

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

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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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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 enhoused 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.

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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.

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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.

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1 Thanks. I should note I'm here with Patrick
2 Burkhart, 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.

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?

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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 I'm 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, how 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 at this 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 from
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 placed 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.

I think the other issue for me is
really around what we talked about here
earlier, is understanding that this building
is going to be seen in 360 degrees. It sits
out by itself, but I think the other part very
much that got talked about at HPRB and got
talked about here is the pedestrian element
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 --

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 side 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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