

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :
 :
VISION MCMILLAN PARTNERS LLC : Case No.
AND THE DISTRICT OF : 13-14
COLUMBIA :
-----:

Tuesday,
May 13, 2014

Hearing Room 220 South
441 4th 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 4th Street, N.W.,
Washington, D.C., 20001, Anthony J. Hood,
Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MICHAEL G. TURNBULL, FAIA,
Commissioner (AOC)
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
MAXINE BROWN-ROBERTS
JOEL LAWSON

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

ANNE CHAMBERLIN

The transcript constitutes the
minutes from the Public Hearing held on May 13,
2014.

T-A-B-L-E O-F C-O-N-T-E-N-T-S

<u>ITEM</u>	<u>PAGE</u>
ANCs	10
Public testimony in support of VMP's plan	33
Parties in opposition	129
Cross-examination by the Applicant, Ms. Carolyn Brown	205
Persons in Opposition:	
Laura Jackson	208
Katherine Young for Victoria Brent .	211
Philip Blair	214
Sam Shipley	217
Alex Tharrington	220
Tony Norman	224
Joe Levek	228
Matthew Bader	231
Mark Mueller	243
Carol Lewis Anderson	247
Mary Pat Rowan	251

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Andrea Rosen	253
Debbie Hanrahan	256
Rick Hind	260
Elizabeth Merritt	263
Christopher Dinwiddie.....	271
Cross-Examination by Andrea Ferster	279
Persons in Opposition (cont.):	
Jane Huntington	286
Nancy MacWood	295
Betsy McDaniel	302
Eugene Puryear	305
Bertha Holliday	309
Mel Peffers	313
Kirby Vining	115
Adjourn, Chairman Hood	323

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

2 (6:33 p.m.)

3 CHAIRMAN HOOD: Okay, we're ready
4 to get started. Good evening, ladies and
5 gentlemen. This is a public hearing of the
6 Zoning Commission for the District of Columbia
7 for May 13, 2014.

8 My name is Anthony Hood. Joining
9 me are Commissioner Miller, Commissioner
10 Turnbull and Commissioner May. We're also
11 joined by the Office of Zoning staff Ms. Sharon
12 Schellin, th Office of Planning, Ms.
13 Steingasser and Mister, Miss, I'm sorry, and
14 Ms. Brown-Roberts.

15 I'm used to calling Mr. Lawson's
16 name. Is he going to join us? Okay, he's in
17 route, and Mr. Lawson. Is that it? Okay, we
18 may be expected to be joined by the District
19 Department of Transportation, Mr. Henson, Mr.
20 Rogers or Ms. Chambers.

21 This proceeding is being recorded
22 by a court reporter. It's also webcast live.

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1 Accordingly, I must ask you to refrain from any
2 disruptive noises or action in the hearing room
3 including the display of any signs or objects.

4 Notice of today's hearing was
5 published in *The DC Register*, and copies of
6 that announcement are available to my left on
7 the wall near the door.

8 This evening's hearing is a
9 continuation of the May 1st hearing and will
10 only focus on Stage 1, master plan, open spaces
11 and parks and the community center.

12 Hearings on other parcels have
13 already been held. Again, this evening will
14 only focus on, we will only be discussing the
15 master plan, open spaces and parks and the
16 community center.

17 The hearing will be conducted in
18 accordance with provisions of 11 DCM 30.22 as
19 follows. Preliminary matters, a report of the
20 ANCs. In this case, we have 5E, 1B, and there's
21 another ANC. Does anybody know right off?

22 MS. STEINGASSER: 1B and 5A.

1 CHAIRMAN HOOD: 5A? Thank you,
2 5A, 5E and 1B. Organizations and persons is an
3 important part in opposition. In this case we
4 only have one party which is Friends of McMillan
5 Park. Organizations and persons in
6 opposition, rebuttal and closing by the
7 applicant.

8 The following time constraints will
9 be maintained in this meeting. The Friends of
10 McMillan will have up to 60 minutes. They get
11 the same equivalent time that applicant had.
12 Organizations five minutes, individuals three
13 minutes.

14 The Commission intends to adhere to
15 the time limits as strictly as possible in order
16 to hear the case in a reasonable period of time.
17 The Commission reserves the right th change the
18 time limits if necessary and notes that no time
19 shall be ceded.

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

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1 near the door. Upon coming forward to speak to
2 the Commission please give bor cards to the
3 reporter sitting to my right before taking a
4 seat at the table.

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

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

19 In addition, there should be no
20 direct contact whatsoever with any
21 commissioner concerning this matter, be it
22 written, electronic or by telephone. Any

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1 materials received directly by a commissioner
2 will be discarded without being read and any
3 calls will be ignored.

4 The staff will be available
5 throughout the hearing to discuss procedural
6 questions. Please turn off all beepers and
7 cell phones at this time so as not to disrupt
8 these proceedings.

9 Would all individuals wishing to
10 testify please rise to take the oath? Ms.
11 Schellin, would you please administer the oath?

12 MS. SCHELLIN: Yes. Please raise
13 your right hand. Do you solemnly swear or
14 affirm the testimony you will give this evening
15 will be the truth, the whole truth and nothing
16 but the truth?

17 ALL: I do.

18 MS. SCHELLIN: Thank you.

19 CHAIRMAN HOOD: Okay, Ms.
20 Schellin, do we have any preliminary matters?

21 MS. SCHELLIN: No, sir.

22 CHAIRMAN HOOD: Okay, I'm going to

1 ask for all, I think we started with ANCs
2 tonight. I'm going to ask for all the ANCs to
3 come forward, 5E, 1B and 5A, if you're present
4 and you have a presentation.

5 Because the main ANC, I think, which
6 the majority of the area's in is 5E, we will
7 start with 5E. I see you have Chairperson
8 Pinkney. Who's going to be speaking for 5E?

9 Turn your microphone on. Let me do
10 this. Let me get all of you to introduce
11 yourselves first, and if you could turn your
12 microphones on. I have a way of jumping the
13 gun. I'm not going to make the Wizards game
14 tonight, so.

15 MS. PINKNEY: And I thought -- oh.

16 CHAIRMAN HOOD: Okay, so if you
17 could just identify yourself.

18 MS. PINKNEY: Good evening. I am
19 Sylvia M. Pinkney, Chairperson of the ANC 5E.

20 COMMISSIONER BARNES And I'm
21 Dianne Barnes, the CM member district for the
22 location of the site and also the chair of the

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1 MAG.

2 CHAIRMAN HOOD: Okay, but right now
3 you're speaking as --

4 COMMISSIONER BARNES: ANC.

5 CHAIRMAN HOOD: ANC Commissioner,
6 okay.

7 DR. ANDERSON-HOLNESS: Dr. E. Gail
8 Anderson-Holness, commissioner for ANC 1B,
9 single-member District 11. But I'm here
10 representing ANC 1B.

11 CHAIRMAN HOOD: Okay. Who's going
12 to be sitting on behalf of ANC 5E?

13 COMMISSIONER BARNES: I am.

14 CHAIRMAN HOOD: Okay. So you may
15 begin.

16 COMMISSIONER BARNES: Mr. Chairman
17 and commissioner members, my name is Dianne
18 Barnes, an ANC 5E commissioner in which the site
19 is located.

20 I live two blocks from the site at
21 41 Adams Street, N.W. I am a retired employee
22 from the Army Corps of Engineers. I've been

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1 actively involved with McMillan issues
2 relating to this site for 30 years.

3 I serve at the president of the
4 Bloomingdale Citizens Association, as Chair of
5 the Advisory Neighborhood Commission for 5E and
6 also currently serving as the Chair of McMillan
7 Advisory Group.

8 I have observed over the last six
9 years and participated in VMP's effort to work
10 with and for the community to conceptualize and
11 develop plans for the former McMillan sand
12 filtration plant.

13 On November 19, 2013, at a properly
14 noted public meeting, ANC 5E, by a vote of 6,
15 2, 2 to support Vision McMillan Park in Stage
16 1 of the VMP PUD application of the Historic
17 Preservation Review Board's submission to
18 certain specific conditions and modifications
19 for the McMillan site development.

20 VMP has come back again and again to
21 address the community issues, concerns, which
22 provided many outreach meetings for the

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1 community to voice its opinion and have
2 constantly addressed the majority of the
3 community's desires through revisions.

4 In your attachment I've actually
5 put some of those revisions in the back so you
6 could see from 2006 up to today's time.

7 As for the immediately affected
8 area, single-member District 5E-09 many
9 longtime residents welcomed the development
10 and so do some new residents. The longtime
11 residents recognize that this is the closest to
12 such a development has come with the PUD
13 processes.

14 One main issue of this community is
15 the traffic impact and which this project will
16 bring due to the development. The traffic
17 mitigation is definitely a requirement on 1st
18 Street and North Capitol Street from the
19 Michigan Avenue to Rhode Island Avenue.

20 I've asked that VMP continue to work
21 with its traffic and transportation management
22 experts to mitigate the traffic to its fullest,

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1 particularly on 1st and North Capitol Street.

2 On April 29th ANC received a draft
3 public community benefits agreement from MAG
4 via email. MAG, along with ANC constituents
5 have provided countless hours of input into a
6 CBA that is being negotiated with VMP.

7 ANC 5E has reviewed and began its
8 negotiation with VMP. But as of today's date
9 the negotiations are not complete. Prior to
10 its upcoming public meeting ANC has initiated
11 another meeting to complete negotiation with
12 VMP for the purpose of finalizing the CBA as a
13 supplement to the PUD.

14 ANC 5E requests to submit its CBA to
15 the Zoning Commission after its public meeting
16 scheduled on May 20, 2014. I ask that the
17 Zoning Commission honors ANC's request to keep
18 Case No. 13-14 record open until May 23rd to
19 allow the completion of these negotiations and
20 for the voting processes of the agreement at the
21 ANC's next public meeting.

22 Also, I ask for the support of the

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1 Zoning Commission to move this development
2 forward. Finally, I am grateful for your
3 thoughtful review and often thankless work to
4 bring in meaningful and sustainable
5 development to this community.

6 It has definitely been a long wait
7 for a park, community center with a pool and
8 other amenities that this community could use
9 and enjoy. Plus it's an opportunity for the
10 fence to come down as we can actually enjoy this
11 local treasure. Thank you for your time.

12 CHAIRMAN HOOD: Okay. Thank you,
13 Commissioner Barnes. Ms. Pinkney, did you
14 want to add to that?

15 MS. PINKNEY: Well, actually I
16 believe Commissioner Barnes has said basically
17 everything I would say because we did actually
18 work on this together. But I am here to show
19 my complete support for the development.

20 That is the purpose of my being here
21 today. And we are really pushing forward to
22 complete a CBA and add it to the PUD. Thank

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1 you.

2 CHAIRMAN HOOD: Okay. Thank you.
3 Reverend Holness?

4 DR. ANDERSON-HOLNESS: Thank you,
5 commissioner. Yes, thank you, sir, to the
6 Chairman and to all members of this body and to
7 all who have gathered today.

8 We are glad to be in this house
9 tonight. And we're moved by the individuals
10 that we saw on the outside expressing their
11 opinions, and we're moved by it.

12 Mr. Chairman, the Advisory
13 Committee Commission 1B, at its regularly
14 scheduled, publicly noticed May 1 public
15 meeting, with a forum of 9 of 11 present
16 considered the redevelopment plan for the
17 McMillan sand filtration site.

18 The Commission voted 8-0-1, to the
19 1 being an abstention, to defer to and
20 participate in the process established by ANC
21 5E, the commission of primary jurisdiction, to
22 gather input from the community and adjacent

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1 ANCs and issue recommendations.

2 Additionally, our commission voted
3 unanimately to appoint me, E.Gail
4 Anderson-Holness, to represent the commission
5 on McMillan Advisory Group, which is known as
6 MAG. And this letter came from our chairman,
7 James Turner, that was sent to the chairman,
8 Chairman Hood, on yesterday or day before
9 yesterday.

10 We, actually deferring to ANC 5E in
11 their decision, because it is primarily in
12 their area, and so we want to support our ANCs
13 as they support the individuals that they
14 represent in their community. And we are
15 affected and we do feel the compassion of those
16 in the community, but we're going to defer this
17 matter to ANC and follow their judgment in this
18 matter.

19 CHAIRMAN HOOD: Okay, I want to
20 thank you, Reverend Dr. Holness. And also I
21 want to thank you, Chairperson Pinkney and
22 Commissioner Barnes.

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1 We're going to open up and see if we
2 have any questions. But let me start right
3 off. Commissioner Barnes, just, did you say
4 you were the president of the Bloomingdale
5 Civic Association?

6 COMMISSIONER BARNES: I was.

7 CHAIRMAN HOOD: Oh, you were.
8 Okay, because I see we have a letter here and,
9 objecting to ANC 5E support and I thought I
10 heard you say you were the president, and I was
11 trying to figure that out. Okay. Okay,
12 okay, thank you.

13 Let's see if we have any questions
14 up here. Commissioners, any questions?
15 Commissioner May?

16 COMMISSIONER MAY: So most of the
17 testimony that I heard from you all had to do
18 with, I mean, I guess it's the general support
19 of the project. But the concerns that you have
20 seem to be focused more on issues like traffic
21 and congestion as opposed to issues of the
22 preservation of the structures that are there.

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1 Could, I mean, do you want to talk
2 a little bit about that and what kind of
3 discussion you had within the ANC?

4 COMMISSIONER BARNES: As far as the
5 park and the community center we've actually
6 dealt with that and had problems with that.
7 But VMP has actually come back to our meetings
8 from time to time and actually have provided a
9 lot of revisions.

10 If you look at the very first image
11 on your handout that you have there and compare
12 it to the very last one, then you could see the
13 various revisions that they've done pertaining
14 to the park.

15 Where it was in the beginning,
16 compared it to where it is now, they moved the
17 houses over and actually moved the park more
18 closely to Channing Street to allow us more room
19 for a park.

20 So we don't have any -- well, we
21 dealt with those with VMP thus far. And I don't
22 have any problems with --

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1 COMMISSIONER MAY: And so you don't
2 really have the concern about the historic
3 preservation aspect of the existing sand
4 filtration structure?

5 COMMISSIONER BARNES: No, we've
6 talked about that too and I don't have any
7 comment on that now because of the fact that
8 they've dealt with that to my knowledge, yes.

9 COMMISSIONER MAY: Okay.

10 COMMISSIONER BARNES: Yes.

11 COMMISSIONER MAY: Well, that was
12 my question.

13 CHAIRMAN HOOD: Any other
14 questions up here? Commissioner Turnbull?

15 COMMISSIONER TURNBULL: Yes, thank
16 you, Mr. Chairman. I just want to continue on
17 with what Commissioner May was asking about,
18 the traffic impacts.

19 I mean, in your last letter you
20 asked VMP to continue to work with its traffic
21 and transportation management experts. And it
22 just sounds like it's so open-ended. They've

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1 already given some plans but you're asking them
2 still to, are you still -- what are you looking
3 for? What do you see are some of the problems?

4 COMMISSIONER BARNES: Well, they
5 actually haven't dealt with the problem yet.
6 Those are recommendations that the traffic and
7 transportation management would deal with when
8 they actually start the development.

9 But the actual project has not even
10 begun yet, so that's what I'm talking about,
11 that they continue to work with transportation.

12 COMMISSIONER TURNBULL: Well, I
13 mean, from my standpoint, we like to see a
14 complete package. We'd like to see complete
15 mitigation efforts. We'd like to see it in
16 writing, how they're going to do it and what
17 they're going to do, and, too, we need that kind
18 of confidence.

19 I sounds like you're still
20 open-ended about it. You're working on the VMP
21 package but, I mean, the CBA. And that's a big
22 concern. But, and you should be concerned, but

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1 I think the other thing is still this traffic
2 mitigation.

3 COMMISSIONER BARNES: Well,
4 they've provided traffic studies. So I'm just
5 hoping that that will work out. Because they
6 have been working with the transportation and
7 traffic management people to try to mitigate
8 whatever they're going to do on that site, so.
9 And I'm just hoping that they continue to do
10 that.

11 COMMISSIONER TURNBULL: Well, I
12 mean, I think, we agree. But I think hope is,
13 we'd like to see a little bit more than just
14 hope. We'd like to, we want to see some
15 positive measures. I mean, we're looking out
16 for the interests of the community.

17 We want to make sure that it's not
18 open-ended, that is a close, that they come and
19 show you exactly what's going to happen --

20 COMMISSIONER BARNES: Okay.

21 COMMISSIONER TURNBULL: -- with
22 some definitive measures. So I'm, my only

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1 concern is that is just sounded a little
2 open-ended. I know on --

3 COMMISSIONER BARNES: Oh, I'm
4 sorry to have --

5 COMMISSIONER TURNBULL: -- on your
6 end, from your standpoint.

7 COMMISSIONER BARNES: -- misled
8 you, but I don't really think it's open. I'm
9 saying we've actually had the traffic study.
10 And the transportation and traffic experts came
11 to the meeting and told us what they can do and
12 what they was planning to do. So I'm just
13 hoping that --

14 COMMISSIONER TURNBULL: Okay.
15 All right.

16 COMMISSIONER BARNES: -- it'll
17 work. So, I don't know if it's going to work
18 until they actually do it. So, it has not been
19 done yet so that's what I'm saying.

20 COMMISSIONER TURNBULL: Okay,
21 thank you.

22 COMMISSIONER BARNES: And hope

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1 that it will be done.

2 CHAIRMAN HOOD: Okay, any other
3 questions? Commissioner Miller, Ms. Pinkney,
4 you want to add?

5 MS. PINKNEY: There are traffic
6 requests in the CBA. And we are diligently
7 working on those requests also. And those are
8 the requests that come from the surrounding
9 communities, but they are part of the CBA.

10 CHAIRMAN HOOD: Thank you. And we
11 have a draft. I think it was given to us
12 tonight, a draft? Okay, yes. Oh, we don't?
13 Okay. All right, Commissioner Miller?

14 COMMISSIONER MILLER: Thank you,
15 Mr. Chairman. So you do have a meeting? Thank
16 you for your testimony, all of you.

17 So you do have meetings scheduled
18 with the VMP to have further discussions? And
19 you think, and you're confident that you will
20 reach an agreement on the CBA by the end of next
21 week?

22 COMMISSIONER BARNES: Yes, we're

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1 hoping.

2 COMMISSIONER MILLER: Okay, well,
3 keep hope alive.

4 CHAIRMAN HOOD: Yes, we're not
5 going to lose our hope but I can tell you that,
6 from my perspective and being on this
7 commission for a while, and I'm not going to
8 bash the Transportation specialists, and I say
9 this all the time and I think I'm going to say
10 it every meeting, I hear them come down and tell
11 me all about traffic patterns and how things are
12 working and how good it's flowing for the most
13 part.

14 But, in actuality, when I've seen
15 the traffic I think about some of them. I'm not
16 going to call their names, but I think about it,
17 a lot of them. So we really need to, as Mr.
18 Turnbull said, we're going to do the best we can
19 here.

20 Let me ask you this question. Do
21 you have traffic problems now?

22 COMMISSIONER BARNES: Yes, we have

1 traffic problem now.

2 CHAIRMAN HOOD: Okay. And with
3 this development do you think that the
4 mitigations that you all have been speaking
5 with the applicant about will take care of some
6 of the existing, the problems that are going to
7 come?

8 Because I can tell you, this, if
9 this is built, I'm probably going to come. And
10 you and I, you know, I've asked you for a ride,
11 so I'm going to drive. So do you think that the
12 mitigations may help offset some of what's out
13 there?

14 COMMISSIONER BARNES: What they
15 suggested to us, yes, I do believe that they
16 will help. But I'm just hoping that what they
17 say will do, so I'm thinking that if they do what
18 they say then we shouldn't have that much
19 problem.

20 CHAIRMAN HOOD: And do you have an
21 agreement if the attempts that they have
22 mitigated, some of the measures that they put

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1 in for mitigations don't work that maybe them
2 and DDOT or DDOT and the applicant will revisit
3 some of that as you see it not working? Do you
4 have that commitment?

5 COMMISSIONER BARNES: We don't
6 have that commitment yet because I understand,
7 when DDOT mentioned she talked, they have not
8 coordinated with each other yet. So we don't
9 have that commitment at all.

10 CHAIRMAN HOOD: So may I make a
11 suggestion, that the ANC continue, I'm sure
12 you, continue to be involved with that. I can
13 tell you, before this commission makes a final
14 decision, I want to see some of what Mr.
15 Turnbull talked about, some hard measures,
16 depending on which way we move on this.

17 Okay, any other questions? Okay,
18 let's see if we have any cross-examination.
19 You know, what I have in my record, all the, does
20 ANC, okay, ANC 5E's the only one. Do you have
21 any cross?

22 I'm going to go to the applicant.

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1 Do you, since they're sitting at the table, do
2 you have any cross of anyone at the table?

3 COMMISSIONER BARNES: No.

4 CHAIRMAN HOOD: Okay. Applicant,
5 do you have any cross-examination?

6 MS. BROWN-ROBERTS: No cross.

7 CHAIRMAN HOOD: Okay, Ms. Ferster,
8 do you have any cross-examination?

9 MS. FERSTER: No cross.

10 CHAIRMAN HOOD: Okay, thank you
11 all, commissioners, very much. And we
12 appreciate all your work you do.

13 COMMISSIONER BARNES: Thank you.

14 CHAIRMAN HOOD: Thank you. We
15 don't lose hope. Let me make an announcement.
16 We have a lot, I have about six pages, I think,
17 or maybe five pages of people who would like to
18 testify.

19 The past hearings I'm been, we've
20 been very lenient, and we've been going over the
21 three minutes and the five minutes and going --
22 tonight we're going to do something a little

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1 different. When you have a minute left, before
2 you're supposed to stop, you're going to hear
3 a sound, a beep, which is going to sound.

4 The first beep, start wrapping it
5 up. The second beep, I have a button. I'm
6 going to be nice. I'm not going to cut you off.
7 I'm just going to hit Off. No, I'm not going
8 to do that. I'm not going to do that. I'm not
9 going to do that.

10 But I don't like to be rude, so I'd
11 like for you to wrap it up because we have a,
12 as you look around, we have a lot of folks who'd
13 like to testify. And we want to hear from
14 everyone tonight, okay? Can we all agree on
15 that?

16 Anybody, I'm going to ask everybody
17 this question. Anybody opposed to what I said,
18 raise your hand? Unanimous is, we got
19 unanimity in agreement. Great, we're starting
20 off right.

21 Okay, I'm trying, I was doing that
22 to stall for Ms. Schelling, actually. Give he

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1 time to come back and set the clock. Mr.
2 Turnbull, do you remember how to do it? No,
3 that's all right.

4 COMMISSIONER TURNBULL: There's a
5 vote of confidence.

6 CHAIRMAN HOOD: What I can do
7 though is, instead of messing around, let me
8 call Cheryl Cort, Debbie Smith-Steiner, Teri
9 Janine Quinn, Rashida Brown.

10 And I can tell you this next name I'm
11 getting ready to, if it sounds like your name
12 please come forward. Tarise, Taross Veer,
13 Taroz Veer? George Crawford, Harriet
14 Crawford?

15 The first name is Duane, I think
16 it's Duane Bell? Ms. Schellin, can you look at
17 Number 17 and see if that last name is Bell?
18 Duane Bell?

19 MS. SCHELLIN: It could be Duane C,
20 Cell, or --

21 CHAIRMAN HOOD: Is there anybody
22 here named Duane? If you --

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1 MS. SCHELLIN: Duane's the --

2 CHAIRMAN HOOD: Right. Gaelan
3 Whiteworth, Whitewersh? Gaelan, I think it's
4 spelled G-A-E-L-A-N. J-A-E-L-A-N? He's not
5 here? Okay, thank you. What about Ms.
6 Rebecca Whiteworth? She's not here?

7 Ethan Bush? Ethan Bush? Ronald
8 Moore? V.N. Campbell? W. Campbell? Laura
9 Rodgers?

10 MS. SCHELLIN: Rohas.

11 CHAIRMAN HOOD: Rohas. Vikki
12 Tobak? Jonathan, last name, I remember this,
13 Jonathan Tomer? What about Jonathan Tomer?
14 Okay.

15 Brent Robbins? Christina Robbins?
16 Laura Haywood? John Haywood? We're going to
17 get eight eventually.

18 MS. SCHELLIN: Ms. Jackson is here.
19 She was Number 1 on the list.

20 CHAIRMAN HOOD: She's Number 1 but
21 she's an opponent.

22 MS. SCHELLIN: Oh, yes. She was an

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1 opponent.

2 CHAIRMAN HOOD: Ms. Schellin, I'm
3 already confused.

4 MS. SCHELLIN: She felt she was
5 being ignored.

6 CHAIRMAN HOOD: No. I think I
7 called John Haywood. Okay, thank you. Talika
8 Goto? Monique, last name is Powers? Monise?
9 Monise Powers? Ms. Schellin, 41? Michael --

10 MS. SCHELLIN: Henderson, maybe?

11 CHAIRMAN HOOD: Is Michaels, oh,
12 Michael Henderson. Okay, Michael Henderson.
13 Yes, some of these folks I know. I can't read
14 their writing here. Krista Fields? Krista
15 Fields? Everyone has such distinguished
16 handwriting.

17 Phoebe Sweet? Okay. Jarrod Owing
18 Hemming, and --

19 MS. SCHELLIN: He's coming.

20 CHAIRMAN HOOD: Okay, that's a,
21 okay, so the next name I had is Gigi Ransom,
22 Alberta Gigi Ransom. And anyone else who's --

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1 yes, I know you're here. I'm just, you're
2 going to come on the next panel.

3 Like I said, some people I know. So
4 I know you're here. Anybody else who's here to
5 testify in support of this project, could you
6 raise your hand so I can see?

7 Okay, and you don't have an
8 opportunity to sign this so what I'm going to
9 try to do is get eight up at the next -- oh, you
10 have? Okay, okay. All right, so let's begin.
11 Let's start with Ms. Steiner, Smith-Steiner,
12 forgive me. Thanks.

13 MS. SMITH-STEINER: Good evening,
14 Chairman Hood and commissioners. I've
15 already, last week I had already submitted my
16 testimony. But today I am doing supplemental
17 remarks because, as I sat listening to VMP
18 Partners last week, I just want to bring some
19 enlightenment to, information to help you make
20 your decision.

21 McMillan sand filtration site is
22 public space which should provide public

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1 benefits. While it is VMP Partner's proposal
2 to provide a nice size public park and community
3 recreation center, they have already indicated
4 their goal is to privatize the land with private
5 organized board members.

6 They have also stated how even
7 though DDOT would install the streets with city
8 money VMP Partners wants the streets to be
9 private. When are the developers going to
10 invest their own equity into this process?

11 Did you know that VMP Partners have
12 sent in more than \$1 million in change orders
13 to the city which have been paid by DPAC? Did
14 you know that the Housing Trust Fund will be
15 accessed to build the housing and that general
16 contractors will bid low and charge high
17 through additional change orders that the city
18 will pay?

19 Did you know that the general
20 contractors already have their subcontractors
21 in place when awarded a bid which prevents the
22 city from enforcing hiring District residents?

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1 Did you know that these same general
2 contractors pay hotel bills for out-of-state
3 subcontractors and list them as D.C. residents?

4 Did you know that EYA's affordable
5 housing might start of a home costing \$250,000
6 but as they increase the market-rate selling
7 price for the other homes the affordable
8 housing price goes up?

9 Are you aware that the market rate
10 studio apartment in D.C. is \$2,100 and the
11 below-market rate, 80 percent AMI, goes for
12 \$1,500? No working families will be able to
13 live on this public property and they should.

14 These developers need to and can
15 give back substantially to Ward 5 where the
16 property is located. As mentioned last week
17 the developer's own testimony, Ward 5's
18 unemployment rate is 5 percent.

19 And VMP wants to offer in their
20 amenity package worth \$3.4 million a one-time
21 \$225,000 investment that is supposed to cover
22 an array of outreach services for employment

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1 and training.

2 When the developers break ground
3 they will receive millions through
4 securitization which allows them to build the
5 project out and receive monthly income, leaving
6 Ward 5 residents with morsels. It is time for
7 the Zoning Commission to take a hard look at how
8 developers are providing CBAs.

9 The city has a housing and
10 unemployment crisis. We need to respond to
11 this dilemma and stop allowing developers for
12 milking the city's coffers so they can make
13 millions that they then use to build other
14 projects, most time out of the city while
15 leaving the city empty handed.

16 CHAIRMAN HOOD: Thank you, Ms.
17 Steiner. Next.

18 (Applause)

19 MR. CAMPBELL: Do I have to use this
20 thing or --

21 COMMISSIONER BARNES: No, you've
22 got to use it.

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1 CHAIRMAN HOOD: What you want to do
2 is use, turn your microphone on. But let me
3 back up. We're kind of, we're not the City
4 Council but we don't take any applause or any
5 demonstrations in the hearing room. We want to
6 be respectful, pro or con. So let's govern
7 ourselves accordingly, okay?

8 MR. CAMPBELL: Do I need to use
9 this?

10 CHAIRMAN HOOD: Yes, so you can be
11 recorded on the record.

12 MR. CAMPBELL: Okay, so is this
13 working? Testing. No, if you can hear me
14 that's fine. So my name's Velosa Campbell. I
15 live at 25 Franklin Street, N.E. which is in the
16 Stronghold.

17 My family and I have lived there for
18 about two years. Sorry, I don't have prepared
19 remarks, but I'm just going to sort of freestyle
20 if, if you will. I'm from Washington, D.C. I
21 was born in Washington, D.C. My parents are
22 from Washington, D.C., grandparents, great

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1 grandparents, for many generations.

2 I've been driving by this site for
3 my entire life and there's never been anything
4 at the site other than weeds and ivy. I'm
5 certainly aware of the historic nature of the
6 site and I'm all for preservation.

7 I think the bottom line on this is
8 that in our neighborhood we need amenities. We
9 don't have access to a grocery store. We don't
10 have access to, we can't walk to anything.

11 I don't drive. I don't have a
12 driver's license. And I disliked driving
13 growing up here. I think you guys can
14 appreciate why that's the case. It's
15 miserable.

16 And I think it's really unfortunate
17 that the residents in our neighborhood just
18 can't access any amenities. We can't, we don't
19 have a gym. The closest gym to our house, I
20 think, is at least a mile away, a public gym.

21 We don't have a swimming pool. We
22 don't have any of the amenities that they have

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1 in a lot of these, a lot of areas of the city.
2 I think it's really unfortunate. The bottom
3 line, I think, in addition to the amenities is
4 that I believe the plan isn't perfect. It
5 could certainly be better.

6 And I understand the people who are
7 opposed to it on the basis that it could be
8 better. My recommendation to you, or my
9 thought for you, is that I don't think that
10 fully stopping the development is going to lead
11 to anything other than the park never having any
12 use for another 20 to 30 years.

13 I just can't see how a developer or
14 anybody, after having, any business person,
15 after having gone through everything that the
16 developers have gone through, 200+ community
17 meetings and everything else they've done,
18 would ever put the time and energy or the money
19 into trying to develop this property if this is
20 completely stopped and completely undone and
21 nothing ever happens with it.

22 So are we willing to risk that? I

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1 think, for myself, I believe that we should not
2 risk that. Thank you for your time. And for
3 all the people who are opposed to the
4 development, I certainly appreciate your
5 opinion as well. And I still like you. I
6 think you're good people.

7 CHAIRMAN HOOD: Good, thank you.
8 Next?

9 MR. HAYGOOD: Mister, Commissioner
10 and gentlemen, my name is John Haygood. I'm at
11 71 P Street, NW. My wife, Laura, and I live
12 about a mile, well exactly a mile south of the
13 McMillan site.

14 And the more we learned about the
15 VMP proposal the more enthusiastic we have
16 grown. We welcome the jobs, the new neighbors,
17 service, the architecture, the recreational
18 opportunities and transportation options it
19 would bring.

20 Down there we are desperate for the
21 water runoff that flows down the hill to us
22 since the shallow sod covering the McMillan

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1 cells cannot absorb it now. Most of all, we are
2 proud to see our city grow bigger, better,
3 stronger and more diverse and more robust.

4 The people at Vision McMillan have
5 already been good neighbors to us. They've
6 appeared at our Civic Association, helped with
7 an alley cleanup, participated in local events
8 over the last months.

9 They have been eager to answer
10 questions and they have listened to our
11 concerns. They've shown themselves to be
12 responsible and responsive to the surrounding
13 community.

14 We understand the intention of the
15 site for over a quarter of a century has been
16 toward mixed use. It saddens us that a few of
17 the very people likely to benefit most from the
18 enhancement want to preserve a barren abandoned
19 patch.

20 Our little street is already
21 saturated with cars, mostly cars from Maryland.
22 Regional traffic is going to increase not

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1 matter what decisions are made about McMillan.

2 We would prefer that Washington's
3 byways be filled first with residents of
4 Washington, ideally riding in buses, on
5 bicycles, maybe on foot. The flowering of
6 McMillan, as with every new development in
7 D.C., ought to encourage us all to consider our
8 transportation choices rather than just
9 assuming that driving and parking are the only
10 solutions.

11 From what we can tell the project
12 will benefit everyone, especially those who
13 live near it. The advantage to our property
14 values, the tax base go along with tangibles
15 like the pool, bike chair stations, resources
16 of a medical community, options for shopping
17 and services and, for us living, breathing
18 human beings, a chance to finally, at long last,
19 enjoy the history, the clean air and the views
20 up there.

21 Change is hard. I was born in D.C.
22 too. I long for the days when I could, 30 years

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1 ago, rent a home on Capitol Hill two blocks
2 behind the Supreme Court for \$100. I
3 personally think the Mall looked best in 1890.

4 But I'll gladly trade those
5 fantasies for a real hilltop in our Ward 5 that
6 plugs into the burgeoning economic and
7 scientific rewards around medicine and medical
8 technology up there.

9 In our view, the plan delivers good
10 things that make cities desirable, variety,
11 diversity, opportunity, access, shared
12 experiences, proximity, energy efficiency and
13 life together. Thank you.

14 CHAIRMAN HOOD: Thank you. Next?

15 MS. SWEET: My name is Phoebe
16 Sweet. I live at 618 Evarts Street, NE. I
17 live less than a mile away from the proposed
18 site.

19 Thank you, commissioners, for your
20 time and efforts to maximize public comment and
21 participation in this process. I wish to speak
22 in support of the VMP plan to redevelop and

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1 restore the McMillan sand filtration site.

2 For a century the McMillan site was
3 all about providing community benefit,
4 especially public health benefit. But for the
5 last three decades and more the site has failed
6 to fulfill that promise.

7 Today, thanks to cooperation
8 between VMP, the District and many neighbors
9 McMillan again has the opportunity to be more
10 than an interesting historic site fenced off
11 from the community it once served.

12 McMillan can once again be a
13 beautiful resource to the District offering
14 both public health, recreation and safety and
15 economic benefits.

16 I'd like to make on comment on
17 process. The District bought the McMillan
18 sand filtration in 1987 at substantial cost for
19 the express purpose of mixed use redevelopment.
20 The federal government offered the site for a
21 dollar but the District foresaw the need for
22 retail housing and public space and made the

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1 conscious decision to dedicate this site to
2 mixed use redevelopment.

3 Twenty years passed before VMP was
4 selected through a competitive representative
5 RFP process to redevelop the site with input
6 from the community. After a lengthy master
7 planning process with extensive community
8 involvement the current plan emerged.

9 No one can claim that the intended
10 use for this site is anything but mixed use
11 development with historic preservation. And
12 no one can credibly claim that the process has
13 been anything but open, transparent and
14 inclusive.

15 But I don't have to tell you about
16 the process. The experts have already done
17 that and you know the details of the plan as well
18 as I do. What I'd like to share with you
19 tonight is the hope this project brings to so
20 many in this community.

21 The proposed amenities will mean so
22 much to a community that is starved for local

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1 recreation opportunities, walkable shopping, a
2 modern grocery store and usable open space.

3 This project will bring desperately
4 needed jobs and badly needed tax revenue to a
5 section of the city that is crying out for
6 redevelopment and positive change.

7 It will add housing units to a city
8 with prices on par with San Francisco and New
9 York while encouraging public art and
10 preserving the historic features that make this
11 site special.

12 And on a personal note, I can't wait
13 to see that chainlink fence come down after so
14 many years. I urge you to approve the VMP's
15 plan to revitalize this site and restore
16 substantial community benefits. And I thank
17 you for your diligent consideration of our
18 comments.

19 CHAIRMAN HOOD: Thank you, next?

20 MR. CRAWFORD: Good evening,
21 commissioners. My name is George W. Crawford.
22 With me is my wife, Harriet Crawford.

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1 My wife and I have lived at 2302 1st
2 Street NW since 1985. This is two blocks from
3 the development site. I served as president of
4 the Bloomingdale Civic Association from 1988
5 through 1990.

6 In 1990 the Civic Association
7 adopted a resolution supporting development of
8 the site. The resolution supports development
9 of the park, community facility, housing for
10 senior citizens, a daycare facility for seniors
11 and children, a library, police substation and
12 affordable housing for low and moderate income
13 families.

14 That was in 1990. My family and
15 many of our neighbors have watched this
16 community grow and change over time and have
17 considered proposals for McMillan through the
18 years. While there have been many different
19 ideas for the site, one thing has remained
20 constant. The fences have stood as a barrier
21 for decades.

22 Since 2007 my community had been

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1 working with the Vision McMillan Partners team
2 to create a development that would benefit the
3 entire community. And I think we have gotten
4 pretty close.

5 Of course we can't always make
6 everyone happy. And, as we are all well aware,
7 this has been a contentious issue over the
8 years. But I must say that the overwhelming
9 majority of my neighbors that I have known for
10 over 25 years are excited to finally have open,
11 usable and walkable space.

12 We are excited for a much needed
13 grocery store and other local retail. We are
14 eager to benefit from the significant local
15 investment that this development will bring.

16 In 1988, the first year I served as
17 president of the Civic Association, my son was
18 six years old, and we looked forward to walking
19 with him in the park. Twenty-six later, our
20 son has a six-year-old daughter. Maybe we can
21 play with her in the park.

22 We urge the approval of the Vision

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1 McMillan Plan for development of the site.
2 Thank you. And my wife and my son and my
3 mother-in-law, who's 94, they also support this
4 development. Thank you.

5 CHAIRMAN HOOD: Thank you. Next.

6 MS. CRAWFORD: I'm Harriet
7 Crawford. I live at 2302 1st Street NW.
8 George is my husband, and everything he said is
9 accurate. All of our neighbors that we've
10 talked to have been excited to have the
11 development go forward.

12 There are some issues. We all have
13 issues with everything that's done. But we do
14 believe that we can work through them and we'd
15 be fine.

16 We need the park, we need the
17 amenities. We have not had anything in this
18 community for years and we really, really need
19 it. That's all I have to say. Thank you.

20 CHAIRMAN HOOD: Thank you. Next?

21 MR. HEMING: Good evening,
22 Chairman Hood and commissioners. My name is

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1 Jarrod Heming. I'm an intern architect
2 working here in the city and I live at 6 Rhode
3 Island Avenue, NW, right on the corner of North
4 Capitol and Rhode Island. Sorry about my very
5 dry mouth.

6 My comments tonight will be focused
7 on the park as the many supporters have already
8 expounded on the views that I share, including
9 the value of the grocery store, neighborhood
10 retail and the community center.

11 One of the many things I enjoy about
12 Bloomingdale is on nice evenings it's common to
13 see neighbors out, hanging out on the porch and
14 gathering around the steps. In that light, I
15 view the proposed park as a grand civic porch,
16 a raised open space on which friends and family
17 can gather, up off the streets to catch a
18 southerly breeze.

19 Though I understand the attraction
20 of a large, expansive park, I believe this
21 park's success depends on active use and the
22 surrounding density. A handy comparison is

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1 Meridian Hill Park.

2 At 8 acres, the proposed park is
3 approximately two-thirds of Meridian Hill. If
4 we subtract some of the areas in Meridian that
5 are more of a landscape to be viewed than a place
6 to be used, we might get some usable space
7 that's a little closer to what is being
8 proposed.

9 Additionally, Meridian's
10 topography and its relationship to the
11 surrounding streets, I find analogous to the
12 proposal. For instance, the limited number of
13 access points, the gradual gradients along 1st
14 Street and North Capitol.

15 Meridian Hill is a successful urban
16 park relying on the efforts and engagement of
17 the surrounding community and residents. If
18 Meridian Hill is a case study, and from the
19 renderings shown in VMP's proposal, I believe
20 this tree-lined and grassy plinth will become
21 a great park and a great benefit to the
22 community.

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1 In that regard it might be
2 appropriate for the applicant to begin engaging
3 in a civic partnership to generate a sense of
4 stewardship for the park from the first day that
5 it opens. Though the land might be VMP's, the
6 park, by its nature and by its use will be ours.

7 Overall I believe the proposal will
8 transform McMillan into a distinct urban
9 palimpsest, a place that makes legible the
10 history of the site and its creation but still
11 establishing a new district alongside one of
12 the most axial views in the region.

13 I'm happy to voice my support for
14 this project and very much look forward to a
15 warm summer evening when I can go hang out on
16 that big grassy porch. Thank you very much for
17 your time.

18 CHAIRMAN HOOD: I want to remind
19 everyone, the first bell means you have, the
20 first buzzer means you have another minute. So
21 I don't want you to think the first one you have
22 to cut off. The second is when you have to cut,

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1 so you had a little more time. Next?

2 MS. BROWN: Good afternoon,
3 Chairman Hood and members of the Zoning
4 Commission. My name is Rashida Brown and I am
5 a resident of Ward 1. I live on Irving Street,
6 NW, Washington, D.C. My property sits
7 northwest of the McMillan Reservoir, also known
8 as Park View.

9 I'm here today to express my support
10 for the McMillan redevelopment project, the
11 master plan submitted by the Vision McMillan
12 Partners. I believe this plan will bring
13 multiple benefits to our community and
14 comprehensively address the needs of our
15 residents living around the borders of the sand
16 filtration site.

17 I'm pleased that the plan offers and
18 8-acre park which will be one of the largest and
19 well-designed public park spaces in the
20 District. On the south service court there
21 will be a 17,000 square foot community center
22 with a pool, fitness center, multi-purpose

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1 rooms with views of the preserved underground
2 sound, world-class with a character of its own.

3 City parks and recreation centers
4 offer countless benefits to residents
5 fortunate enough to have them within their
6 communities. The end result could lead to a
7 stronger, healthier and unified community.

8 I appreciate that the plan offers
9 local investments, new and local investments.
10 Aside from the new tax dollars that we'll see,
11 mostly generated through retail and other
12 amenities we'll also see job growth and access
13 to affordable housing, quality produce and
14 healthcare for our residents.

15 These are the types of investments
16 that will have a direct and positive impact on
17 our community. They promote good quality of
18 life and an improved well being.

19 New workforce development
20 opportunities will provide gainful employment
21 for the District residents. Persons
22 benefitting from the job readiness and job

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1 training activities will also provide
2 residents to be prepared with the most advanced
3 technology in our healthcare field.

4 They will become marketable and
5 will have access to local hires and better
6 wages. Multiple use of the site has a
7 designated park space, a designated space for
8 our seniors. They should come home to a
9 welcoming environment where they can feel
10 honored and respected.

11 Senior housing located near the
12 hospital centers and on the site will produce
13 multiple amenities and this is extremely
14 beneficial for our residents. Their needs
15 will be met locally which will provide a
16 seamless way for them to have the access to
17 healthcare and make it less stressful for them
18 and their families.

19 So balancing economic development
20 and historic preservation is an arduous task
21 but it can be achieved. Thank you.

22 CHAIRMAN HOOD: Thank you. I want

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1 everyone to hold their seat. I'm going to ask
2 Ms. Steiner, because I know her, if she could
3 just let the councilmember come in and sit for
4 a moment. He's behind you.

5 Typically what we do is we always
6 stop and we hear from our elected officials and
7 their staff when they come down because we know
8 they have busy -- we all are busy but they have
9 busy schedules and represent us.

10 So we want them to come down, hear
11 their input and let them go out and continue to
12 represent us. So welcome to honorable
13 councilmember, Kenyan McDuffie, from the
14 famous Ward 5.

15 COUNCILMEMBER MCDUFFIE: Thank
16 you, Chairman Hood, and good afternoon, good
17 evening actually, to you, Chairman Hood and the
18 members of the Commission. I do appreciate you
19 all indulging me. I know there are a lot of
20 folks here who want to provide testimony.

21 We are in the thick of the budget
22 process down at Council. So I took a moment to

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1 leave my office, come over here, and I'll be
2 heading right back over to the Wilson Building
3 after I give this brief statement.

4 I did want to come over, just for the
5 record, to voice opposition on this very
6 important development and to convey to the
7 Commission that the plan before you is an
8 important one for our city, not just Ward 5 but
9 the entire District of Columbia.

10 It's a balanced plan. It's one
11 that's been worked on for the last seven years
12 by a development team, the city and the
13 community. The result, in my opinion, is a
14 world class project that achieves the
15 objectives of the District, the comprehensive
16 plan, and the community including open space,
17 preservation, mixed-income housing, jobs,
18 increased tax base and the opening up of a
19 wonderful historic asset for the city and all
20 the residents of the District of Columbia.

21 As I personally know from living on
22 North Capitol Street for quite some time, this

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1 site has not been always openly accessible.
2 And I think this project's going to take the
3 important steps to finally open it up to a use
4 by the residents of the District of Columbia.

5 At least as far as I can remember,
6 in the 38, almost 38, 39 years that I've been
7 on this earth and in the time that my dad and
8 my grandparents who moved into the house on
9 North Capitol Street in 1951 have never had an
10 opportunity to enjoy the historic reservoir
11 that is right across the street from my house
12 on North Capitol Street.

13 I've been a strong advocate for the
14 inclusion of both a first class community
15 center, affordable senior housing and
16 increased open space in the project. And the
17 plan now includes all of those critical
18 components.

19 This is a unique opportunity for
20 Ward 5 and the entire city to redevelop a large
21 parcel with no displacement and with tremendous
22 workforce development, employment

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1 opportunities and mixed-income housing.

2 We've made great strides and have
3 unanimous HPRB approval as well as support from
4 Advisory Neighborhood commissioners and many
5 residents. Soon, and importantly, the Council
6 will be reviewing the land disposition
7 agreement for the project. And the project is
8 becoming closer to reality each and every day.

9 Let me be clear, we need these jobs.
10 We need the retail. We need affordable housing
11 in the District of Columbia. And we need the
12 park space for our families and our children in
13 Ward 5 and across the city.

14 As I have done throughout my 10
15 years as a Ward 5 councilmember I will continue
16 to work with the community, ANC commissioners,
17 Civic Association leadership, the Executive,
18 and I will continue to work with Vision McMillan
19 Partners to hold them accountable for
20 addressing the concerns about issues like
21 traffic and the environment.

22 As councilmember for Ward 5 I am

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1 proud to be a part of what I believe will be one
2 of the most transformative and
3 community-oriented development projects in the
4 District. And I ask the Zoning Commission to
5 approve this PUD. Thank you.

6 CHAIRMAN HOOD: Thank you,
7 councilmember. Let's see if, any questions up
8 here? Comments?

9 Okay, councilmember, we all are
10 subject to cross so let me see if the parties
11 have any cross. ANC 5E, do you have any -- I'm
12 sorry, the applicant, Ms. Brown, do you have any
13 cross? Does ANC 5E have any cross?

14 MS. PINKNEY: I have a question.

15 CHAIRMAN HOOD: Okay, Ms. Pinkney,
16 now -- hold on, Ms. Pinkney. Let me just say
17 this. Your representative said none and you
18 said you have a question. So what do I do?

19 Never ask a question that you don't
20 want an answer to. Okay, Ms. Pinkney, I'm
21 going to ask you to come forward. But you have
22 to come forward and you have to get on the mic.

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1 Okay, Ms. Crawford is going to let you have her
2 seat.

3 And I want to thank Ms. Crawford and
4 also Ms. Steiner for indulging us.

5 COUNCILMEMBER MCDUFFIE: I also
6 want to thank Commissioner Steiner for
7 indulging as well as every member of this panel
8 right now.

9 MS. PINKNEY: Councilmember
10 McDuffie, you started out with saying you were
11 in opposition to this project. Do you realize
12 that?

13 COUNCILMEMBER MCDUFFIE: I did not
14 realize that and if I said that I did not intend
15 to say that. I don't know if anybody else heard
16 that.

17 COMMISSIONER MAY: I heard that
18 too.

19 MS. PINKNEY: Yes.

20 COMMISSIONER MAY: But I think it
21 was maybe express your position as opposed to
22 your opposition. That's what --

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1 COUNCILMEMBER MCDUFFIE: Well, I
2 want to be clear. So the record can accurately
3 reflect, and I appreciate, Commissioner
4 Pinkney, for you bringing that up, I'm
5 basically working off some of the notes that I
6 made here.

7 But let me be crystal clear, for the
8 record, I am in strong support of the McMillan
9 development project. And it's one that I think
10 has evolved over quite some time as a resident,
11 as a kid, and in the conversations that have
12 been taking place in my living room for decades
13 to being a member of McMillan Advisory Group
14 before I was elected councilmember.

15 And working with the city
16 development team, with Tony Norman and others
17 as a spokesperson for the MAG up to now as a
18 representative of Ward 5 on the District of
19 Columbia Council I continue to work with people
20 who oppose the project as well as those who
21 support the project.

22 There's an old adage that says that

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1 you can please some of the people some of the
2 time but you can't please all of the people all
3 of the time. And I think it's the case that we
4 have, this project, right here today.

5 There are a lot of folks who support
6 it, there are others who don't. But, for the
7 record, I support this project.

8 MS. PINKNEY: Thank you.

9 CHAIRMAN HOOD: Yes, for that
10 clarification. Okay, we did the applicant
11 already, right, applicant? Okay, let's go to
12 Friends of McMillan. Do you have any cross,
13 Ms. Ferster? Okay.

14 Councilmember, I want to thank you
15 for coming down. We appreciate you taking time
16 to come down here --

17 COUNCILMEMBER MCDUFFIE: For the
18 mention here, that opposition line wasn't in my
19 notes because -- thank you all. I appreciated
20 it. I meant to say state my position but
21 perhaps it didn't come out clearly. So thank
22 you all. Enjoy the rest of your evening.

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1 CHAIRMAN HOOD: Thank you for your
2 testimony and coming down. Okay, Ms. Steiner,
3 if you can come back, we may have some questions
4 for you.

5 And, Ms. Crawford any everybody,
6 just hold your seat. We want to see if we have
7 any questions and we have to -- everybody has
8 to go through cross-examination. So,
9 commissioners, any questions of this panel?
10 Commissioner May?

11 COMMISSIONER MAY: Just a couple of
12 quick ones. Commissioner Smith-Steiner --

13 MS. SMITH-STEINER: Yes.

14 COMMISSIONER MAY: I was confused
15 because you were testifying with the panel in
16 support. And most of your testimony was about
17 concerns that you had. So, I mean, is it, just
18 to clarify it again, I mean, your position is
19 in support but with these concerns? Okay.

20 MS. SMITH-STEINER: Yes.

21 COMMISSIONER MAY: All right, let
22 me take note of that. Now did you, and you

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1 submitted your testimony already, right?

2 MS. SMITH-STEINER: Yes.

3 COMMISSIONER MAY: We already had
4 that. Okay, so I have that in my file.

5 MS. SMITH-STEINER: Okay.

6 COMMISSIONER MAY: Okay, thank
7 you.

8 MS. SMITH-STEINER: Yes.

9 COMMISSIONER MAY: And so with, Mr.
10 Heming, I just want to note, and I happen to
11 notice that your arm is in a sling and I know
12 that you're an intern architect. And I hope
13 those two things are not related.

14 Having been an architect, I mean,
15 having been an intern architect --

16 MR. HEMING: I was headed to work at
17 the time. I was riding my bike.

18 COMMISSIONER MAY: Oh. Oh, okay.
19 Well, oh, I'm sorry about that.

20 CHAIRMAN HOOD: You -- I'm sorry, I
21 missed that.

22 MR. HEMING: Oh, I just got doored.

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1 I won the door prize.

2 COMMISSIONER MAY: Yes.

3 CHAIRMAN HOOD: Oh, I thought you
4 said by a cell. I'm sorry.

5 COMMISSIONER MAY: You're going to
6 get back on the bike as soon as you can hold the
7 handlebars again, right?

8 MR. HEMING: Yes, absolutely.
9 Yes, once I get a new one.

10 COMMISSIONER MAY: Because I've
11 been hit a few times but I've never won the door
12 prize.

13 MR. HEMING: There's still time.

14 COMMISSIONER MAY: Thank you. I'm
15 sure my, if my wife is listening she'll be very
16 encouraged by that.

17 MR. HEMING: Thanks.

18 CHAIRMAN HOOD: Any other
19 questions up here? Commissioner Turnbull?

20 COMMISSIONER TURNBULL: I think
21 I've answered my own question. I was reading
22 Ms. Sweet's submittal here and I think maybe I

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1 put in an apostrophe or something that
2 shouldn't be there but I read your one line as
3 it will add houses to a city with prices on a
4 par with San Francisco and New York.

5 My first reading was that was that
6 you were looking to have higher units. And I'm
7 like, oh, my god, why would you want to do it?
8 But the way, when I reread it again, oh, I see.
9 It's you're comparing the houses to San
10 Francisco and New York.

11 MS. SWEET: Right, and adding
12 additional stock will help bring down the
13 prices.

14 COMMISSIONER TURNBULL: Right,
15 yes. So I looked at that, I'm like why would
16 anybody want to do that? But, so.

17 CHAIRMAN HOOD: Any other
18 questions? Ms. Steiner, I think you are in
19 support but you still want to see some work,
20 working with the developer, you still have an
21 engagement. Did you vote in support of this?

22 MS. SMITH-STEINER: Yes, I did. I

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1 am definitely in support of the project
2 because, as everyone has said, there needs to
3 be amenities and development. However, I
4 have, like I said, quite a few concerns.

5 Just like Commissioner Turnbull
6 said, as far as transportation, you know, and
7 what VMP has provided. The ANC right now, for
8 their suggested 3.4 million, community
9 benefits, it's just open-ended. It's nothing
10 structured. It's nothing developed.

11 And like I said, the key points that
12 I wanted to make before you was just to have you
13 understand that giving the money to the
14 developer is one thing. And I don't have no
15 problems with them making money.

16 But the community at large wants to
17 see and feel the tangible pieces and not see
18 brick and mortar in art because all of those are
19 giveaways to a developer. The community is
20 saying that they need to have tangible access
21 and benefits. And they're not getting it, and
22 so I wanted to just bring out those few points.

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1 CHAIRMAN HOOD: So you all are
2 going to be working on something that's going
3 to sustain the life of the project?

4 MS. SMITH-STEINER: Well, I hope
5 so. I mean --

6 CHAIRMAN HOOD: Okay, naturally, I
7 put that out there. That's what we need,
8 that's what you need to look for, something
9 that's going to sustain. I'm going to be
10 looking to see what kind of --

11 MS. SMITH-STEINER: Well, that's
12 what I'm hoping for. Right now, like I said,
13 the last time we met with the developers they
14 were very apprehensive. And it's like, you
15 know, more money in their pocket.

16 But my whole thing has always been
17 it's got to be about the community. You've got
18 to be able to help with, provide some benefits
19 regarding, like the New Communities Initiative
20 that we don't even have in this project, the
21 seniors and all. So thank you so much.

22 CHAIRMAN HOOD: Okay, thank you.

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1 And my point was, sometime you want to look for
2 something more than just a T-shirt for the
3 baseball club.

4 MS. SMITH-STEINER: Or --

5 CHAIRMAN HOOD: And that's my point
6 that I was making. And I've said this in other
7 PUD cases. Communities need to start looking
8 at, those of us who live in the city, start
9 looking at benefits that sustain the life of the
10 project.

11 MS. SMITH-STEINER: Exactly.

12 CHAIRMAN HOOD: And I'm not putting
13 this developer on, I'm just saying as a whole,
14 and actually I've heard that for a while since
15 I've been here, we always settle for -- and I'm
16 not saying what they need to do and I'm not
17 talking germane just to this developer. I'm
18 talking about in general.

19 The T-shirts for our kids is great
20 but also we need to, as I think Mr. Crawford
21 really hit home. You really hit home with me,
22 you resonated with me, you said your son was six

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1 and now I think your granddaughter,
2 granddaughter is now six.

3 So let me ask you this, Mr.
4 Crawford. This leads right into my next
5 question to you. Mr. Crawford, have you seen
6 this project get this far in your tenure? I
7 mean, discussions. You know, you were the
8 president of Bloomingdale back in the late 80s
9 and early 90s.

10 Has there ever been another project
11 or anything proposed that has gotten this
12 development or this site to this point?

13 MR. CRAWFORD: No, sir, it hasn't.
14 The closest thing we had was back in 1989.
15 There were two developers that came to the
16 table, Horning Brothers and the AME Church.
17 And they were the two competing bidders for the
18 development of the site.

19 The AME Church wanted to build a
20 church there at the corner of North Capitol and
21 Michigan Avenue. Horning brothers wanted a
22 lot of housing and they were more inclined to

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1 do more community benefits and what have you.

2 What happened was that with the new
3 administration, the election of Sharon Pratt
4 Kelly as a new mayor, everything was pulled off
5 the table. So since that time, 1989/1990, when
6 Mayor Kelly was elected, nothing has really
7 moved anywhere closer to where we are today.

8 CHAIRMAN HOOD: Okay. All right.
9 All right, any other questions? Let's see, do
10 we have any cross, Ms. Brown? Any cross?

11 MS. BROWN: No cross.

12 CHAIRMAN HOOD: Does the ANC 5E,
13 Ms. Barnes, any cross? I don't know who to
14 call. Ms. Barnes, are you looking at Ms. --
15 who, why don't you all sit together and then I
16 can just look at one person, not -- who should
17 I be calling on?

18 Ms. Barnes, okay. She's been
19 representing, she's actually representing you
20 all well. So, Ms. Barnes, any cross?

21 COMMISSIONER BARNES: No.

22 CHAIRMAN HOOD: Okay, Ms. Ferster,

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1 any cross? Let me see, can somebody -- yes, if
2 you don't mind. I've asked the ladies to move,
3 so the ladies have moved twice. So now it's
4 time for the gentlemen to move.

5 MS. FERSTER: Thank you. I just
6 had a few questions.

7 CHAIRMAN HOOD: You want to make
8 sure you're on the mic, and if you can identify
9 yourself and who you represent.

10 MS. FERSTER: Yes, I'm Andrea
11 Ferster, counsel for Friends of McMillan Park.
12 Glad to be here. Thank you.

13 A couple questions starting with
14 Mr. Haygood? Okay. Are you an owner, a
15 homeowner or a renter?

16 MR. HAYGOOD: I own a house on P
17 Street, NW.

18 MS. FERSTER: Okay, and how long
19 have you lived in the house?

20 MR. HAYGOOD: About two years.

21 MS. FERSTER: Okay, and do you know
22 whether or not, do you recall whether or not

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1 your property taxes have gone up in the last few
2 years?

3 MR. HAYGOOD: Sure, a little. I
4 proudly pay taxes.

5 MS. FERSTER: Okay, thank you.
6 And, Ms. Sweet, okay, same questions. Do you
7 own or rent?

8 MS. SWEET: I own.

9 MS. FERSTER: And how long have you
10 lived in the neighborhood?

11 MS. SWEET: Three years.

12 MS. FERSTER: Okay, and have your
13 property taxes gone up in the last three years?

14 MS. SWEET: Yes, they have.

15 MS. FERSTER: By how much, do you
16 recall?

17 MS. SWEET: I don't, but I'm happy
18 to pay them.

19 MS. FERSTER: Okay, thank you.
20 Okay, Mr. Campbell, thank, same questions.

21 MR. CAMPBELL: Yes, we own our
22 house at 25 Franklin Street. My wife pays the

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1 bills.

2 MS. FERSTER: How long have you
3 been there?

4 CHAIRMAN HOOD: Could you leave
5 your name with Ms. Schellin before you leave?
6 Let me ask you this, though. Let me ask you
7 this first, though, where are you going with
8 this? What are you trying to show us?

9 MS. FERSTER: I think, which we
10 will bring out more in our testimony is that the
11 affordable housing component of this project
12 will likely be offset in the higher property
13 values and rentals that will result from this
14 development.

15 CHAIRMAN HOOD: Okay, well I think
16 you guys, everyone, at least publicly if they
17 ask them do they pay their taxes, I'm sure
18 they're going to raise their hand and say yes.
19 So I just want to --

20 MS. FERSTER: Okay, just one more
21 question.

22 CHAIRMAN HOOD: Sure.

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1 MS. FERSTER: That's Mr. Crawford
2 because he lived here quite some time. Do you
3 own or rent?

4 MR. CRAWFORD: My wife and I own,
5 and she pays the bills.

6 MS. FERSTER: Okay, Mrs. Crawford,
7 how long have you lived in your home?

8 MRS. CRAWFORD: Since '85.

9 MS. FERSTER: Okay, and would you
10 say in the last five years your property taxes
11 have gone up?

12 MRS. CRAWFORD: And is that, have
13 they gone up significantly?

14 MRS. CRAWFORD: Not to me.

15 MS. FERSTER: But in terms of value
16 do you recall what the --

17 MRS. CRAWFORD: The value goes up,
18 the taxes go up.

19 MS. FERSTER: Okay.

20 MRS. CRAWFORD: They, you know,
21 it's a direct correlation.

22 MS. FERSTER: Okay, that's it for

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1 me. Thank you.

2 CHAIRMAN HOOD: Okay, thank you.
3 We want to thank this panel. We appreciate you
4 coming in and taking time to testify.

5 Okay, Albrette Ransom? Gigi?
6 Cheryl Cort? Anna Gadslif? Ms. Schellin, I'm
7 looking to you to help me with some of this.
8 Gadsitiv? Yes, it's hard.
9 G-A-S-E-I-T-S-I-W-E, Gadeitsiwe. Come
10 forward. Is that you? Oh, you didn't plan?
11 That's all right, thank you.

12 Okay, Malcolm Kenton? I can't --
13 last name is Chambers?

14 MS. SCHELLIN: Chris.

15 CHAIRMAN HOOD: Okay, Chris
16 Chambers? Diana Chambers? Ronald Moore?
17 Crystal Fields? Nicole Campbell? Lauren
18 Kunis? Lauren Kunis?

19 MS. KUNIS: I just wanted to --

20 CHAIRMAN HOOD: I'm sorry, are you
21 testifying? Are you testifying? Okay.
22 What's the next one? Sabrina Parker? Okay,

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1 are you going to testify? Kernan Whitworth?
2 Kernan? Kiernan?

3 MR. WHITWORTH: That's it.

4 CHAIRMAN HOOD: Okay, we need
5 three, two more. We got them mixed up some kind
6 of way. Did some people sign up again? Okay,
7 because I'm seeing some of the same names here.
8 Okay, Claire Carlin? and I think we need one
9 more person. David Taube? David? Come
10 forward. Are you testifying? Okay.

11 And that's all I have. And we'll do one
12 last count for everyone who's here supporting
13 and then we'll go to the party in opposition.
14 Okay, we're going to start with Ms. Ransom and
15 then we're going to come all the way down.
16 Okay, you may begin.

17 MS. RANSOM: Good evening,
18 Chairman Hood and committee. My name is
19 Albrette Gigi Ransom. I live at 83 O Street,
20 NW. I'm a former ANC commissioner for 5C-12
21 and briefly for the new 5AO-6.

22 My involvement in the following of

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1 the reutilization of the McMillan project goes
2 back to the mid-1990s when I was a Ward 6 ANC
3 commissioner, 6B-10 on the Capitol Hill
4 Commission. And I was part of the National
5 Capital Planning Commission's Community
6 Working Group on the then Monumental Core
7 project which evolved to what we know as the
8 Legacy Project.

9 And when I came to the 5C in 2008 I
10 began to get more, get involved again in this
11 particular project. It had, this entire
12 project, had my support then and it continues
13 to have my full support for the redevelopment
14 for the functionality of this property for the
15 new century.

16 I support it. This is my testimony
17 from last Thursday. I couldn't stay because I
18 was leaving to go out of town. I support the
19 proposed healthcare facility. I support the
20 proposed healthcare facility with parking and
21 the retail.

22 I know it would be a welcome

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1 addition to the current hospital complex,
2 creating a functional space for doctors'
3 offices, et cetera, to operate more freely and
4 freeing up office spaces within the situated
5 hospitals.

6 There would also be added benefits
7 to the proposed recreation complex which would
8 allow for healthcare programs to be held within
9 this site for the community, especially for the
10 senior citizens and to support the rec center's
11 planned activities.

12 As for the community recreational
13 complex, I hope that in the community benefits
14 agreement we come up with some plan to allow for
15 naming rights by corporations. I'm looking at
16 the potential for a lack of funding down the
17 road with just the Parks and Recreation
18 handling it. But I figure we can get some
19 legitimate corporations to support that site.
20 The funding would be available for years to
21 come.

22 I also would like to see in the

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1 community benefits agreement some type of
2 funding for the STEM program for our young
3 people. That's an important field of study.
4 Those are important fields of study right now.
5 And that, I feel, would be a great benefit to
6 the community so we can produce productive
7 citizens in the sciences, technology,
8 engineering and the maths.

9 Also, highly concerned about
10 transportation. I know there's been talk
11 about the circulated bus being added. I think
12 right now we need to add some type of circulated
13 bus system to help people get around,
14 especially since they don't have the kind of
15 retail in the immediate vicinity. That would
16 be of benefit to the community. Thank you.

17 CHAIRMAN HOOD: Thank you. Next?

18 MR. WHITWORTH: Kiernan Whitworth,
19 2412 North Capitol Street, just a block from the
20 development. Good evening, and thank you for
21 taking the time to hear from residents closely
22 affected by this development project.

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1 Almost four years ago my brother and
2 I purchased a townhome on the 2400 block of
3 North Capitol Street in hopes of the McMillan
4 site being developed. When we purchased our
5 house, and still today, friends and family have
6 consistently asked why would you want to live
7 there?

8 Our first weekend in the
9 neighborhood my car was broken into. Since
10 then we've experienced four more car break-ins,
11 a successful theft of one car and our house was
12 robbed while we were out of town for my
13 brother's wedding.

14 I'm sharing this with you because I
15 still believe we can have a great, safe
16 neighborhood for future generations. For us
17 the McMillan project is a sign of hope for
18 better things to come.

19 Right now it is not as easy as it
20 should be in our city to do our weekly grocery
21 shopping. We either drive to the Giant off of
22 Rhode Island Avenue or select from sparse

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1 shelves at the markets adjacent to our house.
2 The 50,000 square foot grocery in the current
3 McMillan plan is a wonderful overdue addition
4 for the residents in our neighborhood.

5 Also having the 10 to 12 local shops
6 and restaurants so close, as the plans
7 indicate, would give us even more of a
8 neighborhood feel.

9 We purchased our house as entry
10 level government employee so, as you can
11 imagine, we weren't bringing in the big bucks.
12 Affordable housing was a huge draw for us to
13 this neighborhood and it is refreshing to see
14 that 20 percent of the housing units in the
15 proposed plan will be for affordable housing,
16 50 to 80 percent of the area median income.

17 I believe this development plan
18 will help change our neighborhood into what we
19 have always believed it could be. And soon
20 friends and family will be telling us how much
21 they wish they lived here. Thank you for your
22 time.

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1 CHAIRMAN HOOD: Thank you. Next.

2 MS. CORT: Good evening,
3 commissioners. My name is Cheryl Cort. I'm
4 with the Coalition for Smarter Growth, and we
5 are here to testify regarding our support for
6 the master plan, open spaces, parks and
7 community center, Parcels 6 and 7.

8 We are, as you know, we've been
9 following this project for a long time and we
10 really appreciate the effort to adaptively
11 reuse this fascinating historic industrial
12 site and to provide so much open space.

13 In addition to the open space and
14 historic preservation components the plan
15 integrates new housing and commercial uses to
16 create vitality, safety and to meet community
17 and citywide needs.

18 It's an ambitious plan with
19 significant public benefits. And it's a
20 breakthrough in a long stalemate over how to
21 adaptively reuse this fascinating historic
22 landscape.

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1 The proposed project includes a
2 variety of benefits, large parks, community
3 center, smaller open spaces, restoration and
4 adaptive reuse of historic structures, storm
5 water management to help control flooding and
6 mixed use development. This is a good
7 compromise for meeting historic preservation
8 goals while delivering broader public
9 amenities.

10 We note that the large park
11 occupying the south end of the site has been
12 expanded through the process and connects to
13 the restored south service court and all of its
14 sand bins and regular houses and filter bed
15 portals and court walls.

16 We appreciate the integration of
17 the south service court and its historic
18 structures into the northern access point of
19 the park and the community center.

20 As part of the park the recreation
21 center, new pool and other facilities and
22 outdoor recreation area are going to serve both

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1 the community and the larger area.

2 And I just wanted to note that this
3 is not your average PUD, as you know since
4 you've been having all of these hearings. This
5 is a huge public-private partnership
6 undertaking a tremendous task of how to honor
7 and celebrate the fascinating historic
8 structures while also coming up with the
9 resources to be able to do that and bring this
10 site back on line so people can enjoy it and also
11 deliver a whole variety of benefits beyond
12 historic preservation to today's needs of
13 recreational use and also practical things like
14 grocery stores and other retail to this
15 community.

16 And then using these features,
17 responding to the northside, to the hospital
18 center site. And we believe that this is a
19 laudable compromise that the city had
20 collectively discussed for decades.

21 And we think this is a good
22 compromise and that, I know there's been a lot

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1 of discussion about whether or not there's
2 enough public benefits, this is a huge
3 public-private development project with
4 tremendous benefits that we'll all benefit from
5 as residents of the city and the region.

6 But certainly local people will
7 benefit, be the greatest beneficiaries, being
8 that close to all these very nice facilities.
9 Thank you.

10 CHAIRMAN HOOD: Thank you, next?

11 MR. KENTON: Good evening,
12 commissioners. Thank you for the opportunity
13 to testify. My name is Malcom Kenton. I live
14 at 31 Florida Avenue, NW, on the southern end
15 of Bloomingdale. And, for your information, I
16 am a renter. I do not own.

17 I've been, moved up there from North
18 Carolina about five years ago. I'm a lifelong
19 environmentalist. I cherish parks and natural
20 areas and open space and strongly believe in
21 incorporating these into the fabric of our
22 city.

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1 I also believe in historic
2 preservation. And I recognize the unique
3 historical qualities in the McMillan sand
4 filtration site. Because of my commitment to
5 sustainability I'm also an advocate of smart
6 growth.

7 From the perspective of our rapidly
8 growing region smart growth means
9 accommodating as many new residents as possible
10 close to the core of the city where they can get
11 to job and retail centers conveniently without
12 having to drive.

13 Building cities and towns more
14 compactly not only conserves energy and
15 preserves rural land, it also conserves public
16 resources by allowing existing investments in
17 infrastructure to serve a larger number of
18 residents while creating walkable places with
19 the kind of character that makes them fun places
20 to live.

21 More of those who are moving to our
22 region anyway, including those with low and

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1 moderate incomes, should have the opportunity
2 to live in a vibrant neighborhood with shops,
3 restaurants and cultural amenities within
4 walking distance.

5 Also, as a Bloomingdale resident, I
6 see the need for more closeby retail options
7 including a grocery store. A recreation
8 center and community center would also be
9 tremendous assets to the neighborhood.

10 It's for all these reasons that I
11 support the planned revival of the McMillan
12 site as a mixed use community of residences
13 including importantly a high percentage of
14 affordable units, offices and retail along an
15 expansive park, rec center and community center
16 that incorporates and interprets the site's
17 historic features.

18 I have heard opponents of the
19 planned redevelopment argue that the site was
20 originally a grand Olmsted Jr. designed park
21 that should be preserved as such. Well, but it
22 was never primarily a park. It was a working

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1 public utility site where contaminants were
2 filtered from the city's drinking water supply.

3 It exemplified a pioneering concept
4 in public works and, for this, some part of it
5 should be preserved and interpreted as a
6 museum. The Vision McMillan Partners plan
7 does exactly this, making this treasure truly
8 a part of our community rather than a decrepit
9 fenced off relic.

10 This plan would actually create a
11 McMillan Park that never really existed before.
12 I, and many of my fellow neighbors are
13 legitimately concerned about the lack of high
14 capacity frequent transit service to this site
15 and the impact on traffic congestion.

16 That's why I will join others in
17 pressuring the District and/or WMATA to invest
18 in increasing bus frequencies on the 80 and
19 H-series routes along with adding frequent
20 shuttle service that would connect the McMillan
21 site and the Washington Hospital Center with
22 Metro Rail's Red Line.

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1 I also support the streetcar on
2 Michigan Avenue, though that will take longer
3 to plan and build. Just because core transit
4 service isn't adequate to meet future demands
5 stemming from development doesn't mean this
6 can't change and that more can't be done to
7 encourage people to get to the new neighborhood
8 by means other than driving.

9 The community designed process
10 undertaken by the development team in
11 collaboration with district government
12 agencies has made the revised plan even better
13 than the original. The McMillan site has
14 benefitted the city for generations by
15 providing clean drinkable water to residents.
16 Now it's time to let it continue to improve
17 residents' lives in new ways.

18 It should be enlivened as part of
19 the city's fabric that weaves its history in
20 with contemporary uses. Thank you.

21 CHAIRMAN HOOD: Great, thank you.

22 Next?

1 MALE PARTICIPANT: Chairman Hood
2 and members of the Zoning Commission, I'm a D.C.
3 native and longtime resident of Ward 1. Our
4 house is a five-minute walk from the McMillan
5 sand filtration site, as was both Washington
6 Hospital Center and Children's Hospital.

7 So though we are not in Ward 5 we are
8 literally right across the street. Therefore
9 I and my neighbors have been watching this
10 project with great interest. We have done our
11 research in the District's comprehensive plan
12 and the history of the site for water treatment
13 as well as confirmed the fact that the city
14 bought this site for mixed use development.

15 We've also consulted Ward 4 and 5
16 friends and neighbors and looked into the
17 qualifications of the design team led by VMP and
18 even talked to some of our own doctors and other
19 health professionals casually about how
20 expanding into this space can better serve us.

21 From all this information it is
22 clear, at least on the Ward 1 border which we

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1 share with this project, that it needs to stop
2 being held up in perpetual and embarrassing
3 fallow land in disrepair and move forward
4 immediately.

5 We know this was always intended as
6 a mixed use development. We know that it was
7 more, that it has more open park space than
8 buildings and that those buildings will
9 incubate jobs, especially in the hot healthcare
10 sector.

11 We know that the height of those
12 buildings is nothing that will destroy the
13 neighborhood, especially since two giant world
14 class hospitals are already there and are
15 bursting at the seams right before our eyes.

16 We know that in addition to jobs
17 there will be new housing and thus the addition
18 of hundreds of new neighbors, new friends, new
19 children. We know that many of these people
20 will have access to housing while under the
21 market rate. Thus, it will be good for the
22 elderly, families or young people starting out.

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1 We do not know how any of this is a
2 bad thing, especially when the open space will
3 be a park and include a community center.

4 Taken with the vast open space and
5 forested area in the Armed Forces Retirement
6 Home which is now slowly opening to families as
7 it did before the ruinous riots of the 1960s,
8 this area will be a crowning jewel of our
9 neighborhood and the nation's capitol, not
10 Georgetown or downtown or H Street but our Ward
11 1 and Ward 5 border.

12 As a boy I thought those crumbling
13 towers were castles. Then as a young man and
14 now as a middle-aged man, I've often wondered
15 what that site would look like with homes,
16 trees, a store, all in that shape.

17 And as a tax payer and property
18 owner I do not want to be an old man and still
19 see that site fenced off, crumbling and useless
20 because it's either that or the jewel we in Ward
21 1 would like to see.

22 CHAIRMAN HOOD: Okay, thank you.

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1 Next? Chambers.

2 MS. CHAMBERS: Hello. I'm Dianne
3 Chambers. I live at 437 Irving Street, NW.
4 Greetings, Chairman Hood and members of the
5 Zoning Commission.

6 My home is in the Park View
7 neighborhood just northwest of the McMillan
8 sand filtration site. I am here to express my
9 support for the McMillan redevelopment project
10 submitted by the Vision McMillan Partners.

11 My husband and I have lived in Park
12 View for five years. We moved to the District
13 from Silver Spring and we chose our house
14 because of its historic charm, friendly
15 neighbors and access to public transportation.
16 We also enjoy all of the amenities that a
17 vibrant city provides.

18 We knew that we were moving into a
19 neighborhood that was rapidly changing and
20 evolving. One of the things we value most is
21 seeing new businesses open and new residences
22 pop up, even as older homes are being preserved.

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1 I have reviewed the plans proposed
2 by the Vision McMillan Partners and I would like
3 to state that I think the plans will provide a
4 tremendous benefit to our neighborhood as well
5 as the neighboring communities in Ward 5.

6 I'm impressed that the developers
7 respect the history of the site and will
8 preserve the structures and character. We
9 truly value the historic character of our
10 neighborhood just as much as we welcome 21st
11 Century amenities.

12 I think the partners are providing
13 a balance of everything that our neighborhood
14 needs. One of the biggest benefits is the park
15 space and recreation facilities. Eight acres
16 of park space would provide much needed green
17 space for children and adults to enjoy the
18 outdoors.

19 Also, I am already an avid user of
20 the DC Parks and Recreation facilities, and I
21 welcome a facility that is even closer to my
22 home. Another benefit is the grocery store.

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1 Right now we live in a food desert. The grocery
2 stores that we have access to are only
3 accessible by car or bus or a long walk.

4 And while we have a car and are able
5 to drive to the store some of my neighbors may
6 find this to be a hardship. We have corner
7 stores that fill a partial need, but there is
8 very limited access to fresh fruits and
9 vegetables and healthy food at a reasonable
10 price. A grocery store within walking
11 distance will fill a need for many residents.

12 My husband I also utilize the
13 services at Washington Hospital Center. The
14 hospital and surrounding medical facilities
15 provide excellent care. And I'm sure the
16 addition of medical buildings on the site at
17 McMillan would provide added value.

18 Another benefit is the building of
19 additional homes and apartments as well as
20 residences for seniors. Our city population
21 is increasing. There are many new young
22 families and we also have a senior population

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1 that is in need of housing and services. New
2 affordable housing will be a welcome benefit.

3 And something else I would like to
4 mention is jobs. The creation and maintenance
5 of this development will bring much needed
6 employment to many people in our city. This is
7 especially true of our younger citizens who are
8 in need of employment and skilled workers who
9 have been out of work for some time.

10 And what I'm most looking forward to
11 is having a community that is even more
12 walkable. I understand there have been
13 concerns about traffic congestion regarding
14 the development. However, I feel the
15 development will encourage more people to walk.

16 Many surrounding neighborhoods
17 will benefit from a new McMillan. Thank you.

18 CHAIRMAN HOOD: Thank you, and we
19 have your testimony. Next?

20 MS. CARLIN: Chairman Hood,
21 members of the Zoning Commission, thank you for
22 your time this evening. My name is Claire

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1 Carlin. I'm a homeowner in Ward 5. And I
2 lived on 910 Girard Street in Brookland, just
3 northeast of the McMillan site for the past
4 seven years.

5 I am here today speaking in support
6 of the VMP plan for the site. I believe the
7 project offers tremendous opportunity to both
8 the community and the residents of our city.

9 I have only known the site from what
10 I see driving and biking by as a closed, fenced
11 off former industrial site. I have a great
12 appreciation for its historical value but also
13 want to see it expand beyond something that was
14 formerly great.

15 It's function in aiding good health
16 through filtered water is symbolic of what I see
17 as a great opportunity in the current
18 development plans. Many supporters have
19 talked about their excitement and relief about
20 the benefit of a major grocery store on the site
21 within walking distance of their homes and
22 beautiful public spaces.

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1 I agree these will be welcome
2 amenities. I also appreciate that affordable
3 housing is to be included. Especially
4 compelling to me is the planned healthcare
5 building on the site directly adjacent to the
6 campuses of Washington Hospital Center,
7 Children's National Medical Center and the VA
8 Medical Center.

9 Having the healthcare building on
10 the site across from these existing medical
11 facilities would help create what the
12 development team calls a Medical District.

13 As you well know hospitals are major
14 area employers and healthcare, a significant
15 part of our local and national economy. I
16 think it is smart planning on the part of our
17 civic leaders and private sector partners to
18 seek ways to support and grow the healthcare
19 economy.

20 As the adjacent hospitals need more
21 space for research and care let's keep that in
22 D.C. The new healthcare building with brand

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1 new state-of-the-art facilities and technology
2 as well as all of the amenities on the full site
3 will attract the top medical personnel and
4 allow for new opportunities for collaboration,
5 research and care.

6 This medical facility will
7 contribute to the thousands of new permanent
8 jobs to be created, another huge benefit to the
9 residents of the city.

10 More immediately, the VMP team has
11 already made the commitment to hire locally and
12 pay competitive wages including the compliance
13 with CBE policy, first source hiring and has
14 offered to dedicate additional funds to
15 recruit, train and employ Ward 5 residents.

16 I have read that the VMP team is
17 willing to commit in the community benefits
18 agreement to spending hundreds of thousands of
19 dollars to be directed towards training,
20 apprenticeships and job fairs with both the
21 construction and the permanent healthcare and
22 retail jobs to be generated by the new site.

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1 To me this demonstrates an honest
2 pledge to work and support the community not
3 just in the short term but for years to come.
4 As a member of my community who cares strongly
5 about workforce development and job
6 preparation, I encourage our civic leaders,
7 including the mayor, City Council, agency heads
8 and their staffs to prioritize this kind of
9 workforce development.

10 That includes the opportunity we
11 have here at the McMillan site. Thank you.

12 CHAIRMAN HOOD: Okay, thank you.
13 Next?

14 MR. TAUBE: Good evening. My name
15 is David Taube. Thank you for the opportunity
16 to testify this evening. I've been a D.C. area
17 resident since 1972 and have lived in the city
18 since 1998.

19 I am a small business owner in Ward
20 1 and I actually previously submitted written
21 testimony in full support of the community
22 project, the VMP proposal, via the online

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1 portal.

2 I will simply echo the comments in
3 full support of all the other panelists tonight
4 rather than repeat. I'll just be very
5 succinct. I believe this proposal should be
6 moved forward from the standpoint of economic
7 development, expanding the tax base, the
8 historic preservation of the site.

9 Comments with regards to the
10 Olmsted walk and whatnot could be fully
11 realized through this proposal. And the site
12 will also provide for jobs and retail.

13 Let me just sum up. Essentially
14 this site has been laid to waste for over a
15 quarter of a century since the District of
16 Columbia purchased the property. It's really
17 a shame that it's sitting there.

18 I also, again, echo the comments of
19 driving by there and seeing a fenced off piece
20 of property. I think it's horrendous. And I
21 think the proposal that VMP has put forward is
22 really fantastic. I look forward to the day

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1 when the residents of the city can drive by and
2 also fully utilize the potential of this site.
3 Thank you very much.

4 CHAIRMAN HOOD: Thank you very
5 much. Let's see if we have any questions.
6 Commissioners, any questions? Does the
7 applicant have any questions?

8 MS. BROWN: No.

9 CHAIRMAN HOOD: Commissioner
10 Barnes or you or Ms. Pinkney here, either one
11 of you have any questions? Okay. Okay, yes,
12 let's check with Ms. Pinkney to make -- Ms.
13 Ferster, do you have any questions?

14 Okay, I want to thank you all for
15 your testimony. Greatly appreciate it. I
16 think we have heard from everyone who was
17 present here in support. Did anyone else just
18 come in that want to testify in support?

19 Okay, let's go to the party and --
20 one person? Somebody raised their hand?
21 Okay. In support? I'm sorry? Neutral comes
22 next Thursday.

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1 Okay, I'll tell you, neutral
2 concerns, well, okay, I've never had that
3 question. So she might as well be opposition.
4 Is your name on the list?

5 MS. QUINN: Yes.

6 CHAIRMAN HOOD: Okay, so why --

7 MS. QUINN: You've called me
8 already.

9 CHAIRMAN HOOD: Okay, well if I've
10 already called you come on up. Do you know I
11 already called you?

12 MS. QUINN: Yes.

13 CHAIRMAN HOOD: Okay. Well, you
14 have the, actually for you any seat you want.
15 So obviously, if I've already called you, you
16 have some minor concerns. It's like a minor
17 mark. So you have some minor concerns but you
18 all, you're supportive, obviously, if I've
19 already called you, right?

20 MS. QUINN: No, absolutely.

21 CHAIRMAN HOOD: Oh, okay. Okay,
22 turn your mic on and identify yourself.

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1 MS. QUINN: It's green -- okay, now
2 it's on. My name is Teri Janine Quinn.

3 And I'm here on behalf of the
4 Bloomingdale Civic Association. I'm also Vice
5 Chair of ANC 5E and the commissioner for
6 single-member district 5E-6. But I am, in
7 fact, here speaking on behalf of the Civic
8 Association and only on behalf of that
9 organization at this time.

10 As I said, we are here as a neutral
11 party. And I will say that that really isn't
12 a voluntary role. We'd like to be able to have
13 said that we reviewed the PUD and took one side
14 or another before the Commission, our
15 commission, the ANC voted on this matter. But
16 that didn't happen.

17 As a commissioner, when I found out
18 that this matter was moving on to ANC 5E without
19 having been heard by the Bloomingdale Civic
20 Association I then asked that we delay our vote
21 for one month so that VMP could come out to us,
22 we see the presentation, consider it, take a

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1 vote and have our input on the record.

2 That didn't happen. And we're now
3 here asking to have a seat at the table. And
4 it's, we understand that at this point you
5 already have some level of input from ANC 5E
6 although we do contest the characterization of
7 ANC 5E's support.

8 I was there for that vote and when
9 we took that vote there was no discussion of a
10 PUD whatsoever. We had not yet received a copy
11 of the application.

12 So, we hadn't received it, there's
13 no way we had reviewed it. So we could not have
14 voted, in fact, to fully support the PUD
15 application. The question that was before us
16 at the time was whether we would support the
17 decision from HPRB to send the matter on to the
18 mayor's agent for review.

19 The, to flat out support the matter
20 the application to us or at least to the Civic
21 Association, was a completely different
22 question. So we weren't able to participate

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1 there, and we understand that you have
2 something before you from ANC 5E.

3 And even though we contest parts of
4 it, we understood that it was still important
5 for us to do whatever was necessary to put that
6 issue at least on pause for a moment and proceed
7 with a serious consideration of the, whatever
8 benefits would come to our community through a
9 CBA.

10 So we put together a, we actually
11 had a board member who spent a considerable
12 amount of time reviewing other CBAs, coming up
13 with proposed recommendations. We had special
14 meetings through the Civic Association and then
15 took a proper vote.

16 And we voted on recommendations
17 which we've already submitted to you all. And
18 we submitted those to the McMillan Advisory
19 Group for consideration and to ANC 5E.

20 What we're concerned about at this
21 point is that this project sits within the
22 boundaries of the Bloomingdale Civic

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1 Association. And we're not included as a
2 signatory on whatever CBA is being
3 contemplated.

4 And we're also concerned that as
5 the conversations have moved forward or
6 discussions and negotiations have moved
7 forward with ANC 5E and VMP the Civic
8 Association has not had a seat at that table.

9 I'm at that table as a
10 commissioner, not as the President of the
11 Bloomingdale Civic Association. So we think
12 it's really important that we have a seat at
13 that table in the negotiations and that we're
14 a signatory.

15 We also are here to ask that you
16 give very serious consideration to the
17 recommendations that were so carefully
18 drafted. While I did say that we are neutral
19 I can confidently say that any support that we
20 would lend to this project would be conditioned
21 upon us being a signatory to the CBA and also
22 to our recommendations being accepted.

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1 So we strongly encourage and
2 respectfully request that you consider
3 encouraging the parties to include us in the
4 conversations as they move forward and as a
5 signatory and that you accept our
6 recommendations. I believe my time is up. I
7 thought I heard a buzz. Okay.

8 CHAIRMAN HOOD: The second one.
9 You have 36 seconds.

10 COMMISSIONER MAY: You have 36
11 seconds.

12 CHAIRMAN HOOD: 35, 34 --

13 MS. QUINN: Okay.

14 CHAIRMAN HOOD: 35 seconds.

15 MS. QUINN: Well if I do have just
16 a few more seconds then I will say that I've
17 heard a lot about the traffic here and I want
18 to reiterate that that is among the most
19 important concerns in the Bloomingdale
20 community.

21 I'm sure you guys have heard it a
22 thousand times by now that traffic is

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1 horrendous down 1st Street, horrendous down
2 North Capitol. And we can't move forward
3 without real serious solutions for the traffic.

4 We know it's not going to be
5 perfect. We're not going to be able to
6 mitigate all of the new traffic. But we need
7 something that feels more serious than just an
8 analysis of the four corners around the
9 project. So now my time is really up.

10 CHAIRMAN HOOD: Okay, thank you
11 very much, President Quinn and Vice, you're a
12 commissioner too, right?

13 MS. QUINN: I am.

14 CHAIRMAN HOOD: And that's sort,
15 and I'm opening it up but let me ask. Okay, I
16 understand you're at the table as an ANC
17 commissioner, Vice Chair of 5E, correct?

18 MS. QUINN: I'm at the table as
19 Bloomingdale Civic Association president.

20 CHAIRMAN HOOD: Oh, I thought you
21 said you were at the table as the --

22 MS. QUINN: No.

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1 CHAIRMAN HOOD: No. No, I'm not
2 talking about at this table.

3 MS. QUINN: Oh, okay.

4 CHAIRMAN HOOD: I'm talking about
5 your other, I'm talking about -- well, let me
6 rephrase that. You're already a commissioner
7 so you were involved with the ANC's vote of 5E.
8 How did you vote on that?

9 MS. QUINN: I voted against it.
10 And before I voted against it I made a very clear
11 and succinct statement that what we were doing
12 was against our bylaws. There is a provision
13 within our bylaws that specifically says that
14 any vote of this sort has to at least be
15 considered by the civic associations that are
16 impacted.

17 And that didn't, it didn't happen.
18 And I don't blame VMP for that. It was our
19 responsibility and it was what it was. But I
20 made that very clear. And I thought that at
21 that point we were premature. I thought we
22 needed at least to give them an opportunity to

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1 hear it.

2 Now let me be completely fair. I'm
3 not here to say that VMP did not come out to the
4 community a lot. They did. But no number of
5 community meetings or no amount of community
6 outreach would give anyone permission not to
7 get direct input from the Civic Association.

8 If the final question as to whether
9 we supported to PUD had come before the Civic
10 Association and we just sat on it that would be
11 one thing. But the fact of the matter is it did
12 not come to us before it went to ANC 5E.

13 CHAIRMAN HOOD: Okay. Let me ask
14 you a question about MAG. And I've read about
15 it and I thought MAG consisted of, and I may be
16 wrong. And I'll tell you, I've noticed this in
17 my Ward. I have stayed away from this as far
18 away from it as I can.

19 And those invitations you all sent
20 me to come to the meetings, I appreciate it but
21 I knew I couldn't come.

22 MS. QUINN: Right.

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1 CHAIRMAN HOOD: So let me just ask
2 you this. The MAG, wasn't MAG supposed to be,
3 I guess, a combined group of everyone or do I
4 have that wrong?

5 MS. QUINN: No, you do, no, you
6 have it right. We do have two Bloomingdale
7 Civic Association members who are
8 representatives of the Civic Association on
9 MAG. So that is correct.

10 But MAG is also not a signatory.
11 And in the discussions that I've been a party
12 to, and when I say signatory I'm referring to
13 the CBA, the proposed CBA. We've been in
14 meeting, public meetings, where it has been
15 very clearly stated that the only parties to the
16 CBA that will be allowed are ANC 5E and VMP.

17 CHAIRMAN HOOD: Okay, let me just
18 say I think that this commission has dealt, well
19 we have had developments where we've done, a lot
20 of neighborhoods in this city changed the PUD
21 applications and changed how neighborhoods
22 look.

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1 Some of that is still continuing as
2 we speak. I'm not going to name the different
3 neighborhoods. We've done a major project
4 here about two or three months ago which is
5 major in this city, which is going to change the
6 way that looks.

7 So I think it's very important that
8 as many people as possible, Stronghold, I saw
9 a little Stronghold, Bloomingdale, ANC, I think
10 it's important that everyone at least works
11 together. And I'm going to be looking for
12 that, and I'm this for the applicant.

13 And some time, it may not work with
14 the ANC putting it together sometimes because
15 we all disagree with some of our commissioners.
16 We disagree with ANC commissioners.

17 And then we also disagree with our
18 civic association presidents. It's been over
19 20 years so I know how it works. So what I'm
20 saying is I guess we need to try, and I'm
21 depending on the applicant when they come up,
22 we need to try, because there's going to be some

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1 more time, we need to try to bring everybody to
2 the table.

3 Because this is going to be a major
4 difference, if it's approved, in that
5 neighborhood. And the people that are going to
6 be impacted are not going to be VMP. It's not
7 going to be some of us. It's going to be those
8 that live in the neighborhoods.

9 So that's why it's key that we all
10 work together and try to make it work. So
11 anyway, I do have some followup questions
12 about, I'm still confused in some of your roles.
13 Because you're the vice chair and then you're
14 the president. And then you also have two
15 people on MAG and MAG's not a sig.

16 I understand all that. That's
17 part of the process. But I think it's good if
18 everybody comes together and works together.
19 And if this is approved we'll have a better
20 project. We will, I always say this. The
21 people impacted need to make the decision
22 because, guess what, if you all don't, we will.

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1 MS. QUINN: Right.

2 CHAIRMAN HOOD: Okay? All right,
3 any other questions, commissioners? Opening
4 it up, Commissioner Turnbull?

5 COMMISSIONER TURNBULL: Yes,
6 thank you, Mr. Chair. How big is the
7 Bloomingdale Civic Association? How large of
8 a --

9 MS. QUINN: Right now we have over
10 150 members.

11 COMMISSIONER TURNBULL: And that,
12 where does that run? That runs from Channing
13 Street to ---

14 MS. QUINN: Technically it runs
15 from Michigan all the way up to Florida Avenue.
16 And then from North Capitol to 2nd. And
17 there's an extra little triangle on the end.

18 COMMISSIONER TURNBULL: all
19 right, the areas right south of Channing
20 Street. That was part of, that's
21 Bloomingdale is right where --

22 MS. QUINN: So where the site is,

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1 yes.

2 COMMISSIONER TURNBULL: Right.

3 MS. QUINN: Yes, the entire site
4 is within the boundaries of the Bloomingdale
5 Civic Association.

6 COMMISSIONER TURNBULL: How is the
7 off street parking in your area?

8 MS. QUINN: Difficult.

9 COMMISSIONER TURNBULL: So you
10 don't, there's no vacant, you don't see a lot
11 of empty spaces then?

12 MS. QUINN: No, I think it kind of
13 varies from block to block. I doubt that you
14 would find a block that's just really super easy
15 to park on in Bloomingdale. But there are
16 certain blocks that are worse than others. And
17 one, for example, might be 1st Street.

18 COMMISSIONER TURNBULL: Do you
19 have restricted parking in your area, RPP?

20 MS. QUINN: We do. I think we
21 actually have it in all. I believe we have it
22 in all of Bloomingdale and in some areas we have

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1 extended RPP.

2 COMMISSIONER TURNBULL: Oh, okay.
3 Okay, I didn't, as the chairman was saying, I
4 just, because we hate to see exclusionary
5 things done and we like to see, we want
6 everything to be inclusionary, that people got
7 a seat, as you said, at the table.

8 So I'm just curious how, in the
9 process, you really feel left out on this whole,
10 how this process has gone.

11 MS. QUINN: Well, let me give you
12 one example. When we've had meetings as the
13 Commission to discuss the CBA, to kind of hash
14 out what our position is going to be, while
15 we've had input from MAG, so what the McMillan
16 Advisory Group did is they took input from all
17 of the impacted civic associations and they
18 compiled that into one document and made a
19 singular proposal.

20 So we've had that and we've been
21 working from it. But what has become difficult
22 is that those meetings have not been

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1 publicized. But in addition to not being
2 publicized, I mean, they were closed meetings.

3 But in addition to that we haven't
4 had anyone there in the room from those civic
5 associations who worked on the document or from
6 the MAG who worked on the document to answer
7 questions when we'd get to difficult points.

8 Because it's not as
9 straightforward. We're talking about what we
10 hope to be a really large package. And so it's
11 not as straightforward. And these are folks
12 who've spent days, weeks, months researching
13 and really delving into the, you know, what's
14 viable, what's not, what makes sense, what
15 doesn't.

16 And we've had a number of occasions
17 where we've run into something and I was like
18 wait, what does this actually mean. And, you
19 know, how was this going to work or what were
20 they trying to solve for when they put this
21 language in this exact way.

22 And in those instances I think it

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1 would be incredibly helpful to have the author,
2 or at least someone who was heavily involved in
3 those conversations at the table.

4 Moreover, the residents who are really
5 going to be most impact by this project, those
6 people who live in Bloomingdale and in
7 Stronghold, really, you're going to have the
8 brunt of the burden, you ought to have a seat
9 at the table.

10 And for us that looks like not only
11 being a part of the negotiations but also being
12 a signatory. And we understand that we have a
13 responsibility as well in terms of negotiating
14 in good faith. And I can, I would put my name
15 on that. If we have a seat at the table we will
16 come to the table in good faith. And if we find
17 that --

18 COMMISSIONER TURNBULL: Okay.
19 Thank you for your testimony.

20 MS. QUINN: Yes.

21 CHAIRMAN HOOD: All right, any
22 other questions up here? Commissioner Miller?

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1 COMMISSIONER MILLER: Thank you,
2 Mr Chairman. In addition to having a seat at
3 the table, which is important in terms of
4 process, could you, I mean, we do have the draft
5 CBA agreement that I think you submitted.

6 But could you identify what are the
7 top three priorities that you would want,
8 specific priorities, that you would want to see
9 either in the CBA agreement or alternatively
10 the top thee changes you would want to see in
11 the current PUD proposal that's pending before
12 this commission?

13 MS. QUINN: Actually we do have
14 other civic association members who will
15 testify to that specifically. But I can tell
16 you I can recall off the top of my head that
17 traffic mitigation, serious consideration to
18 traffic mitigation is definitely the top
19 priority.

20 And I believe Number 2 was historic
21 preservation and I think Number 3 was
22 beautification. I'm freestyling at this point

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1 but I'm fairly certain that that's the order of
2 them. And it is listed, the top priorities are
3 actually listed in the document that I've
4 already submitted to you. You're welcome.

5 CHAIRMAN HOOD: Any other
6 questions? Let's see, the Applicant, Ms.
7 Brown, do you have any other cross-examination?

8 MS. BROWN: Yes, just one quick
9 question. Ms. Quinn, just as a clarification,
10 Vision McMillan Partners made several requests
11 to you to make presentations to the
12 Bloomingdale Civic Association. Is that
13 correct?

14 MS. QUINN: Yes, they have, over
15 quite a long time. And in some instances we
16 asked them to come on out and make
17 presentations. At a certain point it did
18 become, I mean, you guys have seen what happens
19 when you want to talk about McMillan.

20 Lots of folks come out, it takes up a lot
21 of time. And so we were finding that each time
22 we had them out, we're talking about 30 minutes

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1 out of our meeting. And so last year at some
2 point, I was to say it was in the spring, I had
3 a conversation and Kenyon, we had a meeting with
4 Kenyon McDuffie. It was Tanya, Anne and some
5 other commissioners.

6 And after that meeting I told Tanya
7 and Anne directly what we want is for you to come
8 back to us and make a presentation when you need
9 a vote. We can't have you come back every time
10 you move something two inches. When you need
11 something from us come back, present what you
12 need and we will take that vote.

13 I also said that to the Commission.
14 When we had an executive board meeting, before
15 we took our vote on this matter, we had, the
16 chair at that time came forward and said hey,
17 I want to take a vote on this.

18 And I said, and the commissioners
19 who were present agreed, what we need to do now
20 is to find out from VMP if we are at a place where
21 they need a vote. If they need a vote let me
22 know and we will put this on the BCA agenda.

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1 I also said can you get in writing
2 from them what they want us to vote on. I never
3 got a response directly from the chair saying
4 that this was definitely going to be on the
5 agenda and we never got a preview of what the
6 question was going to be, what the request would
7 be, or what the letter of support would look
8 like.

9 Now even, we didn't see the letter
10 until the next month after it was signed, had
11 been sent and was a part of the application.

12 MS. BROWN: Just to clarify, for
13 the record, when you refer to Anne and Tanya,
14 they're Anne Corbett and Tanya Jackson with
15 Vision McMillan Partners?

16 MS. QUINN: That's accurate.

17 MS. BROWN: Thank you.

18 CHAIRMAN HOOD: Does ANC 5E have
19 any cross-examination? Okay, Ms. Ferster, do
20 you have any cross-examination? Okay, again,
21 Ms. Quinn, let me just make sure I understand
22 something.

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1 So you're saying that basically,
2 from your perspective that ANC voted without
3 even looking at the plans? Is that, did I
4 understand that correctly?

5 MS. QUINN: What I'm saying is that
6 we voted without seeing what was in the
7 application. And if there --

8 CHAIRMAN HOOD: So you all didn't
9 look at the plans?

10 MS. QUINN: Absolutely not.
11 Absolutely, and I challenge you to ask the
12 Commission to send you a copy of the email that
13 was sent to the whole Commission showing them
14 the plan before we took that vote. I challenge
15 you.

16 CHAIRMAN HOOD: Okay, we've been
17 challenged quite a bit, believe me. Okay.

18 MS. QUINN: And you're still
19 standing, right?

20 CHAIRMAN HOOD: Right. Okay,
21 thank you very much.

22 MS. QUINN: All right.

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1 CHAIRMAN HOOD: We appreciate your
2 testimony. Okay, I think now we go to, what are
3 we going to? Oh, parties in opposition, okay.
4 We'll go to the parties in opposition. And I
5 ask everyone not to give the guard downstairs
6 a hard time.

7 We have some issues we need to work
8 out so be very nice and tell her good night on
9 the way out. She's not very pleased with us
10 tonight so we will deal with that tomorrow. So
11 just tell her to have a nice evening, okay?

12 Okay, let's go to the party, now,
13 Ms. Ferster, if you can -- she's leaving now?
14 Well, I take a minute and go down and tell her.
15 Thank you. Okay, Ms. Ferster, if you can bring
16 your group together and we can get started.

17 You all have 60 minutes. Oh, do
18 you have any experts? You can put all, get all
19 that together?

20 MS. FERSTER: We have three
21 experts that we'd like to qualify.

22 CHAIRMAN HOOD: Okay, I know we had

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1 some resumes.

2 MS. FERSTER: Yes, the three
3 experts are Joe Mahra. He's our traffic
4 engineer, transportation engineer, and his
5 resume was submitted with our request for party
6 status.

7 Miriam Gusevich, who is a licensed
8 architect, her resume was also submitted with
9 our request for party status.

10 And George Oberlander, and his CV
11 is attached to his testimony which was filed on
12 ISIS and also hard copies were passed out to
13 you.

14 CHAIRMAN HOOD: I think off the top
15 of my head, commissioners, I think all of them,
16 I know we did the young lady the other night,
17 but I think they all have been qualified as
18 experts. So without delay with that, unless
19 there's some objections, because we've already
20 done that before.

21 Okay, so we'll accept all of them
22 as experts.

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1 MS. FERSTER: Perfect. And our
2 fourth --

3 CHAIRMAN HOOD: Well, wait a
4 minute, let me make sure, what are you
5 proffering? Just, for the record, tell us what
6 you're proffering them all in again, if you
7 don't mind.

8 MS. FERSTER: Sure, Mr. Mahra is an
9 expert in transportation engineering. Ms.
10 Gusevich is an architect and an expert licensed
11 architect. And Mr. Oberlander is a planner, an
12 urban planner, regional planner, expert in the
13 issue of consistency with a comprehensive plan
14 by virtue of his experience with the National
15 Capital Planning Commission and also in
16 testifying before you on many projects on the
17 issue of consistency with a comprehensive plan.

18 CHAIRMAN HOOD: Ms. Brown, any
19 objections?

20 MS. BROWN: No objections.

21 CHAIRMAN HOOD: Okay, thank you.
22 And we've done them before so.

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1 MS. FERSTER: Okay, and we also
2 passed out Gwen Sutherland's testimony. She
3 was going to be part of our panel this evening
4 and she became ill. And so she cannot be here,
5 but you have her written statement.

6 And pinch hitting for Ms.
7 Sutherland is John Salatti.

8 CHAIRMAN HOOD: Let Ms. Sutherland
9 know that we missed her and we hope she gets
10 better.

11 MS. FERSTER: Thank you. Thank
12 you.

13 CHAIRMAN HOOD: So you all may
14 begin.

15 MS. FERSTER: And Mr. Salatti is
16 not an expert. He's our lay witness. And we
17 will begin with Mr. Mahra.

18 MR. MAHRA: Good evening. My
19 comments are based on the traffic survey dated
20 March 17th and the supplemental information
21 dated April 17th prepared by Gorove/Slade, the
22 DR report, industrial practices and published

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1 traffic engineering manuals and WMATA
2 publications.

3 The traffic impact story, in brief,
4 consists of three steps, the existing
5 conditions analysis, the background conditions
6 without the site developed and, finally, total
7 conditions with the site developed.

8 There are errors and omissions by
9 Gorove/Slade in each of the three steps listed
10 above. The existing traffic volumes were
11 utilized to estimate the existing capacity and
12 levels of service. There are either missing
13 data items or errors in traffic data.

14 Some of these include the truck and
15 bus vertical counts are not shown. And the
16 analysis utilized a default value of 2 percent
17 for the entire network. This is important
18 because of the heavy transit use forecasted in
19 the future.

20 The truck and bus volumes should
21 have been accounted for existing conditions and
22 adjusted for future conditions. The greater

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1 the number of trucks and buses in the vertical
2 stream the lower the levels of service.

3 Secondly, the Armed Forces
4 Retirement Home traffic survey estimated the
5 levels of service at the intersection of North
6 Capitol and Michigan Avenue during the am and
7 pm peak hours to be LOSE. The Gorove/Slade
8 traffic survey estimated that this
9 intersection is currently operating at LOSD
10 during the a.m. and p.m. peak hours.

11 The next step is the background
12 conditions. The background conditions
13 consist of existing traffic, traffic from
14 developments outside the survey area and
15 traffic from inside the survey area.

16 Gorove/Slade used a regional level
17 model to estimate background growth due to
18 developments outside the survey area but capped
19 the total growth to the regional model
20 projections. The regional model projections
21 are at a macro level whereas the traffic impact
22 survey is at a micro level.

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1 Therefore Gorove/Slade is
2 underestimating the growth of traffic from
3 developments outside the survey area. As
4 noted in the Gorove/Slade report, there are
5 several approved developments in the vicinity
6 of the McMillan site such as the Catholic
7 University national plan, the Catholic
8 University south campus redevelopment, Trinity
9 University national plan, Michigan-Irving PUD,
10 et cetera.

11 And their traffic will use the
12 survey area roadways such as North Capitol
13 Street and Michigan Avenue. Further, the
14 Washington Hospital Center, projected to
15 generate approximately 2,000 trips during each
16 of the a.m. and p.m. peak hours was excluded
17 from the background developments.

18 The background developments that
19 were included in the Gorove/Slade traffic
20 survey, according the Gorove/Slade, are
21 projected to generate approximately 4,300
22 vertical trips during the peak hour.

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1 The total conditions reflect the
2 conditions with the site developed and it
3 consists of adding the site traffic to the
4 background traffic.

5 According to Gorove/Slade the
6 proposed developed is estimated to generate a
7 total of 31,560 vertical trips to the site on
8 a weekday.

9 The Gorove/Slade estimate of
10 31,560 daily vertical trips are more than the
11 current traffic volumes on North Capitol Street
12 between Michigan Avenue and Irving Street as
13 DDOT record shows that their volume is 31,900
14 verticals.

15 The daily transit trips, as
16 projected by Gorove/Slade, are over 24,000.
17 What is 24,000 transit trips? When you look at
18 the Metro Rail model system there are 86
19 stations. Out of these 86 stations only 14
20 stations have boardings that exceed the number
21 that will be generated by this site.

22 And these 14 stations include

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1 stations such as Farrugut North and Foggy
2 Bottom. Gorove/Slade estimated the vertical
3 trip generation using the ITE trip generation
4 report and developed the mode of travel using
5 a methodology that is based on assumptions
6 rather than substantiated facts and data.

7 Gorove/Slade assumed that 30
8 percent of the persons traveling to and from the
9 medical office building and the general office
10 building will be using transit and 65 percent
11 would use automobiles.

12 Gorove/Slade also assumed that a 35
13 percent mode shared by transit for the
14 residential users. I have researched the
15 transit use at the site and find that it is
16 extremely high given the site location. All
17 Metro Rail stations are located more than one
18 mile from the McMillan site.

19 WMATA's 2005 development related
20 ridership survey do not support such a high
21 transit use. Further, it should be noted that
22 Gorove/Slade estimates the more than 1,700

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1 persons will be using transit to the site during
2 the peak hour. And this would require 43
3 additional bus trips assuming 40 persons from
4 the site would ride the bus.

5 And on a daily basis there would be
6 a minimum of 610 bus trips. The total number
7 of buses needed to serve the McMillan site and
8 the three background developments in one hour
9 would be over 100 bus trips.

10 I assume that with an aggressive
11 travel development program a transit mode share
12 of at the most 20 percent may be achieved at the
13 site for the medical office building and the
14 general office use. A transit mode share of,
15 at most, 25 percent may be achieved at the site
16 for the residential users.

17 This will show that Gorove/Slade
18 underestimated the vertical trips during the am
19 and pm peak hours. These additional trips
20 during the one-hour peak will have a
21 significant impact on the traffic flows and the
22 levels of service at the serving intersections.

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1 Gorove/Slade also conducted
2 Saturday peak hour analysis. They collected
3 data at several sites on a Saturday to determine
4 the combined Saturday peak hour. the process
5 is described in the report , and I'm in agreement
6 with the process.

7 The Gorove/Slade survey states
8 that the peak hour on Saturday is between 3:00
9 p.m. and 4:00 p.m. However, Gorove/Slade did
10 not conduct any traffic counts during the
11 Saturday peak hour of 3:00 to 4:00 p.m. All
12 counts on Saturdays were conducted between 4:00
13 p.m. and 7:00 p.m.

14 Therefore, all the traffic
15 analysis conducted by Gorove/Slade for
16 Saturday is meaningless since it did not
17 include the peak hour. Gorove/Slade should
18 recount the traffic during the Saturday peak
19 hour and conduct the analysis to determine the
20 traffic impacts.

21 In terms of the levels of service
22 analysis many of the errors and omissions

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1 listed in the existing conditions are also
2 valid for the total conditions with the site
3 developed. Furthermore, Gorove/Slade had
4 omitted the additional bus trips, pedestrian
5 trips and bicycle trips from the levels of
6 service analysis.

7 I've estimated that a minimum of
8 100 additional bus trips per hour would be
9 needed to accommodate the site traffic and the
10 background developments based on Gorove/Slade
11 estimates. These bus trips should be added to
12 the vertical stream and the level of service
13 recomputed.

14 It should be noted that a bus
15 stopped at a bus stop impedes traffic flow and
16 it, in fact, should be accounted for. Many of
17 the 1,710 transit passengers during the peak
18 hour may also be crossing the adjacent street.
19 These transit passengers are also like
20 pedestrians and should be included as
21 pedestrian crossings as appropriate.

22 An additional 336 walk trips and

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1 115 trips during one hour should be included in
2 the levels of service analysis. The inclusion
3 of buses, pedestrians and bicycle crossings in
4 the levels of service analysis will impact the
5 level of service significantly.

6 And DDOT states in their report,
7 and I quote, "Analysis provided by the
8 applicant shows that vertical traffic impacts
9 from the action will worsen the operations of
10 several intersection in the survey area as
11 measured by the levels of service even with the
12 changes included in the PUD application.

13 Most notably, the intersection of
14 North Capitol Street/Michigan Avenue and
15 Michigan Avenue/1st Street experience a
16 significant degradation of level of service.
17 Additionally, several locations along North
18 Capitol Street in the vicinity of the site are
19 expected to operate at a failing level of
20 service." End of quote.

21 Other than the failing levels of
22 service, many of the intersections have queue

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1 lanes that exceed the available storage. This
2 means that the thru traffic will be blocked by
3 returning verticals.

4 In order to visually show the
5 impacts I've utilized the single model
6 developed by Gorove/Slade and provided to me to
7 run the simulation using the same traffic
8 model.

9 I will show the simulation of the
10 a.m. peak hour for the existing conditions
11 followed by the simulation of the future
12 conditions for the same time period, and that
13 includes all the improvements recommended by
14 Gorove/Slade.

15 CHAIRMAN HOOD: Can we turn the
16 lights out, Ms. Schellin? Thank you.

17 MR. MAHRA: Yes, there's Michigan
18 Avenue and North Capitol. That's the
19 intersection of Michigan and North Capitol and
20 this is going south on North Capitol. And this
21 is approximately 8:00 a.m. in the morning.
22 And, like I said, this is the existing

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1 conditions.

2 And this is the full build-out in
3 2025 with the site developed and with the 1,700
4 transit trips excluded from the analysis. And
5 that's Michigan Avenue. That's North Capitol
6 and that's the internal street network.

7 And you can there are all stop signs
8 every block. And this is our traffic turning
9 in. Here are the queues to turn left into the
10 site. There's the traffic turning south onto
11 Bryant Street and there's queues banking on
12 northbound, North Capitol at Bryant Street.

13 And the time period is
14 approximately 8:00 a.m. also. Here's the
15 right turning that DR had mentioned earlier.
16 And here are queues on North Capitol southbound
17 at Michigan Avenue.

18 And in conclusion, the
19 Gorove/Slade analysis of existing conditions
20 has several errors and omissions that lead to
21 erroneous levels of service results. The
22 estimate of 31,500 daily transit trips exceeds

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1 existing daily traffic volume on North Capitol
2 Street.

3 And, as I mentioned earlier, there
4 are 24,000 daily transit trips which exceed 72
5 Metro Rail station boardings in the WMATA Metro
6 Rail system.

7 The daily traffic use forecast
8 would require more than 610 bus trips just to
9 the site. These intensive transit use
10 commitments have not been obtained frisk
11 management WMAT, DDOT or other private
12 operators.

13 Gorove/Slade analysis shows that
14 the peak hour on Saturday goes between 3:00 p.m.
15 and 4:00 p.m. However, Gorove/Slade does not
16 analyze this hour at all. All Saturday
17 analysis needs to be redone.

18 Based on the review the applicant
19 should be denied until a revised traffic study
20 is submitted and reviewed by DDOT. Thank you.

21 MR. OBERLANDER: Mr. Chairman and
22 members of the Commission, my name is George

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1 Oberlander. I think you know me for some time.
2 My statement addresses the issues of the PUD and
3 the related map amendment's relationship and
4 compatibility with the adopted comprehensive
5 plan for the National Capital DC Elements.

6 The Office of Planning's January
7 17, 2014 report lists the various comprehensive
8 plan policies it believes the application is
9 "not inconsistent with."

10 While the proposed zoning could be
11 viewed as being not inconsistent with a number
12 of general policy statements, I strongly
13 disagree that the requested CR 3C and CR zoning
14 is appropriate in relation to the comprehensive
15 plan's future land use map designation for the
16 subject site, which is the primary and
17 controlling inquiry.

18 The site is designated in the land
19 use map for mixed uses, medium density
20 residential, moderate density commercial and
21 parks, recreation and open space.

22 Translating that directly into zoning

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1 classifications means that medium density
2 residential calls for R5C and the moderate
3 density commercials are generally C2A, C2B and
4 C3A. And that is according to the
5 comprehensive plan's policy 225.9.

6 The requested CR C3C and CR
7 represents high bulk and completely out of
8 character with the surrounding neighborhoods
9 and is inconsistent with the medium density
10 land use designation in the comprehensive plan.

11
12 Please look at the proposed zoning
13 map in OP's report, Page 8, January 17th, to
14 give you a pictorial view of the broader area.
15 That's a comprehensive plan policy 225.11.
16 Specifically, the proposed C3Z zoning allows
17 for an FAR of 6.5 with a PUE flexibility, if you
18 grant it, to 8 and a height of 90 foot with PUE
19 flexibility of 130 feet.

20 Likewise, the CR zone district
21 permits and FAR or 6 with PUE flexibility 8 and
22 a height of 90 feet and 100 feet with the PUE

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1 flexibilities. These heights and densities
2 are inconsistent with the moderate density land
3 use designation for commercial users and medium
4 density designation for residential uses in the
5 comprehensive plan.

6 The comprehensive plan
7 specifically notes that for moderate density
8 commercial land uses "buildings are larger
9 and/or taller than those in low density
10 commercial areas," and I emphasize, "but
11 generally do not exceed five stories in
12 height." And that is DCM 225.9

13 The generalized policy map does
14 identify the site as "land use change area" that
15 is in the other map, the generalized policy map.

16 The plan policy 223.11 does
17 indicate that the element provides additional
18 policies to guide development and
19 redevelopment within the land use change area
20 including the desired mix of uses in each area.
21 That's on Page 2-30 of the comprehensive plan.

22 OP concludes from this that the

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1 proposal is not inconsistent with both maps. I
2 respectfully disagree. If you read the words
3 describing the color code or key of a
4 generalized policy map land use changes, which
5 is a particular color, you will find the
6 following descriptive language.

7 And I quote, "As land use change
8 areas are redeveloped the District aspires to
9 create high quality environments" and it goes
10 on to say "that are compatible with and do not
11 negatively impact nearby neighborhoods."

12 OP did not adequately that granting
13 a high home density in this area would not be
14 in keeping with the surrounding existing
15 zoning. Going to the
16 generalized policy map which indicates that
17 this site is surrounded by neighborhood
18 conservation areas, the future land use map
19 policy for those surrounding neighborhoods and
20 moderate density residential, establishing a
21 C3C along Michigan Avenue and North Capitol
22 Street is out of character with the existing

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1 surrounding R4 and R5 residential uses.

2 As noted above, the C3C allows a
3 density and height not in keeping and/or
4 compatible with moderate density residential
5 neighborhoods of Stronghold to the east and
6 Bloomingdale to the south. Representatives
7 from OP testified at last week's hearing that,
8 in their interpretation of the comprehensive
9 plan review process, the application, and I
10 quote, "does not have to be not consistent with
11 every portion of the comprehensive plan."

12 That could be the case in the
13 context of general policies relating to
14 specific elements such as historic
15 preservation and housing. However, from a
16 planning and zoning perspective specific
17 density designations and specific land use
18 policy statement on the official maps are
19 paramount and should be adhered to and observed
20 and applied to zoning classification decisions
21 that you make and the comprehensive plan
22 finding that you're required to make under the

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1 Home Rule Act.

2 I have reviewed and would like to
3 endorse statements that have been presented to
4 you by the architectural expert, Professor
5 Gusevich, of Catholic University and the May 1
6 statement submitted by Ann Shelan, the
7 preservation expert.

8 I've also reviewed the 1990 NCP
9 McMillan Park visual analysis as part of early
10 park and open space comprehensive plan
11 studies which, by the way, I was involved in
12 when I was on the Commission back before I
13 retired in 1996.

14 A number of schematic site lines
15 between Soldier's Home hill and the Capitol
16 Dome, the old post office tower and the
17 Washington Monument are identified and 11
18 reciprocal site lines are indicated and mapped.

19 And the document concludes, and
20 I'll quote, "From this analysis we find, first,
21 a distinctly open space character of McMillan
22 Park is still scenically desirable as a federal

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1 interest.

2 And, two, any structures to be
3 introduced for the District owned part of
4 McMillan Park should be widely spaces, not to
5 exceed the four-story height of Veterans
6 Hospital and preferably have lower
7 transitional heights and picturesque roof
8 lines to blend with the immediate landscape and
9 the park environs.

10 The OP report are silent on current
11 McMillan visual analysis. However, it is
12 evident that the building height proposed for
13 Parcel 1, 2 and 3 are all to the maximum heights
14 permitted for high density and for zoned
15 districts with a PUD flexibility.

16 Among others, the Office of
17 Planning has not adequately or directly
18 addressed the not inconsistent issue of the
19 application with the comprehensive plan policy
20 2.6.5." And I quote that entirely.

21 Recognize that development on
22 portions of McMillan sand filtration

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1 specifically for this site may be necessary to
2 stabilize the site and provide the desired open
3 space and amenities. Where development takes
4 place it should consist of moderate to medium
5 density housing, and I emphasize again,
6 moderate to medium density, retail and other
7 comparable uses.

8 Any development on this site should
9 maintain usage and vistas and be situated in a
10 way that minimizes impact on historic resources
11 and adjacent development. That is on Page
12 20-31 of the comprehensive plan, Policy 2016.9.

13 There are also, in a previous page
14 to the comprehensive plan, three more
15 additional specific policies dealing with this
16 site plan. I won't go into those but I do want
17 to emphasize be respect to 2.65, because it is
18 a more detailed and specific mid-city element
19 policy for the site in question, this, in my
20 opinion, must be given more weight than more
21 general policies within the citywide portion of
22 the plan.

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1 Thank you for the time you've given
2 me here. And I'll be happy to answer any
3 questions you may have.

4 MS. GUSEVICH: Thank you,
5 Chairman Hood and members of the Commission,
6 the Zoning Commission. My name is Miriam
7 Gusevich. I am an urban designer and principle
8 at Gusevich-Miles Studio and professor at
9 Catholic University which is actually how I got
10 involved with this project.

11 Since the District of Columbia
12 Office of Planning had asked us to come up with
13 some alternative ideas in 2000. And because
14 the community was very upset with what the
15 Office of Planning was proposing.

16 And so we did that pro bono and then
17 years later people in the community remembered
18 what we had proposed and were very exciting by
19 what we had proposed and invited us again to
20 proceed.

21 So I will just quickly walk you
22 through some of our ideas. This plan has

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1 developed over a period of time and it is
2 decided that we call it The People's Plan
3 because it is based on extensive community
4 involvement including illustrating the mix of
5 uses sought by over 6,500 people who have signed
6 petitions and have been involved in the survey
7 conducted by the Friends of McMillan.

8 We also, so we'll just walk you
9 through this very quickly. As you can tell
10 this is just --

11 CHAIRMAN HOOD: Okay, we're going
12 to need the lights.

13 MS. GUSEVICH: Yes.

14 CHAIRMAN HOOD: And I want to thank
15 my help over there. He told me to make sure we
16 get the lights. I was just waiting for her to
17 go into that.

18 MS. GUSEVICH: Yes.

19 CHAIRMAN HOOD: Okay, thank you.

20 MS. GUSEVICH: Okay, so just walk
21 you very quickly through the images. As, of
22 course, this is the beautiful view of McMillan

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1 looking sort of northeast towards the shrine.
2 Just to weigh the weight of the significance of
3 the location of this site, it's actually
4 equidistant from the national capitol to
5 Lincoln Memorial. It's actually about 2.2
6 miles.

7 Unfortunately, because of the
8 conditions of North Capitol, you don't
9 experience it that way. But it is really very
10 much part of the historic landscape of this
11 city.

12 We see this as an opportunity of
13 reconciling what are really two alternative
14 visions. The community has always been
15 consistent in advocating for open space, to
16 preserve and adaptively reuse the site's
17 features including the lower level, to be
18 creative, to mitigate neighborhood impact,
19 make it feasible in the responses to community
20 needs.

21 And the city has always been
22 concerned about development actually renewing

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1 jobs. And this is just the map that I showed
2 you last week, just to illustrate that McMillan
3 should not be considered in isolation. But it
4 really needs to be considered in light of all
5 the development pressures around it and all the
6 opportunities that it presents.

7 So this is just to show you the, you
8 know, what the site looks like from above. And
9 this is the unique vaulting system that is quite
10 historic in its own right and which the city's
11 pretty much planning to destroy about 95
12 percent of it.

13 So another potential we looked to
14 as the uniqueness of this site as having these
15 two ecologies, this large green roof that is
16 about 20 acres was once the largest green roofs
17 ever built. And then this unique water and
18 sand ecology that is underneath.

19 And as we have consistently done --

20 CHAIRMAN HOOD: Ms. Gusevich,
21 could you just ease back a little bit from the
22 mic so we can hear you a little more clearly?

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1 MS. GUSEVICH: Okay, sorry.
2 Sorry, between the mic and my accent I guess
3 it's a little bit of a challenge, but --

4 CHAIRMAN HOOD: It was just the
5 mic.

6 MS. GUSEVICH: Okay. So what we
7 discovered in 2000 is if you look at the pattern
8 of structural damage it became pretty clear, as
9 this image shows, that it really corresponded
10 to this very creek that used to be on this site.
11 Then when it was built you can see this in the
12 historic drawings that in fact it was sort of
13 filled in and sort of built these cells on top.

14 And as soon as it started, as it was
15 finished, it started to crack. In our plan we
16 proposed repurposing as much of the site that
17 is in good condition as possible, tear down the
18 area that is damaged to create what we call an
19 urban beach for recycling a lot of this sand and
20 then accommodating a lot of the city's intended
21 uses across the street.

22 So here is just an example on the

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1 south. On the north side it would be basically
2 what is now being proposed which is mixed used
3 of medical offices, housing and the
4 supermarket.

5 In the first set of bays it would
6 be the possibility of a cultural center with the
7 repurposed vaults. In the central area there
8 could be a modern business incubator and market
9 which would actually take a lot less time to
10 start than the VMP plan.

11 And then at the south end there
12 would be the urban beach with the community
13 center. Here just to emphasize a little bit
14 what the area is we'd like to, and we would love
15 to have a further study of these.

16 But we suggested is an opportunity
17 for a new hospital entrance from North Capitol
18 that while it won't solve all the traffic
19 problems, that it would hopefully mitigate some
20 of them.

21 And you can see from the diagram
22 that we're suggesting this sort of extension of

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1 the grid within the hospital complex so that at
2 least people would be able to get out of North
3 Capitol into the hospital in a more effective
4 way than they have to do right now where they
5 have to go into Channing and then up to 1st
6 Street.

7 So that the opportunity for
8 actually, by looking more comprehensively and
9 actually thinking of this site as really part
10 of the city and not this isolated bubble really
11 offers a lot of opportunities to actually solve
12 or at least mitigate some of the challenges of
13 this site.

14 COMMISSIONER MAY: Can I interrupt
15 for one second?

16 MS. GUSEVICH: Yes.

17 COMMISSIONER MAY: Can you do me a
18 favor and just slide the microphone a few inches
19 forward?

20 MS. GUSEVICH: Absolutely.

21 COMMISSIONER MAY: Just the base
22 of it? A couple inches more. Your voice is

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1 very strong and it's really loud up hear.

2 MS. GUSEVICH: I'm sorry. Okay.

3 COMMISSIONER MAY: All right.

4 Thank you.

5 MS. GUSEVICH: Is this better?

6 COMMISSIONER MAY: That's --

7 MS. GUSEVICH: Is there anything
8 you need me to repeat?

9 COMMISSIONER MAY: No. No, no,
10 no. I could hear everything, believe me.

11 MS. GUSEVICH: Okay, perfect.

12 COMMISSIONER MAY: No, the only
13 concern is I want to make sure that everybody
14 in the audience can hear you as well, so.

15 MS. GUSEVICH: Okay, thank you.

16 COMMISSIONER MAY: So give us a
17 little test. And if anybody can't hear --

18 MS. GUSEVICH: Is this better?

19 COMMISSIONER MAY: Okay, you need
20 somewhere in-between then.

21 MS. GUSEVICH: Okay.

22 COMMISSIONER MAY: A little bit

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1 closer. Thank you.

2 MS. GUSEVICH: Okay, is this
3 better?

4 COMMISSIONER MAY: Try that.

5 MS. GUSEVICH: This is better?
6 Okay, test, test. Okay.

7 CHAIRMAN HOOD: And if you can't
8 hear just raise your hand and we'll make
9 adjustments.

10 MS. GUSEVICH: Okay, so to go back
11 to this issue of the impacts on the neighborhood
12 we're showing two examples. Here is our
13 People's Plan on the top and the VMP plan below.

14 Here is the plan view, here is the
15 isometric. And you can see that in our
16 proposal most of this site is basically a park
17 and remains basically open to the sunlight,
18 obviously at different times of the day. This
19 is taken so that it actually covers a whole day,
20 so the shadows are actually moving throughout
21 the site.

22 And you can see in the VMP plan that

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1 the area to the north of Michigan Avenue is
2 basically always in the shade, even though
3 that's where they're planning to put the
4 healing garden, in the middle of the buses.

5 And you can see in our area that we
6 actually have the buildings facing to the north
7 side so that means that all the buildings have
8 also the advantages of the views as well.

9 Here is another view from the solar
10 impact. Here is, below, at the bottom, is the
11 VMP plan. And you can see that the area is
12 totally shaded and the park is actually quite
13 small. And here in our park you can see that
14 we really are sort of facing the opposite way
15 so most of the site is, remains open.

16 And I'll just walk you through some
17 of our ideas for this site. So for the
18 community center we were inspired by the
19 existing green roof which actually sort of
20 unguates over the entrances. And we use that
21 to accommodate the different facilities. So
22 this is the view from the outside.

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1 Here is the basketball court
2 underneath. Here would be the swimming pool.
3 This would be facing the silos. And then here
4 is repurposing some of the spaces for pools, for
5 yoga, for whatever.

6 The site that, I mean, our basic
7 argument is that the site really can be
8 repurposed in a creative way and that it can add
9 a lot of value to the city. This is just
10 showing a working cell with water so that people
11 can actually see how the sands filtration
12 system used to work.

13 And then it would come out into a
14 fountain that then would tie in to the urban
15 beach. And then here is the view from the urban
16 beach back towards Howard. And you can see
17 that this is also part of the storm water
18 management area.

19 Here is also an entrance from North
20 Capitol with a bridge over the water. And then
21 here is a view from the Olmsted Walk. We have
22 been the advocates for preserving the Olmsted

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1 Walk from the beginning.

2 And we think that it's, not
3 shouldn't be just a berm. It should actually
4 keep the fire brick and allow to walk not only
5 above but also to see from the street, to be able
6 to see into the park.

7 And then this is another view of the
8 spaces. As you can see it's very open. And
9 then here we have our own Web site if you want
10 to see. It's a work in progress. And here's a
11 contrast between the old vaults and the new.
12 Thank you.

13 Oh, and I did want to add that the
14 city has not done due diligence in terms of
15 establishing any kind of cost benefit analysis
16 between any alternative plans and the current
17 plan.

18 Yet there has never been any study,
19 any assessment of the disability of reusing the
20 vaults, especially for things like creating
21 business incubators.

22 I think that there is a great

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1 opportunity to actually, with fairly
2 inexpensively, to recycle the vaults and
3 actually enable small businesses to get started
4 in the reusing of those spaces without having
5 to tear them down.

6 And I think there's a lot of
7 creative uses that have been proposed by people
8 in the community that could be integrated at a
9 fraction of the cost of what is being proposed
10 right now. Thank you.

11 MS. FERSTER: So, Chairman Hood,
12 in the interest of time, Ms. Gusevich has
13 submitted written testimony in addition to her
14 presentation on the People's Plan for McMillan
15 Park.

16 And so she's not going to read her
17 testimony because it was distributed to you at
18 one of the prior hearings. But she is
19 available to be cross-examined on both the
20 presentation today and on her written
21 testimony.

22 MR. SALATTI: Thank you, Mr.

1 Chairman and thank you members of the
2 Commission for this opportunity to offer some
3 thoughts about the case before you.

4 You've had these three illustrious
5 experts offer you some really in-depth detailed
6 analysis of the plan and what's going forward.
7 And now I get to come along as the lay witness
8 and move away from at least a lot of that
9 technical detail and just sort of give you a
10 on-the-ground view from somebody who lives in
11 the neighborhood.

12 My name is John salatti. I am a
13 ten-year Bloomingdale resident and someone who
14 has lived in D.C. several times over the past
15 30 years. I have spent eight years serving my
16 neighbors in various capacities including ANC
17 commissioner, a Bloomingdale Civic Association
18 officer and member and just plain guy on the
19 street.

20 I'm a Friend of McMillan Park.
21 I've been engaged with this latest attempt to
22 develop the McMillan sand filtration site since

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1 2006 when the National Capital Revitalization
2 Corporation sent out the first of what was
3 supposed to be several RFBs.

4 I have personally given tours of
5 McMillan to groups as small as one and as large
6 as hundreds. I know this site, I know its
7 history. I know this community. I know that
8 everyone I have ever spoken with wants some
9 development to occur at McMillan.

10 Even the most radical elements in
11 the area, some of you, have come before you,
12 want the site developed. I also know that the
13 vast majority of residents don't want what is
14 before you, most especially, when they truly
15 understand both the proposed plan's details and
16 its implications.

17 So right up front I'm going to ask
18 you to reject the application's zoning request.
19 And the opponents here and all the other
20 testimony we've offered have given you ample
21 basis for doing just that.

22 Well, having said that, what else

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1 can I offer at this point? Well, having read
2 documentation and attended meetings for the
3 last eight years I have compiled a list of what
4 I call the honestly believes.

5 An honestly believed goes to the
6 question of credulity or credibility. It
7 generally comes about when average persons
8 express their reaction to some aspect of the
9 proposed plan. Here are a few of the honestly
10 believes that I've gathered over the years.

11 Now, Mr. Oberlander has probably
12 covered some of the details on this but from the
13 ground level point of view things about scale,
14 the scale of the project. The regulations and
15 the policies all basically are saying the same
16 thing. Moderate density commercial, moderate
17 to medium density housing, retail and other
18 uses.

19 When approving a comprehensive
20 plan changes to allow developments at McMillan
21 the National Capital Planning Commission went
22 so far as to define moderate density. From

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1 this analysis we find that any structures to be
2 introduced with the District owned part of
3 McMillan Park should be widely spaced, not to
4 exceed the four-story height of the Veterans
5 Hospital and preferably have lower
6 transitional heights and picturesque roof
7 lines to blend with the immediate landscape and
8 the park environs.

9 Does anyone honestly believe that
10 the proposed plan meets or even comes close to
11 that? Part of what makes McMillan a very
12 special place is the viewsheds. Again, the
13 comp plan McMillan amendments state that any
14 development on the site should maintain
15 viewsheds and vistas. Does anyone honestly
16 believe that the proposed plan meets or even
17 comes close to that?

18 When the viewsheds are combined
19 with the vast, open space that is historic
20 McMillan we have a place in Washington that is
21 truly unique and magical. NCPC declared that
22 a distinctly open space character of McMillan

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1 Park is still scenically desirable as a federal
2 interest. Does anyone honestly believe that
3 the proposed plan upholds and protects that
4 federal interest?

5 Some of the best honestly believes
6 have arisen around historic preservation.
7 According to the comprehensive plan any
8 development on the site should be situated in
9 a way that minimizes impacts on historic
10 resources and adjacent development.

11 According to VMP's own historic
12 preservation report for the proposed
13 redevelopment of the McMillan slow sand
14 filtration plant, McMillan is historically
15 significant.

16 According to covenants that run
17 with the land any and all renovation and
18 rehabilitation work at the parcel will be
19 undertaken in accordance with the Secretary of
20 the Interior's standards for rehabilitation
21 and guidelines for rehabilitating historic
22 buildings.

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1 Specifically, new additions,
2 exterior alterations or related new
3 construction will not destroy historic
4 materials, features and spatial relationships
5 that characterize the property.

6 Apparently VMP is taking the
7 perhaps ironic view that the cost of plan calls
8 for destroying over 80 percent of the historic
9 fabric of this place on the National Register
10 of Historic Places and the D.C. List of Historic
11 Sites.

12 They don't need to follow the
13 covenant's rehabilitation and renovation
14 requirements. The argument apparently being
15 that with nothing left to rehabilitate or
16 renovate the covenant is rendered moot.

17 This cramped reading results in a
18 sort of Vietnam era destroy the village in order
19 to save it approach to development or certainly
20 to sidestepping the law. But however VMP wants
21 to define things does anyone honestly believe
22 that the proposed plan comports with these

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1 legally binding covenants?

2 As for traffic McMillan Policy
3 2.6.3 of the comprehensive plan requires any
4 plan for this site to reduce parking, traffic
5 and noise impacts on the community and improve
6 transportation options to the site and the
7 surrounding community, neighborhood.

8 Well, given that the VMP traffic
9 plan says nothing about the impact of the
10 traffic on the neighborhoods beyond the
11 boundaries of this site, offers little to
12 nothing in the way of significant mitigation,
13 does not take into account the cumulative
14 synergies of numerous large development in the
15 area and admits, when deconstructed, to over
16 22,000 new vehicle trips throughout our
17 neighborhoods every day.

18 Given all that, does anyone
19 honestly believe that the proposed plan meets
20 or even comes close to comp plan Policy 2.6.3's
21 requirement to reduce traffic impacts on the
22 community and improve transportation options

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1 for the surrounding neighborhoods?

2 As for jobs, the application makes
3 questionable and unsupported employment
4 claims. The largest subset of jobs is
5 temporary construction jobs in a city that had
6 a long history of not enforcing its first source
7 laws.

8 The plan includes a vague category
9 of indirect jobs. The applicant does not
10 explain what these jobs are, where they will
11 come from or who will hold them. Finally, the
12 applicant continually trumpets that the
13 permanent jobs will reduce unemployment in Ward
14 5, where I live, where the Chairman lives,
15 which would be a great thing.

16 Yet the applicant has no process to
17 ensure that Ward or District residents will get
18 those alleged jobs. And if the current
19 scenario at Washington Hospital Center is any
20 guide, most of those jobs will go to Maryland
21 residents who will be among the 22,000 or more
22 new trips through our area each day, all of

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1 which lead to the question, does anyone
2 honestly believe that the proposed plan's
3 employment claims are credible or will help the
4 neighborhood or Ward 5?

5 Regarding affordable housing,
6 well, the problem is that the plan doesn't have
7 much of it. And, worse, what little it has is
8 not particularly affordable. So McMillan is
9 being set up to become another EYA project like
10 one less than a mile McMillan where the
11 residences start from "the low 600s."

12 What the proposed plan does is now
13 make the District of Columbia government the
14 primary agent of gentrification in our areas.
15 Simply by market forces alone, we have seen the
16 loss of affordable housing in Bloomingdale over
17 the past 15 years.

18 The proposed plan will now be
19 government policy that will turn that stream
20 into a torrent as the high priced housing in the
21 plan drives out what little affordable housing
22 still exists in Bloomingdale.

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1 Does anyone honestly believe that
2 a plan that offers so little affordable
3 housing, that drives out existing lower cost
4 housing and that trumpets housing accessible to
5 people at 80 percent AMI has any realistic
6 relationship with the needs of longtime
7 Washingtonians and their children who wish to
8 stay in the city that their families have lived
9 in for generations?

10 Those, commissioners, are a few of
11 the honestly believes that I have collected.
12 But there's one more I have to share. This one
13 comes from the people that, whom I have taken
14 around McMillan on tours.

15 During those walks I explained the
16 history of McMillan and described the VM plans
17 for the sites. I never said anything
18 disparaging. I never had to. The plan did all
19 the talking for me.

20 At the end of the tour, after seeing
21 McMillan up close and learning about the
22 proposed plan, I usually had at least a few

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1 people who looked kind of puzzled. They would
2 turn to me and say do they honestly think we
3 would want that? Do they honestly believe that
4 that's the best we can do here? I
5 would just smile and say nothing. But tonight
6 I am here to say something. I honestly believe
7 that you, the Commission, can do something.
8 Instead of letting the District turn this
9 extraordinary place into something painfully
10 ordinary you can reject this zoning application
11 and, in so doing, tell the District and its
12 development partners that the time has come to
13 stop treating McMillan Park like some brown
14 field or Super Fun site.

15 We can do better than this, a lot
16 better. The neighborhood resident deserve
17 better and the city as a whole deserves better.
18 Because we, the people, own this land, we have
19 the rare opportunity to created something
20 great, something that will be remembered for
21 generations to come.

22 That's what McMillan can be.

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1 Honestly. Thank you very much.

2 MS. FERSTER: Well, that concludes
3 our presentation. I mean, because we've
4 submitted so much in writing we're going to cut
5 it a little short for our actual presentation.

6 CHAIRMAN HOOD: Okay. Does
7 anybody honestly believe that I asked earlier
8 that we not have any protests in the hearing
9 room? Okay, so let's, again, let's make this
10 mindful. Maybe you came in late. Maybe
11 that's when the guard was upset. But we're not
12 going to have any applause or any type of
13 demonstration in here.

14 If you agree with it, clap
15 silently, okay? Thank you. Okay,
16 commissioners, any questions of this panel?
17 Do you have any questions of the party in
18 opposition? Commissioner May?

19 COMMISSIONER MAY: Just short now.
20 Mr. Oberlander and Mr. Salatti, you both
21 brought up the issue of the reference to views,
22 right? The views across the site,

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1 essentially.

2 So have you actually done an
3 analysis? A man talked about this earlier in
4 the hearing. Have you done an analysis of the
5 views across the site? I mean, a real viewshed
6 analysis that shows us what it might be like?

7 MR. OBERLANDER: I personally have
8 not but it was done back, there's a memo in the
9 file from NCPC. It was back in 1990. There
10 was a study done as part of comprehensive
11 planning --

12 COMMISSIONER MAY: I'm looking for
13 a diagram that shows us what the site lines are.

14 MR. OBERLANDER: There's an
15 attachment to that --

16 COMMISSIONER MAY: When did we
17 receive that?

18 MS. FERSTER: We provided you a
19 copy just today.

20 COMMISSIONER MAY: When? Okay.

21 MS. FERSTER: And we also filed it
22 today in ISIS. We also, it was actually

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1 attached also to our request for party in
2 opposition.

3 COMMISSIONER MAY: Oh, okay.

4 MS. FERSTER: No, it's a two, it's
5 about a three-page memo dated 1990 and a CPC
6 from Gresham.

7 COMMISSIONER MAY: Okay, yes,
8 that's not really, I'm looking for something
9 that shows something in section.

10 MR. OBERLANDER: Now those are the
11 studies that were done, the reciprocal views
12 were studied. There were no sectional
13 drawings done at that time.

14 COMMISSIONER MAY: Right, okay.
15 Well that's what I'm interested in seeing so I
16 don't think that that's going to be very
17 helpful.

18 MR. OBERLANDER: My testimony, and
19 I didn't read it as such, it said that OP could
20 do those studies.

21 COMMISSIONER MAY: Well, and the
22 applicant can do those studies as well. I

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1 mean, it's certainly you can draw lines on a map
2 and say you'd like to be able to see from one
3 site to another but very often they're
4 actually, there's other stuff in the way.

5 And so that's what I want to
6 understand, is there any other stuff in the way
7 or is it actually this project will created
8 stuff in the way and will actually affect that
9 viewshed. So that's what I was trying to find
10 out.

11 MR. OBERLANDER: I'd like to
12 respond to that if I may. The urban designer
13 that did this, Don Jackson has passed away
14 several years ago. But I assure you that he
15 looked at all of these reciprocal views on the
16 ground and on the maps. And there were no --

17 COMMISSIONER MAY: So I'm looking
18 for the analysis that survives him. And
19 that's, not that memo.

20 MR. OBERLANDER: I don't believe
21 that that would be --

22 COMMISSIONER MAY: Yes, okay.

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1 MR. OBERLANDER: -- available.

2 COMMISSIONER MAY: All right.
3 That's fine. I'm sure we'll get it one way or
4 another before we're done here. Mr. Mehra, I
5 see you also submitted today a memo in response
6 to some of the questions that I had the other
7 day. And I haven't had a chance to look at that
8 yet. But I review that, but I appreciate your
9 submitting that.

10 And I thought I had yet another
11 question. Oh, yes, I do. So the plan that you
12 submitted or that you showed us tonight for your
13 own ideas about how the site might be developed
14 assumes that the major development density
15 would actually occur north of Michigan Avenue,
16 correct?

17 I'm sorry, you need to be, turn your
18 microphone on.

19 MS. GUSEVICH: Yes, it is right now
20 a parking lot. I did want to answer your
21 question about the views, the view covers if you
22 --

1 COMMISSIONER MAY: Okay, but can
2 you answer the question I'm asking you now
3 first?

4 MS. GUSEVICH: Yes.

5 COMMISSIONER MAY: Okay, so who
6 owns that land?

7 MS. GUSEVICH: Right now that side
8 is part of the Veterans Administration. What
9 their plans call for is actually a part for the
10 veterans. I've just think that part of good
11 planning would be to actually bring
12 stakeholders together.

13 And if you have a park that is an
14 historic park that veterans could be using
15 because they don't have a park that they can
16 have access to right now, then it seems it could
17 be something that they could collaborate.

18 Right now what they are proposing
19 is mainly with parking structures on the
20 corners with the best views.

21 COMMISSIONER MAY: Okay. All
22 right, so you wanted to answer my other

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1 question?

2 MS. GUSEVICH: Yes, just in terms
3 of, I will be, if you take a look at North
4 Capitol it's actually sloping significantly
5 from the north end of Michigan Avenue to
6 Channing. So at the north end, actually,
7 McMillan is below the street level. So you
8 have complete open views all the way across, all
9 the way to the Washington Monument.

10 At the south end the berm is much
11 higher because it's almost 14 feet higher than
12 the street level. And it's one of the reasons
13 why we proposed, since that's the area that's
14 damaged, to actually take the berm out and allow
15 the actual framing of the views so that you
16 could actually see the views both from above the
17 lawn but also from underneath it.

18 And so that's a kind of key element
19 of what we had suggested.

20 COMMISSIONER MAY: Okay, well that
21 really wasn't what I was asking about but I
22 appreciate understanding what you were saying.

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1 MS. GUSEVICH: Well, it's just to
2 point out that the views are not just from --

3 COMMISSIONER MAY: Like I said,
4 it's not the question I asked, but I do
5 appreciate hearing your perspective on that.
6 Thank you.

7 CHAIRMAN HOOD: Okay, any other
8 questions up here? Commissioner Turnbull?

9 COMMISSIONER TURNBULL: Yes, Mr.
10 Chair. Mr. Mehra, any similar issue, I guess
11 I'm trying to understand. I really didn't see
12 any traffic turning left. I didn't see any
13 directional traffic into the proposed site at
14 all and what are you not accounting for?

15 MR. MEHRA: There is actually
16 traffic turning left from the south on North
17 Capitol.

18 COMMISSIONER TURNBULL: I didn't
19 see much going in there, so.

20 MR. MEHRA: Yes, there's another
21 reason for that. The system is so congested
22 that it's preventing people, motorists from

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1 entering the system. As you can see, when the
2 starting of the slide for future conditions, we
3 looked north of Michigan Avenue. You saw this
4 long queue. They're just waiting to pass
5 through the intersection of North Capitol and
6 Michigan Avenue.

7 COMMISSIONER TURNBULL: But, I
8 mean, I'm looking at North Capitol. I really,
9 I mean the whole idea of the applicant's
10 creating some left turn lanes going into site,
11 and I really didn't see that being used in your
12 simulation at all.

13 MR. MEHRA: They are, actually I
14 showed you at one point there was a long queue
15 waiting to turn left into the site coming from
16 the south.

17 COMMISSIONER TURNBULL: Now this
18 simulation is based upon what? What do you use
19 to do this?

20 MR. MEHRA: The growth rate
21 developed the Synchro model. The Synchro
22 model actually has the traffic volumes, the

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1 lane configuration, the signal timing and all
2 the basic information that's used to compute
3 the capacity inloads and service.

4 This same traffic which is a sister
5 model of Synchro takes it to the next step where
6 you can actually simulate the traffic for the
7 one hour, let's say the peak one hour and you
8 can sort of observe the traffic flow.

9 In the interest of time I just
10 showed you actually about three minutes of the
11 video. But that was at double speed so what you
12 saw was maybe approximately a minute and a half
13 to two minutes of video.

14 COMMISSIONER TURNBULL: Okay, I'm
15 sure the applicant will want to respond to your
16 video. Mr. Oberlander, just going back and
17 reviewing your comments, is it my understanding
18 that based upon your looking at it this zoning
19 should be C2A-R5C?

20 MR. OBERLANDER: In that area,
21 yes. Not C3-3 or CR.

22 COMMISSIONER TURNBULL: Okay.

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1 All right, thank you.

2 CHAIRMAN HOOD: Commissioner
3 Miller?

4 COMMISSIONER MILLER: Thank you,
5 Mr. Chairman. Thank you all for your
6 testimony. It's very thoughtful. Mr.
7 Oberlander, good to see you.

8 I can see your point about the
9 heights being not consistent with what you'd
10 normally see for moderate density and medium
11 density.

12 But in terms of the overall density
13 that's proposed for the site, not the density
14 that would be permitted by C3C and CR, but in
15 terms of the overall density which I think is
16 much lower than what would be permitted by those
17 zoning categories, do you find that those are
18 more consistent with, just in terms of, putting
19 aside the height issue but just the proposed
20 density of the site meets, is closer to meeting
21 those comp plan estimations?

22 MR. OBERLANDER: I didn't do the

1 calculations. But if the density can be
2 accommodated in no more than 50-foot heights,
3 yes. But then the open space would disappear
4 in all likelihood.

5 COMMISSIONER MILLER: Right.
6 Right, so --

7 MR. OBERLANDER: The problem is
8 not of height or density. The problem is the
9 economic driving force of trying to build up
10 enough housing and enough other spaces to
11 afford some of the open space. That's the
12 issue.

13 COMMISSIONER MILLER: Right. Now
14 I was just trying to, yes, I recognize that too
15 but I was just trying to see if you could agree
16 that the actual FAR levels for the overall site
17 or even for the northern site, if it's closer
18 to what would be considered in those comp plan
19 categories.

20 MR. OBERLANDER: I respectfully
21 disagree with the approach that you're taking.
22 You usually zone an area and allow certain

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1 densities rather than to establish a density
2 and then create a zone for it. That's, and
3 you're suggesting that this density isn't
4 generally acceptable.

5 COMMISSIONER MILLER: But you
6 would acknowledge though that the FAR, the
7 maximum FAR for individual parcels or for the
8 overall site is much less than what would be
9 permitted by those zoning categories in terms
10 of the proposed project?

11 MR. OBERLANDER: Yes, if you do the
12 calculations but there's still the potential in
13 modifications that come along later to increase
14 the density beyond because you're rezoning the
15 area. If you rezone it C3C that makes it the
16 matter of right.

17 COMMISSIONER MILLER: That would
18 work. In a POD, you're actually just --

19 MR. OBERLANDER: Okay, but the --

20 COMMISSIONER MILLER: -- setting
21 the FAR --

22 MR. OBERLANDER: -- POD gives you

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1 the extra height. It also gives you extra
2 density, yes.

3 MR. OBERLANDER: Right. Okay.
4 Thank you. Mr. Salatti, in terms of the
5 affordable housing issue, I would agree with
6 your concern if the only affordable housing
7 being offered were at the 80 percent AMI level.

8 But you do recognize that the
9 senior affordable housing that's being offered
10 which is about 30 percent of the multi-family
11 building is at the 50 to 60 percent AMI level.

12 MR. SALATTI: Well, I recognize
13 that the --

14 MR. OBERLANDER: Okay.

15 MR. SALATTI: -- senior housing is
16 a possibility. I can't say that the senior
17 housing is -- oh, thank you. Oh, so you're
18 always serving, Mark.

19 You know, so that's my sense of it,
20 but the senior housing, again, the problem with
21 the senior housing is with so many aspects of
22 the plan is that it's all possible.

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1 So if you come back and tell me the
2 senior housing is definitively going to be in
3 this, then we can have a conversation. But
4 until then, not so impressed and frankly, even
5 the senior housing at 50 to 60, okay, that's
6 better than 80.

7 But when you're allowing 80 percent
8 and that's going to be a good chunk of it, that's
9 not again, I'm giving you from the street view
10 the average person's point-of-view of what
11 affordable housing is not the people in the
12 \$80,000 range or even maybe 60,000.

13 Maybe, yes, okay, those are people
14 who might need some help, but that's not what
15 we're thinking about. So people who are making
16 35, 45, \$50,000, well, they're not being
17 well-considered.

18 And I think the critical aspect
19 here, even to your last question, to Mr.
20 Oberlander, this is our property. This is
21 isn't private property that we're now putting
22 some imposition on some private land owner of

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1 what they can do with their land or not. This
2 is city property that is, again, it is the
3 people's. We own it as taxpayers.

4 So to say, well, you know, don't you
5 know that there's maybe 50 or 60 percent senior,
6 well, yes, but what is the policy of the
7 District of Columbia as a governing entity?

8 Not, I'm a private land owner and
9 well, you know, I have to follow these kind of
10 rules here because, okay, the City put some
11 impositions on me as a private land owner and
12 I have to kind of work those.

13 No, this is as I've stated, this now
14 becomes Government policy. And I think that
15 shifts the question on both this point and the
16 one you raised with Mr. Oberlander about, well,
17 you know, is it matter of right? You know, how
18 the FARs work and blah, blah, blah.

19 This is not putting an imposition
20 on a private land owner. This is public land.
21 How do we deal with historic public land and
22 public space? So again, it's how you want to

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1 really, where's your foundation as to how we're
2 going to look at this.

3 MR. OBERLANDER: I think --

4 MR. SALATTI: And that's why the
5 conversation would be different than, for
6 instance, when the Armed Forces retirement home
7 came before this entity and other entities.

8 They're, essentially in this
9 discussion anyway, a private land owner. And
10 so it's a different discussion as to what they
11 can do versus what can be done here.

12 COMMISSIONER MILLER: I
13 appreciate the distinction, but just to respond
14 to your comment about it's just a possibility
15 of senior housing, I guarantee that the zoning
16 order will not read --

17 MR. SALATTI: Well --

18 COMMISSIONER MILLER: -- that
19 there will be a possibility or a hope or it'll
20 be a certain number, the number that's been
21 proposed in this application, 86, I think it was
22 or whatever and at 50 to 60 percent annually.

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1 MR. SALATTI: Then I will take the
2 Chairman's advice and applaud silently on that
3 point.

4 COMMISSIONER MILLER: Thank you.

5 CHAIRMAN HOOD: Mr. Synder, we
6 appreciate you letting you know the schedule.
7 We have not heard the retirement home, but since
8 you just let us know it's eventually coming, we
9 appreciate that. Okay. The retirement home
10 has not been in front of this Commission as of
11 yet.

12 Let me, Mr. Miller, this goes back
13 to something I asked the other day about the
14 simulation, and I know, let me see what time it
15 is because you speed it you said for the second
16 time.

17 But I wanted to go back to that and
18 I want you to slow it down for the sake of me
19 understanding and seeing exactly what's going
20 on there. Now, we're not going to slow it down
21 for the whole thing, but just slow it down
22 because I thought that was moving kind of fast.

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1 MR. MEHRA: Actually, what I have
2 is really the video of the simulation. So I
3 cannot change the speed. I can only run it at
4 one speed.

5 CHAIRMAN HOOD: Okay.

6 MR. MEHRA: Yes, so.

7 CHAIRMAN HOOD: All right. Well,
8 no sense in going back up. But this goes back
9 to my question I asked. You're trying to
10 understand how that's done in the simulation.
11 Do you put some data in there? Is that what you
12 did or how does that work?

13 MR. MEHRA: Yes, we have data for
14 one hour of traffic flow. And for example, in
15 this particular case it's the a.m. peak hour.
16 Then, traditionally, what you put in is
17 pedestrian crossings, bicycle crossings, bus
18 stops, number of buses that are stopped at a
19 stop. Most of that information is missing in
20 this particular simulation because that was
21 developed by Gorove Slade, but traditionally
22 you would input all that.

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1 Then you also have what I call a
2 peak contractor, you know, the peaking of the
3 traffic.

4 CHAIRMAN HOOD: So slow down and
5 help me out here. I'm trying to understand.
6 So the simulation we saw tonight was from Gorove
7 Slade?

8 MR. MEHRA: Let me back up here.
9 Gorove Slade developed the Synchro model and
10 the Synchro model has all the inputs required
11 to run the simulation which is run using a
12 different model called SimTraffic.

13 So Synchro and SimTraffic have been
14 developed by the same consultant and they are
15 sort of linked together. So SimTraffic is like
16 a second step after Synchro.

17 CHAIRMAN HOOD: Okay.

18 MR. MEHRA: And SimTraffic
19 basically is more at a micro level that you can
20 actually see the, you know, the vehicles
21 flowing, you can get a better estimator of
22 queues or travel time between intersections.

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1 So it gives you more realistic values.

2 CHAIRMAN HOOD: I'm going to ask
3 the District Department of Transportation, as
4 I have in the past on some of your analysis, to
5 review your analysis and come back with a
6 findings as just so how they did similar to the
7 applicants.

8 MR. MEHRA: Okay.

9 CHAIRMAN HOOD: So I know, Ms.
10 Chamberlin, you have anything you want add?
11 Have you already done that and I just --

12 MS. CHAMBERLIN: Yes, we've
13 already done that.

14 CHAIRMAN HOOD: Okay. Is there
15 any --

16 MS. CHAMBERLIN: So what he
17 identified was something we had actually put in
18 our report which we asked for a monitoring
19 program regarding the left turns from North
20 Cap.

21 CHAIRMAN HOOD: Okay.

22 MS. CHAMBERLIN: And that's what

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1 he was trying to show that there was some
2 queuing on North Capital.

3 CHAIRMAN HOOD: Okay. So, but I
4 mean, even as far as in what we've received here
5 recently, have you had a chance to look at Mr.
6 Mehra's supplemental reports?

7 MS. CHAMBERLIN: The one that just
8 came in today, I looked over it just now.

9 CHAIRMAN HOOD: Okay. Do you have
10 any concern off the cuff? Do you need more time
11 to analyze it or do you have any concerns? Is
12 what he had very valid or because it's
13 contradicting what's the proposal? What he
14 has, is that valid or --

15 MS. CHAMBERLIN: Well, it's not
16 necessarily contradicting a lot of the items
17 that we've already pointed out in our reports.
18 That's why we're making some of the requests for
19 the trip caps and the monitoring program.

20 CHAIRMAN HOOD: Okay. Okay. All
21 right. So you can assure me Ms. Chamberlin
22 that what Mr. Mehra's said, you all have already

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1 looked at and if this project was to move
2 forward tweaking some of the mitigations, this
3 would be satisfactory to move forward as far as
4 the traffic standpoint?

5 MS. CHAMBERLIN: With all the
6 mitigations, correct.

7 CHAIRMAN HOOD: Okay. So.

8 COMMISSIONER TURNBULL: Mr.
9 Chair, I just want to continue on with your line
10 of questioning.

11 So, Mr. Mehra, in this simulation,
12 in your presentation you mentioned a lot of
13 things that Gorove Slade from your standpoint
14 didn't include.

15 MR. MEHRA: That's correct.

16 COMMISSIONER TURNBULL: Did you
17 add any of those into this simulation?

18 MR. MEHRA: No. No. It's a
19 pretty detailed time-consuming task and we were
20 just retained two weeks ago so we don't have the
21 time required to set that up.

22 COMMISSIONER TURNBULL: So, from

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1 your standpoint, the simulation if you were to
2 do it would be worse?

3 MR. MEHRA: Definitely.

4 COMMISSIONER TURNBULL: Okay.
5 Thank you.

6 CHAIRMAN HOOD: You know, I
7 appreciate all the data plugging in and
8 everything but, you know, I'm a realist like I
9 said, you know. This is something else.
10 Anyway, I'm going to --

11 COMMISSIONER TURNBULL: Mr.
12 Chair, I'll just ask Ms. Chamberlin again.

13 Considering Mr. Mehra's comments
14 about what he said is missing, can you comment?
15 Maybe not tonight but can you comment on --

16 MS. CHAMBERLIN: Correct. When
17 we did our analysis in review of the Synchro and
18 also the Sim Traffic that was shown, we did
19 reduce the amount of the projections that they
20 had in their analysis and that's how we came up
21 with our trip cap.

22 So our trip cap is actually a

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1 reduction from what they had shown in their
2 analysis and it's what -- we were able to
3 demonstrate that could work in the system.

4 That's why the trip cap that we've been
5 asking is very important, because it's actually
6 a reduction of what they had projected and it's
7 what we feel can work in the existing system.

8 CHAIRMAN HOOD: Any other
9 questions?

10 Okay. Does the applicant have any
11 cross-examination, Ms. Brown?

12 MS. BROWN: I have two very quick
13 questions for Ms. Gusevich.

14 The plan that you showed tonight
15 was presented to the HPRB. Is that correct?

16 MS. GUSEVICH: Yes, an earlier
17 version was presented to the HPRB. That's
18 correct.

19 MS. BROWN: And the HPRB accepted
20 the concept plan that was submitted to the
21 Zoning Commission and not your plan. Is that
22 correct?

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1 MS. GUSEVICH: To my understanding
2 the HPRB, and I'm not an expert on this -- two
3 things. One is the Applicant included a number
4 of recommendations that we had made for which
5 --

6 MS. BROWN: That's not my
7 question.

8 MS. GUSEVICH: The second is the
9 HPRB, to my knowledge, has not approved the plan
10 because of the amount of demolition required
11 and that's the reason why it was being sent.

12 MS. BROWN: Thank you.

13 MS. GUSEVICH: That's my
14 understanding. That's the reason it was being
15 sent to the Mayor's agent.

16 MS. BROWN: Thank you.

17 CHAIRMAN HOOD: Okay. ANC-5E.
18 Do I see Mr. Barnes?

19 Okay. That's it. Thank you all
20 very much. We appreciate your testimony.

21 MS. FERSTER: Thank you.

22 CHAIRMAN HOOD: Ms. Schellin, give

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1 me a minute and let me find -- I have it.
2 There's quite a bit of paper up here from the
3 training session we had today. I would love to
4 find things a little quicker.

5 Okay. We're going with persons in
6 opposition. Ms. Laura Jackson.

7 Ms. Schellin, do I have my -- okay.
8 Here is the list.

9 Matthew Bader, Michael Cahill,
10 C-A-H-I-L-L, Joseph Levek, Alexandra
11 Tharrington.

12 No. 22, Ms. Schellin. Could you
13 help me with that one? Oh, Ms. Slade. Okay.

14 Keveet Keller on behalf of Victoria
15 Brent, Stronghold Civic Association. Michael
16 -- okay. I'm sorry. Laura Faiser. Lauren.
17 Is Lauren here? Anybody whose first name is
18 Lauren?

19 Ms. Schellin, can you make out 42?
20 Help me with that. I can't make out the last
21 part at all. J-A-Y.

22 Okay. Let me say this. At the top

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1 of the list it says if you wish to testify,
2 please print your name below and complete two
3 witness cards. It would be very helpful if we
4 print out names because I can read, believe me.

5 Wanda Murphy. Okay. Tony
6 Norman, Katherine Young.

7 MS. YOUNG: I'm here.

8 CHAIRMAN HOOD: Okay. You're
9 here. Two more. Philip Blair and Sam
10 Shipley. That's enough. I stopped off at Sam
11 Shipley.

12 Okay. Let's go back to Ms.
13 Jackson. You may begin.

14 MS. JACKSON: Good evening, Mr.
15 Hood, and members of the Zoning Commission. My
16 name is Laura Jackson and I live at 29 Franklin
17 Street, N.E., which is in the Stronghold.

18 I strongly oppose this development
19 and appeal to you that the basic motive is
20 survival. Not only self-preservation, but
21 also survival of my community as well.

22 There is a zoning map that's on the

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1 third page of the document and my testimony is
2 on that and it will be easier to follow using
3 that map. I have three points that I'll try to
4 do in my three minutes.

5 The first thing is that there is a
6 pancreatic cancer epidemic in the Stronghold
7 community. We don't know what's to blame but
8 we know what is.

9 We know that in the past 18 months
10 that six people living in that 12-block radius
11 that is directly across from the McMillan
12 filtration system have developed pancreatic
13 cancer. Four of these people have already died
14 and another one is in home hospice.

15 EPA has been working with us and
16 they have contacted several agencies including
17 the Agency for Toxic Substances and Disease
18 Registry, the Department of Health, and D.C.
19 Water to review this crisis to determine if
20 environmental factors are the cause of this
21 epidemic.

22 In 2012 and 2013 there were only 80

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1 cases of pancreatic cancer in the whole if
2 Washington, D.C. Since I wrote this we found
3 out on Saturday that in Ward 5 40 percent of the
4 advanced breast cancer of the entire
5 Washington, D.C. is there.

6 I'll have to go through this real
7 fast for the other two points.

8 With the 200 feet distance also on
9 that calendar -- I mean, on that map -- on that
10 map the Xs represents people with pancreatic
11 cancer. The 200 feet is the boundary that was
12 submitted.

13 As you can see, our homes are
14 outside of that boundary and only one of those
15 people were inside that boundary. We are one
16 block away from McMillan but there's a few feet
17 up in the right-hand corner in Park Place you
18 have 129 homes that are included in that and
19 they are not even shown on the map so we're
20 asking for an exception for whatever rule that
21 excludes us from the 200 feet that will give us
22 more credit on our views and concerns.

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1 The third thing is that when EAP was
2 helping us -- EPA, I'm sorry. When they were
3 helping us they discovered on the website that
4 although the developers had recently published
5 the existing conditions assessment and
6 feasibility evaluation, another study, there
7 were not any studies that pertain to the public
8 health or water aspects. It was recommended
9 that there be a remedial investigation
10 feasibility study prior to construction.

11 CHAIRMAN HOOD: Okay. Thank you.
12 We do have your testimony.

13 Next.

14 MS. YOUNG: I'm reading on behalf
15 of Victoria Brent.

16 CHAIRMAN HOOD: You want to turn
17 your mic on?

18 MS. YOUNG: Okay. Sorry. My
19 name is Katherine Young but I'm reading on
20 behalf of Victoria Brent, president of the
21 Stronghold Civic Association. I was vice
22 president of the Civic Association until last

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1 January.

2 Dear members of the Zoning
3 Commission. The Stronghold Civic Association
4 wishes to submit as testimony for Zoning Case
5 13-14. The Stronghold community is directly
6 east of the McMillan site across North Capital
7 Street and will be the most directly and
8 immediately affected by the character of any
9 development of the site.

10 The submitted documents describe
11 consistent Stronghold concerns about the
12 height, density, mass, and setback of the
13 proposed development for the site.

14 The Stronghold Civic Association
15 has had a long history of great concern about
16 his development of the McMillan site and has
17 actively and enthusiastically participated in
18 the process of finding ways to revitalize the
19 site for the community's benefit.

20 The Stronghold Civic Association
21 has featured presentations on many aspects of
22 proposed development ideas for the McMillan

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1 site for a long time and publicly announces each
2 of these meetings with flyers delivered by hand
3 to each household in Stronghold seeking both to
4 invite the participation of all residents, and
5 let everyone know the issues and the concerns
6 at each step.

7 All Stronghold Civic Association
8 positions on McMillan development are the
9 result of long careful consensual discussion
10 and debate in committee and in the committee the
11 whole presented to the voting membership for
12 acceptance. We are proud of all the consensus
13 that we've been able to build on this matter.

14 The submitted documents I don't
15 need to read the dates for you. They are in the
16 testimony submitted by Victoria Brent but she
17 wanted to enunciate to stress the support of the
18 community benefits having to do in order of
19 traffic, beautification, educational
20 programs, and affordable housing. Thank you
21 very much.

22 CHAIRMAN HOOD: Thank you.

1 Next.

2 MR. BLAIR: Yes, sir. My name is
3 Philip Blair. You asked for our street
4 address. I'm --

5 CHAIRMAN HOOD: Turn your mic on.

6 MR. BLAIR: I'm Philip Blair. I
7 live in Brookland at 1518 Kearney Street. I
8 have no financial interest in the success of
9 this project except as a taxpayer in the
10 District of Columbia. That is information
11 that I think you should begin to require from
12 every witness before you.

13 I want to -- as involved in civic
14 stuff as I am, one of the pleasures of it are
15 the people you meet, especially people on your
16 side. Back when my hair was red I met a lot of
17 great people who are still friends through this
18 fight about McMillan.

19 I am very happy to say that in
20 recent years I made a batch of brand new friends
21 and people whom I admire greatly. They have
22 the IQ, the hard work, the ingenuity, and

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1 especially the iron bladders that make this
2 kind of thing possible.

3 You have had some people testify
4 about their conversion experiences, that they
5 once were in favor of the project but as they
6 looked at the details of it and what it really
7 meant, they switched over to the opposition to
8 the project. I would like to announce my
9 conversion as well.

10 At one point I thought that we could
11 work with the city government trade-off of
12 some development for the preservation of the
13 most important, and especially the underground
14 portions of the site.

15 Experience over the past few years
16 has told me that I was wrong. I have come to
17 the conclusion, and reluctantly, that my
18 government and the District of Columbia is
19 quite incapable of treating this site with the
20 care and vision that it deserves.

21 If my choice is another 30 years of
22 fences and demolition by neglect, I will take

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1 that over what is offered today. When the city
2 comes to its senses again, then we'll be able
3 to do the right thing.

4 I think you have before you a
5 situation sort of like the Lizzie Borden case.
6 You know, she killed her mother, she killed her
7 father, and then told the judge to take pity
8 because she was an orphan.

9 The people that have kept us out of
10 this park all this time are the people who are
11 now saying that it is a wasteland and derelict
12 and hopeless and they want something done with
13 it.

14 The bureaucratic structure that is
15 governing this process right now is an
16 invitation to waste and fraud and dishonesty.
17 Those are ugly words. I don't use them
18 lightly. In my written testimony, which you
19 will soon have, I detail examples of all of
20 those.

21 Please, gentlemen, and Mrs. Cohen,
22 reject this proposal before you now. Thank

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1 you.

2 CHAIRMAN HOOD: Okay. Thank you.

3 Next.

4 MR. SHIPLEY: Chairman Hood,
5 members of the Zoning Commission, thank you for
6 allowing me to testify about this project. My
7 name is Sam Shipley and I am a resident in the
8 Stronghold neighborhood across from the site.
9 I also served on the McMillan Advisory Group
10 Traffic and Transportation Subcommittee.

11 So here we are, the fourth and final
12 Zoning hearing for this project. I think it's
13 about time we look at some of the main
14 take-aways. First, we have heard ad infinitum
15 from the city, the developer, and the paid
16 consultants that the main reason to approve
17 this zoning variance is that the process has
18 gone on too long.

19 What bothers me about that phrase,
20 however, aside from the fact that mediocre
21 development is mediocre development, is that
22 you would think if a process has gone on too

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1 long, all of the details would be finalized and
2 there would be few outstanding questions.

3 In fact, what we've learned over
4 these past four nights is that there's almost
5 nothing guaranteed and set in stone with this
6 project. Major questions remain, important
7 details have not been thought through, and
8 there's still far too much obfuscation on the
9 part of the developer.

10 What they are asking you to do in
11 essence is to approve this project and then, in
12 the words of Commissioner Barnes, hope
13 everything works out. That's not good enough
14 for D.C. and that's not good enough for this
15 project.

16 What else have we learned? We've
17 learned from this project -- we learned this
18 project was sold to us by a PR firm out of
19 Baltimore, Maryland that used a two-prong
20 strategy. One, create a fake neighborhood
21 organization to spin the truth from real
22 neighbors.

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1 Two, to focus everyone's attention
2 on two things; a grocery store and a park and
3 not on the hideous high-rise medical buildings
4 or that this plan is being built for new
5 residents and not our current ones.

6 So what about traffic? Well, we
7 now know that this development is being
8 designed as car oriented and to say otherwise
9 is an outright lie. This development will
10 bring over 10,000 car trips per day to the site.
11 We already know that North Capital Street and
12 Michigan Avenue have already received failing
13 grades from DDOT.

14 This does not sound like the plan
15 of a group that has worked on this for far too
16 long. It sounds like something hastily thrown
17 together to maximize their dollars and leave
18 the neighbors with a fallout mess.

19 This is a site that is on the
20 National Register of Historic Places and will
21 be destroyed with a mediocre suburban
22 car-oriented development. It deserves better

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1 and a first necessary step to ensure this
2 project does not fall victim to these pitfalls
3 is to reject the proposed zoning request.
4 Thank you.

5 CHAIRMAN HOOD: Thank you.

6 Next.

7 MS. THARRINGTON: Good evening.
8 My name is Alex Tharrington. I'm a five-year
9 resident of Ward 5 and I'm a Friend of McMillan
10 Park. I grew up in rural Warren County, North
11 Carolina, one of the state's poorest.

12 My mother, a transplant art teacher
13 from an educated family in Ohio, was always
14 determined to make sure I knew the world beyond
15 our tobacco farming community and D.C. was my
16 classroom in that regard.

17 As a child from the country, D.C.
18 was a majestic place full of wonder-inspiring
19 sites and places that I could never experience
20 back home. For me it represented a place where
21 the past meets the yet to come, history meets
22 vision, and where former foresight meets future

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1 dreaming. It has always been my favorite city
2 and has always been where I wanted to spend my
3 adult life.

4 On Friday I am happy to report I
5 closed on a house in Manor Park and I became a
6 first-time homeowner. My dream of being a D.C.
7 homeowner became a reality. It's really
8 exciting for me.

9 As I look towards spending the next
10 decades of my life in this city, joining a
11 community, raising a family, I am dismayed and
12 disturbed by the lack of vision our leaders and
13 planning professionals seem to have when it
14 comes to the future of our city's great spaces.

15 We, the people of D.C., have in our
16 possession a special and beautiful asset that
17 could be turned into something visionary,
18 creative, iconic. What is being offered by the
19 proposed development couldn't be more
20 different; 13-story medical office buildings,
21 big-box grocery if it ever comes, even more
22 traffic woes, and a corporate lawn managed by

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1 a business improvement district.

2 Again, this is land owned by the
3 taxpayers of the District of Columbia and our
4 government should be responsive to its
5 constituents' requirements.

6 In fact, in 2002 the city spent
7 significant money and significant time asking
8 the community around McMillan what they wanted
9 to see at the site, the only time the city, the
10 owner of the site, has done so.

11 The proposed development gives
12 them everything they didn't want; high-density
13 development with views that go nowhere, the
14 paucity preservation of public open space, and
15 the wholesale destruction of priceless
16 underground historic infrastructure.

17 VMP pretends they have gathered
18 community input but, in fact, from the
19 beginning they have pushed a "we know what you
20 need" plan down our throats and to help them do
21 so have hired on not one but two community
22 outreach firms shipping in their version of

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1 "grassroots" from Baltimore.

2 This site is an Olmsted designed
3 space listed on the National Register and it
4 deserves better, and we deserve better than a
5 plan that looks like a first-year architectural
6 student's failing final project.

7 We only get one chance to do this
8 right. I'll say that again. We only get one
9 chance to do this right. Cities all around the
10 world are moving into the future with
11 forward-thinking adaptive re-use projects that
12 truly serve the public. Why not the District
13 of Columbia?

14 I urge this body to reject the
15 zoning for the proposed development of McMillan
16 Park. Thank you.

17 CHAIRMAN HOOD: Thank you.

18 Next. MR. NORMAN: My
19 name is Tony Norman. I'm speaking as a
20 resident. I'm just going to touch upon some
21 things. I testified and submitted written
22 testimony but there are some things I didn't get

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1 a chance to elaborate on more.

2 One of the things I want to talk
3 about is the MAG which we didn't hear a lot
4 about. I would have thought that the deputy
5 Mayor would have informed you all of what the
6 MAG was since it was the deputy Mayor of
7 Economic Development and the Mayor that set
8 this organizational structure up.

9 In fact, it was set up to avoid this
10 very kind of thing from happening, the
11 residents coming down here outraged and doing
12 this, that, and the other. It was set up and
13 endorsed by the Mayor and by the city counsel.

14 The MAG is composed of all the
15 community stakeholders; Bloomingdale
16 representative, two Stronghold
17 representatives, Parkview, Edgewood. All of
18 the surrounding communities.

19 And it's also composed of the ANC;
20 the chairman of the ANC, the local
21 commissioners, ANC-1B. It's also composed of
22 a representative from the councilmember Ward 5

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1 office. It's composed of a representative
2 from the Chairman of Economic Development of
3 the city council. They had a representative
4 there.

5 The developer sits on that group.
6 The Mayor has a representative. The whole
7 point of that was to bring everybody together
8 and it was suppose to come up with a development
9 plan. Take the considerations of the
10 community and come up with a concept and a plan
11 that everybody can agree upon.

12 Not only that, it was suppose to
13 stay in existence during construction and after
14 construction to make sure that the things that
15 everybody commits to they are going to be
16 committed to.

17 Now, the question should be asked
18 why didn't that happen? What happened to it?
19 It's a phantom mystery organization now. It's
20 a structure -- it is an outreach of the deputy
21 Mayor's Office of Economic Development.

22 That's who set it up. Victor Hoskins

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1 strongly endorsed it. The Mayor strongly
2 endorsed it. The council strongly endorsed
3 that concept. We've been meeting twice a month
4 for the last five or seven years.

5 The problem is they didn't exactly
6 like and agree with some of what the community
7 was saying. The developer and the city wanted
8 to cherry pick. Let's just be frank. They
9 cherry picked community leaders who they want
10 to sit down and talk with. That's why you had
11 frustration from the Bloomingdale Civic
12 Association.

13 They want to cherry pick certain
14 commissioners who like their plan and they
15 avoid the other community who have some -- it's
16 not that they didn't like it. They have
17 reservations. They had recommendations they
18 wanted to add to the plan.

19 So they just decided they wanted to
20 cherry pick community leaders. That's the
21 bottom line to be honest with you. That's what
22 happened. That's why the MAG situation

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1 started to falter and fail.

2 They stopped coming to the MAG
3 meetings to some extent. I was chair of the MAG
4 for a couple of years. Even councilmember
5 McDuffie was chair of the MAG maybe three or
6 four years ago a couple of times.

7 It was an entity that was sincerely
8 set up to come to a resolution and we are still
9 meeting twice a month. The fact is everybody
10 got to come to the table and they got to stay
11 at the table no matter what the disagreements
12 are and that didn't happen. Thank you.

13 CHAIRMAN HOOD: Thank you.

14 Next.

15 MR. LEVEK: My name is Joe Levek.

16 CHAIRMAN HOOD: You want to make
17 sure your mic is on.

18 MR. LEVEK: My name is Joe Levek.
19 I've lived in Bloomingdale for 28 years. I
20 haven't seen a 3D scale of this proposed plan
21 so I brought one tonight. It's more like a 2nd
22 grade art project. One inch equals 10 feet.

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1 This is an individual six-foot person.

2 This is a stand tower, 32 feet tall,
3 4 inches. This is the office buildings, 13
4 inches tall. That means 130 feet. This is the
5 north service corridor. This is what happens
6 when you have buildings this large next to these
7 sand filtration towers and this is just one
8 building. They are going to be surrounded by
9 buildings like this.

10 That is the 3D model that I have not
11 seen so we would have a sense of how these things
12 are going to be overwhelmed. These towers are
13 going to be overwhelmed on these service
14 corridors.

15 You've seen many people that are
16 opposed to this present development for several
17 reasons. A few minutes is not a long time to
18 discuss all these issues but one common concern
19 is the traffic. It's the medical office
20 buildings that are too tall that are the prime
21 source of all this traffic.

22 How do you reduce this excessive

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1 traffic? You don't allow zoning for 130-foot
2 buildings in Parcel 1. This would lower the
3 height of the buildings and keep them within
4 certain restrictions.

5 These visible limitations would
6 reduce the number of vehicles and traffic
7 congestion on surrounding streets. It would
8 also mean that silos and regulator buildings
9 would not be completely dominated and
10 overshadowed and overwhelmed by towering
11 130-foot tall office buildings.

12 About 10 years ago I happened to
13 notice there was a gridlock at First and
14 Michigan Avenue. DDOT came in and made some
15 changes there. They opened up the street.
16 Now VMP wants to reverse those changes and
17 create more congestion over there.

18 I'm going to move on to the
19 underground cells. There was testimony that
20 the underground cells are unstable and
21 unpredictable. We need to have a guarantee up
22 front that these cells will be stabilized and

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1 reconstructed so they can be used as planned.
2 The purpose of the cells is an integral part of
3 the McMillan proposal; one for a community
4 center and one for future commercial uses.

5 I'm going to tell you a story that
6 is very seldom heard. Exactly a quarter of a
7 century ago, 1989 this month, three
8 Bloomingdale residents opened up McMillan Park
9 and threw a party there. I was one of those
10 individuals.

11 It was a community affair that
12 hundreds of people attended. Actually, Mr.
13 McDuffie is not aware of this. It was the only
14 time since WWII that we actually had a party and
15 it was a wonderful day. I hope that we can do
16 that again some day.

17 CHAIRMAN HOOD: Okay. Thank you.

18 Next.

19 MR. BADER: My name is Matthew
20 Bader. I currently serve on the executive
21 board of the Bloomingdale Civic Association and
22 is one of two representatives for our

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1 association on the McMillan Advisory Group as
2 Teri Janine mentioned earlier.

3 While I personally oppose the
4 project for a number of reasons that are
5 highlighted in my written testimony, I would
6 like today to just testify about one specific
7 recommendation prioritized by our Civic
8 Association.

9 I request that the Commission
10 support the BCA recommendation to preserve and
11 adaptively reuse additional underground cells
12 for community and retail uses. Specifically I
13 agree with the BCA request that the Commission
14 require VMP to identify two or three additional
15 underground cells for preservation adaptation
16 and reuse.

17 I also agree with its request that
18 VMP define and commit to a specific use both for
19 the cells already planned for preservation and
20 additional cells were this recommendation put
21 into effect.

22 Although the Office of Planning

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1 hearing report states that the plan calls for
2 the preservation of a majority of the
3 structures, both underground and above ground.
4 This is not, in fact, the case.

5 In the summary recommendations for
6 site revitalization jointly issued by the D.C.
7 Office of Planning and Department of Community
8 Development in February 2002 it states that one
9 of the community revitalization goals for this
10 site is to preserve and adaptively reuse the
11 site features.

12 This goal is further defined as the
13 use of currently stable cells as a historic
14 record of the site and in areas where the cell
15 structure may be completely or partially
16 removed, an incorporation of references to the
17 removed elements.

18 In each of the five scenarios put
19 forth in the report, at least five cells were
20 to be adaptively reused in some capacity. The
21 effort to arrive at this recommendation was the
22 result of broad stakeholder involvement to

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1 include community participants, technical
2 advisors, and elected officials. It is my
3 belief that this recommendation still reflects
4 the sentiments of the Bloomingdale community
5 and should be honored.

6 The proposed master plan falls
7 short of the intended goals for the site. As
8 documented both in 2002 and in the interest of
9 the Bloomingdale community as specified in our
10 resolution, the Stage 1 PUD application
11 submitted to the Zoning Commission proposes
12 preservation for only one-and-a-half of the 20
13 underground cells.

14 Further, stated in the Office of
15 Planning hearing report, cell 14 will be used
16 by D.C. Water's long-term control project until
17 2022. This means that plans for the adaptive
18 re-use of and access to the only preserved cell
19 on site will be restricted until at least five
20 years after the planned completion date for
21 State 1 development. What's more,
22 there is no firm commitment from the developer

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1 or the District for the restoration of this cell
2 if problems arise during the period it is used
3 for the D.C. Water long-term control project.

4 The development plan calls for
5 erection of a medical office building with
6 multiple levels of underground parking
7 immediately adjacent to this cell.

8 According to the structural
9 engineering report where demolitions or
10 excavations are proposed in adjacent areas,
11 additional measures will be required for
12 reinforcement to protect against
13 settlement-related damage and instability.

14 This plan falls short of
15 identifying how reinforcement of the cell will
16 occur and does not commit to restoration of the
17 cell were related damage and instability to
18 occur. To the other recommendations, neither
19 VMP nor DMPED defined specific uses and we would
20 like to see that.

21 CHAIRMAN HOOD: Thank you.

22 Commissioners, any questions of

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1 this panel?

2 Mr. Norman, I want to come back to
3 you about the MAG. You all are still meeting.
4 When is the next meeting?

5 MR. NORMAN: We had a meeting
6 scheduled for Thursday, this coming Thursday,
7 but we had to cancel it because we understand
8 that Vision is meeting with the ANC on the
9 community amenities package which we didn't
10 know about so we got --

11 CHAIRMAN HOOD: Who is the head of
12 MAG now?

13 MR. NORMAN: Presently it's Dianne
14 Barnes. She's the chair.

15 CHAIRMAN HOOD: Who is the -- do
16 they have a vice chair?

17 MR. NORMAN: Yes, Chris.

18 PARTICIPANT: He's in Europe.

19 CHAIRMAN HOOD: He's in Europe.
20 So when is the next meeting? I mean, how did
21 these meetings come about? I'm trying to
22 figure out how we're -- when is the next

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1 meeting.

2 Not that I'm coming but I think --
3 I would like to make sure that there is another
4 meeting to bring everybody back to the table
5 because it sounds like exactly what I said
6 earlier. It sounds like it was a great idea.
7 Everybody was at the table whether you
8 disagreed or not.

9 Basically, at least from my
10 standpoint on this Commission, those meetings
11 have been very successful. Now, you said it
12 went poof when everybody didn't agree. I think
13 we should still stay at the table. If you don't
14 get all what you want and everything don't go
15 your way, you just don't disman the group.

16 That's very concerning because I
17 know when Rick Sewell was there when that area
18 was 5C years ago so I think -- I'm trying to
19 figure out how to get everybody back to the
20 table. Not to start over again, though, but
21 work with what's being presented.

22 MR. NORMAN: We've been meeting at

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1 least twice a month. If you don't meet this
2 Thursday, we'll probably meet the following
3 Thursday. We are still meeting. We didn't
4 stop meeting.

5 CHAIRMAN HOOD: So will you be one
6 of the advocates to get everybody back to the
7 table?

8 MR. NORMAN: Sure. I mean, all of
9 the community people are at the table. We got
10 to get the Vision and the city, the deputy
11 Mayor's office, back at the table and the
12 developers back at the table.

13 CHAIRMAN HOOD: I'm more concerned
14 about the community and the Applicant. The
15 deputy Mayor's office and all, I'm more
16 concerned about the impacts of the folks who
17 live there, as well as being good neighbors with
18 the Applicant.

19 If you don't agree, there's no
20 reason to get up and say, "I'm done with it."
21 We still got to try to close the bridge. Will
22 you take that assignment on for me?

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1 MR. NORMAN: Sure. In fact, it
2 was our hope that the community amenities
3 agreement would be negotiated through MAG since
4 it has all of the community stakeholders.

5 CHAIRMAN HOOD: There are some
6 things that are enforceable through the ANC. I
7 don't want to get into the legal part of it, but
8 you have Ms. Barnes there. Could you pass that
9 on? I'm looking at you and her to pull it back
10 together.

11 Let's go to the table. If you
12 don't agree with the Applicant, it doesn't mean
13 -- well, I'm not going to tell you how to run
14 a meeting. You know what to do.

15 MR. NORMAN: Oh, we would love to
16 get them all back at the table. I will follow
17 up on that.

18 CHAIRMAN HOOD: I'm actually going
19 to be looking for a report from that, Ms.
20 Schellin, so if you could put that down.

21 Commissioners, any other
22 questions?

1 COMMISSIONER TURNBULL: Yes, Mr.
2 Chair. I just have one for Ms. Tharrington.

3 I take it you're familiar with the
4 statement that this looks like a first-year
5 architectural student's project?

6 MS. THARRINGTON: I can imagine.

7 CHAIRMAN HOOD: Make sure your mic
8 is on.

9 MS. THARRINGTON: Oh, yeah. I
10 think if you -- well, one thing that I'll say
11 is actually on Twitter. I don't know if you've
12 noticed but there's been lots of activity going
13 on back here.

14 There is an entire conversation
15 happening about this publicly and online. It
16 was amusing to me because the very first night
17 when some of those images and renderings were
18 put up, I had already written this testimony and
19 prepared to give it that evening.

20 Someone else completely -- you
21 know, someone else commented online that the
22 renderings looked like a first-year

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1 architectural student had been messing around
2 in a rendering program.

3 I can confidently say that, no, I
4 do not -- I'm not familiar with what that
5 exactly looked like but that sentiment is a
6 common one that we have heard.

7 COMMISSIONER TURNBULL: Thank
8 you.

9 CHAIRMAN HOOD: I'm glad there's a
10 lot of Tweeting going on but I'll caution you
11 make sure you send out the right information.
12 I made a statement one time about Bicycle Week
13 and the Tweet was totally incorrect. No, I
14 won't be able to make Bicycle Week this week.

15 Any other questions? Okay.
16 Let's see if we have any cross.

17 Does the Applicant have any cross?

18 MS. FERSTER: No cross.

19 CHAIRMAN HOOD: Okay. And the
20 ANC, I believe, has left. Does the Friends --
21 okay.

22 Thank you very much for your

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1 testimony. I appreciate it.

2 Ms. Schellin, where did I leave
3 off?

4 The young lady who testified, if
5 she wants to stick around and testify at the
6 end, I don't have a problem doing that but
7 typically in all fairness to everyone else, you
8 should have passed in the person's testimony
9 you were reading and read your own.
10 Self-preservation.

11 You should have read your own. But
12 you're not selfish so that was good but that's
13 just how it goes down here. We want to be fair
14 to everyone.

15 Okay. Where am I, at 48? Krista
16 Fields? No, no, I'm sorry. James Thomas,
17 Austin Pearl, Mark Mueller, Brown Irwin, Alice
18 Thompson. They don't have a -- they should
19 have come up with a neutral group.

20 Okay. Alice Thompson. I hope
21 that's not the Alice Thompson that I know
22 because I'm going to get on her about not

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1 signing whether she's an opponent or proponent.
2 That's all right. I hope she's watching.

3 Okay. Did I call 53? Is it Brown
4 Irwin or Irwin Brown? Okay. Mr. Irwin is
5 always. Thank you. Mary Pat Rowan, Debbie
6 Hanrahan. I'm still trying to get eight. I'm
7 struggling because I'm trying. No. 56,
8 Elizabeth Merritt, Andrea Rosen.

9 I think Mr. Bader has already
10 testified. Bader, okay. Rick Hind, Alice
11 Lalaw. Is Alice Lalaw here? Okay. Chris
12 Dinwiddie. We can get one more. Bernard
13 Cordfel. One more person. Carol Lewis
14 Anderson. Carol Lewis Anderson? Okay.
15 There she is.

16 I'll start with my commissioner to
17 my right, your left. You may begin.

18 MR. MUELLER: Thank you, Chairman,
19 Commissioners. I would like to start with one
20 very sincere question. Does the community
21 demand and wish this matter anymore?

22 It's very sincere that I ask that

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1 because what happens if the community around
2 this project wants changes to the plan? What
3 practical effective way is there to have those
4 changes implemented when our representatives
5 purposely avoid representing us?

6 I have been a commissioner for
7 ANC-5E-08 Bloomingdale just below the site for
8 the last couple years. ANC-5C and now 5E. My
9 background is in science and that background
10 has me working within the laws of science,
11 ethics, and contracts. My ANC offered me the
12 experience to work within the laws of
13 democracy.

14 My ANC experience around McMillan
15 made me realize some fellow representatives
16 work outside the rules to advance this
17 particular PUD against guidelines, by-laws,
18 ethics, and the majority of the community's
19 wishes and there is no accountability.

20 To find VMP actually funded a PR
21 firm to fight our community put me over the
22 edge. We're unpaid. They are already paid,

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1 plus they can afford extra people to fight us.
2 My ANC is a full-time job but fighting such
3 measures triples the work in a hostile
4 environment affecting one's job and personal
5 life. This is why I stepped down from this ANC.

6 Back to McMillan. Please dismiss
7 -- I'll throw out as much as I can in the time
8 afforded. Please dismiss ANC-5E letter of
9 support, because of what my fellow commissioner
10 said more eloquently and less grumpy than me,
11 because it went against our by-laws and wasn't
12 voted on. Both surrounding civic associations
13 request that letter to be rescinded and the PUD
14 wasn't even released at the time of that letter.

15 The Bloomingdale and Stronghold
16 Civic Associations and MAG -- I don't get five
17 minutes, do I?

18 PARTICIPANT: You've got 56
19 seconds.

20 MR. MUELLER: The Bloomingdale and
21 Stronghold Civic Associations and MAG are
22 better suited to represent the community for

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1 this PUD.

2 Give particular attention to those
3 of us that are without financial or political
4 stake in this matter and to the Stronghold and
5 Bloomingdale Civic Associations which have
6 been fair and level-headed in this stark
7 political game, and to the Bloomingdale Civic
8 Association and MAG CBA recommendations.

9 Note that our ANC CBA meetings have
10 been closed door, unorganized to say the least,
11 unresearched, and less than official for this
12 community. I ask that you be fair and not allow
13 just smart growth but more so wise growth.

14 I ask you to look at my written
15 testimony. I don't represent just myself. I
16 represent just under 1,000 residents with the
17 community's door-to-door survey which we did to
18 great lengths with community volunteers to get
19 an unbiased pulse of what the community really
20 wants at that site and I gave you very
21 statistically relevant and analyzed through
22 George Washington University analysis of those

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1 results.

2 CHAIRMAN HOOD: All right. Thank
3 you.

4 MR. MUELLER: And the main thing I
5 would like to say is to get more attention on
6 more preservation, if not rebuilding more of
7 the underground cells.

8 CHAIRMAN HOOD: Thank you.

9 Next.

10 MS. ANDERSON: Thank you. Good
11 evening. My name is Carol Lewis Anderson. I
12 reside on Reservoir Road in Georgetown. I'm
13 testifying because it would be a travesty to
14 destroy this highland replete with our history
15 of social integration, civil engineering, and
16 natural design.

17 It is unimaginable that this most
18 important capital city would sneer at the
19 history of this site in favor of uninspired,
20 uncomfortably dense development. The last
21 time something iconic was built here was during
22 the Civil War, the Washington Monument. We

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1 have an opportunity now to change that.

2 Just varied information to
3 supplement my other testimony -- my earlier
4 testimony. The current reporting on the March
5 24th council hearing on sustainable food policy
6 stated, "The importance of increasing the
7 city's food supply was a consistent topic.

8 One of the first steps would be to
9 identify our buland. Expanding access to
10 healthy food was another issue that should be
11 a priority for the new food policy director."

12 You could provide close to 20 acres
13 -- I'm sorry. As you've heard in previous
14 testimony, the cavernous cells underlining
15 McMillan could provide close to 20 acres of
16 suitable space to grow and market good and
17 community gardens could pepper the 25-acre
18 surface. Both local and visiting school
19 children could learn how food can be grown
20 sustainably.

21 Brendan Shane, Chief of Policy and
22 Sustainability, said that 300,000 square feet

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1 of green roofs were installed in D.C. during
2 2013. In one fell swoop the Applicant's plan
3 would replace 25 acres of a perfectly-absorbent
4 and well-drained green roof with 20 plus or
5 minus acres of concrete. The plan aims for
6 silver LEEDS. This development in effect
7 makes fun of D.C.'s plan to become the most
8 sustainable city in the nation.

9 The Applicant is proposing 1
10 million square feet of multi-tenant office
11 space but now calling it a medical office
12 building, which is good because the downtown
13 business improvement districts recently
14 released an annual report stating the following
15 about office space:

16 "Businesses are using less office
17 space per employee and, thus, requiring less
18 room. As new office buildings come online they
19 draw from older ones leaving the departed
20 buildings with empty space. This trend will
21 undoubtedly result in lower rents and
22 eventually less tax revenue."

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1 The report urges transformation of
2 older office buildings into hotels,
3 apartments, and retail. Why does the
4 Applicant think that there will be tenants for
5 these buildings? Do we have a commitment from
6 Washington Medical Center or from the VA? We
7 know that Children's Hospital has not been part
8 of the dialogue.

9 I live in a private community with
10 a D.C. legal HOA. Our roads are private. We
11 can make any decisions we want about their use.
12 We can close them off. We can gate them.

13 Based on everything I've heard I
14 find the plan unacceptable. It is an illegal
15 taking of a public asset for private gain and
16 it's replete with offers and expectations
17 formulated on questionable data and it is
18 without merit on aesthetics, sustainability,
19 and community grounds.

20 CHAIRMAN HOOD: Thank you.

21 Next.

22 MS. ROWAN: Good evening,

1 Commissioners. I'm Mary Pat Rowan. I'm a
2 resident of Ward 5 in Brookland. I'm a
3 landscape architect and I have a small business
4 in the city.

5 I have been in this city since 1963
6 -- '67, excuse me, after I graduated from
7 college and moved to Ward 5 in 1990. I've been
8 in many -- I've lived in many neighborhoods of
9 the city and chose Ward 5 as the place that I
10 wanted to settle and was very pleased.

11 Very soon after I arrived I got
12 involved with McMillan because I thought it was
13 a very interesting site to look at and being a
14 landscape architect, I was interested in the
15 history.

16 I think it is too early for any
17 zoning decision on this McMillan tract. Due
18 diligence has never been performed concerning
19 the 25 acre McMillan site that was transferred
20 to the District in the '80s.

21 No comprehensive transportation
22 study has ever been undertaken in the 20 plus

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1 years I have been involved with McMillan. No
2 alternatives to the VMP plan have been
3 seriously explored. No environmental impacts
4 have been analyzed.

5 No disinterested study of the
6 preservation, repair, and reuse of the
7 underground vaults has ever been attempted.
8 No cost analysis of an alternative all-park
9 use, which I would support, has been
10 calculated.

11 No effort has been put into
12 studying adaptive reuse of the majority of the
13 historic elements of the site. There is no
14 vision in the Vision McMillan partners plan
15 except the vision of money for the partners.
16 It is time to take a fresh look at this
17 nationally recognized historic landmark.
18 Thank you very much.

19 CHAIRMAN HOOD: Thank you.

20 Next.

21 MS. ROSEN: Good evening Chairman
22 Hood and members of the Zoning Commission. My

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1 name is Andrea Rosen. I am a Friend of McMillan
2 who lived in Ward 4, Chevy Chase. I am opposed
3 to the VMP plan for McMillan Park.

4 I ask that the members of the Zoning
5 Commission take a step back from 25 acres of
6 green swart atop central water filtration
7 caverns that played a pivotal public health
8 role in our city and ask themselves whether the
9 VMP plan is the highest possible outcome for
10 this remarkable place.

11 The question is crucial because you
12 are being asked to determine the fate of a
13 unique landscape simply by the action of zoning
14 it. Questions of whether under VMP
15 development of the site the silos will be locked
16 or not or a building's cladding is durable seems
17 to me to miss the forest for the trees.

18 It is a central fact that McMillan
19 is an historic place, not a parcel as recognized
20 by its listing on the National Register.

21 The District of Columbia acquired
22 McMillan Park from the federal government not

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1 with a free hand to build all that the market
2 will bear, but under the mandate that any and
3 all rehabilitation and renovation work at the
4 site be carried out in accordance with the
5 Secretary of the Interior's standards for
6 rehabilitation and guidelines for
7 rehabilitating historic buildings.

8 As the National Trust for Historic
9 Preservation has pointed out, the proposed
10 conceptual plans do not even attempt to conform
11 to the Secretary's standards. Even the
12 District's own HPRB acknowledged last October
13 that VMP's plan for the site is inconsistent
14 with the purposes of the historic landmark and
15 Historic District Protection Act.

16 McMillan Park has been left to molder and
17 Washingtonians have been barred from it for a
18 lifetime. Adding insult to injury, it's old
19 growth trees were cut down soon after the
20 District got hold of it to soften it for
21 development.

22 I might excuse that one-term Mayor

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1 for thinking two decades ago that she needed to
2 sell off the family jewels, but we are in a
3 different place now.

4 The Zoning Commission is intended
5 to operate independent of politics. Yet, when
6 a project arrives at the Commission with the
7 backing of DMPED and the councilmember, not to
8 mention the powerful cadre of development and
9 construction companies, it must be hard to see
10 the project as anything but a fait accompli, to
11 consider it with healthy skepticism.

12 In short, to stop a moving train.
13 Nonetheless, I am asking you to do just that and
14 choose a future for McMillan, its neighbors,
15 and the citizens of D.C. that is truly
16 visionary.

17 CHAIRMAN HOOD: Okay. Thank you.

18 Next.

19 MS. HANRAHAN: I subscribe to
20 everything she said. My name is Debbie
21 Hanrahan and I am a proud member of Friends of
22 McMillan Park, but I'm testifying today as an

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1 individual. I'm a resident of Dupont Circle in
2 Ward 2 and I have been for 47 years.

3 One of the important points that I
4 would like to make is that McMillan Park is so
5 special that it does not belong to this
6 neighborhood or the surrounding neighborhoods.

7 It does not belong even to Ward 5
8 as its councilmember likes to scare everybody
9 and tell the other councilmembers, "Bug off.
10 This is my project." It isn't. I belongs to
11 the whole city. The whole city paid \$9 million
12 for it.

13 The whole city is contributing
14 \$51.5 million to the development. It is ours.
15 It is a very special place as all these people
16 are testifying. I would especially like to
17 associate myself with the political nature of
18 this rush to, I don't know, ruin a beautiful
19 green space.

20 As all of you know, the White House
21 just came out with their report on national
22 climate assessment and they say to combat

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1 climate change and pollution, keep your green
2 space. Create green space. We are in the
3 heart -- we are going to face horrors with
4 climate change in the near future.

5 I mean, we're already talking about
6 huge rain storms. We're talking about so many
7 other things. We are doing the exact opposite
8 of what is required by today's emergency in our
9 climate change.

10 But I want to tell you about this
11 morning. Mary Pat Rowan and I were at the
12 intersection of North Capital and -- let's see.
13 Where were we -- and Michigan. She and I were
14 holding up signs "Save McMillan Park" at this
15 intersection.

16 I witnessed two separate dangerous
17 incidents of ambulances being mired in morning
18 rush hour traffic. Both vehicles with sirens
19 blaring and lights flashing were bogged down in
20 the north-bound lane of North Capital.

21 In order to speed up their journey
22 to the hospital, the drivers of each ambulance

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1 had to cross the median strip into the oncoming
2 traffic in the south-bound lane and continue to
3 proceed north to turn left onto Michigan
4 Avenue. Two times in one hour.

5 Now, I'm sure this happens many
6 times during the day. If this plan goes
7 forward, who knows how many people will die
8 trying to get to -- how many children will die,
9 how many adults will die trying to get to the
10 hospital.

11 The other thing I wanted to say, and
12 this gets back to the political nature of this
13 whole mess. This is our land. We are -- I
14 don't understand why we can't do better, why all
15 the adaptive uses which are so brilliantly
16 shown all over the world we can't measure up to
17 at least some of the projects. I mean, this is
18 really -- this is really shameful. We can do
19 better. I know we can do better so why aren't
20 we? It's because of the politics and because
21 we are not taking the best advantage of all the
22 talent we have in the city.

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1 CHAIRMAN HOOD: Thank you.

2 Next.

3 MR. HIND: Good evening, Mr.
4 Chairman, Commission members. Thank you for
5 the chance to talk tonight. My name is Rick
6 Hind. I live in Northeast, the corner of
7 Michigan and North Capital, as we were just
8 discussing. I've lived there since 1991.
9 I've been living in D.C. since 1978.

10 My daughter's were born here.
11 They grew up here. Just recently they said to
12 me something that was very gratifying because
13 their mother and I made a conscious decision to
14 live here and send them to public school.

15
16 They said, "We are very lucky to
17 have grown up in D.C. and experience the
18 diversity we did. It's been a gift to us in our
19 lives going forward." One lives in New Orleans
20 now and the other in Colorado and they are very
21 involved in their communities.

22 I think the reason to reject the

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1 proposal before you today is it's uninspired,
2 as you've seen. It's uncreative. It doesn't
3 aim high. I've gone to the Gas Works in
4 Seattle, to High Line in New York City, and
5 people go there.

6 That's an attraction. That's a
7 place to go and it enriches those communities.
8 I think that's what we're missing here with this
9 historic opportunity. We need a plan that's
10 worthy of the Olmsted name and this isn't it.

11 In fact, when I watched the
12 presentation last May 1st a week or two ago by
13 the developers, it occurred to me what they did
14 from the last proposal was just pile up the
15 buildings at one end with this 13-story
16 monstrosity.

17 Then if you deny that, what they'll
18 do is just spread it out into the green space.
19 I think what we're dealing with is a kind of lack
20 of credibility by people driven entirely by
21 money and not public interest with the kind of
22 dangling of gentrification and inflated

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1 property values as a way to bribe the community
2 into supporting it in some way.

3 That's really not in the public
4 interest. That's not something we should be
5 proud of, to make money for doing nothing for
6 my property value to go up because of the
7 possibility that this plan will be successful.

8 It might just as well be a bust with
9 empty buildings and an empty strip mall. So
10 it's a gamble and I'm not a gambler. I don't
11 think elected officials and you, yourselves,
12 should be gamblers as well.

13 I urge you to reject this and demand
14 a more inspired creative plan because some kind
15 of development would come about but I think the
16 closest thing we saw was the presentation
17 earlier tonight by the architect from Catholic
18 University.

19 I think those kinds of thinking,
20 that kind of creativity is what's needed. But
21 when you're just out to raise money and flip the
22 property, the creativity disappears.

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1 Living at Park Place for 20 years I can
2 say that because the construction is shoddy and
3 people can't even trace the original
4 construction company. Thank you for letting
5 me talk.

6 CHAIRMAN HOOD: Thank you.

7 Next.

8 MS. MERRITT: Good evening, Mr.
9 Chairman, and members of the Commission. I'm
10 Elizabeth Merritt and I'm here on behalf of the
11 National Trust for Historic Preservation.
12 Thank you for giving me five minutes for my
13 testimony on behalf of the organization.

14 I'm here to express the National
15 Trust's strong opposition to the application
16 for the development of the McMillan Reservoir
17 parcel as a PUD.

18 In order to approve the application
19 the Zoning Commission must find that the PUD is
20 consistent with the comprehensive plan, that
21 the public benefits are superior features of
22 the PUD, and that they would benefit the

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1 surrounding neighborhood or the public in
2 general to a significantly greater degree than
3 would likely result from development of the
4 site under matter-of-right provisions.

5 The Commission must also be
6 satisfied that the benefits are not outweighed
7 by the potential adverse effects of the
8 project. In our view, the proposed PUD is not
9 consistent with the comprehensive plan. In
10 addition, we strongly disagree with the
11 Applicant's assumption that historic
12 preservation is one of the benefits of the plan.

13 To the extent that some historic
14 preservation elements are incorporated into
15 the proposal, they are not significantly
16 greater than what would likely result from the
17 matter-of-right development because historic
18 preservation is required through a legally
19 binding preservation covenant which applies
20 regardless of the zoning. In addition, we
21 believe the benefits of the project are
22 outweighed by its adverse effects.

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1 Point No. 1, the proposed PUD
2 application is not consistent with the
3 comprehensive plan.

4 My written testimony outlines a
5 number of different comprehensive plan
6 provisions but what I would like to focus on is
7 comprehensive policy MC2.6.5 regarding scale
8 and mix of new uses. Where development takes
9 place it should consist of moderate to medium
10 density housing, retail, and other compatible
11 uses.

12 Any development on the site should
13 maintain view sheds and vistas and be situated
14 in a way that minimizes impacts on historic
15 resources and adjacent development.

16 In 1990 when NCPC approved the
17 amendment to the comprehensive plan that
18 allowed some development at the McMillan site,
19 the NCPC clearly intended that the development
20 be limited to a dramatically lower scale than
21 what is proposed here. The NCPC staff made
22 specific recommendations for ensuring that

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1 future development would reduce adverse visual
2 impacts.

3 "We find that any structure to be
4 introduced within the District-owned part of
5 McMillan Park should be widely spaced, not
6 exceed the four-story height of the Veteran's
7 Hospital, and preferably have lower
8 transitional heights and picturesque rooflines
9 to blend with the immediate landscape and the
10 park environs."

11 Certainly the massive scale of the
12 proposed development would overwhelm and
13 dominate the significant character-defining
14 features of this site, those that are not
15 destroyed. Especially the north service court
16 and important views of these features would be
17 obliterated.

18 Point No. 2. The historic
19 preservation benefits of the project are not
20 greater than what would result from
21 matter-of-right development.

22 The historic preservation covenant

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1 on the site, you've heard, was imposed by the
2 General Services Administration when it
3 transferred the land from D.C. in 1987. Among
4 other things, the legally binding covenant
5 specifically requires that all rehab and
6 renovation at the site comply with the
7 Secretary of the Interior's standards for
8 rehab.

9 Thus, the historic elements of the
10 site that are being retained would be retained
11 under matter-of-right development as well
12 because the binding covenant mandates that they
13 be retained. Therefore, it wouldn't be
14 possible for the Commission to conclude that
15 these benefits are significantly greater than
16 what would result from matter-of-right
17 development.

18 In fact, we believe the historic
19 preservation benefits of the current proposal
20 are less than what would result under
21 matter-of-right development because, in our
22 view, the applicant is not even complying with

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1 the requirements of the covenant.

2 For example, Standard No. 9 of the
3 Secretary's standards states new additions,
4 exterior alterations, or related new
5 construction will not destroy historic
6 materials, features, and spacial relationships
7 and the new work will be compatible with
8 historic features, size, scale, and proportion
9 and massing. The plans do not comply with this
10 standard.

11 More importantly, the related new
12 construction on the site will destroy highly
13 significant historic materials and measures.
14 Namely, the vast majority of the underground
15 vaults.

16 The Applicants take the position
17 that the Secretary's standards only apply if
18 they voluntarily decide to retain a historic
19 structure and that they only apply to the
20 treatment of that structure, not anything they
21 decide to destroy and not anything new that
22 might be incompatible with the spacial

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1 relationships and settings.

2 In other words, under their
3 interpretation they could choose to demolish
4 everything and they would not be in violation
5 of the covenant. That interpretation is not
6 defensible in our view because the covenant was
7 intended to support a finding by GSA and the
8 Advisory Council on Historic Preservation that
9 the conveyance of the property to D.C. and the
10 future development would have no adverse effect
11 on its historic character.

12 The current plan is simply not
13 consistent with that finding. I've brought
14 with me copies of the documentation regarding
15 the covenant if the Commission would like it.

16 The National Trust was the party
17 that first brought the historic preservation
18 covenant to the attention of the HPRB last year.
19 Regardless of whether the Applicant was unaware
20 of the covenant or simply hoped the city
21 wouldn't notice, these plans are not consistent
22 with the covenant.

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1 In conclusion, I would like to note
2 that the Applicant's representatives have
3 erroneously characterized the action of the
4 HPRB as being unanimous approval of the
5 Applicant's plan when, in fact, they determined
6 that the proposal will result in "substantial
7 demolition" that is "inconsistent with the
8 purposes of the act."

9 CHAIRMAN HOOD: Okay. I'm going
10 to have to cut you off.

11 MS. MERRITT: We would urge the
12 Commission to deny this application. Thank
13 you.

14 CHAIRMAN HOOD: All right. Thank
15 you. I was trying to -- you know, we're
16 starting to really go over so I want to pull
17 everybody back. I want to be fair to those who
18 went on earlier saying, "Why does he keep
19 letting her go on?" Let's make sure we're
20 fair.

21 Next.

22 MR. DINWIDDIE: My name is

1 Christopher Dinwiddie and I'm a resident of 44
2 Franklin Street which is the corner of North
3 Capital and Franklin.

4 I'm a graduate of Howard University
5 and I have lived on 44 Franklin Street since
6 1990. Most of the people that are for the
7 development of McMillan Park are not residents
8 more so average than five years. So I'm not
9 opposed to development. What I am opposed to
10 are traffic, traffic, traffic, traffic, and not
11 being able to see the sunset.

12 There's a beautiful sunset if you
13 stand on the corner of North Capital and
14 Franklin Street. The sun sets on the right
15 side of my alum's clock. I'm here because I
16 think if we build it the way it is now, it will
17 take the sense of home away from the community.

18 I had an argument with a friend that
19 is for the development and she said, "Well,
20 Chris, if you don't like the urbaness of it, go
21 move to the country." Well, I don't want to
22 live in the country and I don't want to live in

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1 a concrete city.

2 My thing is that I think if we allow
3 it to be developed the way it is, Brookland,
4 Stronghold, Bloomingdale will lose a lot of
5 culture. It's already lost a lot of it due to
6 gentrification. Half of the people that I grew
7 up with are gone. They can't even afford to
8 live in PG County.

9 I say all that to say that I feel
10 like I really appreciate you telling the
11 community to come together and the developers
12 to come together. That really made me feel my
13 time was worth it coming here when you said
14 that.

15 In closing, I'm opposed to the way
16 it is now and I would like -- if it's going to
17 be developed, I would like the stories to be no
18 more than four stories high because it's very
19 beautiful to come home from a hard day of work
20 and sit on your front porch and see the
21 beautiful sunset. Thank you.

22 CHAIRMAN HOOD: Thank you.

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1 Okay, Commissioners. Any
2 questions of this panel?

3 Commissioner May.

4 COMMISSIONER MAY: Ms. Merritt,
5 has the trust or you and the trust either done
6 or reviewed for yourselves the state of the
7 historic structures overall? I mean, we hear
8 testimony from the Applicant that most of the
9 structures are failing. Most of the cells are
10 failing. I'm wondering if you have any
11 additional expertise to add on that particular
12 issue.

13 MS. MERRITT: We note in our
14 written testimony that even the cells which
15 were found by the structural expert, Robert
16 Sillman to be in relatively good repairable
17 condition are proposed to be destroyed.

18 While I certainly don't have -- we
19 haven't done our own structural evaluation, but
20 the wholesale destruction here is not what we
21 view as consistent with the historic
22 preservation goals of the city. Particularly

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1 when some have been found by experts to be in
2 repairable good condition, there should be an
3 effort to preserve those.

4 COMMISSIONER MAY: And you don't
5 have any sense of percentage that would be
6 reasonable in terms of what could be preserved
7 or what should be preserved?

8 MS. MERRITT: Some of the other
9 witnesses have identified specific -- the
10 specific cells that were found to be in good
11 condition and repairable. I didn't include
12 that in my written testimony but there were a
13 number. I think there were like 10 of them,
14 maybe some of the other witnesses can correct
15 me, that were found to be in good repairable
16 condition.

17 COMMISSIONER MAY: But that's out
18 of a much larger total number. I mean, it's
19 hard to keep track of the numbers.

20 MS. MERRITT: I don't have the
21 percentage off the top of my head.

22 COMMISSIONER MAY: Okay.

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1 If you are going to speak and you
2 can actually answer the question, you are
3 welcome to speak up and answer the question.

4 MS. ANDERSON: My memory isn't
5 perfect but I know that the cells that were
6 useable with some repair was a much larger
7 number than 10.

8 COMMISSIONER MAY: But you don't
9 have the number?

10 MS. ANDERSON: I do not.

11 COMMISSIONER MAY: I'm not taking
12 answers from the audience so you can just put
13 your hands down. If somebody else wants to
14 submit information, the record is open and that
15 can be submitted.

16 The party in opposition, if they
17 want to submit information on that, they are
18 welcome to do that. I just thought maybe Ms.
19 Merritt might have an answer on that. I think
20 that's probably my only question. Thank you.

21 COMMISSIONER MILLER: Thank you.
22 Did you have any further questions?

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1 COMMISSIONER TURNBULL: I wanted
2 to maybe continue on with a question for Ms.
3 Merritt.

4 Is the trust from the -- is it a
5 process issue how this thing went forward and
6 how it's being developed? I mean, I wonder if
7 you could expand upon how you're looking at this
8 as a totality.

9 MS. MERRITT: Are you asking with
10 respect to the historic preservation covenant?

11 COMMISSIONER TURNBULL: Right.

12 MS. MERRITT: The historic
13 preservation covenant contains both a
14 procedural requirement and a substantive
15 requirement. The procedural requirement is to
16 confer with the Advisory Council and Historic
17 Preservation once the city's review is
18 complete. I didn't address that in my
19 testimony.

20 COMMISSIONER TURNBULL: If this
21 had been a matter-of-right project, they would
22 have had to do that. Is that what you're

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1 saying?

2 MS. MERRITT: That would be
3 required in any event. Yes. And the
4 Applicant takes the position that the Advisory
5 Council and Historic Preservation is not
6 required to be involved if there is no
7 disagreement by the city with the proposal.
8 But the review process isn't done yet so we
9 don't know.

10 But then the substantive component
11 of the covenant requires compliance with the
12 Secretary of the Interior standards for
13 preservation. That's where the Secretary's
14 standards do address both the rehabilitation of
15 existing structures, but also the impact of new
16 construction on historic features and spacial
17 relationships and materials and structures.

18 Our substantive point is that the
19 proposed plan does not comply, does not conform
20 with the Secretary of the Interior's standards
21 both because of the magnitude of the
22 destruction of the historic features, but also

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1 because the new construction adversely affects
2 and is incompatible with the structures that
3 are being retained.

4 COMMISSIONER TURNBULL: Okay.
5 Thank you.

6 CHAIRMAN HOOD: Any other
7 questions?

8 Let me go to cross-examination. I
9 think I had a question but I don't remember.

10 Applicant, do you have any
11 cross-examination?

12 Again, the ANC, I think, has left
13 for the night.

14 Ms. Ferster, do you have any cross?

15 MS. FERSTER: In your testimony
16 you mentioned the Mayor's agent review that
17 will be required of this project. Are you
18 generally familiar with the Mayor's agent
19 review under D.C. Preservation Law?

20 MS. MERRITT: Yes, generally.

21 MS. FERSTER: And it's correct
22 when the Mayor's agent reviews this project,

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1 the Mayor's agent will look at the issue of
2 whether or not there were alternatives to
3 demolition. Is that correct?

4 MS. MERRITT: Yes.

5 MS. FERSTER: And when there is a
6 look at the question of alternatives,
7 particularly with respect to the underground
8 vaults, wouldn't one of the inquiries be even
9 though these underground vaults are
10 deteriorated, or perhaps structurally unsound,
11 whether or not they can be rehabilitated
12 nonetheless?

13 MS. MERRITT: Yes.

14 MS. FERSTER: Okay. In your
15 capacity as Deputy General Counsel of the
16 National Trust, have you some experience with
17 projects that come to the preservation world
18 that are structurally unsound or deteriorated
19 that have been successfully rehabilitated?

20 MS. MERRITT: Yes.

21 MS. FERSTER: Okay. Can you
22 elaborate on that a little bit?

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1 MS. MERRITT: You mean provide
2 some examples or --

3 MS. FERSTER: Sure.

4 MS. MERRITT: Well, I mean, I
5 didn't come prepared with examples off the top
6 of my head but the historic preservation world
7 is filled with examples of structures that are
8 viewed as unsalvageable that are, in fact,
9 rehabilitated and reused.

10 I guess the example that comes to
11 the top of my head is in Indiana there was a
12 historic hotel that looked like a ruin that was
13 brought back and rehabilitated subject to a
14 historic preservation tax credit. I mean,
15 that kind of thing happens all the time. I'm
16 not sure if there are particular examples that
17 you're fishing for but that certainly happens
18 all the time.

19 MS. FERSTER: Okay. Thank you.

20 That's all I have.

21 CHAIRMAN HOOD: I wanted to ask Mr.

22 -- I had your name -- Mr. Dinwiddie. Thank you,

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1 Chris, because I'll mess your last name up.

2 You mentioned that a lot of people
3 in support, at least the way I took your
4 comments, have not lived in the neighborhood a
5 long time. Did you do some type of survey to
6 know that or you just haven't seen them? How
7 did you come up with they just got there? Turn
8 your mic on.

9 MR. DINWIDDIE: First of all, my
10 grandparents have been here since the '60s. My
11 grandfather was appointed by Nixon to serve on
12 the Labor Department. I also am a businessman
13 of 17 years. I don't know if you've heard of
14 Catfish Fridays but that was me. I had a lot,
15 a lot, a lot of customers.

16 You know, I lived on my street for
17 a very long and the friends that I had arguments
18 with about, "Yes, we want the development."
19 Even the Chambers, who are related to me, they
20 haven't even been here more than 10 years.

21 So the people you've been here a
22 long time they don't have the money to come out

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1 here and talk and defend and say, "No, we don't
2 want this high building blocking our view. No,
3 we don't want to not be able to make a left off
4 of our street onto North Capital. No, we don't
5 want these trucks in front of our houses
6 emitting fumes."

7 There are cars speeding up and down
8 the alley right now since they made -- is it
9 Channing Street one way? That used to be a
10 two-way street. It's traffic. I can't -- it
11 takes me like five minutes to leave.

12 Anyway, to answer your question, I
13 know a lot of people and a lot of people know
14 me. The people that I know have been here a
15 long time and the people that I see here some
16 of them don't even live in my neighborhood and
17 then they have -- I would know them if they did.

18 If you did a survey, I guarantee you
19 you will see the majority of people that want
20 to develop McMillan the way it is now probably
21 have not been here more than five years because
22 the ones who don't want it barely can hold on

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1 to what they have.

2 CHAIRMAN HOOD: Okay. Last
3 question. You sold catfish?

4 MR. DINWIDDIE: Yes. It was Rhode
5 Island, N.E.

6 CHAIRMAN HOOD: Was it any good
7 like in Mississippi? When I'm in Mississippi
8 they got the best catfish. I just want to know
9 if your's is as good as Mississippi. You took
10 too long to answer that.

11 MR. DINWIDDIE: No. I mean, the
12 Congressional Black Caucus are my clients.
13 Nancy Pelosi, Clarence Thomas. I mean, yeah.
14 So I fed the San Diego Chargers when they came
15 to play the Redskins.

16 CHAIRMAN HOOD: Okay. That's up
17 north. Okay. I gotcha. I gotcha.

18 MR. DINWIDDIE: Stronghold on
19 Franklin Street, that's my home.

20 CHAIRMAN HOOD: Okay. I gotcha.

21 MR. DINWIDDIE: Thank you.

22 CHAIRMAN HOOD: Thank you. My

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1 home is D.C., too, but my wife is from
2 Mississippi and that's the best catfish I've
3 had.

4 MR. DINWIDDIE: I'll send you
5 what. I will make you guys a half-pan of
6 catfish.

7 CHAIRMAN HOOD: Don't put that on
8 the record. Don't send me anything. Do not
9 send me anything.

10 MR. DINWIDDIE: That didn't sound
11 right.

12 CHAIRMAN HOOD: No, it didn't.
13 Don't send me anything.

14 Okay. I really appreciate
15 everyone's testimony and thank you. We
16 appreciate your testimony.

17 I asked for cross and stuff, right?
18 I did do that? Okay. I got distracted with
19 catfish.

20 Okay. We need to do an assessment.
21 We're going to try to push everyone through.
22 We may have to do something else, Ms. Brown,

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1 about rebuttal. We'll have to figure that out.

2 Let's go with Chris Otten. Okay.

3 Let me get a show of hands of how many people
4 still want to testify in opposition. Let me go
5 right quick.

6 Chris Otten, Betsy McDaniel, Kirby
7 Vining. I think he already testified. Oh,
8 okay. I'm getting confused.

9 Okay. Victoria Brent. Okay.
10 You've already done it.

11 Bertha Holliday, Caitlyn
12 Vanderben, Nancy MacWood, Peter Perry, James
13 Esau, Mel Peffers, Elizabeth Floyd, Eugene
14 Puryear, Eric Schultz. Eric Schultz left?
15 Thank you. Jane Huntington. Did I call too
16 many?

17 How many more people do we have
18 left? We can get one more person. Where did
19 I leave off at? Martha Dunlap. I'm hearing
20 things in my ear that we're not going to finish
21 tonight. What day do we have?

22 While we come up with a date, let's

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1 begin with Jane Huntington.

2 Let's begin with you first and go
3 ahead and get started.

4 MS. HUNTINGTON: Okay. Good
5 evening, Chairman Hood and Commissioners. My
6 name is Jane Huntington. I live at 1920
7 Shepherd Street, N.E. I have been a member of
8 the McMillan Park Committee since 1998 and now
9 Friends of McMillan.

10 I appreciate this opportunity to
11 once again contribute my thoughts regarding the
12 VMP development plans. You have received my
13 letter in opposition. Briefly, I would like to
14 clarify an assertion that Mr. Lynch made in his
15 presentation on May 5th.

16 He stated, "I was personally
17 recruited by many members and organizations of
18 the surrounding neighborhoods who were
19 interested in mixed-use development." He also
20 stated that we created 10 principles around
21 open space, housing, and a park.

22 To clarify, following a very

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1 contentious meeting held at Catholic
2 University by NCRC in June 2006 I wrote to then
3 NCRC President Anthony Freeman in which I
4 reported briefly on the outcomes of meetings
5 conducted by the Office of Planning in 2000.
6 Consensus was to create something really
7 special at McMillan Park.

8 At this point in time I must say
9 that I was naive in envisioning what I
10 advocated. I wrote, "Somehow we seem to have
11 some to a point where often communications
12 between the city government and citizens around
13 quality of life issues, development, and
14 service expectations and delivery quickly
15 become contentious.

16 I am writing to you, Mr. Freeman,
17 because I hope we can open communication and
18 find ways to work together to create win/win
19 outcomes for a very precious property."

20 I never heard from Mr. Freeman,
21 Robert Bob, then city administrator, or members
22 of the council to whom I copied the letter.

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1 I had seen Gyer Lunch pictured in
2 the NCRC video. I knew him to be ascending in
3 his career in Washington neighborhood
4 investments when he returned from his success
5 as an Olympic athlete. I knew that he had been
6 on the Board of the Tennis and Learning Center
7 spearheaded by Cora Barry.

8 On July 7, 2006 I sent Mr. Lynch a
9 copy of my letter to Mr. Freeman and stated, "I
10 hope that NCRC and advocates for preservation
11 of McMillan could create ways to work together
12 and transform McMillan into a magnetic
13 destination port in the heart of the nation's
14 capital."

15 Tonya Jackson called me upon
16 receipt of the letter and invited
17 representatives of McMillan Park Committee to
18 meet in Mr. Lynch's office. Four of us went.
19 We never discussed housing, medical offices,
20 retail. We talked about the Basilica Cistern
21 in Turkey and restorations to it, the restored
22 former industrial park in Paris, Bercy, and

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1 others.

2 We discussed McMillan's history,
3 its role in stemming disease with clean water,
4 its place in the Emerald Necklace, its
5 engineers and designers, and its potential as
6 a world class historic destination to include
7 a water works museum.

8 I'm afraid I'm out of time so I will
9 submit my testimony to you.

10 CHAIRMAN HOOD: Okay. Thank you
11 very much.

12 Let me stop. I want to apologize
13 for those people who -- we are going to stop
14 after this panel. I want to apologize. You
15 all have been here all night. I wanted to press
16 it on but it looks like we're not going to
17 finish.

18 We're going to have to have you come
19 back. Let's get a date and see if it works. If
20 you can't come back, you can provide us your
21 testimony. I guarantee you we will review it
22 and read it.

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1 MS. SCHELLIN: Tuesday, May 20th.

2 CHAIRMAN HOOD: What about the
3 parties and -- the ANC is not here. Is there
4 anyone else? That's the ANC-5E meeting? We
5 want to hear from the public and not necessarily
6 rebuttal. What about the 21st?

7 MS. SCHELLIN: This room is not
8 available. There is an ANC training in this
9 room that evening.

10 CHAIRMAN HOOD: What time does
11 that start?

12 MS. SCHELLIN: I think it's 6:00 or
13 7:00.

14 CHAIRMAN HOOD: Do we have
15 anything that Thursday?

16 MS. SCHELLIN: Yes, we do.

17 CHAIRMAN HOOD: See, our schedule
18 is booked. This is going to be hard.

19 What is the next date?

20 MS. SCHELLIN: The Tuesday after
21 Memorial Day, the 27th.

22 CHAIRMAN HOOD: Does that work for

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1 everybody, May 27th?

2 Colleagues, let me ask you do we
3 want to cut the list off right here? I want to
4 be fair to those who came down tonight. I want
5 to start with the folks that we don't get
6 tonight, or do we want to open this up for
7 additional? Okay.

8 MS. SCHELLIN: So anybody that's
9 in this room whose name is not on the list that
10 wants to testify needs to see me to make sure
11 their name is on the list. If you did not sign
12 on the list, you need to make sure your name is
13 on the list tonight or else you will not be able
14 to testify.

15 PARTICIPANT: Where's the list?

16 MS. SCHELLIN: It was on the table.
17 Did you put your name on the list? If not, then
18 you need to see me.

19 Is that the date, Commissioner --
20 Chairman Hood, the 27th?

21 CHAIRMAN HOOD: Let me make sure.

22 Colleagues, I have two other dates

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1 that have been proposed, either June 5th or May
2 27th. Okay, May 27th.

3 PARTICIPANT: Isn't that Memorial
4 Day?

5 MS. SCHELLIN: The day after.

6 CHAIRMAN HOOD: We work through
7 holidays sometimes, too, so you can come on
8 down. That's a joke.

9 Okay. So the majority of us will
10 be here May 27th at 6:30. We have agreed to not
11 -- we're going to go with who we have signed up
12 here so it should be a shorter hearing and we
13 should be able to finish and we will do rebuttal
14 and closing by the Applicant.

15 Everyone else, you can go back out and
16 petition everyone but we have called the names
17 tonight. We need to be fair to those who were
18 here and we need to get through the process.
19 Unless my colleagues feel otherwise and want to
20 keep it open. I can go either way.

21 Okay. If not -- here's the thing.
22 If people were not here tonight when their name

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1 was called, they can submit written testimony.

2 Ms. Schellin, where did we stop? I
3 want to make sure that --

4 MS. SCHELLIN: Mr. Kirby, we're
5 past him.

6 CHAIRMAN HOOD: Which number was
7 that? I'm kind of lost.

8 MS. SCHELLIN: We're past him.

9 CHAIRMAN HOOD: Eric Schultz?

10 MS. SCHELLIN: Is Eric Schultz at
11 the table?

12 PARTICIPANT: He left.

13 CHAIRMAN HOOD: He left. I know
14 Ms. Huntington is there so we're going on down.

15 Christina Morgan, are you at the
16 table?

17 CHAIRMAN HOOD: What about Martha
18 Dunlap? We're going to start with Martha
19 Dunlap.

20 MS. SCHELLIN: Martha Dunlap.

21 CHAIRMAN HOOD: Everybody from
22 Martha Dunlap on.

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1 Ms. Schellin, we'll start with
2 Martha Dunlap and then we will end with whatever
3 the last name is on 128. Okay, let's go ahead.
4 Let's go. Thank you.

5 MS. MACWOOD: Good evening. I'm
6 Nancy MacWood for the Committee 100.
7 Committee 100 opposes the planned unit
8 development. The comprehensive plan is
9 unusually prescriptive in outlining basic
10 objectives for any reuse of McMillan in
11 recognition of the intense pressure to develop
12 a large site despite its historic significance.

13 The land use element cautions that
14 large sites like McMillan should not be
15 developed in self-contained and isolated
16 communities. The mid-city element provides
17 specific goals for McMillan.

18 When you remove the layers of the
19 renderings, what you find is an isolated
20 development that has been planned to avoid
21 connections to the neighborhood. Any
22 development on this site must create

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1 connectivity and accessibility.

2 The PUD has eviscerated the
3 historic context of the regulator houses and
4 the cell towers. Precautions were taken to
5 avoid this result. A condition of conveyance
6 from the GSA to D.C. as embodied in a
7 preservation covenant was the requirement that
8 the city would rehabilitate and renovate the
9 historic features of the sand filtration site.

10 There surely was no hidden message
11 that once restored GSA would bless shrouding
12 these features under trees and between
13 buildings. On the contrary the objective was
14 to maintain their character defining influence
15 on the park-like setting.

16 This part of the District lacks
17 usable recreation space and open green space.
18 Every planning document since the McMillan plan
19 has identified this site as having the
20 potential to correct the imbalance in safe,
21 healthy places for neighborhood families.

22 As you know, the McMillan

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1 Commission identified this site as part of the
2 Emerald Necklace connecting open spaces and
3 providing axial views as established by the
4 L'Enfant Plan.

5 District residents have spent the
6 past year studying the effects of those changes
7 to the Height Act with the result that we and
8 our elected representatives on the D.C. Council
9 strongly reasserted that maintaining vistas
10 and views which connect residents and
11 neighborhoods throughout the city to the
12 District's monument or core is a right that we
13 want protected.

14 There are visual linkages formed
15 from the Soldier's Home that connect the
16 National Shrine and Trinity College to the
17 LeDroit Park Historic District and the older
18 campus of Howard University.

19 McMillan sits between the existing
20 reciprocal views between the Soldier's Home and
21 the U.S. Capitol dome, the old post office tower
22 and the Washington Monument. Recognizing its

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1 strategic location NCPC found in 1990 that any
2 development on the sand filtration site should
3 be widely spaced and should not exceed the
4 height of the Veteran's Hospital which is four
5 stories in order to reserve vistas.

6 Despite this, the proposal calls
7 for nine-story office buildings opposite the
8 Veteran's Hospital and in direct line of the
9 significant view sheds. Instead of heeding
10 the city's own comp plan that the site should
11 predominately be left open, the city
12 administration has set aside only about a
13 quarter of the site for contiguous parkland.

14 Part of this area includes the
15 self-service court roadway and a community
16 center that hardly meets the needs of the
17 community. Where is the basketball court?
18 Why is there a catering kitchen?

19 Is the multi-purpose community
20 room linked to a very large outdoor terrace by
21 a series of french doors really an event venue?
22 Can it be a good sign that the city is

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1 considering turning management of the
2 community center and the remaining open space
3 over to private management?

4 It has been recognized that some
5 development on the site might be necessary to
6 stabilize the site. The PUD, unfortunately,
7 has no elements of restraint based on the
8 foremost goal of preserving the majority of the
9 site and making development incidental and
10 complementary.

11 Height cues have been taken from
12 the Washington Hospital Center which is not in
13 the central view sheds as the PUD is which is
14 why the Veteran's Hospital would be the
15 relevant height model.

16 It would also be more appropriate
17 to take density use from the surrounding
18 rowhouse neighborhoods which are zoned R3 or R4
19 and allow maximum heights of 40 feet with
20 20-foot rear yard setbacks and maximum 60
21 percent lot occupancy. It is worth noting that
22 the typical commercial zone designation

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1 adjacent to R3 and R4 neighborhoods citywide is
2 C2A with a maximum height of 50 feet.

3 The planning for this PUD follows
4 the vacant land development model where
5 guidelines and objectives can be established by
6 the developers even though the D.C. Council
7 took pains to make sure that didn't happen with
8 this highly significant site.

9 The PUD proposes big increases in
10 the minimum parking required for most of the
11 proposed uses adding so many cars into an
12 already congested roadway system has been
13 recognized.

14 There are lots of promises of
15 future public transit improvements but no
16 guarantee. This is the opposite of
17 transit-oriented development. The
18 architectural treatment doesn't respond to the
19 comp plan's directive to use the surrounding
20 neighborhoods for architectural cues.

21 PUD features ubiquitous metal and
22 glass panels and harsh and boxy massing and

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1 shows no inspiration from the brick rowhouses
2 with front porches and ample yards featured in
3 Bloomingdale and Stronghold.

4 The facts tell the story.
5 Proposed heights are clearly excessive and will
6 destroy major networks of vistas. The intensity
7 of building mass will obliterate the park
8 setting.

9 The existing planned landscape
10 connected to the reservoir and the existing
11 network of parks and open space will be
12 permanently interrupted, congestion will be
13 exacerbated, and the long-promised adaptation
14 of the sand filtration site as primarily a
15 neighborhood park and recreation area with
16 minimal and low-scale development will be
17 history.

18 The site offers many benefits to
19 the city that eclipse the revenue potential for
20 a vacant 25-acre site. The Committee of 100
21 urges the Zoning Commission to reject the PUD
22 as proposed. Thank you.

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1 CHAIRMAN HOOD: Thank you.

2 Next.

3 MS. McDANIEL: Good evening,
4 Chairman Hood and Commissioners. My name is
5 Betsy McDaniel. I live on First Street in
6 Bloomingdale. When I bought my house I did not
7 buy it hoping there would be a grocery store on
8 the McMillan site.

9 1987 was a bad year for D.C. I was
10 living in the suburbs but I know now from
11 reading that was the time that the crack cocaine
12 epidemic was in high spin. The murder rate was
13 rising and that was the year that D.C. made the
14 mistake of not paying \$1.00 to buy McMillan and
15 turn it into a park.

16 I know there are a lot of people who
17 think the people in Bloomingdale are NIMBYs but
18 I want to point out a few things that
19 Bloomingdale has given up over the years.

20 First of all, the land was going to
21 be developed as rowhouses as part of the
22 Bloomingdale neighborhood and it was chosen to

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1 install the filtration site there next to the
2 reservoir so they lost land for homes and they
3 gave it up for the filtration site, which was
4 landscaped to turn it into a beautiful park
5 area, open space that the neighbors could
6 enjoy. It was touted in all the residential
7 ads as being a place for clean air and views.
8 So they were compensated.

9 But then World War II came along and
10 the whole site was closed up. The neighbors
11 lost their playground. They lost access to the
12 reservoir. They lost access to the Olmsted
13 Walk. Most importantly to me, which I'll bring
14 up soon, is that we also lost the McMillan
15 Memorial fountain.

16 Also, Bloomingdale residents have
17 given up their front yards and their stoops for
18 the expansion of North Capital Street, Rhode
19 Island Avenue, Florida Avenue.

20 Traffic, I've already talked to you
21 and you've heard a lot about, but no one ever
22 mentions that 3,000 plus parking spaces just

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1 does not seem like a site would be touted as
2 smart growth. I'm also concerned about the
3 lack of representation by our ANC which has been
4 mentioned earlier tonight.

5 The other thing I wanted to put in
6 was my request because I don't understand
7 what's happening with the CBA request so I
8 wanted to put in my request for a guaranteed
9 preservation of a cell, not just, oh, if it's
10 okay, if it's feasible. I want a guarantee
11 that they will save at least one other cell in
12 addition to what they're talking about.

13 I want the McMillan Fountain
14 brought over to the park. It's fenced in over
15 by the reservoir now. You can't see it.
16 There's a picture there and you can't see the
17 fountain for the fence.

18 VMP offered that a couple of years
19 ago and that's been off the plan. I want the
20 views preserved. No one has mentioned the
21 Library of Congress. If you walk down Michigan
22 Avenue you can see the Library of Congress from

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1 there as well so I implore you.

2 CHAIRMAN HOOD: Okay. Thank you.

3 Next.

4 MR. PURYEAR: Good evening,
5 Commissioners, Chairman Hood, others. My name
6 is Eugene Puryear. I'm a candidate for D.C.
7 Council at-large in the Statehood Green Party.
8 I'm currently a resident of Ward 8 but I've
9 lived for the better part of a decade in three
10 separate locations that were relatively close,
11 in fact, almost adjacent to the McMillan Park
12 development.

13 We've heard quite a bit of
14 testimony here so let me see if I can truncate
15 my testimony -- you have my written testimony
16 -- to get to what I believe to really be the
17 heart of the matter, at least as it concerns me.

18 I think we've heard quite a bit
19 about how this plan doesn't maximize --
20 relative to other alternatives, and perhaps to
21 the best if its ability, maximize green space,
22 preserve the historicality of the site, and

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1 comport with the will of the residents to have
2 low to medium-impact development in this area.

3 I think certainly all of that is
4 relevant and perhaps could be set aside if the
5 alleged benefits were significant. But I
6 wanted to speak to the affordable housing and
7 the employment piece of those benefits because
8 I believe them to be, first of all, only
9 partially benefits and, second of all, not to
10 be exceptional but to be, in fact, pedestrian.

11 I think that as it concerns
12 affordable housing, this seems to follow almost
13 the general script of every development in
14 Washington. It just barely exceeds the
15 exclusionary zoning requirement and, perhaps
16 more distressingly as has been noted throughout
17 this hearing, aims at the higher ends of the AMI
18 scale that is used for affordable housing which
19 doesn't speak directly to those who face the
20 greatest housing burden paying over 50 percent
21 of your income towards housing cost. I think
22 that is one key piece there that there is no a

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1 lot going on there.

2 Certainly the way it's often
3 presented is that, "Well, we're giving it
4 mostly to people who don't really need it but
5 here is some little small amount of units for
6 needy seniors or 30 percent of AMI so you should
7 just accept that." But it certainly doesn't
8 meet the scale of the issue and it's this sort
9 of presentation by developers that has led us
10 to the current affordable housing crisis.

11 From the point of view of
12 employment, I think that, quite frankly, the
13 issue of First Source employment is not, in
14 fact, a benefit. I don't think anyone should
15 get credit for that. The reason First Source
16 is in place because developers and construction
17 companies have proven time and again they would
18 not hire D.C. residents.

19 Concerning the medical office
20 building, I don't see that as particularly
21 germane to employment for D.C. residents, in
22 particular. Finally, I would say that the

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1 \$325,000 in job training funds is not
2 significant.

3 The Mayor in a recent similar
4 dispensation of funds gave \$700,000 to one
5 entity to create 70 jobs. This is a city where
6 there is 28,100 people who are unemployed. And
7 in certain area like Ward 8, where I'm from, and
8 Ward 7 we're in an unemployment crisis.

9 Based on the reality of the
10 maximizing green space, preserving the
11 historicality, meeting the needs of residents,
12 which I believe this VMP partner -- Vision
13 McMillan Partners plan does not meet.

14 I don't think that the proposed
15 benefits certainly lead in any way, shape, or
16 form to setting that consideration aside and
17 going forward. I urge the Zoning Commission to
18 reject this plan and not go forward. Thank
19 you.

20 CHAIRMAN HOOD: Okay. Thank you.

21 Next.

22 MS. HOLLIDAY: Good evening. My

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1 name is Bertha Holliday. I reside at 9 T
2 Street, N.W. in Bloomingdale neighborhood
3 where I've lived since 1989. I'm currently the
4 second vice president of the Bloomingdale Civic
5 Association.

6 The Bloomingdale BCA has been
7 closely involved in the development of the
8 McMillan sand filtration for more than 25
9 years. That involvement has been guided by the
10 distinct and unique vision for the site. We
11 believe at this stage of the development
12 process the only means to halfway fulfill that
13 vision is to legally require a community
14 benefits agreement.

15 The McMillan site is located within
16 the Bloomingdale neighborhood and, therefore,
17 we believe we will be significantly and
18 negatively impacted by the development.

19 We, therefore, believe that the BCA and
20 other civic associations with boundaries
21 abutting the site should be signatories to the
22 McMillan CBA along with the government of the

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1 District of Columbia, ANC-5E, and the
2 developer. BCA solicits the support of the
3 D.C. Zoning Commission and the Office of
4 Planning in this regard.

5 BCA is gravely concerned about not
6 only the content of the McMillan CBA but also
7 its viability. Our research reveals that the
8 nationwide amenities promised in CBAs more
9 often than not are not fully provided to the
10 community. I spoke recently with the
11 president of the Fort Lincoln Civic Association
12 and they are still trying to get their CBA.

13 We are leery of the recently -- in
14 response to this problem of CBA benefits not
15 being delivered to local community, the city
16 came up with a regulation that the PUD
17 certificate of occupancy would be denied if the
18 CBA benefits have not been delivered, but we are
19 leery of the effectiveness of the enforcement
20 of this requirement as it occurs at the end of
21 the development process when denial of
22 occupancy is a lose/lose proposition for

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1 everybody.

2 BCA concludes that the problem of
3 non-delivery of amenities is to a great degree
4 due to the absence of CBAs to include provisions
5 related to specific financial administrative
6 accountability structures and procedures that
7 will ensure delivery of the benefits and their
8 sustainability.

9 We have made suggestions in our
10 March 24, 2014 resolution on the McMillan BCA
11 which you all have in the case file. These are
12 some of the suggestions that are made. We talk
13 about the establishment of the CBA board that
14 would involve partnership among key people with
15 interest in the development.

16 We talk about the establishment of
17 a CBA escrow fund as a single point of deposit
18 of any money. We finally talk about issues of
19 accountability. We think that the McMillan
20 CBA offers a real opportunity for the city to
21 really engage in an innovative approach to CBAs
22 that actually work.

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1 It works by creating substantive
2 partnerships by ensuring the promised
3 amenities are delivered and by promoting
4 stronger residential neighborhoods. Earlier
5 in the hearing --

6 CHAIRMAN HOOD: Okay.

7 MS. HOLLIDAY: -- Commissioner
8 Hood, you noted, in regard to the loading docks
9 we're going to get it right this time. I hope
10 you have the same attitude toward the CBA
11 because it's needed. Thank you.

12 CHAIRMAN HOOD: Okay. Thank you.
13 Next.

14 MS. PEFFERS: Hi. My name is Mel
15 Peffer. I'm an engineer and scientist. I
16 get real nervous talking in this environment so
17 thank you, Commissioners, for bearing with me.

18 I was here last Thursday as well and
19 I've really appreciated this opportunity to
20 speak. But I think it's also a really
21 important opportunity for us to listen. I've
22 learned a lot from listening. What I heard

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1 last Thursday and now is traffic, traffic,
2 traffic. What I also heard was we love the view
3 from Howard University, the tower with the
4 sunsets. We want to preserve all that.

5 I live at 2nd Street, N.W. and W
6 Street, N.W. It's about 1,800 feet away from
7 the proposed project. I use that distance for
8 a reason. What I have to contribute to this
9 conversation that all my neighbors are doing
10 much better job at is my skills as a public
11 health expert and, specifically, air quality
12 and, specifically, traffic air pollution.

13 So I just wanted to share with the
14 group we all have our subjective opinions but
15 some facts are you build parking and you bring
16 in traffic and cars and it will negatively
17 impact public health in the area period.

18 What kills more people than AIDS
19 and Malaria combined? The Global Burden of
20 Disease Report came out published in Lancet.
21 It's air pollution more than both of those
22 combined. If you think urban air pollution is

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1 bad, you're right.

2 Seven out of eight people are
3 living in urban air pollution that is not
4 acceptable according to the World Health
5 Organization's standards. We are choking on
6 this pollution and this is only going to make
7 it worse. I think that is shown in traffic
8 studies and the rest of it.

9 If I had a child, I would not bring
10 them this close to this kind of development.
11 The buffer there that is provided by the
12 reservoir is really good. Some of the health
13 impacts I've listed but I forgot and I was
14 listening to Ms. Jackson talk about cancer.

15 That just came out in 2012 in IARC,
16 International Agency that Registers
17 Carcinogens, and that came out carcinogenic
18 diesel pollution from trucks and traffic and
19 the rest of it.

20 Other health problems are you'll
21 die from a heart attack, you'll die from asthma,
22 all within this 1,500-foot radius. That's my

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1 contributions to this as a public health
2 expert.

3 I want us to return to the original
4 idea of the McMillan reservoir which was put in
5 in 1905 to handle a typhoid epidemic and water
6 pollution issues and go back towards that in the
7 1911 switch to the park. Bring back public
8 health to this because the current plan is
9 actually not a public health benefit but public
10 health risk. Let's circle back to
11 making this a public health benefit. That's my
12 contribution. I really appreciate the
13 opportunity and I'm always here to help other
14 people if they need my services.

15 I've just met a few of these people
16 late in the game so I'm here. I would love to
17 work with developers and with the city to offer
18 up my services and other people's services to
19 help deal with this in a public health
20 beneficial way. Thank you.

21 CHAIRMAN HOOD: Okay. Thank you.

22 The young lady that spoke before

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1 you, what was your name again?

2 MS. HOLLIDAY: Holliday.

3 CHAIRMAN HOOD: Ms. Holliday.

4 Okay. Thank you.

5 Next.

6 MR. VINING: I'm Kirby Vining. My
7 home is on Franklin Street, N.E., about 250 feet
8 across North Capital from the McMillan Park
9 fence. I'm speaking as a person in opposition
10 today to the Applicant's proposed master plan.

11 ANC-5E has consistently ignored
12 the position in our neighborhood in plans for
13 development of the McMillan site. The
14 Bloomingdale Civic Association, Stronghold
15 Civic Association, and the McMillan Advisory
16 Group have all had several public meetings in
17 the last few years and submitted detailed
18 positions on the McMillan site development
19 which have been ignored by ANC-5E.

20 The BCA position is laid out in
21 Exhibit 31, resolution of the BCA; Exhibit 69,
22 BCA's objections to and request to rescind the

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1 ANC-5E letter of support for McMillan; and
2 Exhibit 80, BCA resolution of no confidence.

3 The Stronghold position is
4 explained in Exhibit 33, letter in opposition
5 from the Stronghold Civil Association. The
6 MAG position is clearly stated in Exhibit 79
7 which is the MAG Community Benefits Agreement
8 position.

9 Exhibit 111 is the testimony of a
10 respected ANC-5E commission who recently
11 resigned over the failure of ANC-5E to respect
12 the position of the community on this matter.
13 ANC-5E's letter of support for the Applicant's
14 plan, Exhibit 40, demonstratively does not have
15 the backing of the community being
16 diametrically opposed to it.

17 The results of a survey of about
18 1,000 households in the immediate neighborhood
19 of the site done in conjunction with the MAG is
20 shown in Exhibit 112. The Friends of McMillan
21 Park has gathered about 6,500 signatures
22 requesting that the Mayor consider more

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1 creative alternative plans for the site than
2 the one the Applicant produced. This
3 thumb drive contains about 6,400 of those
4 signatures collected as of May 1st of which
5 2,121 are from Ward 5 residents. The McMillan
6 site was purchased from the federal government
7 with D.C. taxpayer's money, not Ward 5 money,
8 and the site's D.C. historic landmark
9 designation is not a Ward 5 only designation.

10 While the western edge of the
11 McMillan site is the boundary between Wards 1
12 and 5, that same line bisects McMillan Park
13 reservoir historic district. This landmark
14 belongs to the people of the District of
15 Columbia and we deserve better than high rise
16 buildings on it.

17 The Applicant has made it difficult
18 for the public to obtain details for this very
19 unusual development process.

20 Many of the documents submitted by
21 persons and parties in opposition in this case
22 were obtained only through several FOIA

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1 requests, one of which resulted in a two-year
2 court case before documents were divulged.
3 Two other attempts to obtain related documents
4 will be heard by the Superior Court on July 11th
5 and 18th. See attachment.

6 Among these documents is a detailed
7 plan paid for by the Applicant to hire a firm
8 in Baltimore to discredit and neutralize
9 Friends of McMillan Park. Exhibit 115.

10 There is no stormwater runoff from
11 the McMillan site. Drains concealed in each
12 vertical column of the underground filtration
13 chambers channel surface water into these
14 chambers as shown in the diagram, Exhibit 539
15 attached, from page 121 of the Applicant's
16 Historic Preservation Report, Exhibit 538.
17 Surface water runoff would be visible as
18 erosion at the southern end of the site but
19 there is none. Thank you.

20 CHAIRMAN HOOD: Great. Thank
21 you.

22 Commissioners, any questions of

1 this panel?

2 COMMISSIONER MAY: One request
3 actually, Ms. Holliday. Do we actually have
4 that -- did you talk to that PowerPoint? Is
5 that your PowerPoint? Okay. Do we have that
6 in the record? Okay. Thank you.

7 CHAIRMAN HOOD: Any other
8 questions? Okay. Do we have any cross from
9 the Applicant?

10 MS. BROWN: No cross.

11 CHAIRMAN HOOD: Okay. Ms.
12 Ferster, do you have any cross?

13 MS. FERSTER: No cross.

14 CHAIRMAN HOOD: Okay. I want to
15 thank this panel. We appreciate your
16 testimony.

17 Okay. Are we all clear on how we
18 are going to proceed? Ms. Brown, do you have
19 any questions?

20 MS. BROWN: I just want to clarify
21 that we'll finish up with the panel that has
22 signed up already.

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1 CHAIRMAN HOOD: We'll finish up
2 with who we have already. If other people
3 wanted to testify -- want to testify because
4 we're going to try to finish. We are going to
5 go with the list we have and they can submit
6 testimony. They can submit it in writing.

7 MS. BROWN: Right. And then we'll
8 go to rebuttal?

9 CHAIRMAN HOOD: We'll do rebuttal
10 and any cross and then we'll go through the list
11 of items to close out.

12 MS. BROWN: Thank you.

13 CHAIRMAN HOOD: Okay. Ms.
14 Schellin, can you give us the date again?

15 MS. SCHELLIN: Yes. Tuesday, May
16 27th, 6:30 p.m.

17 CHAIRMAN HOOD: Okay. Sorry for
18 the inconvenience and we'll see everyone on May
19 27th.

20 MS. FERSTER: Clarifying
21 question.

22 CHAIRMAN HOOD: I'm sorry?

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1 MS. FERSTER: Ms. Gusevich would
2 like to submit her slides as well. Should she
3 just file it on the ISIS portal?

4 CHAIRMAN HOOD: Yes. She can
5 submit her PowerPoint also.

6 Okay. With that this hearing is
7 adjourned.

8 (Whereupon, at 11:23 p.m. the
9 hearing was adjourned to reconvene on May 27,
10 2014.)

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