: Thank you,  
22 Mr. Chairman. This is a very exciting project.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 It's been 27 years since the District acquired  
2 this property for the purpose of redeveloping  
3 it with parks and recreation open space, with  
4 commercial and residential uses. And so this  
5 is a momentous day for that finally to be  
6 happening or moving along toward it happening.

7 And I think you said that the LDA,  
8 the land disposition agreement would be  
9 finalized in the coming months. Is there any  
10 more specificity on that, or do you have any  
11 more specificity on that?

12 MR. NEWALDASS: The builders are  
13 going to be working on moving that portion  
14 forward. But we've been focused on this PUD  
15 hearing, preparing for it. So in the coming  
16 months is when we envision submitting the  
17 package to comply with the 10801 process.

18 COMMISSIONER MILLER: Right. And  
19 the Office of Planning, in their report -- I can  
20 ask them about this -- they referred to a  
21 declaration of covenants that the Applicant and  
22 each tenant, sub-tenant, owner/occupier of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 building would be required to contribute to  
2 this management entity which you just referred  
3 to. Will that declaration of covenants be part  
4 of the LDA?

5 MR. NEWALDASS: Well, you'd have  
6 language that we're still negotiating. But,  
7 yes, we envision that there will be a provision  
8 to describe the management entity, whether it's  
9 a bid type structure.

10 We can't really create a bid  
11 through the LDA process, but we would like to  
12 at least reference that that's a structure that  
13 we're moving towards.

14 COMMISSIONER MILLER: Right. And  
15 the LDA would also be where, would that be the  
16 document also where would be the issue that  
17 Commissioner May just raised, where the  
18 streets, although technically private, that  
19 issue would be addressed, that they would be  
20 publicly accessible. Is that the document  
21 that would have that kind of --

22 MR. NEWALDASS: Yes. Typically

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 in our land disposition agreements we have the  
2 responsibilities of the District and the  
3 responsibilities of the developers who are  
4 purchasing the pads, what those are and what the  
5 process and provisions for closings are.

6 COMMISSIONER MILLER: And it'll be  
7 the LDA that also will have, or maybe it's  
8 already been, that the management entity would  
9 be the, as I understand it, is intended to be  
10 the entity that operates the community center?

11 MR. NEWALDASS: That's correct.  
12 But we have recently had some interest from the  
13 Office of Planning and the Department of Parks  
14 and Recreation. And we will have a discussion  
15 in the future.

16 COMMISSIONER MILLER: About  
17 whether the City would be maintaining and  
18 managing the recreation or community center  
19 going forward?

20 MR. NEWALDASS: Yes.

21 COMMISSIONER MILLER: But the  
22 developer would be responsible for building it?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   MR.    NEWALDASS:        Yes.        The  
2                   District is ultimately responsible for it.  
3                   And what we envision is similar to the  
4                   entitlement process, where we have a  
5                   development management service agreement.

6                   We'll        have        a        development  
7                   management service for the actual land  
8                   development, and the park and the community  
9                   center which will be created. And that is  
10                  going be detailed in that contract.

11                  COMMISSIONER MILLER:    Okay.    And  
12                  I can ask, I'll ask the Applicant in OP if you  
13                  don't know. But maybe you do know. What is  
14                  the timing on getting before the Mayor's agent  
15                  for the historic preservation case?

16                  MR.    NEWALDASS:    I do not know.

17                  COMMISSIONER MILLER:    I'll ask the  
18                  Applicant, okay, when we get to them. I may be  
19                  getting ahead of myself too, Vice Chair, but we  
20                  received a lot of information in the record.  
21                  I'm not sure I've digested it all.

22                  But one of the items from the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Bloomingdale and Stronghold's Civic  
2 Associations is the need for a community, they  
3 want a community benefits agreement. Has the  
4 District been involved in helping to develop,  
5 or what does the Deputy Mayor's office do on the  
6 community benefits agreement being part of this  
7 PUD case?

8 MR. NEWALDASS: We are not  
9 involved with that discussion yet, between PUD  
10 and the community.

11 COMMISSIONER MILLER: All right,  
12 thank you, Mr. Chairman.

13 CHAIRMAN HOOD: Thank you. Let's  
14 see if we have any other questions up here? Is  
15 there any cross examination from the Applicant?  
16 Do you have any cross?

17 MS. BROWN: None, thank you.

18 CHAIRMAN HOOD: Okay. Does the  
19 representative here from ANC 5E have any cross?  
20 Mr. Newaldass, do you have any cross  
21 examination of Mr. Newaldass? Okay. Does the  
22 Friends of McMillan have any cross examination?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 If you can come to the table and identify  
2 yourself?

3 And let me just say what I've asked.  
4 I asked Ms. Schellin to go out. We have a young  
5 baby down here, so I've asked Ms. Schellin to  
6 go out and see if they want to testify. So  
7 everybody don't say that they brought the baby.  
8 Oh, they don't want to testify. Okay, because  
9 I was going to let her go next. But anyway,  
10 we're going to do that out of turn. Naturally,  
11 you can go ahead and sit down.

12 MR. NEWALDASS: I'm happy to give  
13 up my seat to --

14 CHAIRMAN HOOD: You're going to  
15 come in over there. If she wants to do it now,  
16 she can do it right after this.

17 (Off the record comments)

18 CHAIRMAN HOOD: She doesn't have  
19 to come another night. Oh, okay, I got you.  
20 Okay.

21 And let me just say this, at 9  
22 o'clock we're going to do an assessment to see

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 where we are and see how far we get. Okay. And  
2 you are Mr. --

3 MR. POZEN: My name is Thorn Pozen.

4 CHAIRMAN HOOD: Thorn Pozen, okay.

5 MR. POZEN: Co-Counsel to the  
6 Friends of McMillan Park. Good evening. I  
7 just have a couple of very brief questions,  
8 points to clarify.

9 First of all, you briefly spoke  
10 about the area of the park, the park area at the  
11 south end of the development being used as a  
12 staging area for DC Water. So do I understand  
13 correctly that the redevelopment of the main  
14 open space component of the project is not going  
15 to be able to even start for some time? Is that  
16 correct, ahead of the development of the rest  
17 of the project?

18 MR. NEWALDASS: DC Water intends  
19 to utilize the southern portion of the site  
20 until the second quarter of 2016.

21 MR. POZEN: Okay. With regard,  
22 you mentioned that your plan at this point, the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 City's plan at this point is for, at the  
2 conclusion of DC Water's work to restore the  
3 cells, you used the word restore the cells, that  
4 DC Water was using as part of their staging area  
5 under the park area. Do I take that to be  
6 restoring them to their current status or  
7 demolishing them for some other type of use?

8 MR. NEWALDASS: I can't speak to  
9 exactly what DC Water's agreed to. They went  
10 and got their necessary approvals to do their  
11 project. And I believe their commitment is to  
12 restore it back to the level, the elevation that  
13 the current site, the historic site is or was.

14 MR. POZEN: Okay. And lastly,  
15 with regard to the water area and your reference  
16 to DC Water, with regard to the flooding, do I  
17 understand correctly that the flooding that the  
18 DC Water is addressing and will use the park  
19 area as the staging area for, it is the current  
20 sewer issue and flooding issue in Bloomingdale  
21 and some of the other, LeDroit Park and some of  
22 the other neighborhoods down hill,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           irrespective and separate and apart from  
2           anything that may be caused by the development  
3           itself?

4                       MR. NEWALDASS: I don't speak for  
5           DC Water, but I do believe so.

6                       MR. POZEN: Okay. Just two other  
7           quick points as well. We're going to just make  
8           an objection to, you've referenced structural  
9           defects and problems that you saw with regard,  
10          that the City sees with regard to the site.  
11          We'll obviously get a chance to go through this  
12          in much more detail with the --

13                      CHAIRMAN HOOD: Mr. Pozen, let me  
14          just say this to you. You're testifying. All  
15          you have to do right now is just ask questions.  
16          If you want to object, there'll be a time when  
17          your party will be able to make their  
18          presentation. Right now, you're just asking  
19          questions.

20                      MR. POZEN: Okay. So just to  
21          also, finally then to clarify the issue that was  
22          raised both by Commissioner Miller and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 Commissioner May with regard to what the City  
2 is bringing forward at this point and the  
3 Applicant together are bringing forward at this  
4 point, is this the full package of concrete  
5 proposals that the Zoning Commission is in a  
6 position to address and vote upon that are going  
7 to include measurable, and tangible and  
8 quantifiable community benefits and structure?

9 Or do you anticipate any changes  
10 through the Mayor's agent, Advisory Council or  
11 LDA process that will substantively change the  
12 community benefits on the one side or anything  
13 else related to the project of relevance to the  
14 Zoning Commission?

15 MR. NEWALDASS: I can't speak for  
16 some future body weighing in on the project.

17 MR. POZEN: So you don't  
18 anticipate any substantive changes from those  
19 processes?

20 MR. NEWALDASS: We have the plan  
21 that's been submitted 18 months through the  
22 Historic Preservation Review Board. It's a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 plan that balances a lot of economic and public  
2 policy goals for the District. And we feel  
3 very confident in its current iteration.

4 MR. POZEN: Thank you. Thank you,  
5 sir.

6 CHAIRMAN HOOD: Okay. I thought  
7 I'd called ANC 5E. I thought I asked them did  
8 they have any cross examination. And they told  
9 me no.

10 FEMALE PARTICIPANT: Yes.

11 CHAIRMAN HOOD: Mr. Newaldass,  
12 didn't I call 5E?

13 (Off the record comments)

14 CHAIRMAN HOOD: Okay, let's move  
15 along. Okay, Ms. Brown, let's go with the  
16 expert witnesses. And some you had proffered,  
17 if you could just let us know who's already been  
18 proffered, we have a list. I'm going to make  
19 sure we, I don't think we have to reconsider  
20 that.

21 MS. BROWN: Yes. Under Exhibit  
22 17G we have Matthew Bell in architecture. He's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 previously qualified. We have Mr. Rob  
2 Shiesel and Dan VanPelt, transportation  
3 engineers that's also previously been  
4 qualified. Mr. Steven Sher in land use, zoning  
5 and planning, previously qualified, and Ms.  
6 Emily Eig, in architectural history, historic  
7 preservation. She's also previously  
8 qualified before the Commission.

9 We also have an Exhibit, 109-B, Ms.  
10 Rebecca Manning with George Sexton Associates,  
11 our lighting designer. She's new. She has  
12 not previously been qualified. And so I'd ask  
13 that you review her resume.

14 (Off the record comments)

15 MS. BROWN: 109, B as in boy.

16 CHAIRMAN HOOD: 109, 109-B.

17 Okay, give us a number. Who else do we have?

18 MS. BROWN: And we also have Kirk  
19 Mettam. And he's at Exhibit 32-G. And he is  
20 a structural engineer with Robert Silman  
21 Associates.

22 CHAIRMAN HOOD: Okay. Mr.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Mettam, I know his resume is behind Tab G in one  
2 of our submissions. Okay, so let's rule on Ms.  
3 Manning first. Ms. Schellin?

4 (Pause)

5 CHAIRMAN HOOD: Ms. Manning is the  
6 expert in lighting?

7 MS. BROWN: Yes, lighting design.

8 CHAIRMAN HOOD: Lighting design.  
9 Okay, Commissioners, we have a resume in front  
10 of us that we received this evening. Any  
11 issues?

12 (Off the record comments)

13 CHAIRMAN HOOD: Okay. Thank you.  
14 We will have her as an expert. Okay, next is  
15 behind Tab G, Mr. Mettam, Kirk Mettam. Any  
16 objections since we've already reviewed that,  
17 any objections? Okay. So we will accept both  
18 that we have not thus far.

19 MS. BROWN: Thank you.

20 CHAIRMAN HOOD: Do we have any  
21 other preliminary matters, any other  
22 preliminary matters?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MS. BROWN: I don't know if it's  
2 the time for the other expert witnesses for the  
3 Friends of McMillan Park to be --

4 CHAIRMAN HOOD: Before they come,  
5 when they come out we will --

6 MS. BROWN: Okay. I just want to  
7 make sure I wasn't --

8 CHAIRMAN HOOD: Okay. When we get  
9 there we will --

10 MS. BROWN: It's okay, thank you.

11 CHAIRMAN HOOD: Thank you. Thank  
12 you for helping us. Okay, are you ready for  
13 your presentation?

14 MS. BROWN: We're ready for our  
15 presentation.

16 CHAIRMAN HOOD: Everybody can come  
17 on up then. You may begin. You have 60  
18 minutes.

19 MS. BROWN: Yes. I'll get  
20 everybody --

21 (Off the record comments)

22 MS. BROWN: Good evening. Again,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 for the record, my name is Carolyn Brown with  
2 the law firm of Holland and Knight, here on  
3 behalf of Vision McMillan Partners. I'm  
4 joined by Whayne Quin, Steve Sher and Jessica  
5 Bloomfield from our office.

6 It is a great honor to be here  
7 tonight to present this exceptional project for  
8 the preservation and redevelopment of the  
9 McMillan Sand Filtration Site.

10 As you will hear from our  
11 witnesses, the team has worked extremely hard  
12 over the last several years to ensure that there  
13 is as much participation as possible from as  
14 many stakeholders as possible. This hard work  
15 paid off last fall when the Historic  
16 Preservation Review Board gave unanimous  
17 approval to the design you're seeing tonight.  
18 And they're also so pleased to have the support  
19 of the Office of Planning and DDOT.

20 We have submitted quite a bit of  
21 information to the record in the hopes of making  
22 it somewhat more knowledgeable. We prepared

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 what we've called the reference guide to the PUD  
2 under Tab C to our 20 day submission. It's  
3 Exhibit 32-C, and it summarizes the key  
4 components of the PUD.

5 We have direct testimony from five  
6 witnesses tonight. Our other witnesses will  
7 be available for any questions the Commission  
8 may have.

9 We have quite a bit of material to  
10 cover in a short amount of time. So without  
11 further delay, let me just turn to our first  
12 witness, Adam Weers.

13 MR. WEERS: Good evening. My name  
14 is Adam Weers. I'm a principal with Trammel  
15 Crow Company, and I'd like to share some brief  
16 opening remarks before turning things over to  
17 Ann and the rest of our team.

18 I'd also like to thank the  
19 Commission for your time and consideration and  
20 to thank everybody that came out tonight. I see  
21 a lot of supporters and a lot of green Create  
22 McMillan Park buttons. And it means a lot to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 us.

2 Trammell Crow Company, along with  
3 EYA and Jair Lynch Development Partners makes  
4 up Vision McMillan Partners or VMP. The firm  
5 selected in 2007 to redevelop the District  
6 owned portion of the McMillan Sand Filtration  
7 Site.

8 From the beginning, VMP's  
9 selection as the developer of this iconic  
10 project came with a clear mandate from the  
11 District to balance historic preservation,  
12 open space, mixed income housing, neighborhood  
13 retail and job creating commercial space.

14 Our current plan incorporates all  
15 of these things. And our unanimous HPRB  
16 approval and strong support from OP, DDOT and  
17 DMPED are evidence of these efforts.

18 As a team, VMP is honored to be at  
19 this pivotal juncture in the life of one of the  
20 District's most recognizable, most anticipated  
21 and most important redevelopment efforts.

22 Twenty-seven years ago, the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 District was given a choice by the Federal  
2 Government. They could either purchase this  
3 portion of McMillan Site for \$1 and not put it  
4 into production or choose to pay \$9.3 million  
5 and pursue a redevelopment of the property.

6 The District was crystal clear from  
7 the very beginning that its goals for this site  
8 were to both preserve its history and to provide  
9 economic opportunity to its residents. And  
10 thus, in 1987, it purchased the site for \$9.3  
11 million.

12 As a firm, Trammell Crow Company is  
13 thrilled to have a role in such a significant  
14 endeavor. As McMillan has evolved, it has  
15 become the single largest and most important  
16 healthcare development project in our National  
17 portfolio.

18 As a Ward 5 resident, I personally  
19 take pride in being part of a project that is  
20 raising the bar in so many significant ways so  
21 close to home.

22 Through this project, an

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       unprecedented set of world class amenities and  
2       opportunities will be located in and directly  
3       accessible to the residents of Ward 5.

4               We have worked with the community  
5       for several years, more than doubling the size  
6       of the park space and greatly expanding both the  
7       preservation and affordable housing programs.

8               For these reasons, Ward 5 Council  
9       members Kenyan McDuffie and Anita Bonds, both  
10      of whom have worked on this project for years,  
11      are vocal supporters.

12              At times during this process it is  
13      very easy to forget just how long it has been  
14      since this part of McMillan has been closed off.

15              It was originally an industrial  
16      site, a water filtration plant covered with  
17      more than 2,100 manholes designed to be  
18      publicly accessed only at the edges. Today,  
19      the site lays decrepit and fenced off from our  
20      residents, collapsing, unsafe, providing no  
21      services, no tax base, no vitality, no  
22      enhancements to the quality of life to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 vibrant and growing neighborhoods surrounding  
2 it.

3           Soon, thanks to all of our  
4 collective efforts, VMP working hand in hand  
5 with all stakeholders, McMillan will be home to  
6 one of the District's largest new park systems  
7 and one of its most exciting and creative  
8 historic preservation programs.

9           McMillan is projected to generate  
10 more than 6,000 jobs, about half of which will  
11 be permanent positions in healthcare and retail  
12 industries. Job creation of this magnitude  
13 for any project is rarely seen. But to bring  
14 this kind of employment impact to a ward where  
15 unemployment, as of last month, was still  
16 hovering around 12 percent is priceless.

17           To the people who make up that 12  
18 percent, those 5,000 unemployed Ward 5  
19 residents, struggling to make their way in an  
20 economy that is not recovering as quickly or as  
21 evenly as many of us would like, access to an  
22 opportunity like McMillan could be life

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 changing.

2 With nearly 1.1 million square feet  
3 of healthcare facilities and nearly 2 million  
4 square feet total of mixed use commercial and  
5 residential development, the positive fiscal  
6 impact McMillan will have on this City is  
7 tremendous.

8 An estimated \$1.2 billion in tax  
9 revenues will be added to the District's  
10 coffers in the first 30 years following the  
11 project's development, resulting in a net  
12 fiscal benefit of approximately \$874 million.

13 All this from a site that has lain  
14 fallow for 27 years, not realizing its full  
15 potential, costing the District money day after  
16 day just to maintain and secure it. A  
17 redevelopment, McMillan can, as it did once  
18 more than a century ago, serve as vehicle for  
19 the District's growth, expansion and  
20 betterment.

21 This new version of McMillan will  
22 play a critical role in approving public health

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 by allowing for the expansion and reintegration  
2 of some of the same Washington hospital center  
3 occupants that its original incarnation helped  
4 to create and support.

5 The new McMillan will again spur  
6 the creation of new much needed housing for a  
7 growing and expanding set of District  
8 residents.

9 And the new McMillan will deliver  
10 one of the largest and most amazing park systems  
11 the District has ever seen, a nod to its  
12 historic and liveable public space heritage in  
13 a way that pays homage and honor the past,  
14 present and future residents of the  
15 neighborhood surrounding the site.

16 I thank you for the opportunity to  
17 testify and will now turn things over to Anne  
18 Corbett, our project director.

19 MS. CORBETT: Thank you, Adam.  
20 Shall we dim the lights? I appreciate that.  
21 My name is Anne Corbett, and I am the project  
22 director for the Vision McMillan Partners, the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 joint venture selected -- sorry, I can't, I lost  
2 my sight there for a moment -- the joint venture  
3 selected to work with the District of Columbia  
4 on the redevelopment of the McMillan Sand  
5 Filtration Site.

6 For 15 years, I've developed art  
7 space. I've also advised developers of large  
8 mixed-use projects on art space, affordable  
9 housing, economic development and creative  
10 place making.

11 In 2012, I was approached by VMP to  
12 lead this effort to develop the new McMillan.  
13 I was so inspired by this once in a lifetime  
14 opportunity to reactive a landmark that I left  
15 the organization I founded to join it.

16 The vision is a bold one. And, as  
17 Adam said, we must accomplish two key goals,  
18 economic development and historic  
19 preservation. This team, with the input of  
20 many, is doing just that.

21 Speaking of input, the planning  
22 effort has been engaging the community for

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 seven years now, charrettes, where citizens sat  
2 with planners and architects developing the  
3 program, open houses and salons where folks  
4 could have intimate conversations to get their  
5 individual questions answered and opinions  
6 heard.

7 We also went to stakeholders in  
8 their forums, living rooms, churches,  
9 community centers, a few bars. And I met with  
10 eight different civic associations, three  
11 different advisory neighborhood commissions  
12 and sitting regularly with representatives  
13 from the McMillan Advisory Group, all in all,  
14 some 200 forums over seven years.

15 And the plan is the better for it.  
16 We have heard time and time again about key  
17 community issues, preservation and the desire  
18 to retain the site's distinctive open space,  
19 transportation concerns, storm water  
20 management, a need for local serving retail  
21 including a grocery, the hope for their  
22 National landmark to provide recreational

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 amenities for the local community.

2 Now, I can't say that all the people  
3 wanted all the same things. And hence, I can't  
4 say that we pleased all the people in the  
5 process. But I can say again that the project  
6 is better as a result of this seven year  
7 process.

8 For example, parks and open space,  
9 in 2008 before the community charrettes, the  
10 plan had about six acres of parks and open  
11 space. But residents told us they would swap  
12 increased height and density to get more open  
13 space. So it increased to nine acres. Then  
14 after more listening this past year, we  
15 increased it to 12 acres.

16 Similarly with historic  
17 preservation, before the charrettes the focus  
18 was more symbolic preservation. That's grown  
19 significantly with both community and HPRB  
20 input.

21 Our plan today calls for the  
22 preservation of all above ground structures,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 recreation of the entire perimeter Olmsted  
2 Walk, much of the artificial topography and  
3 80,000 square feet of underground vaults.  
4 Together, this garnered unanimous HPRB support  
5 for the master plan and building concept  
6 design.

7 Corresponding program changes show  
8 the initial increase in density to allow for  
9 more park and preservation, then a dramatic  
10 decrease in the residential program when we  
11 doubled the park last year. You will notice  
12 that healthcare didn't change. That's our  
13 engine for jobs and revenue growth.

14 The results, an amazing set of  
15 public benefits. We're reclaiming a  
16 superblock. Not only will we expand the street  
17 grid, but Gorove/Slade will tell you how we are  
18 setting the tone for remaking a pedestrian  
19 environment in this area and catalyzing mass  
20 transit improvements.

21 We have a model approach to  
22 sustainability, especially in storm water

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 management and the incorporation of low impact  
2 development techniques.

3 It will be the largest new City  
4 park, including a dynamic set of indoor and  
5 outdoor recreation facilities, 130 affordable  
6 units with a variety of sizes, types and price  
7 points.

8 Jobs, the project can change lives  
9 for the so many unemployed in Ward 5, over  
10 80,000 square feet of new neighborhood serving  
11 retail including space to accommodate a full  
12 service grocer and space and funds to support  
13 small business startups.

14 One more thing I'll touch on,  
15 unprecedented CVE participation. We have a  
16 fully participating partner in the JV who is a  
17 CVE responsible for the entirety of the  
18 multi-family program. Just to name a few.

19 In addition, VMP intends to go  
20 above and beyond the on-site benefits to  
21 provide amenities to the community surrounding  
22 the project. Jair Lynch, EYA and Trammell Crow

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 have always taken this proactive approach with  
2 the communities in which they serve.

3 We have offered the ANC \$3.4  
4 million in additional benefits. These include  
5 targeting jobs for Ward 5, job training and  
6 apprenticeships, funding for small business  
7 startups, scholarships and neighborhood  
8 beautification projects.

9 All funds would be provided to bona  
10 fide partners who'd provide specific services,  
11 no escrow accounts, no payments to the ANC. We  
12 are proffering these additional items and  
13 expect to be bound by this commitment in the  
14 zoning order.

15 I am so proud to represent this  
16 effort. I look forward to sitting with the  
17 many McMillan neighbors I've gotten to know so  
18 well on the hillside in the new park watching  
19 the fireworks over the Washington Monument of  
20 the 4th of July, with any luck the 4th of July  
21 2017.

22 Thank you so much. I'm happy to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 answer any questions. I will turn it over now  
2 to Matt Bell, Perkins, Eastman EEK.

3 MR. BELL: Good evening, I'm Matt  
4 Bell. I have had the pleasure of being the lead  
5 master plan architect for the McMillan project.  
6 And it's also my pleasure to bring this exciting  
7 vision to you which is a unique and profound  
8 vision for the site.

9 We're very proud of the support  
10 we've received from HPRB and the Office of  
11 Planning and the feedback we've received as  
12 well from DDOT. And our effort has been hard  
13 work and collaborative work on the part of our  
14 team, the part the community and the part of  
15 public officials.

16 The site is a challenging site, but  
17 our site brings out the best in the landmark.  
18 It balances robust preservation, creative  
19 mixed use development and unique open spaces.

20 Tonight, what I would like to do is  
21 walk you through the following. The  
22 characteristics of the landmark, the very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 important piece of that that we learned with the  
2 Historic Preservation Review Board is how the  
3 landmark informs the master plan, elements of  
4 the master plan, how the landmark elements are  
5 experienced, how the land mark informs the  
6 design of new buildings and then talk about the  
7 open space, the community center, for which  
8 we're also the architects, the public art  
9 program and the lighting.

10 As you can see here -- yes, can we  
11 stop the clock --

12 VICE CHAIR COHEN: Yes. Before  
13 you proceed, are you referring to anything that  
14 we may need, because I'd like to follow along?

15 MR. BELL: You should have a PDF of  
16 the presentation. It should have been  
17 supplied to you. Carolyn is that --

18 VICE CHAIR COHEN: It's that one,  
19 okay, thanks.

20 MR. BELL: Some of these are action  
21 slides so they may not be on the PDF.

22 CHAIRMAN HOOD: So you have some

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 slides here that we don't have?

2 MR. BELL: They're condensed in  
3 the PDF form.

4 CHAIRMAN HOOD: Okay. Yes, we're  
5 got them. We got you.

6 MR. BELL: Okay. With this slide,  
7 you can see the 93 acres of the larger landmark,  
8 of which 25 acres is the site that we have  
9 developed a master plan for. And as we know,  
10 the site was built to bring fresh water to the  
11 modern and growing City of Washington D.C. Our  
12 25 acre site is approximately a quarter of the  
13 overall landmark.

14 And in this slide you can see, as  
15 well, the different conditions on the four  
16 sides of the landmark, from the row house  
17 neighborhood, Victorian row house neighborhood  
18 of Bloomingdale, smaller scale row houses in  
19 Stronghold.

20 The hospital complex is to the  
21 north with their large parking lots and big  
22 buildings, the balance of the reservoir to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 left and Howard University a little bit further  
2 west.

3 We've undertaken a robust historic  
4 preservation analysis and report, led by Emily  
5 Eig of Traceries. This is a view in that report  
6 of a 1930 view of the site. Our site is the 25  
7 acres outlined here.

8 And you can see that some of the  
9 most sterling characteristics are the plinth --  
10 the site maintains its level while the grade of  
11 the City falls away -- the two service courts  
12 used for access to service the various  
13 underground filtration cells. The vehicles  
14 could traverse another place that extend across  
15 First Street as well.

16 And the nature of the berm around  
17 the outside that is the characteristic of the  
18 plinth, and we're making the plinth meet the  
19 grade of North Capitol and Channing in this  
20 slide.

21 And what's interesting as well  
22 about this slide, it is a picture taken after

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the Olmsted firm did an intervention at the site  
2 to create a park which was in this location  
3 here, with the fountain here overlooking the  
4 reservoir, and to build a series of hawthorn  
5 trees around the outside to make the industrial  
6 site of the 25 acres on the east side of First  
7 Street between First and North Capitol, make it  
8 possible to see into the industrial site, but  
9 yet not make it accessible.

10 So they added the park here, and  
11 also addressed some of the concerns about  
12 visibility into the industrial site on the  
13 eastern side of the site.

14 These are images as well from  
15 Traceries report showing them working on the  
16 site using equipment to change out, and change  
17 sand and service the various structures on the  
18 site.

19 And you see some of the historic  
20 buildings, the storage silos and some of the  
21 regulator houses. You see some of the historic  
22 images about some of the concern that the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 Government had for trespassing on the site at  
2 any one time.

3 A third of the site, which was  
4 covered by 2,100 manholes, the light down below  
5 would be, a third of the site would be open for  
6 servicing at any time. And of course, as has  
7 been said, aspects of the site have degraded  
8 over time due to a various set of conditions.

9 In terms of the urban structure of  
10 the plan, there are 20 cells beginning with Cell  
11 10 here and extending down to the south in the  
12 two service courts that extend across.

13 Each of these cells were  
14 approximately one acre in size. And they're  
15 all separated by a wall. So it was possible to  
16 experience only one cell at the time.

17 This drawing also gives you the  
18 sense of the manhole covers on top of each cell,  
19 the sort of gridded nature of that and also the  
20 extent to which there were hatches here that  
21 allow for access down into the cells.

22 And this is a drawing from the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Olmsted firm showing the park that was created  
2 on the west side of First Street and the master  
3 plan site here on the east side of First Street.

4 Underneath are the vaults which  
5 were the places where the sand was contained and  
6 the water could be filtered. Again, from the  
7 Traceries report, showing the machinery moving  
8 around on the site. It was an active  
9 filtration cell. And then of course the hatch  
10 that allowed for access down into the cell.

11 It's very important to recognize  
12 that the site was built totally of concrete.  
13 It was not built with steel in the concrete.  
14 And we know that steel or concrete functions  
15 well in compression but does not function well  
16 in tension without steel.

17 So what that means is that it works  
18 in compression and various forces have been  
19 acting on the site to cause some of the  
20 deterioration and structural damage which we  
21 see here in the portal.

22 Kirk Mettam of Silman has also done

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 a structural analysis. I believe you have a  
2 summary of that. And what's important also to  
3 recognize about the concrete there is that the  
4 site of the cells was not meant for habitation.  
5 It was not meant for being, and also not meant  
6 to support structures above it. It was meant  
7 simply for the industrial use for which it has  
8 been designed.

9 And many aspects of that today have  
10 been compromised by subsidance, or collapse and  
11 movement of the footings and the structure that  
12 Mr. Mettam has articulated in his study.

13 The knowledge of this site, and the  
14 engagement with it and also people who have  
15 knowledge about it in the community has brought  
16 us to four themes, health, water, preservation  
17 and sustainability.

18 Health because the site was  
19 originally built for health, to make clean  
20 water, drinkable water. And it's also located  
21 near very important health facilities in the  
22 City.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   Water, it brought clean drinking  
2 water to the City. We celebrate that today  
3 with both water that can be played in and also  
4 water that plays an environmental role in terms  
5 of treating storm water.

6                   Preservation, Anne mentioned the  
7 preservation of the above ground structures and  
8 also a clever adaptation of below grade  
9 structures.

10                   And then sustainability in terms of  
11 making a walkable place where no walkable place  
12 exists today and reaching levels of lead  
13 design in various aspects of the plan.

14                   So let me now walk you through the  
15 master plan and talk about how the structure of  
16 the landmark has influenced the master plan.

17                   And this was a very, very important  
18 underlying important element of our engagement  
19 with the Historic Preservation Review Board.  
20 They were very adamant about making sure we  
21 understood that the master plan needed to  
22 understand carefully the site itself.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           So to begin with, the site is  
2 organized in a tri-park type organization with  
3 these three larger areas of different sizes  
4 organized in the south.

5           The site is also organized with two  
6 service courts extending across. Those are  
7 mentioned there, accessible with vehicles  
8 where the silos and the regulator houses are,  
9 the house and the portals with access to the  
10 underground cells.

11           The site also has this plinth as I  
12 mentioned, a very distinctive feature because  
13 of the changing grade around the outside of the  
14 site.

15           And the site also has views across  
16 the site, across the site in the service courts  
17 and also obviously across the entire site from  
18 First Street to North Capitol Street.

19           And perhaps the most significant  
20 intervention that the Olmsted firm made was the  
21 introduction of a signature landscape around  
22 the perimeter, called the Olmsted Walk, of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 hawthorne trees, again, to provide the public  
2 the possibility of seeing it and the pleasure  
3 of seeing the site but also working to assure  
4 that it was a demarcation of the limits of where  
5 the public could go.

6 So let me now refer to our plan and  
7 talk about the ways in which the landmark has  
8 informed our plan. So again, the tri-park type  
9 organization where we have significantly  
10 conceptual differences in each part of the  
11 plan, and they are distinct.

12 We are preserving and re-purposing  
13 the service courts, the north one for mixed use  
14 retail district, the south one as part of the  
15 eight acre park.

16 Our plinth is identifiable, the  
17 buildings pull back from the edges so that you  
18 can see how the plinth rises out of the ground,  
19 and we have some three dimensional drawings to  
20 show that to you.

21 The Olmsted Walk around the  
22 perimeter, which doesn't exist today, it's a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 dirt path with a few of the trees that were there  
2 historically, we are re-establishing. We are  
3 re-establishing the geometry of it on the  
4 south, east and west side and the curvilinear  
5 nature of it on the north side.

6 We are capturing the views again  
7 through the north and south service courts, and  
8 the eight acre park to the south is also  
9 expressing a large view across the site.

10 The underground cells, Cell 14, a  
11 prominent cell, a representative prominent  
12 cell on the northeast corner there, currently  
13 being used by WASA for storm water, will be  
14 integrated with the north service court there  
15 and become part of that experience, as well as  
16 Cell 28.

17 A portion of Cell 28 we are seeking,  
18 we're hoping to be able to use that as part of  
19 the design of the community center at the lower  
20 level. And I'll show you a drawing of that  
21 shortly.

22 Storm water management features

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 throughout the north service court integrated  
2 within and in between the silos and the  
3 regulator houses, as well as in the south  
4 service court, a linking half street with a rain  
5 garden that is prominently displayed running  
6 north/south connecting the north service court  
7 and the south service court and the storm water  
8 feature in the eight acre park to the south.

9 We have three parks, 12 acres of  
10 parks throughout the site, almost 50 percent of  
11 the site dedicated to diverse kinds of parks,  
12 of healing gardens in the north, a park  
13 associated with Cell 14, and of course the large  
14 park to the south and a street network.

15 It's very important this site be  
16 connected back to its context, that it be a  
17 place that people can move about, both for  
18 functional purposes and for purposes of just  
19 simply going to buy something at one the retail  
20 establishments or going to visit their  
21 neighbors.

22 So we have a street network that was

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 very important to HPRB in that they're oriented  
2 to connect the views in the south of the north  
3 service court and the south service court.

4 The south service court provides  
5 access into the community center and also  
6 access for members of our community such as  
7 disabled people that need access to the  
8 community center, a little bit of parking for  
9 access for the park there, and a series of  
10 streets organized around Half Street coming  
11 down from Michigan Street and a short driveway  
12 around the healing gardens to the north, all  
13 paired with sidewalks and healthcare  
14 facilities to the north.

15 Healthcare facilities in the north  
16 quadrant in the first phase, multi-family  
17 buildings in the center section, row houses  
18 also in the center section, and then our  
19 community center as part of the park.

20 A very important thing to the  
21 community was having neighborhood serving  
22 retail. This is an excellent opportunity to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 create a walkable neighborhood where people can  
2 walk to establishments.

3 It's very difficult for that to  
4 happen. We have the large masses of the  
5 hospital center and Children's Hospital to the  
6 north and large parking lots.

7 This will change the game in this  
8 area and provide for a walkable district with  
9 a unique historic features of the landmark, and  
10 the possibility to shop in a place that you  
11 can't do today.

12 So in summary, you can see the site  
13 in context here, you know, it provides for  
14 physical connectivity and programmatic  
15 connectivity for the neighborhoods around it.

16 It is a vital mixed use program that  
17 will be a place that people can go on weekends,  
18 they can work there, and they can live there and  
19 it will address successfully the diverse parts  
20 of the City around it.

21 Let me talk more specifically about  
22 the preservation elements there. These are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 pictures of the berm which, as I said, a very  
2 important characteristic feature there, with  
3 staircases that we'll be putting back to access  
4 the park.

5 In the plan, you can see this is 3-D  
6 drawing of our plan showing the community  
7 center and the park. This is how the  
8 topography will be when we finish. So as it is  
9 today, you will see the berm rising out of the  
10 ground with its dramatic appearance as a part  
11 of the park at Channing Street.

12 The service courts are being  
13 re-purposed in two different ways. They have  
14 the silos and the regulator houses, in the south  
15 service courts, the silos and the regulator  
16 houses as part of the park along with the  
17 adaptive reuse of the walls of the south service  
18 court and also working as features, the  
19 existing historic archway being used as the  
20 entry into the community center. So we're using  
21 that as a way to set up the civic facility.

22 And as well, the cells, Cell 14,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Cell 28, the underground cells to be used, we  
2 are proposing that those be preserved. And we  
3 have an idea that they will be available for  
4 future use when the appropriate time comes.

5 The Olmsted Walk around the outside  
6 I mentioned, signified by the red hawthorne  
7 trees which will again become, as it was once  
8 in the past, a distinctive element of the  
9 landscape and the visibility of the site, very  
10 important feature, because what was underlined  
11 to us from HPRB was the legibility of the site  
12 as a landmark.

13 And then of course using the silos  
14 and regulator houses in the north service  
15 court, regulator house are good candidates for  
16 adaptive reuse for retail as well as the space  
17 between them to be used for outdoor space,  
18 outdoor dining.

19 We also had a robust discussion  
20 with HPRB about how the landmark informs the  
21 design of buildings. And they encouraged us to  
22 approach that in terms of increasing the sense

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 of cohesion of the landmark by the design of the  
2 buildings that you introduce there.

3 So we have taken that to heart.  
4 And we have looked very carefully at the  
5 characteristics of different aspects of the  
6 landmark.

7 For example, the concrete pour  
8 pattern on the silos in different layers, in  
9 different lifts providing a scheme pattern, the  
10 simplicity in the singular forms of the silos.  
11 They are very recognizable, very platonic in  
12 their shape.

13 Details such as overhanging plants  
14 and accentuated entries going down into the  
15 hatches, looking carefully at those and how  
16 what we can design can complement those.

17 The plinth I mentioned, framed  
18 openings in the regulator houses and in the  
19 silos, the way in which vegetation was  
20 introduced to climb and to provide more green  
21 on the site and the way in which some  
22 distinctions of the walls are canted to make a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 distinction among the portals.

2 My fellow architects who were also  
3 the building architects will elaborate on these  
4 as they present them. But this was a panel that  
5 we've presented to HPRB to show some of the  
6 things that we had arrived at and some of the  
7 precedents we were using to begin to develop an  
8 approach to introducing buildings on the site.

9 A unified palette, compatible  
10 materials that are both raw, the site has raw  
11 aspects and very refined aspects.  
12 Fenestration similarities, massing, keeping  
13 the massing simple so as the massing of our  
14 buildings highlights the landmark and not  
15 themselves.

16 The north service court, we'll show  
17 some images of our approach there. And also  
18 looking very carefully at the row houses and how  
19 the row houses that we introduce at McMillan  
20 have a unique and distinctive feature so that  
21 they are not confused, they don't confuse the  
22 landmark with the texture and pattern of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Bloomingdale and Stronghold nearby.

2           So this resulted in a color  
3 palette, a primary building color of white  
4 which we believe is complimentary but doesn't  
5 duplicate the landmark.

6           A secondary color which is a deep  
7 gray that'll be used for fenestration, and  
8 railings and other details. And a tertiary  
9 color that will highlight, match some of the  
10 wood on the site and will highlight some of the  
11 other features of the facade.

12           We've taken a snippet of the  
13 drawing that the architects have developed,  
14 their renderings to show how that goes  
15 together.

16           The challenge is here, of course,  
17 as we're having a very vibrant mixed use  
18 program, but these are different building  
19 types, they're different functions, they're  
20 different construction systems.

21           But our palette unifies all of the,  
22 from our simple color of the building wall, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the articulation of the color of the windows and  
2 then how the details are articulated with the  
3 tertiary color in various places on the  
4 facades. And they're compatible with the  
5 landmark, and they will do a very good job in  
6 terms of setting them off.

7 Now, let me shift to the zoning for  
8 the site. The existing zoning around the area  
9 is residential zoning in many places, and then  
10 also zoning dedicated to the larger hospital  
11 complexes to the northwest.

12 We are seeking a C-3-C zone north  
13 of the north service court and a CR zone for the  
14 balance of the rest of the site.

15 We are proposing building heights,  
16 a modulation of building heights that extend  
17 from the row house district up to 48 feet up  
18 through the center where it increases in a  
19 diagonal fashion toward the 127.5 feet of  
20 Children's Hospital away from the residential  
21 areas, being sensitive to those residential  
22 areas and providing a gradation of heights to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 that northwest corner.

2 The land use plan, as I mentioned,  
3 is a diverse mixed use program of great  
4 vitality, including medical office buildings  
5 that will provide a working force there during  
6 the day.

7 They will patronize the retail in  
8 the north service court, so it'll be a place  
9 that retailers will have the opportunity to  
10 take advantage of people working there. And  
11 also, the balance of people who are living at  
12 the site in the mixture of row houses and  
13 multi-family buildings.

14 And last but not least, our very  
15 important community center, one of the  
16 highlights of the park to the south.

17 We intend to develop this. What  
18 you're seeing tonight is a consolidated PUD for  
19 the master plan. We will be bringing these  
20 three sites which is a residential site there  
21 and a medical office site for a Stage 2 filing  
22 at a later date.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   Let's talk a little bit about the  
2 views in the master plan. This is standing,  
3 hovering above North Capitol looking into the  
4 north service court where there will be retail  
5 lining it.

6                   You see the preserved structures of  
7 the landmark in the center there, even the sand  
8 washers that will be signature elements at the  
9 entry.

10                  The Cell 14, another signature  
11 entry that allows for views coming down North  
12 Capitol Street into the site as you see it today  
13 and the park above that and also the  
14 establishment of the Olmsted Walk.

15                  You see the medical office  
16 buildings and the residential buildings above  
17 retail at the ground floor.

18                  A very important consideration  
19 that was underlined to us at HPRB was to treat  
20 the landmarks in such a way that we stepped the  
21 buildings back above the first floor so as to  
22 give a little bit more room spatially to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 north service court and provide a terrace for  
2 viewing of the north service court to the north  
3 and a continuous wall that recalls the wall of  
4 the service court that articulates the retail  
5 at the first floor.

6 This will result in great spaces  
7 and great places. You can see the retail at the  
8 ground floor of the building beyond, the sort  
9 of sidewalk on the opposite side of the north  
10 service court, the repurposing of the regulator  
11 house into a small retail operation.

12 But perhaps most importantly, the  
13 recognition that the space between the elements  
14 of the landmark can be a great small space, such  
15 as a space for restaurants and other kinds of  
16 activities.

17 We are also re-establishing the  
18 historic paving pattern of the service courts  
19 in scored concrete.

20 Another aspect that was  
21 underscored to us was to organize the streets  
22 so they highlighted views of the landmark. So

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Half Street highlights views looking south into  
2 the south service court where one of the silos  
3 is prominently displayed.

4 We're hoping to have stair there  
5 where people can go up on top of that and be able  
6 to see over the park. These long distance views  
7 are very important as you experience the  
8 landmark. They connect north and south  
9 service courts and they make the landmark defer  
10 to, the architecture defers to that.

11 The design of the townhouses is  
12 intentionally kept simple and articulated in a  
13 simple rhythm, so if your eye goes to the  
14 landmark then the landmark is highlighted.

15 We also designed the streets to  
16 highlight the storm water facilities. We have  
17 parking on one side and then a rain garden on  
18 one side.

19 So you'll be able to see that, the  
20 water will run down Half Street into these rain  
21 gardens as well as into the pervious paving at  
22 all parking places throughout the site and into

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the tree wells. So we're being very careful  
2 with using the local places to handle our storm  
3 water.

4 At the south service court, we're  
5 providing accessibility into the site that does  
6 not exist today, and we're celebrating the  
7 presence of this new vision for the park on  
8 North Capitol Street which today, as you know,  
9 is not a very hospitable environment. We're  
10 going to change that with this project.

11 So these site walls come down, we  
12 make public stairs up there, a water feature,  
13 a view into the park with the community center  
14 very prominently displayed and opening up  
15 access for all into this park area with the row  
16 houses providing a simple backdrop to the  
17 landmark.

18 Further down North Capitol, we have  
19 views into the park and into the community  
20 center, a simple glass building, glass box that  
21 provides contrast to the sort of heavier  
22 masonry structures and enters into the dialogue

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 of the language with the landmark.

2 Finally, as was mentioned, the  
3 largest new park in the District, eight acres,  
4 a view across that re-establishes again the  
5 view across the site today, a view to the  
6 community center in the distance and a park  
7 where all sorts of activities can happen from  
8 frisbee games, to grandparents walking, to  
9 people playing with their dogs.

10 It's a large park, and it's a place  
11 where we expect will become a significant  
12 community asset and with something that was a  
13 very significant part of our dialogue with the  
14 community.

15 So you can see the park here with  
16 the Olmsted Walk around it and also the lower  
17 level of the park with the storm water features.

18 We have 12 acres of park space,  
19 diverse types of open space. For the large  
20 park I just mentioned here to the healing  
21 gardens at the north which signify the presence  
22 of McMillan off of Michigan and provide an easy

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 way to move down into the site and the park at  
2 Cell 14.

3 Jeff Aten of Nelson Byrd Woltz has  
4 been our partner in designing these parks. We  
5 believe they provide significant amenities to  
6 the community.

7 This is the detail of the southern  
8 park, lots of open space but also providing for  
9 access in different locations through the  
10 hatches that exist there today, the integration  
11 of the community center where we'll look  
12 directly out at two levels into the park and our  
13 storm water facility on the eastern side.

14 Oh, back up one. I just want to  
15 mention as well the access to this. You have  
16 parking for all so many can come visit the park  
17 and access, for people who need it, to the  
18 community center and a paved plaza with water  
19 features.

20 Our healing garden is to the north  
21 in Cell 14, re-establishing the Olmsted Walk  
22 and providing for a respite from Michigan

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Avenue which we know is a place that could use  
2 a little softening up.

3 And then Cell 14, the building's  
4 pulled back to give the view into the site. The  
5 Olmsted Walk re-established around the  
6 perimeter and the staircases again being made.

7 The community center itself is a  
8 little less than 18,000 square feet and  
9 celebrates the different levels of the park,  
10 the upper level of the plinth and the lower  
11 level of the of the level of the sand filtration  
12 cells.

13 With a pool on the lower level and  
14 a simple building that is made out of metal  
15 columns and shading devices that will allow for  
16 the public to see in and out of it and really  
17 recognize this as an amenity that engages the  
18 landscape. And it also includes community  
19 rooms, locker rooms and a gallery.

20 Some of the views that it will  
21 engender, we have a view of the entry where --  
22 you cannot see that plan at all there, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 apologize for that, it's a bit washed out -- but  
2 really, the big pool space and then community  
3 rooms on either side that open up out into the  
4 upper levels.

5 One of the things we would like to  
6 do, pending the feasibility of Cell 28 after DC  
7 Water is working on the site, was integrate  
8 views and possible uses of that lower level cell  
9 in the park into the lower level of the  
10 community center. So the community will be  
11 able to go and understand how the site worked  
12 at the lower level of our community building.

13 This is just a detailed page  
14 showing some of the detail on some of the  
15 materials, the high performance glass, the  
16 metal, the incorporation of the different  
17 palettes that we've established on the site for  
18 the community center building and a view  
19 showing how this new room, this very large pool,  
20 will engage the exterior with the storm water  
21 outside and lots of swimming activities in the  
22 pool on the inside.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           A project of this sort with Anne  
2 Corbett running it would not be possible  
3 without a huge integration of public art.  
4 We've identified four themes defining place.

5           We're using recycled materials,  
6 dynamic platforms for contemporary art and  
7 integrated street scape design. All of these  
8 will be things that we will be developing as we  
9 develop detailed plans for the site.

10           But we have included in the PUD  
11 places where these kinds of, inclusion of  
12 public art will occur, and they will enhance the  
13 landmark and celebrate the history of this site  
14 in many different diverse and interesting ways.

15           We also have done a lighting plan  
16 for the site. The principle of the lighting  
17 plan is to highlight historic features. How do  
18 we do that?

19           And this has been developed by  
20 George Sexton. We highlight the berm with  
21 lighting on the berm. We highlight the Olmsted  
22 Walk with lighting on the remade hawthorn

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 trees, the hawthorn outlay there so they will  
2 be prominent features.

3 We also will be highlighting the  
4 silos with a very unique idea that Sexton's come  
5 up with with lighting running up and then going  
6 around the side so you'll be able to see the  
7 modeling of the curvature of the silos, street  
8 lighting as well and then lighting that will  
9 replicate the historic lights that are on top  
10 of the service court walls.

11 It's important to point out that  
12 our lighting is in accordance with the modern  
13 lighting elements related to dark sky  
14 guidelines. We want to be respectful of all  
15 natures of animals, humans and otherwise on the  
16 site.

17 So I didn't show this  
18 before. This is an exciting vision of what the  
19 site will look like. You'll be able to see how  
20 the lighting illuminates the historic  
21 features.

22 We're using some solar lighting in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the manholes to light those at Cell 14 and  
2 hopefully at Cell 28 and to highlight all the  
3 historic features as well in the north and south  
4 service court.

5 So we have brought to you a master  
6 plan that celebrates the history of the site and  
7 the City. It integrates and features the  
8 historic elements and the rich and diverse new  
9 neighborhood.

10 It provides unique, and important  
11 and new open space for the City and is a serious  
12 and profound set of ideas and hopefully  
13 realizations worthy of our community and our  
14 aspirations. We'd like to give you a further  
15 appreciation of that with this video.

16 This is looking down North Capitol  
17 Street from the southeast corner, looking into  
18 the park and the community center, moving  
19 further up North Capitol Street looking at the  
20 south service court and the access there to the  
21 staircase and water features.

22 The north service court and the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 approach from the north where the silos are very  
2 visible to the exterior of the site moving down  
3 into the retail mixed use court.

4 A few of the retail, north service  
5 court and healthcare buildings to the north  
6 water features, moving down Half Street into  
7 the residential neighborhood presenting the  
8 features of the landmark at the south service  
9 court and the rain gardens that line that  
10 street.

11 Views of the south service court  
12 upcoming charrette as well with a possibility  
13 of it being closed of for community activities  
14 such as farmers' markets, art fairs and those  
15 sorts of things. We would welcome those kinds  
16 of things in this park setting.

17 (Pause)

18 Moving into the community center,  
19 the view of the pool and its engagement with the  
20 park space outside.

21 (Pause)

22 The overall view of the park, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the lower level storm water gardens and the  
2 amphitheater. And looking from west to east  
3 across the park, the eight acre park, six acres  
4 of green space.

5 Thank you.

6 MR. SHIESEL: Good evening,  
7 Commissioners. My name is Rob Shiesel with the  
8 transportation and planning firm of  
9 Gorove/Slade Associates.

10 Tonight I'll be providing a brief  
11 overview of the project's transportation  
12 features building from the discussion you just  
13 heard on the master plan.

14 I'll quickly discuss the analysis  
15 we did of potential impacts and with a recap of  
16 our proposed recommendations, mitigation  
17 measures and conclusions.

18 We've been working with the project  
19 team for almost a year now. During that time,  
20 we've met on several occasions to discuss the  
21 project. And we've submitted two documents  
22 since the record.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           The first is our transportation  
2 impact study which we completed in March. And  
3 the second is a supplemental memo that was  
4 submitted to DDOT a few weeks ago and also into  
5 the record.

6           Those documents represent our  
7 detailed submission. So tonight I'll stick  
8 to highlights, and details can be found in those  
9 two documents.

10           First, I'm going to go through the  
11 master plan. What's interesting to us on this  
12 project is the rare opportunity it provides to  
13 remove a superblock and add roadways to the  
14 grid.

15           The master plan takes advantage of  
16 this opportunity in several ways. As you've  
17 heard, the historic and transportation  
18 components of the plan combine in what happens  
19 to the historic north and south service courts  
20 as they get converted to east/west roadways.

21           In addition, the master plan is  
22 also adding another east/west road at Evarts

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Street and a strong north/south roadway in Half  
2 Street.

3 The resulting internal roadway now  
4 provides two strong new east/west connections  
5 with direct access, indirect access to Michigan  
6 Avenue. There're also several secondary  
7 internal roadways such as the south service  
8 court to help distribute internal traffic.

9  
10 Now, in order to demonstrate to you  
11 the beneficial impact of these new roads it  
12 helps to review what some of the existing issues  
13 are.

14 Currently, traffic heading  
15 northbound on North Capitol Street has very  
16 limited opportunities to turn left. This  
17 movement is prohibited at Michigan Avenue.  
18 The next closet left turn is south of the  
19 superblock at Channing Street.

20 This encourages traffic heading to  
21 the hospitals to use Channing to reach First  
22 Street. This superblock also encourages the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 opposite maneuver, traffic heading south  
2 leaving the hospitals tends to stay on First  
3 Street instead of shifting over to North  
4 Capitol because of the limited opportunities.

5 The first street west of Michigan  
6 to use is Bryant Street which is the block south  
7 of Channing. The new internal roadways will  
8 have stopped these issues by providing more  
9 opportunities for traffic to transition and  
10 make the movement between North Capitol and  
11 First Street.

12 Overall, the new grid helps improve  
13 neighborhood connectivity and also disperses  
14 the new traffic generated by the project.

15 Some of our recommendations for the  
16 project are directly related to the idea of  
17 encouraging traffic to make this transition  
18 between the two north/south streets. This  
19 includes recommendations on placement of  
20 signals and turn lanes to help facilitate that  
21 maneuver.

22 And moving on to parking, we have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 concluded that the amount of parking in the  
2 master plan is appropriate for the development  
3 and recommends a reduction over comparable  
4 suburban parking needs consistent with the  
5 encouragement of non-automobile modes of  
6 travel while also not over-encouraging  
7 vehicular ownership and use.

8 Similar to the how the project's  
9 density increases from south to north, the  
10 amount of parking increases as we get to the  
11 northern end of site.

12 The analysis we prepared and  
13 detailed in our transportation impact study is  
14 essentially a comparison of two future  
15 conditions, one with the development and one  
16 without. The comparison of those conditions  
17 allows us to isolate the impact of the  
18 development.

19 This analysis itself is scoped with  
20 DDOT and was really only set after several  
21 months of preliminary analyses and  
22 discussions.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   This includes setting what will be  
2 included in the future conditions such as  
3 traffic generated from other nearby  
4 developments and universities such as Howard  
5 University, the VA Medical Center and the Armed  
6 Forces Retirement Home development.

7                   The results of this analysis led to  
8 a series of recommendations, first with our  
9 report and later refined in the supplement.  
10 The roadway improvements include new traffic  
11 signals, the re-timing of other traffic  
12 signals, new and modified turn lanes and the  
13 reconfiguration of Michigan Avenue and First  
14 Street.

15                   Graphics with details showing all  
16 these recommendations are included in the  
17 supplemental memo.

18                   A key component of the project is  
19 how transit serves it and how we ensure that a  
20 substantial portion of the site-related  
21 transportation needs are met by transit.

22                   The project is located just over a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 mile away from several metro bus stations and  
2 is served directly six metro bus routes. These  
3 happen to be rather popular bus routes.

4 Detailed in our report is a review  
5 of the existing capacity issues on these lines,  
6 especially the North Capitol Street 80s buses.

7 These existing capacity concerns  
8 have not gone unnoticed. Several studies have  
9 been performed about how to improve the  
10 service. This includes the Metro bus Route 80  
11 North Capitol line study which WMATA recently  
12 completed which recommended an express route on  
13 North Capitol Street to Metro, extra 80X, a  
14 neighborhood connector route.

15 In addition, the D.C. circulator  
16 plan shows a new east/west route that could  
17 serve the project and similarly the streetcar  
18 plan includes a future east/west line nearby.

19 This significant new transit  
20 service that has already been identified is  
21 going to be needed to serve not just the  
22 McMillan demand but the adjacent nearby

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 developments in the existing concerns.

2 Our focus of our transit  
3 recommendation is that Applicant coordinate  
4 with DDOT, the involved institutions, and the  
5 community to help bring these significant  
6 increases in transit capacity using these  
7 existing plans as a roadmap.

8 As a backup plan, the Applicant  
9 would run a private shuttle to make up the  
10 difference in transit capacity needed in the  
11 interim.

12 Our supplemental documentation  
13 outlines specific capacity thresholds we are  
14 recommending that each parcel have in place of  
15 new transit capacity needs. The master plan  
16 also provides an opportunity to review bus stop  
17 locations.

18 The new traffic signals that are  
19 identified in our recommendations will include  
20 single lane crosswalks with walk signs  
21 significantly improving connectivity where the  
22 site meets North Capitol and Michigan Streets.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           This allows rethinking of how the  
2 bus stops and maybe some consolidation and  
3 relocation centered around taking advantage of  
4 these new crosswalks as the pedestrian and  
5 transit components of the plan coincide.

6           Our documentation has provided a  
7 few suggestions on how this could be  
8 accomplished to provide a starting point on a  
9 future coordination.

10           The pedestrian facilities of the  
11 new project will be vastly improved compared to  
12 the current state of the existing superblock.  
13 The current sidewalk condition on North Capitol  
14 Street will be improved and missing sidewalk  
15 that's currently not put out on Channing Street  
16 will be constructed as part of the project.

17           The new internal routes provide a  
18 substantial increase to the pedestrian  
19 porosity of the site and the new traffic signals  
20 at other intersections provide enhanced access  
21 to and across adjacent streets.

22           We have thought about these

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 connections as a first step in building a  
2 greater pedestrian experience surrounding the  
3 project. These facilities are designed to  
4 meet and connect to any future improvements  
5 that adjacent properties have as they redevelop  
6 and make changes to enhance pedestrian  
7 facilities in the greater area.

8 The project contains a significant  
9 amount of new bicycle infrastructure. This  
10 includes on-street parking located throughout  
11 the development, several locations for  
12 potential future bicycle stations. The  
13 Applicant is committing to funding the  
14 equivalent of three to four new stations to help  
15 serve demand.

16 The two parking garages where new  
17 employers are going to be located will have  
18 commuter based long term security enclosed  
19 parking spaces with commuter, shower and locker  
20 facilities.

21 The multi-family will also have a  
22 substantial secure and enclosed bike room for

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 residents. The bike parking locations are  
2 positioned based on expected cycling routes  
3 that are today and also the expected cycling  
4 routes with the creation of some facilities  
5 identified in the DC bike plan.

6 Our recommendations also include  
7 transportation and management measures to  
8 reduce the new vehicular traffic potential of  
9 the project. This includes several parking  
10 pricing strategies, benefits for employees,  
11 electronic message boards displaying  
12 transportation information in building lobbies  
13 and providing parking spaces for car sharing  
14 companies.

15 As I said earlier, our initial  
16 transportation impact study contained a set of  
17 mitigation measures that we were recommending  
18 as a starting point for becoming zoning  
19 commitments.

20 Since our study was submitted,  
21 we've received feedback from both the community  
22 and DDOT at several community meetings and some

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 initial discussions we had as DDOT was  
2 reviewing the project.

3 This is described in our April 17th  
4 supplemental, as I'd mentioned. As part of  
5 that number, we updated our mitigation  
6 measures. And as other members of the team  
7 before me have said, this process, the  
8 collaborative process helped improve our plan.

9 After reviewing the supplement  
10 more in detail, DDOT has suggested a few  
11 additional changes to the set of  
12 recommendations and mitigations.

13 This includes changes to the  
14 internal circulation within the site to address  
15 concerns of egress to the south, additional  
16 demand answering strategies and a monitoring  
17 program to review the success of how some of  
18 these strategies are working and maybe make  
19 tweaks in the future.

20 This includes how the egress to  
21 the south is working and some of the  
22 recommendations we have on North Capitol

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Street.

2 In short, the Applicant agrees to  
3 work with DDOT to incorporate the other  
4 suggestions made in the staff report. The  
5 intent of DDOT's suggestions is agreed upon.  
6 And the details need to be worked out.

7 The design team needs to look at  
8 some of the specifics, how feasible some of the  
9 ideas are. And we want to look at the  
10 monitoring plan, maybe make a few suggestions.  
11 But overall, we're just requesting flexibility  
12 in the way we meet DDOT's suggestions.

13 In addition to these changes to the  
14 mitigation measures, DDOT also listed some  
15 design suggestions that will need to be  
16 detailed out later, likely during the  
17 formatting process, and public space.

18 The Applicant looks forward to  
19 discussing all this with DDOT and getting all  
20 those details finalized and really resolving  
21 the mitigation measures in proposed zoning  
22 commitments for the project.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           Thus, we conclude that as long as  
2           the mitigation measures are incorporated as  
3           commitments, the PUD will not have a  
4           detrimental impact on the transportation  
5           network. Thank you for listening, and I look  
6           forward to any questions you have.

7           MR. SHER: Mr. Chairman, members  
8           of the Commission, for the record my name is  
9           Steven Sher, Director of Zoning and Land Use  
10          Services with the law firm of Holland and  
11          Knight.

12          You have before you, I believe, a  
13          copy of a report that I submitted to the  
14          Commission earlier. And I'm not going to go  
15          through that in pertinent detail or we'd be here  
16          way longer than my four minutes and 10 seconds.

17          I would like to highlight some of  
18          the more significant findings. Of course, you  
19          know the site is now un-zoned. As Mr. Bell  
20          indicated earlier, we're asking for zoning of  
21          C-3-C on the north side and CR on the rest.

22          We have discussed and written in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 our report the compliance with the requirements  
2 of those zones.

3 On Page 8 we've listed the overall  
4 parameters of the project. You've heard a lot  
5 of discussion about that already. I'm not  
6 going to go into that unless there are specific  
7 questions about it.

8 On Pages 10 and 11, we've looked at  
9 compliance with the matter of right  
10 requirements with both C-3-C and CR and how this  
11 PUD matches up to them.

12 As the Commission is aware under  
13 Section 2403 of the regulations, you have  
14 essentially three things that you have to focus  
15 on.

16 One, you have to determine that the  
17 impact of the project shall be favorable,  
18 capable of being mitigated or acceptable.  
19 Two, you have to determine that the project is  
20 not inconsistent with the comprehensive plan.  
21 I'm going to talk a little bit more about that  
22 later.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           And three, you have to judge,  
2 balance and reconcile the relative value of  
3 project amenities and public benefits offered,  
4 the degree of development incentives requested  
5 in any potential adverse effects.

6           On Page 12 and following I have set  
7 out, in my view, the benefits and amenities that  
8 the project will provide. I'd like to just  
9 point quickly to a couple of them.

10           The open space you've heard  
11 discussion of before about the three major  
12 parks and how much of the site will be left  
13 unbuilt upon.

14           The public infrastructure and the  
15 work undertaken to provide the streets and all  
16 the other things that have to go on.

17           The housing and the affordable  
18 housing which will be provided by the project,  
19 that's listed on Page 13.

20           And then the historic  
21 preservation, and you've heard much discussion  
22 about that already. I'm not going to spend any

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 more time on that, balanced against the  
2 development incentives.

3 Well, on the one hand we are well  
4 below the density permitted under both C-3-C  
5 and CR. So we're not asking for any density.  
6 What we are asking for is an increase in height.

7 And the increase in height is a  
8 direct trade-off for increasing the open space  
9 to get that opened up space on the site.

10 As we discussed in the master plan  
11 situation, the highest density in height is at  
12 the northwest corner of the site, kitty-corner  
13 to Children's Hospital and the Veteran's  
14 Administration Hospital and then, behind that,  
15 Hospital Center. And we step down as we go  
16 further to the south and to the east.

17 In terms of areas of flexibility,  
18 they're noted on Pages 15 and 16 of the outline.  
19 Some of those will be dealt with in more detail  
20 when you look at other buildings, the  
21 re-structural requirements of Parcel 4, the  
22 rear yards for the row houses, an open court on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 one of the groups of row houses, the loading  
2 berths and so forth.

3 But those are the things that we  
4 need some flexibility on from the requirements  
5 of the regulations or the PUD process.

6 Starting on Page 60 and going for  
7 many pages, I have done a thorough analysis and  
8 review and looked at the comprehensive plan and  
9 how that bears upon the application you have  
10 before you.

11 Out of all those pages, I'd like to  
12 highlight three things. Number one, the  
13 generalized policy map, an excerpt of which is  
14 the next to the last page in the outline, shows  
15 the site as a land use change area. This is one  
16 of the places that the District has identified  
17 where things should be happening.

18 Point number two, the future land  
19 use map, which is the last page in the outline,  
20 shows what is it that's supposed to be happening  
21 there. And that's a mixed use designation  
22 which includes a combination of medium density

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 residential, moderate density commercial and  
2 the greens, parks, recreation and open space.

3 And if you look as the overall  
4 densities we're providing and the overall sense  
5 of what is going to happen with this site,  
6 that's what the comprehensive plan  
7 contemplates.

8 On Pages 37 and 38, I've looked at  
9 the mid-city element which is one of the area  
10 elements of the plan which talks specifically  
11 about what should happen on the sand filtration  
12 site. And I've identified those specific items  
13 on Pages 37 and 38.

14 In conclusion, and I know I'm  
15 running a little bit over, but I'll just take  
16 ten seconds more, I believe that the project is  
17 not inconsistent with the comprehensive plan,  
18 in fact furthers many of the specific goals and  
19 policies of the plan, that the project is  
20 consistent with the future land use map and the  
21 generalized policy map.

22 It's within the applicable height

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 in both standards of the regulations, provides  
2 an appropriate balance between the development  
3 proposed and flexibility requested and the  
4 benefits and amenities provided.

5 The planning view of course allows  
6 the Commission to specifically condition  
7 what's going to happen on the site, so all of  
8 that will be locked in by your final decision.  
9 And I believe that the project should be  
10 approved. Thank you.

11 MS. BROWN: That concludes our  
12 direct testimony. We're prepared to answer  
13 any questions you may have.

14 CHAIRMAN HOOD: Okay. I want to  
15 thank you all for your presentation.  
16 Commissioners, you know, I said 9 o'clock.  
17 Let's indulge me for one moment. I said at 9  
18 o'clock we were going to do an assessment.

19 But with this hearing, you know,  
20 the way we're going we're not going to get to  
21 certain things tonight. And I know we have  
22 some citizens who are here. And I don't want

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 to hold a lot of them up.

2 I know we're not going to get to  
3 persons in opposition for sure. I already know  
4 that. I don't believe we're going to get to,  
5 I don't believe we're going to get to the party  
6 in opposition. I don't even think we're going  
7 to get to persons in support and parties. Do  
8 we have any parties in support?

9 FEMALE PARTICIPANT: No.

10 CHAIRMAN HOOD: Or ANCs, we may get  
11 to the ANC. And that may be just about as far  
12 as we get. Do you think it's too early to call?  
13 I just don't want to hold everyone up if they're  
14 ready to leave. But I do see a few vacant seats  
15 that I didn't see earlier.

16 So I just was trying to be  
17 accommodating of the residents' time. What do  
18 you all think? You think we should keep going  
19 and call it later? Or should we try to call it  
20 now? Are we going stop? No suggestions? You  
21 all know what the number is.

22 COMMISSIONER MAY: You know, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 mean, what we've got to make clear to folks in  
2 the audience is that, you know, the next steps  
3 -- and we're going to have our questions which  
4 are going to take at least a half an hour. And  
5 that --

6 CHAIRMAN HOOD: Yours alone  
7 usually takes a half an hour --

8 COMMISSIONER MAY: You've got to  
9 be kidding me. I'm very, very efficient. I  
10 speak almost as fast as Mr. Sher. So at least  
11 a half for that, so that's 9 o'clock.

12 And then we'll have cross  
13 examination, and that could be half an hour or  
14 more. And then the Office of Planning, and  
15 DDOT and their cross examination and our  
16 questions about it.

17 So I mean, unless we're planning to  
18 go until like 1 o'clock in the morning, I can't  
19 imagine that we're going to get to individuals  
20 seeking to testify tonight.

21 CHAIRMAN HOOD: Okay. My goal was  
22 11 o'clock or 11:30. But let's do this, let's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 just --

2 COMMISSIONER MAY: Well, that  
3 might be your goal, but it's been a long week.

4 CHAIRMAN HOOD: The Chair does  
5 have some prerogatives.

6 COMMISSIONER MAY: Yes, well --

7 CHAIRMAN HOOD: So as you know, but  
8 typically we go to 11:00, 11:30.

9 COMMISSIONER MAY: And typically  
10 in these long cases we might insist on us pacing  
11 ourselves. So I would like not to go super long  
12 tonight. Because I know we're going to have  
13 additional hearings.

14 CHAIRMAN HOOD: Okay. So what  
15 we're going to try to do, we're going to go to  
16 the report. We're going to try to get to the  
17 report of the ANCs. Is that fair enough?  
18 Okay.

19 MS. SCHELLIN: So can we go ahead  
20 and just announce so that they know the overflow  
21 night is the 13th, so that they know what night  
22 to come back?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD:  Yes, I'm going to  
2                   come to that in a minute.  And I might bring up  
3                   assessment as we see how things go.  But we're  
4                   going to try to get the reports of the ANCs.

5                   So     people     who     are     here,  
6                   organizations and persons who are here in  
7                   support, we will not get to you tonight.  
8                   Organizations and persons who are here in  
9                   opposition, we will not get to you tonight.  
10                  Let's do this.  As Ms. Schellin's said, the  
11                  overflow day is what, May the 13th?

12                  MS. SCHELLIN:  May 13th.  Yes,  
13                  sir, at 6:30.

14                  CHAIRMAN HOOD:  At 6:30 p.m. in  
15                  this room.  So we want to move forward now.  
16                  We're not going to spend all night talking about  
17                  this.  May 13th, at 6:30, we'll be back for the  
18                  organizations and persons in support and  
19                  organizations and persons in opposition.  
20                  Okay.

21                  VICE CHAIR COHEN:  Mr. Chairman,  
22                  is it possible, because people are leaving, I'd

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 like to get a sense of who supports and who's  
2 against tonight, because I know some of these  
3 people will not be able to come back, just with  
4 a hand raised, is that okay?

5 CHAIRMAN HOOD: Sure. You want me  
6 to do it?

7 VICE CHAIR COHEN: Yes, sure.

8 CHAIRMAN HOOD: All those who are  
9 here --

10 (Pause)

11 CHAIRMAN HOOD: Okay, can you hear  
12 me now? All those who are here in support, if  
13 you can just raise your hands so we can see?

14 Okay. Are you all going to testify  
15 or you're just all here in support? Okay,  
16 you're going to do both. Okay. All those who  
17 are here in opposition?

18 Now, I will say this, okay, I can't  
19 see them. Okay, they want to make sure I see  
20 this. Okay. I will say this, Vice Chair, as  
21 we know this is not a popularity contest, okay.  
22 But it is something that we have to deal with

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 on the merits of the record. Okay?

2 VICE CHAIR COHEN: Yes, I just was  
3 trying to get at the fact that the public has  
4 come down, and I appreciate the fact that they  
5 made it tonight and hopefully they'll come back  
6 on the 13th.

7 CHAIRMAN HOOD: And I appreciate  
8 that. Because my calculation is 50/50 from  
9 what I saw. So that was very helpful. Okay,  
10 well, I'll count the six that are probably  
11 behind that wall.

12 (Off the record comments)

13 CHAIRMAN HOOD: But maybe 20, is it  
14 20 down there on the outside? Okay. All  
15 right.

16 (Off the record comments)

17 CHAIRMAN HOOD: Okay, let's come  
18 to order. We've got it. I shouldn't have done  
19 that. I shouldn't have done that. I'm breaking  
20 my own rule.

21 Okay, so May 13th at 6:30. You  
22 know, most of you have to leave, but I wanted

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 to make sure we'd be cognizant of your time.

2 Okay, where were we? Let's go with  
3 our questions. Is there any questions? Who'd  
4 like to start us off?

5 I will say this, Ms. Brown. It was  
6 kind of hard to look at the PowerPoint. I  
7 understand that the Vice-Chair is talking about  
8 saving paper, but she was up here with her  
9 magnifier trying to look at this. There're  
10 some slides that I'm going to request when my  
11 time comes that I need to see larger.

12 MS. BROWN: I'd be happy to  
13 resubmit them in a larger format.

14 CHAIRMAN HOOD: Okay, who'd like  
15 to get started with questions? I would ask if  
16 you leave, if you could leave quietly so we can  
17 continue.

18 MS. SCHELLIN: Chairman Hood, the  
19 question, I'm sorry, before you guys go with  
20 questions, the question has been asked if  
21 they're not on the list tonight can they then  
22 sign up on the 13th?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 CHAIRMAN HOOD: Everybody who's  
2 here is on the list tonight?

3 MS. SCHELLIN: They are on the  
4 list, but they want to know if they can add more  
5 people.

6 CHAIRMAN HOOD: So you want to  
7 bring some more people back with you? Is that  
8 what it is? Because everybody here tonight has  
9 signed up. Typically what we do, we take up the  
10 sign-in sheet and we stop it a that point.

11 MS. SCHELLIN: Yes.

12 CHAIRMAN HOOD: But I think, due to  
13 the magnitude of this change and the whole  
14 neighborhood, I don't have any problem unless  
15 my colleagues disagree. If someone comes out  
16 on the 13th and signs up, that's fine. Okay.  
17 So that means that it's going to be a lot of work  
18 done between now and the 13th.

19 MS. SCHELLIN: It means we may go  
20 to a fifth night, is what it means.

21 CHAIRMAN HOOD: That's what we're  
22 here for, doing the City's business. Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Let's open our questions up.

2 (Off the record comments)

3 CHAIRMAN HOOD: I mean, I can start  
4 off. What you need? Happy to get off.

5 COMMISSIONER MAY: So I am going to  
6 try to be sort of quick about this. There are  
7 a couple of lingering questions from what I  
8 asked the Deputy Mayor's representative. But  
9 I'll leave those for last.

10 The Olmsted Walk that surrounds the  
11 site, is that the original plan and profile of  
12 that walk, all the way around?

13 MR. BELL: Yes. It's in the same  
14 location. There's a slight adjustment of the  
15 park because of the slope of the Olmsted, of the  
16 berm that we have to do. That is going to be  
17 inboard a little bit there at the park because  
18 of some grading issues there. But it is in the  
19 same location.

20 COMMISSIONER MAY: Very good. So  
21 there're additional sand filter cells that are  
22 still existing over across First Street, right?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. BELL: That is correct.

2 COMMISSIONER MAY: How many are  
3 there compared to how many are in your site?

4 MR. BELL: I believe nine.

5 COMMISSIONER MAY: Nine cells, and  
6 how many of them are on this site?

7 MR. BELL: Twenty.

8 (Off the record comments)

9 MR. BELL: Twenty between North  
10 Capitol and First Street.

11 COMMISSIONER MAY: Right.

12 MR. BELL: And nine in west --

13 COMMISSIONER MAY: Yes.

14 MR. BELL: Oh, First Street.

15 COMMISSIONER MAY: Okay. Thanks.  
16 So all that vegetation that's on the silos, you  
17 imparted that was a feature that was planted.  
18 So they were designed to have vegetation  
19 growing at the silos?

20 MR. BELL: I have to refer to Emily  
21 on that. They did a very thorough sort of  
22 preservation report on that.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   COMMISSIONER MAY:     Well, okay.  
2                   So while she makes her way up to the microphone,  
3                   while on the silos, what's actually going to  
4                   happen with those?  I mean, it looks like some  
5                   of them were open underneath.

6                   MR. BELL:     Right.

7                   COMMISSIONER MAY:     And some of  
8                   them had --

9                   MR. BELL:     They have a very unique  
10                  and distinct section, Commissioner May.  And  
11                  unlike the regulator houses which are a simple  
12                  box with an open floor where the plumbing goes  
13                  down into that could be dealt with, the silos  
14                  themselves are a bit of a very different and  
15                  trickier thing.

16                  They are very low ceiling in there.  
17                  They have structure above it.  Modifying it,  
18                  they're poured in place as a whole thing, so  
19                  modifying them is very difficult.  I don't even  
20                  know if you want to elaborate on those --

21  
22                  COMMISSIONER MAY:     I mean, I don't

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 really need to know the full anatomy. I'm just  
2 curious about what might actually happen in the  
3 space that's underneath them. Is it just going  
4 to be open? Or is it --

5 MR. BELL: You can walk through  
6 them, sure.

7 COMMISSIONER MAY: Yes.

8 MS. CORBETT: We plan a variety of  
9 treatments. Some of them will literally just be  
10 storage. Some of them, on the opposite end of  
11 the spectrum, we expect to convert to, wow,  
12 platforms that you can view the City, so that  
13 you can literally go up to the top of it and see  
14 across the City.

15 And then we expect some of them, in  
16 a sense, to be monuments to themselves such that  
17 they are restored and preserved as is, and you  
18 can walk through it, but there's no functional  
19 use.

20 We also intend to light them, as  
21 Matt said, and use them as canvases in our  
22 public art program but with projected public

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 art not with permanent images.

2 COMMISSIONER MAY: Okay. And  
3 then I saw some of them have stairs ringing the  
4 outside.

5 MR. BELL: Yes. The idea there is  
6 to make it accessible so at least one of them  
7 perhaps you can walk up the outside. That  
8 would be new, that's new.

9 COMMISSIONER MAY: Okay. All  
10 right, so back to the question now for --

11 MS. EIG: It's Emily Eig. The  
12 Olmsted, Mr. Olmsted, Jr. did in fact plan for  
13 there to be vegetation. The vegetation that's  
14 there is not necessarily the same vegetation  
15 anymore.

16 And the ivy that he used at the time  
17 is not ivy that we would want to use today  
18 because, you know, we are more interested in  
19 native species and also not having ivy that  
20 would actually destroy the concrete.

21 COMMISSIONER MAY: Right.

22 MS. EIG: But we do have very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 extensive information on the planting program  
2 that he designed for the site and where  
3 everything is. There are many, many, many  
4 drawings and letters, correspondence,  
5 basically --

6 COMMISSIONER MAY: Okay. So  
7 there are a number of walls that are along the  
8 courts with openings in them. Are those,  
9 generally speaking, all preserved fabric?

10 MR. BELL: On the north service  
11 court we will be preserving the wall that fronts  
12 Cell 14. And the remainder of that wall will  
13 go away as we create the retail street.

14 COMMISSIONER MAY: Right.

15 MR. BELL: In the south service  
16 court, on the south side of that, the wall is  
17 intact. On the north side we have openings for  
18 the streets and sidewalks to get through. But  
19 it is intact except for those locations.

20 COMMISSIONER MAY: Okay.

21 MS. EIG: And all of the portals in  
22 the south service court would be intact.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   COMMISSIONER MAY: Great. And what  
2 sort of a treatment are they going to actually  
3 get? Are there going to get a lot of repair and  
4 restoration? Or are they going to be more or  
5 less left kind of rough and --

6                   MR. BELL: Repair, yes. They will  
7 need to be stabilized, structurally, because of  
8 the nature in which they exist today and the  
9 nature in which they will be deployed. So  
10 there will be a design issue to stabilize them  
11 and integrate them into the street scape.

12                   COMMISSIONER MAY: Okay. So if I  
13 understand correctly, the street that the  
14 retail, that was in the north court, it lines  
15 both sides of the street, is that right? And  
16 that also includes the townhouses.

17                   MR. BELL: Includes the --

18                   COMMISSIONER MAY: Because there  
19 are townhouses that butt up --

20                   MR. BELL: Townhouses, no.

21                   COMMISSIONER MAY: So what's the  
22 building that's directly south of the north

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 court

2 (Crosstalk)

3 MR. BELL: It's a multi-family  
4 building --

5 COMMISSIONER MAY: It's a  
6 multi-family building.

7 MR. BELL: -- grocery store, other  
8 retail on the ground floor.

9 COMMISSIONER MAY: Got it. I  
10 thought that was only toward the east side. The  
11 west side is --

12 (Off the record comments)

13 MR. BELL: Oh, further down the  
14 north service court on the western side of the  
15 north service court, that'll be a multi-family  
16 building with retail on the ground floor.

17 COMMISSIONER MAY: Got it, okay. I  
18 see that.

19 MR. BELL: We have retail on both  
20 sides of the north service court.

21 COMMISSIONER MAY: Sure, got it.  
22 For some reason I thought they were row houses,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 and I thought that was going to be interesting.  
2 It's really possible, I mean, it happens. I  
3 mean, my house used to be commercial, anyway.

4 So building heights, I saw, you  
5 know, one of the slides had numerous building  
6 heights. And it's stepping up, and I  
7 understand that. But where is the measuring  
8 point for all these buildings? Is it done from  
9 the platted streets?

10 MR. BELL: Each of the building  
11 architects will come and show the measuring  
12 point for the buildings as part of their  
13 presentation.

14 COMMISSIONER MAY: So some of them  
15 will be on the courts and some of them will be  
16 on First Street or whatever. It's a variety of  
17 things. It's not going to be a single  
18 measuring point at the highest point that  
19 allows the things to be exaggerated. Okay.  
20 And did you bring a materials board for the  
21 center?

22 MR. BELL: Yes, we did.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   COMMISSIONER MAY:   Okay, so if you  
2 all can pass that back?

3                   (Off the record comments)

4                   MR. BELL:    Oh, for the community  
5 center, we have the materials for it for the  
6 overall project.  It's --

7                   COMMISSIONER MAY:  All right.  So  
8 this case includes the community center, right?

9                   MR. BELL:    It does.

10                  COMMISSIONER    MAY:            So    this  
11 portion, this hearing portion of it, right?  And  
12 so I think we want to see that since we're going  
13 to be here again another night.

14                  MR.    BELL:            okay.        We'll  put  
15 together a board for the community center.

16                  COMMISSIONER    MAY:            Okay,  that  
17 would be great.  And then how would the fields  
18 be managed?  I mean, there are some large  
19 fields that look like they're suitable as  
20 playing fields, multi-purpose fields.  How are  
21 they actually going to be managed?

22                  MS.  CORBETT:    The large playing

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 fields, well, the large fields are meant to be  
2 flexible in use, and respective of their  
3 original design, their unprogrammed, open  
4 design.

5 So we intend again to have a private  
6 nonprofit management structure similar to a  
7 community improvement district that maintains  
8 those spaces. We would anticipate that while  
9 many of the days of the week and hours of the  
10 day they would be unprogrammed, we would also  
11 want to be responsive to community need.

12 And so, for instance, we may embark  
13 on a program where people can schedule  
14 activities in certain sections of the park much  
15 like we do in a lot of our parks and open spaces  
16 around --

17 COMMISSIONER MAY: So it might be  
18 available for local sports leagues and things  
19 like that on weekends?

20 MS. CORBETT: They might be.

21 COMMISSIONER MAY: Okay. So I  
22 don't know the extent to which you can actually

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 flesh that out, but that's something that's  
2 very important to me and to us and the Park  
3 Service, and wanted --

4 MS. CORBETT: Certainly.

5 COMMISSIONER MAY: The overall  
6 state of playing fields and quantity of playing  
7 fields and things like that, and the dearth of  
8 playing fields in certain parts of the city is  
9 a really critical issue. And if there's going  
10 to be large areas that might be suitable for  
11 that purpose it would be good to know if that  
12 might be on the table.

13 MS. CORBETT: Certainly. My  
14 hesitation is only in again the hundreds of  
15 hours I've spent with community members.  
16 There is quite a diversity of opinions on how  
17 they should be programmed.

18 COMMISSIONER MAY: Welcome to my  
19 world.

20 Okay, so I'm going to shift to Mr.  
21 Shiesel. So on the possible turn lanes off  
22 North Capitol, you're indicating that there's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 actually room for additional left turn lanes  
2 like there is at Channing Street now?

3 MR. SHIESEL: Yes.

4 COMMISSIONER MAY: And that won't  
5 affect parking or anything like that that  
6 exists?

7 MR. SHIESEL: No, it would look  
8 like it does look at Channing.

9 COMMISSIONER MAY: Okay. I just  
10 can't remember what the full width is or whether  
11 it narrows anywhere along there. So did the  
12 density calculations that we saw, the overall  
13 density of the project, that was done without  
14 the private public streets, right?

15 MR. SHIESEL: We've actually done  
16 it both ways. There's two sets of  
17 calculations. I call it the total land area  
18 and the net land area.

19 COMMISSIONER MAY: All right. So  
20 then just back to that original question about  
21 the context for the original agreement and the  
22 compliance with the covenants of the GSA

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 disposal. Again this is just sort of  
2 background.

3 MS. BROWN: Sure. Under the deed  
4 restrictions, when the property was conveyed  
5 there was seven conditions that the city had to  
6 comply with in order to meet the Section 106  
7 standards. And because those conditions were  
8 put in the deed, the GSA was deemed to complete  
9 the Section 106 process.

10 I don't have the deed in front of  
11 me, but there is the provision that says --

12 COMMISSIONER MAY: Somebody might  
13 have given to us.

14 MS. BROWN: It's in the record. I  
15 saw that it was submitted. I just haven't  
16 looked at it recently. But I know there is a  
17 provision that says that the Historic  
18 Preservation Officer and the city have to work  
19 out the plan for the redevelopment of the site.

20 And if and when the Historic  
21 Preservation Officer disagrees with what the  
22 city is trying to do, the Advisory Council will

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 resolve the dispute. Right now there is no  
2 dispute between the Historic Preservation  
3 Officer and the city, so there's no need for it  
4 to go to the Advisory Council.

5 COMMISSIONER MAY: Okay. So  
6 there are several things that we've seen and  
7 that I've seen in testimony about whether, I  
8 guess it goes to the secretary's standards and  
9 whether this complies with the secretary's  
10 standards, right?

11 And that that should actually be  
12 the basis for the SHPO=s decision on it,  
13 possibly or not. But I mean is that one of the  
14 covenants that it has to be done in accordance  
15 with the secretary's standards?

16 MS. BROWN: If you give me just a  
17 second. I'm not going to be able to find it  
18 quickly enough. But there is a requirement  
19 that for the preservation that's going to be  
20 occurring that it must comply with the  
21 Secretary of Interior standards. So we are  
22 applying those to the above-grade structures

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 that are being retained.

2 COMMISSIONER MAY: And that's the  
3 way it's worded? It's for the areas to be  
4 preserved?

5 MS. BROWN: Yes, I have to go back  
6 and read it to get to the exact provision, but  
7 obviously -- yes.

8 COMMISSIONER MAY: Okay. So I  
9 mean, ultimately maybe we need to hear from the  
10 Office of Planning about the extent of, or their  
11 confidence that requirements have been met  
12 since the Office of Planning, or the Chapeau was  
13 within the Office of Planning.

14 MS. BROWN: And if I could just  
15 add, we do know that we are going to the mayor's  
16 agent on the raze application, and that would  
17 help determine whether there is any dispute  
18 between the Historic Preservation Office.

19 COMMISSIONER MAY: Right. And  
20 when will that occur?

21 MS. BROWN: We have not filed the  
22 raze application yet. We wanted to get through

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 this process first. But that should be filed  
2 shortly. We're hoping to get that completed,  
3 if we're lucky, by the end of the summer.

4 COMMISSIONER MAY: So before we're  
5 making decisions on this?

6 MS. BROWN: We're trying to get a  
7 hearing. We hope for a hearing before the end  
8 of the summer, but we still need to coordinate  
9 with the Historic Preservation Office on that.

10 COMMISSIONER MAY: Okay. So I  
11 mean how does that factor into our decision  
12 making now?

13 MS. BROWN: I think that they're  
14 independent decision --

15 COMMISSIONER MAY: I understand  
16 that they are. I'm curious about the timing of  
17 them. Typically we want to see, you know, we  
18 want to be moving in a logical order in  
19 conjunction with what happens on the historic  
20 preservation side.

21 And I'm just, you know, again if  
22 something goes awry further in the process when

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 you go to the mayor's agent and it winds up  
2 having to modify the PUD as a result, you know,  
3 those are the sorts of things that I'm wondering  
4 about.

5 MS. BROWN: Okay, I'll get back to  
6 you once I have some more information.

7 COMMISSIONER MAY: I would  
8 appreciate that.

9 CHAIRMAN HOOD: Okay, now you had  
10 about ten more minutes. Okay, thank you,  
11 Commissioner May. Who'd like to go next?  
12 Vice Chair, would you like to go next?

13 VICE CHAIR COHEN: I read that the  
14 Historic Preservation Review Board met on April  
15 25th about this project. Is that correct?

16 MS. CORBETT: They met numerous  
17 times. The last time was October 31st, 2013,  
18 when they took their final vote on the master  
19 plan and building design concepts.

20 VICE CHAIR COHEN: All right, I  
21 thought I read somewhere that they were going  
22 to meet again on April 25th. All right, I guess

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I was wrong.

2 I did read the executive summary of  
3 the engineer, and it appears that there's a lot  
4 of problems with the subsurface space. And my  
5 question is, is how does that affect the,  
6 holding buildings on that site? I guess I  
7 didn't really understand how we can build when  
8 there's, you know, problems underground.

9 Don't we have to, you know --

10 MS. CORBETT: We would intend to  
11 demolish the cells below the buildings.

12 VICE CHAIR COHEN: Okay, and then  
13 add steel and concrete support?

14 MS. CORBETT: Correct. So part of  
15 the land development process that the District  
16 of Columbia is committed to is creating stable  
17 development pads for each of the development  
18 sites. And that involves a great deal of  
19 demolition and excavation in creating those  
20 pads.

21 VICE CHAIR COHEN: Okay.

22 (Off microphone comments)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD: Let me just say  
2 this. You're actually out of order so you can  
3 have a seat. There will be a time for you to  
4 be able to talk about that during cross  
5 examination. Right now we're asking our  
6 questions, okay. Unlike the courts we don't  
7 have objections in that fashion.

8                   What will happen is, when you come  
9 up and you do your cross examination, you can  
10 ask a question then, and when you do your  
11 presentation you can counteract or come back  
12 and give us some other information to  
13 counteracting whatever comments were made,  
14 okay? Thank you.

15                   VICE CHAIR COHEN: Can you remind  
16 me what the LEED certification will be for the  
17 community building?

18                   MS. CORBETT: For the community  
19 building we're pursuing LEED Silver.

20                   VICE CHAIR COHEN: Okay.

21                   MS. CORBETT: For the master plan  
22 we're pursuing LEED Neighborhood Development.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   VICE CHAIR COHEN: Right. Okay.  
2                   The silos. There's certain concerns that I have  
3                   with regard to keeping them open. And the  
4                   reason why is that I think people will enter  
5                   them and they could, you know, do graffiti.  
6                   They could use it as a lavatory if they're not  
7                   in use or if they're not closed off. So what  
8                   can you do to prevent them from being misused?

9                   MS. CORBETT: I think I would treat  
10                  them like I would treat maintaining public art.  
11                  I think it's in our responsibility in  
12                  developing the maintenance plan for the site to  
13                  have a very diligent approach to the site's  
14                  maintenance as well as building pride of  
15                  ownership such that again those are icons, part  
16                  of the national landmark.

17                  We plan to activate them in a  
18                  variety of ways that, you know, I think it's  
19                  like the broken window theory. You know, we  
20                  need to maintain them well and develop  
21                  community pride in them and hope that only a  
22                  small few will choose to stray against that.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   VICE CHAIR COHEN: And one of the  
2 concerns that I have as well is, you know, kids  
3 love to climb things and they often will see a  
4 ladder and run towards it and get on that  
5 ladder. And how are you going to manage the  
6 safety, the physical safety of people climbing?

7                   MS. CORBETT: That's a great  
8 question, and I think I would choose to punt on  
9 that one right now and say that I'd like to come  
10 back to you with the specific risks associated  
11 with the preservation program and how we plan  
12 to mitigate those risks.

13                  VICE CHAIR COHEN: I would really  
14 like to see that. The other safety issue is at  
15 night. Even though there is lighting, again  
16 there's often opportunities for people again to  
17 hide behind and/or in a particular silo.

18                  And I just again want that to be  
19 addressed in the mitigation, safety concerns of  
20 people walking along the paths and then having  
21 to, you know, avoid having any problems occur  
22 regarding safety since that is a big issue.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           MR. BELL:    If I could make one  
2 comment, Commissioner Cohen.

3           VICE CHAIR COHEN:    Sure.

4           MR. BELL:    One of the things we  
5 strived to do is put eyes on the street in this  
6 plan, so that you have houses and multifamily  
7 buildings looking on to the Service Courts.  
8 And that will build security from the presence  
9 of people living in those locations and seeing,  
10 you know, over them in ways that will hopefully  
11 deter most things of the kind you cite from  
12 occurring.

13                        But it's a very good point and we'll  
14 take it under consideration.    But the idea  
15 really is to make it safe by having people on  
16 the site.

17           VICE CHAIR COHEN:    And I  
18 appreciate that.    But again I know that on  
19 college campuses there are often people on the  
20 site and things happen.    And so I think we need  
21 to think about it as opposed to just, you know,  
22 hope that things don't happen.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1           Again I think it also has some of  
2 the future uses, you know, you were also punting  
3 that future uses. I don't think that's  
4 appropriate because I think every use has a  
5 visual impact.

6           So in a number of places like on  
7 Page 27 of the master plan I think you do  
8 mention, oh we'll deal with that at a future  
9 date. I would suggest that you don't deal with  
10 things at the future date but have plans in  
11 place now to the best of your ability. They  
12 could be flexible and change, but again if you  
13 don't have a plan for it it's going to have an  
14 impact.

15           One of the things I noticed in the  
16 plans that you provided is there's a lot of  
17 heavy equipment in several of the sand  
18 filtration buildings. Are you planning to  
19 have them remain or are you going to remove  
20 them?

21           MS. CORBETT: So first can I  
22 comment on the future use issue?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 VICE CHAIR COHEN: Oh sure.

2 MS. CORBETT: So I think you're  
3 referring to Cell 14. So that's the cell that  
4 DC Water is using until 2022.

5 VICE CHAIR COHEN: Okay.

6 MS. CORBETT: So it is our  
7 intention to actively reuse that cell for a set  
8 of retail uses. Imagine four or five shops and  
9 restaurants, maybe the coolest wine  
10 cellar/brew pub retail use there imaginable.  
11 It is 40,000 square feet and it is very  
12 difficult for me to say what the market demand  
13 will be for that in 2022.

14 VICE CHAIR COHEN: Okay, I didn't  
15 realize that that was --

16 MS. CORBETT: -- seem to be  
17 disregarding that.

18 VICE CHAIR COHEN: No, I  
19 appreciate that. I guess I didn't focus on the  
20 timeline, because you did provide one for a lot  
21 of the build-out.

22 So could we go back to the heavy

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 equipment in several of the filtration  
2 buildings?

3 MS. CORBETT: All of the heavy  
4 equipment on site has been removed. That won't  
5 be restored.

6 VICE CHAIR COHEN: And so even  
7 within those sites there was like a well. So  
8 that will be covered and --

9 MS. CORBETT: A well.

10 VICE CHAIR COHEN: It seemed like  
11 a well because there was fencing around it and  
12 it looked like a big hole.

13 MS. CORBETT: No.

14 VICE CHAIR COHEN: No?

15 MS. CORBETT: We won't leave any  
16 big holes.

17 VICE CHAIR COHEN: Okay. Thank  
18 you. All right, again I will bring up the fact  
19 that I am very, very concerned with the issue  
20 of the senior versus family housing, but I  
21 believe that's going to be covered.

22 On the landscaping I don't know if

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 there's been detailed plans provided, but I  
2 will be curious as to the size of the trees that  
3 will be planted along the different, the  
4 Olmsted Walk as an example. Because we've been  
5 hearing a lot about what needs to be planted to  
6 survive construction, and I would like more  
7 detail on that.

8 MR. BELL: Sure. I'll give you  
9 the detail we can provide.

10 VICE CHAIR COHEN: Yes, you don't  
11 have to provide it today.

12 MR. BELL: Yes.

13 VICE CHAIR COHEN: And can you pull  
14 up the drawing that had the accessibility. We  
15 have stairs up to the park, but you did mention  
16 and there was an opening for people who had  
17 accessibility challenges to get into the park.  
18 I remember seeing it so I want to just make sure  
19 I understand it.

20 MR. BELL: You're talking about  
21 the large park?

22 VICE CHAIR COHEN: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   MR. BELL:    On the South Service  
2 Court?

3                   VICE CHAIR COHEN:  Yes.

4                   MR. BELL:        Yes, this is an  
5 important feature of the design.  People will  
6 be able to access the park from the South  
7 Service Court, and the ramps are designed to get  
8 people, you know, who need the disabled access  
9 into the park there as well as into the  
10 Community Center.  And it's important to have  
11 the vehicular access as well for those people.

12                   So what happens is that if you're  
13 a disabled person you could be dropped off in  
14 a car here and go into the Community Center, and  
15 these ramps are sloped to be able to navigate  
16 the grade.  There's a slight grade difference  
17 between the South Service Court and the level  
18 of the park to be able to get into the park.

19                   VICE CHAIR COHEN:  Okay, thank  
20 you.

21                   MR. BELL:        We also have a ramp on  
22 Channing Street as well that does a similar

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 thing. And another one in the lower part of the  
2 park that also provides navigation from the  
3 upper part to the lower part as well as a larger  
4 ramp to the west.

5 VICE CHAIR COHEN: Okay, thank  
6 you. And I guess I have a couple of  
7 transportation questions. North Capitol  
8 Street. It's my understanding that the  
9 mitigation is going to be traffic lights, and  
10 what else is being proposed? Because that's a  
11 really heavily used street. There's major  
12 issues with crashes. And I just want to make  
13 sure that we're dealing with the additional  
14 traffic that will be on that street. What are  
15 you proposing?

16 MR. SHIESEL: Yes, we have similar  
17 concerns. Our study has, I guess our  
18 recommendations are multifaceted when it comes  
19 to North Capitol Street. First of all, as with  
20 any development in the District especially when  
21 it's adjacent to many of the arterial that  
22 already are at capacity during commuter times,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 we place a lot of emphasis on reducing vehicular  
2 traffic before it starts. You know, the demand  
3 management measures, the improvement of  
4 transit, the bicycle and pedestrian plan.

5 After that we do look at our traffic  
6 models for mitigations that could improve  
7 vehicular capacity here or there. We have to  
8 take a very balanced approach. Any additional  
9 asphalt, any additional capacity to the  
10 vehicular system usually come to the  
11 degradation to the other modes, whether it's a  
12 right turn lane here or there that something  
13 links to a crosswalk or has to relocate a bus  
14 stop or can get in the way of cyclists.

15 We identified a few things. The  
16 new turn lanes. The traffic signals. The  
17 improved pedestrian experience along North  
18 Capitol. In essence, and it's an interesting  
19 section of North Capitol because it's very  
20 urban south, and north it's a little suburban  
21 in nature with an interchange right at Irving  
22 Street.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           It's kind of a transitional zone  
2 where actually people are speeding up almost  
3 right next to the site. Some of breaking up the  
4 superblock will help kind of make it similar to  
5 what's going on in the south.

6           Another recommendation we looked  
7 at is in our future models we were seeing a lot  
8 of equal distribution of traffic going north  
9 and south during commuter times. This is kind  
10 of common in some of the arterials we see in the  
11 District where we're not going to see any growth  
12 in one direction because it's pretty much  
13 capped, but we are seeing growth in the other  
14 directions.

15           So one of the things we recommended  
16 was looking at changing some of the peak hour  
17 parking restrictions on North Capitol Street  
18 which would gain some more vehicular capacity  
19 without adding more asphalt.

20           Right now on North Capitol Street  
21 parking is restricted on one side of the street  
22 during the corresponding peak hours. We would

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 recommend looking at exploring making it a  
2 six-lane facility at all times during the peak  
3 hours, and then at off peak it would be four  
4 lanes, two lanes in each direction.

5 Currently it goes to five lanes,  
6 three at peak hours. Three in one and two in  
7 the other. This would help with some turns at  
8 some areas and some in others. DDOT has had  
9 their thoughts on that. They're hesitant. I  
10 can't to speak on their behalf, but because of  
11 the balance I'd say. Because parking is, in  
12 addition, another thing that you have to  
13 balance.

14 So I cannot say that all the ideas  
15 we have, the end result is going to improve  
16 North Capitol Street. What they are though is,  
17 I would say a balanced approach at trying to  
18 make the street more appropriate for the  
19 neighborhood that's being created, while at  
20 times looking for opportunities to do provide  
21 more capacity where possible.

22 VICE CHAIR COHEN: What about the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 entry and exit for the medical office building  
2 off of Michigan Avenue? There again we're  
3 adding quite a bit of traffic and tie-ups. So  
4 remind me what the proposals are to mitigate  
5 those problems.

6 MR. SHIESEL: Yes, there's several  
7 access points to the medical office building,  
8 First Street, Michigan Avenue, and the North  
9 Service Court. So I'd say step one is  
10 distributing the traffic.

11 If you've read DDOT's staff report  
12 they have some additional thoughts and better  
13 ways to distribute that traffic, especially to  
14 get some of the evening traffic going south.  
15 So they don't have to go Michigan Avenue. So  
16 that's some of the things like I meant, some of  
17 the suggested changes we're still looking at.

18 Secondly, there are, we're taking  
19 some opportunities to reexamine Michigan  
20 Avenue right between North Capitol and First.  
21 A little bit of widening into the project allows  
22 cleaning up of a lot of the oddly shaped turn

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 lanes and transitions.

2 It's shown in some of the diagrams  
3 in our supplement of before and afters. Those  
4 are slight changes. There's also some  
5 improvements recommended at the intersection  
6 of First and Michigan that include additional  
7 turn lanes and other capacity improvements that  
8 will help process some vehicular traffic  
9 especially where some of the medical office  
10 building traffic will be going through the same  
11 intersections as lots of the other medical  
12 facility traffic.

13 VICE CHAIR COHEN: Now if I was,  
14 you know, a doctor working at one of the  
15 hospitals and wanted to get to maybe, you know,  
16 an office in the medical, how would I get there?  
17 I wouldn't walk, would I?

18 MR. SHIESEL: Well, I am not an  
19 expert on where the doctors' offices are on the  
20 opposite sides of the street and what their  
21 walking paths would be, but the --

22 VICE CHAIR COHEN: But it's

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 important to know. Yes.

2 MR. SHIESEL: -- project site is  
3 constructed in way that there is quality  
4 pedestrian access at all corners. You know, if  
5 these hospitals were to make some changes the  
6 connections are there, and the walking paths  
7 are there. There's no back door facing those  
8 doctors who wish to come there. They'll be  
9 welcomed to walk down to the site.

10 There's been discussions with some  
11 of the other medical centers about possibly  
12 linking some shuttle systems that they already  
13 run. The Healing Garden includes an area for  
14 shuttles to go.

15 So, for example, the current  
16 hospital shuttles that currently use Michigan  
17 could also stop there. That could provide some  
18 of their employees a way to, on the way to and  
19 from the office or even to go back and forth  
20 between the buildings.

21 So none of those, there's no solid  
22 ideas, but all of the ability and flexibility

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 in the plan is there to create these  
2 connections.

3 VICE CHAIR COHEN: What is the  
4 actual distance, actually? Because a lot of  
5 people are, between the hospitals and the site.

6 MR. SHIESEL: I don't know off the  
7 top of my head.

8 VICE CHAIR COHEN: Because that's  
9 a logical place for somebody who is working at  
10 the hospital to also have their private  
11 offices. So I just would like to have further  
12 information. I have not read your report that  
13 was submitted tonight yet.

14 MR. SHIESEL: Okay.

15 VICE CHAIR COHEN: If you can't  
16 answer it now just provide that as part of the  
17 information submission.

18 MS. CORBETT: We think it's  
19 probably 400 feet. When we present the medical  
20 office buildings in detail we will ensure that  
21 all of those distances are covered.

22 VICE CHAIR COHEN: Thank you. All

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 right, Mr. Chairman. I'm finished.

2 CHAIRMAN HOOD: Thank you.  
3 Commissioner Miller?

4 COMMISSIONER MILLER: Thank you,  
5 Mr. Chairman. I'll be brief, I think. I want  
6 to first compliment the applicant on all the  
7 work that you've done in response to this  
8 historic preservation, the community. It's  
9 obviously the effort, it's really a huge  
10 undertaking, this project, and I think there  
11 are a lot of incredibly positive components of  
12 it which I'm very excited about.

13 I have some specific questions and  
14 a few, just a few questions and concerns. Are  
15 you working on a -- we usually don't put in our  
16 zoning orders construction management  
17 agreements, but we sometimes reference an  
18 agreement that's been worked on with the  
19 community with the ANC.

20 Are you working on such an  
21 agreement with the community or the ANC? A  
22 construction management agreement that would

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 address how to mitigate the large amount of  
2 construction that's going to be going on and any  
3 adverse impacts on the neighborhood?

4 MS. CORBETT: We certainly expect  
5 to have a construction management agreement in  
6 place to mitigate construction impacts. That  
7 is part of the CBA conversation that we are  
8 having that is ongoing.

9 COMMISSIONER MILLER: Well, that  
10 was my next question. What is the status or  
11 what is your, you're working on trying to get  
12 a community benefits agreement between  
13 yourselves and some of the organizations?

14 MS. CORBETT: We are. As I  
15 testified earlier, we have made a specific set  
16 of offers to ANC 5E totaling \$3.4 million worth  
17 of additional community benefits not including  
18 the benefits that are baked into the master  
19 plan. The affordable housing, the park, the  
20 Community Center, et cetera. And that  
21 negotiation is ongoing.

22 COMMISSIONER MILLER: Okay. I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 expressed a concern at Sitdown regarding the  
2 amount of parking being provided for the  
3 Community Center, it just being only 21  
4 on-street spaces for what looks like a very  
5 attractive place to go to, both the Community  
6 Center and the six-plus acre park next to it.

7 So I know your February submission  
8 tried to address that, but could you for the  
9 record say how you think you're only going to  
10 get 21 cars coming to use that Community Center  
11 or the park?

12 MS. CORBETT: I'll start by saying  
13 that in addition to the 21 spaces on the South  
14 Service Court, there are numerous on-street  
15 spaces north of the South Service Court  
16 throughout the neighborhood, the row house  
17 neighborhood.

18 In addition there is --

19 COMMISSIONER MILLER: It's up to  
20 90-some on-street spaces or something like  
21 that?

22 MS. CORBETT: Yes. Yes. Then

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 the beauty of the medical office building hours  
2 is that there will be a likely complement  
3 between the time that the Community Center and  
4 the park is in demand and the medical office  
5 uses are in demand. It would certainly be, I  
6 think, irresponsible not to try to create a  
7 cooperative use agreement there where folks  
8 visiting the site could use those structured  
9 parking spaces at off-peak hours when they're  
10 again not in demand by staff and patients.

11 COMMISSIONER MILLER: Right, I  
12 think that will be important to have. But  
13 that's on the northern part of the site?

14 MS. CORBETT: True.

15 COMMISSIONER MILLER: And I guess  
16 they'd walk down the sidewalk on Half Street?

17 MS. CORBETT: Right. It's a very  
18 pleasant two-block stroll from the North  
19 Service Court to the South Service Court.

20 COMMISSIONER MILLER: Right. And  
21 just in terms of the demand of people wanting  
22 to get to the site without creating too much

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 adverse impact with too many cars, I think the  
2 shuttle service idea, whether it's  
3 coordinating with other shuttles that exist or  
4 having your own shuttle service from the Metro,  
5 would be an important thing to have.

6 Let me turn to zoning. C-3-C  
7 zoning for the northern parcel where the  
8 medical office and health care facilities is,  
9 does the C-3-C extend to the south to that North  
10 Service Court as well? Because OP's report  
11 said it did, but I was curious as to why C-3-C  
12 needed to encompass the North Service Court,  
13 Parcel 1, I think that is.

14 MR. SHER: Yes, it is the entirety  
15 of Parcel 1 bounded by Michigan Avenue on the  
16 north and North Capitol Street on the --

17 COMMISSIONER MILLER: Okay,  
18 Parcel 7 is the North Service Court then, right?  
19 Is that CR or C-3-C?

20 MS. CORBETT: The North Service  
21 Court is part of the CR zone. It's the balance  
22 of the site. Parcel 1 is C-3-C. The request

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 is C-3-C.

2 COMMISSIONER MILLER: And there  
3 was something in that OP's report and they may  
4 want to just correct that, that that said that  
5 it encompassed the North Service Court. And  
6 not to pick on OP's, I'm not picking on you.

7 But in terms of the LEED, I think  
8 they had mentioned that the Community Center  
9 was LEED Platinum, and you testified that it's  
10 LEED Silver. I guess if I hadn't heard about  
11 the LEED Platinum I wouldn't have been  
12 disappointed about the LEED Silver.

13 But since I heard about the LEED  
14 Platinum, was there ever a proposal for it to  
15 be LEED Platinum then?

16 MS. CORBETT: No.

17 COMMISSIONER MILLER: And is the  
18 rest of the entire project going to be LEED  
19 Silver equivalent or --

20 MS. CORBETT: Yes, the commercial  
21 buildings are working towards LEED Silver  
22 certification. The row house building is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 subject to Green Communities standards.

2 COMMISSIONER MILLER: Okay. And  
3 finally, has the First Source Employment  
4 Agreement been executed yet?

5 MS. CORBETT: Yes.

6 COMMISSIONER MILLER: And was that  
7 submitted as part of your submission?

8 MS. CORBETT: No, it's not in the  
9 record at this time, but we will make sure it  
10 is.

11 COMMISSIONER MILLER: Right. All  
12 right, well, thank you very much. That's all  
13 I have right now.

14 COMMISSIONER MAY: Mr. Chairman,  
15 can I ask one quick follow-up?

16 CHAIRMAN HOOD: Can ask my  
17 questions? Go ahead.

18 COMMISSIONER MAY: On the LEED  
19 question you said that the medical office  
20 buildings you're trying for Silver? Is that  
21 what you said?

22 MS. CORBETT: I don't think I said

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 trying.

2 COMMISSIONER MAY: Okay.

3 MS. CORBETT: You'll see each one  
4 of the consolidated applications has a score  
5 card as the last sheet, and you'll see that each  
6 one of them are -- what's the right verb -- are  
7 targeting LEED Silver.

8 COMMISSIONER MAY: Okay.

9 MS. CORBETT: Comfortably. I  
10 mean --

11 COMMISSIONER MAY: That's a little  
12 disappointing. I mean we're used to seeing,  
13 particularly for larger office buildings we're  
14 used to seeing Gold and in some cases we've seen  
15 Platinum. So --

16 (Off microphone comments)

17 COMMISSIONER MAY: Well, anyway  
18 we'll get into that when we get into those  
19 cases. I don't want to take away from the  
20 chairman's time.

21 CHAIRMAN HOOD: I was just joking  
22 with you, man. Are you finished? I've got to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 have some fun some time. Okay, let me see.  
2 Let me ask --

3 COMMISSIONER MAY: Do I need to  
4 point out that the continuation hearing is on  
5 volleyball night?

6 CHAIRMAN HOOD: Good. I'm going  
7 to have a good time then. What is that, the  
8 13th? Yes, we'll try to get you out of here in  
9 time.

10 I'm going to ask the same question  
11 I asked at the Skyline hearing is, actually I'm  
12 going to ask it differently. Which project has  
13 been longer in the pipeline in the city? And  
14 I'll try to figure this out. Is it Skyline or  
15 is it McMillan? Could somebody help me with  
16 that?

17 MR. WEERS: How many years did  
18 Skyline have? Because we've got 27.

19 CHAIRMAN HOOD: Okay. Well, I  
20 think you all may have. But anyway I need to,  
21 actually that's the same question I asked at the  
22 Skyline hearing. So anyway.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           Let me piggy back on what my  
2 colleague has already mentioned about the jobs.  
3 I kept hearing jobs in Ward 5. Is there some  
4 type of agreement? I know we've gone to First  
5 Source, but is there something more than that?  
6 Because typically we don't necessarily  
7 specifically tailor it to a specific ward.

8           Is that something that was agreed  
9 upon with the ANCs or the community, and are we  
10 getting the pool ready? Because what happens  
11 is we'll tell the community that and when it's  
12 time for posting the jobs we find out that we  
13 have less than three percent who will qualify  
14 for those jobs.

15           MR. WEERS: So to that very point,  
16 one of the things we've been doing is working  
17 with partners who are very talented and expert  
18 in work force development like the Community  
19 Foundation, who have been working not just on  
20 work force development but on work force  
21 development in the health care sphere  
22 specifically as well as retail as well as

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 construction. I mean they do a lot of stuff.

2 But we are reaching out to people  
3 who are experts in this field and talking to  
4 them about this very thing. We have put forth  
5 a plan. We've suggested something to the  
6 District that would be a combination of taking  
7 those experts, coordination with people inside  
8 the District who also work on this, DOES, UDC,  
9 I mean there's a lot of opportunities and  
10 they're also educational partners in the area,  
11 like Trinity University that I think would love  
12 to be a part of this.

13 But ultimately what we want to do  
14 is get some experts involved, because the  
15 private development team is not in the business  
16 of work force development nor do I think you  
17 want us to be in that business.

18 And what I can tell you is the  
19 feedback we've gotten from folks like the  
20 Community Foundation, so far, is that this is  
21 not only a great opportunity, but the fact that  
22 we are here this early in the process is unique.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 Because normally even, you know, either people  
2 won't show up and talk to them beforehand, or  
3 when they do it's a couple of months before you  
4 come cut the ribbon and the building is open.

5 And so there's not necessarily  
6 enough time for something like a health care  
7 job. Maybe it's different for retail  
8 opportunity, but to your point it does take time  
9 for these positions.

10 There could be training  
11 requirements. There could be certifications  
12 that people need to go through. And having a  
13 four-year lead time, which is kind of where we  
14 are right now for the delivery and opening of  
15 these medical facilities, we could use every  
16 day of that.

17 CHAIRMAN HOOD: Okay, do we have  
18 something already? I know we don't have the  
19 First Source yet, and I think it's Page 11 or  
20 12 we want to make sure that's filled out. I  
21 forgot the page number. But do we have  
22 something in the record to which you just

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 testified to?

2 MR. WEERS: We don't but we can  
3 provide that.

4 CHAIRMAN HOOD: I would like that  
5 for the record, because we need some  
6 assurances.

7 MR. WEERS: Yes, sir.

8 CHAIRMAN HOOD: What about the  
9 CBE?

10 MR. WEERS: So we are actively  
11 working with DSLBD on our CBE agreement. It's  
12 a part of our LDA conversation as well. We're  
13 committed to doing a CBE agreement and honestly  
14 we're trying to do something that's different.

15 And Anne spoke to this a little bit.  
16 The CBE component of this project with JAIR  
17 LYNCH Development Partners taking a lead role  
18 as a prime developer for this much, this  
19 significant of a portion of a project of this  
20 size, the magnitude, it's not as simple as just  
21 taking a form CBE agreement and signing it.

22 So we're having it on --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD:     But that's how  
2                   it's been.   That's what I want us to do.   I want  
3                   us to get beyond that so when I ride by there,  
4                   because I do ride by there, I won't see  
5                   Pennsylvania and West Virginia tags.

6                   I want to see D.C. tags and  
7                   residents of that area making some benefits  
8                   there and so they can get some buy-in.   That's  
9                   what I want to see instead of Pennsylvania and  
10                  West Virginia.

11                  I have nothing against them if  
12                  they're watching streamline, but sometimes we  
13                  want to look out for residents especially those  
14                  who live in that area.   That's where I am.

15                  MR. WEERS:   What I can assure you,  
16                  and this is me just editorializing so take it  
17                  for what it's worth.   Maybe it's nothing.   But  
18                  the employer side of this, right, the tenants  
19                  that we have talked to agree with this.

20                  If you talk to the folks at  
21                  Children's Hospital what they will tell you is  
22                  they would love to hire District residents, so

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 that when Snowmageddon comes people could walk  
2 to work and not just get stuck and have their  
3 whole hospital shut down because everybody  
4 lives out in Maryland.

5 So there's definitely a desire for  
6 people who are going to be creating these jobs  
7 to hire District residents, but there is a lot  
8 of work to do to get both ready.

9 CHAIRMAN HOOD: Agreed. Okay, if  
10 we can work on that. And you're right. I have  
11 to agree that this is an early time, so we won't  
12 come back with that less than three percent who  
13 will qualify on the CBEs.

14 So let's make sure it works. This  
15 is a prime opportunity to make sure. This is  
16 a transformation of a whole neighborhood if  
17 it's approved.

18 Okay, let me go to the traffic area  
19 around the whole area, Mr. Shiesel and Mr.  
20 VanPelt. Some reason when I'm in traffic I see  
21 you traffic engineers in my rearview mirror.  
22 So let's go to the site. Actually I wanted to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 use Slide 21, but -- yes. Let's try Slide 21.  
2 Had the black arrows going back and forth for  
3 certain things.

4 I don't know if that's the best one.  
5 You all may be able to picture a better one.  
6 Really I want the whole site and I want you to  
7 help me go around that whole site, going north  
8 on North Capitol, want to make a left on --

9 (Off microphone comments)

10 CHAIRMAN HOOD: Yes, the one with  
11 the black arrows is what I was looking at, but  
12 if there's a better one that would be great. If  
13 there's a better one let's use that one.

14 And we don't necessarily, well, I  
15 guess we might have to dim the lights because  
16 I want to -- Mr. Shiesel, do you have a pointer?  
17 Does somebody have a pointer?

18 VICE CHAIR COHEN: Is it in the  
19 transportation analysis in our submission?

20 CHAIRMAN HOOD: The one that shows  
21 the stop signs? No, I actually didn't want to  
22 use that one.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   VICE CHAIR COHEN: Because that's  
2 hard to, you know, you could probably see it.

3                   CHAIRMAN HOOD: No, I can't see  
4 that one either.

5                   VICE CHAIR COHEN: If it's in the  
6 package it would be --

7                   CHAIRMAN HOOD: This is what  
8 happens when we ask for all sustainable stuff.  
9 They make it smaller and then we can't see it.  
10 It's the one with the arrows. The black  
11 arrows, you know, going through the streets.

12                   And I actually want that larger,  
13 Ms. Brown. It's under, oh let me see. It's  
14 the master plan. Yes, that's it. That's it.  
15 I thought it was larger than that. No, that was  
16 it.

17                   (Off microphone comments)

18                   CHAIRMAN HOOD: Yes, well, that's  
19 probably the best. Do you have a pointer, Mr.  
20 Shiesel? Take me around. Take me up North  
21 Capitol. I'm going north on North Capitol, and  
22 take me up and show me how I'm going to turn into

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the site.

2 MR. SHIESEL: Currently our  
3 recommendation is a new left turn lane and a  
4 traffic signal here at Evarts Street. Also a  
5 similar treatment up at the North Service  
6 Court. So at either of those locations you'll  
7 be able to turn left to go into the site.

8 CHAIRMAN HOOD: From North  
9 Capitol?

10 MR. SHIESEL: Yes.

11 CHAIRMAN HOOD: And I think you're  
12 proposing two traffic lights, right?

13 MR. SHIESEL: On North Capitol,  
14 yes.

15 CHAIRMAN HOOD: Right, so two  
16 traffic lights at the north and the south.

17 MR. SHIESEL: At Evarts and the  
18 Service Court.

19 CHAIRMAN HOOD: Is there going to  
20 be a left turn signal?

21 MR. SHIESEL: Yes.

22 CHAIRMAN HOOD: Good. Okay, what

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 about when I'm going west on Michigan Avenue?

2 MR. SHIESEL: You mean here?

3 CHAIRMAN HOOD: And I'm turning  
4 into the site. Yes.

5 MR. SHIESEL: We're also  
6 recommending a traffic signal with a left turn  
7 lane into the site here to make that newer --

8 CHAIRMAN HOOD: What mitigations  
9 -- this goes to what the vice chair -- what  
10 mitigation, it's backed up now, but what  
11 mitigations are we looking at so it can move a  
12 little freely?

13 I know they're doing some work at  
14 the corner there, but what's going to happen  
15 when we start putting another traffic light to  
16 an already existing problem?

17 MR. SHIESEL: Commissioner, I  
18 can't say that we can accomplish two goals,  
19 and with those goals being, one, creating a  
20 great neighborhood with the appropriate urban  
21 multimodal network it needs, and at the same  
22 time we cannot accomplish the goal of helping

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 regional traffic going to and from Maryland.

2 We make our decisions on what we  
3 recommend on the former and not the latter. So  
4 while there may be ways to speed up traffic to  
5 get people processed quicker on Michigan Avenue  
6 and North Capitol Street, we did not focus our  
7 recommendations on those things.

8 There are spot improvements that  
9 will help traffic get to and from the site.  
10 Changes to the left turn lanes up here on  
11 Michigan that will help some of the queuing and  
12 some of the processing of traffic.

13 There are some additional lanes and  
14 recommendations centered around Michigan and  
15 First Street, and there are a few ideas, like  
16 I said, adding more roads will help, just give  
17 more drivers more options and more ways to get  
18 around.

19 Some of the issues caused are  
20 because of the left turn restrictions and the  
21 inability to move around. Just giving people  
22 more options will help some of that traffic

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       redistribute and hopefully provide more  
2       options to people stuck in traffic, and that can  
3       ripple down the line and help bring some relief  
4       to some of these roads.

5               But it was not our intent to  
6       accelerate the regional traffic through the  
7       area. It was our intent to create a better  
8       neighborhood.

9               CHAIRMAN HOOD: So all of that's  
10       probably not regional traffic. A lot of that  
11       is District residents, some of it. Yes, I  
12       would agree with you. A lot of it's going out  
13       to Maryland and other areas.

14               But one of the things I think that  
15       this Commission is also trying to make sure we  
16       put mitigations in place not to have additional  
17       impacts on a specific neighborhood. And if we  
18       didn't look at that I can tell you all I have  
19       a problem.

20               I'm not saying you can cure all.  
21       And I agree. We can't get a great neighborhood  
22       but what we can do is balance it. We can figure

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 out what is, because guess what. You and I,  
2 well, me particular, no, you particular, we  
3 probably won't even go down in that area.

4 But the folks who live in that  
5 neighborhood are going to be going down that  
6 street and doing what we're getting ready to  
7 possibly do here. And so I think that, you  
8 know, when you're looking at future planning  
9 those things should be evaluated. Now we're  
10 talking about a master plan here.

11 MR. SHIESEL: All of the impacts to  
12 all the modes are evaluated in our reports and  
13 they're all documented for better or for worse.  
14 The sum total of all the mitigation measures we  
15 have, in our opinion, does mitigate the impacts  
16 by providing the better pedestrian network, the  
17 options, the Capitol Bikeshare, the demand  
18 management things.

19 Those aren't, I mean those don't  
20 exist now. Those are created in part to create  
21 a more robust transportation network so on a  
22 whole they mitigate the impacts of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 development.

2 So if we go through certain things  
3 line by line there might not be, you know,  
4 something matching it. It's the sum total of  
5 impacts versus recommendations that we  
6 conclude mitigates the impact.

7 CHAIRMAN HOOD: Okay.

8 MR. VANPELT: Commissioner Hood,  
9 if I may. Dan VanPelt with Gorove/Slade for  
10 the record.

11 CHAIRMAN HOOD: I know exactly who  
12 you are.

13 MR. VANPELT: I know you know, but  
14 for the record I have to introduce myself. I  
15 think we've had this conversation before in  
16 front of the Commission.

17 I think, you know, on any of the  
18 major corridors within the District or any of  
19 the major corridors anywhere in the metro area  
20 we have traffic saturated conditions. And I  
21 think what Mr. Shiesel was describing is that  
22 we've looked at mitigation measures that will

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 help access in and out of the site and have  
2 looked at ways to try to benefit also the  
3 greater network with the increased porosity  
4 through the site.

5 A greatly enhanced pedestrian  
6 network with the traffic signals, the new  
7 crossing on North Capitol, looking at ways to  
8 improve the transit. Granted, this area is  
9 underserved by transit now, but this will be a  
10 catalyst for future transit.

11 One of the things that happens, and  
12 when you look at the traffic volumes, and this  
13 is one of the questions that came up during our  
14 community outreach. You go back and you look  
15 at historic volumes on North Capitol Street,  
16 the traffic volumes have remained relatively  
17 flat over time and that's pretty typical on many  
18 of our major corridors in and out of the city.

19 And really what happens is that,  
20 you know, the regional traffic will begin to  
21 adjust. I do agree that there is some local  
22 traffic and there's probably certainly a lot of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 District residents that use these streets for  
2 their commuting and there's traffic getting in  
3 and out of the hospital center and the like.

4 But what happens is, is that the  
5 development, some of that local traffic now  
6 created by this development will displace some  
7 of that regional traffic. And that happens not  
8 just on this project, but we've seen that happen  
9 on other projects.

10 CHAIRMAN HOOD: Let me ask this.  
11 Did we look at, and I think we did, our change  
12 -- well, let me go to First Street. First  
13 Street as I used to know it, I stopped using it  
14 because of the traffic, but let me just ask  
15 this.

16 First Street, how's all this going  
17 to work on First Street? I know we talked about  
18 doing away with some parking. Obviously we're  
19 going to have to do some of that. But how is  
20 that going to work on First Street, and Channing  
21 Street while we're at it?

22 MR. SHIESEL: On First there are,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 our supplemental memo does have some diagrams  
2 on it. They're unfortunately very difficult  
3 to describe at a PowerPoint hearing here. But  
4 there are significant changes in intersection  
5 at First and Michigan proposed that include  
6 automobiles and parking, to widen the street,  
7 to process more vehicles at the intersection.

8 Additionally, a proposed change to  
9 the median on the hospital side that would allow  
10 for a left turn lane. That change allows a  
11 method of retiming the signal that would  
12 greatly, it would reduce conflicts in a way that  
13 turning vehicles would not overlap in our paths  
14 and we can time the signal more efficiently.

15 All those things should actually be  
16 able to increase the throughput across Michigan  
17 Avenue at that intersection which will have a  
18 ripple effect down First Street because that  
19 can queue up right now.

20 Additionally, the new east-west  
21 connections and some of the concepts in our  
22 recommendations are proposed to help

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 facilitate traffic to go back and forth between  
2 First and North Capitol, the hope to give  
3 drivers more options and help redistribute the  
4 traffic as needed.

5 As we go south on First past Evarts  
6 Street and, you know, towards where the park is  
7 and Channing, we are not proposing substantial  
8 changes to traffic, balancing the needs of how  
9 the streets are changing into residential  
10 streets in that area.

11 There are ways to increase  
12 vehicular capacity in that area, but we don't  
13 feel comfortable necessarily recommending  
14 those based on some of the feedback we heard  
15 from the community and our desire to balance the  
16 needs of neighborhoods versus commuters.

17 CHAIRMAN HOOD: Okay. All right,  
18 one good part about this, the Commission when  
19 we set this down we made sure we can ask traffic  
20 all the way through this, so you'll probably  
21 have more questions.

22 I'm going to look at what was

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 provided tonight and I will probably have some  
2 additional questions on traffic. We can turn  
3 the lights back on. Thank you both.

4 Let me talk about the, see if I can  
5 find it, the structural study. Okay, behind  
6 Tab E, and this was prepared by Mr. Robert  
7 Silman. And, you know, I'm familiar a little  
8 bit with flow loads, and when I look at this and  
9 I look at what it says here, the slow sand  
10 filters are industrial structures.

11 And I'm not going to read your  
12 report. There are unsafe conditions at the  
13 site that indicates settlement of a brittle,  
14 heavy structure susceptible to sudden collapse  
15 in one of them that various potential options,  
16 when I saw "do nothing" I kept reading because  
17 I'm sure that we're going to do more than  
18 nothing.

19 So can you kind of help me  
20 understand how some of the things they've been  
21 preserving are going to be shored up? How is  
22 that going to happen as far as doing more than

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 do nothing? Repair and replace, help me  
2 understand your report.

3 MR. METTAM: Sure. Well, first,  
4 I'm Kirk Mettam, Robert Silman Associates.

5 CHAIRMAN HOOD: Oh, Kirk. I'm  
6 sorry. All right, Mr. Mettam.

7 MR. METTAM: It's probably too  
8 late in the evening for a lecture on structural  
9 engineering.

10 CHAIRMAN HOOD: We usually go from  
11 11:30, quarter to 12:00, so we're fine.

12 MR. METTAM: Let me start by saying  
13 these are industrial structures. It's not a  
14 building, per se. There are two things you  
15 need to know about it. One is that it was built  
16 of unreinforced concrete, as Matt gave the  
17 first part of my lecture. Unreinforced  
18 concrete doesn't have seal or rebar in it.  
19 It's very different from what we use for all  
20 buildings today.

21 We put the rebar in it because when  
22 you reach a certain level of load, the loads,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the compression reverses, you go into tension,  
2 the steel starts to carry the tension.

3 If you have unreinforced concrete,  
4 we know from many, many, from thousands of years  
5 of history that kind of construction it  
6 collapses catastrophically. So once you  
7 achieve a tension, it's unannounced, those  
8 structures collapse. It's unsafe so you have  
9 to use very high factors of safety.

10 As a result, in today's building  
11 codes we don't use unreinforced concrete. The  
12 only place it's permitted is somewhere between  
13 the bottom of the building and soil where it  
14 can't go anywhere.

15 So these structures were built as  
16 underground industrial structures not meant  
17 for human habitation. They were meant for  
18 incidental access. So that's the first part of  
19 my lecture, the concrete.

20 The second thing you need to know  
21 about this site in particular, which you've  
22 heard, is that it was built on a tricky soils

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 condition. There was a lot of regrading.  
2 There was a ridge. There was a valley. The  
3 ridge was basically filled into the valley over  
4 two periods of construction. It created an  
5 ideal opportunity for settlement.

6 And so when you combine these  
7 unreinforced concrete structures with  
8 settlement it precipitates damage, it  
9 precipitates unsafe conditions. And that's  
10 exactly what we've seen at the site.

11 You've seen, I mean in the worst  
12 cases we've got areas of collapse. In a lot of  
13 cases we've got areas that lateral movement  
14 have started to occur and you've seen cracking.  
15 I personally, and I've led the team of folks  
16 that have investigated the entire site, we've  
17 looked at this now in two periods. We've seen  
18 not only the damage but the progress of the  
19 damage.

20 We know it's an unsafe condition.  
21 So that's the starting point. Hopefully that  
22 helps explain the structure. The "do nothing"

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 scenario was there sort of as an academic  
2 exercise.

3 When we put options on the table we  
4 always say what if you were to do nothing, and  
5 that's why that was included. We are not in any  
6 way advocating for do nothing.

7 In essence, to reuse these  
8 structures there are several forms of reuse.  
9 One would be to occupy or make use of the top  
10 surface as you would in a playing field or  
11 something like that. In order to make that  
12 safe we would have to reinforce that topside  
13 structure, and that could be done in any number  
14 of ways.

15 But we also found that the topside  
16 structure supported on the soils below, those  
17 soils have a problem. So in one of the diagrams  
18 you'll see in the adaptive -- okay. In the  
19 report you'll see diagrams of topside use with  
20 topside reinforcement and foundation  
21 reinforcement.

22 We also looked at potential reuses

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 within the vaults themselves. And you can stop  
2 me if I'm going too long. As I said, it's late.  
3 But --

4 CHAIRMAN HOOD: Actually, do you  
5 have something I don't have? I'm looking for,  
6 are you talking about Page 1 of your report?

7 MS. BROWN: Chairman Hood, we did  
8 not submit the full report. We only submitted  
9 the executive summary. But we would be happy  
10 to submit the full report for the record.

11 CHAIRMAN HOOD: No, it would go for  
12 the record. Thank you.

13 MR. METTAM: In essence, in order  
14 to make use of the inside of the vaults which  
15 are very interesting structures, we would have  
16 to make the structure safe but then also protect  
17 against any potential falling hazards.

18 Without the reinforcement, chips  
19 of concrete, chunks of concrete, you know,  
20 entire sections can come down unannounced.  
21 And so those were the other protection measures  
22 that we outlined.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD: Okay. All right,  
2 I think that's helpful. I've been looking  
3 forward to skimming the rest of that report, and  
4 thank you very much.

5                   I think, Ms. Corbett, you mentioned  
6 a broken window. My colleagues know that but  
7 I need to understand the broken window theory.

8                   MS. CORBETT: Sure. So one broken  
9 window begets more broken windows. The idea if  
10 you are diligent about maintenance and repair  
11 it sends a nonverbal message to vandals or other  
12 ne'er-do-wells to not break more windows.

13                  CHAIRMAN HOOD: So same thing as  
14 the trash theory. We're going to pick up trash  
15 so we don't keep throwing down trash. Okay, I  
16 got you.

17                  Okay, my last question -- the vice  
18 chair is about to knock me down because she  
19 wants to get her question in. My last question  
20 is about the light study.

21                  On the Channing Street side, and  
22 I'm sure these discussions have happened, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 guess, with the Channing, the neighbors of the  
2 houses on that side. How much light? Did we  
3 look at that in the study?

4 And I'm trying to do the whole  
5 master plan so I'm going around on the outskirts  
6 for the most part.

7 MS. CORBETT: Can I ask you to  
8 clarify your question? You're looking to see  
9 --

10 CHAIRMAN HOOD: I mean is light  
11 going to be shining, I'm trying to remember, on  
12 houses, right? I can't remember. Like I  
13 said, First Street has deterred me away from  
14 there. Is light going to be shining in homes  
15 across the street? What's going to happen  
16 there?

17 MS. CORBETT: No. So if you want  
18 to dim the lights and look up there, you can see  
19 that --

20 CHAIRMAN HOOD: You can just tell  
21 me, because I've already seen the --

22 MS. CORBETT: So the fixtures are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 shining onto the berm and then onto the  
2 underside of the tree canopy on the Olmsted  
3 Walk.

4 CHAIRMAN HOOD: Okay.

5 MS. CORBETT: So the external  
6 fixture is shining back onto our site.

7 CHAIRMAN HOOD: Okay, so basically  
8 all around the site, even on North Capitol, the  
9 houses across over at Stronghold, they won't be  
10 affected by light or anything of that nature?

11 MS. CORBETT: There's no lighting  
12 design that we propose that projects light off  
13 of the site on to the adjacent neighborhoods.

14 CHAIRMAN HOOD: Okay. And did you  
15 want to say something? I don't want you to have  
16 to come all the way to this table and not say  
17 anything.

18 MS. MANNING: Well, I'm Rebecca  
19 Manning with George Sexton Associates, and we  
20 are proposing full cutoff street lights and  
21 indirect sources for that very reason, to keep  
22 the light where we want it and not where we don't

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 want it.

2 CHAIRMAN HOOD: Okay. That's  
3 great. Okay, thank you all for answering my  
4 questions. Vice Chair, do you have a  
5 follow-up?

6 VICE CHAIR COHEN: Yes, the  
7 discussion about the training programs and  
8 preparing people to work in the health care  
9 industry, I think, is very admirable.

10 However, one of the things that I  
11 would like you to look at when you address the  
12 issue of the affordability of the units on site  
13 and who they're directed to is, health care  
14 workers still do not make very much money.

15 And therefore when I looked at the  
16 Green Door report about costs and the economic  
17 benefits, I don't think many of the people that  
18 have been trained for jobs in the health care  
19 industry will be able to afford to live in the  
20 neighborhood.

21 So I would like you to also consider  
22 the wages of the workers in the area, because

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 many of them will not be able to either rent or  
2 buy.

3 CHAIRMAN HOOD: Okay, thank you.  
4 Anyone else? Ms. Brown, did you also agree  
5 with everything that DDOT had in their letter  
6 for mitigation for what they were proposing?

7 MR. SHIESEL: In concept. I think  
8 a few of the details still need to be worked on,  
9 but the intent, improving access to the south,  
10 doing some monitoring to make sure that all  
11 those things get implemented and checked, yes.

12 CHAIRMAN HOOD: I'm sure you will  
13 continue discussion with DDOT before we make a  
14 decision.

15 MR. SHIESEL: That is the point.

16 CHAIRMAN HOOD: So we know where  
17 you all part. Okay.

18 MR. SHIESEL: Okay.

19 CHAIRMAN HOOD: Hopefully you all  
20 will make it. If not, we'll make it for you,  
21 okay? All right. Any other questions up  
22 here? Commissioner Miller?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   COMMISSIONER MILLER:     Yes.     I  
2     don't know if it's more appropriate at this  
3     hearing or at a subsequent hearing, but on the  
4     roof structure flexibility for Parcel 4, you're  
5     asking for flexibility because it's not meeting  
6     quite the one to one setback, it's 12-1/2 feet  
7     versus the 18-1/2, I think.    Is it the senior  
8     building?   Or which building is this?

9                   MR.    SHER:        Parcel 4 is the  
10    residential building with the grocery store on  
11    the ground floor.

12                  COMMISSIONER MILLER:    And is it  
13    the setback from North Capitol that's --

14                  MR.    SHER:        No, it's an interior  
15    court scenario, so it's not a street-facing  
16    wall.

17                  COMMISSIONER MILLER:    So it's  
18    which court?   Is it one of the Service Courts  
19    or no?

20                  MR.    SHER:        It's a court that faces  
21    the Service Court but it's well set back.   If  
22    somebody got a plan of the building and put it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 up, I can show you real quick.

2 COMMISSIONER MILLER: Actually,  
3 that answers it. It's not North Capitol  
4 Street.

5 MR. SHER: No.

6 COMMISSIONER MILLER: I think that  
7 was my concern.

8 MR. SHER: It's an interior court  
9 wall.

10 COMMISSIONER MILLER: And you've  
11 tried to set it back to meet the one-one?

12 MR. SHER: I think the architects  
13 are better suited to answering about why that  
14 shouldn't be set back or couldn't be set back,  
15 which I think you're going to hear the next  
16 time.

17 COMMISSIONER MILLER: Okay.

18 CHAIRMAN HOOD: Okay, any other  
19 questions up here? Okay, thank you all.  
20 Let's see if we have any cross examination from  
21 ANC --

22 MS. BROWN: I'm sorry. Mr.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Chairman, if I could just quickly --

2 CHAIRMAN HOOD: Did I forget  
3 something?

4 MS. BROWN: -- respond to  
5 Commissioner May's question --

6 CHAIRMAN HOOD: Sure.

7 MS. BROWN: -- about the deed  
8 restriction? I did find the language he was  
9 looking for. On the last page of the deed it  
10 says any and all rehabilitation and renovation  
11 work at the parcel will be undertaken in  
12 accordance with the Secretary of Interior  
13 standards for rehabilitation and guidelines  
14 for rehabilitating historic buildings. So it  
15 is limited to rehabilitation and renovation  
16 work.

17 CHAIRMAN HOOD: Anything else?  
18 Commissioner May, you straight? Okay. Let's  
19 go to cross examination, ANC 5E. Ms. Barnes,  
20 do you have any cross examination of what you  
21 heard? Any questions?

22 (Off microphone comments)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD:       Sure.       Come  
2 forward, and somebody can make space for her.  
3 Okay.   The gentleman to my left.   You can just  
4 identify yourself and you can start with your  
5 question.

6                   MS. BARNES:       My name is Diane  
7 Barnes and I'm with 5E ANC.

8                   CHAIRMAN HOOD:   Are you the chair?

9                   MS. BARNES:       No, I'm not the chair.

10                  CHAIRMAN HOOD:   You're not the  
11 chair, okay.

12                  MS. BARNES:   One question was that  
13 one of the -- I have another commissioner here  
14 that asked the question about, someone  
15 mentioned about the cutoff of the street lights  
16 on Channing Street.

17                  Why would you cut off the street  
18 lights on Channing Street?   Said that they  
19 would actually cut off the streets (sic) on  
20 Channing Street, so I just wanted a  
21 clarification.

22                  MS. MANNING:   We use the term "full

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 cutoff." It means that the beam coming out of  
2 the fixture is actually just below the fixture.  
3 It doesn't mean that it's shining out in all  
4 directions. This isn't a power issue.

5 MS. BARNES: Oh, okay.

6 MS. MANNING: It's not turning it  
7 on or off.

8 MS. BARNES: Oh, I see. We  
9 thought it was a power issue.

10 MS. MANNING: Right. No, it means  
11 that the light is coming out and only going down  
12 to the street and not going out in a 360-degree  
13 direction.

14 MS. BARNES: Good. All right.  
15 That was my question.

16 CHAIRMAN HOOD: Okay, good.  
17 Thank you. Let's go to the Friends of  
18 McMillan. Mr. Pozen, do you have any  
19 questions? Okay. Okay, you're on here first,  
20 so I guess it'll be you, Mr. Pozen. Okay.

21 MS. BROWN: If I could make a  
22 request that if there are any questions for Mr.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 Sher that we proceed with those first?

2 CHAIRMAN HOOD: Yes, if we could do  
3 that, any questions for Mr. Sher. If we could  
4 ask any questions of Mr. Sher first? Probably  
5 should do that earlier if we can get his  
6 questions out of the way and he can be  
7 dismissed.

8 MR. POZEN: All right. I don't  
9 know if any of my questions actually, directly,  
10 specifically relate to that. I think we're  
11 probably okay in that regard.

12 CHAIRMAN HOOD: Okay. Well, Mr.  
13 Sher, thank you. Hope you have a good evening.  
14 Okay, you can begin, Mr. Pozen.

15 MR. POZEN: All right. There's  
16 been some considerable discussion about the  
17 structural issues of the site and demolition of  
18 the site and potential needs for demolition on  
19 the site.

20 Just for clarification, who  
21 actually oversees and has responsibility and  
22 ultimately will decide on what can and can't be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 demolished on this site? The raze permits and  
2 otherwise.

3 MS. BROWN: Who actually approves  
4 the raze permit applications?

5 MR. POZEN: Who will do that, yes.

6 MS. BROWN: Well, the mayor's  
7 agent for historic preservation.

8 MR. POZEN: Okay. And they  
9 haven't done so at this point?

10 MS. BROWN: That's correct. We  
11 made that statement on the record.

12 MR. POZEN: Okay. With regard to  
13 the Olmsted site, Mr. Bell spoke about the  
14 perimeter park and the restoration of the  
15 perimeter park. I wanted to get clarification  
16 on the historical use of the perimeter walkway  
17 and what I understood to be the great lawns, and  
18 what was referred to as great lawns for the  
19 park.

20 Was there not public access  
21 especially prior to the Second World War? Was  
22 there not public access to the park itself, the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 interior of the park beyond simply the exterior  
2 walkway that you've mentioned --

3 MR. BELL: Emily Eig should answer  
4 that. She's done the historic preservation  
5 report on that issue.

6 MR. POZEN: Thank you. Ms. Eig?

7 MS. EIG: The site that we're  
8 discussing now was called by Olmsted, Jr., as  
9 The Plains. It was an area that was accessible  
10 to the public on the perimeter walk only.

11 People were not invited to walk  
12 onto the site where the industrial work took  
13 place, where the manhole covers were open. One  
14 third of them was open at any one time 24 hours  
15 a day because the work was continual. It was  
16 not a park in definition. That park was over  
17 on the other side.

18 MR. POZEN: So photographs that we  
19 may have and would try to present to the Zoning  
20 Commission at a later hearing of people playing  
21 baseball or using these areas of the park at  
22 various times were not for this area, or am I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 confused by that?

2 MS. EIG: People may have crossed  
3 from the park through the barberry bushes and  
4 the cork trees to get onto that area. They may  
5 have done that but that was not the intention  
6 of that space.

7 MR. POZEN: Okay. Regarding the  
8 issue of open space and park space, I wanted to  
9 try to get some clarification on some of the  
10 numbers that have been thrown out or used as  
11 part of the affirmative testimony.

12 Mr. Bell, you referenced the number  
13 of approximately 50 percent of the space of the  
14 park was, excuse me, of the site, was dedicated  
15 to open space. I take it that, am I correct  
16 that it's approximately 1,075,000 square feet  
17 of developable space on the park, I mean, excuse  
18 me, on the site? Do you know?

19 MR. BELL: I'd have to check the  
20 numbers in the PUD application to verify your  
21 question.

22 MR. POZEN: Okay. Would it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 surprise you if that was the number that was  
2 listed there? Does that sound right to you?

3 MS. CORBETT: I'll confirm that  
4 that's the correct amount of built space, but  
5 that's not, much of that is vertical in nature  
6 not horizontal. So there are -- yes. If  
7 there's a million square feet much of that is  
8 vertical.

9 MR. POZEN: Okay. We have tried  
10 to calculate the amount of space, square feet  
11 that were going to be used for this park on the  
12 south portion of the property and had about  
13 348,000 square feet of park space in the south  
14 portion of the property.

15 Is that -- it's not how you  
16 calculated the --

17 MS. CORBETT: That's not a number  
18 that I know off the top of my head. That's not  
19 how we calculated it.

20 MR. POZEN: Okay. I guess the  
21 point that I'm trying to get at here is open  
22 space versus park space. And the 50 percent

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 number, Mr. Bell, that you referenced or the  
2 near 50 percent number that you referenced with  
3 regard to open space, does that not take into  
4 consideration a considerable amount of square  
5 footage of what would result in people's yards?

6 Things that weren't built upon.  
7 Street areas between the buildings, the Healing  
8 Garden, which I take to be a transportation  
9 center as well. What would constitute the,  
10 what you reference as open space?

11 MR. BELL: The open space at Cell  
12 14, the Healing Gardens, the North and South  
13 Service Court, and the park.

14 MR. POZEN: So not any other space  
15 between buildings or otherwise?

16 MS. CORBETT: No.

17 MR. BELL: No.

18 MR. POZEN: Okay.

19 MS. CORBETT: It does include the  
20 setback for the Olmsted Walk along the North  
21 Capitol and the First Street sides.

22 MR. POZEN: Okay, fair enough.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MS. CORBETT: Just 60 feet.

2 MR. POZEN: Okay. With regard to  
3 the Cell 14 property parcel that you mentioned,  
4 that's the site that's being currently, or  
5 proposed to be, or will be currently used, soon  
6 used by DC Water for its mitigation and for its  
7 uses?

8 MS. CORBETT: Is one location that  
9 DC Water is incorporating into the northeast  
10 boundary neighborhood project.

11 MR. POZEN: Okay.

12 MS. CORBETT: But none of us should  
13 testify for DC Water or their activities.

14 MR. POZEN: Fair enough. But I  
15 guess let me be more specific. Cell 14 and part  
16 of Cell 28 are the only two cells that you  
17 propose, full cell and part of cell, that you  
18 propose to preserve as part of this plan?

19 MS. CORBETT: In addition --

20 MR. POZEN: Below ground. I'm  
21 sorry.

22 MS. CORBETT: We propose to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 preserve Cell 14 in its entirety given the  
2 condition that it is returned to us in 2022.

3 MR. POZEN: Okay, so we don't know  
4 at this point. I'm sorry, you don't know at  
5 this point that, and you can't speak  
6 specifically to the Commission tonight or as  
7 part of this hearing that you will be in a  
8 position to preserve and reuse Cell 14?

9 And let me just add, if you were to  
10 be able to do so it wouldn't be until some point  
11 in time after 2022.

12 MS. CORBETT: I would posit that  
13 given the expert testimony of my structural  
14 engineer, no one could testify to that because  
15 the cells could collapse unannounced at any  
16 time. I couldn't tell you what you could do  
17 with them tomorrow.

18 MR. POZEN: Okay. Let me turn to  
19 that question, if I can, on the structural  
20 issue. Again I preface that by saying that  
21 we're going to have some objections to the use  
22 of structural engineering issues.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1                   But that said, with your structural  
2 engineer, sir, I take it you're aware of the CC  
3 Johnson & Malhotra P.C. environmental  
4 engineers' report from 2000, August 25th? It  
5 was done for the D.C. Department of Housing and  
6 Community Development. Are you familiar with  
7 that report?

8                   MR. BELL: Absolutely. We did a  
9 thorough review of the report in our report.

10                  MR. POZEN: Okay. Can you help me  
11 understand, in that report it's on Page A2 of  
12 the report, it says that for a substantial  
13 portion of the underground cells those are  
14 categorized as type 2 and type 3.

15                  An option of preserving the cells  
16 and developing over top of them is available,  
17 and the report identifies at least 12 type 2 or  
18 type 3 cells. And I don't believe those  
19 findings were contradicted in your April 10th,  
20 2014 engineering report, were they?

21                  MS. BROWN: Excuse me, I'm going to  
22 object. That was an --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   CHAIRMAN HOOD: That was another  
2 report, and I understand. I was just waiting  
3 for you to hit the mic. What I'm going to ask  
4 you to do is tie your question into his report,  
5 to him.

6                   MR. POZEN: I was just about to. I  
7 believe it was in that report, the earlier  
8 report was referenced in the applicant's April  
9 10th report.

10                   Were the findings, and  
11 specifically the findings on Page A2 of the  
12 earlier report, contradicted by or do you agree  
13 with the findings of the earlier report in your  
14 report?

15                   MR. BELL: We gave the earlier  
16 report a thorough review in our report. We  
17 also gave the physical property a thorough  
18 review and update and we provided direct  
19 comments on the completeness of the original  
20 report.

21                   We also looked at all of the viable,  
22 adaptive reuse strategies and presented those

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 in our report. Some of those were similar in  
2 nature to the report that you're referring to.

3 MR. POZEN: I guess, do you  
4 disagree with a finding in the earlier report  
5 specific to --

6 MR. BELL: Our comments on the  
7 prior report are outlined in our report  
8 specifically.

9 MR. POZEN: Yes, I didn't see an  
10 objection to it. Am I missing it?

11 MR. BELL: You're missing it. You  
12 need to read the report.

13 MR. POZEN: Okay. Do you know,  
14 can you tell me whether Cell 14 is one of the  
15 ones that was qualified as, categorized as  
16 either type 2 or type 3?

17 MR. BELL: Cell 14 has two  
18 boundaries along the street and those are  
19 susceptible to movement both because of the  
20 passive pressure against the surrounding soil  
21 and because of the traffic. And so those are  
22 not what we considered stable.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MR. POZEN: Okay.

2 MR. BELL: And we observed damage  
3 within the cells as well.

4 MR. POZEN: Can you speak to Cell  
5 28, which I take it you propose to preserve in  
6 part?

7 MR. BELL: I can't speak off the  
8 top of my head with those. In each case, in all  
9 cases for adaptive reuse of these cells  
10 including 14, it does require some retrofit.  
11 Some require more retrofit than others.

12 Some, including those that have  
13 collapsed or are directly above areas that have  
14 collapsed, were not recommended to be reused in  
15 their entirety. And all the findings are in  
16 the report. If you have specific questions I'm  
17 happy to answer them.

18 MR. POZEN: Okay, so you're not  
19 concurring with the master plan's potential for  
20 reuse of part of Cell 28 and its reuse after 2020  
21 of --

22 MS. BROWN: Chairman, I think

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 we're varying again into testimony he really  
2 didn't offer on direct, and I think the report  
3 is not yet in the record and he doesn't have it  
4 in front of him. So I think that we should get  
5 out of the specifics and move on.

6 CHAIRMAN HOOD: Can you tie it in  
7 to his, his report is part of the record. Can  
8 you tie it to his report?

9 MR. POZEN: Yes. And his report  
10 and the master plan overall, I understand that  
11 the master plan proposes to use Cell 14. This  
12 goes to the issue of historic preservation.  
13 This is designated an historic site, and one of  
14 the key historic site are the underground  
15 cells.

16 And there's been considerable  
17 testimony that there's going to be a concerted  
18 effort and is a concerted effort to maintain as  
19 much of the historic fabric of the property as  
20 possible, that being specifically for the  
21 underground portion, Cell 14 and Cell 28.

22 And what I'm trying to find out is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       whether the, per your study of April the 10th,  
2       I believe it is -- I'm sorry -- yes, April the  
3       10th, whether your study concurs with the  
4       applicant's ability to actually do that. To  
5       actually use Cell 14 and --

6                   MR. BELL: Yes, it does.

7                   CHAIRMAN HOOD: Okay.

8                   MR. POZEN: Moving on to the  
9       transportation I had a couple of questions on  
10      the transportation issue. And I guess we'll  
11      get to the DDOT report in a minute, but as for  
12      your reports addressing and the master plans  
13      dealing with the recommendations from DDOT, one  
14      of the key recommendations was that 1,100 peak  
15      time bus seats be made available as far as  
16      transportation for the site.

17                   And I want to know what specific,  
18      tangible, quantifiable, measurable public bus  
19      improvements have been achieved or will be  
20      achieved and how will they be arranged prior to  
21      the certificate of occupancy being issued for  
22      this project?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   MR. SHIESEL:       There are no  
2                   specific arrangements to meet that threshold of  
3                   new ridership. We're explicitly making the  
4                   recommendation after discussions with DDOT  
5                   that it be a flexible commitment so that any  
6                   source of transit, whether it be public or  
7                   private, can help meet that threshold of trips.

8                   Just for reference, that 1,100  
9                   number is very similar based on some estimates  
10                  we have of what the three proposed bus routes  
11                  I discussed in my testimony would add. And it  
12                  is also very similar to some projected  
13                  ridership of that could be happening by the  
14                  entire master plan.

15                  MR. POZEN:    Great. So that the  
16                  need, you recognize the need is there. The  
17                  only question I had was what specific  
18                  guarantees that the neighborhood would have,  
19                  the community would have to those needs being  
20                  met, I guess. And the answer is, well, I won't  
21                  speak for you.

22                  On the Bikeshare issue, you

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 reference and recommend the use of Bikeshare.  
2 And again the question to the specifics of that,  
3 have there been agreements with the Bikeshare  
4 people, payment arrangements for how that's  
5 going to be funded, timetables for when those  
6 new stations would be implemented and put in  
7 place?

8 MR. SHIESEL: Once again the goal  
9 of the commitment is to provide flexibility.  
10 Currently our latest recommendation is phrased  
11 as 60 to 80 new spaces, Bikeshare spaces, some  
12 potentially at Metro stations close by to help  
13 support Bikeshare use to and from the site and  
14 the Metro station.

15 It is not, we are not trying to  
16 predict the future any more than we need to. We  
17 are trying to meet the expected demand and make  
18 the commitment based on that demand expectation  
19 and then also provide flexibility in how it's  
20 met.

21 MR. POZEN: Looking for a little  
22 bit of a breakdown of some of the proposed uses

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 referenced additional trips and there was some  
2 discussion about additional trips being  
3 generated both because of the site and the uses  
4 on the site and just in general around the city.

5 Do you have a breakdown of the  
6 number of trucks and other types of servicing  
7 traffic versus visitor traffic versus  
8 cross-transit through the site? Is that part  
9 of your analysis and plan?

10 MR. SHIESEL: Our analysis used  
11 traditional industry trip generation  
12 techniques that are based on commuter traffic,  
13 so they are presented as passenger cars per hour  
14 broken down, you know, also in other modes.

15 Our section of the report that  
16 reviews loading facilities by parcel does  
17 include a projection of the type of trucks and  
18 van deliveries expected for each parcel each  
19 day.

20 MR. POZEN: Okay. Thank you. On  
21 the --

22 CHAIRMAN HOOD: Excuse me, Mr.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Pozen, can I just ask you? I'm not cutting you  
2 off, I'm just curious about how many more  
3 questions you have. Because I may just have  
4 to, I know Ms. Barnes may kill me but I may have  
5 to cut off the ANC.

6 MR. POZEN: Oh, I have four more  
7 questions.

8 CHAIRMAN HOOD: Okay, that's fine.  
9 Let's see if we can keep plowing along.

10 MR. POZEN: And I'll try to be as  
11 brief as possible. I know there's a lot more  
12 behind me.

13 CHAIRMAN HOOD: But let the record  
14 reflect I am not cutting you off.

15 MR. POZEN: I hear you.

16 I have four more topics. They're  
17 pretty much one, two questions per, but no more.  
18 On the preservation issue I just wanted to point  
19 to a couple of areas, two areas, Ms. Eig, in your  
20 company's July 28 report, and ask you to try to  
21 clarify those statements or what might appear  
22 to be the inconsistency in those statements

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 versus the thrust of the master plan here.

2 You indicate on Page 89 that the  
3 level of development proposed for the  
4 redevelopment of the McMillan site will most  
5 likely require some degree of demolition and  
6 development that will be considered  
7 incompatible with the historic character of the  
8 McMillan site and inconsistent with the  
9 Secretary of Interior standards.

10 Can you please elaborate or comment  
11 on that statement as to why the, if you can  
12 elaborate on that statement please.

13 MS. EIG: Well, if you read the  
14 introduction to this report, the report was  
15 written before there was a master plan. It was  
16 written under the understanding that there was  
17 going to be development on this site and it  
18 addresses the historic resource of the site and  
19 the historic resources of the site, the site as  
20 a historic resource.

21 And it accepts, as you just stated,  
22 that development, some degree of demolition and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 development will be considered incompatible.  
2 There's possible that that would happen. We  
3 did not anticipate what was going to happen.  
4 It was an overall broad statement.

5 MR. POZEN: Okay. And same for  
6 this, on Page 91, a statement that the McMillan  
7 site stands as a rare surviving example of a  
8 slow sand filtration plant. The character and  
9 history of the site is unique and will be  
10 difficult to convey to future visitors because  
11 of the level of development proposed.

12 And I guess more specifically from  
13 a historic preservation perspective, I'm  
14 wondering why it isn't preferable to scale the  
15 development to protect the historic character  
16 of the site rather than incorporate  
17 interpretive programs which was the mitigating  
18 factor there in its place.

19 MS. EIG: I think that you're  
20 reading this out of context. Because, in fact,  
21 in each case we explained this was a chart that  
22 was set up with the consideration and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 mitigation recommendations anticipating if  
2 this were to happen these might be the kinds of  
3 mitigations.

4 You might call it speculative. It  
5 was hoped to be helpful in the recommendations  
6 and to have people understand the importance of  
7 the site in that process.

8 I think it's important for you to  
9 understand that as I have stated many times in  
10 the hearings that I've been in that as the  
11 preservationist I am but one part of this whole  
12 process, and that our effort was to identify  
13 what was important about the site, to push as  
14 hard as we could to protect what was important  
15 to the site.

16 But we are not the only voice at the  
17 table and that we were not here to fight a  
18 project, we were here to work with a project to  
19 try to maximize the preservation that could  
20 happen and to, as I said, push back as  
21 appropriate or to work as appropriate to be  
22 positive when good things were happening and to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 encourage an approach that we felt would be a  
2 good one that would, in the end, not have the  
3 result that it would not be character defining  
4 more but, in fact, would be something where the  
5 landmark, in fact, could still be  
6 distinguishable and understood.

7 MR. POZEN: Thank you. On the  
8 storm water, and then I just have two more  
9 points after that. The storm water. How many  
10 new sewer hookups are planned with this new  
11 development, or approximately if you don't have  
12 the exact number?

13 MS. CORBETT: No one testified to  
14 that and I don't have that information at hand.

15 MR. POZEN: Okay. You reference  
16 some non-impervious surfaces in your  
17 testimony, I believe it was Mr. Bell. Do you  
18 know how many square feet of impervious  
19 pavement or other types of impervious surfaces  
20 are going to be included with the new  
21 development?

22 MR. BELL: Not of the top of my

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 head.

2 MS. CORBETT: Far less than is  
3 there now.

4 MR. POZEN: Okay. I think, well,  
5 that would be helpful to know. But how do --

6 MS. CORBETT: The entire site is  
7 impervious. The entire site is covered with  
8 concrete.

9 (Off microphone comments)

10 CHAIRMAN HOOD: Let me say this.  
11 We don't need folks in the audience to chime in.  
12 Let's keep this respectful. I know it's  
13 getting late. Let me just finish. I know it's  
14 getting late. And if they say something wrong,  
15 when you come back and testify you can  
16 straighten it out for us or correct it if you  
17 think they're saying something incorrect.

18 But I will ask the applicant, which  
19 would be very helpful if you can, to provide the  
20 information if you have it. If not, if you  
21 could get it, and that way you can provide it  
22 to Mr. Pozen and the party in opposition.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Because this is all about information. That  
2 would be very helpful.

3 Like somebody said, we weren't here  
4 to fight. Did I hear that or am I imagining it?  
5 Okay, all right. Okay, next question.

6 MR. POZEN: So how does the  
7 proposed mitigation efforts, because I'm  
8 trying to get a sense of understanding the  
9 difference between addressing some of the  
10 current downhill flooding and sewer problems  
11 which are plaguing the neighborhoods below this  
12 separate and apart from this development.

13 So how do the proposed mitigation  
14 efforts that were discussed in part of your  
15 testimony with regard to storm water  
16 management, how do they reach beyond aiding  
17 simply the current downhill flooding issues and  
18 address the additional, and perhaps you can  
19 correct my misunderstanding about impervious  
20 surfaces and additional sewer hookups, and how  
21 they will address the new development itself.

22 MS. CORBETT: Yes, I couldn't find

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 the question in that.

2 MR. POZEN: The question is, are  
3 you just, is the storm water management dealing  
4 with simply the flooding that exists currently  
5 downstream of here today versus additional  
6 storm water issues which will result from the  
7 property, or are you saying there's no  
8 additional storm water problems because of the  
9 new project?

10 MS. BROWN: I think there's an  
11 assumption that there is testimony on this  
12 curing all storm water management. Is that  
13 what you're --

14 MR. POZEN: I'm not stressing one  
15 way or the other. I'm simply asking, let me be  
16 more precise. What is the storm water  
17 management plan in pieces of the proposal that  
18 were testified to, what do they propose to  
19 address?

20 MS. CORBETT: The onsite storm  
21 water management plan proposes to address all  
22 storm water falling on the 25-acre site in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 discussion this evening. It is our intention  
2 to capture 100 percent of the storm water  
3 falling on the site, 100 percent to the EPA's  
4 definition of 100 percent of storm water, and  
5 retain that, treat it, reuse it onsite, and what  
6 is not reused be released slowly into the storm  
7 water infrastructure system in accordance with  
8 the Department of Environment regulations that  
9 were updated in 2013.

10 MR. POZEN: Okay. Last point on  
11 the housing issue. I'm intrigued by the  
12 testimony of housing being proposed as a  
13 benefit and I certainly appreciate and  
14 understand that idea, and by the concerns  
15 additionally raised by some of the Commission  
16 members with regard to how best to go about  
17 doing that.

18 The question is, are you aware of  
19 any studies or do you have thoughts on the  
20 likely effect of this substantial housing  
21 component on the home rental values of the  
22 surrounding neighborhood, and to what extent

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 will these levels of new homes affect the  
2 affordability and the potential increase,  
3 gentrification of the surrounding communities?

4 Is that something you've addressed  
5 at all in any of your affordability issues or  
6 --

7 MS. CORBETT: We didn't testify to  
8 the impact on surrounding home values.

9 MR. POZEN: I understand that. Is  
10 that not something that you have considered as  
11 part of your master plan?

12 MS. BROWN: That goes beyond what  
13 was on direct testimony.

14 MR. POZEN: Okay.

15 CHAIRMAN HOOD: Next question.

16 MR. POZEN: On a parcel by parcel  
17 basis, what percentage does the proposed level  
18 of affordable housing exceed what would  
19 otherwise be required of a matter of right  
20 development? You'd spoke to increased, the  
21 need for affordable housing, and if you could  
22 explain that to me, please.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 MS. CORBETT: All of our housing is  
2 in the CR zone that we proposed. And the  
3 requirement by inclusionary zoning is that  
4 eight percent of the total gross floor area of  
5 residential space be devoted to affordable  
6 housing at 80, affordable to eligible  
7 households at 80 percent of area median income  
8 and below.

9 We are proposing to exceed that  
10 gross floor area calculation to the tune of 15  
11 percent of our gross floor area will be devoted  
12 to residential space affordable to eligible  
13 households between the ranges of 50 to 80  
14 percent of area median income.

15 MR. POZEN: Okay. I believe those  
16 were my questions. Give me one second here.  
17 Yes. Thank you very much.

18 CHAIRMAN HOOD: All right, great.  
19 Thank you. We're going to go to the Office of  
20 Planning and the District Department of  
21 Transportation at this time. Let me just ask  
22 this.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           Commissioner Barnes, are you going  
2           to be hanging with us every night? Okay, so if  
3           I don't get to you tonight you won't get mad at  
4           my four colleagues? Okay, so my four  
5           colleagues, no, my three colleagues, you all  
6           will not be in trouble.

7           And also Ms. Steingasser joined us  
8           a long time ago and I didn't even acknowledge  
9           that. So do you want to start us off, Ms.  
10          Steingasser, or are we going to Ms.  
11          Brown-Robert? Ms. Brown-Roberts?

12          MS. BROWN-ROBERTS: Good evening,  
13          Mr. Chairman and members of the Commission.  
14          Mr. Chairman, the Office of Planning is pleased  
15          that we have arrived at the stage regarding the  
16          redevelopment of this portion of the McMillan  
17          Reservoir. The plans for the redevelopment of  
18          the site began many years ago including being  
19          a part of the 2006 comprehensive plan review.

20          The proposed redevelopment of the  
21          site has undergone extensive review by the  
22          Historic Preservation Office and the Office of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 Planning and also before the Historic  
2 Preservation Review Board through numerous  
3 public hearings over several years in which  
4 much testimony for and against the proposal was  
5 provided.

6 In the end, HPRB found that the  
7 master plan retained important factors  
8 defining features of the site to convey its  
9 historic character, and the proposal  
10 represents an architecturally coordinated and  
11 cohesive approach that reflect the historic  
12 character of McMillan.

13 Additionally, they recommended  
14 approval of the proposal and added that the  
15 proposal be resubmitted for final review, and  
16 if it is approved by the Zoning Commission and  
17 the mayor's agent.

18 And to answer a question that came  
19 up earlier regarding the timing for the mayor's  
20 agent, I don't have that answer tonight but I  
21 will coordinate with the Historic Office and  
22 find out what's the process and where we stand

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 with that.

2 Mr. Chairman, details of the  
3 development proposals are detailed in our  
4 reports and have been outlined by the applicant  
5 tonight, and therefore I will not rehash much  
6 of that.

7 In conjunction with the PUD, the  
8 applicant is seeking to rezone the property to  
9 the C-3-C zone in process 1-7, and the CR zone  
10 in process 2 through 6.

11 And I would like to maybe make a  
12 correction, because I was informed by the  
13 applicant that process 7 was included in the  
14 C-3-C portion. So that's something that I  
15 would like to maybe apologize for, but I got  
16 that information from the applicant.

17 Generally the C-3-C zone is  
18 designated for major business and employment  
19 centers that provide substantial amounts of  
20 employment, housing, and mixed uses. C-3-C  
21 district permits meet into high density  
22 development.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   However, in this case we believe  
2                   this zone is appropriate for this parcel as it  
3                   allows the applicant response to the adjacency  
4                   of the hospital across Michigan Avenue with an  
5                   appropriate massing and density for the medical  
6                   office building.

7                   This allows for the flexibility to  
8                   provide for 130 foot height on a portion of the  
9                   office building, while stepping down the  
10                  building toward the lower health community and  
11                  providing for an abundance of office space  
12                  across the site.

13                  The Office of Planning is  
14                  supportive of these zones districts to  
15                  accommodate the proposed development. OP's  
16                  also supportive of the flexibility requested in  
17                  the areas of roof structure setback and  
18                  inclusionary zoning to provide affordable  
19                  senior housing in one of the buildings on Parcel  
20                  4, reduce rear yards in the townhouse within  
21                  Parcel 5, and the loading berths that would  
22                  better serve the needs of the users over

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 requirements on Parcels 4 and 1.

2 Public benefits would include  
3 housing and affordable housing, the grocery  
4 store connectivity, local business  
5 opportunities and First Source agreement,  
6 green elements through meeting the elements of  
7 LEED for new construction, LEED Silver or Green  
8 Communities compliant.

9 And Mr. Chairman, we also outlined  
10 in our report that it was LEED Silver for the  
11 Community Center. I'm on Page 16. The future  
12 land use map designates a site for medium  
13 density residential, moderate density to  
14 commercial, and parks, recreation on open  
15 space.

16 The generalized policy map  
17 identifies the site as a land use change area  
18 intended to encourage and facilitate new  
19 development and promote the adaptive reuse of  
20 existing structures.

21 Many of these areas have the  
22 capacity to become mixed use communities

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 containing housing, retail shops, services,  
2 workplaces, parks, and civic facilities. The  
3 proposal is not inconsistent with these  
4 recommendations and meets or furthers many of  
5 the elements of the policy regarding land use,  
6 parks, recreation on open space, urban design,  
7 and historic preservation.

8 Additionally the McMillan site is  
9 specifically referenced in the mid-city area  
10 animation which recommends for the reuse of the  
11 property with the preservation and restoration  
12 of historic elements, the preservation of  
13 sensitive portions of recreation and open  
14 space, compatibility with surrounding uses,  
15 and reduction in traffic and parking impacts,  
16 while providing connectivity and improved  
17 transportation options on the site.

18 The redevelopment proposal for  
19 this historic site would be of significant  
20 benefit to the District and surrounding  
21 neighborhood. As you will see, there are many  
22 who are supportive and many who do not support

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the proposal.

2           However, the Office of Planning  
3 believes that the proposal is not inconsistent  
4 with the comprehensive plan, provides a grocery  
5 store and medical offices, a Community Center  
6 and vast amount of open space to the community.

7           And therefore the Office of  
8 Planning recommends approval of the requested  
9 first stage PUD, second stage PUD for Parcels  
10 6 and 7 in a related map amendment.

11           Thank you, Mr. Chairman, and I'm  
12 open for questions.

13           CHAIRMAN HOOD: Thank you, Ms.  
14 Brown-Roberts. We're going to go to DDOT also.  
15 Who's going to do it? Mr. Rogers?

16           MR. ROGERS: Certainly. I'm  
17 Jonathan Rogers with DDOT. I'm just going to  
18 touch on the highlights of our report. The  
19 report goes into additional detail on the  
20 issues I'm about to highlight as well as some  
21 other issues.

22           The proposed project includes a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 robust network of publicly accessible streets.  
2 To address some questions that came up earlier,  
3 the street network will be publicly accessible  
4 but privately maintained. Because it's  
5 privately maintained it won't be RPP eligible  
6 and the District will not be performing any  
7 maintenance or snow plowing.

8 The new network allows the impacts  
9 to be kept away from neighbors, provides some  
10 relief to cut through traffic in neighborhoods  
11 by providing alternative routes, and improves  
12 connectivity to adjacent neighborhoods. The  
13 action is expected to generate a significant  
14 number of new vehicle trips and transit trips,  
15 and also some additional bicycle and pedestrian  
16 trips.

17 As currently proposed, the  
18 circulation plan and site access plan does not  
19 take full advantage of the new network. And  
20 the main element here is that the southbound  
21 traffic is forced to go north utilizing roads  
22 that already have high vehicular volumes on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       them, Michigan and some parts of North Capitol.  
2       This creates issues with eastbound right turn  
3       movements.

4               DDOT has also identified that about  
5       1,000 bus seats are needed during the peak  
6       period. This number is derived from WMATA  
7       studies as well as some District studies, and  
8       those studies also identified some additional  
9       service in the off-peak hours as well.

10              Mitigations are needed to address  
11       the concerns and accommodate the action. DDOT  
12       understands the historical importance of the  
13       sites and will work with the applicant within  
14       the historic preservation related constraints  
15       while still addressing the mitigation and  
16       concerns.

17              Some of the mitigations that I'd  
18       like to highlight are to implement a variety of  
19       operational and management measures to take  
20       full advantage of the new street network.

21              Most importantly with this is to  
22       institute two-way operations on a portion of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 the Healing Gardens driveway, and that will  
2 facilitate southbound traffic to use internal  
3 streets rather than externalize, take streets  
4 on the, public streets.

5 Another important element in  
6 minimizing vehicular impacts is to institute  
7 trip caps for the First Street and the Healing  
8 Gardens medical office parking garage  
9 driveways. And this is again intended to guide  
10 traffic in the right direction and not have  
11 additional vehicles traveling on parts of the  
12 roadway that are unnecessary to travel on if  
13 circulation is done efficiently.

14 Also part of the mitigation for  
15 minimizing vehicular impact is to commit to a  
16 monitoring program at key locations. These  
17 would focus on inbound site trips during the  
18 morning, particularly on North Capitol as well  
19 as southbound trips during the afternoon, and  
20 this would focus on the caps, as I mentioned,  
21 on First Street and the Healing Garden  
22 driveways.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   Important to the project is to  
2 enhance the level of transit service. The  
3 applicant has indicated that they will be  
4 providing 1,100 extra seats during the peak  
5 hour period, and additional daytime services  
6 will be needed.

7                   As touched on earlier, DDOT is  
8 recommending flexibility in the exact  
9 mechanism to reach the 1,100 additional seats,  
10 and that can be done through coordinating with  
11 the District and WMATA to implement the planned  
12 transit improvements in the area.

13                   They can also work with nearby  
14 institutions who already have shuttle service  
15 or they may provide the transit capacity  
16 through shuttles specific to McMillan.

17                   And by saying that because of the  
18 complexity of the projects, additional  
19 coordination between DDOT and the applicant is  
20 needed. Some of the outstanding issues are  
21 mostly related to final design, particularly  
22 with the DDOT supported physical improvements,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 pedestrian/bicycle facility design as well as  
2 Capitol Bikeshare dock locations.

3 And with that I'll end, and happy  
4 to answer any questions.

5 CHAIRMAN HOOD: Thank you, Mr.  
6 Rogers. And I want to thank you both, Ms.  
7 Brown-Roberts and Mr. Rogers. And the only  
8 question I had was for you, Mr. Rogers, but you  
9 answered it about the continuous dialogue  
10 you're going to have with the applicant. So I  
11 appreciate that. Commissioners, is there any  
12 questions for either the Office of Planning or  
13 DDOT?

14 Commissioner May?

15 COMMISSIONER MAY: I had one  
16 question for DDOT to start with. You stated in  
17 your report that the private streets are not RPP  
18 eligible, right? So if I understand you  
19 correctly, you're saying that the entire  
20 project for all of the residents who are there,  
21 none of them will be eligible for RPP. Is that  
22 what I understand?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 MR. ROGERS: That's correct.

2 COMMISSIONER MAY: Okay. And  
3 that's because they're private streets?

4 MR. ROGERS: They're private  
5 streets.

6 MS. CHAMBERLIN: None of them have  
7 addresses. If they had addresses on First  
8 Street or on North Capitol that would be  
9 different. But all the addresses are within  
10 the private street, and private streets are not  
11 eligible for RPP.

12 COMMISSIONER MAY: Got it, okay.  
13 So, but the parking is going to be controlled  
14 there how? I mean there is going to be street  
15 parking so how is it going to be controlled?

16 MS. CHAMBERLIN: It essentially  
17 has to be determined by the applicant since it's  
18 a private street. And if they wanted a meter  
19 or what type of signage, they obviously have to  
20 meet, you know, the MUTCD requirements for  
21 signage in terms of parking near intersections.

22 COMMISSIONER MAY: I'm sorry, they

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 need to meet what requirements?

2 MS. CHAMBERLIN: It's the manual  
3 for traffic devices, uniform traffic devices.  
4 It's federal guidelines.

5 COMMISSIONER MAY: Okay. There  
6 was some sort of abbreviation that you threw in  
7 there, it was, like, threw me.

8 MS. CHAMBERLIN: Sorry. So they  
9 have to meet just the federal guidelines for  
10 signage, but how they want to treat in terms of  
11 permits or meters that's actually a private  
12 street so it would be up to the applicant to  
13 determine or work with us on what would work the  
14 best.

15 COMMISSIONER MAY: So they could  
16 use the city's standard metering system?

17 MS. CHAMBERLIN: They could.

18 COMMISSIONER MAY: And the mobile,  
19 whatever it is, Parkmobile, and all that sort  
20 of stuff.

21 MS. CHAMBERLIN: Yes.

22 COMMISSIONER MAY: Okay. But

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 that's their call? And I mean have they not  
2 stated what they're going to do, to you?

3 MS. CHAMBERLIN: No, they haven't  
4 provided us with the curbside management plan.

5 COMMISSIONER MAY: Okay, and they  
6 will, when? Ordinarily.

7 MS. CHAMBERLIN: Ordinarily it's  
8 during the public space permitting process.

9 COMMISSIONER MAY: Okay, so I  
10 guess that's a question for the applicant to  
11 just let us know what your intentions are in  
12 that regard. I would appreciate knowing that.

13 So on the Office of Planning side,  
14 I mean we sort of redirected the question about  
15 the GSA agreement to sell the property and the  
16 106 agreement and all that sort of stuff. Can  
17 you comment on that as well?

18 MS. STEINGASSER: I did stop by the  
19 Historic Preservation Officer's office this  
20 afternoon to touch base on this issue, and he  
21 confirmed that he is not in a position where he  
22 does not agree. That he agrees.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   He's very actively involved the  
2                   deputies.        State Historic Preservation  
3                   Officer is the principal planner from the  
4                   Preservation Office on this project, and that  
5                   he has no reason to be concerned that they would  
6                   not be in full compliance with the covenants.

7                   COMMISSIONER MAY:     Okay, thank  
8                   you.

9                   CHAIRMAN HOOD:     Okay, any other  
10                  questions from either one?  Vice Chair?

11                  VICE CHAIR COHEN:   Thank you, Mr.  
12                  Chairman.  You mentioned that the applicant  
13                  should institute trip caps.  I don't really  
14                  understand that so can you tell me what that is  
15                  and how it's accomplished?

16                  MS. CHAMBERLIN:   So those are, I  
17                  guess, projections that they made in their  
18                  analysis that we verified and looked at.  And  
19                  we felt that those amount of vehicles coming out  
20                  of those exact driveways, we are able to  
21                  accommodate those.  If they go above it's going  
22                  to put some extra pressure at the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 intersections.

2 So trip cap and the Zoning  
3 Commission and the BZA have put trip caps on a  
4 lot of other projects where essentially you're  
5 holding them to those amount of vehicles where  
6 they would have to monitor to ensure that they  
7 weren't exceeding that amount.

8 VICE CHAIR COHEN: Okay. On Page  
9 8, I just want to say that I think there's a  
10 flawed assumption with regard to people being  
11 able to -- you state that due to the economies  
12 of scale available to patients making multiple  
13 appointments for the same visit -- good luck.

14 I mean trying to get two doctor's  
15 appointment in the same day is nearly  
16 impossible, having tried it myself. So I just  
17 think that that's an exaggeration.

18 Have you talked to WMATA at all?  
19 Because they're in a different universe.  
20 They're in a different time, you know, I don't  
21 know what timeline they're in, but it just does  
22 not seem to be something that fits into the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 schedule of the city necessarily. So have you  
2 talked to them at all about this project?

3 MR. HENSON: Jamie Henson with  
4 DDOT. To my knowledge we haven't talked  
5 directly with WMATA about this, however we've  
6 read their reports and are up to date,  
7 understand the items that are important to  
8 them.

9 I think if I had to guess, they  
10 would say things like we're waiting for the city  
11 to provide some extra funding for these  
12 services. That tends to be. So they'd love to  
13 see an 80X and love to see us pay X number of  
14 dollars to fund an 80X.

15 And to my knowledge that hasn't  
16 happened, or it would be, the conversation  
17 would be provide this additional funding or cut  
18 these routes in other parts of the city. And  
19 to my knowledge we haven't had that  
20 conversation yet.

21 VICE CHAIR COHEN: So it seems to  
22 me that those conversations you should begin to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 have. And certainly, you know, I know that  
2 DDOT's budget is really stressed to say the  
3 least.

4 I would hate to see things  
5 occurring and the problems are exacerbated  
6 because no one is coordinated. So I just would  
7 like to know more about that before we make our  
8 final recommendations.

9 One of the things that you're  
10 recommending is that, the parking garage is now  
11 segregated. I think you're proposing it to be  
12 more open. And how does that work when there  
13 may be underground mayhem?

14 I mean I've seen obviously a lot of  
15 parking garages that have multiple uses, but  
16 this is pretty large and I was wondering how  
17 you're going to implement that.

18 MS. CHAMBERLIN: Well, we wouldn't  
19 be the ones to implement it, but the Ronald  
20 Reagan Building's an example, if you've been in  
21 that garage. It has multiple entrances and  
22 exits.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   VICE CHAIR COHEN: I can't even  
2 find my way in the building, let alone the  
3 garage.

4                   COMMISSIONER MAY: Never ever  
5 bring up that garage. I've wandered it for  
6 hours trying to find --

7                   CHAIRMAN HOOD: It's actually not  
8 that bad and it's very easy to maneuver. So --

9                   COMMISSIONER MAY: -- see us go  
10 there a lot more often.

11                  CHAIRMAN HOOD: So you see we have  
12 varied opinions. That is one of the best  
13 garages around.

14                  MS. CHAMBERLIN: The idea is to  
15 disperse the traffic. So by having these  
16 entrances and exits segmented to the specific  
17 population, you're then forcing everyone who's  
18 leaving that exit to go the same direction, when  
19 they would benefit, the network would benefit,  
20 the intersection at Michigan and First Street  
21 would benefit if they actually left through  
22 another exit.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1           So if you kept them segregated  
2           you're forcing everybody who is a visitor will  
3           have to go out on Michigan, and if they're going  
4           south they're going to have to make that right  
5           on North Capitol.

6           But if they have the opportunity to  
7           use the exit that's dedicated to retail, they'd  
8           be able to go through the site on Half Street  
9           and come out, you know, on Evarts or on the  
10          Service Court instead of using the intersection  
11          of Michigan and North Capitol.

12          VICE CHAIR COHEN: Okay, it would  
13          be helpful if the applicant does be more  
14          specific in targeting what they agree with and  
15          what they need to further negotiate with DDOT.  
16          Because I think this is, as long as my chairman  
17          says he can get himself in and out, but I guess  
18          many people could, not that he's not a good  
19          driver.

20          CHAIRMAN HOOD: Actually I ride my  
21          bicycle right there. Must be getting late.  
22          Must be getting late.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1                   VICE CHAIR COHEN:   Okay, who will  
2                   be replacing the unsignalized crossings?  
3                   Who's going to be putting in the signals?  Is  
4                   that the city?  Is that the applicant?

5                   MS.    CHAMBERLIN:           No,    the  
6                   applicant's committed to putting in the new  
7                   signals.           And    then    there's    some  
8                   recommendations to remove the crosswalks at  
9                   unsignalized intersections in order to  
10                  encourage pedestrians to use the new signalized  
11                  intersections.  But it would be the applicant.

12                  VICE CHAIR COHEN:   One of the  
13                  things you do state in your review, I guess, on  
14                  Page 2, how does the berm along the perimeter  
15                  pose potential obstacles for pedestrian and  
16                  bicycle connections?  I don't understand that.

17                  MS. CHAMBERLIN:   Well, it's not a  
18                  very porous site, so people can't just walk  
19                  across anywhere in the grass.  They'll have to  
20                  find the actual entrances as they showed.  So  
21                  in that sense it's just not a very porous site.

22                  And what we're concerned is we want

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 to make sure that the sidewalks both on North  
2 Capitol and at the Olmsted Walk are actually  
3 wide enough, and the berm itself doesn't allow  
4 for enough room on North Capitol. And so  
5 that's what we still need to work with the  
6 applicant, to ensure that the North Capitol  
7 sidewalk is wide enough, you know, for all  
8 modes.

9 VICE CHAIR COHEN: Okay. And  
10 again I'm sure the applicant will confirm  
11 whether they can or cannot do that. Those are  
12 my questions.

13 CHAIRMAN HOOD: Okay. Any  
14 questions, Commissioner Miller?

15 COMMISSIONER MILLER: Yes, just a  
16 couple. So for DDOT, do you agree with the  
17 applicant that the parking is sufficient for  
18 the Community Center? I realize it meets, it's  
19 way beyond what's required, which apparently is  
20 only nine based on the square footage of the  
21 Community Center, I guess.

22 But in their submission they say

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 there will be 21 spaces and that there will be  
2 overflow spaces in other parts also. I just  
3 wanted to get your take on that because I didn't  
4 see anything in your report that directly  
5 addressed the Community Centers.

6 MS. CHAMBERLIN: Correct. I  
7 don't think they specified in the  
8 transportation impact study the amount of  
9 parking for the rec center, but we think overall  
10 the amount of parking for the site, the site's  
11 very well parked we would say.

12 And I would hope there is some  
13 collaboration in terms of the parking. That 21  
14 might not be enough given the experience at the  
15 Wilson Aquatic Center and their needs. So I  
16 think this is something where the curbside  
17 management plan and how they decide to sign all  
18 the other streets within the site itself can  
19 accommodate the parking.

20 COMMISSIONER MILLER: Right.  
21 Yes, that will be important. Does DDOT have a  
22 policy in general on the proposal here to have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 publicly accessible private streets versus  
2 what we normally do in the city to have publicly  
3 accessible public streets?

4 MS. CHAMBERLIN: No, we don't have  
5 a policy.

6 COMMISSIONER MILLER: And okay,  
7 for OP. Thank you, Ms. Roberts, for directing  
8 me to this Page 16 where it said LEED Silver.  
9 It was the Platinum that was called out on Page  
10 8, but that might have been based on information  
11 that was given to you that, so, but I appreciate  
12 you pointing that out.

13 That's all, Mr. Chair.

14 CHAIRMAN HOOD: Let's do a status  
15 check. I think since Commissioner Barnes is  
16 going to be with us every night, her testimony  
17 for, well, subject is tonight she can give that  
18 to us on May the 13th unless you all want to try  
19 to press on. But I think -- yes, okay.

20 So we're going to start on May the  
21 13th with ANC 5E, Commissioner Barnes'  
22 testimony. Hoping that we finish the rest

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1           tonight. I'm not sure what questions that Mr.  
2           Pozen or Commissioner Barnes -- just have four?

3                       Okay. Let me try this. Does the  
4           applicant have any cross examination? Okay,  
5           Commissioner Barnes, do you have any cross of  
6           either Office of Planning or DDOT?

7                       DDOT come forward.

8                       COMMISSIONER MAY: While she's  
9           coming forward I wanted to get a quick update  
10          on the street car, when that might be happening?  
11          And I assume it's still going along Michigan  
12          Avenue, or not?

13                      MR. HENSON: Funny you ask. I had  
14          that conversation earlier today. So our  
15          moveDC plan, which is our city-wide  
16          prioritization of transportation investment  
17          for the next 25 years, is about to be finalized,  
18          and it will look, or it will prioritize that --  
19          it doesn't necessarily call it street car or  
20          higher capacity bus, but it does call it high  
21          capacity transit.

22                      And I believe that's going to be one

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 of the higher priority quarters that come out.  
2 I don't know if it will necessarily be the first  
3 quarter that we look at after moveDC is  
4 finalized, but it will be one of the earlier  
5 quarters that we look at within a few years to  
6 start planning process.

7 CHAIRMAN HOOD: Commissioner?

8 MS. BARNES: This is for DDOT.  
9 You mentioned that the site would not be able  
10 to get RRP (sic). And we were suggesting, at  
11 least within our community benefits agreement  
12 we had talked to the VMP to state that we would  
13 like for whoever's on the site to actually have  
14 what we already have within the community.

15 So if they're not able to get RRP  
16 (sic) then that meant that the parking would  
17 overflow within the community, and it also  
18 meant that we that are already there that does  
19 have RRP cannot go on that site and park unless  
20 we wind up getting a ticket.

21 So being that you did say that it  
22 was a private road or street, so whatever, that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 I'm just looking at the parking now. So if you  
2 just allow them to have parking on the site and  
3 not have the community to have parking on the  
4 site with limitations then I think that's going  
5 to be a problem.

6 MS. CHAMBERLIN: Yes, there's  
7 nothing we can, I mean legally we can't allow  
8 people that don't have addresses on a private  
9 street be in the RPP system.

10 But that means essentially that  
11 they can't park in your neighborhood. If your  
12 street's RPP their stickers aren't going to  
13 allow them to park in your neighborhood. Now  
14 in regards of having you be able to park on that  
15 site, that all depends on VMP or the applicant  
16 overall wants to sign the street.

17 So it just depends on how they want  
18 to sign the street. And they might not have any  
19 restrictions. I mean they essentially can do  
20 whatever restrictions they want to put on  
21 because it's a private street.

22 MS. BARNES: So the ANC would

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701



1 actually talk to VMP about that.

2 MS. CHAMBERLIN: Correct.

3 MS. BARNES: Thank you.

4 CHAIRMAN HOOD: Okay. Mr. Pozen,  
5 two questions? Okay. Ms. Barnes, you might  
6 want to stay up here because we might get to you.  
7 It depends on Mr. Pozen.

8 MR. POZEN: Put the pressure on me  
9 there. One for Office of Planning. I guess  
10 the bottom line in your report was a finding,  
11 or one of the bottom lines in your report was  
12 a finding of no inconsistency with the  
13 comprehensive plan.

14 And I wanted to point to, I know  
15 there are a lot of components and pieces in the  
16 comprehensive plan, but I wanted to point to two  
17 of them and ask why those, the development plan  
18 wasn't inconsistent with at least those tenets  
19 in the comprehensive plan.

20 In the mid-city component, which  
21 you referenced in reference to the McMillan  
22 site, there's a sentence there that indicates

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 that consistent with the 1901 (sic) McMillan  
2 plan, connectivity to a nearby open space such  
3 as the Armed Forces Retirement Home, should be  
4 achieved through site design.

5 And then again in Chapter 8 in the  
6 recreation and open space element, again  
7 interconnectedness with unique open space  
8 network, which includes specifically the  
9 McMillan Reservoir site, is referenced.

10 And so again I just want to know how  
11 the Office of Planning feels that this is not,  
12 that those portions of the plan are not, that  
13 the master plan is not inconsistent with those  
14 portions of the plan.

15 MS. BROWN-ROBERTS: I think how we  
16 look at it, I don't think that it has to be  
17 consistent or not inconsistent with every  
18 portion.

19 I think when we started looking at  
20 the McMillan design years ago, and at the time  
21 we were talking to the federal government  
22 building across the street, and one of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 things that we had looked at or had a  
2 conversation about is having that connection  
3 down, you know, going from Michigan Avenue  
4 across and all the way down.

5 This was not something that that  
6 property owner was interested in doing. And so  
7 I think what the applicant has done is to  
8 provide that Half Street going through the site  
9 that that can be continued, if the adjacent  
10 property wants to do that site line they can go  
11 ahead and do that.

12 Regarding the, I'm sorry, the  
13 second one was in connection to other site of  
14 the --

15 MR. POZEN: Oh, the McMillan  
16 Reservoir site as a whole was the interconnect,  
17 both of them were references to  
18 interconnectedness with the emerald necklace  
19 of sites around and the open space and  
20 properties that run east-west across that  
21 portion of the city.

22 MS. BROWN-ROBERTS: And again, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 think what has been provided on the site does  
2 not preclude those sorts of connections to be  
3 made. They certainly won't be connecting to  
4 the west because of the reservoir, but I think  
5 that there are sidewalks. And then with the  
6 Olmsted Walk around the perimeter of the site  
7 does allow for connections to be made, that sort  
8 of connection to be made to other portions of  
9 the, to continue the pedestrian walkway and  
10 sidewalks.

11 MR. POZEN: So perhaps in the  
12 future, but not necessarily specifically with  
13 regard to the site itself.

14 MS. BROWN-ROBERTS: Well, not as  
15 part of this development at this time, yes.

16 MR. POZEN: Thank you. With DDOT,  
17 you reference a need for additional  
18 transportation, including the bus picking up on  
19 the applicant's recognition and testimony of  
20 additional bus seats needing to be provided,  
21 referencing street cars and Capitol Bikeshare.

22 I take it that there's no firm

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1 commitment on the part of the city or that the  
2 city has been able to negotiate or deal with or  
3 achieve with WMATA or others to actually  
4 achieve within the time frame of this  
5 particular project and the implementation of  
6 this master plan, we're not going to be seeing  
7 those street car, bus line, and Capitol  
8 Bikeshare. At least there's no agreement at  
9 this time to provide that I take it?

10 MS. CHAMBERLIN: There's no firm  
11 commitments at this time, no.

12 MR. ROGERS: But for the Capitol  
13 Bikeshare the applicant has committed to  
14 providing 60 to 80 additional docks. But in  
15 terms of the additional transit capacity none  
16 of that's funded at the moment. That could  
17 change as priorities change going into the  
18 future.

19 MR. POZEN: Thank you.

20 CHAIRMAN HOOD: Commissioner  
21 Barnes, I brought you up front and I hate to say  
22 this. I know I've been pushing back. We've

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       been going back and forth with you for about an  
2       hour, but my colleagues are ready to call it a  
3       night.

4               So we're going to start fresh with  
5       you on May the 13th for these particular  
6       parcels. That don't mean you don't come back  
7       Monday for other parcels, but for this  
8       particular case tonight we'll hear from you  
9       when we start on May the 13th.

10              Ms. Brown? I'm getting confused.  
11       It must be getting late.

12              MS. BROWN: We look alike.

13              CHAIRMAN HOOD: Maybe not. She  
14       and I looked alike too for years.

15              (Laughter)

16              MS. BROWN: I just have one very  
17       quick follow-up question for DDOT based on the  
18       questions from the ANC. And that is, does DDOT  
19       have a policy to encourage free parking?

20              MR. ROGERS: No.

21              MS. BROWN: Thank you.

22              CHAIRMAN HOOD: Okay, so again

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

1       thank you.  So again, Commissioner Barnes, we  
2       will hear from you on May 13th.  I also want to  
3       send a shout-out to our colleague who I  
4       understand is home resting.  Mike, get well  
5       soon.

6                     Okay, so with that Ms. Schellin, do  
7       we need to do anything else?

8                     MS. SCHELLIN:  No, sir.

9                     CHAIRMAN HOOD:  Okay, with that  
10       this is going to be continued on May the 13th  
11       at 6:30.  Good night and thank you for your  
12       participation.

13                    (Whereupon, the foregoing matter  
14       went off the record at 10:50 p.m.)

15

16

17

18

19

20

21

22

1

2

3

4