

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:  
IN THE MATTER OF: :  
: :  
PUD and Related Map Amendment: Case No.  
At Square 643-S, Lot 801, : 07-13  
Trustees of the Corcoran :  
Gallery of Art and MR Randall:  
Capital LLC :  
: :  
-----:

Thursday,  
December 6, 2007

The Public Hearing of Case No. 07-13 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman  
GREGORY N. JEFFRIES, Vice-Chairman  
CURTIS ETHERLY, JR., Commissioner  
MICHAEL G. TURNBULL, Commissioner (AOC)  
PETER MAY, Commissioner

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary  
DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER  
MATT JESICK

The transcript constitutes the  
minutes from the Public Hearing held on  
December 6, 2007.

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## C-O-N-T-E-N-T-S

<u>AGENDA ITEM</u>	<u>PAGE</u>
Preliminary Matters .....	4
<u>Applicant presentation</u>	
Carolyn Brown, Esq. ....	7
Holland and Knight	
Paul Greenhalgh .....	11
Jocelyn File .....	16
Russell Hines .....	25
Shalom Baranes .....	31
Chris Kabatt .....	38
Steven Sher .....	43
Questions .....	48
Office of Planning Report	
Matt Jesick .....	97
<u>Witnesses</u>	
Deputy Mayor's Office	
Konrad Schlater (DDOT) .....	116
David Sobelsohn, ANC-6D-02 .....	125
Ron McBee, ANC-6D-03 .....	137
Cynthia Giordano, Esq. ....	142
Arnold and Porter	
Osborne George .....	146
Adjourn	

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

2 (6:35 p.m.)

3 CHAIRMAN HOOD: Good evening. This  
4 is the public hearing of the Zoning Commission  
5 of the District of Columbia for Thursday,  
6 December the 6th, 2007. As you may recall, we  
7 had postponed this. This is a reconvene of  
8 Zoning Commission Case Number 07-13.

9 Joining are Vice Chairman Greg  
10 Jeffries. We're expected to be joined by  
11 Commissioner Etherly, also Commissioner  
12 Turnbull and Commissioner May. We're also  
13 joined by the Office Zoning Staff, Ms. Sharon  
14 Schellin and Ms. Donna Hanousek and the Office  
15 of Planning, Mr. Jesick.

16 The proceeding is being recorded by  
17 a court reporter and it's also webcast live.  
18 Accordingly, we must ask you to refrain from  
19 any disruptive noises or actions in the  
20 hearing room.

21 As you well know from the previous  
22 postponement, the subject is Zoning Commission

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1 Case Number 07-13 which was continued from  
2 November the 8th, 2007.

3 And just a reminder, the notice of  
4 today's hearing was published in the DC  
5 Register on July 20th, 2007.

6 The procedure of the hearing is  
7 conducted in accordance with the provisions of  
8 11 DCMR 3022 as follows:

9 Again, preliminary matters -- I  
10 think we have resolved most of those;  
11 applicant's case; report by the Office of  
12 Planning; report of other government agencies;  
13 report by the ANC, in this case, 6D;  
14 organizations and persons in support;  
15 organizations and persons in opposition.

16 The following time constraints will  
17 be maintained in this hearing. The applicant,  
18 45 minutes; organizations, 5 minutes;  
19 individuals, 3 minutes.

20 All persons appearing before the  
21 Commission are to fill out two witness cards.

22 These cards are located to my left on the

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1 table near the door. Upon coming forward to  
2 speak to the Commission, please give both  
3 cards to the reporter sitting to my right at  
4 the table. When presenting information to the  
5 Commission, please turn on and speak into the  
6 microphone, first stating your name and home  
7 address. When you are finished speaking,  
8 please turn your microphone off so that your  
9 microphone off so that your microphone is no  
10 longer picking up any background noise.

11 To avoid any appearance to the  
12 contrary, the Commission requests that persons  
13 present not engage the members of the  
14 Commission in conversation during any recess  
15 or at any other time. The staff will be  
16 available throughout the hearing to discuss  
17 procedural questions.

18 Please turn off beepers and cell  
19 phones at this time so not to disrupt these  
20 proceedings.

21 If we have anyone who was not sworn  
22 in previously, would all individuals wishing

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1 to testify please rise to take their oath.  
2 And Ms. Schellin, would you administer the  
3 oath to those who have not taken it.

4 (Witnesses sworn)

5 MS. SCHELLIN: Thank you.

6 CHAIRMAN HOOD: At this time, we  
7 will consider any preliminary matters. Does  
8 the staff have any preliminary matters?

9 MS. SCHELLIN: No, sir.

10 CHAIRMAN HOOD: Okay. Thank you.  
11 We will ask the applicant to come to the  
12 table. Ms. Brown, I believe? Yes, it's  
13 Brown. And you may begin your presentation.

14 MS. BROWN: Thank you. Good  
15 evening, Mr. Chairman and members of the  
16 Commission. I am Carolyn Brown with the law  
17 firm of Holland & Knight here with Normal  
18 Glasgow of our firm on behalf of MR Randall  
19 Capital, the applicant. Richard Nettler from  
20 Arent Fox is here also on behalf of the  
21 Corcoran Gallery of Art. We are extremely  
22 pleased to return tonight to present our case

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1 in full on this exceptional mixed-use project.

2 We believe it is one of the most exciting and  
3 meaningful PUD's to come before the Zoning  
4 Commission, one that brings the world renowned  
5 Corcoran School of Art and Design to Southwest  
6 Washington and significant new housing and  
7 affordable housing to an area that has -- had  
8 little residential development in the last  
9 several decades.

10 We believe the record is quite  
11 complete on this project so we intend to just  
12 summarize some of the key features and issues  
13 in our witness testimony tonight and then  
14 focus on any questions that you may have.  
15 This application, which has been exhaustively  
16 coordinated with the Deputy Mayor's Office,  
17 numerous DC agencies, counsel members, the ANC  
18 and the community groups seeks two things -- a  
19 change in the zoning from R-4 to the C-3-C-  
20 District and to approval of a consolidated  
21 PUD.

22 First, I want to briefly summarize

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1 the scope of the project again. The PUD  
2 contemplates redevelopment of the former  
3 Randall School Building and it's site with a  
4 500,000 square foot building. Approximately  
5 425,000 square feet will be devoted to  
6 residential use with the remaining square  
7 footage devoted to arts and educational uses  
8 for the Corcoran, located primarily in the  
9 Randall School structure along I Street. The  
10 overall FAR for the project will be  
11 approximately 4.32 with a maximum height of  
12 100 feet.

13 In addition to the exceptional  
14 arts, education and housing components of the  
15 project, there are numerous other significant  
16 projects amenities and public benefits. There  
17 are enormous give-backs to the community. A  
18 chart has been distributed to you that lists  
19 each of those amenities, and they include 20  
20 percent affordable housing which is well in  
21 excess of the inclusion area zoning  
22 requirements, approximately 2-1/2 times that

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1 amount; historic preservation including  
2 preservation of First and H Street rights of  
3 way; sustainable design features that will  
4 achieve, at a minimum, 18 points; active  
5 pedestrian areas; landscaping; \$200,000.00  
6 dollar contribution to community programs;  
7 LSDBE, first source employment agreements;  
8 transportation management programs. Those are  
9 just some that are highlighted there.

10 This PUD is a major social and  
11 economic boon for the city and this community.

12 We appreciate the hard work in support of the  
13 Office of Planning and DDOT and are very  
14 pleased to have the support of the ANC and the  
15 strong letters of support filed in the record  
16 by local residents and organizations.

17 Unless there are questions, I'd  
18 like to proceed with our witnesses. Our first  
19 witness is Paul Greenhalgh, the Director of  
20 the Corcoran Gallery of Art and President of  
21 the School and Art and Design together with  
22 Jocelyn File who's the Director of Special

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1 Projects at the Corcoran who will also testify  
2 on our work with the community. If they would  
3 like to come up and make their presentation?

4 MR. GREENHALGH: Good evening. I'm  
5 Paul Greenhalgh, the Director of the Corcoran  
6 Gallery of Art. We thought it wise just to  
7 spend a few minutes perhaps returning to the  
8 original motives behind the project, because  
9 the discussions are heavily architectural and  
10 planning. And we think the Corcoran is hugely  
11 important for our colleagues to understand  
12 that the -- in many respects, it's a very  
13 radical department for art and design  
14 education -- what we're proposing.

15 The Corcoran, historically, has  
16 been a school and a gallery, and whilst that  
17 was a relatively model in the 19th century, it  
18 makes us a very rare creature at this point in  
19 time. And we're engaged on a strategic  
20 planning process which is to, in a sense,  
21 radicalize how we approach art education out  
22 in the community.

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1           So the development of the Randall  
2           is hugely significant for us in several ways.

3           It's not simply to do with expanding our  
4           college. It's going to radicalize all three  
5           of our campuses. We're going to reorganize  
6           the space throughout the entire site so  
7           Randall becomes totally key to our future  
8           development.

9           And likewise, following  
10          international trends and developments, we've  
11          become aware that people's ability to engage  
12          and enjoy culture is intimately linked to  
13          their educational level and the exposure they  
14          get to culture at an early age. So our art  
15          education and community packages that we're  
16          taking down to Randall are key to us alongside  
17          the degree program that we'll be developing  
18          there at the same time. So for us, it's about  
19          transforming the way that we approach our  
20          businesses for the 21st century and  
21          reconfiguring how the Corcoran sits in the  
22          city.

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1           It's not lost on us that a city  
2 with more cultural organizations per square  
3 inch than literally anywhere else on earth  
4 does not enjoy a very high level of public  
5 education and success at that level in its  
6 high schools and so forth. And it seems to  
7 us, as an institution sitting next door to the  
8 White House, that we wish to transform that  
9 situation. And this is the major project for  
10 us to begin that process. So we feel that  
11 it's important that the colleagues are aware  
12 of that. It does drastically affect also how  
13 we will be using our other facilities, so  
14 Randall is absolutely key for us.

15           We think also it important, from  
16 our perspective, because we very much enjoyed  
17 your grilling of our architects last time, and  
18 it was an enjoyable experience, and I suppose  
19 we would say that we are engaged very much as  
20 an organization in historical preservation and  
21 conservation where we're committed to  
22 restoring our great site next door to the

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1 White House, which is one of the great art  
2 developments.

3 And it seems to us that the  
4 frontage of -- you know, the development of  
5 our plan with our architects, we're very, very  
6 satisfied and very excited by what we  
7 schedules we as the coming together of the old  
8 and the new. That is to say Corcoran is a  
9 very old organization, but we're very heavily  
10 engaged in architectural and design arts of  
11 the contemporary and of the future, and we see  
12 a pulling together of that fabulous old  
13 building which actually was built in a period  
14 which is my own -- I'm a historian, so it's  
15 very much part of my own interest. The coming  
16 together of that with a beautiful functional  
17 and attractive contemporary piece of  
18 architecture, we see as being a signature for  
19 us, and we see it as being beneficial to the  
20 community as well.

21 We thought it probably important  
22 that you knew that the colleagues of the

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1 Corcoran are very keen on the project as it  
2 stand, in case you wondered.

3 We think it appropriate also that  
4 our colleague, Jocelyn, who's led the effort  
5 for us from this end, could talk to the range  
6 of benefits that we propose to bring down to  
7 the area.

8 And we might add, and as we said to  
9 our colleagues at the ANC, it was never simply  
10 a matter for us of producing a package which  
11 makes everyone happy. We see it  
12 philosophically as key that the art school of  
13 the future and the gallery of the future  
14 engages in community education in order to  
15 provide not just cultural enjoyment but, we  
16 think, employment in the cultural trades for  
17 the future.

18 There's a huge amount of employment  
19 that could be enoused and developed right  
20 across the face of the city. And we think  
21 that we can bring those modes of training as  
22 well as bringing enjoyment and -- for the

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1 community in the arts generally. Jocelyn?

2 MS. FILE: Good evening,  
3 Commissioners. It's truly a pleasure to be  
4 here tonight. I'm Jocelyn File, the Director  
5 of Special Projects at the Corcoran Gallery of  
6 Art. And I would like to tell you about the  
7 Corcoran's educational programs and  
8 initiatives that we are providing to residents  
9 of the District and especially Southwest.

10 The Corcoran has been working with  
11 ANC 6D and Council Member Tommy Wells to  
12 provide a comprehensive community benefits  
13 package for the Randall School project. The  
14 Corcoran and Monument Realty started working  
15 with the Southwest residents this past summer  
16 by holding community meetings to discuss the  
17 Randall School renovation.

18 We also began meeting with the two  
19 elementary schools, Amidon and Bowen, and  
20 Jefferson Junior High. Our education  
21 department met with the principals and art  
22 teachers of the three schools this past fall

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1 to discuss how the Corcoran staff could work  
2 closely with each school.

3 Currently, Amidon Elementary School  
4 does not have an art teacher, but our staff is  
5 working with Ms. Alvarez and the other  
6 teachers at Amidon to integrate art as a  
7 teaching tool in their math and science  
8 classes. For of our staff went to Amidon for  
9 their career week on November 16th and spoke  
10 to the children about careers in the arts and  
11 the different opportunities tat are available.

12 The Corcoran is going to coordinate  
13 an art show with the Southwest schools in our  
14 art gallery at the Arc which is located in  
15 Southwest this spring, March 5th to April 9th,  
16 2008. The show will highlight a selection of  
17 art from the students of Amidon, Bowen and  
18 Jefferson. Our ArtReach Manager, Jennifer  
19 Sikai, will work with the schools in the  
20 organization of the show and the Corcoran will  
21 host a reception for the children, their  
22 families and the residents of Southwest. The

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1 plan for both of these projects were completed  
2 before the community benefits package had been  
3 confirmed.

4 The Corcoran is known for its arts  
5 education programs, and we are excited about  
6 the opportunity to expand the college of art  
7 and design but also to promote our community,  
8 education and outreach efforts. ArtReach is  
9 our community-based children's art program for  
10 children ages 7 to 16, and the classes are  
11 held after school and during the summer in  
12 local community centers. We see the ArtReach  
13 Centers as a satellite museum studio in each  
14 community. They are safe and nurturing  
15 environments where children can express their  
16 creativity in after school art programs.

17 ArtReach is an important community  
18 program, and we look forward to expanding our  
19 work into Ward 6. We are planning on having  
20 an ArtReach Center in the Randall School, and  
21 we are a partner at the Arc in Southeast, the  
22 Sitar Center in Northwest, and we are working

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1 on starting a pilot program in Southwest in  
2 early 2008.

3 Currently, the Corcoran gives 10  
4 scholarships to children in the ArtReach  
5 program and 5 of these scholarships will be  
6 designated for ANC 6D students.

7 Now I would like to give you the  
8 highlights of our community benefits package  
9 agreement that was confirmed in October:

10 Our master's in art teaching  
11 students will have their field rotation at  
12 Jefferson Junior High School. The students  
13 will work with Jefferson's art teacher, Mr.  
14 Giles, by assisting his class and working with  
15 the students. The Court's first graduate  
16 students will begin working with Jefferson in  
17 the 2008 spring semester.

18 Number two, the Corcoran offers  
19 free professional development classes to  
20 District teachers, and this is a benefit that  
21 encourages growth and educational  
22 opportunities for their career development.

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1           Number three, scholarships to ANC  
2       6D students -- the Corcoran will be providing  
3       scholarships for undergraduate, graduate and  
4       continuing education students who demonstrate  
5       need. Additionally, we will offer five annual  
6       scholarships to Camp Creativity which is the  
7       Corcoran summer art camp for children.

8           Number four, the ArtReach Center at  
9       the Randall School -- this will be based on  
10      the model we use in the other facilities at  
11      the Arc and the Sitar Center.

12          Annual arts festival and visual  
13      arts project -- we will hold a free community  
14      arts festival in conjunction with Southeastern  
15      University, Arena Stage, other local  
16      businesses and Southwest artists after the  
17      Randall School is open.

18          Randall Neighborhood Day --  
19      December 27, 2007, we are offering free  
20      admission to the Corcoran Gallery of Art for  
21      all residents of Southwest.

22          Number seven, educator memberships.

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1 Five complementary memberships to the  
2 Corcoran will be given to five District of  
3 Columbia public school teachers, and one is  
4 especially designated for a teacher in ANC 6D.

5 Number eight, we will providing  
6 volunteer opportunities for Southwest  
7 residents at the Corcoran and the Randall  
8 School, and the Corcoran staff will also give  
9 tours to Southwest children and seniors of our  
10 museum and other local galleries.

11 Number nine, art exhibition gallery  
12 at the Randall School -- this is a permanent  
13 gallery that will be free to everyone, and it  
14 will display works by our students, faculty  
15 and local artists.

16 Number ten -- we are also giving  
17 community organizations free meeting space at  
18 the Randall School to hold 25 meetings a year  
19 for residents of ANC 6D.

20 Number eleven, sculpture in  
21 Delaware Avenue -- we're hoping to get  
22 approval from DDOT to place a sculpture in the

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1 circle at Delaware Avenue. Faculty from the  
2 college will work on this project along with  
3 the Randall School Beautification Project that  
4 will begin in early 2008.

5 The Corcoran is planning on having  
6 undergraduate, graduate and some continuing  
7 education programs at the Randall School. The  
8 undergraduate curriculum will include classes  
9 in the following subject areas: ceramics,  
10 sculpture, woodworking, graphic design and  
11 digital media, fine arts, print making,  
12 photography and photojournalism and our  
13 education program. Also, five artists will be  
14 returning to the new Randall School from the  
15 Millennium Art Center, and they will have  
16 studio space located within the new facility.

17 The Corcoran is also a member of  
18 the Consortium of DC Universities, and our new  
19 campus at the Randall School will make our  
20 exchange of classes and students easier with  
21 Southeastern University. Currently, there are  
22 four students from SEU taking art classes at

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1 the Corcoran for the fall semester.

2 We are also looking forward to  
3 working with Arena Stage and we have had  
4 meetings with their Executive Director, the  
5 Director of Community Engagement and External  
6 Affairs to discuss opportunities for joint  
7 programs between the two arts organizations.

8 Listed are numerous meetings that  
9 have ben conducted with the Southwest  
10 community in anticipation of our facility  
11 opening at the Randall School, and it's  
12 actually the last three pages of the  
13 testimony. We started in August 29th of 2006  
14 and we have had numerous meetings over the  
15 summer and into the fall until as recently as  
16 last week.

17 We are also pleased to have the  
18 support for our project from Council Member  
19 Tommy Wells, ANC 6D, Neil Albert, the Deputy  
20 Mayor for Planning and Economic Development,  
21 Dr. Charlene Drew Jarvis, President of  
22 Southeastern University, Amidon Elementary

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1 School, Bowen Elementary School, Arena Stage,  
2 Capitol Park IV Condominium, Best Western's  
3 Capitol Skyline and Mark Baron Huber, a  
4 Southwest resident, along with Bethel  
5 Pentecostal Tabernacle Church.

6 Thank you for the opportunity to  
7 testify tonight and I'm happy to answer any  
8 questions you may have.

9 CHAIRMAN HOOD: Thank you. Just  
10 let the record reflect we've been joined by  
11 Commissioner Etherly. Thank you.

12 MS. BROWN: We'd like to proceed to  
13 our next witness if there are no questions --  
14 Mr. Russell Hines from Monument on behalf of  
15 MR Randall Capital LLC, the developer.

16 MR. HINES: Good evening, Chairman  
17 Hood and Commissioners. My name is Russell  
18 Hines. I'm the Executive Vice President of  
19 Monument Realty, the Corcoran's development  
20 partner for the Randall School project. I'm  
21 here today to testify in support of the PUD  
22 and zoning map amendment to allow the

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1 construction of what we believe is an  
2 exceptional mixed-use arts and resident  
3 project that benefits not just Southwest but  
4 the entire city.

5 Monument Realty, which is based in  
6 the District of Columbia, is a full-service  
7 real estate firm focused on the development of  
8 office, residential and hotel properties. My  
9 responsibilities at Monument involve the  
10 acquisition of real property, more  
11 specifically, assessing the feasibility of  
12 real estate development projects. I have  
13 approximately ten years of experience working  
14 in this capacity in Washington, DC.

15 Prior to coming to Washington, I  
16 worked as an architect in Chicago on large  
17 commercial projects, and I'm registered as an  
18 architect in the state of Wisconsin.

19 I've been involved in the Randall  
20 School project for approximately 1-1/2 years  
21 beginning with contract negotiations with the  
22 Corcoran and continuing with property due

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1 diligence, the development of a business plan  
2 and on through the design process. As a  
3 result, I am very familiar with the important  
4 issues affecting this project. The Randall  
5 School project began as a public-private  
6 partnership put together by the Corcoran and  
7 the District's Office of Planning and Economic  
8 Development under Mayor Williams for the  
9 purpose of providing a new home for the  
10 Corcoran School of Art and Design in Southwest  
11 Washington and bringing economic development  
12 to this area of the city by putting the  
13 District's assets to better use.

14 These goals, formalized in a  
15 contract and covenant between the District and  
16 the Corcoran, were supported by the City  
17 Council and now two administrations with Mayor  
18 Fenty's economic development team continuing  
19 the effort to bring this project to fruition.

20 Despite strong support from the  
21 District of Columbia, the Randall School  
22 project has faced serious challenges as we

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1 have attempted to maintain the delicate  
2 balance between what is most desirable and  
3 what is physically and economically feasible.

4 Over the last year and a half, our team has  
5 worked with the Office of Planning, the ANC,  
6 various neighborhood groups, the Historic  
7 Preservation Office, DC Preservation League,  
8 HBRB and others to come up with a plan that  
9 has satisfied all these stakeholders.

10 The challenges stem from the fact  
11 that the community benefit package began as  
12 something quite ambitious when it was  
13 negotiated with the District and has expanded  
14 as we have sought input from the community.  
15 It includes the construction of the 100,000  
16 square foot school facility for the Corcoran,  
17 the restoration and preservation of the early  
18 Randall Junior High School buildings along I  
19 street and the provision for 20 percent  
20 affordable housing the residential project.

21 In order to support these community  
22 benefits and have the project continue to make

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1 financial sense, Monument needs to spread  
2 those costs over a project that is at least  
3 435,000 square feet or 450 to 500 residential  
4 units. It's worth noting that the agreement  
5 between the District and the Corcoran was  
6 negotiated prior to the downturn in the  
7 residential market and the recent spike in  
8 construction costs.

9 The Southwest residential  
10 neighborhood is particularly interesting in  
11 that it was almost entirely overlooked during  
12 the previous five years which was one of the  
13 strongest residential markets in the city's  
14 history. During that period, only one multi-  
15 family project was completed, a project by  
16 Monument Realty. And that project was the  
17 first new multi-family project in three  
18 decades. No doubt, this fact was taken into  
19 consideration when the District mandated a  
20 minimum amount of residential development on  
21 this site as part of the agreement with the  
22 Corcoran.

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1           The point is we are attempting to  
2       remain       financially       disciplined       which  
3       translates to building a project of the right  
4       size if we are able to make this project a  
5       reality.    Just to emphasize this point, I'd  
6       like to note that the Corcoran originally  
7       contracted       separately       with       two       other  
8       experienced real estate developers, Clark and  
9       Centex, prior to working with Monument.    In  
10      each case, the developer eventually backed out  
11      of the deal because they could not reconcile  
12      the project costs with the risks associated  
13      with the development.

14           Monument, however, has a somewhat  
15      different perspective about the neighborhood  
16      and the prospect of development in Southwest  
17      and near Southeast as a result of our  
18      extensive experience and investment in the  
19      area, particularly around the new baseball  
20      stadium.

21           In summary, the Randall Junior High  
22      School project is exactly the type envisioned

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1 by the PUD process, because of the numerous  
2 community benefits the project will bring to  
3 Southwest and the city as a whole. In  
4 addition to the overall project benefits that  
5 we've described in our submission and that  
6 you've heard about tonight, the construction  
7 of the Corcoran's new facility being the most  
8 significant, Monument has also committed to  
9 provide LSDB and First Source preferences to  
10 the residents of ANC 6D, an affordable housing  
11 lottery preference for ANC 6D residents,  
12 landscaping of adjacent park property, a  
13 \$200,000.00 dollar contribution to the  
14 community investment fund, a commitment to  
15 dedicate a perpetual easement along the closed  
16 portion of former H Street to allow the  
17 continued access to Randall Recreation center,  
18 a limitation on the truck vehicles servicing  
19 the building to length and the establishment  
20 of a web page that would provide information  
21 on the project's features and its progress.

22 The community benefits require

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1 economic development which, in my expert  
2 opinion, can only be accommodated by the  
3 development of the project at the right  
4 height, density and massing as shown in the  
5 10-story scheme that we're presenting, which  
6 is our preferred alternative. And to do this,  
7 we require the rezoning of the property to C-  
8 3-C in order to achieve the 100-foot height  
9 necessary for the development. We are very  
10 excited about this project and we ask for your  
11 approval. Thank you very much.

12 MS. BROWN: Thank you. If there  
13 are no questions, we'll go on to our next  
14 witness, Shalom Baranes, to explain the design  
15 changes from last time we were here.

16 MR. BARANES: Good evening.  
17 Actually, in the interest of symmetry, you  
18 should feel free to grill our clients at the  
19 other end of the table tonight. I think the  
20 architects would enjoy that.

21 CHAIRMAN HOOD: We've got to record  
22 his comments, because we don't hear that very

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1 often.

2 MR. BARANES: Oh, okay. Since we  
3 had an extensive design dialogue last time we  
4 were here, I thought that rather than giving  
5 you the full presentation, showing you the  
6 site and all the background of the building,  
7 that I would just focus on the few issues that  
8 I thought were of particular concern to you.  
9 And you can see, we'd -- I'd like to start  
10 with the issue of the color of the brick,  
11 which I know is of serious concern to you.

12 What we have off to my right here  
13 on these easels are three possible options,  
14 three different ways of thinking about the  
15 color of the addition to the Randall School.  
16 Our favorite, I'll tell you, and I hope you  
17 haven't selected one yet, is in the middle.  
18 It's the ochre scheme which, again, we think  
19 provides sufficient contrast to the existing  
20 building. It's a very lively color and we  
21 have samples, which I don't think you can see,  
22 sitting on the floor below each one of the

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1 schemes. The reason we brought these bricks,  
2 of course, is because when we select the real  
3 materials, they never quite look exactly like  
4 the drawing.

5 And with each one of these options,  
6 we would be blending three shades of the same  
7 brick. And usually, we wind up requiring the  
8 contractor to build anywhere from, you know,  
9 two to six or seven panels on site once we  
10 start construction, at the beginning of  
11 construction in order to get the mixture  
12 correct, in order to get it exactly the way we  
13 want it. And, of course, we also experiment  
14 with different mortar colors.

15 So with the ochre scheme that we  
16 favored, the three bricks that you have there,  
17 are the ones that we would be mixing.

18 The scheme on the right is the red  
19 scheme. It's a fairly traditional red brick  
20 scheme, and it would not -- we would not be  
21 attempting to match the school building but it  
22 would be in the same family of colors and one

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1 of the red samples that we have there, the one  
2 with the black bricks in it mixed with the red  
3 is actually a fairly close match for the  
4 existing school. So the other three reds that  
5 you have before you are the three that we  
6 would be blending together.

7 The effect here would be very  
8 similar to a project I showed you last time we  
9 were here, which is the Georgetown incinerator  
10 project, where we did start out with a red  
11 brick historic building which was actually  
12 quite a bit -- it was quite a bit more orange  
13 than the Randall School buildings. But again,  
14 we worked with the vocabulary of red and dark  
15 metals there.

16 That one would be our second  
17 choice, a distant second choice I should say.

18 VICE CHAIRMAN JEFFRIES: What's the  
19 second choice?

20 MR. BARANES: The red brick.

21 VICE CHAIRMAN JEFFRIES: The red  
22 brick.

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1                   MR. BARANES:   Yes.   And we thought  
2                   that as long as we were here tonight, we may  
3                   as well show you another radical departure,  
4                   which would be the scheme on the left which is  
5                   just a series of tan bricks which provide the  
6                   greatest contrast.   And I think for a building  
7                   this size, our preference would not be not to  
8                   work with such light colors.

9                   And I would also ask you to take  
10                  note of the metal colors that we're proposing  
11                  with each one of the schemes.   The two on the  
12                  left are very close.   There would be some  
13                  slight distinction.   One would be slighter  
14                  than the other, but the one on the right, if  
15                  we were to go with a red brick, we would want  
16                  to use a much darker metal as you see here,  
17                  not quite black but it would be a series of  
18                  charcoal colors that we would blend together.

19                 Okay.   The other major issue I  
20                 think that you were concerned about was  
21                 related to the penthouse structure at the top  
22                 of the building, a mechanical penthouse.

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1 Thanks. I should note I'm here with Patrick  
2 Burkhardt, my colleague. We've been working  
3 together on this project. And Patrick, could  
4 you put up the two matching, the matching one  
5 for the one on the left?

6 You may recall that there was a  
7 concern about our going -- being a coat  
8 plainer with the primary wall of the building,  
9 in other words having the penthouse wall be a  
10 coat plainer with the primary wall of the  
11 building below it. So the scheme on the left  
12 is what we showed you last time. You can see  
13 the penthouse rising straight up from the wall  
14 below.

15 And on the scheme on the right, we  
16 set it back four feet on each side. It's not  
17 the one-to-one setback that the zoning  
18 regulations typically call for, but  
19 nevertheless, it is a setback. And we felt  
20 the building was starting to pyramid a little  
21 bit too much, so we looked at adding the  
22 trellis as an embellishment, as a cornice

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1 essentially at the top of the penthouse. I  
2 think the scheme on the right works, and I  
3 have to say I -- my preference would be still  
4 to work with the left simply because it's more  
5 -- it's simpler. It's a much simpler massing  
6 than the one of the right.

7 And Patrick, if you could just pull  
8 the other one down. We also have a rendering  
9 showing it from the other direction. So this  
10 is the previous scheme that we showed you.  
11 And then the new scheme with the walls set  
12 back four feet, you can see, involves adding  
13 an additional piece to the massing which,  
14 again, you know, I think we can live with that  
15 aesthetically, but it feels a little too  
16 complex visually. Although, of course, we see  
17 this all over the city in many different ways.

18 So anyway, so those are the two  
19 alternatives we have for the penthouse, and I  
20 think that pretty much addresses most of the  
21 issues that you were concerned about. And I'd  
22 be happy to answer your questions now or

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1 later.

2 CHAIRMAN HOOD: We're going to let  
3 you finish the whole presentation.

4 MS. BROWN: Okay. Then our next  
5 witness is our transportation expert, Chris  
6 Kabatt of Wells + Associates.

7 MR. KABATT: Good evening. I'm  
8 Chris Kabatt, a senior associate with Wells +  
9 Associates. Wells + Associates evaluated the  
10 transportation impacts of the case that is  
11 before you this evening. We also addressed  
12 concerns raised by a neighbor. Our original  
13 study was dated March 2nd, 2007, and we  
14 updated that study on October 10th, 2007.

15 Since March, we have been meeting  
16 with DDOT and the Office of Planning to refine  
17 the study scope, account for a greater number  
18 of pipeline projects, clarify study  
19 methodologies and explore the design and  
20 location of the loading berths.

21 As stated in DDOT's report, the  
22 applicant has shown significant improvements

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1 to the safety, accessibility, and  
2 functionality of the site and its immediate  
3 surroundings. DDOT supports the application  
4 and recommends approval.

5 The applicant has also agreed to a  
6 transportation management plan that includes  
7 bicycle parking, shuttle service for students  
8 and faculty and for the general public, two  
9 car-sharing spaces, an onsite business center,  
10 distribution of transit information, SmartTrip  
11 cards for residents and a transportation  
12 coordinator will be provided for both the  
13 school and the property manager.

14 As you know, there are two nearby  
15 Metro stations -- the Waterfront SEU station  
16 at M and Fourth Streets, about five blocks  
17 away and the Navy Yard station at M and Half  
18 Streets. about five blocks away. Both are  
19 within walking distance. Also, eight bus  
20 lines run along M Street. We evaluated seen  
21 intersections along I street, Half Street, and  
22 Delaware Avenue. We used a highway capacity

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1 manual methodology and Synchro software  
2 program, as DDOT does in their own studies.

3 We accounted for 13 pipeline  
4 projects and a background traffic growth rate  
5 of one percent per year compounded by for  
6 three years. Our traffic counts were  
7 conducted in September and December of 2006  
8 when public schools were in session. Accounts  
9 and Analysis recognize that some motorists  
10 make eastbound left turns on M Street onto  
11 Delaware avenue, which is actually restricted  
12 by physical features, so it's a restricted  
13 movement.

14 As we all know, South Capitol  
15 Street is heavily traveled and congested  
16 during weekday peak hours. The new ballpark  
17 will place additional on South Capitol Street  
18 on game days.

19 The number of trips that will be  
20 generated by the Corcoran and the residential  
21 units were estimated using Institute of  
22 Transportation engineered trip rates and the

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1 assumption that 40 percent of all residents  
2 will take the Metro, the bus, walk or bike  
3 during peak hours. With the shuttle service  
4 for the students and the faculty, Metro, car-  
5 sharing spaces and bicycle and shower  
6 facilities, an 80 percent non-auto mode split  
7 was applied to the number of trips generated  
8 by the school.

9 The project will generate 100 a.m.  
10 peak hour trips, 97 by the resident and 3 by  
11 the Corcoran. The project will generate 156  
12 p.m. peak hour trips, 116 by the residents and  
13 40 by the Corcoran. The 40 p.m. peak hour  
14 school trips is in line with the number of  
15 parking spaces that will be provided for the  
16 school, which is 60. Based on experience at  
17 the 17th Street facility, most students and  
18 faculty either bike or walk to class. These  
19 additional trips will have no significant  
20 impact on the area traffic.

21 Access to the loading berths for  
22 the residential building and for the Corcoran

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1 will be provided along H Street in two  
2 separate locations. We have demonstrated that  
3 a single unit, 40-foot truck can maneuver on  
4 adjacent roads in access to loading berths  
5 without substantial back in movements. DDOT  
6 recommends that the loading movements be  
7 supervise by flaggers or operations personnel  
8 who can monitor pedestrian traffic which the  
9 applicant has agreed to do.

10 In conclusion, the proposed  
11 planning and development provides adequate  
12 loading, minimizes pedestrian and vehicular  
13 conflicts, commits to transportation demand  
14 management strategies and marginally affects  
15 the levels of service at the surrounding  
16 intersections. That's my testimony. I'll be  
17 here for questions.

18 MS. BROWN: Thank you and our  
19 final witness is Steve Sher, our expert land  
20 use and urban planner.

21 CHAIRMAN HOOD: Too much time for  
22 Mr. Sher. We --

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1                   MR. SHER:       Good evening, Mr.  
2 Chairman and members of the Commission. For  
3 the record, my name is Steven E. Sher, the  
4 Director of Zoning and Land Use Services with  
5 the law firm of Holland & Knight. I wanted to  
6 cover just a few simple points tonight.

7                   Number one, as I think Ms. Brown  
8 mentioned at the very beginning, and as the  
9 representatives of the Corcoran talked about,  
10 we are proceeding asking for the C-3-C  
11 alternative, which is the design scheme that  
12 Mr. Baranes has presented which is the 100-  
13 foot high building and which could not be  
14 accomplished under C-3-A which would otherwise  
15 limit the height to 90 feet.

16                  So just to make it clear, we had  
17 two alternatives, a C-3-A and a C-3-C. What  
18 we're talking about is the C-3-C alternative.

19                  We are proposing a project over 4.3  
20 FAR. That's just 250,000 square feet less  
21 than the matter of right density under C-3-C,  
22 so the only reason that we need C-3-C is for

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1       that height. And the height is a derivation  
2       of the massing of the project, and I think the  
3       Commission is familiar with the alternatives  
4       that we've gone through and why we are at the  
5       point where we are today.

6               But just again, to emphasize, the  
7       C-3-C zoning is there really only to  
8       accommodate the height, because the FAR could  
9       be done otherwise.

10              You have heard described in general  
11       terms the -- and, in fact, in some very  
12       specific terms the amenity package that is  
13       included as part of this package. From my  
14       point of view, I would suggest you look at  
15       this as kind of the big four, the big four  
16       being the Corcoran use itself, a use of  
17       special value to the neighborhood  
18       specifically identified in the regulations as  
19       something to be considered; housing,  
20       affordable house and historic preservation,  
21       and all of those elements are described in  
22       detail in the filings that we've made and the

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1 plans that you have. And I'm not going to go  
2 into those in any greater detail.

3 I would like to point out we have  
4 three areas of flexibility from the other  
5 normal requirements of the regulations that we  
6 have requested. We have a whole lot of courts  
7 in this building, and they derive from the  
8 design from the fact that there are varying  
9 wings at varying levels, and the requirement  
10 for the width of a court is based on the  
11 height of the court. We've got some of them  
12 that comply and some of them don't. It's  
13 simply a design scenario that results in that,  
14 but we have a whole bunch of courts that don't  
15 meet the normal four inches per foot of height  
16 for the width, and we could point those out  
17 but I don't think we need to.

18 On the loading facilities, we have  
19 the right number of loading berths, but we  
20 need to have one 55-foot berth where we have a  
21 40-foot berth instead. And as we -- you heard  
22 indicated, we have agreed that we would

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1 restrict truck access to the building so that  
2 the trucks wouldn't be more than 40-foot in  
3 length so we don't need a 55-foot berth. So  
4 that's the second area of flexibility.

5 And the third is on the roof  
6 structure, and you heard Mr. Baranes talk  
7 about the fact that we're not set back one-to-  
8 one in all locations, but we also have  
9 multiple enclosures and we also have walls of  
10 differing heights. Again, the idea was to  
11 make the penthouse fit within the building,  
12 and as a result, rather than put in a single  
13 enclosure where all the walls went up 18.6 --  
14 I don't know that Shalom could ever have found  
15 a way to make it all the meet the one-to-one  
16 setback -- but we could have done some other  
17 things, but we think we have accomplished,  
18 from a design framework, the best that we can  
19 do with the roof structure, and therefore we  
20 need those areas of flexibility on that.

21 The only other point I wanted to  
22 mention was that the comprehensive plan

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1 analysis that we've done and looked at all of  
2 the varying sections of the plan, this again  
3 being the 2006 comp-plan and that analysis is  
4 in the outline you have before you. And I'm  
5 not going to go through it unless you have  
6 some questions about it.

7 So I'll stop at this point and say  
8 I believe that the submissions that you have  
9 before you are sufficient to justify the  
10 relief that we've requested, and I would  
11 suggest that you approve this at your earliest  
12 possible convenience. Thank you.

13 MS. BROWN: Thank you, Mr. Chair  
14 and Commissioners. That concludes our direct  
15 presentation. We're ready for questions as  
16 you wish.

17 CHAIRMAN HOOD: Okay. Thank you.  
18 Let me just ask a quick question. This is to  
19 Ms. File. I'm not going to start off with --  
20 so Ms. File, on your submittal about your  
21 community outreach --

22 MS. FILE: Yes.

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1 CHAIRMAN HOOD: -- in the listing  
2 of all the outreach, there's a page here, and  
3 I'm sure it was an error -- I was just curious  
4 to who it was -- on October the 8th, 2007, you  
5 had a meeting with Mr. whom? Who did you meet  
6 with?

7 MS. FILE: October 8th?

8 CHAIRMAN HOOD: Was it the ANC  
9 Commissioner --

10 MS. FILE: Oh, I'm sorry.

11 CHAIRMAN HOOD: I think we need to  
12 get that so we can have it for the record.

13 MS. FILE: Sure. I can -- that is  
14 -- he was with St. Peter's School. I can give  
15 you his last name. That was an error on my  
16 part. I'm sorry about that. I can send that  
17 to you. I don't remember it off the top of my  
18 head.

19 CHAIRMAN HOOD: Okay. That's fine.  
20 What I'm going to do is open it up to my  
21 colleagues. Who would like to ask -- Mr.  
22 Turnbull?

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1 COMMISSIONER TURNBULL: Thank you,  
2 Mr. Chair. I wonder if I could ask Mr. Kabatt  
3 a question. Have you had a chance to look at  
4 the report by Mr. Osborne George which was  
5 submitted by Square 643 Associates which had  
6 some questions about your traffic study?

7 MR. KABATT: Yes. We saw their  
8 statement.

9 COMMISSIONER TURNBULL: I wonder if  
10 you could -- we've just got that report  
11 tonight to read, and this Commission, we hate  
12 to -- I think we feel like we're barnstorming  
13 when we get a lot of information at one time  
14 and we're trying to -- so without going into  
15 detail on some of these things, I wonder --  
16 and I don't want my fellow colleagues out on  
17 the wing here -- well, especially while I'm  
18 flying -- some of the questions asked go back  
19 to specific were there software used. They go  
20 back to the right lanes, the analysis used.

21 He raises a lot of questions about  
22 some of the things that you've either drawn or

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1 analyzed and the way the report is structured  
2 upon the information. And I'm wondering --  
3 you haven't really responded to that as yet I  
4 don't -- but are these questions, are they  
5 wrong? Are they off base? Or they're -- is -  
6 - are there -- I wonder if you could maybe  
7 comment on that?

8 MR. KABATT: O.R. George, they  
9 raised some good questions in their statement.

10 Our first report that we submitted in March,  
11 I believe, was what a lot of that stemmed  
12 from. And since then, we have worked with  
13 DDOT to confirm the methodology. As I said in  
14 my testimony, we used the methodology that  
15 DDOT typically uses, and some of the questions  
16 about -- we worked with DDOT on a number of  
17 pipeline projects and we clued in some  
18 additional ones.

19 And then there was some questions about  
20 turning movements. There are some turning  
21 movements -- I think it's on M Street -- that  
22 turn on to Delaware Avenue that are actually

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1 restricted. You're not supposed to make that  
2 movement but our actual count show that people  
3 do make those movements. But just in  
4 conclusion in regard with DDOT, we did work  
5 with DDOT. They were comfortable with our  
6 study. They could speak with -- but as in --  
7 stated in their report, that we had worked  
8 with them since that March study and gotten a  
9 study that's not adequate and --

10 COMMISSIONER TURNBULL: But you  
11 feel that as far as lane configurations and  
12 analysis of the intersections, you have the  
13 correct --

14 MR. KABATT: Yes.

15 COMMISSIONER TURNBULL: They are  
16 correct?

17 MR. KABATT: Yes.

18 COMMISSIONER TURNBULL: Okay. All  
19 right. Thank you. I wonder if I could ask  
20 Mr. Baranes is the middle board the ochre  
21 colored brick?

22 MR. BARANES: Yes, it is.

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1 COMMISSIONER TURNBULL: Does that  
2 go back -- does that reflect back to what the  
3 design was that we saw the last time?

4 MR. BARANES: Yes.

5 COMMISSIONER TURNBULL: Was that  
6 the ochre one last time?

7 MR. BARANES: Yes. It was rendered  
8 in a slightly different tone. There was just  
9 a -- there were smaller drawings. You saw it  
10 on the screen electronically.

11 COMMISSIONER TURNBULL: No, I --  
12 yes, that's part of the problem when you look  
13 at those. Okay. So what your preference is,  
14 going back to the original scheme, you feel  
15 that that offers the best architectural  
16 backdrop to the existing school?

17 MR. BARANES: Well, it's two  
18 things. I think part of it is being a good  
19 backdrop to the school, but I think also you  
20 have to look at the buildings and object onto  
21 itself --

22 COMMISSIONER TURNBULL: Right.

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1                   MR. BARANES:     -- with the other  
2 materials that we're using, and I feel that  
3 can provide just a very rich series of facades  
4 in that neighborhood.

5                   COMMISSIONER TURNBULL:     Yes.     I  
6 think we were-- had some internal discussions.  
7 We were sort of hedging between the two that  
8 you were looking at.

9                   On the penthouse, we see, of  
10 course, the return to the ubiquitous trellis  
11 as often comes before us, but I think that is  
12 a -- that's another variation that I think  
13 does place off certain -- it has some  
14 tradeoffs with the verticality of the wall.  
15 Do you think that on your third proposal that  
16 the brick which is not the same is too much of  
17 the same color?

18                  MR. BARANES:     This is a -- it's a  
19 very substantial building.   It's a very large  
20 building, and using the palette that you see  
21 on the right there, it's a dark palette and I  
22 think I would feel more comfortable with it,

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1 and it would probably be my first choice if  
2 the building were broken down into smaller  
3 elements, which it's not in this part  
4 instance. And again, I would refer back to  
5 the incinerator project where we were able to  
6 break that building down into a series of  
7 elements and I think there, the darker  
8 materials work well.

9 COMMISSIONER TURNBULL: Yes. It's  
10 -- there are positive things with both  
11 schemes.

12 MR. BARANES: I think the scheme on  
13 the right is probably one that's familiar to  
14 all of us and probably we're therefore more  
15 comfortable with it.

16 COMMISSIONER TURNBULL: Yes, but I  
17 also see what you're trying to do with the  
18 middle scheme, too, and I can accept that,  
19 too.

20 MR. BARANES: One other thing I  
21 would suggest is, just to think about, is that  
22 the neighborhood -- this is kind of

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1 interesting -- a lot of the buildings in this  
2 area do use terra cotta, and there's a  
3 tremendous range in the color of the terra  
4 cotta. You know, these are buildings from the  
5 60's. So some of the buildings are very  
6 light. Some of them have the terra cotta  
7 colors, but you don't see a lot of red brick  
8 in the larger buildings in this neighborhood.

9 COMMISSIONER TURNBULL: Okay.  
10 Thank you.

11 MR. BARANES: Okay.

12 CHAIRMAN HOOD: Okay. Any other  
13 questions? Commissioner May?

14 COMMISSIONER MAY: Okay. I'll try  
15 to keep it short, but I'm rarely successful in  
16 that. The -- and I'm coming into this a  
17 little bit late, but I have reviewed the  
18 record, at least everything's that's available  
19 to me. And I'm going to try not to rehash  
20 things that may have already been discussed.  
21 But there were a couple of things that I just  
22 -- I had questions about.

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1                   And first of all, let me say that  
2                   there's a whole lot about this project to  
3                   really like. I mean, you know, the positives  
4                   about it are very positive. The use, you  
5                   know, the affordable housing, the housing, the  
6                   arts use, all that's very, very positive. So  
7                   that's the context in which I start asking my  
8                   little picky questions.

9                   The think that probably is the most  
10                  troubling to me or the biggest question --  
11                  troubling is too strong a word -- is the whole  
12                  issue of the penthouse and whether it should  
13                  be set back or not. And, you know, I read  
14                  something in one of the reports -- I think it  
15                  was the OP report that said that if we allow  
16                  the penthouse to be continuous with that  
17                  facade along H Street that, in fact, we wind  
18                  up with a height act violation.

19                  So I'm curious about whether that's  
20                  been reconciled or not. Because it seemed  
21                  like it was up at -- when it's continuous like  
22                  that, it becomes a parapet wall and it's at

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1 116 feet, and we're limited to 110.

2 MR. BARANES: Our view on that is  
3 that the definition of a parapet is quite  
4 distinct from the definition of the walls that  
5 make up a mechanical penthouse. And I didn't  
6 quite understand how one could mistake an  
7 enclosing wall of a room for a parapet.  
8 Therefore, I felt that we came under a  
9 different portion of the Act, that we were not  
10 violating the Height Act.

11 And also, you know, I can think of  
12 multiple instances where, over the years, over  
13 the last 20 years where we've taken projects  
14 through BZA for variances or special  
15 exceptions. I don't know which -- special  
16 exceptions on setbacks for mechanical  
17 penthouses and, in fact, took party walls and  
18 building straight up without setting back at  
19 all and received approval for them.

20 So I felt we were being consistent  
21 with other approvals we've received over the  
22 years.

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1                   COMMISSIONER MAY: In those cases,  
2 did you wind up exceeding the height  
3 limitations set by the Height Act?

4                   MR. BARANES: Yes.

5                   COMMISSIONER MAY: What, I'm sorry?

6                   MR. BARANES: For the penthouse,  
7 yes. The building, for example, under C-4,  
8 the allowable height would have been 130 --  
9 130 feet, and we took the walls straight up to  
10 130 plus the 18 feet 6 inches allowed under  
11 the code --

12                  COMMISSIONER MAY: Under the --

13                  MR. BARANES: -- with no setbacks.

14                  COMMISSIONER MAY: On an outside  
15 wall?

16                  MR. BARANES: On an outside -- yes.

17                  COMMISSIONER MAY: I mean not on a  
18 wall on a court or something like that?

19                  MR. BARANES: It was a wall --  
20 let's see -- at 816 Connecticut Avenue, it's a  
21 little sliver building we did years ago, it  
22 was -- we did it on both walls on the property

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1 lines adjacent to our neighbors, shared with  
2 our neighbors. That's one that comes to mind.

3 The Southern Building at 15th and H, we did  
4 the same thing there, and it also went up in a  
5 court condition there as well as on a property  
6 line.

7 COMMISSIONER MAY: Okay. That's  
8 one aspect of the issue of the height, and the  
9 other aspect of it is just the -- is the  
10 massiveness of it. And if you -- you know, on  
11 the drawings that you show there, even though  
12 I'm not fan of having to top it with a  
13 trellis, I understand why you did that.

14 Bbut there's something about that  
15 overall height which is still a concern,  
16 because already we're talking about a 10-story  
17 building which is in a neighborhood where  
18 there aren't a lot of them. There may be some  
19 -- but -- and they're sort of spread out, but  
20 there are not a lot. And so you're going 10  
21 stories plus that extra 18 feet or 16 feet or  
22 whatever it is.

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1           So it just seems like it's a very,  
2           very tall building from that side. And it's a  
3           side from which you're always going to be able  
4           to see it and see it from a distance. It's  
5           not like you're going to see it walking down  
6           the street and you're limited in the vision of  
7           it. It's always going to be seen and always  
8           going to be seen from a distance, at least  
9           assuming that the ballfields always say there,  
10          so it's still something of a concern.

11           I'd like to open that question up  
12          for some discussion among the Commission, and  
13          I'm sure we'll get into at some point, if not  
14          here, at the decision making, to determine  
15          what we, you know, what we thin is  
16          appropriate. But I'm still concerned by that  
17          height.

18           MR. BARANES: Mr. May, let me just  
19          say one thing.

20           COMMISSIONER MAY: Yes, please.

21           MR. BARANES: There are many  
22          buildings in the neighborhood for 90 feet, so

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1 we're -- plus a penthouse. So, in fact,  
2 they're really only one story taller.

3 COMMISSIONER MAY: Yes, but the  
4 ones with the penthouse don't have the  
5 penthouse right up against the facade, do  
6 they?

7 MR. BARANES: Probably not. You  
8 know, it's precisely because you see the  
9 building from a distance and we have a  
10 baseball field there, a highway. There's a  
11 different scale there which I think could work  
12 that would not be appropriate on the sidewalk  
13 side, on the street side.

14 COMMISSIONER MAY: Yes. I can see  
15 how it would be in a -- if you're walking down  
16 the street and there, you know, and it's that  
17 facade is just 16 feet taller, that would make  
18 the canyon feeling even stronger. I can  
19 understand how that would be even more  
20 problematic, but I guess, you know, seeing it  
21 from a distance doesn't necessarily make me  
22 any more comfortable.

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1           It's just, you know, even that --  
2           and, in fact, the fact that it's only set back  
3           by a few feet, doesn't really matter as much.

4           It's that it's -- it's that you have that  
5           line at all between the facade of the building  
6           and the facade of the penthouse really has  
7           some meeting, because when you look at it from  
8           a distance, you can't tell whether it's 4 feet  
9           back or whether it's 18 feet back.     So,  
10          anyway, I'll let others comment on that if  
11          they choose to.

12          On the -- there was an odd note on  
13          one of the plans that referred to the  
14          penthouses residential mechanical equipment.  
15          I assume that this is standard mechanical  
16          equipment.     We're not talking about a  
17          condenser farm or something like that up  
18          there?   It's real air handlers and such?

19                 MR. BARANES:   It is.   However, I do  
20          not want to rule out the possibility at this  
21          point that we may, in fact, in the end not use  
22          individual air handlers or individual units.

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1                   COMMISSIONER MAY:   Okay.   So if we  
2       -- if you did that, is there some hope that  
3       you might actually be able to produce the  
4       height of the penthouse?

5                   MR. BARANES:   If we were to go to  
6       that kind of a mechanical system:

7                   COMMISSIONER MAY:   Yes.

8                   MR. BARANES:   You know, we often  
9       wind up having to stack the units because  
10      there's not enough roof space, so I wouldn't  
11      be able to commit to that at this point.

12                  COMMISSIONER MAY:   Yes.

13                  MR. BARANES:   And the reason we  
14      labeled I as residential is because we do have  
15      a lot of equipment in the building for the  
16      Corcoran school which is separate.

17                  COMMISSIONER MAY:   Right, yes.  
18      Just that's what me think about these other  
19      possibilities I guess.   The last thing, I  
20      guess, is about the art school component, and  
21      that is where's the messy stuff going to go?  
22      Because a lot of times outside the art school,

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1 out on the loading dock or out in the  
2 backyard, there's big pieces of stuff that got  
3 used in an art project or is waiting to be use  
4 din an art project, and I wasn't quite able to  
5 see that, and so I'm wondering is this going  
6 to be a really clean art school here they  
7 don't have that sort of stuff nearby or is  
8 there a space there that's designated for it?  
9 Or how's that going to work?

10 MR. GREENHALGH: It's a pretty  
11 clean art school, yes. We -- we're moving  
12 what usually is known in the art trade as the  
13 dirty art stand there, which will be  
14 sculpture, metals, ceramic, but it's all  
15 contained within our plant. And so, no, we  
16 don't intend to stock up loads of rubble and  
17 metal and clay out on the street. It is  
18 contained and will be contained within the --

19 COMMISSIONER MAY: Within the  
20 building proper --

21 MR. GREENHALGH: Absolutely, yes.

22 COMMISSIONER MAY: -- or it's not

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1 going to wind up in the sculpture gardens or  
2 any of that sort of stuff?

3 MR. GREENHALGH: No.

4 COMMISSIONER MAY: Okay. All  
5 right.

6 MS. FILE: We do have a courtyard  
7 where people can view the students working on  
8 their sculptures and things like that, but  
9 they won't just be leaving things outside, so.

10 COMMISSIONER MAY: Okay. All  
11 right. Now we have that on the record.  
12 Anyway, thank you very much.

13 CHAIRMAN HOOD: All right. Do we  
14 have any other questions. Commissioner  
15 Etherly?

16 COMMISSIONER ETHERLY: Very  
17 quickly, Mr. Chair, and thank you very much to  
18 my colleague, Mr. May, for clarifying whether  
19 this is going to be a clean art school or a  
20 dirty art school. That's helpful to know.

21 If I could, let me come back to Mr.  
22 Baranes very quickly just on -- you touched a

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1 little bit on the issue of community context,  
2 if you will, architecturally in terms of some  
3 of the other materials or colors that are used  
4 on some of the other buildings in the  
5 vicinity. And I just wanted to touch on that  
6 a little more with respect to just getting a  
7 sense -- I think I understood from your  
8 testimony kind of where your preference is,  
9 but let me couch the same question in a  
10 different way.

11 Given the context of the community  
12 from an architectural standpoint, and I  
13 understand, of course, that it's perhaps  
14 diverse, some might say dated, but I think  
15 it's part of the attraction, part of the  
16 allure or part of the joy and pride of that  
17 part of town, but given what you understand  
18 about the current architectural landscape over  
19 there, which one of the scenarios do you think  
20 fits best or complements best what's currently  
21 there?

22 MR. BARANES: It's the center

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1 scheme. Actually, that's one of the reasons  
2 we gravitated in that direction. You know,  
3 the interesting thing, of course, whether we  
4 like or don't like it, the colors that we see  
5 in that neighborhood, that area will most  
6 likely become an historic district. And then  
7 if we were to take a project like this to the  
8 Preservation Review Board, of course, they  
9 would be very concerned with the compatibility  
10 of our brick colors with all of the other  
11 buildings.

12 And when you look carefully at  
13 those buildings, I mean you'll see that  
14 there's primarily a range of tans and browns,  
15 and there's a lot of interesting use of metal.

16 Reynolds aluminum was involved in the  
17 development of that area early on as a  
18 promotional thing. And so when you look at  
19 some of the lower scale buildings, some of the  
20 townhouses there, you see some really  
21 interesting use of aluminum on buildings, and  
22 that's one of the reasons that we started

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1 looking at metal pretty carefully for this  
2 building. It's not typically this kind of  
3 metal that you see. You see the shinier, raw  
4 aluminum on many of the buildings. But it is  
5 a way of relating back to that.

6 COMMISSIONER ETHERLY: And would  
7 you say, from a color standpoint, that it's  
8 running the entire gamut or is it skewing in a  
9 particular direction. And I'll perhaps give  
10 you a sense of why I'm asking that question.  
11 I'm thinking of, if I remember the building  
12 correctly, and I'll note that Commissioner  
13 Sobelsohn is here, so he might correct me if  
14 I'm wrong, but tell me, please the addition  
15 that was placed on Potomac Place that comes  
16 onto first street is, if I recall correctly,  
17 of a lighter color scheme compared to Potomac  
18 Place.

19 And I'm just thinking of -- clearly  
20 of course, there's the interplay between the  
21 significant historic structures around this  
22 project in the immediate vicinity, but I'm

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1 also assessing kind of the impact, jarring or  
2 otherwise, of the color scheme, of any of the  
3 color schemes proposed. And so Im just trying  
4 to kind of get a sense of, again, you think  
5 the middle scheme works best?

6 MR. BARANES: Yes.

7 COMMISSIONER ETHERLY: Okay. Thank  
8 you. Thank you, Mr. Chair.

9 CHAIRMAN HOOD: Commissioner  
10 Jeffries?

11 VICE CHAIRMAN JEFFRIES: Thank you.

12 First of all, before I even have a discussion  
13 about the architecture, I would like to say  
14 that, at least from where I sit, you know, I  
15 was so driven by the architecture that I  
16 failed to look at all the wonderful aspects to  
17 this PUD application. I mean it's really  
18 chocked full of amenities and public benefits,  
19 and so I just think the totality of the  
20 application is a very good one. I mean it  
21 really is covering a lot of different things  
22 that the District is trying to achieve in

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1 terms of, you know, housing policy, economic  
2 development, historic preservation. So I  
3 think that's the great news about this  
4 particular PUD application.

5 I have just a couple of questions.

6 I do appreciate Mr. Baranes' presentation of  
7 different design alternatives, and I think  
8 you're probably right, the middle one is  
9 probably the better solution as I look at the  
10 three here. It's the wonderful thing about  
11 options. You know, you get to compare. But  
12 when you just see one thing, you know, you  
13 just sort of react to it.

14 I would say that you're correct. I  
15 think the right one does, you know, sort of  
16 sooth my aesthetic palette, but I think  
17 you're also right that this is a large  
18 building, and unless you can break down the  
19 scale of it -- because just looking at it as  
20 it sits -- I mean you've done a section -- I  
21 mean that looks pretty nice, but then I think  
22 if you did the entire building, it would look

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1 somewhat monolithic and it probably would not  
2 achieve what you're trying to accomplish here.

3 So I would agree that probably the  
4 middle section is the better scheme. And  
5 also, I think it helps to blow it up as well.

6 So I do have a couple of questions,  
7 and then I'm going to move on to Commissioner  
8 May's comment about height. The Tanner  
9 Project, you were the architect for that PUD,  
10 correct? What color brick was that? Or was  
11 there any brick? It was just metal?

12 MR. BARANES: No, no. There will  
13 brick on that also.

14 VICE CHAIRMAN JEFFRIES: Brick,  
15 okay.

16 MR. BARANES: It's actually a color  
17 -- it's probably in the mid-range between the  
18 left one and the middle one.

19 VICE CHAIRMAN JEFFRIES: So it's  
20 somewhere in between.

21 MR. BARANES: Yes.

22 VICE CHAIRMAN JEFFRIES: And the

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1 other question is, and perhaps the subject  
2 site -- sorry -- the field bed is to the  
3 northeast of this site -- and maybe I should  
4 ask the Office of Planning this. I'm trying  
5 to figure out what plans are there for that  
6 particular site if anyone could speak to that?

7 Because for me -- and I guess I'll ask Office  
8 of Planning, because to me, that sort of  
9 figures on how I address the height of the  
10 building.

11 I personally do not have a problem  
12 with the height of the building, particularly  
13 given the interstate and the green area that  
14 is between the actual site and the interstate.

15 But, you know, looking at further planning of  
16 the field, you know, that would make me sort  
17 of wonder about the height of this building,  
18 but as a stand-alone, and particularly given  
19 all of the amenities that are tied to this,  
20 you know, I could probably get comfortable  
21 with a C-3-C designation which, by the way,  
22 there is C-3-C as I look at the Attachment 1

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1 of the OP report from September 17th. There's  
2 also a C-3-A that's south of it. There is an  
3 R-4 west of it.

4 But again, I think my question  
5 would really go to the Office of Planning to  
6 just, you know, spend a little bit of time  
7 figuring out just what the future planning is  
8 of the field. And I think that's it on my  
9 part, Mr. Chair.

10 CHAIRMAN HOOD: Okay. Thank you,  
11 Commissioner Jeffries. I just have a few  
12 questions and I don't know if we have a  
13 rendering to put up, because I want to see how  
14 the circulation is going to work with your  
15 neighbor, the good neighbor policy on H  
16 Street.

17 Let me just ask this. I was a  
18 little concerned at first when you gave us  
19 options, but as -- because actually, I've  
20 heard my colleagues loud and clear -- it shows  
21 I'm not architecturally inclined, because I  
22 was thinking the one to the right, but I heard

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1 a good strong argument from my colleagues, and  
2 it looks like the middle one. And I think,  
3 Mr. Baranes, you were asking us as far as the  
4 color and you gave us three versions. Well,  
5 that made me real nervous to have three among  
6 my colleagues, but I've heard loud and clear  
7 the middle one, so I understand the  
8 significance of being able to deal with that  
9 one, so. And I'm also glad he's taking some  
10 of those other options down.

11 But let's talk about the  
12 circulation. In the letter from Arlen Porter  
13 and Misty O'Donnell, it's talking about Square  
14 643. And let me ask this first. I notice,  
15 Ms. File, in your presentation in the back  
16 when you talk about outreach meetings that you  
17 did meet with Square 643 folks, I guess Mr.  
18 Tanner, and I -- let me ask you -- before I  
19 start asking these questions, was there a  
20 resolution?

21 MS. FILE: I have met with Mr.  
22 Tanner numerous times starting in -- it was

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1 January of 2007. He actually supported us at  
2 the Marist hearing and it's only as we've  
3 gotten further along where he was concerned  
4 about H Street and the loading dock, so. But  
5 he still is in support of the project.

6 CHAIRMAN HOOD: And I guess --  
7 maybe this will go to Mr. Kabatt. I'm looking  
8 to see, first of all, ow will this one work  
9 and second of all, is there some kind of way  
10 we can resolve the issue which we were  
11 presented with in a letter dated December the  
12 6th?

13 MR. KABATT: At the top of the  
14 graphic, that's H Street, and as you come from  
15 the -- from Delaware Avenue.

16 CHAIRMAN HOOD: And I guess I want  
17 you to show me what the issue is. I don't  
18 know if you have pointer. Okay, good.

19 MR. KABATT: As you come from  
20 Delaware Avenue, you first hit the loading  
21 dock for the residential building, and that  
22 right across H Street from the loading dock is

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1 where I believe access to the property to the  
2 north would be. And then as you go to the  
3 east, this is the driveway to the parking  
4 garage. And then this is the loading dock for  
5 the Corcoran.

6 CHAIRMAN HOOD: So if I'm coming  
7 in, show me what Mr. Tanner -- and I want to  
8 do this before he comes up -- show me how Mr.  
9 Tanner will be affected or what the issue --  
10 show me what the issue you suspect would be.

11 MR. KABATT: In talking with DDOT  
12 about this issue, we thought that the issue  
13 was in this location here with the loading for  
14 the residential and the garage driveway, and  
15 our previous plan had shown loading for the  
16 school to be in this location as well. And  
17 what we -- what I understand it as is that  
18 there would be activity here for the property  
19 to the north, so in other words, right across  
20 the street from our activity. And in working  
21 with DDOT, we broke up our loading facility to  
22 lessen that, any potential conflicts across

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1 the street.

2 CHAIRMAN HOOD: And those are three  
3 bays, right? We have three bays on the  
4 loading dock?

5 MR. KABATT: We have three bays,  
6 yes. One for the residential and -- well,  
7 there's -- excuse me -- one for the Corcoran  
8 and then three for the residential over here -  
9 -

10 CHAIRMAN HOOD: Okay. Now for the  
11 residential, if I have three trucks in there  
12 at the same time, how's that going to work?

13 MR. KABATT: I'm sorry, excuse me?

14 CHAIRMAN HOOD: If I have three for  
15 the residential --

16 MR. KABATT: Yes, here.

17 CHAIRMAN HOOD: How's that -- if  
18 we're all there at the same time, how is that  
19 going to work?

20 MR. KABATT: If they all --

21 CHAIRMAN HOOD: When there are  
22 three trucks there at the same time, I got --

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1       how am I going to -- I see how the schematic  
2       is pulling up and backing in. I guess that's  
3       what it's doing.

4                   MR. KABATT:     Yes.     There's one  
5       berth here, one there and then one with the  
6       shaded truck in there. I guess if three came  
7       at the same time, they'd -- they couldn't all  
8       turn in at the same time but they would be  
9       able to -- they all would be able to -- one  
10      would be able to park next to each other.  
11      There would be able to be three in there.

12                  CHAIRMAN HOOD:     So is it your  
13      testimony there's enough room to finagle and  
14      get in there and get out of there and say if  
15      the middle one leaves out, I can -- if I pull  
16      up later and another truck -- and this is --  
17      this may not ever happen at the same time, but  
18      would I be able to pull up and pull in that  
19      middle bay without a problem?

20                  MR. KABATT:     Yes.

21                  CHAIRMAN HOOD:     Okay. Now, another  
22      issue that I saw, the interest on Randall

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1 Recreational Facility, H Street is also the  
2 only point of access to the Randall  
3 Recreational Facility. Where is that? Show  
4 me where that is, the interest? And I'm just  
5 taking it from a letter that was submitted to  
6 us.

7 MR. KABATT: It's the -- right at  
8 this point here. We go back to the  
9 recreational facility's -- I believe this is -  
10 - this here is the property line toward the  
11 center line of H Street.

12 CHAIRMAN HOOD: Okay. Maybe we  
13 don't have anything that'll clearly show me,  
14 but I just need something to -- I guess Misty  
15 O'Donnell and Mr. Tanner will be able to talk  
16 a little more about that.

17 MR. KABATT: We do have a 45-foot  
18 setback from the property line.

19 CHAIRMAN HOOD: Okay. All right.  
20 Sure, go ahead.

21 COMMISSIONER ETHERLY: Mr. Chair,  
22 do you mind if I just follow-up on your line

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1 of questioning there? And I think it's an  
2 excellent line, because there's going to be, I  
3 would suspect a lot of back and forth and kind  
4 of dueling expert testimony on this. But part  
5 of what I think prompts the question is has  
6 there been any kind of detailed snapshot taken  
7 of the circle at Delaware and H, Randall  
8 Circle if you will, to really look at that  
9 capacity for this level of traffic and then as  
10 you proceed along H Street to the east?

11 I mean has there really been a  
12 look? Because I think it was either the Vice  
13 Chair or the Chair who asked, you're  
14 comfortable that the trucks will be able to  
15 make the necessary movements and ingress and  
16 egress comfortably along this stretch of  
17 roadway. And perhaps my question is what's  
18 giving you that comfort level. Have you  
19 backed that up with, again, an operational  
20 look at what's happening now on the circle and  
21 H Street, or is that simply really based on  
22 just a modeling that you've done?

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1           MR. KABATT:   It's based on the --  
2   we do swather diagrams.   It's based on the  
3   computer program, and that computer program is  
4   based on actual field tests.   We have not gone  
5   out there ourselves and taken a truck around  
6   that circle, but that's what that program is.  
7   It's called Auto Turn.

8           COMMISSIONER ETHERLY:   Okay.

9           MR. KABATT:   And that's what that  
10   program is based on, and in that report, we  
11   show several figures that show the 40-foot  
12   truck being to go around that circle.

13          COMMISSIONER ETHERLY:   Okay.   And  
14   as you run it through that program, I think  
15   this is important that you said, that program  
16   has built into it data regarding traffic and  
17   movements along this corridor?

18          MR. KABATT:   Yes, it -- that  
19   program has the turning radius of the wheels  
20   for the truck, the width and the -- you know,  
21   obviously the lane.

22          COMMISSIONER ETHERLY:   Okay.   Thank

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1       you.     Thank you, Mr. Chair.     Pardon the  
2       interruptions.

3                   CHAIRMAN HOOD:     Do we have anyone  
4       here from DDOT?   Okay.

5                   VICE CHAIRMAN JEFFRIES:   Right.

6                   CHAIRMAN     HOOD:           Commissioner  
7       Jeffries.    I'm sorry.    Actually, this is a  
8       little tied to this and it's a question for  
9       Mr. Hines.   Is this a -- will this be rentals  
10      or I would assume that you're looking at  
11      rentals atthis point given market conditions.

12      But if you want to --

13                  MR. HINES:     We actually haven't  
14      determined at this time whether it would be  
15      for sale or rental property, but you're  
16      absolutely right, we're certainly considering  
17      rental as well at this time.

18                  VICE CHAIRMAN JEFFRIES:   And I ask  
19      that question because I think that that might  
20      speak to activity and so forth and, you know,  
21      the frequency by which people are moving in  
22      and out and so forth.   I would imagine if you

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1 have a condominium building, you might see  
2 less, you know, activity at the loading area  
3 perhaps. I don't know if there's been given  
4 any thought to that.

5 But, you know, it would be  
6 interesting to know. I mean I know at this  
7 point, you're completely -- I mean it's such a  
8 volatile market right now, you probably don't  
9 know where you're going, but that does speak  
10 to, you know, the operations and just, you  
11 know, activity of the actual building.

12 MR. HINES: Do you mind if I just  
13 address this point quickly --

14 VICE CHAIRMAN JEFFRIES: Sure.

15 MR. HINES: -- for your benefit?  
16 Because we certainly have attempted to  
17 accommodate Mr. Tanner's request. It's just -  
18 - I spoke earlier about physical feasibility,  
19 and of course, this building must have a  
20 loading dock for both the Corcoran and for the  
21 residential, and it has to have an entrance to  
22 the garage. We spent a lot of time looking at

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1 where those entrances might be. Working with  
2 our architect and talking with the Office of  
3 Planning and Historic Preservation Office, we  
4 all agreed that H Street was the logical  
5 place.

6 In fact, it's where Mr. Tanner's  
7 loading area is and his entrance to his  
8 parking garage. We tried to spread them out  
9 in order to create the minimal impact on his  
10 entrance to his building which is actually  
11 tucked in between his loading area and his  
12 entrance to his parking garage.

13 So, I mean, if I could think if  
14 another solution, I certainly would want to  
15 accommodate him. His solution, unfortunately,  
16 is to have us move it to First Street which is  
17 the front of the Corcoran school, and in my  
18 mind, is a, you know, a secondary facade to  
19 this building with I Street being the primary  
20 with the historic buildings. And we just --  
21 we were unable to, you know, finally satisfy  
22 him, you know, despite some efforts to do so.

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1           I       certainly       understand       his  
2       perspective because he does have the front of  
3       his building, the entrance to his building on  
4       H Street.   It's just we're out of options that  
5       I   think   make   sense,   to   this   project,  
6       certainly.

7           CHAIRMAN HOOD:     And my line of  
8       questioning, Mr. Hines, was simply to see --  
9       to make sure we have exhausted all resolutions  
10      we can have.   I'm not to the tune of asking  
11      you relocate, because I know some of things  
12      that have happened.   I was just seeing if  
13      there was any way that, I guess, we could co-  
14      exist.   That's kind of what I was looking at  
15      and I'm sure, hopefully, those things have  
16      been exhausted or can continue to be  
17      exhausted.

18           Now let me ask about the TMP.   We  
19      haven't finalized any of that yet, have we,  
20      MR. Kabatt, the TMP?   I mean we don't  
21      necessarily have an agreement on the TMP?

22           MR. KABATT:   No.   We -- DDOT agrees

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1 with the strategies that we --

2 CHAIRMAN HOOD: They agree with the  
3 strategies --

4 MR. KABATT: Yes.

5 CHAIRMAN HOOD: -- but I mean don't  
6 we normally -- and it may be in here and I  
7 just may have missed it -- don't we normally  
8 get -- or was that what you gave us tonight?  
9 Is this the two-page -- is this the TMP?

10 MR. KABATT: That is my testimony  
11 but, actually, on the back of DDOT's report,  
12 they have the TMP, and it's dated November 7,  
13 2007. It should be --

14 CHAIRMAN HOOD: What is it dated?

15 MR. KABATT: DDOT's report is  
16 November 7, 2007, and there's an attachment to  
17 that report that has the TMP.

18 CHAIRMAN HOOD: And that was in our  
19 original submissions?

20 MR. KABATT: Yes. You should have  
21 had that at the last hearing.

22 CHAIRMAN HOOD: The last time.

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1     Okay. I'll look for it later, because I've  
2     got stuff --

3             MR. GREENHALGH: If I could just to  
4     help with this point here. It is important to  
5     remember with the loading dock for the  
6     Corcoran, it -- we need a loading dock, of  
7     course, but we will have really very  
8     infrequent delivery there, and we reduced the  
9     size of our dock from 55 to 40 feet. So in a  
10    sense, it's not an industrial plant in that  
11    sense. It's relatively rarely used and we  
12    feel that that takes a lot of the pressure off  
13    the rest of the development. It is important  
14    to remember that it's relatively infrequent  
15    that we'll be using our dock.

16            CHAIRMAN HOOD: And there was one  
17    other question I had about the community  
18    amenities. It's in two places. We did  
19    receive something and, of course, I haven't  
20    had a chance to really look at it, but it  
21    talked about -- one place I read, I think it  
22    was like \$200,000.00 to the community, and it

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1 didn't specify exactly, Mr. Hines, exactly  
2 where -- maybe it's in tonight's -- but what I  
3 read previously didn't specify exactly who in  
4 the community is going to administer it or  
5 where the money is going to go. And we need  
6 to just know some of those things now, and  
7 especially when this Commission deals with  
8 amenities.

9 MR. HINES: Yes. And if understand  
10 it correctly, this is a new fund that's being  
11 created, and it was through working with the  
12 ANC and, of course, meeting with Tommy Wells  
13 as well, but I cannot tell you tonight how  
14 they intend to administer that fund, because I  
15 think it is a new concept.

16 And of course, as I said before,  
17 there hasn't been a lot of development right  
18 in this area. This ANC is affected by what's  
19 going on around the baseball stadium. But I  
20 do not know if they've established how that  
21 money is going to be administered at this  
22 time.

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1 CHAIRMAN HOOD: Okay. But I think  
2 before final action -- I'm not going to say  
3 proposed -- I think before final, we need to  
4 have that nailed down to some degree, because  
5 we don't want to have a problem after the  
6 fact. We want to try to prevent anything that  
7 may occur previously. And I think we need to  
8 do that with all the amenities, anything else  
9 that's -- that one just popped out at me.

10 The other thing is I understand  
11 there is an agreement. We've been asked by  
12 ANC 6D to incorporate -- and I'll leave that  
13 up to our legal folks -- but incorporate --  
14 there's an agreement between the developer and  
15 the community, and they've asked us to  
16 incorporate -- I don't think we incorporate --  
17 I think what we do is mention it, but I'll  
18 leave that up to OAG -- but I think that we  
19 need to -- unless we already have it --

20 MS. FILE: You should already have  
21 that.

22 CHAIRMAN HOOD: We already have an

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1 agreement?

2 MS. FILE: That was sent -- yes.

3 CHAIRMAN HOOD: It's already  
4 signed?

5 MS. FILE: Yes.

6 CHAIRMAN HOOD: On both sides?

7 MS. FILE: Yes. It's signed on  
8 both sides. We confirmed that with Tommy  
9 Wells on the 15th of October and ANC and  
10 Monument and the Corcoran --

11 CHAIRMAN HOOD: And everybody has  
12 signed?

13 MS. FILE: And it's been submitted,  
14 I think, as part of the record.

15 COMMISSIONER MAY: I'm pretty sure  
16 there's a signed agreement in the record.

17 CHAIRMAN HOOD: It is? Okay. I  
18 just don't recall seeing it. I don't know if  
19 my colleagues saw it, but I didn't see it.  
20 Okay. Anyway -- all right, any other  
21 questions?

22 VICE CHAIRMAN JEFFRIES: Yes, Mr.

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1 Chair, just a quick question for Mr. Baranes.

2 I just -- I know you've gone over this before  
3 but because this is a mixed use development, I  
4 just want to be clear about control and, you  
5 know, what is the common space for residential  
6 versus the art students? Can we just look at  
7 a site plan for a minute? I just want to --

8 MR. BARANES: A floor plan, the  
9 first ground floor plan perhaps?

10 VICE CHAIRMAN JEFFRIES: Yes. I  
11 mean just, you know, every, you know, a  
12 typical day in the life of Randall School and  
13 the residents.

14 MR. BARANES: Okay. The area that  
15 you see shaded here in light --

16 VICE CHAIRMAN JEFFRIES: Right.

17 MR. BARANES: -- of course, this is  
18 the main entrance for the Corcoran. So all of  
19 this area here that you see through here is  
20 the Corcoran. This courtyard will be used  
21 primarily by the Corcoran.

22 VICE CHAIRMAN JEFFRIES: Corcoran.

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1 MR. BARANES: This will be -- this  
2 area here, this courtyard here will be used by  
3 the residential.

4 VICE CHAIRMAN JEFFRIES: Okay. So  
5 what's the control between the two courts, if  
6 at all?

7 MR. BARANES: Across here?

8 VICE CHAIRMAN JEFFRIES: Yes.

9 MR. BARANES: It'll be landscaping  
10 which --

11 VICE CHAIRMAN JEFFRIES: Just  
12 landscaping?

13 MR. BARANES: Yes. That's it.

14 VICE CHAIRMAN JEFFRIES: Okay. So  
15 in terms of, you know, activities that might  
16 be going in the courtyard by the art students,  
17 could that at all have, in terms of sound or  
18 anything -- I mean disruptive to the  
19 residential? I'm just trying to understand  
20 operationally how this all works.

21 MR. BARANES: Well, not only are  
22 they clean students, they're quite students, I

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1 think.

2 MR. GREENHALGH: Yes, the students  
3 are clean and quiet. What we mentioned, it'll  
4 be various kinds of external design projects.

5 We may do a little rectifying (phonetic), but  
6 there'll be no heavy planting, no noise in the  
7 external air.

8 MR. BARANES: Mr. Jeffries, we also  
9 located some -- well, you can see we don't  
10 have residential units here. We located some  
11 of the amenities for the residential building  
12 on that side facing the courtyard. With that  
13 in mind, thinking that there wouldn't be --  
14 you know, unless we landscaped this edge, that  
15 we wouldn't have enough privacy for individual  
16 units. So we made those common.

17 VICE CHAIRMAN JEFFRIES: Okay, and  
18 so in terms of residential, okay, the other  
19 side is completely residential, and then in  
20 the back, the blue, off of H Street, what is  
21 that? That's another residential lobby.  
22 Okay.

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1 MR. BARANES: Yes, that's a  
2 secondary lobby.

3 VICE CHAIRMAN JEFFRIES: Okay,  
4 okay, okay. And my other comment is I know  
5 that you are not particularly fond of the  
6 modified penthouse wall proposal. I do think  
7 it sort of softens that elevation a bit and  
8 makes it look a little more residential. I  
9 mean, my only concern was that the original  
10 one you had just looked like almost office.

11 And so, you know, if I had to throw  
12 a vote in, I would probably go with the  
13 modified. I just think it softens the  
14 elevation just a bit. So my only comment.

15 Thank you.

16 MR. BARANES: Okay.

17 VICE CHAIRMAN JEFFRIES: I was at  
18 trellises. That's on that end.

19 CHAIRMAN HOOD: Remember now you  
20 sat on that for a long time.

21 Okay. I see the agreement. I  
22 actually don't have a copy of it, but I'm

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1 looking at it. Commissioner May was nice  
2 enough to let me view it, and actually, the  
3 way I read it, it would be good to fine tune  
4 it a little bit more, but if it is not fine  
5 tuned because, as you stated, it's not  
6 established, personally I would be fine with  
7 what I read here.

8 And this agreement I have is dated  
9 -- well, anyway, it's signed by, I guess, the  
10 chairperson at the time, Chairman Moffett, and  
11 then Mr. Greenhalgh. Okay, all right.

12 MR. BARANES: Thank you.

13 CHAIRMAN HOOD: Any other  
14 questions?

15 COMMISSIONER TURNBULL: Mr. Chair,  
16 I would just like to offer a comment.

17 CHAIRMAN HOOD: Sure.

18 COMMISSIONER TURNBULL: It is my  
19 belief, based upon years of experience, that a  
20 clean art school is an oxymoron. Having been  
21 at the school of the Art Institute for more  
22 years than I care to remember and after have

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1       been an architectural student cohabiting with  
2       art students, I don't think so. I don't think  
3       so.

4                   VICE CHAIRMAN JEFFRIES: You know,  
5       actually, in Rome, when I was in the Rome  
6       program, we were there with RISD, and those  
7       RISD students were pretty --

8                   COMMISSIONER TURNBULL: Art  
9       students will take over everything. They're  
10      nice people, but they'll take over everything.

11                  CHAIRMAN HOOD: You know how they  
12      are. They're trying to make us miss again.

13                  PARTICIPANTS: Chicago.

14                  (Laughter.)

15                  MR. GREENHALGH: If I may say, the  
16      regulations in the last decades have tightened  
17      up tremendously on the way that we practice  
18      our arts. So we are considerably cleaner than  
19      we were, but --

20                  COMMISSIONER TURNBULL: Will we see  
21      white lab coats or --

22                  (Laughter.)

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1 MR. GREENHALGH: You shouldn't push  
2 too far, yeah?

3 CHAIRMAN HOOD: Okay. I know we  
4 are finished. I'm going to ask Commissioner  
5 Sobelsohn do you have any cross examination,  
6 not testimony; cross examination.

7 Okay. Thank you.

8 Next we will go to the report of  
9 the Office of Planning.

10 MR. JESICK: Thank you, Mr.  
11 Chairman, members of the Commission.

12 My name is Matt Jesick. The  
13 Applicant in this case has submitted a  
14 consolidated PUD application with the related  
15 map amendment, and they're also seeking  
16 various areas of zoning relief.

17 The Office of Planning has no more  
18 outstanding issues and recommends approval of  
19 the PUD.

20 The comp plan designates this area  
21 of Southwest as a neighborhood conservation  
22 area, and in those areas, there is not often

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1 new residential development, but there are  
2 some opportunities for infill, and when infill  
3 occurs it should be either residential or  
4 public use or an institutional use. So this  
5 project would fall right into that category.

6 The future land use map designates  
7 this for medium density residential  
8 development, which is often four to seven  
9 stories, but can be more depending on the  
10 circumstances, and this is certainly a unique  
11 circumstance.

12 They're preserving the school on I  
13 Street. So that forces the bulk of the  
14 building to the north along H Street.

15 The Applicant is also preserving  
16 the original First Street and H Street rights-  
17 of-way even though those are actually part of  
18 the subject property so that further  
19 constrains the building envelope.

20 And this project should also be  
21 seen in the context with South Capitol Street.

22 On South Capitol Street there is a

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1 significant amount of C-3-C zoning, and the  
2 comp plan calls for that street to be a  
3 monumental civic boulevard. So in the future  
4 I think we can anticipate tall buildings along  
5 South Capitol Street, and this would be  
6 complementary to those buildings.

7 So we feel that the project is not  
8 inconsistent with the future land use map of  
9 the comprehensive plan.

10 Now, again, the Applicant is  
11 seeking some areas of zoning relief starting  
12 with the PUD-related map amendment from R-4 to  
13 C-3-C. They're also seeking relief from rear  
14 yard requirements, rooftop structure  
15 requirements, court requirements and loading  
16 spaces.

17 The Office of Planning has no  
18 objection to the PUD related map amendment.  
19 Again, the plan calls for medium density  
20 residential uses, and with a FAR of 4.3, this  
21 project certainly falls within the median  
22 density range.

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1           It will be similar in height,  
2           although somewhat taller, but similar in  
3           height to existing buildings in Southwest, and  
4           the C-3-C zoning also allows the mass of the  
5           building to be pushed to the north, as I said,  
6           and to preserve the historic school.

7           In regard to the other areas of  
8           zoning relief, the Office of Planning has no  
9           objection, and we will rest on our original  
10          public hearing report.

11          In regards to the design, we feel  
12          that the changes that were made since the  
13          original public hearing date to remove the  
14          appendage into H Street have really improved  
15          the design. It will improve pedestrian flow  
16          on H Street. It will also improve vehicular  
17          and loading access on H Street, and it allows  
18          for the deconcentration for those back-of-  
19          house functions so they will be more spread  
20          out and not concentrated in the northwest part  
21          of the building.

22          In regards to amenities, as you

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1 know, the amenity package evaluation is based  
2 on the additional development and potential  
3 gained through the application process. In  
4 this case the Applicant is gaining 60 feet in  
5 height above the R-4 matter-of-right zoning,  
6 and although it's hard to quantify, we know  
7 they're gaining some density above that R-4  
8 level.

9 And the Applicant has listed  
10 several areas that they feel contribute to  
11 their amenity package. One is uses of special  
12 value, that being the Corcoran School itself;

13 Two being housing and affordable  
14 housing. They are providing 20 percent  
15 affordable housing, which is well above what  
16 would be required of a normal PUD.

17 Historic preservation, of course,  
18 they're preserving the original Randall  
19 School, and they've also listed revenue for  
20 the District, first source agreement, and  
21 LSDBE as amenities.

22 We're very happy with the amenity

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1 package. We feel it is commensurate with the  
2 amount of relief requested with this  
3 application.

4 In addition to those things that  
5 were listed by the Applicant, we feel there  
6 are even other items that could be counted as  
7 amenities, such as the green roof, reflective  
8 roof, and the car sharing spaces, and beyond  
9 that, as the Applicant mentioned, there were  
10 agreements reached with the ANC about other  
11 benefits to the community, but even without  
12 those, we feel that the amenity package is  
13 sufficient.

14 So, again, any outstanding issues  
15 that we had previously have been resolved, and  
16 we recommend approval of the PUD. I'd be  
17 happy to take any questions.

18 CHAIRMAN HOOD: All right. Thank  
19 you, Congressman.

20 Any questions of Office of  
21 Planning.

22 VICE CHAIRMAN JEFFRIES: Yes. I

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1 just asked the question earlier about the  
2 field and future planning. Do you have any  
3 background information on -- it's called  
4 Randall Field, is it? Is that the technical  
5 name?

6 MS. STEINGASSER: I don't know if  
7 that's the technical name. It's how people  
8 refer to it.

9 VICE CHAIRMAN JEFFRIES: Okay.

10 MS. STEINGASSER: It was  
11 transferred to the District as part of the  
12 federal land transfer, but there are no RFPs  
13 or plans at this time for its development. We  
14 can expect, based on the South Capitol Street  
15 corridor, that anything that would go there  
16 would hold down that monumental boulevard  
17 effect that South Capitol is intended to have  
18 and could anticipate 130 feet.

19 How much beyond that I don't know.

20 VICE CHAIRMAN JEFFRIES: So it is  
21 very likely that if an RFP went out, it would  
22 probably be monumental. Along South Capitol

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1 it would be in the same ballpark in terms of  
2 height.

3 MS. STEINGASSER: Yes.

4 VICE CHAIRMAN JEFFRIES: Okay.  
5 Thank you.

6 CHAIRMAN HOOD: Any other  
7 questions?

8 COMMISSIONER MAY: Yes. I just  
9 want to get that straight. So you are  
10 thinking that eventually the ball fields are  
11 going to be redeveloped up to 130 feet?

12 MS. STEINGASSER: No, no.

13 COMMISSIONER MAY: Okay.

14 MS. STEINGASSER: I do not want to  
15 retain that.

16 COMMISSIONER MAY: Good.

17 MS. STEINGASSER: If anything were  
18 to happen on this lot because it fronts on  
19 South Capitol, we would anticipate it would  
20 have 130 feet height.

21 COMMISSIONER MAY: That would be  
22 the compatible zone.

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1 MS. STEINGASSER: Right.

2 COMMISSIONER MAY: With the other  
3 things around it, but at the moment there's no  
4 plan to do anything different.

5 MS. STEINGASSER: There is no plan  
6 to do it, yes.

7 COMMISSIONER MAY: What about for  
8 the rec center itself, that building?

9 MS. STEINGASSER: Not at this time.  
10 There's no plans.

11 COMMISSIONER MAY: Okay. Not even  
12 to refurbish it or anything like that? You  
13 don't know?

14 MS. STEINGASSER: I don't know what  
15 Parks and Rec's plans are. That I don't  
16 know.

17 COMMISSIONER MAY: All right. I  
18 have a few other questions. The big thing  
19 that stood out with me on this project is the  
20 whole idea of it that this would qualify as  
21 medium density residential. I mean, I  
22 understand why it is as tall as it is and all

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1 of that. I understand all of the  
2 circumstances that led to this, but I'm having  
3 trouble accepting the idea that something that  
4 is ten stories tall could be considered medium  
5 density residential.

6 So I would like you to try to  
7 explain that to me.

8 MS. STEINGASSER: Okay.

9 COMMISSIONER MAY: In a way that  
10 really, really makes sense.

11 MR. JESICK: Sure. I think to  
12 start out with you just look at the raw  
13 numbers. The FAR is 4.32, and I think we  
14 normally consider just based on that number  
15 that would be in the medium density range.

16 COMMISSIONER MAY: But what is that  
17 range?

18 MR. JESICK: I don't know that  
19 there's a hard and fast.

20 MS. STEINGASSER: Typically it's  
21 three to five, three to five and a half  
22 constitutes medium. Five and above starts to

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1 get into high. That's kind of a transitional  
2 point. Below three becomes moderate. They're  
3 not hard and fast rules. They're just kind of  
4 rules of practice. That's what we see.

5 COMMISSIONER MAY: Okay.

6 MR. JESICK: And then the  
7 comprehensive plan does say that often medium  
8 density is between the four and seven story  
9 range, but that it can be taller if there is  
10 lower development or open space around it.

11 So in this case we have the low  
12 Randall School, the historic school that will  
13 be there permanently. Also, as I mentioned,  
14 the Applicant is preserving the H Street and  
15 First Streets rights-of-way. Although those  
16 are on the subject property, they will be open  
17 in perpetuity, and then this is also  
18 characteristic of Southwest where much of  
19 Southwest in this vicinity is designated as  
20 medium density, but it has the higher  
21 buildings surrounded by lower townhouses or  
22 open spaces or parking.

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1 COMMISSIONER MAY: Yeah, it's sort  
2 of a period piece in neighborhood development.

3 You were going to add something?

4 MS. STEINGASSER: I just wanted to  
5 add some of the zones that are considered  
6 medium density in the range that they allow as  
7 a matter of right through the PUD. The medium  
8 density residential zones have a 3.5. That's  
9 the R-5-D zone, and that allows it to go up to  
10 90 feet. You've got a PUD. It can go up to  
11 4.5.

12 You start getting into the mixed  
13 use zones like the special purpose. SP-2 is a  
14 medium high. SP-1 is a medium. That's four  
15 to six FAR. The medium density waterfronts  
16 are four FAR.

17 You get into the commercial zones.

18 You have the medium density commercial  
19 business center of a 3.5 in a C-2-B, and a  
20 medium density business bulk, which is  
21 waterfront mall, the C-3-B. It goes up to a  
22 five as a matter of right.

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1 COMMISSIONER MAY: I guess that all  
2 sort of makes sense on paper, but what makes  
3 it a little bit disconcerting is have what's  
4 basically high density next to moderate, and  
5 then it adds up to medium.

6 MS. STEINGASSER: But that's the  
7 Southwest pattern.

8 COMMISSIONER MAY: Yeah.

9 MS. STEINGASSER: If you look at  
10 the talk buildings and the rowhouse, that's a  
11 very deliberate pattern that's unique.

12 COMMISSIONER MAY: So we're not  
13 going to see other neighborhoods coming  
14 forward. I mean projects in other  
15 neighborhoods coming forward with this sort of  
16 odd mix of tall and short and calling it  
17 medium?

18 Let me just put it this way. I'm  
19 just leery of this, and so I would be --

20 MS. STEINGASSER: I understand.

21 COMMISSIONER MAY: -- very  
22 concerned about those sorts of things.

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1 MS. STEINGASSER: But I guess I'm  
2 equally as leery of defining density by height  
3 without looking at its overall purpose.

4 COMMISSIONER MAY: Right.

5 MS. STEINGASSER: And in this case  
6 the height results from the density the way  
7 the density is massed on the site. It's not  
8 driving the mass. So I would -- you know, in  
9 this particular neighborhood, Southwest, it's  
10 a very defining element of the neighborhood.

11 COMMISSIONER MAY: Right.

12 MS. STEINGASSER: So I don't know  
13 that we won't see it. We have plenty of  
14 neighborhoods where you have row houses that  
15 have developed historically up against  
16 railroad tracks, and now those railroad track  
17 areas are coming back, converting from  
18 industrial, and we're seeing those come in  
19 with some fairly high height because they are  
20 serving as a transition between, you know,  
21 different elements.

22 COMMISSIONER MAY: Okay. All

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1 right. Well, I'll check that one out. That's  
2 fine.

3 Now, you said that you have no  
4 problems with the project as it is. So I  
5 assume that the earlier reports that I had  
6 seen that had concerns about 116 feet because  
7 of the penthouse and the concerns about the  
8 location of the affordable units, those have  
9 been satisfied?

10 MR. JESICK: Yes. We received a  
11 set of floor plans from the Applicant. I  
12 believe the Commission received them as well  
13 that showed the locations of the affordable  
14 units.

15 COMMISSIONER MAY: Okay.

16 MR. JESICK: We felt that that was  
17 a good distribution, both geographically, if  
18 you will, throughout the building and also the  
19 types of units, one bedrooms and two bedrooms.

20 The other issue of the parapet  
21 wall, with the design that the Applicant has  
22 shown this evening, moving that penthouse back

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1 I believe it's four feet or so, we feel that  
2 that makes enough of a break.

3 COMMISSIONER MAY: So you're okay  
4 with the setback, but you weren't okay with  
5 the other option they were showing.

6 MR. JESICK: We weren't okay with  
7 the original design, the flush wall right on  
8 top of --

9 COMMISSIONER MAY: Okay. Because  
10 they weren't explicitly proposing that four  
11 foot setback. They were sort of -- as I  
12 understand it, it was being offered as an  
13 alternative. So if we select that  
14 alternative, you're okay with it?

15 MR. JESICK: That's correct.

16 COMMISSIONER MAY: But after we  
17 really select it, but you know, we have to go  
18 on what's really proposed, right?

19 I mean, in other words, we don't  
20 get to choose in the final vote specifically,  
21 well, we'll take this one off the menu and  
22 that one off the menu. It's more like this is

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1 what the project is. So if the project is a  
2 four foot setback, you're okay with it.

3 MS. STEINGASSER: We would be okay  
4 with it.

5 MR. JESICK: I guess we need  
6 probably --

7 MS. STEINGASSER: We're not opposed  
8 to the design of the other one.  
9 We feel technically, we feel it is in conflict  
10 with the height act. It's an argument we're  
11 happy to lose. We have no objection. If  
12 somebody wants to redefine the parapet wall,  
13 we're good with that. We don't object to the  
14 design that it results from. It's more of a  
15 technical issue.

16 COMMISSIONER MAY: I don't think  
17 you want to say you're happy to lose that  
18 argument with Mr. Sher in the room. He's  
19 going to redefine things for you.

20 MS. STEINGASSER: With this  
21 particular case, we would be happy to lose  
22 that argument.

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1 COMMISSIONER MAY: Okay, all right,  
2 okay. Well, I have nothing against Mr. Sher's  
3 definitions. We just want to make sure who's  
4 defining what.

5 All right. That's it for me.  
6 Thanks.

7 CHAIRMAN HOOD: Okay. Thank you.  
8 Any other questions of Office of  
9 Planning?

10 Okay. Commissioner Sobelsohn, do  
11 you have any cross examination?

12 Okay. Other government reports.  
13 Thank you, Ms. Schellin, for making me another  
14 copy of the DDOT report.

15 Does the Applicant want to cross?  
16 I'm sure with all of that support -- okay.  
17 Thank you. Thank you.

18 We do have a letter of support form  
19 the District Department of Transportation,  
20 which supports this application with approval  
21 under the following conditions:

22 One, a permanent public easement is

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1 establishment on the portion of the  
2 Applicant's property that lies within the  
3 former H Street right-of-way, and two, the  
4 transportation demand management commitments  
5 detailed in the Applicant's management plan  
6 are documented as requirements of the  
7 development approval.

8 Okay. With that I'm going to ask  
9 that we get the report from Commissioner  
10 Sobelsohn, report of ANC-6D.

11 Do we have somebody here from DDOT?

12 Oh, okay. Well, you all two can sit  
13 together, but, Commissioner Sobelsohn, let me  
14 hear from the Deputy Mayor's office first  
15 because actually government reports are  
16 before.

17 Thank you. I don't know how we  
18 found out, but I'm glad to know you're here.

19 MR. SCHLATER: Thanks a lot.

20 Good evening, Chairman Hood,  
21 members of the Commission. My name is Konrad  
22 Schlater. I'm with the Office of the Deputy

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1 Mayor for Planning and Economic Development.

2 On behalf of Deputy Mayor Albert  
3 and the Fenty administration, I'm delighted to  
4 be here today to voice our strong and  
5 enthusiastic support for the Corcoran Randall  
6 School Project before you this evening. I  
7 have personally been working on this project  
8 since 2004, since its inception. So I'm very  
9 happy to see it get to this point. It's a  
10 great project. It's got a lot of different  
11 elements. It's complicated. It has been hard  
12 to get to this point, frankly, and it is  
13 probably going to be hard to get it  
14 constructed after this point. So I'm  
15 delighted to be here tonight.

16 I first became involved with the  
17 Randall School site in 2004 when the District  
18 still owned the property and was leasing it to  
19 the Millennium Art Center. The Mayor's Office  
20 had a vision for this site as a beacon for  
21 artistic and cultural pursuits for local  
22 artists, residents and children in search of

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1 cultural enrichment and education.

2 While other parts of the city are  
3 relatively well served by museums and arts  
4 programs, the Millennium Arts Center would  
5 help a segment of our city often overlooked by  
6 the arts community. The Williams  
7 administration saw this as a fantastic  
8 opportunity for local youth, parents, and  
9 residents of Southwest and Southeast to  
10 discover their artistic talents.

11 Unfortunately, the leaseholder of  
12 the property was unable to fill its financial  
13 commitments to the Arts Center and the city,  
14 and the building fell into disrepair with  
15 numerous zoning and code violations. What  
16 should have been a center for creativity  
17 because a focal point for controversy.  
18 Artists were left to fend for themselves as  
19 water pipes burst and heating systems failed.

20 The homeless shelter occupied a portion of  
21 the building under very poor conditions.

22 As owners of the building, we knew

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1 we had to find a way to solve these problems  
2 and quickly so that this vision for an arts  
3 center could be salvaged.

4 With the help of former Council  
5 member Sharon Ambrose, Mayor Williams  
6 approached the Corcoran Gallery of Art, which  
7 had expressed an interest in expanding its art  
8 programs into other parts of the city. It  
9 became clear within a very short time that the  
10 Corcoran, one of our oldest and most respected  
11 arts institution in the city was in a position  
12 to rescue the city's vision for the site.

13 As plans began to develop, however,  
14 we soon realized this site could not only  
15 satisfy the cultural needs of the community,  
16 but also help turn the tide of the population  
17 exodus that the city was experiencing at the  
18 time. Here was a severely under utilized  
19 piece of property that, if properly leveraged  
20 could yield an incredible return for the city,  
21 a development of true exceptional public  
22 benefit.

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1           By 2005, the program for the site  
2           had taken shape, and the Corcoran and the city  
3           began negotiation for the sale and development  
4           of the property. A covenant was recorded on  
5           the site to insure our mutual goals would be  
6           fully realized.

7           First, the site had to be developed  
8           with a minimum of 80,000 square feet of space  
9           devoted to museum and School of Fine Arts and  
10          ancillary uses.

11          Second, the new development would  
12          also have to include a minimum of 340,000  
13          square feet of residential space, and a  
14          minimum of 200 units.

15          Third, at least 20 percent of the  
16          units would have to be sold or rented to  
17          families earning no more than 80 percent of  
18          the adjusted mean income for Washington, D.C.

19          Fourth, the Corcoran would seek  
20          proposals from developers to undertake the  
21          project on its behalf.

22          Fifth, the developer would be

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1 required to enter into MOUs with the  
2 Department of Small and Local Business and a  
3 first source agreement with the Department of  
4 Environment and Employment Services.

5 Finally, although not part of the  
6 covenant, we knew that the building may be  
7 architecturally and historically significant.

8 So we encouraged the Corcoran to discuss the  
9 issue with the Historical Preservation Office.

10 In doing so, the Corcoran agreed to prepare  
11 and file a landmark application for the  
12 property, and we applaud the Corcoran for  
13 taking on this responsibility and its  
14 recognition and protection of a historic  
15 building.

16 The covenant also included numerous  
17 development incentives such that the Corcoran  
18 could sell the development rights to the  
19 property to attract an experienced and  
20 reputable developer for the project, and they  
21 were, in fact, required to do so.

22 Despite the development incentives,

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1 however, the economics of this project have  
2 proved too difficult for at least two  
3 developers. After a competitive selection  
4 process, two promising developers decided to  
5 drop out during their feasibility study  
6 periods. This set back the project by more  
7 than a year or so.

8 We are delighted, however, to have  
9 Monument Realty as part of the development  
10 team. They have done a tremendous amount of  
11 good for the city in relation to the ballpark  
12 District development and are truly committed  
13 to the revitalization of the South Capitol  
14 Street corridor.

15 In November 2006, the District sold  
16 the property to the Corcoran, and I can't tell  
17 you how excited I am to see this project  
18 finally coming to fruition.

19 We have seen this project through  
20 the Historic Preservation approval process,  
21 before HPRB and the Mayor's Agent, through  
22 countless community meetings which have

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1 finally resulted in unanimous support from  
2 ANC-6D and Sowana, and we now seek your  
3 support to support the rezoning and PUD to  
4 allow this project to move forward.

5 The project is fully consistent  
6 with the comp plan and the Mayor's goal for  
7 the city. The public benefits, the arts, the  
8 housing are truly exceptional and are rarely  
9 seen on this scale. It will provide roughly  
10 80 to 90 affordable units alone. It clearly  
11 exceeds what would otherwise be achieved on  
12 the site as a matter of right, which right now  
13 as R-4 zoning doesn't even allow apartments or  
14 the Corcoran arts programs, for that matter.

15 On a personal note, as resident of  
16 Southwest, we haven't seen a lot of  
17 development down there. It would be great to  
18 see an amenity like this to come into the  
19 neighborhood.

20 I urge your prompt and favorable  
21 action on this matter.

22 Thank you.

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1 CHAIRMAN HOOD: Thank you, Mr.  
2 Schlater.

3 Colleagues, any questions?

4 VICE CHAIRMAN JEFFRIES: Well, just  
5 a comment to my colleagues. I know Mr.  
6 Schlater very well, and he's one of the  
7 bright, shining stars in the Deputy Mayor's  
8 office in two administrations now, and he has  
9 been working diligently on a very, very  
10 complicated project with lots and lots of  
11 amenities.

12 And so you are to be congratulated  
13 for all of your work and being, you know,  
14 steadfast.

15 MR. SCHLATER: Thank you very much.

16 CHAIRMAN HOOD: We won't hold your  
17 knowing Commissioner Jeffries against you.

18 (Laughter.)

19 CHAIRMAN HOOD: Any other  
20 questions, colleagues? Commissioner May.

21 COMMISSIONER MAY: I just had one.  
22 Can you submit what you've written there for

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1 the record since you have that lovely written  
2 testimony --

3 MR. SCHLATER: Yes.

4 COMMISSIONER MAY: -- with that  
5 great history of the whole thing?

6 MR. SCHLATER: Absolutely.

7 COMMISSIONER MAY: All right.  
8 Thanks.

9 CHAIRMAN HOOD: Any other  
10 questions?

11 Okay. Does the Applicant have any  
12 cross examination?

13 Mr. Sobelsohn, do you have any  
14 cross examination?

15 MR. SOBELSOHN: No.

16 CHAIRMAN HOOD: All right. Thank  
17 you.

18 Mr. Sobelsohn, thank you very much.

19 Before you start, we do have a number of  
20 support letters that I omitted, and I'm glad  
21 you jogged my memory to let me know that Mr.  
22 Schlater was here from the Deputy Mayor's

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1 Office.

2 We do have a letter from the Deputy  
3 Mayor, as Mr. Schlater has already mentioned.

4 Arena Stage, Anthony Bowen Elementary School,  
5 Amadon, Best Western Skyline, Capitol Park IV,  
6 and also a letter from the Council Member of  
7 Ward 6, Southeastern, and a number of other  
8 letters in the file for support.

9 Okay. Thank you very much, Mr.  
10 Schlater.

11 Commissioner Sobelsohn, you can  
12 being.

13 MR. SOBELSOHN: Commissioner Hood,  
14 Commissioners, staff, good evening. I'm David  
15 Sobelsohn, Advisory Neighborhood Commissioner  
16 for ANC-6C-02.

17 My single member district includes  
18 the site of this project. This project will  
19 most directly affect my constituents. This  
20 evening I represent both my own constituents  
21 and the ANC on which I serve.

22 Our ANC has a quorum of four. On

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1       October 15th, 2007, we voted five to nothing,  
2       with one abstention and one not present, to  
3       support the current planned unit development  
4       and map amendment and to appoint me to  
5       represent our ANC on this application.

6               We have sent you our resolution.

7               We support the current PUD and map  
8       amendment for several reasons. First, many of  
9       us had problems with the previous design.  
10      That design, as you know, extended part of the  
11      new building into the former right-of-way on H  
12      Street, S.W. Technically that portion of H  
13      Street is privately owned, but for years H  
14      Street has provided the only vehicle access to  
15      the Randall recreation facilities off South  
16      Capitol Street. These facilities include  
17      tennis and basketball courts, baseball fields,  
18      a playground, recreation center, and our  
19      community's only public swimming pool.

20              A building out on H Street would  
21      have made it difficult to drive vehicles,  
22      including emergency vehicles, to these

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1 recreation facilities.

2 At a Mayor's Agent hearing this  
3 summer one of our commissioners called the H  
4 Street build-out a wart that needs to be  
5 removed, but this project needed more than  
6 wart removal. The previous design also  
7 included loading docks on H Street suitable  
8 for 55 foot trucks. Trucks of that length  
9 would have blocked traffic on H Street and  
10 wrecked havoc with the Delaware Avenue Circle  
11 where the avenue crosses H Street.

12 And so the Applicants have made  
13 additional changes to insure us of continued  
14 access along Delaware Avenue and H Street. In  
15 particular, the Applicants have downsized  
16 their loading docks and pledged that they will  
17 never permit docking or unloading by trucks  
18 over 40 feet long.

19 Moreover, the Applicants have  
20 promised, working with the Department of  
21 Transportation, to convey a permanent public  
22 easement on H Street. Only with a permanent

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1 public easement on H Street, along with a  
2 limit on truck length, would our ANC have  
3 supported this PUD.

4 To be sure, our neighborhood still  
5 has some discomfort with this project, even  
6 without a tenth floor. This project would  
7 include Southwest's largest apartment building  
8 north of I Street. Even without a tenth  
9 floor, this project increases our population  
10 by nearly ten percent. A tenth floor will  
11 make this our neighborhood's tallest apartment  
12 building, casting long afternoon shadows over  
13 our swimming pool.

14 Moreover, we remain concerned about  
15 traffic flow around the project. Placement of  
16 loading docks and garage entry on H Street  
17 will require heavy use of H Street to service  
18 the project. Yet even with a permanent public  
19 easement, H Street will remain partly closed.

20 It also troubles us that although  
21 not directly involving this project, one of  
22 these Applicants has made statements and taken

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1 legal action that threatens to exacerbate the  
2 traffic problems our neighborhood will face  
3 next spring with the opening of the new  
4 Washington Nationals baseball stadium.

5           Nevertheless, we accept the need to  
6 assess this set of proposals independent of  
7 other projects. We also accept the claim that  
8 this project requires a certain density to  
9 make it commercially viable. Since none of us  
10 has training in traffic analysis, we look to  
11 the Department of Transportation and this  
12 Commission to insure the smooth flow of  
13 traffic around the project once completed.

14           We, therefore, support the current  
15 planned unit development with a tenth floor  
16 and the reconfigured north end of the project,  
17 and despite our concerns as a reasonable  
18 tradeoff for limiting the size of trucks that  
19 can access the project, for continued public  
20 access on H Street and Delaware Avenue and,  
21 most important, for the numerous ways this  
22 project on balance will benefit our community.

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1           For example, the area beside the  
2           property on I Street currently has old  
3           pavement and small, ugly shrubs.       The  
4           Applicants have agreed to landscape this as a  
5           park with financial consequences for them if  
6           they don't.

7           Creating a park will nicely enhance  
8           the setting of the historical Randall School.

9           The Applicants have also promised  
10          preferences for our residents in employment  
11          and in housing, and a substantial contribution  
12          for our community investment fund, which we  
13          are in the process of creating.

14          Of course, this project primarily  
15          benefits our community in providing a new home  
16          for the Corcoran College of Art and Design,  
17          but by themselves, students in a building  
18          would do little for our neighborhood, and so  
19          the Corcoran Gallery of Art has pledged many  
20          ways in which the Corcoran and its college  
21          will engage artistically with the community.  
22          These include arts education, especially

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1 sending graduate students to teach in our  
2 schools, and providing scholarships for our  
3 art teachers, our adults taking art degrees  
4 and non-degree art classes, and our kids  
5 attending arts camp, and art for our  
6 neighborhood, especially adopting an annual  
7 arts project and organizing an annual arts  
8 festival.

9 Free Corcoran membership for a  
10 neighborhood teacher and providing an open art  
11 gallery and open student art space, museum  
12 tours, and a day of free admission for our  
13 residents to take place December 27th, and  
14 additional benefits for our residents who  
15 volunteer at the Corcoran.

16 The Corcoran has also pledged to  
17 erect a sculpture on Delaware Avenue Circle  
18 and to beautify the construction site so that  
19 this project presages the coming of not just  
20 any institution, but a school for the arts.  
21 The Corcoran will also make Randall available  
22 for frequent community meetings.

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1           Because of this community benefits  
2 agreement involving serious commitments to our  
3 community, we consider this project  
4 potentially the most important addition to the  
5 cultural life of our neighborhood since Arena  
6 Stage moved to Southwest 46 years ago. That's  
7 why we support the current planned unit  
8 development and map amendment.

9           We urge you to include the  
10 community benefits agreement in your approval  
11 of this application.

12           Thank you, and I'd be happy to  
13 answer any questions.

14           CHAIRMAN HOOD:           Thank you,  
15 Commissioner.

16           Colleagues, any questions of  
17 Commissioner Sobelsohn? Any questions?

18           COMMISSIONER ETHERLY:           Very  
19 quickly, Mr. Chair.

20           Thank you very much, Commissioner  
21 Sobelsohn, for your testimony. Good to see  
22 you again.

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1           Very quickly, just as a matter of  
2 clarification, you referenced shadows being  
3 cast over the pool. I just wanted to clarify.  
4       You're referencing the Randall Recreation  
5 pool, correct?

6           MR. SOBELSOHN:       The Randall  
7 Recreation pool which is the only public  
8 swimming pool in our neighborhood. That's  
9 correct.

10           COMMISSIONER ETHERLY: Okay. With  
11 respect to the H Street Circle or the Delaware  
12 Avenue Circle, I know it has been referred to  
13 in a couple of different ways tonight. Was  
14 there any discussion or it sounds if there  
15 was, but the ANC was comfortable with its  
16 ultimate decision.

17           Was there substantial discussion  
18 about traffic impact or traffic load on H  
19 Street as you head towards the loading docks  
20 of the subject property?

21           MR. SOBELSOHN: We were extremely  
22 concerned when it looked as if 55 foot trucks

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1 would be going through those loading docks on  
2 H Street. We felt that 55 foot trucks would  
3 essentially destroy Delaware Avenue Circle and  
4 we were delighted that the Applicants reduced  
5 the size of their loading docks and have  
6 pledged not to have anything bigger than a 40  
7 foot truck.

8 We are not as concerned about 40  
9 foot trucks. I think in an ideal world we  
10 would not have 40 foot trucks going through  
11 the Delaware Avenue Circle, but we can live  
12 with 40 foot trucks. We could not live with  
13 55 foot trucks.

14 COMMISSIONER ETHERLY: Okay. Thank  
15 you.

16 Thank you, Mr. Chairman.

17 CHAIRMAN HOOD: Any other  
18 questions?

19 Okay. Does the Applicant have any  
20 questions?

21 Okay. Thank you very much,  
22 Commissioner Sobelsohn.

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1                   Okay.     It looks like we have  
2 everyone. Let me just do this. This is easy.

3     Is there anyone here who is in opposition  
4 fully of this project?     Anyone here in  
5 opposition fully of this project?

6                   Okay. I guess I can --

7                   PARTICIPANT:     I'm not here in  
8 opposition. I'm here with reservations.

9                   CHAIRMAN HOOD:     Right. I've got  
10 you covered here. Hold tight, hold tight.

11                   Okay. So what I'm going to do, I'm  
12 going to bring the people who are proponents  
13 up first, and then the proponents with  
14 reservations up second. Okay? I think that's  
15 the best way to do that.

16                   I don't see Mr. Westbrook unless  
17 he's behind this.     Okay.     Mr. Westbrook?  
18 Okay. He's not here.

19                   Commissioner Sobelsohn, did you  
20 want to testify again as an independent person  
21 or you did it for the ANC?

22                   Okay. Well, what I'll do then is

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1 I'll ask Commissioner McBee to come up and Ms.  
2 Giordano to come up, along with her -- if she  
3 wanted to bring her traffic consultant or Mr.  
4 Tanner, either one, however you want to do it.

5 I don't forget. I didn't forget  
6 what I said at the postponement.

7 Mr. McBee, you can have a seat, and  
8 you can actually begin.

9 MR. McBEE: Good evening,  
10 Commissioners and staff. I am Ron McBee,  
11 Advisory Neighborhood Commissioner for ANC-6D-  
12 03.

13 My single member district is  
14 directly adjacent to the Randall School site  
15 on First Street, S.W. and in front of the  
16 Randall School site on I Street. I  
17 participated as one of the three ANC  
18 Commissioners on the Community Benefits Task  
19 Force negotiating committee.

20 I'm also co-chair of the Southwest  
21 Neighborhood Assembly Task Force.

22 I'm not here to contradict the

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1 testimony given by David Sobelsohn for ANC-6D.

2 I am here to talk about issues that have not  
3 been, I feel, resolved and need further  
4 dialogue, consideration and refinement.

5 As noted in the 6D ANC testimony,  
6 this project will have a great impact in  
7 Southwest, but also for those thousands of  
8 motorists who travel the 395 freeway and also  
9 from our nation's Capitol. This is not a  
10 single use building. It will include a very  
11 well known and respected College of Art and  
12 Design, who has stated they will be a partner  
13 in our Southwest-near Southeast community.

14 This building will also include  
15 apartments numbering approximately 485 units,  
16 none currently designated for the Corcoran.

17 In addition, we have the Historic  
18 Preservation of the Randall School site.  
19 Surrounding the school site is the adjacent  
20 historic landmark property, the old Friendship  
21 Baptist Church on First and A Streets, S.W.,  
22 as well as the Southwest Health Clinic on

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1 First Street.

2 Also adjacent to the site is the  
3 Randall recreational field to the north, the  
4 Southwest public pool adjoining the property  
5 on the east, which will be impacted by the  
6 shadow from the building and probably more so  
7 with the penthouse building build-out to join  
8 the new residential structural walls.

9 A special note for additional  
10 traffic consideration is a half block away on  
11 Half Street, which is the Department of Motor  
12 Vehicle and the inspection station that has  
13 over 900 visitors per day in our community,  
14 even blocking at times the traffic on I  
15 Street.

16 At the moment, one of the more  
17 troubling aspects of this project is the  
18 massing of the penthouse and especially the  
19 north facade. The building is not an office  
20 building or an apartment building on  
21 Connecticut Avenue that has a rear facade  
22 hidden by other similar height buildings.

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1 This north facade is clearly exposed and open  
2 to the maximum view of almost any other  
3 building in the District of Columbia.

4 It clearly, in my humble opinion,  
5 needs to be addressed in a concerted manner  
6 that allows this mass in scale and size to be  
7 addressed and articulated in an aesthetic  
8 manner.

9 This side is the most prominent.  
10 It needs the attention design that I believe  
11 it cries for. It is treated as a rear of a  
12 building when it is anything but in the scale  
13 and landscaping to fit appropriately into the  
14 community and its setting.

15 This attention will also bring into  
16 play the existence of the historic old  
17 Friendship Baptist Church was an important  
18 landmark to our African American community and  
19 our Southwest history. The African American  
20 monument should not be made to look like it  
21 sits in the rear of a sheer ten story building  
22 when this could be rendered at this stage of

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1 design and development.

2 CHAIRMAN HOOD: Commissioner McBee,  
3 if you could, you have two points left.

4 MR. McBEE: Right.

5 CHAIRMAN HOOD: Hit the highlights  
6 of those two points.

7 MR. McBEE: Very quickly, I think  
8 that the -- I'm greatly in respect of Shalom  
9 Baranes and the work he has done in the  
10 historic community, and I have great respect,  
11 but I think as part of the Historic  
12 Preservation Review Office, there were issues  
13 that were brought up, and my admonition or  
14 suggestion to this august body is that I would  
15 have those issues remediated and then have  
16 them resubmitted here to the Zoning Commission  
17 for final approval.

18 The traffic concern here is that we  
19 have a lot of traffic on the back part of the  
20 H Street project, and it was mentioned  
21 specifically by the monument project director  
22 to use First Street as a possible site because

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1 the issue here with any of these trucks coming  
2 to the site is they're going to have to come  
3 to the circle and then back into those sites.

4 And so you have parking on either side of the  
5 street, on H Street as well as around the  
6 circle.

7 So I'm not sure how this can be  
8 impacted, and my concern here is that I  
9 believe in this point in time, and some of the  
10 DDOT things I was not aware of when I put this  
11 testimony, but I think at this point in time  
12 is the time these issues should be looked at,  
13 and that's one of the things I'm here to ask  
14 the Commissioners to do.

15 Thank you very much.

16 CHAIRMAN HOOD: MR. BARANES: Mr.  
17 McBee, let me -- oh, I'm sorry. Ms. Giordano.

18 MS. GIORDANO: We're separate. So  
19 if you want to --

20 CHAIRMAN HOOD: Just hold your  
21 seat. We're going to ask questions all at  
22 once. Ms. Giordano.

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1 MS. GIORDANO: Good evening.  
2 Cynthia Giordano from Arnold & Porter,  
3 representing Mr. Tanner in Square 643  
4 Associates. He couldn't be here this evening.

5 I think it's pretty clear to you.  
6 His project is the approved landmark project  
7 across the street. It's a mixed use project,  
8 including nonprofit office space in the  
9 sanctuary of the old church.

10 We support this project because he  
11 has not been able to really find a user for  
12 that space and because there's nothing there.

13 Clearly, I mean, it's in his interest for  
14 this project to go forward. We're not trying  
15 to slow it down or obstruct, but his primary  
16 concern, sort of summing it all up is just the  
17 concentration of all the back-of-house  
18 functions of the proposed project that's  
19 before you tonight at his front door and in  
20 front of this historic building.

21 It may not be practical, and you  
22 know, I saw you shaking your head, you know,

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1 when we talked about the possibility of moving  
2 one of these functions to First Street. It  
3 may not be possible to do that, but I did want  
4 to set a context. It's not a dueling  
5 situation of traffic consultants. You  
6 received the report recently, but that report  
7 was done month ago, and it was shared with the  
8 Applicant and DDOT, and we have been working  
9 for months to try and bring some improvements  
10 here, and the vacation of H Street is one, and  
11 the elimination of the 55 foot loading berth  
12 is another, and we think those are terrific  
13 changes and responsive to some of the concerns  
14 that Mr. George have raised and Mr. Tanner  
15 have raised.

16 But we're hoping for a little bit  
17 more, of course, and perhaps it's even at the  
18 level of, you know, just PUD conditions to  
19 make sure there isn't a truck idling in H  
20 Street, the possibility of a lay-by maybe on I  
21 Street to take some of the short-term in and  
22 out kinds of deliveries.

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1 By trucks, you know, we're not just  
2 talking about the larger trucks that are going  
3 to come into the bays, but the FedEx trucks,  
4 the smaller deliveries that take place to  
5 hopefully maybe limit, you know, by management  
6 some of the impacts by concentrating those  
7 kinds of deliveries to off peak hours and  
8 really get some management of those docks and,  
9 last but not least, to you know keep the doors  
10 closed, make sure that the doors are closed to  
11 these loading docks when they're not in use.

12 And just following up on Mr.  
13 McBee's testimony about the elevation, to make  
14 sure that the H Street elevation, particularly  
15 at the street level, the pedestrian experience  
16 level, is the best that it can be.

17 And with that I've talked too long,  
18 and I'm going to turn it over to Mr. George.

19 MR. GEORGE: Good evening, Mr.  
20 Chairman. Osborne George, transportation  
21 consultant.

22 I think I can barely say good

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1 evening in two minutes, and I'd like to  
2 confirm how much time you would afford me to  
3 make my brief presentation.

4 CHAIRMAN HOOD: Now it's a minute  
5 and 47 seconds.

6 (Laughter.)

7 CHAIRMAN HOOD: Just go ahead.  
8 I'll give you about three minutes.

9 MR. GEORGE: All right. Thank you,  
10 sir.

11 If I may, I may need to refer to  
12 this.

13 CHAIRMAN HOOD: I'm going to give  
14 you five minutes.

15 MR. GEORGE: All right. Thank you,  
16 sir.

17 If you could just step back please,  
18 Mr. Commissioner. Right.

19 Mr. Chairman and members of the  
20 Commission, as Ms. Giordano mentioned, our  
21 client is in support of the project. In fact,  
22 at the start of our work, we were charged to

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1 work as closely as we possibly could with the  
2 consultant as they went through the analysis,  
3 and we did just that.

4 We concur with what Mr. Turnbull  
5 mentioned earlier, that indeed there were a  
6 number of issues regarding the analysis. Some  
7 of them were corrected. Some were not, but we  
8 think the study overall is acceptable. we  
9 think it falls short in two areas, and I'd  
10 like to just focus my presentation on those.

11 The two areas are, one, the trip  
12 generation and, two, the analysis of the truck  
13 loading.

14 The trip generation is very  
15 important. I think both Mr. Turnbull and Mr.  
16 Etherly pointed out the fact, and I'll just  
17 refer to this exhibit that we have on the  
18 board, this being the northern end of Delaware  
19 Avenue and what is being referred to as the  
20 Delaware Avenue Circle. This is H Street  
21 along here.

22 We think there is one aspect of

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1       this development that makes the trip  
2       generation very critical, and that is the  
3       mixed use aspect. First of all, with  
4       residential and school, you have a double  
5       loading effect. The reason for that is during  
6       the morning peak hour the trips are outbound  
7       from the residence. At the same time you have  
8       inbound trips into the school.

9               In the afternoon you have primarily  
10       inbound trips to the residence, but you also  
11       have both inbound and outbound trips from the  
12       school. We think that calls for a very  
13       careful analysis of the trip generation and  
14       what's happening in this area, and we think in  
15       this area we can point to the fact that the  
16       study falls a bit short.

17              The reason it falls short is that  
18       they use a university as the basis for the  
19       trip generation. IT data, we all use IT data,  
20       but they use a university, and according to  
21       the IT database, the average size of the  
22       university is just over 9,500 students, and we

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1 don't think that's a fair comparison for a  
2 school with a special curriculum that serves  
3 only 400 students.

4           Secondly, we think the study fails  
5 to take advantage of what I would call pretty  
6 much a traffic engineer's dream to find  
7 another site that pretty much replicates the  
8 use that you're doing to do here. The fact  
9 that the Corcoran has an existing site at 17th  
10 and New York Avenue, I think the study barely  
11 mentions that site, and I think a careful  
12 analysis would allow them to use the existing  
13 demographics of the students, the faculty-to-  
14 student ratio, and the commuting patterns, and  
15 transpose that here, and I think none of that  
16 was done.

17           So to not do that and simply use a  
18 9,500 typical university as the basis of the  
19 trip generation, we think this does not -- and  
20 we're not saying that it won't work, but  
21 we're saying that the information is not  
22 presented.

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1           As a result, their estimate is that  
2       the school would generate three trips in the  
3       morning, three trips coming into the school,  
4       and that may be so, but I think the basis was  
5       not presented.     No mention was made of class  
6       schedules, of parking.     Would parking be free  
7       to students or would there be a charge for it?

8       No mention was made of special events and  
9       those types of things, all of which have an  
10      impact on the trip generation.

11           So we think on behalf of our client  
12      we'd like to say we're not sure.     The three  
13      trips could be right, but I'm not able to say  
14      that on behalf of our client.

15           The second thing I'd like to  
16      mention relates to the loading in my 50-plus  
17      seconds.     That was, indeed, a major issue.  
18      The 55 foot trucks could not work, and I think  
19      the developer, the Applicant, conceded that  
20      using a smaller size truck would work.

21           All requests or the request from  
22      our client was to see whether there was any

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1 possibility for loading off I Street, which is  
2 a private street and effectively a short  
3 section of public alleyway.

4 The Applicant did make an attempt  
5 to look at that, but interestingly, they used  
6 the template. In their truck tracking  
7 diagrams they used the template for a 40 foot  
8 truck, and according to AASHTO standards  
9 there's no 40 foot truck. There is a 40 foot  
10 bus, but not a 40 foot truck.

11 So we do not feel that the  
12 applicant adequately addressed the issue of  
13 whether or not a 30 foot truck could load here  
14 if the Applicant were able to provide a  
15 loading dock off I Street.

16 And the 55 foot and the 30 foot  
17 that I mentioned comes straight out of your  
18 regulations. The regulations call for a 55  
19 foot truck or loading dock and then next to  
20 that is a 30 foot truck. So there's no  
21 prescription in there for a 40 foot truck, and  
22 indeed, that vehicle does not fit into

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1 AASHTO's classification.

2                   So we do not know whether if they  
3 use a 30 foot truck it would demonstrate that  
4 a loading dock to the inside of First Street  
5 could work. So on behalf of our Applicant, as  
6 Ms. Giordano says, we think that those are  
7 areas that need to be refined such that the  
8 Board and the PUD process could be duly  
9 served.

10                   I think that's it, Mr. Chair. I'd  
11 be glad to answer any questions.

12                   CHAIRMAN HOOD: Okay. That's good.

13                   Mr. George, let me just ask you.  
14 We received this. When did we receive your  
15 report? Today? What I would like to do is --  
16 my time is up.

17                   (Laughter.)

18                   CHAIRMAN HOOD: What I would like  
19 to do is before final action, and we've done  
20 this in the past, I would like ask, and this  
21 goes back to I forgot which one of the  
22 Commissioners mentioned this. It depends on

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1 this Commission for smooth traffic.

2 Well, this Commission actually, we  
3 do the best we can with traffic, but as you  
4 know, we hear from the Applicant's traffic  
5 consultant and maybe from any opposition's  
6 traffic consultant, but we basically depend  
7 upon the District Department of Transportation  
8 because as far as we're concerned, those are  
9 the experts.

10 Now, architecture is a little  
11 different. We have some experts up here, but  
12 what I will say is that I will ask before  
13 final action -- and I always like to give  
14 people more time than I think they probably  
15 need even though they may need more -- but  
16 before final action, I would like for us to  
17 at least attempt to ask the District's  
18 Department of Transportation to look into some  
19 of the issues that were brought up by you.

20 We've done it in the past, and I  
21 hope my colleagues will concur, unless you  
22 have another way that we can handle that.

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1 VICE CHAIRMAN JEFFRIES: Well, Mr.  
2 Chair, over and above what they've already  
3 done?

4 CHAIRMAN HOOD: What they've done.  
5 They've analyzed from the Applicant. They  
6 have not had a chance, I don't think, to  
7 analyze what you have presented us with  
8 tonight. Am I correct, Mr. George?

9 MR. GEORGE: I think we reviewed  
10 the Applicant's draft study, which was dated  
11 in March 2007, and we shared that with DDOT.  
12 In fact, in a meeting, they advised that the  
13 information was useful and they would consider  
14 it.

15 And, again, that was part of the  
16 process of us working with them, with the  
17 Applicant.

18 VICE CHAIRMAN JEFFRIES: And when  
19 was this, Mr. George?

20 MR. GEORGE: We prepared the report  
21 in July.

22 CHAIRMAN HOOD: So they have

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1 actually already had a chance to look at --

2 MR. GEORGE: No, no. We did a  
3 preliminary report, which is attached to here.

4 I think the date of the report was -- yes, it  
5 was dated July.

6 CHAIRMAN HOOD: Okay, but you  
7 understand my point. I'm asking you. The  
8 information we received tonight, has DDOT had  
9 a chance to look at it?

10 MR. GEORGE: Some of it, not all of  
11 it. They saw the document dated July 27th.  
12 We waited until they updated their report in  
13 October, and then we prepared another  
14 assessment, in other words, to determine the  
15 extent --

16 VICE CHAIRMAN JEFFRIES: Well,  
17 what's the delta? What's the difference  
18 between July and today?

19 MR. GEORGE: I think the delta is  
20 significant in this way. There were a number  
21 of things such as Mr. Turnbull mentioned.  
22 They attempted to address it, did not address

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1       it fully.

2                       Particularly, let me just get to  
3       the point. I think the delta issue was the  
4       loading of First Street. We emphasized that  
5       we didn't know whether architecturally it was  
6       feasible, but again, based on the issue that  
7       our client has raised and the double loading  
8       effect due to the mixed use, we felt that if  
9       that loading could be provided here, it would  
10      significantly relieve the impact.

11                   CHAIRMAN HOOD: Okay. Let me just  
12      say this. Here's what I'm going to do, and  
13      I'll open it up to my colleagues. I'm going  
14      to request that before final action, and it's  
15      probably not going to be a show stopper at  
16      least right now for me, but I'm going to leave  
17      it to the experts.

18                   MR. GEORGE: Sure.

19                   CHAIRMAN HOOD: I would like to ask  
20      that we request, Ms. Schellin, that DDOT maybe  
21      look at the findings of -- oh, OP, if we could  
22      ask DDOT to look at the findings of Mr. George

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1 and we can go from there.

2 MS. STEINGASSER: I would be happy  
3 to do that.

4 CHAIRMAN HOOD: We have done it in  
5 the past.

6 MR. GEORGE: Thank you.

7 CHAIRMAN HOOD: Colleagues, I'll  
8 open it up for any questions.

9 VICE CHAIRMAN JEFFRIES: Yeah,  
10 that's fine, Mr. Chair. I'll go along with  
11 that. However, I don't find the difference  
12 between July and what's in this report that  
13 great, but I think in terms of, you know,  
14 dotting Is and crossing Ts, I think that's  
15 fine.

16 I do have a couple of questions,  
17 and my suspicion is that the Applicant is  
18 probably going to come back and sort of  
19 respond to a lot of the comments that were  
20 made.

21 I was under the impression, and I  
22 might be incorrect, that HPRB was somewhat

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1 supportive of the design and that there was  
2 not much in the way of concern around design,  
3 and Commissioner McBee, you seemed to indicate  
4 that there was some concern and was troubled,  
5 and you didn't get a chance.

6 Can you respond on that just a  
7 little bit?

8 MR. McBEE: I think this is a  
9 subjective comment from my side.

10 VICE CHAIRMAN JEFFRIES: From you.

11 MR. McBEE: From me, but there were  
12 issues that were put forth, and I think if it  
13 wasn't for the stature of the architect that's  
14 here, that probably it would not have, and  
15 they're relying on his past performance, which  
16 I have no reason to doubt.

17 But there were a lot of  
18 discussions; there were a lot of concerns  
19 about the north facade, about the  
20 compatibility elements, a lot of things that I  
21 think that this Commission has talked about  
22 here.

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1           The Preservation Review Board did,  
2           in fact, approve it with the component that  
3           those issues that were brought up be worked  
4           out with the senior staff member who was  
5           there.

6                   VICE CHAIRMAN JEFFRIES:       Okay.  
7           That's fine. I mean, I'm happy you started  
8           off your comment that from your impression,  
9           from where you sit that was the impression you  
10          had. I mean, they obviously did approve this,  
11          and I don't think this Commission is in the  
12          business of taking its cues from Historic  
13          Preservation around design issues, but it was  
14          just my impression that there was somewhat  
15          agreement from HPRB as it relates to  
16          acceptance around the overall design.

17                  And also you might recall from our  
18          discussion previously with the Applicant  
19          around this particular site that the building  
20          should really be viewed in the round. You  
21          know, it's not infill, and so we, too, had  
22          concerns around how the north wall; is that --

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1        anyway, the north wall was being treated.

2                        And you know, first of all, from  
3        where I sit this loading dock business, I  
4        don't see how you get that resolved. I don't  
5        see, based on the site plan and the design in  
6        front of me, I don't see how these loading  
7        docks get to First Street. So whoever is  
8        making that proposal, I don't see how quite  
9        that happens.

10                      I do have concerns around, you  
11        know, how the ground floor at H Street is  
12        treated, and perhaps, you know, the Applicant  
13        can sort of think about, you know -- I don't  
14        know. I don't see how you get much more  
15        landscaping than this or whatever, but there  
16        might be ways to sort of treat the ground  
17        floor on H Street so that, you know, you sort  
18        of soften that experience along H Street.

19                      But beyond that, I think it is what  
20        it is from where I sit, I mean, in terms of  
21        the project. So at least from this  
22        Commissioner, I don't really see with the

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1 exception of some cosmetic things on H Street;  
2 I just don't see any wholesale surgery that  
3 can occur on this project.

4 So you can respond, but I just --  
5 and I appreciate, Ms. Giordano, your comments.

6 I do recall I sat on that Tanner case, and  
7 there was concerns about use and so on. I'm  
8 sorry to hear that there's some difficulty in  
9 terms of, you know, finding, and I think this  
10 will be a good project to be catalytic and  
11 jump start and get some users in.

12 But I would be open to the  
13 Applicant really trying to think of some ways  
14 in which to create a little bit more  
15 excitement or activity, if you can, along H  
16 Street and the ground floor.

17 So thank you.

18 CHAIRMAN HOOD: Commissioner May.  
19 Oh, Commissioner Etherly. I'm sorry.

20 COMMISSIONER ETHERLY: I'll defer  
21 to Mr. May.

22 COMMISSIONER MAY: No, I just

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1 wanted to say I agree with that idea. I think  
2 that the criticism of the look of that facade  
3 in light of it being across the street from  
4 the front door of this other project, you  
5 know, really resonates with me. So if  
6 anything can be done with the landscaping or  
7 with the treatment of the building to make it  
8 seem less like the back door because it's such  
9 a big, long facade and it's only broken up by,  
10 you know, three garage doors.

11 So I would hope that something  
12 could be done with the landscaping or with the  
13 treatment of the paving or with -- I don't  
14 know -- the street front or I don't know.  
15 Something that would make it a little bit more  
16 pleasant to, you know, walk out of the front  
17 door of your building and look at.

18 The other thing that struck a cord  
19 with me is it was I think Ms. Giordano  
20 mentioned a lay-by on I Street. I have a hard  
21 time believing that DDOT is going to jump on  
22 that idea, but a lay-by on First Street, in

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1 other words, just a place where the FedEx  
2 truck can pull up that's close to the front  
3 door so that that sort of stuff doesn't come  
4 and go from the back side or it doesn't double  
5 park or doesn't park on I Street in rush hour  
6 or whatever.

7 You know, there's something to be  
8 said for that, and I don't know if anybody  
9 else really was too interested in that.

10 I don't know too much about what's  
11 happening with the landscaping there. It does  
12 look like right at the corner of First Street  
13 there is a significant existing tree. I don't  
14 know if the plan was to save that or not.

15 Is that an existing tree? I'm  
16 getting nods saying yes that it's an existing  
17 tree. So it might have to be a little further  
18 up there and then may interfere with the  
19 sculpture garden, but you know, if there's a  
20 way to make some of that stuff come in the --  
21 especially the stuff that is okay to come in  
22 the front door of the school, it might be a

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1 good thing and cut down on some of the truck  
2 traffic on the back side.

3 So I think that was worth thinking  
4 about. Anybody else?

5 CHAIRMAN HOOD: Okay. Any other  
6 comments?

7 COMMISSIONER TURNBULL: Mr. Chair.

8 CHAIRMAN HOOD: Yes.

9 COMMISSIONER TURNBULL: I just  
10 wanted to get back to Mr. McBee. I mean, one  
11 of the whole points of tonight's hearing was  
12 for the architect to come back with just what  
13 you had mentioned, was the idea of the color  
14 of the brick, and we've put Mr. Baranes  
15 through a lot of exercises on this project.  
16 He's a very capable designer and one well  
17 respected within this city.

18 And I think as you saw by the three  
19 Boards, you get down to the fine points of  
20 design, and we're not here to be designers  
21 ourselves, but when we look at that, we  
22 struggle with the brick, and you get into a

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1 whole design aesthetic.

2 And I think that we've already been  
3 down that road, and I think I feel that what  
4 he has done in his analysis has given us some  
5 very good food for thought. Whether you match  
6 the brick or come close to it to the school,  
7 that gives one appearance. Whether you offset  
8 it with a brick that's close gives you another  
9 aesthetic.

10 You can go a whole left end way,  
11 you know, with the other color brick, and so I  
12 think there's mitigating circumstances each  
13 way. And as Mr. Jeffries said, you know, we  
14 look at this and it's a contextual thing. You  
15 look at this building in the whole, and we see  
16 this building as a whole and how it relates  
17 from all four sides, five sides.

18 And I think the Applicant has done  
19 that. I think they've responded to at least  
20 our concerns which has been addressed to you  
21 in looking at the brick. So I just want you  
22 to be reassured that we've already gone down

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1 that road, and I think we've put the architect  
2 through a lot of exercises already, and I  
3 think he has come back and addressed it in a  
4 way that explains the rationale that the  
5 Applicant sees on what their vision of the  
6 project is.

7 PARTICIPANT: I think from my  
8 perspective it's really about the breaking of  
9 that north facade and the massing of the  
10 building in some way. I think tonight, you  
11 know, we did see some of that, and I  
12 appreciate that very much.

13 And as I said, I very much respect  
14 Mr. Baranes.

15 I think the other issue for me is  
16 really around what we talked about here  
17 earlier, is understanding that this building  
18 is going to be seen in 360 degrees. It sits  
19 out by itself, but I think the other part very  
20 much that got talked about at HPRB and got  
21 talked about here is the pedestrian element  
22 and that whole -- because we're going to have

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1 a school there. We're going to have a  
2 residential complex, and for the most part, I  
3 Street which is in front is a major arterial  
4 street in our community, and most people would  
5 be going to the rear.

6 And so I think what I'm really  
7 looking for is some softening of that back  
8 side so that it is incorporated more into the  
9 rest of the residential community instead of  
10 just sitting there as a building that we often  
11 see as an office building.

12 I understand the facade is very  
13 difficult to deal with, but I hope this  
14 streetscape can be eased up a little bit so  
15 that it's not just a sidewalk, and I don't  
16 know how to do that. I mean, it's just my  
17 suggestion to you.

18 COMMISSIONER TURNBULL: Fair  
19 enough, and I think as Commissioner May said,  
20 obviously there's an opportunity with some  
21 landscaping and maybe street frontage here,  
22 too, to reinforce that pedestrian aspect.

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1                   VICE CHAIRMAN JEFFRIES: We have to  
2 be careful though. I mean there are going to  
3 be service vehicles moving back and forth. So  
4 we, you know, have to be a little thoughtful  
5 about, you know, making it too pedestrian  
6 friendly.

7                   Anyway, so thank you.

8                   CHAIRMAN HOOD: I'm going to now,  
9 Commissioner Etherly -- and I apologize --

10                  COMMISSIONER ETHERLY: No need for  
11 apologies.

12                  Very quickly, Mr. McBee, thank you  
13 for your testimony. A couple of the points  
14 that I wanted to hit have already been hit in  
15 your exchanges with other Commissioners, but  
16 thank you very much for your testimony.

17                  Mr. George, let's just kind of cut  
18 right to it. I'm somewhat okay with the idea  
19 of getting clarification from DDOT through the  
20 Office of Planning with regard to some of the  
21 discussion around the traffic piece, but from  
22 at least my perspective I feel as though much

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1 of what you hit on DDOT has already discussed  
2 and perhaps acknowledged some I don't want to  
3 say hesitation, but they've acknowledged that  
4 there are some numbers that perhaps they think  
5 could be stronger.

6 In the DDOT report that we have, at  
7 page 4 it notices specifically with respect to  
8 the trip generation issue that they are  
9 reasonably comfortable with it. That to me is  
10 a little bit of a hedge, but they're  
11 comfortable enough to buy the general vicinity  
12 of the numbers.

13 My question, therefore, to you on  
14 that trip generation point, and then I'll get  
15 to the truck issue, is: is it your sense that  
16 the Applicant's, the developer's numbers are  
17 simply so far off that the disparity is enough  
18 to potentially really throw the traffic  
19 situation out of whack? Are we talking that  
20 much of a difference in your opinion or is it  
21 a somewhat more subtle difference between the  
22 two sets of numbers?

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1           MR. GEORGE:   Commissioner Etherly,  
2   I think the location, I think, in line used in  
3   real estate and transportation, location,  
4   location, location.   The fact that we have  
5   both the truck access, the loading access as  
6   well as --

7           COMMISSIONER    ETHERLY:           The  
8   residential.

9           MR. GEORGE:   -- the access to both  
10   the residential and the institutional use  
11   happening all in that section of dead end  
12   street if we call it that, I think it just  
13   requires a close look, and I think when one  
14   looks at the numbers, like I said, I haven't  
15   looked at what they should be or what I as a  
16   consultant might come up with.

17           It is not an exact process, but I  
18   think if you use as the basis a land use, it's  
19   an institutional use, yes, but to use a  
20   university that is perhaps 20 times as large  
21   in average size perhaps does not give you a  
22   good --

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1 COMMISSIONER ETHERLY: It's not  
2 apples and apples.

3 MR. GEORGE: Exactly. -- a good  
4 basis for comparison.

5 COMMISSIONER ETHERLY: Okay, and  
6 that's fair. That's fair.

7 MR. GEORGE: And I think the  
8 opportunity was there and is there to use the  
9 existing school to look at the demographics,  
10 the trip rate factors, and come up with  
11 something that we know is reasonable. It  
12 wouldn't be exact. I can't come before you  
13 and give you an exact number and no consultant  
14 can, but I think it would be a lot more  
15 reasonable and give their consultants a better  
16 basis to analyze and inform the process.

17 COMMISSIONER ETHERLY: Okay.

18 MR. GEORGE: That's all we say.

19 COMMISSIONER ETHERLY: Okay.  
20 That's fair. Let me move to the truck piece  
21 because I think DDOT here is a little more  
22 definitive and decisive in terms of their

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1 language, and it echoes what the traffic  
2 consultant for the Applicant has indicated,  
3 and that is as a result, all truck ingress and  
4 egress to and from H Street via Delaware  
5 Avenue can occur without substantial backing  
6 movements.

7 That's a much more definitive  
8 statement. Is it your testimony that you  
9 simply disagree with that statement on the  
10 part of DDOT, which I think is what the  
11 Applicant has said?

12 MR. GEORGE: No, I don't disagree  
13 with that. I think what our client has  
14 requested that we do was to look at ways to  
15 mitigate, to soften the impact, and obviously  
16 if you have all of the vehicular access,  
17 personal vehicles as well as trucks using that  
18 section of H Street, if somehow that could be  
19 broken up where by perhaps the loading  
20 associated with the school could be off First  
21 Street, which as I said is an alley type  
22 facility.

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1           If it works architecturally and  
2   landscaping, obviously this is not an area of  
3   expertise, but I think that that would show a  
4   good faith and reasonable effort at addressing  
5   that concern, and all we're saying is that in  
6   addressing that, what the consultant used was  
7   a 40 foot truck, and that pretty much does not  
8   exist.

9           COMMISSIONER ETHERLY:   And if you  
10   could, just for context purposes, put a 30  
11   foot and a 55 foot truck in context.   The  
12   average, everyday UPS or FedEx vehicle that  
13   one would see traversing the streets in the  
14   District, what's the footage generally for  
15   those types of vehicles?

16           MR. GEORGE:   A little bit over 20  
17   feet.

18           COMMISSIONER ETHERLY:   A little bit  
19   over 20.

20           MR. GEORGE:   A little bit over 20  
21   feet.

22           COMMISSIONER ETHERLY:   Okay, and

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1 I'm trying to think of what would be the next  
2 step up. But that helps. That helps to give  
3 me a context.

4 MR. GEORGE: A large U-Haul type of  
5 truck, you know, with a cabbing and a --

6 COMMISSIONER ETHERLY: Okay. That  
7 would be the next step?

8 MR. GEORGE: That's the typical 30  
9 foot truck.

10 COMMISSIONER ETHERLY: Okay. Final  
11 question and then I'm done, Mr. Chair, and you  
12 didn't reference it in kind of the summary  
13 that Ms. Giordano provided, but I felt there  
14 was more hay to be made there, and that is  
15 this issue of pipeline developments because I  
16 think part of the experience that the ANC  
17 brings to the table here that, of course, the  
18 developer and many of us bring with respect to  
19 this area is what's going on in terms of the  
20 vigor and the vibrancy around this project.

21 MR. GEORGE: Yes.

22 COMMISSIONER ETHERLY: Whether it's

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1 the national stadium, whether it's continued  
2 development on the other side of South Capitol  
3 Street as you head what would be eastward.

4 You mentioned in your summary that  
5 you felt there wasn't enough specificity as to  
6 what the Applicant's traffic consultant meant  
7 by we looked at pipeline projects, and DDOT  
8 did to an extent reference it and talked about  
9 on page 4 of its report, again, modest  
10 degradation of vehicle level of service at  
11 intersections along South Capitol Street.

12 This was in reference to the  
13 pipeline developments, developments that are  
14 planned for construction over the next few  
15 years.

16 And I think in your reference, in  
17 your report, you spoke about perhaps wanting a  
18 little more clarification there. Is it your  
19 sense that the traffic analysis done by the  
20 Applicant is, again, understating the pipeline  
21 aspect of this?

22 MR. GEORGE: Yes. Commissioner, I

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1 think that we had indicated that, you know, a  
2 July report; at that time, for example, I  
3 don't think in their study they had included  
4 even our client's development across H Street.

5 And we were aware of other projects  
6 that had not been included, but we think that  
7 those have subsequently been rectified. So we  
8 don't have an issue with the pipeline  
9 development.

10 COMMISSIONER ETHERLY: Thank you,  
11 Mr. George.

12 MR. GEORGE: Thank you.

13 COMMISSIONER ETHERLY: Thank you,  
14 Mr. Chairman.

15 CHAIRMAN HOOD: Any other questions  
16 or comments?

17 Okay. Thank you all for your  
18 testimony. Is there -- oh, cross. Have a  
19 seat.

20 MS. BROWN: Thank you.

21 I have one question. I believe Mr.  
22 Nettler has some other questions.

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1                   Mr. George, good evening.   How are  
2                   you?

3                   MR. GEORGE:       Very good, ma'am.  
4                   Good to see you.

5                   MS. BROWN:     My one question is  
6                   could you tell the Commission where the  
7                   loading facilities are for your client's  
8                   project?

9                   MR. GEORGE:   They're off H Street.

10                  MS. BROWN:   They're off H Street or  
11                  on H Street?

12                  MR. GEORGE:   Well, it could be just  
13                  a term of English.   They're not technically  
14                  on street.   The access is off H Street.   In  
15                  other words, you use H Street to get into the  
16                  --

17                  MS. BROWN:   They do have loading  
18                  facilities?

19                  MS. GIORDANO:  I don't believe they  
20                  do.   It was an historic project, and it's a  
21                  small project.   There is no loading dock.

22                  MS. BROWN:   So when people move in

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1 and out of the project, where do their trucks  
2 go?

3 MS. GIORDANO: As I said, there's  
4 no loading dock. So they would just -- they  
5 could pull off in front of the building in the  
6 parking area.

7 MS. BROWN: Thank you.

8 That's my only question.

9 CHAIRMAN HOOD: Okay. Let me ask a  
10 question. I probably should have whispered  
11 and asked somebody up here, but Mr. Nettler,  
12 what is your role?

13 MR. NETTLER: I'm counsel for the  
14 Corcoran, which is the Co-applicant here  
15 today.

16 CHAIRMAN HOOD: Do you want to  
17 cross examine?

18 MR. NETTLER: Just a very few  
19 questions.

20 CHAIRMAN HOOD: I guess I'm just  
21 wondering why Ms. Brown isn't doing it.

22 MS. BROWN: He has the questions.

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1 We are essentially co-counsel for the  
2 Applicants, and I would prefer that he ask the  
3 questions since he has them. He could feed  
4 them to me or he could ask them directly.

5 CHAIRMAN HOOD: Here's what I don't  
6 want to do. I don't want to create something  
7 and then pay for it later. But I'm going to  
8 go ahead and do it this time.

9 MS. BROWN: Okay.

10 VICE CHAIRMAN JEFFRIES: Excuse me.  
11 Do we have documentation that says they're  
12 co-counsel? Is there anything?

13 MR. NETTLER: Yes.

14 MS. BROWN: Yes. In all our  
15 documents his name is on the documents.

16 VICE CHAIRMAN JEFFRIES: Okay.

17 CHAIRMAN HOOD: But you know, Ms.  
18 Brown, typically one person usually asks the  
19 question, but that's fine. Because we do it  
20 for the community. I want to make sure we're  
21 balanced because I'll get hit with it later.

22 MS. BROWN: Okay. Thank you.

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1 MR. NETTLER: I'm not trying to --

2 CHAIRMAN HOOD: You know I'm right,  
3 right, Mr. Nettler? You know I'm right.

4 MR. NETTLER: Thank you very much.

5 Mr. George, I have a very few  
6 number of questions. You're familiar that  
7 half of First Street is owned by the Southwest  
8 Health Center, correct?

9 MR. GEORGE: I was made to  
10 understand so, yes.

11 MR. NETTLER: All right, and the  
12 Southwest Health Center uses First Street for  
13 parking, correct?

14 MR. GEORGE: Yes, sir.

15 MR. NETTLER: Okay. So in terms of  
16 suggesting that there be a lay-by or any  
17 loading off of First Street, are you aware  
18 that that was opposed by both DDOT, Historical  
19 Preservation and the Southwest Health Center?

20 MR. GEORGE: No, sir.

21 MR. NETTLER: You're not aware.  
22 Okay. You had been asked by Mr. Jeffries

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1 about the comment in the DDOT report which, I  
2 guess, was on page 4 that references the trip  
3 generation figures that were used by the  
4 Applicant's traffic expert. Had you done any  
5 trip generation analysis while you've been  
6 involved with this?

7 MR. GEORGE: I did not do a trip  
8 generation analysis, no.

9 MR. NETTLER: But your comment made  
10 to DDOT, I believe, in July as you said  
11 tonight was that in using a university as  
12 opposed to the present conditions of the  
13 Corcoran School, that that was not an  
14 appropriate way of analyzing the trip  
15 generation components of this site; is that  
16 correct?

17 MR. GEORGE: I would say I would  
18 think that would be a last resort, to use, you  
19 know, that used as the basis of comparison.

20 MR. NETTLER: Okay, but the  
21 university component of that trip generation  
22 analysis, from what I understand from your

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1 testimony, recognizes a substantial larger  
2 number of trip generations than the smaller  
3 Corcoran School; isn't that correct?

4 MR. GEORGE: No.

5 MR. NETTLER: Well, I thought you  
6 said that the trip generation they used for a  
7 university is in the thousands as opposed to  
8 the 900 from the size of the Corcoran Gallery.

9 MR. GEORGE: Okay. On trip  
10 generation, you try to use a comparable use,  
11 and we're saying essentially that a 9,500  
12 student university which may have dormitory  
13 facilities, may have busing, have entirely  
14 different schedules, may not necessarily be  
15 and it's not likely to be the best basis for  
16 comparison in estimating the trips.

17 MR. NETTLER: With regard to a 900-  
18 student school.

19 MR. GEORGE: Well, I understand  
20 it's going to be between four and 500.

21 PARTICIPANTS: Four hundred.

22 MR. GEORGE: Exactly.

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1 MR. NETTLER: And these were points  
2 that you raised with DDOT before, weren't  
3 they?

4 MR. GEORGE: I'm not sure we raised  
5 that in our July report. I don't recall as we  
6 speak.

7 MR. NETTLER: Okay. No other  
8 questions.

9 CHAIRMAN HOOD: Thank you, Mr.  
10 Nettler.

11 COMMISSIONER MAY: Can I ask a  
12 question of Mr. Nettler?

13 CHAIRMAN HOOD: You want to confuse  
14 it? Okay.

15 COMMISSIONER MAY: Well, no. He  
16 implied that HPRB and DDOT both oppose the  
17 lay-by on First Street, but we don't actually  
18 have that in testimony. So is somebody going  
19 to testify that that happened? Okay.

20 CHAIRMAN HOOD: And also, hold on.  
21 Before we go too far, also, what I requested  
22 will deal with all of that issue.

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1 MR. NETTLER: Very good. Thank  
2 you.

3 CHAIRMAN HOOD: So we can be here  
4 all night long fighting with this and that,  
5 but what I requested will solve all of that  
6 issues because I actually think Ms. Giordano  
7 brought up some good points.

8 But if it was in the report, we're  
9 going to ask him to look at it, and that would  
10 solve that issue.

11 Okay. Any cross examination?

12 All right, colleagues. We're ready  
13 for rebuttal. Ms. Brown, about how much time  
14 do you think you're going to need?

15 MS. BROWN: Oh, five minutes.

16 CHAIRMAN HOOD: Okay.

17 MS. BROWN: Not long.

18 CHAIRMAN HOOD: Take six, Ms.  
19 Brown.

20 MS. BROWN: Thank you.

21 Mr. Baranes, could you respond to  
22 some of the issues concerning the lay-by and

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1 the design issues on H Street?

2 MR. BARANES: The loading in  
3 general, sure.

4 MS. BROWN: The loading, yeah.

5 MR. BARANES: Sure. First of all,  
6 we did look at the option of -- I'm sorry. We  
7 did look at the issue of the possibility of  
8 placing the loading off of First. We actually  
9 sketched it up at one point.

10 Initially we found that it just  
11 presented a real problem for us in terms of  
12 laying out the space for the Corcoran School  
13 of Art. It bifurcates the space in half. It  
14 gets to be so deep that it makes it very  
15 difficult to lay it out and get the  
16 circulation to work for the school.

17 So that was the first issue we had,  
18 but then beyond that we did bring the issue up  
19 with both David Maloney at HPRB; he's the  
20 senior staff person with whom we dealt on this  
21 project, and Mr. Maloney's comment to me at  
22 this meeting about that particular issue was

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1       that he felt that First Street is a much more  
2       significant street than the north side of the  
3       building, than H Street.

4               For example, the church has its  
5       front door, the First Baptist Church, Mr.  
6       Tanner's project, has its front door on First  
7       Street, and that being a north-south street  
8       that it is, it ultimately in the long term  
9       will be a more significant thoroughfare and,  
10      therefore, a less appropriate place to put the  
11      loading services.

12             My colleague who is with me here  
13      tonight, Patrick Burkhart, with whom I've been  
14      working on this project since the beginning,  
15      attended a meeting with DDOT where the same  
16      issue was brought up again, the possibility of  
17      placing loading on First Street, and Mr.  
18      Burkhart has informed me on several occasions  
19      that they objected to that, to the placement  
20      of the loading docks. They had the preference  
21      to put them on the north side of the building.

22             I know there's a concern. It's a

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1 very reasonable concern about the quality of  
2 life for the pedestrian on the north side of  
3 the building along H Street, and I'm able to  
4 say this. You know, we will certainly do our  
5 best to address that issue as we refine the  
6 project. As we lay out the spaces in the  
7 interior for the Corcoran School of Art, I  
8 mean, I'm sure the Corcoran will go along with  
9 us. We'll work together to try to place, to  
10 the extent that we can, as much transparency  
11 there.

12 You know, we may be able to add  
13 some windows. I don't know, but as we lay out  
14 the interiors of the Corcoran along that edge,  
15 we'll try to make it as pedestrian friendly as  
16 possible.

17 And in other situations like this  
18 where we've had to put loading docks across  
19 from other significant uses, we've been  
20 careful about the kinds of doors that we've  
21 used on the loading docks. We've been careful  
22 to upgrade them. We've done that in

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1 Georgetown many times, and we'll certainly do  
2 the same thing here.

3 I guess the one other issue I  
4 should address is the issue Mr. McBee brought  
5 up about the situation with the HPRB. We've  
6 had a total of four hearings on this project,  
7 four public hearings on this project with the  
8 Historic Preservation Review Board, and  
9 certainly there were many, many issues that  
10 were discussed. There were compromises made  
11 obviously, but in the end it's my  
12 understanding and my belief that we have  
13 arrived at a point where HPRB has approved the  
14 project, is happy with it.

15 I should also add -- I know you may  
16 not agree with this -- but there were specific  
17 comments that came from some members of the  
18 HPRB Board complimenting the verticality of  
19 the north side of the building in contrast to  
20 the south side, of course, where we have a lot  
21 of stepping.

22 Of course, this is an issue that

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1 relates to the location of the setbacks of the  
2 penthouse.

3 Thank you.

4 MS. BROWN: That concludes our  
5 rebuttal, and we're ready to close if you're  
6 so inclined, or if you have questions for Mr.  
7 Baranes.

8 CHAIRMAN HOOD: Let me see. Do we  
9 have any questions of Mr. Baranes?

10 Any cross examination? ANC, do you  
11 have any cross examination or rebuttal?

12 Okay. All right. We're ready for  
13 closing.

14 MS. BROWN: Thank you, Mr.  
15 Chairman, and thank you very much for your  
16 consideration of these requests for rezoning  
17 and a PUD application. We're very truly  
18 excited about this outstanding project, and as  
19 you've heard and as the record is full of  
20 testimony or information on the outstanding  
21 public benefits and amenities, housing,  
22 affordable housing, historic preservation, and

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1 all of the wonderful things that the Corcoran  
2 Gallery of Art and the School of Art and  
3 Design will bring to the community, we're very  
4 pleased with this project, and we would hope  
5 that you would approve it.

6 So thank you very much.

7 CHAIRMAN HOOD: Okay. All right.  
8 Thank you, Ms. Brown.

9 Okay, colleagues. We have a few  
10 outstanding issues. My issue, I asked  
11 specifically that it be given to us at final.

12 So I want to hear from my colleagues. Do we  
13 want to deliberate tonight or do we want to  
14 set this for our next meeting?

15 And I'm not discounting  
16 Commissioner McBee or Ms. Giordano because  
17 I've already requested what I needed for  
18 final. I want to hear from my colleagues.

19 Commissioner May.

20 COMMISSIONER MAY: I would just  
21 want to point out that if the Commission were  
22 to decide to proceed tonight, that I would

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1 have to abstain from any voting because  
2 although I've reviewed the record that's  
3 available, I haven't reviewed the transcript  
4 from November 8th, and I would not want to  
5 vote without having done that.

6 But that's just a statement about  
7 where I would be tonight, but if the rest of  
8 the Commission wants to proceed on some basis,  
9 I have no problem with that.

10 CHAIRMAN HOOD: And that's from the  
11 hearing that we postponed.

12 MS. SCHELLIN: Right. He would be  
13 able to participate if final action, once he  
14 reads the transcripts from the prior hearings.

15 COMMISSIONER MAY: Yes. I've read  
16 everything but, I think, November 8th to this  
17 point. So --

18 CHAIRMAN HOOD: That's when we  
19 postponed.

20 COMMISSIONER MAY: Well, that was  
21 the discussion of design, and I missed that  
22 one.

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1 CHAIRMAN HOOD: All right.

2 MS. SCHELLIN: I have it here for  
3 you, Mr. May if you want to look at it  
4 quickly.

5 CHAIRMAN HOOD: It's only a few  
6 pages. Speed reading is what they call it.

7 COMMISSIONER MAY: I didn't know  
8 the transcript was available. Is it actually  
9 available?

10 Well, give it to me while they're  
11 talking.

12 COMMISSIONER ETHERLY: I'll talk  
13 very slowly, Mr. Chair. No, you don't want me  
14 to do that. Okay.

15 CHAIRMAN HOOD: Okay, Commissioner.

16 COMMISSIONER ETHERLY: I'll just  
17 note in response to your query, Mr. Chair,  
18 that I would agree with the course of action.

19 I think we have fleshed out some very  
20 important issues tonight, but none of which I  
21 would find to be cause for major concern in  
22 terms of holding us from moving forward.

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1 Thank you, Mr. Chairman.

2 VICE CHAIRMAN JEFFRIES: And, Mr.  
3 Chair, based on all of the comments tonight, I  
4 think the record is full, and I don't see  
5 where there's even much room to much more into  
6 it. I think that this project has gone  
7 through quite a bit. I think the Applicant  
8 has been quite responsive, particularly around  
9 the architecture.

10 It's not always doing what we ask,  
11 but at least showing us the options and so  
12 that we understand the context of choices.

13 So, yeah, I'm prepared to move  
14 forward tonight.

15 COMMISSIONER TURNBULL: Mr. Chair,  
16 notwithstanding the items that you want them  
17 to send us, I think this project has so many  
18 merits we would be remiss in not proceeding.

19 CHAIRMAN HOOD: I have another  
20 alternative. We meet on Monday. I would like  
21 to have full representation. I don't think  
22 between now and Monday, if we decide on this,

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1 whether we decide tonight or Monday, it's not  
2 going to slow up anything.

3 So why don't we just set this for  
4 proposed action and we do it on this coming  
5 Monday? Because we actually don't have  
6 anything on proposed action. This will give  
7 us some proposed action, and then all five of  
8 us can participate.

9 Do we have a concurrence on that?

10 COMMISSIONER ETHERLY: So you're  
11 giving Mr. May definite --

12 CHAIRMAN HOOD: A little extra  
13 homework, right.

14 COMMISSIONER MAY: It's 60 pages.  
15 I can't do it before we stop talking, but I  
16 can definitely do it by Monday.

17 CHAIRMAN HOOD: No, because we're  
18 getting ready to stop now.

19 COMMISSIONER MAY: Yes.

20 CHAIRMAN HOOD: So on Monday we  
21 will deal with this. Ms. Schellin, a proposed  
22 action.

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1           Okay.    With that, you know what  
2   we're going to do with this particular case,  
3   but if there are any other concerns, you can  
4   consult with staff, and I thank everyone for  
5   their participation tonight.

6           And this hearing is adjourned.

7           (Whereupon, at 9:30 p.m., the  
8   hearing in the above-entitled matter was  
9   concluded.)

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