GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC HEARING

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TUESDAY

NOVEMBER 21, 2000

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The Public Hearing convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice at 9:30 a.m., Sheila Cross Reid, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

SHEILA CROSS REID	Chairperson
ROBERT N. SOCKWELL	Vice Chairperson
ANN RENSHAW	Board Member

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Commissioner
JOHN G. PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

Sheri Pruitt,	Secretary, BZA
Beverly Bailey,	Office of Zoning
Paul Hart,	Office of Zoning
John Nyarku,	Office of Zoning

OTHER AGENCY STAFF PRESENT:

David McGhettigan, Office of Planning
Maxine Brown Roberts

D.C. OFFICE OF CORPORATION COUNSEL:
Marie Sansone, Esq.

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9:54 a.m.

CHAIRPERSON REID: Good morning. This is the November 21st meeting of the Board of Zoning Adjustment. We have on our agenda this morning a special meeting to consider some of the conditions for a case that we had last week.

It will take only a few minutes to be able to dispose of this particular case and then we'll move onto the first case of the morning, which we do apologize for the delay in our start time.

Mr. Hart.

MR. HART: Good morning Madam Chair, members of the Board. This morning we are addressing case number application 16637, application of Alex R. Boyer, pursuant to 11 DCMR 2104.1 for special exception under Section 2516 to permit the theoretical lot subdivision to allow the construction of four single-family attached dwellings in an R1B district at premises 4427 Potomac Avenue N.W., Square 1356, Lots 21 and 22.

The application was heard by the Board on November 8, 2000. On a motion made by Mr. Rodney Moulden, seconded by Ms. Sheila Cross Reid. The Board approved the application by a vote of four to zero Mr. Moulden making the motion, Ms. Reid seconded it, Mr. Sockwell and Ms. Mitten to approve. Ms. Renshaw not

present and not voting.

The Board has reviewed the following items, determined if the submissions are acceptable, and if the order should be issued. First item, a construction management plan.

Second, design plans and elevations for proposed dwellings. Third, plot showing the real lot lines. Verification is needed from the Zoning Administrative Office.

Finally, a copy of a letter that applicant sent to the National Park Service. All items were to be submitted to the files to advise the ANC-2E and to the Office of Planning.

The applicant was to file the materials with the Office of Zoning by Thursday, November 16. The Office of Planning was to provide a supplementary report. The Office of Zoning received the applicant's submission in a timely manner and a response from ANC 2-E.

CHAIRPERSON REID: Okay. I think that we do have within the submission the requested construction management plan. Let's look at that. Are there any questions regarding that? Is that acceptable to you?

COMMISSIONER MITTEN: There is what I think is just an editing mistake on the part of the applicant under Construction which is 3(d) Work Hours. It says, "Construction shall be limited to the hours of 7:00 a.m. or after 5:00 p.m. on Monday through Friday." I think that should read "the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday."

I also thought we might want to consider under letter (f) Traffic, Parking, and Loading, it discusses when the trucks can operate and that they shall not line up on public streets. I didn't know if we wanted to include something regarding idling. Even on the subject property idling would be undesirable. I don't know what the wording on idling on public streets is.

CHAIRPERSON REID: Excuse me. Before you go there, when it said shall not line up, is that inclusive that they are referring to idling?

COMMISSIONER MITTEN: No. That's just that they won't form a line on a public street taking up the curb lane while they are waiting for 7:00 to come so they can start to operate.

VICE CHAIRPERSON SOCKWELL: Madam Chair --

COMMISSIONER MITTEN: But they wouldn't necessarily be idling.

VICE CHAIRPERSON SOCKWELL: Madam Chair, in the general construction of buildings you have certain vehicles that have to idle. In other words, concrete trucks have to continue to run and mix the concrete at a low, slow rotating level during the entire time that the mixture is mixed with water. It may be mixed prior to reaching the point of unloading. Those vehicles have no choice but to idle.

COMMISSIONER MITTEN: Do you think that we could express it somehow that only those vehicles that are required?

VICE CHAIRPERSON SOCKWELL: Yes. As well, there would be earthmoving equipment that will be in operation in various times, especially during site preparation. We would want to say, I think, that unnecessary idling of vehicles not engaged in construction activities would be discouraged or prohibited or however you want to put it.

COMMISSIONER MITTEN: That sounds good.

CHAIRPERSON REID: The only question I had was also under -- well, there were two. One was under 2 under Organization it says, "Project manager will be available by phone and we have authority to act in response to emergency situations."

It didn't state how that number was going to be made available or distributed to the community or the abutters. I think that should be specified. It should also be amended to include the fact that this number will be made available to the ANC members or the abutters so that they would be in contact with them.

The other thing I had a question about was under parking unless I missed something I didn't see where actually it referred to parking. They didn't discuss parking. I'm wondering where the cars for the people who work on the site as well as some of the trucks going to park.

COMMISSIONER MITTEN: I think that's a good point. That was something that Mr. Boyer had mentioned which is that the

site is of adequate size so that it wouldn't be necessary for any of the workers to park off site. I think that is something that we can add knowing that won't cause any kind of hardship.

CHAIRPERSON REID: It would be stated here and that all the vehicles that pertain to this construction site that work there or are employed by the developer park off street on the site. He had proffered to us that was going to happen anyway so that should be just included and made a part of this particular construction management plan, I think.

The other thing was design plans and elevations. I haven't any questions about that. Mr. Sockwell, were you satisfied with the submission?

VICE CHAIRPERSON SOCKWELL: I think --

CHAIRPERSON REID: It's pretty much answered?

VICE CHAIRPERSON SOCKWELL: Yes.

CHAIRPERSON REID: Anyone else? Ms. Mitten or Ms. Renshaw?

COMMISSIONER MITTEN: Yes. Oh, I'm sorry. Go ahead.

MEMBER RENSHAW: I just have several points. Under Site Management where it is discussed about lighting and cleanliness. I think that the Port-a-Johnny should be parked on the site and that construction workers should wash down the streets at the end of the day or after the end of two days or something.

This is a matter that the community often talks about

and reacts to, that the streets are not washed down if they've had a heavy dirt-hauling day.

Then also I would like to suggest that the truck routes be worked out with the abutters and with the ANC.

CHAIRPERSON REID: Before we go there, the first thing that you want to add is what?

MEMBER RENSHAW: Port-a-Johnnies be on site.

CHAIRPERSON REID: Okay. Well, he didn't discuss that.

MEMBER RENSHAW: I think since we're talking about --

CHAIRPERSON REID: Sure. I think given the fact that this is a very massive site that it wouldn't be a problem with that. Also you want that to be included in here?

MEMBER RENSHAW: Um-hum.

CHAIRPERSON REID: As well as your second thought was in regard to washing down the street?

MEMBER RENSHAW: Right.

CHAIRPERSON REID: Now, can you be a little more --

MEMBER RENSHAW: Well, it says under No. 2, "Trucks carrying excavation material and debris from the site will be covered with tarps." The second sentence could read that the streets will be washed down if debris from the trucks is left on the street or something like that.

CHAIRPERSON REID: Excuse me. Wouldn't it have to be more specific as to what streets? Where?

MEMBER RENSHAW: The streets in the vicinity of the excavation.

CHAIRPERSON REID: Again, be more specific. Let's look on the map and designate what street.

VICE CHAIRPERSON SOCKWELL: May I suggest that it be limited just to the hauling route because that's what you're talking about. Where the truck don't go there won't be a problem.

MEMBER RENSHAW: That's fine.

CHAIRPERSON REID: The hauling route?

VICE CHAIRPERSON SOCKWELL: The hauling route, yeah.

CHAIRPERSON REID: Okay. That would then cover --

VICE CHAIRPERSON SOCKWELL: That would cover the neighborhood streets, lets say within a block or two because the requirements of the District for construction sites include the requirement for a truck washing area on site.

That should prevent too much of the dirt from being carried onto the public streets. The likelihood is that it's usually within the first block the wheels will drop.

CHAIRPERSON REID: Okay. The dirt and debris removed from the hauling route as needed or as necessary?

VICE CHAIRPERSON SOCKWELL: Yes.

MEMBER RENSHAW: Um-hum.

CHAIRPERSON REID: You had one more point, didn't you?

MEMBER RENSHAW: The truck routes be worked out with the ANC and with the abutters. I think that's fair. The actual truck routes leaving the site to the dump location wherever that is.

VICE CHAIRPERSON SOCKWELL: If I might interject, it might be difficult for the abutters to effectively determine truck routes because those are going to be based on the width of the street, whether there's parking on both sides, the access available for the various components that might be brought to the site. Some trucks will be shorter trucks which would go one street and not another.

MEMBER RENSHAW: Right. But when they get out onto the larger streets, there is often a debate among neighbors to divvy up the truck routes. In other words, that all of the dirt-hauling trucks not go on one particular route to a dump site.

In other words, that the truck traffic be scattered along the arterials, that it not overburden one particular roadway. And it depends. This may not be a site where there are going to be an enormous number of dirt-hauling trucks.

All I am saying is that I think that it would be good for the developer to work out the truck routes with the ANC just so the ANC has it one its records what the routes are going to be.

CHAIRPERSON REID: Do you want them to meet with the ANC or do you want them to just really submit to the ANC what the

designated truck routes will be so they will be notified? If they have any objection, they can let them know.

MEMBER RENSHAW: Inasmuch as ANC-2E has not had the opportunity to approve or disapprove this plan in a public forum so the chair states in a letter to the Board dated November 15, it might be good for the developer to go back to ANC-2E and discuss truck routes and this plan with the ANC on that date.

CHAIRPERSON REID: So basically is that what you're asking, that that be included, the report from the ANC, and it be discussed with them?

MEMBER RENSHAW: Discussed with them and filed with them. In other words, that the ANC has input.

CHAIRPERSON REID: Sure. There's no problem with that, I don't think.

VICE CHAIRPERSON SOCKWELL: But that would not affect our decision on the case.

CHAIRPERSON REID: No.

SECRETARY PRUITT: Excuse me. Just for clarification, then does that become a condition of the order?

CHAIRPERSON REID: Yes, it should.

SECRETARY PRUITT: Okay. So they consult the ANC.

CHAIRPERSON REID: The ANC and discuss with them and, I guess, share with them the proposed truck route.

VICE CHAIRPERSON SOCKWELL: And I suppose --

CHAIRPERSON REID: And file with them --

VICE CHAIRPERSON SOCKWELL: -- file the approved truck route with the ANC or whatever.

CHAIRPERSON REID: Okay. No. 3 was plateau on the real lot lines as needed for the Zoning Administration Office.

VICE CHAIRPERSON SOCKWELL: Got that.

CHAIRPERSON REID: Got that. No problem. A copy of the letter that the applicant sent to the National Park Service. Have that.

VICE CHAIRPERSON SOCKWELL: Got that.

CHAIRPERSON REID: Okay.

VICE CHAIRPERSON SOCKWELL: Which they have not responded.

CHAIRPERSON REID: This morning we really need to focus on these few conditions. How many do we have? Five or six?

SECRETARY PRUITT: Five.

COMMISSIONER MITTEN: There was another thing that we had discussed at the hearing. We would require that the applicant refer the final individual house designs to the ANC. We had some discussion about the fact that for a theoretical lot subdivision. There is some design control and we didn't require that they submit the final drawings to us. My concern is that is a requirement of the theoretical lot subdivision.

I wanted to have some language in there which is

consistent with what the applicant said, which is that the designs will be consistent with those in the Palisades neighborhood so that we don't get dramatic departures of design to provide some kind of guidance. If we could add that to the condition regarding referral of the designs to the ANC.

CHAIRPERSON REID: Good point. All right. Should we now vote on the conditions?

Ms. Pruitt, could you please just read them back to us, please?

SECRETARY PRUITT: Certainly. All vehicles that are associated with the construction should be housed on site.

VICE CHAIRPERSON SOCKWELL: Would you reference those to the section that they apply to?

SECRETARY PRUITT: I did not take it down that way.

VICE CHAIRPERSON SOCKWELL: Oh, you didn't?

SECRETARY PRUITT: I'm sorry. These would be conditions in the Board order.

VICE CHAIRPERSON SOCKWELL: These are part of the construction management plan and should be referenced one way or the other.

SECRETARY PRUITT: We can then put them in the appropriate section and they will take care of it.

VICE CHAIRPERSON SOCKWELL: Okay.

SECRETARY PRUITT: The second one is the Port-a-Johnny should be housed on site. The hauling route within a two-

block radius of the site should be washed down as needed. Truck routes should be worked out with -- file approved truck route with the ANC and get input from the ANC. Design will be consistent with houses within the Palisades community.

VICE CHAIRPERSON SOCKWELL: The idling issue which I'm going to rephrase.

SECRETARY PRUITT: No unnecessary idling by vehicles except for what is required for construction.

VICE CHAIRPERSON SOCKWELL: Yeah. I think I would change the wording to say idling of vehicles and equipment not actively engaged in the construction process will be prohibited.

SECRETARY PRUITT: Do you have that written down, Mr. Sockwell?

VICE CHAIRPERSON SOCKWELL: Okay. I'll get it from you then afterwards.

MEMBER RENSHAW: Also there was the question about the number. A contact number was going to be made available to the ANC and to the abutters. If you would go back, Ms. Pruitt, to No. 3 which was the truck washing. Would you read that again?

SECRETARY PRUITT: The truck-hauling route within a two-block radius of the site will be washed down as needed.

MEMBER RENSHAW: I don't think we put a two-block radius. We just said the truck-hauling route.

SECRETARY PRUITT: Right. You did sort of --

MEMBER RENSHAW: No, we didn't.

CHAIRPERSON REID: Mr. Sockwell said that whatever --

SECRETARY PRUITT: I guess if I was the applicant I would want to know do I have to do this block, next block, or --

CHAIRPERSON REID: See, this is what I asked.

SECRETARY PRUITT: That's what I was trying to get to.

CHAIRPERSON REID: I was asking about being more specific but, Mr. Sockwell, the impression I got was that the route itself would be all encompassing. Is that not correct?

MEMBER RENSHAW: That's right.

VICE CHAIRPERSON SOCKWELL: Yeah. I mean, I had written it one way, "Washing of neighborhood streets along hauling route as necessary to prevent accumulation of construction debris.

MEMBER RENSHAW: That's good. Okay.

CHAIRPERSON REID: Okay. Can I get a motion?

COMMISSIONER MITTEN: Madam Chair, I just want to interrupt because I just was reminded as I was shuffling through the file, there is something that we didn't speak about specifically and I think we should put something in our order about it.

There's a requirement that if there are not -- this is under the theoretical lot subdivision regulations. If there are not at least two entrances and/or exits from the means of

ingress or egress, a turning area shall be provided with a diameter of not less than 60 feet and what's been provided is 40 feet.

VICE CHAIRPERSON SOCKWELL: Where is this?

COMMISSIONER MITTEN: In the little turnaround.

VICE CHAIRPERSON SOCKWELL: I understand.

CHAIRPERSON REID: First of all, it's already been approved. What gives me pause, Ms. Mitten, is that was addressed. We didn't address that initially?

COMMISSIONER MITTEN: No, we didn't.

CHAIRPERSON REID: How did we miss that?

COMMISSIONER MITTEN: I don't know.

CHAIRPERSON REID: That's a major component. Are you saying that it didn't comply with the regulations? There was no --

COMMISSIONER MITTEN: It says the requirements of that particular paragraph may be modified if the Board finds that a lesser width and/or diameter will be compatible with and will not likely have an adverse effect on the present character and future development of the neighborhood.

I think we just need to have something that expresses that we gave consideration to that fact. It says we'll give specific consideration in this regard to the spacing of building's availability of resident, guest, and service parking. I just would like to have something and --

CHAIRPERSON REID: Are you --

COMMISSIONER MITTEN: Maybe something like in consideration of the fact that the private drive and the 40-foot turnaround will be serving four dwellings only and sufficient off-street parking will be provided; that the Board has determined that a 40-foot turning area was adequate in this case.

CHAIRPERSON REID: Okay. Ms. Pruitt.

SECRETARY PRUITT: Yes.

CHAIRPERSON REID: Would not be the appropriate manner of handling that particular issue?

SECRETARY PRUITT: Yes, we can put it in as a condition within the findings of fact.

CHAIRPERSON REID: Okay. All right. Can I get a motion?

VICE CHAIRPERSON SOCKWELL: I move that we accept the conditions -- approve conditions as proposed as modified by the Board's discretion.

MEMBER RENSHAW: Second.

CHAIRPERSON REID: All in favor?

ALL: Aye.

CHAIRPERSON REID: Opposed?

MS. BAILEY: The Board votes four to zero to approve the application. Motion made by Mr. Sockwell. Seconded by Ms. Mitten. Ms. Reid and Ms. Renshaw to approve. Mr. Moulden not present and not voting.

Madam Chair, are you ready for the first case of the morning?

CHAIRPERSON REID: I have to first open the hearing. Small technicality.

Good morning. The hearing will please come to order. Ladies and gentlemen, this is the November 21st public hearing of the Board of Zoning Adjustment of the District of Columbia. My name is Sheila Cross Reid, Chairperson.

Joining me today is Robert N. Sockwell, Ann Renshaw, and representing the Zoning Commission is John Parsons.

Copies of today's hearing agenda are available to you. They are located to my left near the door.

All persons planning to testify either in favor or opposition are to fill out two witness cards. These cards are located on each end of the table in front of us. When coming forward to speak to the Board, please give both cards to the reporter sitting to my right.

The order of procedure for special exception and variance cases are: (1) statement and witnesses of the applicant and then cross examination; (2) Government reports including Office of Planning, Department of Public Works, etc.; (3) report of the Advisory Neighborhood Commission; (4) parties and persons in support; (5) parties and persons in opposition; (6) closing remarks by the applicant and cross-examination as would be appropriate, cross examination of witnesses submitted by the

applicant or parties.

The ANC within which the property is located is automatically a party in the case. The record will be closed at the conclusion of each case except when the material is specifically requested by the Board and staff will specify at the end of the hearing exactly what is expected.

Decision of the Board in these contested cases must be based as exclusively on the public record. To avoid any appearance to the contrary, the Board request that persons present not engage members of the Board in conversation. Please turn off all beepers and cell phones at this time so as to disrupt these proceedings.

The Board will now consider any preliminary matters. Preliminary matters are those which relate to whether the case will or should be heard today such as request for postponement, continuance, or withdrawal, or whether proper and adequate notice of the hearing has been given. If you're not prepared to go forward with the case today or believe that the Board should not proceed, now is the time to raise such a matter.

Are there any preliminary matters? Does the staff have any preliminary matters?

MS. BAILEY: No, we do not.

CHAIRPERSON REID: Thank you very much, Ms. Bailey. Will you please call the first case.

MS. BAILEY: Thank you, Madam Chair. Members of the

Board, the first case is Application No. 16555 of the Trustees for Harvard University, Dumbarton Oaks, pursuant to 11 DCMR 3104.1 for a special exception under Section 210 for further processing of an amendment to the campus plan for proposed library addition north of the gardener's cottage for two proposed gardener's court buildings and for other related minor changes to existing buildings in the R-1B District.

And to address ADA access issues in the R-1B District at premises 1703 32nd Street N.W., Square 2155, Lot 812. Please stand up for those who are planning to testify. Those who are planning to testify, please stand to take the oath. Raise your right hand, please. Do you swear the information that you will be giving to be the truth? Please say I do.

WITNESSES: I do.

MS. BAILEY: You may be seated.

Madam Chair, members of the Board, we do have a report from the Office of Planning. A waiver will be needed to accept that report into the record.

We also have a report from ANC-2E. There were several letters of concern about this project but those letters, I believe, were received prior to the project being modified. As you know, there was some modification to this project.

This is a self-certified project and it was continued from the March 15th and June 20th public hearing sessions. The affidavits have been filed and the property was properly posted.

The case is now ready to go forward.

CHAIRPERSON REID: Thank you. In regard to the waiver for the Office of Planning Report, I have no problem with it unless there's any objection by any of the Board members. We'll so waive the rules to allow the report to come into the record. Thank you.

MR. GLASGOW: Madam Chair, good morning.

CHAIRPERSON REID: Good morning, Mr. Glasgow.

MR. GLASGOW: For the record, my name is Norman M. Glasgow, Jr., the law firm of Wilkes Artis. Here with me today is Mr. Dennis Hughs of the same firm seated in the first row. Mr. Edward Keenan, Director of the Dumbarton Oaks facility is to my immediate right.

To his right is Mr. Mark Haskins also with Dumbarton Oaks who will be overseeing the construction activities on the site. Mr. George Hartman and Lee Becker of Hartman Cox Associate Architects are seated in the front row. And Mr. Jim Urban, landscape architect, is also in the audience.

Mr. Hartman, Becker, and Mr. Urban are being offered as expert witnesses and have previously been qualified as expert witnesses both before the Zoning Commission and the Board of Zoning Adjustment.

Before proceeding with the testimony of the witnesses, I would like to give a brief opening statement concerning the proposed campus plan to be presented here this

morning.

As a review of the record will indicate and the submission of revised plans on September 14 show, there has been extensive time, energy, and effort put in by the director and the development team at arriving at a proposed campus plan which meets the needs of the facility and respects the historic nature and significance of the Dumbarton Oaks property.

We are pleased to be presenting a plan which meets those goals and has the support of the Advisory Neighborhood Commission, the nearby neighbors, the old Georgetown Board, the Commission of Fine Arts, and the Office of Planning.

As set forth in the statement filed in this case, the applicant believes that it has met the burden of proof and the facility has an extremely low intensity of use for 16 acre parcel having only a total of 139 staff and employees at the property envisioned over the next 10 years.

With respect to the university use of the property, last semester there were 17 fellows on site and the applicant request the flexibility to provide up to a maximum of 25 fellows over the next 10 years which I guess would equate to one classroom at what we consider one of the more traditional universities around the city.

We have reviewed the Office of Planning report and the ANC report and are agreeable with the recommendations in both of those documents and, for the record, we'll be submitting

copies of the Cooper Rules and the applicant's proposed traffic plan.

Mr. Haskins will be the point of contact for construction activities at Dumbarton Oaks. The only other flexibility that would be requested, besides the number of students being from 17 to 25, that the applicant may modify the design of any approved building subject to the approval of the Commission of Fine Arts and any approval required under D.C. Law 2-144.

We've had that type of flexibility before with respect to Board of Zoning Adjustment where cases have gone to the Historic Preservation Review Board. We would be asking for that same relief here. We also would like the ability to expand the number of parking spaces from 50 to 60 over the 10 year period.

If there are no preliminary questions, I would like to proceed with the testimony of the witnesses.

CHAIRPERSON REID: All right.

PROFESSOR KEENAN: Madam Chair, members of the Board, my name is Edward Keenan. I'm the Director of Dumbarton Oaks. Most of you probably know Dumbarton Oaks best as a lovely garden, but from the director's chair it looks slightly different.

The institution's official name is the Dumbarton Oaks Research Library and Collections. Its fundamental purpose within the context of Howard University is research in the three fields

of Bisitine and Medieval studies, pre-Columbian culture, and the history of landscape architecture.

We have been engaged in those activities since 1940 when the property was given to the university by the Buss family. It is, I think, a reflection of the fact that we have gone quietly about our business that most people don't think of us in those terms. The gardens are, in a certain sense, a kind of symbol of what we do inside; namely, we try to study beauty and preserve tranquility.

The fellows come from all over the world. Last semester there were 17. There are now 18. In academic year 1949/50 there were 19. I give these numbers as indication that we have no intention to change the size or function of the institution.

The real reason for the expansion of the library has to do with the fact that although we have roughly the same number of fellows, we now have hundreds of thousands more books than we had in 1949/50. We see no way to keep that from continuing, although it will diminish, I think, because of changes in information technology.

Currently the mansion is now simply stuffed with books. We have never had a proper library. It was discussed in 1940 but not built. There was another discussion about 25 years ago and we ended up not building. Each time we have grown into ourselves. On the second occasion began to dig under the

building. The time before we moved the director out of the mansion and took over the bedrooms and upstairs for books. Now we've come to the absolute limit of the building we now occupy. So the need is great.

I will repeat that there are no plans for any change in the nature of our operation or the scale.

MR. GLASGOW: Thank you, Mr. Keenan.

If there are no questions, I would like to proceed with the testimony of Mr. Haskins.

MR. HASKINS: Thank you for allowing me to testify, Madam Chair. I am the Director of Facilities at Dumbarton Oaks and the Project Director. My office is immediately adjacent to the area where construction will take place and I'll be there throughout the project.

This project is sorely needed, as Professor Keenan indicated. Our current facility is presently severely overcrowded. We think that in the course of the last six or seven months, actually longer than that, in developing this master plan, that we have managed to work with our architects to develop a plan that is very sensitive and enlightened in reference to our property.

It helps us to continue the transition from being a place that is based solely on a state planning as was the case under the Deplesses when they owned it to develop it in a way that is very sensitive to that original planning but allows for

critical institutional needs that have been explored really since the 1970s and before in trying to solve problems of overcrowding and means to house our library.

The construction process itself will be closely coordinated with our architects in my office and our construction firms. Of course, we are very early in the process. This is a master plan and a conceptual plan. We have a long way to go.

Professor Keenan and our architects and myself have consulted on numerous occasions with our neighbors, with the concerned citizens in our district, and I think that most agree at this point, I think perhaps all agree, that our approach is very sensitive to our situation and our setting. I can assure the Board that it will continue to be so throughout the process.

CHAIRPERSON REID: Thank you.

MR. GLASGOW: I would like to now proceed with the testimony of the architects Mr. Hartman and Mr. Becker.

MR. HARTMAN: My name is George Hartman. I'm a partner in the firm of Hartman Cox Architects in Washington.

The boards I'm going to show you are duplicated in your package. It may help you a bit if I simply these for you.

This is a drawing of the complete copy of Dumbarton Oaks. There is really a line right about where the yellow pointer is. The east property are the gardens that we are all very familiar with.

Incidentally, for those you haven't done it, they are

open at 2:00 in the afternoon and the entrance is right here for our street. The entrance to the museum collections is right here off 2nd Street, again open at 2:00.

What's interesting is that on this side of the line is really a private part of Dumbarton Oaks that is really open only to the staff and scholars. It is that area where this construction is going to take place.

We have identified two sites. This one back of the gardener's cottage. When Mark Haskins, Director of Facilities, was talking about his office, it's really right here. The library will go on site A and the gardener's compound on site B. The property to the north is virtually all National Park Service.

This is a drawing of the existing Dumbarton Oaks. Actually, you can see that there are some buildings existing where the new buildings are going to go.

This is our proposed plan, to complete the courtyard down here with the addition of a new library that is entered through an existing greenhouse. And the addition of two buildings back behind the fellows' building which are a new gardener's court and replace dislocated facilities from this area. Again, the main house will receive work. It will be renovated on the interior.

CHAIRPERSON REID: One second, please.

Are you picking up?

MR. HARTMAN: I have this mike on.

CHAIRPERSON REID: Okay. We thought that perhaps there was a problem.

MR. HARTMAN: Can you hear me all right?

COURT REPORTER: We're fine.

MR. HARTMAN: Let's go into this. This is an interesting little complex because this group of buildings was designed by McKen, Mead, and White. Out building fits into it and completes the new library. It fits into this complex and completes the grouping.

Looking through the proposed converted greenhouse, you can see the library massing behind the gardener's cottage up on 32nd and S, the existing greenhouse along the park and a new cooling tower enclosure on the back of it on the footprint of a former glass house.

Again, we enter through here and this is the library behind. Looking again at the back of the long greenhouse, we are seeing from the north now the terraces of the library and the little building sitting on top of this entered through the existing greenhouse.

These two views are similar in that this is an accurate elevational drawing and this is in a perspective showing the two story building sitting on top of its two terraces. The upper terrace is brick masonry covered with lattice. The lower terrace is stone. These are meant to be landscape solutions with

the architecture in the scale of the existing buildings.

Again, taken from up on S Street the gardener's cottage, two lower terraces, the existing greenhouse, and then the new library which borrows some aspects of style and material from the McKen, Mead, and White buildings.

This is the method we have used to get this in and keep it looking small above the yellow line. The building that fits with the compound and then the support levels and one level completely underground which houses nothing.

This sheet is in your book. It contains all the calculations of the areas and it shows the tunnel that will connect back to pre-Columbian to the underground levels of the library.

The only addition we're doing to the main house is a handicapped entrance which has no railings but it corrects the entrance on 32nd.

Looking now at the gardener's court, we are making a slight improvement in the entrance of this drive coming down and regularizing the parking and building two new buildings inside a screen compound. This is bulk storage and trash and things like that, chemicals.

There are two buildings for the gardeners and they have their two-story buildings with the upper floors. They look like garden buildings with the upper floors being changing rooms and showers for the garden staff and vehicles and tools on the

first floor.

At this point I will find in one second here the right board for Jim Urban and let him talk about the landscaping.

MR. URBAN: Good morning. For the record, my name is Jim Urban. I'm a landscape architect consultant to Dumbarton Oaks project.

I wanted to talk about primarily issues of access and service to these buildings which will have the greatest impact on the surrounding neighborhoods.

The existing service to the complex is all coming through the 32nd Street entrance. Virtually everything that comes in and out of these buildings comes through this entrance.

In the new plan the access to the museums will maintain on 32nd Street but supplies and deliveries will come down through the existing service lane down to the basement of the refectory building where they will be able to go by tunnel to the entire complex.

In order to accomplish that we are going to be making a couple of slight adjustments to each end of the alignment of the service drive to allow a 30-foot delivery vehicle to get down the driveway. It current cannot get down that driveway.

The other major change that's happening in this corner is currently there is an existing -- where is that electrical cord?

At this location, this is the end of S Street. There

is the existing air conditioning unit. The chiller tower for the building is located here. That is going to be removed and all of the new mechanical equipment is going to be located behind the greenhouse.

This will allow us to utilize what is currently called the Bowling Green as essentially the beginning point of construction access for the project where trucks can pull off of 32nd Street and then we'll be taking out some of the existing trees here and backing down the service drive to access this building during construction.

Then the tunnel that connects all of these buildings will be going back up through that space where the chiller tower is now. We will be adding a handicap access off of 32nd Street at this location, come through the Bowling Green to get down to the refectory which is going to be utilized as the dining facility for the fellows.

Apparently the fellows dining is in the fellows building up S Street. That will consolidate this and give us handicap access to this building and then by elevator down into the service court.

The main access to the library will be through an existing greenhouse at this location. The parking for this entire facility will be over behind the gardener's court and utilizing an existing walkway through the dell which is an at-grade handicap accessible walkway to get to this building.

As you know, that part of Georgetown there's a lot of hills and very difficult slope conditions. We think we have satisfied all of the handicap access needs to both this complex and this complex with the subtle changes that we're making in the building.

At the fellows building we will be reconfiguring the parking lot to increase the size from approximately 50 cars to 60 cars organizing it a little better.

There's a large retaining wall along this part of the property where the playing fields for the boy's club are approximately six feet above the grade of the gardener's court so that when we add our walls and storage bins along the side, the gardener's court will be screened from adjacent activities. Then the two buildings that George Hartman has just described to you.

This area is being reorganized geometrically to follow some historic alignments that we discovered as part of our historic research in the project to recognize the access between the fellows building and the gardener's court.

I think that covers it.

MR. HARTMAN: I don't know if you can see it. There is a model which perhaps I should bring this over. You can see the enormous vertical where the whole thing goes down to the street.

I'm turning it now. You're looking at it now really from the dell much like the colored drawing that is on the left.

I'm going to turn it so that you come around and start to see it north looking from the Park Service. Of course, where you are sitting now you are way down here.

As it turns around, you will see the long existing greenhouse with the cooling tower screens behind it and the glass house behind that. You are looking now directly through the entrance of the reserve greenhouse that we are going to change from a glass roof to a metal roof and it serves as the entrance to the new library.

The director's former house which is now the refectory and what we call the gardener's cottage which is really Mark Haskins' office, Director of Development.

CHAIRPERSON REID: Thank you.

MR. URBAN: If I may make one comment about both the model and the perspective drawings that you are seeing. The area around here, which is called the dell, is a very dense thicket of Hemlock trees, beach, maple.

We have on all the model and the renderings removed many of those trees so you could see what the building look like. We've left enough of them in so that you get a sense that there is forest.

There's many, many more trees on these drawings and the model that we've removed simply so you could see the building. Those will all remain in place.

You will never really be able to see the building in

this way because of the number of trees that are in the way. I just wanted to make sure you understood that there are a lot more trees than we are showing.

MR. GLASGOW: Mr. Hartman, with respect to the statement of the applicant and the computations that you've made, is it your testimony that the lot occupancy of the project is less than 1 percent of the site?

MR. HARTMAN: Lot occupancy --

MR. GLASGOW: For the entire development of the project is less than one percent of the site?

MR. HARTMAN: Seven tenths.

MR. GLASGOW: Right. Seven tenths of a percent. Less than 1 percent. And that the FAR for the project is approximately -- the total FAR for the project is about .13 percent?

MR. HARTMAN: That is correct.

MR. GLASGOW: Thank you.

CHAIRPERSON REID: Thank you. Mr. Glasgow, does that conclude or do you have other witnesses?

MR. GLASGOW: Yes. That completes our direct testimony. We are available to answer any questions.

CHAIRPERSON REID: Okay. Is there any other persons here to testify regarding this case other than the applicant? Oh, interesting. Thank you. The ANC did not come?

MEMBER RENSHAW: The ANC has a letter.

CHAIRPERSON REID: I know they have a letter submitted but there's no representation? Okay. All right then. We'll open it up now for questions from the Board members.

MEMBER RENSHAW: Madam Chair, I would like to ask the landscape architect about the Bowling Green. Is that going to be put back or is that going to be changed at all? You stated that was going to be a site for truck activity?

MR. URBAN: The Bowling Green, which currently is a little bit shorter than shown on this drawing because of that cooling tower, and is also currently a gravel surface, is going to be restored to its pre-1967 condition in which there is a lattice screen that is around this end that will be restored and rebuilt and the Bowling Green will be rebuilt in a lawn panel as opposed to a gravel panel as it was in the earlier scheme.

It won't be fully restored, the grades, the screens. We are not bringing it back to the way it looks now but bringing it back to the pre-1967 when there were major changes in here as a result of building the museum.

MEMBER RENSHAW: And how many trees will you have to remove for this project?

MR. URBAN: We are -- I don't know the exact number but I would estimate that it's about 25 to 30 trees in this entire area that we are removing. Those would be trees larger than six or eight inches in diameter.

MEMBER RENSHAW: All right. Are you going to replant

that size tree afterwards or you can't do that?

MR. URBAN: We will not be replanting. Trees that we remove will not be replanted at the same size. We will be planting them at the largest practical size that we can. One of the problems that we have is that many of the trees that we're removing are hemlock trees and they have been growing -- they have been growing essentially in very shady conditions.

When you buy a hemlock tree you generally get one that is growing in full sun and so our intent is to try and get trees early in the process and have them grown in shade so that they are looser in their form than you would normally buy. We will buy the largest trees that we can practically move.

MEMBER RENSHAW: Thank you.

CHAIRPERSON REID: Other questions? Mr. Sockwell?

VICE CHAIRPERSON SOCKWELL: Certainly. Mr. Urban, first, to revisit the tree issue, the likelihood is that you are going to be planting trees in what caliber diameter?

MR. URBAN: I would say the three to five-inch caliber.

VICE CHAIRPERSON SOCKWELL: Which means they will be trees approximately eight feet?

MR. URBAN: Fifteen.

VICE CHAIRPERSON SOCKWELL: You think they will be 15?

MR. URBAN: Fifteen to 20 feet tall.

VICE CHAIRPERSON SOCKWELL: All right. The question about existing landscaping versus proposed landscaping to me is one of -- certainly as a landscape architect you would look at the potential for creating a more modern and perhaps more designed condition using today's thought process, but how do you relate what you plan to what existed and conditions which many of the local residents have become accustomed to seeing?

MR. URBAN: We have had almost completed at this point a full cultural landscape report for the entire property of Dumbarton Oaks done by Trish O'Donnell and her firm called Landscapes which is a nationally renowned firm in historic preservation.

As part of that we have developed different treatment options using the Secretary of the Interior's guidelines for landscape restoration so that the area which we are impacting in that entire area will be restored generally to its pre-1967 condition.

We have very, very good records of all the plants that were there, large photographic records and very careful drawings that were made because this was all developed using nationally known architects and landscape architects.

The area immediately around the proposed library, our intention is to essentially make this part of the attitude of the other parts of Dumbarton Oaks gardens. Essentially as you move down elevations within the gardens, you move from more formal to

informal attitudes toward wall materials, plant materials.

We will be utilizing the plant palette that we find around Dumbarton Oaks and trying not to replicate things that we're finding on the other side but to honor those in the design.

The dell area from here over will be restored, again as best we can determine it. In this area we have very poor records of what was there. We've done a fairly extensive oral history of what was there in the '50s and '60s.

We will be restoring some of the rhododendrons and doing minor changes to the hemlock planting and some agricultural work on the trees. Essentially your view along S Street down through the fence, which is covered with honeysuckle, the tree canopy in here will remain virtually unchanged.

There will be a few canopy trees taken out of the middle here which are visible mostly from views this way and generally not visible even from 32nd Street. The 32nd Street view will be changed only by the addition of one gate and the removal of the cooling tower. We will be replacing some of the tree plantings that we know were at this end of the Bowling Green.

VICE CHAIRPERSON SOCKWELL: The way the library building is rendered, as you stated, or Mr. Hartman stated, one of you, that the number of trees removed to show the building is far greater than the number of trees that would actually disappear from the surroundings.

The rendering is provided showing a building that virtually disappears within its surroundings being covered apparently with ivy or whatever. There's a misrepresentation to me of the mass of the building in its developed state.

It just appears to me that the building looks like it isn't there when it really is there but is more shrouded by adjacent landscaping than hidden by its coloring and whatnot.

The rendering leaves me a little bit concerned with the impact of the building. Although I can see that the existing tree mass around it would certainly tend to shroud it from anyone trying to view it from a distance.

I just think that the rendering doesn't do justice to the building effectively. It sort of concerns me because it tries to make the building disappear and it really does.

MR. URBAN: I think that the rendering is -- our hope is that the rendering is very accurate. The tradition of landscape terraces and the integration of landscape and architecture at Dumbarton Oaks is to utilize landscape terraces.

In several cases Dumbarton Oaks has an architectural program within the terrace as the flint or base for much smaller architectural elements that sit on top of it.

The use of vines, trellises, lattice work, is a very strong tradition throughout all of the Dumbarton Oaks terraces where we are planting and, as I say, not copying but honoring

that tradition. We expect that this will be a very vine-covered series of terraces that just happen to have windows and an architectural program behind them.

George, did you want to --

VICE CHAIRPERSON SOCKWELL: If I might state, the schematics don't seem to show any planting on the perimeter of those terraces. They don't show any planters or anything that would --

MR. URBAN: It's very difficult to show vines growing on walls in plan view but there is the intent if you look very carefully at this drawing you'll see that the lower terrace is essentially a green roof and it will be planted with just a small amount of paving giving us vine pockets and the soil mass to grow vines on the second terrace up the face. This line here --

VICE CHAIRPERSON SOCKWELL: Are you saying those are contemplated or those are designed in?

MR. URBAN: Those are designed into the roof of the terrace.

VICE CHAIRPERSON SOCKWELL: They just didn't show on the drawings that you provided.

MR. URBAN: The roof of this terrace is essentially a large planter which supports the vines that grow on the second terrace face. Then there are still additional planters and plantings up on the upper terrace around the building.

VICE CHAIRPERSON SOCKWELL: So these vines will not

be trellised? They will actually be expected to adhere to the walls?

MR. URBAN: The first terrace is built out of rough stone and they will be growing right on the wall. On the second terrace there are wooden lattice structures applied to the brick. The vines will be growing on and attaching to the lattice. Again, all of that is within the vocabulary that you find around Dumbarton Oaks.

VICE CHAIRPERSON SOCKWELL: One more question. It relates to the entrance on 32nd Street. You are widening that entrance?

MR. URBAN: Yes, we are. Mostly what we're doing is there's a little extra S curve in here and we are making the gate approximately two feet wider and taking out the last little bit of curve at the top of the ramp. We are taking a little bit of the curve out of the bottom of the ramp in order to be able to get a 30-foot vehicle.

VICE CHAIRPERSON SOCKWELL: Currently the largest size vehicle that can --

MR. URBAN: We can get a large pickup truck down there. We cannot get something as large as a UPS step van down there. We want to be able to get what is designated as a 30-foot truck, double axle.

VICE CHAIRPERSON SOCKWELL: One of the issues is that you are now dealing with residential streets that are not

particularly wide and you are dealing with single-family residences which don't show in your rendering.

You are putting a much larger vehicle onto those streets than has previously traveled them. I find it somewhat tight for my vehicle when I drive and park along S Street.

MR. URBAN: Those vehicles are currently servicing --

VICE CHAIRPERSON SOCKWELL: But they are not going in that gate you're saying.

MR. URBAN: They're not but they sit. They either sit right here at the top of the hill or they sit in the parking zone in front of --

VICE CHAIRPERSON SOCKWELL: Down the street.

MR. URBAN: They simply sit on the street. The size vehicle coming to Dumbarton Oaks will not change. What will change is that we will be pulling that vehicle off the street. Right now those trucks sit right here.

VICE CHAIRPERSON SOCKWELL: Okay. So you are saying that will pull those vehicles into the property.

MR. URBAN: Right. While they are loading and unloading. This vehicle that we are describing is the standard --

VICE CHAIRPERSON SOCKWELL: I know what a 30-foot truck looks like. Trust me.

MR. URBAN: That is the vehicle that is currently servicing the property.

MR. HARTMAN: Is it appropriate to make one more comment regarding the terraces and things? Because Dumbarton Oaks has an existing -- really do come in this entrance and walk up the drive. This is the existing -- the oldest building on the site. It's an arongeree patterned after one at Y.

It opens onto a terrace and this terrace is really -- all of this much of it is the underground pool changing facilities. The prototype with terraces we want to build actually exist here.

There's a building underneath this lawn and vines and things grow around it. Then on this terrace there are planters. Now, we don't have anything like this much space but if you took this and compacted it, we would get the planters up above which exist here and actually along the wall here.

Then we would have earth below which enables us to grow up and down. This is a full size model that is existing on the site. I have to be a little careful saying this in front of the owner but we copied a lot of the stuff from the existing site.

This is in your packet but the trellises and things that are on the site do exist and we are really just adapting that. There is a wonderful trellis house right down in here that is also an inspiration.

VICE CHAIRPERSON SOCKWELL: I've been all through the parts of the property that are public and even climbed up from

the creek when I was a child and up through the cemetery.

MR. HARTMAN: You know it better than I do.

VICE CHAIRPERSON SOCKWELL: I used to.

CHAIRPERSON REID: Mr. Parsons.

COMMISSIONER PARSONS: Yes. Thank you, Madam Chair. Well, it's been a long year but a good year. I congratulate you. I remember when you first submitted this to the Board and others and things were a little different. This is a handsome project. I have a couple of questions.

Mr. Glasgow asked for some flexibility with regard to the Commission of Fine Arts and your continuing discussions with them. You were there last week as I understand it. Do they put any conditions on their action that would cause any of these plans before us to change in any way?

MR. GLASGOW: Mr. Parsons, I can enter into the record the Fine Arts transmittal letter. They recommend further study of the masonry openings and terraces, file new submission of the development of the concept design for review by the Commission when ready.

Essentially we got the type of approval that is traditional there. You know, the recommendation no objection to the general campus design and then you follow on and get your final submission. I will submit that to the record and I've got copies for the Board members.

VICE CHAIRPERSON SOCKWELL: Okay.

COMMISSIONER PARSONS: And they took action on the same plan we see here today? Not the library itself but both proposals for the gardener's court?

PROFESSOR KEENAN: Yes.

COMMISSIONER PARSONS: Now, the Advisory Neighborhood Commission has written and has asked that a contact point or a series of community meetings occur during construction. Is that something you are willing to agree to?

PROFESSOR KEENAN: Yes. And as Mr. Glasgow pointed out, Mark Haskins will be the contact person and we propose to have meetings at regular intervals, every two months, beginning four months before the start of construction.

COMMISSIONER PARSONS: Very good. When do you plan to undertake the construction?

MR. HASKINS: Mr. Parsons, if I can address that. The construction on the gardener's court is scheduled contingent on approval on starting in January '02. That's the first item that needs to be begun. That's the area behind the fellows' building, the two gardener's buildings there.

The actual library construction is scheduled to begin in July of '02.

COMMISSIONER PARSONS: Okay. I ask that only because it's recommended that this plan be approved for a period of 10 years and I didn't know whether you had a long fund-raising effort that had to go on. You certainly seem to be within the

10-year period then.

I'm curious about the need for the tunnel. It seems like one of the most disruptive parts of the project. Why is the tunnel a necessity?

PROFESSOR KEENAN: As I mentioned, this is a museum and research institution. A large number of our fellows are, in fact, engaged in the art historical study of objects in our museums. We need to provide as we have for 60 years a single security envelope for the fellows, the objects, and the books. The contiguity is just very important for us.

Now, actually I think the tunnel, although it will be costly, it will be constructed in such a way that it really isn't all that disruptive. If you look at it, it really runs essentially under the driveway. Then when it gets up and diverges from the pathway, the driveway, there it will be actually tunneled probably and not excavated.

COMMISSIONER PARSONS: Oh, I see. This would not be a cut and coverup.

PROFESSOR KEENAN: Under the driveway it will be cut.

MR. URBAN: Cut and covered up to the face of the wall. We will be cutting and covering from the corner of the existing excavation which is here up to the wall of the Bowling Green and then tunneling from the Bowling Green to the pre-Columbia museum where we have some large trees that we are trying to preserve.

COMMISSIONER PARSONS: So the tunnel is not to keep your fellows out of the rain. It's rather to have security of artifacts was they move back and forth.

PROFESSOR KEENAN: The security of the artifacts. It's a noncirculating library so the books have always circulated within the building but not signed out.

Also you may remember that either Mr. Hartman or Mr. Urban mentioned that our delivery dock is going to be moved down into the service court so the materials that are delivered there will be able to circulate throughout the building on that tunnel.

COMMISSIONER PARSONS: It's early in the process because this is a concept but I wondered if you could describe what thoughts you have about storm water runoff from this -- I guess, as I understand the calculations here, it's 18,800 square feet of foot print beyond that which exist now. Generally water runs downhill. Right, Mr. Urban?

MR. URBAN: Um-hum.

COMMISSIONER PARSONS: I see to the north of that sheet, or maybe another sheet, that there is some park land there which I understand at one time was integral to the estate and now is under the jurisdiction of the Park Service, and a fairly fragile stream and if you could talk about how the storm water runoff might impact or not impact that stream.

MR. HARTMAN: First of all, there are some existing buildings in this area. This green piece here is actually the

roof of the building. Then there are a series of garages and terraces, former greenhouses and other facilities in this area. Within the area that we're working a fairly good percentage of that existed and the foot print is already paved.

Secondly, these two terraces here are going to essentially be green roof terraces. They will have some amount of storm water absorption to them as part of the function of growing plants in here. We will essentially also get a fairly good soil layer in there that can absorb a fair amount of rain.

When you subtract out the green terraces and subtract out the area that is actually paved already, we are only increasing the paved area within this water shed which runs down this ridge line here and that ridge line there.

We are only increasing that paved area within that water shed by approximately five percent. We think that amount of increase in terms of loading and some other mitigation and things that we can do with infiltration and trenches is not going to have a dramatic impact.

We also have a large storm water line existing that runs approximately -- let's see. There's a manhole there and one further up. It runs down to the dell that we can tie into for any excess runoff. We don't believe that we are going to be putting any additional water into the park than what is already flowing in there.

COMMISSIONER PARSONS: So that storm drain that you

just described or just indicated on the drawing goes into the park and discharges?

MR. HARTMAN: Yes. It goes into the park and ties into a district sewer, storm water sewer in the park. It's about a 42-inch line that runs up the park valley this way and actually goes all the way up to S and Wisconsin.

COMMISSIONER PARSONS: I see. And you would be able to tap into --

MR. HARTMAN: Probably go into the -- not go down there but go into --

MR. URBAN: Tap into the existing line as it comes up in our property.

MR. HARTMAN: We do not think at this time that we are putting any paved runoff onto the park site. We are putting rain that falls on the ground may run down there into the stream but we have catch basins for most of the paved areas.

COMMISSIONER PARSONS: And the roof on the new library, that will be collected?

MR. URBAN: This roof area here and excess water during greater than 10-year storm events from these terraces will go into systems that will tie into the storm system.

COMMISSIONER PARSONS: Would you object to a condition that you work with the Park Service as you go along? I'm sure you probably plan to do that anyway.

MR. URBAN: We do, sir.

COMMISSIONER PARSONS: Now, the cultural landscape report, is somebody requiring you to do that as part of the processes you've been through or is this a voluntary effort?

MR. HASKINS: Mr. Parsons, it is a voluntary effort. In undertaking this project we consulted with a number of interested parties and as a result of those consultations, we decided to proceed with it including, as you know, the National Park Service was a leader in developing this COR process. It's not often used on privately owned properties. It's fairly unusual for it to be used on privately owned properties.

In looking at the methodology, though, we did decide to proceed with it and it has provided enormous documentation of the history of the property. It's very much been a part of decision making. That team member is not here today but in developing treatment recommendations has been part of decision making.

There is no federal funding in this project. We are not doing any reporting to federal agencies and it's purely voluntary and part of an internal design process.

COMMISSIONER PARSONS: Does that deal with just the designed landscape to the right of the drawing or is it the entire property?

MR. HASKINS: It addresses the entire property. Of course, the parts of the property that are not near or involved in this project are the ones that are most highly designed and

most carefully designed as formal gardens.

The cultural landscape report deals with the entire 16 acres. The part where construction is anticipated the COR has been developed further to develop treatment recommendations also. Those treatment recommendations have been an integral part of developing the plan that you see today.

COMMISSIONER PARSONS: Okay. One more question that has to do with the potential noise from the chiller or air handling equipment or whatever it's called behind the greenhouse and how it might intrude on the park to the north.

MR. URBAN: When we were first working on this project when we were under the North Vista, we had the chillers in this location and we had a acoustical consultant, Kevin Miller, who looked at his perceived impact of the noise.

These are water tower chillers that we are anticipating using and he felt that the sound of the brook in the park would probably be louder or equal to the sound of the chillers or they would be of the same sound. He did not believe that any person would be able to tell that that equipment was operating at the top of the hill.

COMMISSIONER PARSONS: I guess we won't know until it's operating.

MR. URBAN: Right.

COMMISSIONER PARSONS: That's good testimony. And steam plumes and that kind of thing come from these devices?

MR. URBAN: Yes, there will be a steam plume up there.

COMMISSIONER PARSONS: Okay. Thank you very much.

CHAIRPERSON REID: All right. Let's see now.

MEMBER RENSHAW: Madam Chair, I have a couple of other questions.

CHAIRPERSON REID: Okay. After I get done.

MEMBER RENSHAW: Fine.

CHAIRPERSON REID: I concur with my colleague that this certainly is a very impressive looking project. Also, initially there were quite a few letters of opposition, as you all know.

It appears that in the interim from the time that you were going forth to now, apparently given the fact that there is no one here in opposition, there must have been a lot of community relations work done and obviously effort made to ameliorate and dissipate the opposition that was here initially.

I would just like to hear what or how this was accomplished just because of the fact that we won't have any update on it, but just curious.

Particularly I think most of it was -- a lot of it was from the concerned citizens of Dumbarton Oaks. I'm sure that you've met with them now in regard to the water problem or the perceived water problem and ecological disturbances and things of

that nature.

MR. HASKINS: I have never been involved in a project that was more open to information than this project through all of its evolution. A lot of the original concerns were as the result of presentations that we made to interested parties, American Society of Landscape Architects, concerned citizens, neighbors.

Right from the beginning we really did open up the project and invite comments, expressions of concerns in a dialogue with us since Dumbarton Oaks is a private owned property that we opened to the public. It's not a publicly owned property. When I joined the project I thought it was quite remarkable the extent that we engaged in dialogue.

Without speaking for others, I would say that we are very happy that as a result of that dialogue those who were most critical of us early in this process seem now to be supporters. All the comments that we now receive or see published in the newspaper indicate a sense of support for how we are approaching the project.

This project has been scrutinized by landscape architects all over the country so we are very happy that what we see now is certainly the withdrawal of opposition and, in fact, where comments are being made that they are being supportive.

I wouldn't say that it was necessarily public relations. I'm not sure of the phrase you used. I think that

they've looked at the project and decided that it's appropriate. Throughout that discussion there was always an acknowledgement of the critical need for additional space at Dumbarton Oaks.

Some of the people who early on criticized us were very familiar with Dumbarton Oaks and the need for the library and would acknowledge in their letters that they agreed that there was this need for an expansion. All I can say is that in the course of this discussion they have gone from indicating criticism to indicating support and we are happy to see it.

CHAIRPERSON REID: Okay. Great.

MEMBER RENSHAW: Just a few additional questions. I would like to know how long is it going to take for the garden court construction to begin in January '02 and the library July of '02. How long will those two projects take? An estimate.

MR. HASKINS: The gardener's court which starts in July of '02 will be finished in approximately a year. I'm sorry, in January of '02. We'll be finished in January of '03. It's about a year of work. Some initial site work and then constructing the buildings.

The library project itself, the library construction itself which will begin in July of '02, would be finished in approximately two years so that actually on my schedule is shown in June of '04 but it's the end of June so really it's a two-year construction process.

MEMBER RENSHAW: All right. For the entire project,

the library, the gardener's court, the renovations in the main building, the tunneling, the widening of the driveway, is that going to be a seven-year project?

MR. HASKINS: We had shared with the Office of Planning, or the Zoning Office a schedule that was approximately seven years. We are looking at compressing that now slightly to five to six years. In order to renovate the mansion, the main house at Dumbarton Oaks, we really need to complete the library first so that we can move a central material and people over into that space. One almost has to -- they almost have to file sequentially rather than simultaneously in terms of construction.

MEMBER RENSHAW: I ask the question because a seven-year time frame for construction activity in a neighborhood in a long time. I am glad to hear that you are looking to compress it to five or six years. I just know that you will be sensitive to the neighbor's concerns about the ongoing noise and the dirt. Is there going to be any blasting connected with the construction of the library?

MR. HASKINS: I'll let our architects answer that particular question. To address the first question in terms of the disruption, certainly the new buildings would be the most disruptive and they are scheduled to occur over about a two and a half year period.

After that it's all renovations and interior work.

Hopefully that will be considerably less noticeable to neighbors since it is interior work and does not involve substantial work to the exterior of buildings.

George.

MR. HARTMAN: When we do the existing house, we will probably stage it from the front out here. That is, the mansion.

MEMBER RENSHAW: So you are going to stage it from our street?

MR. HARTMAN: We'll stage it from our street, now down in here so there is sort of a shifting of this as it goes around.

MEMBER RENSHAW: Well, I know that area very well because I come from our street along 32nd up to S and over to Wisconsin Avenue. I'm struck when I use that route to get over to Wisconsin that the turn from 32nd right up by the gardener's cottage, right up in there, that's very tight.

I am concerned what with the construction trucks using that corner. Then you've got parking in the afternoon for the museum and parking on our street for the gardens in the afternoon.

That is going to be so tight up there that you're going to have to probably have a flagman in the afternoon when you have increased traffic to the house and to the gardens to control that area.

MR. HARTMAN: The District is going to set up traffic

control here, limitations in turns and things to ease that. As well, I think, Mark, there's an additional light at this point.

MR. HASKINS: There is a proposed rule change that's now been published where the traffic would be limited from turning onto S Street in the mornings from Wisconsin, would not have access during rush hour and in the afternoon from our street because there is quite a bit of traffic that uses that as a cut-through and that's really the source of the congestion in there.

MEMBER RENSHAW: Has that been approved by the ANC? Has that gone before the ANC?

MR. HASKINS: The ANC -- I was at a meeting where they expressed support. I can't say -- I'm not sure where it is in the administrative process but I know -- in fact, it was formulated that the language that is being developed in conjunction with the ANC so I can speak pretty confidently that the ANC is in support without trying to speak for them.

I know that they have been meeting with -- we've been involved in meetings with the neighborhood and the ANC where these recommendations have been developed and that rule change has not been published.

MEMBER RENSHAW: I would like to hear from Professor Keenan as to the amount of traffic that the museum generates per year. You have periods when you have more visitors to the museum than other periods of time. Where do those visitors park? Are you in the redesign of the property going to have any parking

spaces for visitors to the museum or to the gardens?

MR. GLASGOW: Just for the record, I don't mind Mr. Keenan answering the question but that's beyond the scope of the campus plan that we have.

MEMBER RENSHAW: But I would like to -- if he may. If he would, please.

CHAIRPERSON REID: What was the question? Excuse me, sir. I'm sorry. Mr. Sockwell was asking me a question and, I'm sorry, I didn't hear your question.

MEMBER RENSHAW: I asked about the activity to the museum and to the gardens per year and whether there was any consideration as they were redoing this property for parking for visitors to the museum and to the gardens because parking is so tight on the neighborhood streets.

PROFESSOR KEENAN: Actually, as my colleagues will attest, much of the day you can park easily on S Street or 32nd Street. No one has really studied what visitors do. Many of them seem to come on foot. Many of them have come to the garden and then, having been through the gardens, come into the museum.

Traffic over the last, I believe, seven years, the last year of counting being '98/'99, over that seven-year period the number of visitors to the museum has declined by 30 percent from 31,000 to 21,000.

We do not charge admission, but we also do not have any need for, you know, blockbuster shows and banners outside the

PCM and so on. For reasons that I have not been able to establish, the museum visitation has declined.

CHAIRPERSON REID: Excuse me.

Mr. Glasgow, your point was that the aspect of the museum is not before us.

MR. GLASGOW: That's correct.

CHAIRPERSON REID: That is correct. Sir, although you did indulge us with the answer as asked by Mrs. Renshaw, nonetheless, you don't have to -- it's not necessary to go any further with that response because it is not the museum that is before us today.

MEMBER RENSHAW: I thank you for your comments anyway. It just gives a little bit more information. Thank you.

CHAIRPERSON REID: Mr. Sockwell, are you done? You said you had one more question or something?

VICE CHAIRPERSON SOCKWELL: Yes. Actually, I had a question about the previous plan which was opposed so much by the community which was the underground building at the north vista. That was, of course, deleted from your plan which appeared to meet most vehement opposition of the community. I just wanted to put that on the record that you had modified that.

I think Ms. Renshaw asked most of the staging questions, but I thought that perhaps it would be appropriate for you to submit to the ANC-2E an off-site construction activities management plan because you are going to stage on site, but the

off-site movement of vehicles will probably be of most great concern during your construction process.

That is going to affect the utility of 32nd Street and S Street. Especially in the afternoons when people are using that bypass to get to Wisconsin Avenue it's going to become a nightmare for the residents themselves getting home as well as probably will kill off much of that daily rush hour cut-through traffic.

CHAIRPERSON REID: Okay. All right. Now, Mr. Parsons, did you have any other questions?

COMMISSIONER PARSONS: No, I don't.

CHAIRPERSON REID: Okay. Let's move to --

MR. GLASGOW: Ms. Reid, if I could, we will submit for the record a copy of the Cooper Rules, the safety standards for construction vehicles. We have agreed with the ANC to use those rules.

VICE CHAIRPERSON SOCKWELL: That was their requirement in that December '99 resolution.

MR. GLASGOW: That's correct. I'll submit those for the record.

VICE CHAIRPERSON SOCKWELL: We have them.

CHAIRPERSON REID: We have it.

VICE CHAIRPERSON SOCKWELL: We have more than enough copies of them.

CHAIRPERSON REID: You want that to become a

condition for the approval? You're going to have that included? Okay.

Now, Government reports. We have an Office of Planning report. Mr. David Mcghettigan is here to give that report.

MR. MCGHETTIGAN: We have discussed it so thoroughly I don't know if I'll have much to add. I could perhaps summarize most of the issues.

The Office of Planning has reviewed the campus plan and the further processing request. Based on the criteria established in Section 210 of the Zoning Regulations, we've decided that the proposed expansion projects are not likely to become objectional to neighboring property due to noise, traffic, number of students, or other objectionable conditions.

The campus plan proposes development over the next 10 years that will not significantly increase impacts on the neighborhood. The comprehensive plan which sets objectives of protecting and preserving historic features has been addressed by the applicant's sensitive location and architecture of the proposed building.

The equality of this design if reflected in the acquiescence of ANC-2E, the old Georgetown Board, the Commission of Fine Arts, the American Society for Landscape Architects, and the general landscape architecture community which vehemently opposed the initial library location under the north vista.

Residents as reflected in ANC-2E's approval letter are concerned with construction traffic and noise. Dumbarton Oaks is aware of these concerns and is committed to communicating construction schedules to the neighborhood through regular meetings and establishing a point of contact in its office facilities for construction related concerns.

Traffic and parking at the campus are currently managed by housing all fellows within walking distance of the campus and encouraging staff to walk or take public transportation. The applicant agrees to continue these effective practices to minimize traffic and parking impacts on the neighborhood.

The Office of Planning recommends approval of BZA application 16555 requesting a special exception to permit a revised campus plan and further processing of the Dumbarton Oaks library which is entered into the record as Exhibit 8. The Office of Planning urges the Board to adopt the following conditions.

(1) The property shall be developed in substantial conformance with the plans titled Dumbarton Oaks Library prepared by Hartman Cox Architects and dated September 14, 2000.

(2) The campus plan shall be valid for a period of 10 years.

(3) The Applicant shall establish a method of communicating the construction schedule to the neighborhood and

shall establish a point of contact for construction related concerns.

(4) The applicant shall establish a program to encourage ride sharing, transit, bicycle, and pedestrian modes of transportation by employees, fellows, faculty, and visitors.

That concludes my report.

CHAIRPERSON REID: Thank you. Questions, Office of Planning?

MEMBER RENSHAW: Madam Chair, just one very small point. In this packet; that is, the OP packet with the dividers, in No. 2, page 6, paragraph 3, you said importantly the university plans no significant increase in the number of students, fellows, faculty, or staff.

Then you state that no expansion is planned for programs, number of fellows, or library collections. Is there any difference between the two where one says no expansion is planned and then the other says the university plans no significant increase?

PROFESSOR KEENAN: I can speak to that. The word significant is mine. I wanted to introduce it because, as I said before, we sometimes vary. You know, we had 17 fellows or you can have 18. There certainly is no plan of any kind and I would oppose any plan to change the number significantly. That is to say, to add another 17. I just wouldn't do it. I don't think any successor of mine would ever do it.

MEMBER RENSHAW: Thank you for clearing up this discrepancy.

CHAIRPERSON REID: Thank you. Moving on now to the ANC report. Also we did receive a report from the Commission of Fine Arts.

Basically the Commission of Fine Arts has registered that they have no objection to the general concept design for the library building and no objection to the proposed addition of the garage and the plant storage facility which are nonthreatening elements to the historic district.

They do recommend further study of the masonry, openings, and terraces and file a new submission of the development of the concept design viewed by the Commission when ready.

Thank you very much. Now, the ANC report finally.

Ms. Renshaw, do you want to summarize that for us? Ms. Renshaw.

MEMBER RENSHAW: ANC. Sorry. I'm having a little mini conference over here.

The ANC report 2E dated October 13 to the Board of Zoning Adjustment signed by Peter Polsifer, the chair of ANC-2E. The statement was approved by 2E at its regularly scheduled duly noticed public meeting September 5, 2000, at which all commissioners were present.

The letter goes into a review of the project and

talks about the almost universal support for its sensitivity to the historic landscape, appropriateness to the setting.

ANC made its recommendations for the project with the knowledge that required public bodies would review the project to assure the very best practices are planned for all of the elements of the project but with great weight being given to the endorsement of the fundamental elements of the plan presented to the ANC.

It states that Dumbarton Oaks has achieved the delegate and appropriate balance between preservation and modernization of its facilities and infrastructures. It supports the approach embodied in the west property master plan presented.

But it states because of neighborhood concern for truck traffic and disruption from excavation and other potential neighborhood impacts, ANC-2E recommends that the BZA require meetings with the community as represented by the ANC to gather community input and to inform the community as to developments in the project.

CHAIRPERSON REID: Okay. And also they name the Cooper Rules --

MEMBER RENSHAW: Yes, Cooper Rules.

CHAIRPERSON REID: -- be adopted. All right. Thank you very much. The ANC-2E will, therefore, be afforded the great weight in which it's entitled.

There is no one here in opposition, although we did mention that there had been letters and that seems to have been -- the concerns of the opposition has been dissipated by virtue of the fact that no one is here in opposition and has been reconciled with the applicant. The issues have been reconciled by the applicant, most aptly I might add.

There is also no one here in support so we move now to the closing remarks by the applicant. I should also note for the record there were letters of support in the record registering their overwhelming support. One from the American Society of Landscape Architects and a few others.

Closing remarks by the applicant.

MR. GLASGOW: Just briefly, Madam Chair. We believe that we have fully met our burden of proof in this case. I think as the Zoning Commission member on the panel recognized, we have come a long way in a year.

It's been a lot of time, energy, and effort spent by the applicant to bring this project to this point. We would hope that you would be able to approve the project today with the conditions which we have agreed to as we've been working with the community, with the ANC and others.

Thank you. That's concludes my statement.

CHAIRPERSON REID: Mr. Glasgow, you're not going to ask for a bench decision summary order?

MR. GLASGOW: Oh, I did right at the outset. I asked

for a decision today.

CHAIRPERSON REID: Okay. I'm sorry.

MR. GLASGOW: That's where I started out but I should have finished up that way.

CHAIRPERSON REID: Okay. I didn't hear you say a decision today or summary order. Okay. All right. Can we have a motion, please?

COMMISSIONER PARSONS: Madam Chairman, I would enthusiastically move that we approve this application with the four conditions outlined in the Office of Planning Report, a condition that gives the flexibility that Mr. Glasgow requested regarding the further review by the Commission of Fine Arts.

Then the one I mentioned during the discussion of storm water, I would have written something here that I would like to add. That would be a sixth condition.

During the development of final plans the applicant shall work with the National Park Service to ensure that the storm water from proposed roof and paved areas will not generate any increased flows into the branch or the pebble stream which run within Dumbarton Oaks park.

CHAIRPERSON REID: Okay. Second? I'll second it.

Now, this is with the conditions that have been stipulated by Office of Planning as well as to add to it those that have been requested by the ANC which pertains to the adaptation of the Cooper plan for doing repair construction.

Ms. Renshaw, didn't you have another one regarding the circulation of the construction truck?

MEMBER RENSHAW: Again, it goes back to the Cooper Rules, that the excavation company must identify the routes for the driver that minimize the use of streets through residential areas.

CHAIRPERSON REID: That falls under the Cooper plan?

MEMBER RENSHAW: That falls under the Cooper Rules.

CHAIRPERSON REID: We will incorporate that as a request from the ANC. I think that was the only one from the ANC. Oh, no, that there be, I guess, a liaison or just a regularly scheduled meeting.

MEMBER RENSHAW: I believe the applicant proffered meetings every two months starting four months prior to construction.

CHAIRPERSON REID: Okay. Every two months. Regularly scheduled meetings every two months with the ANC. Okay.

MR. GLASGOW: We have two other matters. We ask for the flexibility on the parking spaces to go from 50 to 60.

CHAIRPERSON REID: Sure. I have that. Increase to 10.

MR. GLASGOW: Then the number of fellows to go from 17 to 25.

CHAIRPERSON REID: Right. And I have that as well.

Number of students to be a maximum of 25 over the 10-year period. Parking spaces increase by 10. I think that was all.

Mr. Sockwell, did you have any others?

VICE CHAIRPERSON SOCKWELL: No. I think what I had discussed about off-site truck movements is covered.

CHAIRPERSON REID: That was proffered by Mr. Parsons in regard to the storm water runoff and the National Park Service.

Could you please when we call the vote reiterate those conditions and make sure we have them all. All in favor?

VICE CHAIRPERSON SOCKWELL: The only thing I would add very briefly is that the developer would use -- the landscape architect would use the greatest sensitivity possible to preserve the character of Dumbarton's landscaping which includes both formal and informal landscaping to which the community has become greatly attached.

CHAIRPERSON REID: That's not --

VICE CHAIRPERSON SOCKWELL: To use great sensitivity in final landscaping design to preserve the formal and informal character of Dumbarton landscape.

CHAIRPERSON REID: Mr. Sockwell, I think that they have demonstrated here today most succinctly that it is fully their intention to do so. That's what I got.

VICE CHAIRPERSON SOCKWELL: It seems to have been one of the most principal issues of concern of community and as a

regular user of Dumbarton, especially in the spring, I believe that is consistent with the desires of the community. I'm sure that Dumbarton would not object to that.

SECRETARY PRUITT: Excuse me, Mr. Sockwell. How would that be enforced?

VICE CHAIRPERSON SOCKWELL: We don't enforce much of anything now, do we?

SECRETARY PRUITT: Well, I guess the concern is from staff's point of view if a community person came up and said this order is not being followed, it normally goes to DCRA for enforcement. How would someone at DCRA enforce that?

VICE CHAIRPERSON SOCKWELL: There might be some question as to its enforceability. Why don't I just remove that and make it a rhetorical statement.

CHAIRPERSON REID: You may make a suggestion.

VICE CHAIRPERSON SOCKWELL: As a suggestion.

CHAIRPERSON REID: Okay. All right. All in favor?

ALL: Aye.

CHAIRPERSON REID: No opposition, I suppose, since there's four of us.

MS. BAILEY: Staff will record the vote as four to zero. Motion made by Mr. Parsons, seconded by Mrs. Reid. Mr. Sockwell and Mrs. Renshaw to approve the application. Mr. Moulden was not present and did not vote.

The conditions are as follows. To increase the

current fellows from 17 to a total of 25 over the next 10 years. To expand parking from 50 to 60 over the next ten years. To include the Cooper Rules condition as requested by the ANC. To include Mr. Parsons' request to work with the Park Service. To coordinate storm water management. Also to include the four conditions proffered by Office of Planning.

CHAIRPERSON REID: And also the meetings.

MS. BAILEY: I'm sorry. Community meetings every two months starting four months prior to construction.

CHAIRPERSON REID: Okay. I think that's it.

Good luck to you. You should have your order in about two to three weeks.

That concludes this morning's session. Thank you. We'll reconvene at 1:00.

(Whereupon, at 11:46 a.m. off the record for lunch to reconvene at 1:00 p.m.)

A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

1:18 p.m.

CHAIRPERSON REID: Good afternoon. Ladies and gentlemen, this is the November 21st public hearing of the Board of Zoning Adjustment, District of Columbia. My name is Sheila Cross Reid, Chairperson. Joining me today is Robert N. Sockwell, and shortly Ann Renshaw will be coming in. Representing the Zoning Commission is John Parsons.

Copies of today's hearing agenda are available to you. They are located to my left near the door.

All persons planning to testify either in favor or opposition are to fill out two witness cards. These cards are located on each end of the table in front of us. When coming forward to speak to the Board, please give both cards to the reporter sitting to my right.

The order of procedure for special exception and variance cases are: (1) statement and witnesses of the applicant and then cross examination; (2) Government reports including Office of Planning, Department of Public Works, etc.; (3) report of the Advisory Neighborhood Commission; (4) parties and persons in support; (5) parties and persons in opposition; (6) closing remarks by the applicant and cross-examination as would be appropriate, cross examination of witnesses submitted by the applicant or parties.

The ANC within which the property is located is automatically a party in the case. The record will be closed at the conclusion of each case except when the material is specifically requested by the Board and staff will specify at the end of the hearing exactly what is expected.

Decision of the Board in these contested cases must be based as exclusively on the public record. To avoid any appearance to the contrary, the Board request that persons present not engage members of the Board in conversation. Please turn off all beepers and cell phones at this time so as to disrupt these proceedings.

The Board will make every effort to conclude the public hearing as near as possible to 6:00 p.m. If the applicant's case is not completed by 6:00 p.m. the Board will access whether it can complete the cases remaining on the agenda.

The Board will now consider any preliminary matters.

Preliminary matters are those which relate to whether the case will or should be heard today such as request for postponement, continuance, or withdrawal, or whether proper and adequate notice of the hearing has been given. If you're not prepared to go forward with the case today or believe that the Board should not proceed, now is the time to raise such a matter.

Does the staff have any preliminary matters?

MS. BAILEY: Yes, Madam Chair. Good afternoon. I'm Beverly Bailey with the Office of Zoning. The preliminary matter has to do with the last case on the agenda, application No. 16626, Columbia Realty Venture, LLC. The applicant is requesting that case be postponed.

If I'm not mistaken, Mrs. Pruitt, we have not identified a new hearing date for that.

CHAIRPERSON REID: You say we have?

MS. BAILEY: We have not, Madam Chair.

CHAIRPERSON REID: All right. When will be do so?

SECRETARY PRUITT: As it stands in looking at the new schedule, it appears that the first available date would not be until March at the very earliest. Let me see.

CHAIRPERSON REID: Was the applicant --

SECRETARY PRUITT: It's the applicant's request to postpone this.

CHAIRPERSON REID: I understand, but was the March date something that they understood? Are they agreeable to the

March date?

SECRETARY PRUITT: They want it indefinitely. Staff would strongly recommend not postponing it indefinitely because what happens is cases tend to get lost so we try to postpone them for four months out if they think it can be resolved before then.

That's why I say if we do it in March or April I think they would have resolved the issue and actually, if that's the case, it would actually be withdrawn all together. Let's see. March 6 is the first meeting date so we can continue it until March 6.

CHAIRPERSON REID: Okay, Board members, is that all right? Do you want to do it by consensus or do you want to take a vote? By consensus we would agree to the March 6 date for rescheduling.

SECRETARY PRUITT: Okay. Thank you.

CHAIRPERSON REID: Thank you.

Ms. Bailey, call the first case of the afternoon. The only case of the afternoon.

MS. BAILEY: Application No. 16623 of the Washington International School pursuant to 11 DCMR 3104 for a special exception under Section 206 to allow the continued use of a temporary modular building as an annex for classrooms on the campus of an existing private school in an R1A district premises 3100 McComb Street, N.W.. The property is located in Square 2084

on Lot 837.

Please raise your right hand to take the oath. Do you swear that the information that you will be giving today will be the truth? Please say I do.

MS. PIERCE: I do.

MS. BAILEY: You may be seated.

Madam Chair, ANC-3E did file a report and that report is in your package. We also have a letter from the Friends of Tregaron Foundation. Also from the Cleveland Park Citizens Association. The property was posted timely and an affidavit was also filed.

We do have a report from the Office of Planning as well and that report needs to be waived in. The case is now ready to go forward.

CHAIRPERSON REID: I have no problem with the going ahead now and waiving in the Office of Planning Report. Any objection, Board members?

ALL: No.

CHAIRPERSON REID: Okay. So be it.

MR. DEPUY: Thank you. Madam Chair, members of the Board, for the record, I'm Jacques DePuy, attorney with Greenstein DeLorme & Luchs representing the applicant, the Washington International School. The case before you this afternoon is for special exception to continue the use and location of a building which is referred to as the annex which

contains four small classrooms.

This particular building has been reviewed by this board twice previously; six years ago for a four-year term and two years ago for a two-year term. As our witness will indicate, there have been some changes in the circumstances affecting the International School and the relief requested is for a lengthier extension this time than has been granted in the past.

At this point I would like to call our witness.

Ms. Pierce, would you identify yourself and give your statement for the record.

MS. PIERCE: Thank you. Madam Chair, members of the Board, I am Anne-Marie Pierce, head of the Washington International School. I appear before you today to request your approval for the continued use of a small four-classroom modular building called the annex which has been located on our campus for six years.

You can see the location where the building is. The annex is only 1,500 square feet and is sited on a location on campus that is not visible to any adjacent neighbors in winter or summer.

By this application the Washington International School seeks no increase in the number of students or the number of faculty and staff on campus. We seek no authority to construct any new buildings or other structures. We do not seek

nor anticipate any increase in the number of visitors to the campus. We expect no increase in traffic.

The annex is completely invisible all year around from the residential communities on either side of campus. It has no exterior lights. No noise emanates from the building. New evergreen landscaping has been added around the annex in order to make it virtually disappear.

When I last appeared before this Board two years ago, we anticipated that the annex would not be needed after the completion of our new arts and athletic center in September 2000.

This new building provides eight new classrooms and a seminar room. However, a number of unforeseen circumstances have occurred which have caused the school to revisit its plans.

First and most importantly, the facilities of the school have been reviewed by our accrediting authorities who have advised WIS that its existing building and facilities will not satisfy its educational and space needs.

Such accrediting authorities recommended that the annex be retained to mitigate such deficiencies. Specifically, in our most recent accreditation review, the accreditation officials made two recommendations that directly impact our use of space on campus.

The first one is that we should minimize or entirely eliminate the use of the four basement classrooms in the existing mansion building. One of those classrooms had already been taken

out as a classroom to use as a computer network center.

Secondly, the accrediting body wanted us to dedicate some classroom to specific subjects, particularly languages, in order to be able to create an environment reflecting the cultural aspect of the language taught. Personally, as a former French teacher, I couldn't agree more with that recommendation.

In addition, we have added a new course to our curriculum. It's called design technology which is required by the International Baccalaureate Organization for the Middle Years Program that was authorized recently for our school.

This course requires special equipment and, therefore, a dedicated room. The class immediately adjacent to the classroom used for this course can only be used for tutorials because of the noise generated by hands-on projects in design technology. This noise, I must add, doesn't reach any of our neighbors.

This new course, therefore, removed two other available classrooms. A consultant with services we engaged to help us solve our space problems also recommended that we retain the four classrooms of the modular building.

These recommendations from the accreditation authorities and the educational consultant cannot be accommodated by existing facilities because our school also lost classrooms when the building that was on the side of the new arts and athletic center was demolished.

As a result of this demolition the offices for the finance, facilities, mission and advancement functions of the school were relocated to two other buildings called the gardener's cottage and the greenhouse.

The four classrooms of the modular building will allow the school to fulfill these two recommendations and help replace the classrooms lost to offices, the network center, and the new course.

Furthermore, the new gym on campus has finally allowed us to implement a totally different class schedule which has proven to help reduce student and faculty stress but doesn't bring any increase in space use efficiency.

It is also important to note that all our students in grades 6 through 10 are in class every period of every day. We have no study halls. This means that the Washington International School has very heavy use of classrooms.

As a result, of all the factors I have described above, the school is totally dependent on the annex to function properly until such time as the school can build as permanent classroom building.

Permit me to discuss at this point the only issue regarding our application which seems to have generated different responses by ANC-3C, the Office of Planning and Friends of Tregaron.

As you know, the Office of Planning has recommended

that our application be approved for 10 years. The ANC has recommended a four-year extension of authority and Friends of Tregaron has recommended that our application only be approved for approximately seven months through the end of this school year.

When we filed the pending application, BZ Application No. 16623, with the Board on August 1, 2000, the school sought a permanent extension of authority to locate the annex on campus.

Promptly upon filing the application in early August, we notified the Friends of Tregaron, a neighborhood organization with which we have worked very closely in the past. I should add which we will continue to work closely in the future.

We notified them of our plans and provided a copy of our BZ application. We attempted to contact Friends of Tregaron on several occasions to discuss our application.

However, we didn't learn of any objection or concerns from Friends of Tregaron until the night of the ANC meeting. Had we had an opportunity to do so, we would have worked with Friends of Tregaron on this issue.

In view of the recommendations of the Office of Planning that our authority only be extended for 10 years and in recognition of the concerns of the ANC and of the Friends of Tregaron, the school is willing to withdraw its request for a permanent extension of authority with respect to the continued location of the annex.

However, we are only able to make this good faith concession if the recommendation of the Planning Office that such authority be extended for 10 years is accepted.

After the issue of limitation on our authority was first raised at the ANC meeting three weeks ago, and after consultation with administrators and trustees, the school prepared a detailed timeline for construction of a new classroom building to replace the annex.

As you will see, the four years recommended by the ANC is simply unrealistic. Allow me to outline the steps and time required for fund-raising, planning, development, and construction of a new classroom building on the Tregaron campus.

The school recently entered in a 30-year 11 million tax exempt municipal bond to build the new primary school campus on reservoir road and the arts and athletic center on the Tregaron campus.

The debt service per year is $695,000. The school is required to maintain a minimum of $1.25 debt service ratio at all times. It is, therefore, essential for the school to begin repaying this long-term debt and arrive at a dead service ratio which is comfortably above the minimum.

It will take three or four years at the very least before the school is in a position to borrow anymore funds to construct a new classroom building. This process would take the school to 2003/2004.

Because the current strategic plan for WIS covers 1996 to 2001 and a new head of school will arrive in July, in fact that person has been appointed today, the next strategic planning process is not scheduled to commence with the new head and members of the Board of Trustees until late 2001 or early 2002.

In addition, once this strategic planning process is completed, we plan to consult with Friends of Tregaron and other neighborhood organizations before proceeding into detailed architectural plans and drawings.

Once such a community process is completed, architectural planning and development of drawings and construction drawings would take approximately 18 to 24 months. That would take us to 2003/2004.

Fund-raising at the Washington International School is a difficult and show process because it is essentially grassroots and broad-based instead of being dependent on a few large donors.

As an example, the school's campaigns to raise $2.5 million took eight years. WIS has other fund-raising priorities currently, namely the completion of the primary school third floor. This is planned for construction between June and December 2002. We expect that fund-raising for this project will extend to its completion.

The school hopes to be in a position to acquire the

balance of the Tregaron property, a step which we have been informed is supported by our neighbors. This effort will likely require a fund-raising effort as well.

Therefore, the school could not envision another capital fund-raising effort for a permanent classroom building at Tregaron until 2004 or 2005. The campaign would take at least three years taking us to 2007 or 2008.

A zoning process of six to 12 months involving fervent community involvement cannot start until the campaign effort is well advanced since the permit is only valid for two years.

Four to six months would be necessary to obtain building permits and that takes us to 2008, 2009. Construction will take nine to 15 months making the completion of the project possible in late 2010 and early 2011 which is, I'm afraid, 10 years from now.

To conclude, the school does not seek any increase of students or faculty. We do not propose any increase in activity. We will not cause any adverse traffic, parking, noise, glare, or other impacts on our neighbors.

We will continue to be good neighbors who simply seeks the flexibility and added effectiveness to keep this small four-classroom annex building in its current location for 10 years in order to implement the school's complex and demanding educational program.

I ask for your support and I thank you for this opportunity to testify and would be pleased to answer any questions you may have. Thank you.

CHAIRPERSON REID: Thank you very much, Ms. Pierce. Given the fact that there's no one here either in opposition or support of your application, we should be able to dispose of this fairly quickly. Board members do have questions and then once we get done with that we can move forward on this.

Board members, do you have questions? Ms. Renshaw? Mr. Sockwell?

MEMBER RENSHAW: Thank you, Madam Chair.

Good afternoon, Ms. Pierce. Thank you for your very well laid out testimony. I have just a question. You've known for quite a few years that this temporary annex is temporary and you are going to have to replace it. Now you are asking for ten years to keep a temporary facility temporary while you are doing some fund-raising.

In the aspect of priorities, why didn't this take priority over your recent arts building, was it, that you constructed?

MS. PIERCE: Arts and athletic center. Two years ago when I came to you, I was truly thinking we would be able to live without the annex. I was looking forward for it to be gone.

Since then we have had the accreditation who made it really a very strong point that we shouldn't use the classrooms

in the basement which we had been using 100 percent. Now we use them really as overflow when we can't do anything else.

The course of design technology had not been added and we didn't realize that it was going to take not one room but two rooms unless we were -- if we are able to put it in a place where the noise from that classroom is not going to disturb other classrooms, we will be able to save one classroom.

And, finally, moving the offices. They were cramped in what used to be called the farm house at the top of the hill where now the new building stands. Since then we have added a couple of people in those offices in those different functions. We have taken over really what used to be the most undesirable location for classrooms.

One of those buildings is a greenhouse. It's not far from the annex actually. I used to think those classrooms were fantastic because they are large and bright but teachers hate them because it's a greenhouse.

It's all glass and the students get very distracted whenever somebody comes by. The greenhouse became offices. We made extra subdivisions within them. I never imagined we would be doing that. That was only two years ago.

MEMBER RENSHAW: The priorities that you listed on page 5 of your testimony, the completion of the primary school's third floor and the attempt to acquire the balance of the Tregaron property, are they going to step in front of a permanent

classroom building that would replace this annex?

MS. PIERCE: The third floor of the primary school is 3,000 square feet that were stopped when we were building the primary school because we ran out of money at the time. Yes, it's definitely the priority because at this point our growth plan, which is well established, is for four sections at each level.

We have four sections at each grade level everywhere except in third, fourth, and fifth grade which is in the primary school and we cannot accomplish that without that 3,000 square feet which will bring four classrooms. Yes, absolutely this is the first priority.

For the acquisition of the rest of Tregaron, we have absolutely no way to know how much it would cost when we have made some offers which would delay payment. We have a couple of parents in the school who are actually looking at buying it and giving it to the school. That would be the best obviously. It would not go in front as far as fund-raising for the acquisition of Tregaron.

MEMBER RENSHAW: It would?

MS. PIERCE: It would not.

MEMBER RENSHAW: It would not. So between --

MS. PIERCE: We are looking for other ways to fund this.

MEMBER RENSHAW: All right. So between the No. 1 and No. 2 on page 5 would come the permanent classroom?

MS. PIERCE: I would hope so.

MEMBER RENSHAW: You would hope so.

MS. PIERCE: But, you see, this, unfortunately, cannot be decided by me. It is a long-range planning, strategic planning decision which involves the whole community, representative of the whole community and certainly my successor and the Board of Trustees.

In terms of the acquisition of Tregaron, we are definitely trying to look at every possible way to acquire it without having to put up any money for quite a long time.

MEMBER RENSHAW: How nice. If that happens, come back and tell us how you did it.

Madam Chair, I would like to ask staff to get page 2 of the Friends of Tregaron Foundation letter. We have a revised copy.

Thank you, Ms. Pierce. That's it for now.

CHAIRPERSON REID: Mr. Sockwell, did you have any questions?

VICE CHAIRPERSON SOCKWELL: Just one. With regard to the initial application request for the permanent continued use of the modular building, knowing that you do intend at some point to replace it, why did you suggest or request a permanent continuation?

MS. PIERCE: That's a fair question. I think it's so that my successor will not have to come back every couple of years to you because our intent is to get rid of it as soon as we can. That's basically the reason.

VICE CHAIRPERSON SOCKWELL: Okay. I understand. Thank you.

CHAIRPERSON REID: Mr. DePuy, could you please bring those pictures forward? I can't see them that well and the ones that we have in the file are not that clear.

MS. DEPUY: They are very small.

CHAIRPERSON REID: The modular building that's there that is "temporary," the impression I get from reading the Friends of Tregaron Foundation letter is that they don't oppose you. They have a good relationship with you but the objection seems to stem from the way it looks. It seems to be unsightly.

Did you try to paint it? I guess where I'm getting to with this is if, in fact, you are asking for 10 years, then is there something that can be done to buffer the visual impact that is being raised as an issue?

MS. PIERCE: I've been thinking of that because I don't like it either. We painted it. Actually, we painted it brown with white trim so it would match the dacha. I have been looking at the possibility -- you know, obviously landscaping was the obvious thing and we have just planted evergreens that are going to be so large that it will disappear. I have been also

thinking of trims that would echo the dacha, wood trim.

CHAIRPERSON REID: Let's stay with these threes, evergreen trees, that would camouflage what has been a negative impact visually being maybe something that would be a compromise because the letter seems to be very much in support of your school.

However, the aspect of the fact that the "poorly constructed building close to a historically significant mansion" is what gives people some consternation. If that could be addressed with the evergreens, then I think that would remove that objection it appears to me.

MEMBER RENSHAW: Well, the Friends of Tregaron letter talked about the fact that the annex has been moved and is poorly constructed, close to the historically significant mansion. How close to the historic mansion is it?

MS. PIERCE: It's not that close. The dacha is relatively close. You can maybe see -- I'm not supposed to get up because you can't hear me.

CHAIRPERSON REID: Well, you can speak into this mike.

VICE CHAIRPERSON SOCKWELL: This is approximately where it is, right?

MS. PIERCE: I think it's really yellowed because it took eight years to do fund-raising so it's old. This is a new building. This is where the annex is now. The mansion is way

over here so you can't even see it. You can see it from the dacha. The street is here. You can't see it anywhere from --

CHAIRPERSON REID: You can't see it from the street.

MS. PIERCE: You can't see it from any street at anytime, even at this time.

CHAIRPERSON REID: So the objection is when they ride up onto the campus they see it?

MS. PIERCE: Right.

CHAIRPERSON REID: And they are walking their dogs.

VICE CHAIRPERSON SOCKWELL: Madam Chair --

CHAIRPERSON REID: I'm --

VICE CHAIRPERSON SOCKWELL: It appears, Madam Chair, that the objections were based upon the incompatibility and incongruity of this building with its surroundings. Its location is a functional issue that relates to the programs of the Washington International School.

Its existence is an economic issue that relates to the Washington International School but its visual, contextual relationship with the rest of the community is very, very indirect because it is deep within the campus of the school from the streets. On the other side are there residential properties directly to your --

MS. PIERCE: Nothing can --

VICE CHAIRPERSON SOCKWELL: I mean the lower part down there.

MS. PIERCE: Right here is Twin Oaks.

VICE CHAIRPERSON SOCKWELL: Okay.

CHAIRPERSON REID: Might I finish, Mr. Sockwell?

VICE CHAIRPERSON SOCKWELL: Oh, please.

CHAIRPERSON REID: Thank you very much.

VICE CHAIRPERSON SOCKWELL: You are quite welcome, Madam Chair.

CHAIRPERSON REID: As I was saying, I remember this campus and, if I'm not mistaken, you have to come up the street and you have to drive up onto the campus. The only way you can come off of it is you have to go up to the back and the tree area to get to Clingal Road.

Here's where I'm having a little problem. You can take it back now. Typically when we have issues regarding adverse impact and how it impacts upon another neighbor, it is something that is a nuisance in effect.

I was wondering what, in fact, the problem was. We're talking about only people who come onto the campus to walk the dogs period? This is not anything that is visible?

MS. PIERCE: No.

CHAIRPERSON REID: I couldn't see how it could be visible but, nonetheless, I was just

reading --

MS. PIERCE: You only see it from our own buildings.

CHAIRPERSON REID: Thank you.

Okay. Now, moving on, there's no one here in opposition and no one here in support. I'm sorry. We do have Office of Planning report and also an ANC report. Office of Planning, please.

MS. ROBERTS: Thank you, Madam Chairman and members of the Board. My name is Maxine Brown Roberts with the Office of Planning. Just to highlight some of the facts in this case, our only concern again was the historic nature of the campus and how does this temporary building sort of reflect on that. That was all concern that why we recommended that this not be a permanent fixture on the site.

However, we thought that since the applicant had submitted to us a plan of how they were going to phase the temporary building out over 10 years, we thought that with this justification we could support extending the special exception for an additional ten years.

The application comprised with Section 206 of the zoning regulations which does not increase the number of students, teachers, or staff and will not increase noise or traffic to the site, the location of the facility will continue to be hidden from the surrounding community.

The existent parking will continue to be adequate to serve the students and faculty and staff. The proposal meets the requirement for approval in compliance with zoning regulations and zoning map as it complies with Section 206 and will not

adversely affect the use of the neighboring properties.

We have been in contact also with ANC-3C and the Cleveland Park Association and Friends of Tregaron who have recommended denial of the application for four years but would recommend the temporary SE for four years.

Therefore, the Office of Planning supports an alternative to the proposal that would extend the special exception for 10 years but recommends that at the four-year time period the applicant presents to the BZA a status report of its progress towards building of a new facility.

Thank you, Madam Chairman.

CHAIRPERSON REID: Thank you very much. However, in regard to the recommendation of a review in four years, this is something that seems to be reoccurring with Office of Planning and we have stated many times to the Office of Planning that this is not something that is within our purview. There is no mechanism here at the BZA for review in X number of years. It just can't be done like that. There's nothing that allows us to do that.

MS. ROBERTS: We would, therefore, recommend the four-year extension.

CHAIRPERSON REID: The 10 years.

MS. ROBERTS: Right.

CHAIRPERSON REID: Okay. Thank you very much.

All right. The ANC report.

MEMBER RENSHAW: Yes, Madam Chair. We have a letter dated November 14, 2000, from Ruth Ann Miller, the Chair of ANC-3C, stating that the Commission met on October 30, 2000, and heard presentations by Ann Marie Pierce, head of the Washington International School, and by Bonnie LaPard, President of the Friends of Tregaron Foundation. After consideration of their views, as well as comments from the public, the ANC-3C unanimously passed the attached resolution by a vote of four to nothing with one abstention at which a quorum consisting of five commissioners was present.

The resolution urges the BZA to deny the application of the Washington International School for a permanent special exception for the modular building located at the school's Tregaron campus.

However, the Commission does not object to the temporary extension of the special exception for a period of four years as outlined in the resolution. It is signed by Ruth Ann Miller, the Chair of ANC-3C.

CHAIRPERSON REID: Okay. The ANC will then be afforded the great weight to which it is entitled. They are recommending four years. Well, okay. Thank you.

Closing remarks by applicant.

MR. DEPUY: Madam Chair, we believe we have satisfied the legal test for a special exception. We think we have made the case for the ten-year extension. We request that the Board

approve the application as modified with the request that it be granted for 10 years rather than on a permanent basis. Thank you.

CHAIRPERSON REID: Are you asking for a decision today?

MR. DEPUY: If the Board is comfortable with such a decision, yes.

CHAIRPERSON REID: Bench decision. Okay.

Board members, I would recommend that we approve this application for 10 years. I think that given the circumstances -- first of all, I think they comply with the regulations that they have applied here for today, Section 206.

And given the fact that the activities that pertain to fund-raising and the further building of the extensions of the school is necessary given their timeline to have it for ten years.

I really don't see where there is any adverse impact. There was an issue raised with regard to some problem before where they were adding something, an addition, and it caused problems as far as parking and noise was concerned for a while for the neighborhood but it was a very temporary thing.

Generally it seems that the neighbors are in support of it. The ANC, on the other hand, recommends four years but I don't think that is workable for them. I don't think they would impair the integrity or intent of the zoning regulations.

Is there a second?

COMMISSIONER PARSONS: Second.

CHAIRPERSON REID: Okay. Further discussion?

MEMBER RENSHAW: Yes, Madam Chair. I would like to offer an amendment to the motion that the Board consider eight years rather than 10 years to take into consideration the great weight of ANC-3C which had voted for four years. I think that is a bit short.

But also reading the Friends of Tregaron Foundation letter about its statements against having a long period of time. I think eight years to keep the, shall we say, I don't want to use the word pressure but perhaps it's the right word to use in this case, on the school to move ahead and not feel that this annex is a permanent structure even though you are not asking for it to be a permanent structure. I would like to keep the sense that there is some urgency in your fund-raising to remove this building and put up a permanent structure. Therefore, I recommend an eight-year period.

CHAIRPERSON REID: Okay. Ms. Renshaw, that is a different motion.

SECRETARY PRUITT: Madam Chair, either you accept her modification or you vote on the information that you put forward.

MEMBER RENSHAW: You vote on this if I have a second.

CHAIRPERSON REID: You didn't second it. Mr. Parsons seconded it.

COMMISSIONER PARSONS: I would disagree with the suggestion made by Ms. Renshaw. I think a case has been made here very well today that 10 years is an adequate period. I have some experience with temporary structures and, frankly, I think it goes longer than 10 years, it will probably be condemned for school uses.

They just don't last that long. I'm not as troubled as the ANC is by this. It's certainly not visible to the community. None of us like these circumstances including the school but I really don't find this to be troublesome.

CHAIRPERSON REID: Okay. Thank you very much. All right. The motion on the floor is approval for 10 years. Let's vote on that. We have a second and let's vote on it.

MEMBER RENSHAW: Madam Chair, you have to vote -- did I get a second to mine or not?

CHAIRPERSON REID: Well, first of all, you don't have a motion on the floor, Ms. Renshaw.

MEMBER RENSHAW: I did an amendment.

SECRETARY PRUITT: But Ms. Reid would have to accept your amendment as the maker of the motion.

CHAIRPERSON REID: I don't. Okay. All in favor?

MEMBERS: Aye.

CHAIRPERSON REID: Opposed?

MEMBER RENSHAW: Aye.

MS. BAILEY: Staff will record the vote as three to

one to approve the application for 10 years. Motion made by Mrs. Reid, seconded by Mr. Parsons. Approved also by Mr. Sockwell. Mrs. Renshaw is opposed to the motion.

CHAIRPERSON REID: Okay. Thank you.

MR. DEPUY: Thank you very much.

CHAIRPERSON REID: Good luck. You'll have your order in about two to three weeks.

That then concludes incredibly our hearing for today at 2:00.

(Whereupon, at 2:01 p.m. the hearing was concluded.)