

GOVERNMENT OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

~~FOR THE PURPOSE OF~~
CONSIDERING THE FOLLOWING:

Howard University
Square 3068, Part of Lot 30
Bethune Hall

Case No.
03-17

Monday,
September 29, 2003

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 03-17 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
JAMES HANNAHAM	Commissioner
PETER MAY	Commissioner
JOHN G. PARSONS	Commissioner

COMMISSION STAFF PRESENT:

ALBERTO P. BASTIDA	Secretary
SHARON SCHELLIN	Office of Zoning

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OTHER AGENCY STAFF PRESENT:

MAXINE BROWN-ROBERTS Office of Planning
JENNIFER STEINGASSER Office of Planning

WITNESSES PRESENT:

MAYBELLE TAYLOR BENNETT
FRANKLIN CHAMBERS
BRUCE COSTTELLA
CULLEN ELIAS
CYNTIA GIORDANO
JOHNNIE U. LEE.
PHILIP L. SPALDING
JOSEPH G. TATTONI
JOHN WRIGHT

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

6:33 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Monday, September 29, 2003. My name is Carol Mitten, and joining me this evening are Vice Chairman Anthony Hood and Commissioners Peter May, John Parsons and James Hannaham.

The subject of this evening's hearing is Zoning Commission Case No. 03-17. This is a request by Howard University for special exception relief, pursuant to _ 210 and 3104.1 of the Zoning Regulations, for approval to build a new Bethune Residence Hall.

The subject property is located at 2255 4th Street, N.W., and is known as part of Lot 30 in Square 3068.

Notice of today's hearing was published in the D.C. Register on June 20, 2003, and if you'd like to look at a copy of the hearing announcement it's available in the wall bin by the door.

This hearing will be conducted in accordance with the provisions of 11 DCMR _ 3104. Those are the BZA rules, which are the rules of

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1 procedure that we use for campus plans.

2 The order of procedure will be as follows:
3 preliminary matters, followed by the presentation of
4 the Applicant's case, report by the Office of
5 Planning, reports by other government agencies,
6 reports of the affected Advisory Neighborhood
7 Commissions, in this case it's 1B and 5C, parties and
8 persons in support, parties and persons in opposition,
9 and finally rebuttal by the Applicant.

10 The following time constraints will be
11 maintained in this hearing. The Applicant will have
12 approximately 30 minutes, parties will have 15
13 minutes, organizations five minutes, individuals three
14 minutes. The Commission intends to adhere to these
15 time limits as strictly as possible, in order to hear
16 the case in a reasonable period of time. The
17 Commission reserves the right to change the time
18 limits for presentations if necessary, and notes that
19 no time shall be ceded.

20 All persons appearing before the
21 Commission are to fill out two witness cards. These
22 cards are also near the door on the table. Upon coming
23 forward to speak to the Commission, please give both
24 cards to the reporter, who is sitting to our right.

25 The decision of the Commission in this

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1 case must be based exclusively on the public record.
2 To avoid any appearance to the contrary, the
3 Commission requests that persons present not engage
4 the members of the Commission in conversation during
5 recess or at any other time. Staff will be available
6 throughout the hearing to discuss procedural
7 questions, and you can direct those to Mr. Bastida or
8 Ms. Schellin.

9 Please turn off all beepers and cell
10 phones at this time, so as not to disrupt these
11 proceedings.

12 At this time, the Commission will consider
13 any preliminary matters.

14 Mr. Bastida?

15 MR. BASTIDA: Madam Chairman, the staff
16 concludes that the Applicant has posted and maintained
17 the site in accordance to the zoning regulations.

18 CHAIRPERSON MITTEN: Thank you, Mr.
19 Bastida.

20 There is also a preliminary matter
21 regarding the need to amend the campus plan in this
22 case, and before we move to resolve that I would just
23 ask Ms. Giordano, in addressing that are you going to
24 call any witnesses? So, why don't we just swear
25 everybody in, and then we can deal with the

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1 preliminary matter first.

2 So, we'll have all those wishing to
3 testify this evening please rise now to take the oath.

4 (Whereupon, the witnesses were sworn.)

5 CHAIRPERSON MITTEN: Would you like to come
6 forward and address the first matter?

7 MS. GIORDANO: Good evening, Madam Chair,
8 members of the Commission. My name is Cynthia
9 Giordano of Arnold & Porter law firm. With me is
10 Doctor Chambers, who is Vice President for Student
11 Affairs for Howard University, and Maybelle Bennett,
12 who directs the Community Association.

13 Regarding the issue of the campus plan, we
14 have submitted, albeit belatedly, a campus plan
15 amendment for your consideration. We do not believe
16 that notice is a problem, because the community was
17 well notified of the intention of the University to
18 use this site for a dormitory, and the campus plan
19 amendment simply amends the plan to say that.

20 The campus plan, adopted in 1998,
21 indicated that this existing building might be
22 renovated in the future for use a faculty center.
23 There's no time limit, in terms of the campus plan, as
24 to when that would happen. The University doesn't
25 have a specific plan at this time for relocating that

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1 faculty center use, but they did determine in the
2 interim that the building was not in good condition,
3 and that they wanted to provide more student housing
4 on site, which I think is clearly consistent with one
5 of the overall goals of the campus plan, to house
6 students on site.

7 So, at this time, we would like to request
8 that we amend the plan to allow the previous use,
9 which was residential, on this site to continue on the
10 site.

11 Doctor Chambers can speak to the issue of
12 the University policy and objectives and continuing
13 housing use on this site at this time.

14 CHAIRPERSON MITTEN: All right. Let me ask
15 you first, I believe staff was unable to locate ? we
16 have the order which you submitted to us, the order
17 that approved the campus plan, but we don?t have a
18 copy of the campus plan itself. Were you ?

19 MS. GIORDANO: Oh, I didn?t know that.

20 CHAIRPERSON MITTEN: Okay, so are you
21 submitting that for the record then, yes?

22 MS. GIORDANO: We might have to produce it,
23 that may be our only copy, I may have to produce some
24 copies for the Commission.

25 CHAIRPERSON MITTEN: Okay.

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1 DOCTOR CHAMBERS: We can provide a copy.

2 CHAIRPERSON MITTEN: We need something in
3 the record, whether that's a copy of this document or
4 this document, and you can sort that out later.

5 MS. GIORDANO: Okay.

6 CHAIRPERSON MITTEN: I'm happy to have any
7 testimony on the subject, but I just want to be sure
8 that we ? rather than have to convene later because
9 the Commission gets a chance to review this document
10 and then has questions.

11 MS. GIORDANO: Okay.

12 CHAIRPERSON MITTEN: That we sort of fully
13 discuss the subject so that the record is complete on
14 the subject.

15 MS. GIORDANO: Right.

16 Mr. Gross, I believe, talked to staff
17 earlier about what pages in the campus plan would need
18 to be amended, everywhere where a faculty center is
19 called out, and we have listed those on a piece of
20 paper, and we can certainly provide documents.

21 There's a slight problem, in that the
22 campus plan, the staff that did the campus plan, is no
23 longer with the University. So, we may have to
24 produce some new pages instead of amending the old
25 ones. I'm not sure we can find the original graphics.

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1 CHAIRPERSON MITTEN: I understand.

2 MS. GIORDANO: But, we can provide
3 amendments throughout the plan. I think there are
4 five places where the faculty center is referenced
5 that we can change.

6 CHAIRPERSON MITTEN: Okay.

7 Well, why don't I allow you to complete
8 the presentation on this particular subject, the
9 amendment to the campus plan, and then any questions,
10 preliminary questions that occur to the Commission at
11 this point, and I guess I'm just going to give you
12 fair warning that if there are questions that need
13 answers that, you know, after we review the document
14 then we'll just have to deal with that when it comes
15 up.

16 DOCTOR CHAMBERS: All right, good
17 afternoon, Commissioners, Madam Chair. Thank you all
18 for this opportunity.

19 As Ms. Giordano indicated, the University
20 has a mission to provide adequate housing for our
21 students in a safe and secure environment. And, over
22 the years, the past couple years, we realized that we
23 have an opportunity to provide additional housing on
24 campus for those students. It became quite apparent
25 to us after 9/11, when we had several students

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1 stranded off campus, that we needed to try to provide
2 additional housing on campus, and after factoring in
3 the condition of the old Bethune Hall realizing that
4 we would be better suited as a university to provide
5 additional housing on campus, we determined that we
6 would like to modify our intentions of a faculty
7 center and, in fact, use that existing site for
8 residential housing.

9 That site is located on a quarter of our
10 campus that is a housing quarter. To the left of that
11 site is a housing complex that houses female students,
12 and to the right of that site is a complex that houses
13 female students, and our intentions is to replace the
14 old hall with the new residence hall that will house
15 underclass female students as well.

16 CHAIRPERSON MITTEN: That's fine, and I
17 want to get to that. At this point, we are just still
18 dealing with the preliminary matter of the amendment
19 to the campus plan. So, if you could focus on, as you
20 already did, what has changed, about why you would
21 want to have even more students on campus than you had
22 anticipated when the plan ? the 2020 plan was
23 approved, but also could you speak to the faculty
24 center that was going to be created on this site
25 instead, how is that being accommodated elsewhere on

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1 campus?

2 I don?t know if part of the plan called
3 for parking on this site at all. I know that there?s
4 no plan for that now. I don?t know if that was
5 addressed in this.

6 So, just if you could ? what we need
7 comfort in amending the plan, that there?s not going
8 to be ? we understand the focus on this site, but are
9 there any ill effects that will ripple through the
10 rest of the campus.

11 DOCTOR CHAMBERS: Certainly.

12 The intent to build a faculty center on
13 campus was part of a campus enhancement. There is no
14 absolute necessity for us to have a faculty center.
15 Our faculty are currently housed on campus in office
16 spaces throughout the campus.

17 The building of a residence hall in this
18 location would not impact our parking, as underclass
19 students are disadvantaged for receiving parking
20 permits on campus. Our parking system is run by a
21 lottery system, and based on the classification of an
22 underclass student their chances of receiving a
23 parking permit would be limited. So, we encourage
24 first year students not to bring a vehicle at all,
25 because their chances of receiving a parking permit

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1 are close to none.

2 CHAIRPERSON MITTEN: Okay.

3 DOCTOR CHAMBERS: So, it wouldn't impact
4 parking, because we wouldn't be increasing parking.

5 The old facility did not provide parking
6 for those residents in that location, so we didn't
7 anticipate that the new facility would require parking
8 as well.

9 CHAIRPERSON MITTEN: Okay.

10 Let me ask, is that, basically, it?

11 DOCTOR CHAMBERS: Yes.

12 CHAIRPERSON MITTEN: Okay.

13 What we will need to do when we do our
14 deliberation is, first we will need to decide whether
15 we will amend the plan to allow this use, and then we
16 will vote on the project itself. So, at this
17 juncture, knowing that everyone is somewhat
18 disadvantaged, are there any questions that occur to
19 the Commissioners that they'd like to address to
20 Doctor Chambers about any repercussions there may be
21 to amending the plan, and then are you comfortable
22 proceeding, given that we haven't had that discussion
23 yet?

24 Any comments would be welcome at this
25 point. Commissioner May?

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1 COMMISSIONER MAY: Well, not having seen
2 enough of the information about what the plan was, and
3 about how the plan would be amended, I'm kind of at a
4 loss as to how we can fully evaluate this.

5 When we receive additional materials, you
6 know, the submission we got tonight, the original
7 plan, I guess my question for this moment is, how far
8 are we going to go into the question of the campus
9 plan here and now, or are we going to have the
10 opportunity to explore further the development of the
11 campus plan as the hearing progresses?

12 CHAIRPERSON MITTEN: There's only one ?
13 there's, basically, only one issue before us.

14 COMMISSIONER MAY: Which is whether to
15 proceed.

16 CHAIRPERSON MITTEN: Well, the issue before
17 us as to the amendment to the plan would be,
18 basically, to change the programmed use of this site
19 from a proposed faculty center to a new dormitory.
20 Yes?

21 MS. GIORDANO: Yes.

22 DOCTOR CHAMBERS: Yes.

23 If I may interject one moment. The
24 proposed plan for a faculty center involved really
25 renovating an existing building, converting bedrooms

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1 into offices, an office tower of sorts, with
2 recreational use for students on the first level.

3 The need for those office spaces are not
4 as critical as the need for bedroom spaces, so
5 although we are asking to amend the plan, we are not
6 asking for additions that would impact the community.

7 Parking wouldn't be an issue. The faculty are
8 already situated on campus. In fact, it would be
9 going back to the original use of that facility.

10 CHAIRPERSON MITTEN: And, they are not
11 proposing to relocate the campus, or the faculty
12 center elsewhere, that's, basically, now off the table
13 until you would seek an overall new campus plan.

14 DOCTOR CHAMBERS: Right.

15 CHAIRPERSON MITTEN: So, there's a finite
16 issue before us, not the entirety of the campus plan,
17 but just changing the use for that particular site.

18 DOCTOR CHAMBERS: Right.

19 CHAIRPERSON MITTEN: Back to the original
20 use.

21 COMMISSIONER MAY: I mean, the essential
22 question from my point of view is simply knowing that
23 it really is being planned, and that this is not a
24 purely reactive move at this movement, that there's
25 suddenly this critical need, okay, let's go ahead and

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1 take this out because this was really not a critical
2 improvement, but, you know, a year from now it's going
3 to become a critical improvement, simply because it
4 got pushed off the table now. It's not the best way
5 to approach it.

6 Without seeing, you know, digesting all
7 this information, it's hard to know the answer to that
8 question.

9 CHAIRPERSON MITTEN: Well, I think that the
10 University is aware of the fact that, you know, we are
11 at a disadvantage in terms of the information we've
12 been able to digest at this point.

13 COMMISSIONER MAY: Right.

14 CHAIRPERSON MITTEN: So, if there become
15 questions that don't permit us to go forward after we
16 digest this, then we'll just have to revisit that when
17 we get there.

18 COMMISSIONER MAY: Right.

19 CHAIRPERSON MITTEN: But, are we
20 comfortable at least proceeding tonight?

21 COMMISSIONER MAY: I think so.

22 CHAIRPERSON MITTEN: Mr. Parsons?

23 COMMISSIONER PARSONS: Madam Chairman, I
24 had the pleasure of serving on the BZA that approved
25 this campus plan, and if there was one thing I was

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1 skeptical about it was the faculty center, that we
2 were building this place for the faculty that I
3 thought would be better disseminated throughout the
4 University. But, for what that's worth, this to me is
5 a welcome change.

6 CHAIRPERSON MITTEN: Okay.

7 COMMISSIONER HANNAHAM: I, too, would
8 agree, Madam Chairman. I look at the overwhelming
9 support, I just think that, actually, our not having
10 seen some other documents I don't want to revisit the
11 whole campus plan, but I can tell you that I believe
12 that things have fallen in place, and with the
13 overwhelming support that I see that the community has
14 given them,

15 And, other campuses, and I hate to talk
16 about other universities, there are issues about
17 things that happen outside the campus.

18 CHAIRPERSON MITTEN: Right.

19 COMMISSIONER HANNAHAM: And, I think this
20 will be definitely an improvement.

21 So, I think things will fall in place as
22 we move forward.

23 CHAIRPERSON MITTEN: I just want to make
24 sure that everyone is comfortable and that we have a
25 complete record, or as complete as we can make it at

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1 this point.

2 So, it sounds like we are ready to
3 proceed. So, having dispatched with our preliminary
4 matter, then I think we are ready to move into your
5 main presentation.

6 MS. GIORDANO: Okay, thank you very much.

7 I believe, unless Doctor Chambers has
8 anymore comments, that we'll move forward with Ms.
9 Bennett's testimony, and I have submitted copies for
10 the record.

11 CHAIRPERSON MITTEN: And, I should issue
12 you a special welcome back to the Commission as a
13 former Chair. It's always nice to have you.

14 MS. BENNETT: Thank you, and it's always a
15 bit disconcerting being on this side.

16 Good evening, Madam Chair, members of the
17 Commission, my name is Maybelle Taylor Bennett. I'm
18 Director of the Howard University Community
19 Association.

20 The Community Association is the chief
21 administrative liaison between the university and her
22 neighbors, and it was established in 1996 to
23 facilitate the development of an authentic, respectful
24 relationship between ourselves and our neighbors.

25 The Association is the entity that

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1 established the Community Advisory Committee in
2 fulfillment of condition number ten of BZA Order
3 16330, which approved our 1998 campus plan for the
4 university. That entity has met, as required, on a
5 quarterly basis, 16 times, since the plan's approval
6 in March of 1999. Working groups of the Community
7 Advisory Committee have met an additional 31 times,
8 over such issues as traffic, grocery store outlet
9 development, the restoration of the Mary Church
10 Terrill Home, the establishment of a proposed town
11 center, and the establishment of a middle school for
12 math and science.

13 The CAC has improved overall communication
14 between the university and her neighbors. It has
15 facilitated the resolution of specific problems raised
16 by the neighbors and the university through the
17 establishment of working groups. It has yielded
18 tangible neighborhood improvements through cooperative
19 working relationships between the university, the
20 residents and the City, and it has created an amenable
21 forum for ongoing discussion about issues that we
22 don't have resolution yet for.

23 Plans for the proposed Bethune Hall were
24 presented to the CAC on the 19th of March of this year,
25 where there were no concerns expressed at the time.

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1 The same plans were presented to the Bloomingdale
2 Civic Association on the 16th of June, ANC 5C on the
3 17th of June, and again on the 16th of September, the
4 Lejoy Park Civic Association on the 24th of June, and
5 ANC 1B on the 7th of August. Letters of support you
6 have in your records.

7 There were no objections to the siting, to
8 the massing, or design, or use of the replacement
9 building. The substantive issue that was raised about
10 the development of the dormitory came primarily from
11 ANC 1B and the Lejoy Park Civic Association. These are
12 communities who experience the greatest pressure of
13 competition for on-street parking from members of the
14 university community.

15 As a result, though this community
16 understands the danger and cost involved in developing
17 underground parking for the dormitory, and are aware
18 that the parking requirements for this facility would
19 be minimal, they requested that the university,
20 nevertheless, identify additional parking spaces that
21 would come on line when this facility is developed.
22 Such spaces would enhance the off-street parking
23 availability to the university community and help to
24 alleviate the tight parking felt within the
25 neighborhood.

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1 The university identified 16 potential
2 spaces at the 515 W Street site, and 64 potential
3 spaces at the former Texaco station site at the
4 northeast corner of Georgia and W Street. In
5 addition, in general then, the community is supportive
6 of the development of the Bethune dormitory and
7 believes it will not only improve the quality of
8 student residential life but also will be a positive
9 addition to the neighborhood as a whole.

10 I stand ready to answer any questions you
11 may have.

12 CHAIRPERSON MITTEN: Thank you.

13 I think we'll just go through the whole
14 presentation.

15 MS. GIORDANO: Okay, that's fine.

16 At this point then, I'll ask Ms. Bennett
17 and Doctor Chambers to step back and the architects to
18 come forward. The architects for the project is a
19 joint venture of a couple of firms. The firms are the
20 Hillier Group, Amos Bailey, Arnold & Lee. And, there
21 are two spokespersons. There are a number of
22 representatives from both firms here this evening, but
23 the two primary spokespersons will be Johnnie Lee,
24 from John A. Lee Architects, and Joe Tattoni, from the
25 Hillier Group. And, Mr. Lee will begin.

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1 CHAIRPERSON MITTEN: Great.

2 MR. LEE: Good evening.

3 CHAIRPERSON MITTEN: Good evening.

4 MR. LEE: Thank you for the opportunity to
5 make this presentation to you. Actually, I should
6 probably make the presentation, not from this table,
7 but in front of these drawings. I think that would be
8 more appropriate.

9 CHAIRPERSON MITTEN: If you would like to
10 use our hand mike.

11 MR. LEE: Thank you, I would.

12 CHAIRPERSON MITTEN: It's on now. Hold it
13 up tight, too.

14 MR. LEE: Okay.

15 What I want to be able to do tonight is
16 just to give you a brief overview and have it further
17 explained by Joe Tattoni, who is also a member of the
18 group. I'll give you a little bit of an idea as to
19 what our approach is in regard to this dormitory.

20 Essentially, what we are dealing with is a
21 312-bed facility, primarily, for freshmen students.
22 The building occupies, or will occupy, about 108,000
23 square feet, roughly, on the same footprint as the
24 previous building.

25 The previous building has recently been

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1 razed. It occupied a site on the corner of 4th Street
2 and College. The new building purports to occupy,
3 generally, the same footprint. It is a slight bit
4 larger in area, the mass is about 108,000 square feet.

5 I think it occupies eight floors, seven stories
6 actually appear above College Street, but the site is
7 sloped in such a way that the building appears to be
8 seven stories from the highest point and eight stories
9 from the courtyard side.

10 There are a number of salient features
11 that are associated with the building that we are
12 proposing. In addition to it providing sleeping
13 accommodations, the building is going to be a living
14 and learning environment. There are a number of
15 features that are incorporated in addition to
16 sleeping. Some of those spaces, and I'll try to
17 enunciate those from memory, we're providing a fitness
18 and exercise space, computer cafe, there's either
19 going to be an eatery or some type of a convenience
20 facility, perhaps akin to a 7 Eleven, or a Starbucks,
21 or something on that order. There will be laundry
22 rooms on various levels to accommodate the needs of
23 the students, as well as various study lounges ?
24 student lounges, and there will be areas dedicated to
25 study at the ends of the corridors. The study lounges

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1 themselves will be nice spaces because they are going
2 to be double height spaces, and again, Joe will give
3 you a little bit more detail as to how those work when
4 we get into actually looking at the buildings
5 themselves.

6 We do have a fairly large open lobby, and
7 the model, actually, gives pretty strong evidence of a
8 nice feature that I think the students are going to
9 enjoy, it has a very nice view out onto the open plaza
10 out here, which we are referring to as a reading
11 veranda.

12 The building itself is situated in such a
13 way that it can take advantage of some of the
14 magnanimous, very, very magnificent views towards
15 monumental Washington. There's a low mass at this
16 point of the building, that's bounded by these higher
17 elements, but the view through here is tremendous.
18 And, there are also pretty imposing views looking in
19 this direction, as well as in this direction. So, I
20 think that those upper floors are going to be a source
21 of great competition for many of the people who are
22 going to be living in the dorm.

23 Additionally, we had some considerations
24 with respect to the site. This area houses a number
25 of very significant utilities, and we were concerned,

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1 in terms of where the building is actually located. We
2 don't really have any intent or desire to take the new
3 building outside of the footprint line of the previous
4 buildings because of a number of these utilities that
5 exist within College Street and on 4th Street. In
6 fact, the construction really has to be sensitive to
7 it, in the sense that were we to exceed these
8 boundaries tremendously we'd impact on this. There's
9 an angle of repose that we want to be able to stay
10 within, and so that as long as we don't penetrate too
11 far towards College Street or towards 4th Street we are
12 generally going to be safe, but there's some almost
13 six-foot wide service lines. We have some steam lines
14 and some water service lines, which service much of
15 downtown D.C., and we don't want to disrupt those
16 lines. I believe some of them might even be leaking
17 now, and we want to be very conscientious about it,
18 and so our intent is to stay as far away from those
19 utilities as is practical.

20 We also intend to close College Street to
21 general traffic. Now, College Street right now is,
22 essentially, a dead end street. It doesn't serve any
23 public access beyond this point on College. What we
24 intend to do now is to cause that to become a
25 pedestrian plaza. The primary entrance to the building

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1 will either be from College or from the plaza here.
2 Now, because the campus is, essentially, in the
3 northwestern quadrant, we assume that the entrance to
4 the building from this side is going to be from the
5 College Street side, that students will have an
6 opportunity to either enter the building from the
7 plaza or from College Street, and that's generally the
8 way that should work.

9 We think that there's going to be a fair
10 amount of student traffic coming this way as well,
11 because this dorm is still going to remain in service.

12 That, essentially, addresses the kinds of
13 things that I wanted to talk about. Maybe I should
14 talk a little bit about the fact that we are well
15 within all the specific zoning requirements. I don't
16 want to get into a great deal of detail, but we have,
17 in fact, addressed the FAR requirements, and the fact
18 that we are well within the required percentage of lot
19 occupancy and those issues.

20 And, with that, I'd like to turn it over
21 to Joe Tattoni, to take this into a great deal more
22 detail.

23 MR. TATTONI: Good evening, everyone.

24 I'll try to make this as brief as
25 possible, but give you some idea of massing, form and

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1 materials of the building.

2 This is a site plan that shows the
3 footprint of the new Bethune Hall in white, the dark
4 grey is Bethune Annex, and if you look on the site
5 model there it's represented. This footprint, as
6 Johnnie mentioned, is very similar to the existing
7 footprint of the previous Bethune Hall that was there.

8 The material, the massing and the forms
9 are intended to fit within the campus and to mitigate
10 between the seven-story blocky structure of Bethune
11 Annex and the much more sculptural, figural forms of
12 the five-story Frazier Hall, which is a part of the
13 1931 development of Tubman Quad, which is just to the
14 north of this site.

15 In addition to that, the top two floors of
16 this building have been set back to form a gabled end
17 away from the exterior facades, both north and south.

18 That setback allows for, essentially, the building to
19 be five stories at the street, and then two stories
20 above that, and similar to the way Frazier Hall has
21 occupied space within its room form this will also.
22 So, in fact, it's a seven-story building, but it's
23 intended to be as much a five-story building on that
24 new pedestrian plaza as possible.

25 The windows along College Street are

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1 actually grouped together. Every two floors are
2 grouped together. So, from a distance, as in this
3 rendering, it actually looks like a three story
4 structure, when, in fact, there's actually five floors
5 within that structure, the same as shown on the model.

6 The materials that we're intending to use
7 are to be complimentary and consistent with the Tubman
8 Complex. Dark red brick for the primary material of
9 the facade, the trim, both on the corners, and all the
10 sills, and the cornice, will all be limestone, and the
11 roof would all be pre-patinated custom metal work laid
12 out in a shingle pattern similar to the shingle
13 patterns of the adjacent slate roofs of the Tubman
14 Quad.

15 The south facade is a little bit
16 different. The south facade is the internal facade,
17 and you all saw it probably when you came in, or you
18 can see it later. That's the interior facade inside
19 the courtyard. Because this facade is the side that
20 faces the side that has the most extraordinary views,
21 it's also south facing and allows for the greatest
22 amount of daylighting into the residence complex, we
23 chose to, basically, make the south facade,
24 essentially, a glazed curtain wall, taking advantage
25 of those views south to downtown D.C., and maximizing

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1 controlled daylighting within the building.

2 Down at the street level, it's actually
3 not on the street, it's in the courtyard, but off of
4 4th Street, there is a two-story glazed porch, what we
5 call the reading veranda that Johnnie mentioned. This
6 two-story glazed porch does two things for us. One
7 is, it allows for the people that are in the courtyard
8 not to have a seven-story building right up against
9 them, they just have a two-story building against
10 them, and there are special programs in there. That's
11 where we have the fitness center on the lower level,
12 which can see right out onto the courtyard, and on the
13 floor right above that, the entry, first-floor level,
14 is the reading veranda, which is, essentially, just a
15 common space for students to casually read the
16 newspaper. There's going to be a vending that's there
17 for them to get a juice, and a place for them to just
18 hang out and cat, while they watch people come up and
19 down and in and out of the courtyard.

20 Finally, I'm not going to go through all
21 the plans, but I'll just show you where some of the
22 big pieces of the program are located. There's a
23 center lobby right in the middle of ? not near the
24 middle, near the middle third, the end third of the
25 building, that has access ? entry access that's ADA

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1 accessible on both College Street, as well as the
2 courtyard entry from 4th Street. There's a security
3 desk that overlooks that, as well as the elevator core
4 going up. On the first two floors of this building,
5 the first floor and the lower level, are where all the
6 public common spaces are, all the sleeping quarters
7 are above. They are all double rooms, except for
8 there are some single rooms for resident advisors.

9 The common spaces are a two-story
10 community room, a cyber cafe, the eatery, which is a
11 convenience eatery. This is all, by the way, for
12 students only, none of this is public access, and the
13 reading veranda. If you take the grand stair down you
14 will end up on the floor of the community room, and
15 then you can get to the fitness center and the
16 aerobics room. There is a loading area and trash room
17 off the eastern side of the building. This is going to
18 be an extension of the existing service facility
19 between Bethune Annex, and it's on the property line
20 that's adjacent to the pumping station.

21 Lastly, a typical floor, just so you all
22 can see how a typical floor is arranged, these
23 represent all the double rooms along a double-loaded
24 corridor, and above where the lobby was located is
25 two-story lounge spaces on every other floor, and you

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1 can see it in the model also, that connect the second
2 and third floor, the fourth and fifth floor, and the
3 sixth and seventh floor, and there's an
4 interconnecting stair that connects those together.
5 These are active TV media lounges. Every floor,
6 though, also has a quiet study lounge on the floor,
7 including also a large place to do laundry.

8 Finally, while I have this drawing up, I
9 just want to mention a little bit about our
10 exploration regarding parking on the site below this
11 building, because, in fact, we did look at that.

12 We explored what it would take to put
13 parking underneath this footprint of the building,
14 including coming all the way out to the existing wall
15 of Bethune Annex, and we can fit under there about 36
16 cars, and that was assuming that we would use the same
17 ingress and egress ramps of Bethune Annex. That was
18 not assuming our own internal ramping. If we did that
19 it would be less than 36 cars.

20 The issue became, when we explored this,
21 this is the lower level what you see here, imagine
22 doubling that, just putting another floor, 12 to 14
23 feet below that, for an extension of this parking
24 grade, and when you got to this point you have to put
25 an angle of repose of 45 degrees going out to College

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1 Street, and we would, in fact, be disrupting the WASA
2 lines that are out there. There is a 78-inch water
3 line and a 6 foot by 9 foot sewer line, as well as
4 another 30 inch storm line and a series of steam and
5 gas lines, but these are the real big lines that are
6 out there, and so our preference, obviously, was keep
7 the building as close to the existing building line as
8 possible, which it is, and not to go down that deep.

9 In addition to that, what's not shown on
10 this illustration is, there's another 30-inch storm
11 line right in this location, so if we were to connect
12 across we would have to reroute that storm line, and I
13 just want to go back to the site plan for one moment,
14 the 30-inch storm line runs right along here and
15 connects into a branch line right on this side of the
16 pumping station property line. If we were to do that,
17 we would have to reroute that all the way around 4th
18 Street, and Bryant Street, and come back here, so it
19 would be a considerable amount of rerouting a 30-inch
20 storm line if we were to do that.

21 That's, basically, it. I'd love to take
22 your questions.

23 CHAIRPERSON MITTEN: Thank you.

24 MS. GIORDANO: We have one more witness, if
25 you'd like to proceed before questions, Mr. Bruce

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1 Costtella, who is in charge of capital projects for
2 the university, would like to just touch on the
3 project timetable, financing, and also the status of
4 the university efforts to provide additional parking
5 off site.

6 MR. COSTTELLA: Good evening,
7 Commissioners, Madam Chair. I'd like to just clarify
8 the pacing for both 515 W Street and the Texaco lot,
9 start and completion of the parking areas.

10 Again, to recap, 515 W will harness 16
11 parking spaces, Texaco will harness 64, for a total of
12 80.

13 The time slated for that to start is
14 December 21st, which is actually our recess time period
15 for the holidays. And, we anticipate completion of
16 both these scopes of work late June/early July, with
17 the 515 W coming on line some time in mid April.

18 In relationship to our schedule and some
19 costs for the base building here of the new Bethune
20 Hall, we are looking at two options for mobilization
21 and construction. One is, we are referring to in
22 house as an early start, assuming that we'll be free
23 to get underway with the project for sheeting, shoring
24 and foundation, that is slated for late February,
25 2004, which then would run out the completion of the

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1 project to occupancy, if you will, November 5, 2005.

2 If we are starting a little later to meet
3 a school year, which we are still discussing in house,
4 the start of the program will be approximately four
5 months later, resulting in a completion date of March
6 18, 2006.

7 Either option the funding and cost, hard
8 costs for the building, is stationary at approximately
9 \$26,300,000.00.

10 CHAIRPERSON MITTEN: Okay.

11 MS. GIORDANO: In conclusion, either early
12 start or late start, it's an ambitious timetable, and
13 we greatly appreciate the Commission's cooperation and
14 assistance in considering this campus plan amendment
15 in approximately, you know, the same time frame as the
16 further processing.

17 We understand that there might be
18 additional materials we need to submit for the record.

19 The record may need to be left open for a while, but
20 we appreciate the Commission hearing the campus plan
21 this evening.

22 And, that concludes our presentation, and
23 we're available for questions.

24 In addition to these witnesses, we have
25 traffic consultants from two different firms, the O.R.

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1 George firm and also Trans Core. The O.R. George firm
2 did the parking analysis for the campus plan, and so
3 they are familiar with the complete overview of the
4 campus. And, we have a representative from the
5 Tischman Construction Company that can discuss
6 construction impacts, and Roger Blunt from the Essex
7 Construction Company. So, I think we are well staffed
8 to answer any questions that might arise.

9 Thank you.

10 CHAIRPERSON MITTEN: Let me just ask a
11 point of clarification. Since we've heard about the
12 parking, the additional parking, a couple of times,
13 are you proffering that as a condition, or are you
14 just mentioning that as a part of the overall what's
15 being done to address community concerns?

16 MR. COSTTELLA: We are keeping the
17 Commission informed of our ongoing measured effort to
18 provide more parking to our students in our ongoing
19 conversations and relationship with the community.

20 CHAIRPERSON MITTEN: Okay. I just wanted
21 to be clear.

22 MS. GIORDANO: And, I just might add, these
23 are interim uses. The Texaco station was just
24 recently acquired by the university. It's not going
25 to be, you know, a parking lot on prime real estate on

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1 Georgia Avenue forever, but the university has
2 acquired a great deal of property over the last few
3 years in and around Georgia Avenue, and their
4 intention is as the parking needs continue to be
5 important for the university to provide parking on an
6 interim basis wherever possible, and then as new
7 projects come on line to provide additional parking
8 when the projects are built.

9 CHAIRPERSON MITTEN: Okay, thank you.

10 Any questions?

11 Mr. May?

12 COMMISSIONER MAY: Sure I have questions.

13 First of all, let me say that I think that
14 the building ? I have to say when I read the materials
15 that were submitted I was a little skeptical about how
16 well this particular building could mediate between
17 the different forms that you have there, but now that
18 I see it in the model I think it?s a persuasive
19 demonstration of how you?ve tried to blend the
20 architecture in. And, I especially like some of the
21 touches where you?ve carried cornice lines and things
22 like that over.

23 I think the roof is not quite as
24 successful, I think, as the facades overall, but it?s
25 relatively minor. You are missing something pretty

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1 major, though, in the roof there, in that we are not
2 seeing the penthouses, and those are going to be
3 pretty significant.

4 Now, I just did a quick check on the
5 regulations, because there are separate elevator cores
6 they can be separate penthouse enclosures for them,
7 but there's going to be two fairly substantial ones
8 that show up, at least in the elevations that we have
9 here.

10 I probably know the answer to this one,
11 but where is the chilled water going to come from? Is
12 that all piped in? Do you have a central plant
13 somewhere?

14 MR. TATTONI: No, it's ?

15 CHAIRPERSON MITTEN: Could you turn on your
16 microphone, please?

17 MR. TATTONI: ? sorry. There is, behind
18 this building, you can right here, there is a built-in
19 ? sorry, I can show you on the site plan, this is
20 where the on-grade air cooled chiller will be located,
21 and it's actually built into the ground. We'll turn
22 it around, you can see it there.

23 COMMISSIONER MAY: This is great.

24 CHAIRPERSON MITTEN: We love this. This is
25 a treat.

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1 COMMISSIONER MAY: We don?t get this much ?
2 okay, so there?s a cooling tower in the pit there.

3 MR. TATTONI: It?s air cooled chiller, yes.

4 COMMISSIONER MAY: Oh, okay.

5 MR. TATTONI: There?s an air cooled chiller
6 right there. It?s been pulled away from the building,
7 and it?s at grade, at the lowest end of grade.

8 COMMISSIONER MAY: Okay.

9 What?s where I am here, and who is going
10 to be looking in on that, other than the residents?

11 MR. TATTONI: It?s a pumping station right
12 there.

13 COMMISSIONER MAY: Okay.

14 MR. LEE: Lower height to the elevation is
15 substantial.

16 CHAIRPERSON MITTEN: If we are going to be
17 talking we need to be on a microphone. Okay?

18 MR. LEE: My apologies. The pumping
19 station elevation is substantially lower than the
20 elevation near to it, so they?d be looking up at that.

21 COMMISSIONER MAY: Okay.

22 And, the courtyard in the middle there, I
23 had the impression that it was not particularly well
24 developed at the moment. Is it well landscaped now? I
25 mean, do you see ? we see a developed landscape there,

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1 is that already there or is that planned for the
2 future at some point?

3 MR. TATTONI: It's right now a hard scape
4 with some planter boxes. The plan currently is to ?
5 if we can afford it ? to redo that entire courtyard
6 with new hard scape and new landscape in there.

7 COMMISSIONER MAY: Okay.

8 MR. TATTONI: As part of this project.

9 COMMISSIONER MAY: As part of this project.

10 MR. TATTONI: And, the reason I say if we
11 can afford it, is because, obviously, it doesn't have
12 to co-exist with getting the students in the sleeping
13 rooms, but we are trying very hard to do that.

14 COMMISSIONER MAY: Right. Well, you are
15 selling us on the great views that they are going to
16 have, and I just didn't know whether it was going to
17 be a view of, you know, one of those barren courtyards
18 that appear from time to time.

19 MR. TATTONI: It's actually very nice right
20 now. The reason that it even came up in the design
21 process is because a certain portion of it is going to
22 be disturbed, just to build the building, because it's
23 a tight site. And so, the intention would be, let's
24 replace as much of it as we can afford to.

25 COMMISSIONER MAY: Okay.

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1 CHAIRPERSON MITTEN: Thank you, Mr. May.

2 Anyone else have questions? Don't be shy.

3 Mr. Parsons?

4 COMMISSIONER PARSONS: I've got to pursue
5 the penthouses, because when you look at A3.1 they are
6 really going to mess this building up. That's
7 probably why you didn't put them on the roof on the
8 model, there's plenty of room inside the plexiglass
9 case, but when you saw then you said, oh, my goodness.

10 Is there anything you can do, I mean, I think you've
11 done a fine job on this building.

12 MR. TATTONI: We actually have them, we
13 actually have them on the model, they are not here,
14 they are not ? they've been designed ? the problem is,
15 and they are actually shown on the elevations, I just
16 went quickly to see which elevations I had, I have the
17 sanitized version.

18 COMMISSIONER PARSONS: Yes, this one is
19 just ?

20 MR. TATTONI: Here you go ? here you go ?
21 that's correct.

22 Now, it's important, you are going to see
23 them, Mr. May is correct, you will see them, but from
24 the corner of College and 4th Street, which is, you
25 know, right along there, is where you get the least

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1 view of them. When we put them on the study models
2 that we had, you can see them, but because they are
3 back here, I?m just going to point where they are, the
4 first one is here, and the next one ?

5 CHAIRPERSON MITTEN: Can you use the
6 portable mike?

7 MR. TATTONI: I?m so sorry.

8 The first one is ten feet behind where
9 this glass canopy is, so if you see the glass canopy
10 in the model, just move ten feet back, so right about
11 where I have my pen. And, the next one is all the way
12 down by the reservoir pumping station, okay, at that
13 end. That?s where the service elevator is.

14 When you put them down there and you squat
15 down here, you are going to be able to see them, but
16 not nearly as prominently as you can see them there.

17 Now, when I go all the way down College
18 Street down here, sure, of course, I?ll be able to see
19 them from a distance. But, we?re intending to make
20 that material the same ? it?s not glazed, it?s not a
21 glass curtain wall, but the same kind of aluminum
22 system that we?d be using on the current wall. So,
23 it?s not sheet metal panels that we are putting up
24 there, that?s not our intention. And actually, if you
25 look on the elevations we actually have a Breasalay

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1 that's shown up there, so we've already recognized it
2 as having to have some level of design intention,
3 because they are going to be seen.

4 COMMISSIONER PARSONS: Well, it's way
5 beyond our jurisdiction here, I think.

6 I was wondering if a pitched roof similar
7 to the roof that you've got on the building might
8 help, but I'll stop. It's just a shame.

9 MR. TATTONI: We could explore that, I
10 suppose.

11 COMMISSIONER PARSONS: It's up to you.

12 COMMISSIONER MAY: Can I just jump on the
13 bandwagon again a little bit?

14 COMMISSIONER PARSONS: Please.

15 COMMISSIONER MAY: Well, first of all, I'm
16 glad it's not ? you are not thinking about glass,
17 because then we'd have to worry about whether it's
18 going to glow and change colors, so we don't have to
19 wrestle with that one.

20 But, I think that you've hit on a good
21 point here, that, you know, on the one side we have a
22 decorative and articulated kind of roof top, and on
23 the other end we have the worst extreme of penthouse,
24 which is just a great big bland box, and that, you
25 know, decorates so much of the city scape. It would

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1 be a very nice thing, I think, if there were some way
2 to either incorporate into the roof line, or do
3 something more than simply making it a sympathetic
4 material. So, if there is some architectural
5 embellishment that goes with this, because, I mean,
6 granted it can?t be as small as the cupola-like
7 chimney things, whatever they are, on Frazier Hall,
8 but something that integrates with the design I think
9 would be a very welcome change.

10 CHAIRPERSON MITTEN: Anyone else have
11 questions?

12 I just have to ask this question. It was
13 in twice, first I thought it was maybe a mistake, but
14 it?s written twice, and this was in the submission of
15 May 21st. It says, ?It is the policy of the university
16 to actively discourage underclassmen and women from
17 having cars on campus.? So, I was wondering, why are
18 you discriminating against women having cars on
19 campus, or was that a misprint?

20 MS. GIORDANO: It must have been. I think
21 it means underclass men or underclass women.

22 CHAIRPERSON MITTEN: I see, okay. Okay.
23 Just wanted to be clear about that.

24 COMMISSIONER HANNAHAM: I would answer that
25 question for you, but I won?t.

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1 Madam Chair, let me just ask one quick
2 question.

3 I'm just curious, necessarily not
4 pertaining to the case, but how did you get that up
5 here? Good job, and it's still altogether.

6 MR. LEE: It's amazing what you can do, we
7 brought two very strong gentlemen.

8 CHAIRPERSON MITTEN: Let me just quickly
9 ask if there is anyone here from ANC 1B? Would you
10 like to ask any questions on cross examination?

11 UNIDENTIFIED SPEAKER: No, thank you.

12 CHAIRPERSON MITTEN: Anyone here from 5C?
13 Okay, thank you all.

14 MR. LEE: Thank you.

15 MR. TATTONI: Thank you.

16 CHAIRPERSON MITTEN: Now, we're ready for
17 the report by the Office of Planning.

18 MS. BRUN-ROBERTS: Good evening, Madam
19 Chairman and members of the Commission. I am Maxine
20 Brun-Roberts, representing the Office of Planning.

21 The Applicant has submitted an application
22 for a special exception for further processing for a
23 proposed dorm for 312 female underclassmen to be
24 located on the site that housed the former Bethune
25 Hall dormitory.

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1 The Office of Planning advised the
2 Applicant that the proposal warranted an accompanying
3 campus plan amendment that we received earlier today.

4 The adopted campus plan specifically calls
5 for the renovation of the existing Bethune Hall for a
6 faculty center. The Applicant proposes to construct a
7 new dormitory to accommodate female underclassmen in
8 addition to other facilities on the site of the former
9 Bethune Hall Residence Hall.

10 Regarding the special exception, the
11 architecture of the proposed dormitory will be
12 compatible with the surrounding buildings and with the
13 policy of the campus plan to respect the scale and
14 massing of adjacent buildings.

15 Although the building is two floors taller
16 than Frazier Hall, the two top floors are set back and
17 integrated into the roof of the building.

18 The Bethune Hall building has a central
19 three-story portion and two service story wings. The
20 architecture is similar to the other new buildings in
21 the area, such as the new medical library.

22 Primary access to the building will be
23 from College Street that will be closed and have
24 limited vehicular access. The improvements of the
25 area will also enhance the entrance into Frazier Hall.

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1 The open space and landscaping and pedestrian
2 circulation will be consistent with the aim of the
3 campus plan to unify and enhance buildings.

4 Since the Applicant has provided evidence
5 of the residential dormitory, they will not have cars,
6 they will not generate a need for parking, the
7 proposed use will, therefore, not have an impact on
8 the availability of parking on campus.

9 Regarding the amendment to the campus
10 plan, the Applicant is proposing to change the use
11 proposed for the building specified in the campus plan
12 as a faculty center, as well as a demolition instead
13 of renovation.

14 The Office of Planning believes that the
15 proposed amendment is justified, since the Applicant
16 is trying to house the students within the campus
17 boundary and for providing security for its students.

18 Secondly, the demolition was necessary,
19 since the renovation of the old Bethune Hall was not
20 economically feasible and could not accommodate the
21 facility for the students needs and would encourage
22 them to live on campus.

23 The proposed amendment meets the relevant
24 provisions of _ 210 of the Zoning Regulations, in that
25 the proposed use will be surrounded by other

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1 university uses, except for WASA's facility to the
2 east. As stated before, traffic generated will be
3 minimal and not cause any negative effects on the
4 campus parking.

5 The current enrollment of the university
6 is below the student cap, and the proposed dormitory
7 will not lead to an increase in student enrollment.

8 As part of the proposed change, the
9 Applicant is proposing to close College Street. This
10 will lead to a loss of 16 on-street parking spaces.
11 Information provided by the Applicant on the existing
12 number of parking spaces on the campus conflicts with
13 the cap of 3,727 in the campus plan. Apparently, the
14 cap in the campus plan is not sufficient and the
15 Applicant proposes to add more parking spaces on
16 campus at a later date.

17 The generalized land use map plan
18 designates the campus plan as institutional use and
19 will continue to comply and be consistent with the
20 land use and other elements of the Comprehensive Plan.
21 The proposed building would not significantly increase
22 the overall FAR of 1.39 for the campus that is below
23 the maximum of 2.75 permitted.

24 Overall, the Office of Planning believes
25 that the proposed amendment to the campus plan and

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1 special exception will not create any adverse impacts
2 on the surrounding neighborhood and is consistent with
3 the adopted campus plan.

4 The Office of Planning, therefore,
5 recommends approval with the condition that the new
6 Bethune Hall be used only for a dormitory and that the
7 building be developed in substantial conformance with
8 the most recent plans.

9 Thank you, Madam Chairman.

10 CHAIRPERSON MITTEN: Thank you, Ms. Brun-
11 Roberts.

12 Any questions from the Commission?

13 Let me just ask you, you said a second ago
14 that the figure for the parking is a cap, but I don't
15 see that in the conditions. Is that within the plan
16 itself?

17 MS. BRUN-ROBERTS: Yes, it is in the campus
18 plan, in the document, that's correct.

19 CHAIRPERSON MITTEN: Okay.

20 That just makes me think if it's in the
21 plan itself as a cap, then that's another amendment.

22 MS. BRUN-ROBERTS: Actually, it doesn't say
23 a cap, it says that it will be maintained at 3,000,
24 that number.

25 CHAIRPERSON MITTEN: Okay.

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1 That might be something else to clarify,
2 or just on rebuttal you can deal with that.

3 Okay, anyone else have any questions?

4 COMMISSIONER HANNAHAM: Yes, Madam Chair, I
5 have one question.

6 You mentioned in your report, you said, I
7 think your last statement was that the Office of
8 Planning recommends that it only be used for dormitory
9 use. That's also including the fitness and wellness
10 center, the community room?

11 MS. BRUN-ROBERTS: Yes.

12 COMMISSIONER HANNAHAM: Okay.

13 MS. BRUN-ROBERTS: All those uses, I think,
14 are incorporated in the dormitory use.

15 COMMISSIONER HANNAHAM: Good, thank you.

16 CHAIRPERSON MITTEN: Mr. O'Donnell, any
17 questions? Sir, from ANC 1B, did you have any
18 questions for the Office of Planning? Okay.

19 Thank you.

20 MS. BRUN-ROBERTS: You are welcome.

21 CHAIRPERSON MITTEN: I don't see anyone
22 here from DDOT ? but I would just note that we have ?
23 we received today a report from DDOT, and they don't
24 have any objections to the proposed closure of College
25 Street or the construction of the dormitory.

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1 And now, we are ready for your report.

2 MR. SPALDING: Phil Spalding, ANC 1B02.
3 You have our letter of 9 August. It was unanimous
4 support for this plan, and I'd just rest on this
5 letter and entertain any questions you might have.

6 CHAIRPERSON MITTEN: All right.

7 Any questions for Mr. Spalding?

8 Thank you for coming down.

9 MR. SPALDING: Sure.

10 CHAIRPERSON MITTEN: I don't know if anyone
11 has signed up on the sign-in sheet. No one has, but
12 would anyone like to testify in support? Anyone?

13 Anyone like to testify in opposition?

14 Okay, final words.

15 COMMISSIONER MAY: Madam Chair?

16 CHAIRPERSON MITTEN: Mr. May has a
17 question.

18 COMMISSIONER MAY: Yes, I'm sorry, I have a
19 new question that I should have asked before. It has
20 to go to the penthouse, and the height, and all of
21 that. I'm struggling because I can't remember the
22 exact regulations, but the setback requirements?

23 CHAIRPERSON MITTEN: 411.

24 COMMISSIONER MAY: Well, it's 411, but I'm
25 not sure how the setback provisions would work in this

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1 circumstance. I mean, it's theoretically 1/1, but is
2 it 1/1 from the roof edge? Is it 1/1 from the front
3 facade of the building, in terms of measuring how far
4 it is actually set back.

5 CHAIRPERSON MITTEN: The roof edge, I
6 believe.

7 MS. STEINGASSER: If I could answer that,
8 Madam Chair.

9 CHAIRPERSON MITTEN: Sure.

10 MS. STEINGASSER: It's Section 400.7, it
11 reads, "It shall be set back from all exterior walls a
12 distance at least equal to its height above the roof
13 upon which it is located."

14 COMMISSIONER MAY: All exterior walls?

15 MS. STEINGASSER: Walls, yes.

16 COMMISSIONER MAY: Okay. So, it has to be
17 set back then from the wall of that setback roof.

18 MS. STEINGASSER: Yes, what's shown here
19 as grey.

20 COMMISSIONER MAY: Right.

21 What got me thinking about this is that
22 you or someone said that it was ten feet back, and
23 it's 12 feet tall.

24 MR. TATTONI: I'm sorry, when I said ten
25 feet back, I was giving you an approximation of how

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1 far back in plan it was, so you could imagine where it
2 was on the model from the elevator lobby, from the
3 lobby, not ten feet back from perimeter wall.

4 COMMISSIONER MAY: Okay.

5 So, how far back is the penthouse from the
6 wall at the 6th and 7th floor?

7 CHAIRPERSON MITTEN: We have 2.8 has some
8 of these dimensions, or not all of them, is that it?

9 COMMISSIONER MAY: If I brought my reading
10 glasses I could read it.

11 CHAIRPERSON MITTEN: Oh, okay.

12 MR. TATTONI: I apologize that I don't
13 have, in the rush for brevity I didn't bring all the
14 documents. You have more there than I have here. But,
15 this is, essentially, I'm tracing it out, and it's not
16 100 percent accurate where the elevator penthouse is.

17 COMMISSIONER MAY: Okay.

18 MR. TATTONI: I could probably right now
19 scale this, but it's probably more than 12 feet from
20 that wall, and if you wait one second I can pull out
21 my scale and do that for you.

22 COMMISSIONER MAY: Okay.

23 MR. TATTONI: Although, I believe on those
24 drawings you have the dimensions should be on there.

25 COMMISSIONER MAY: There's a dimension on

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1 the roof, but it doesn't give you ? it gives you the
2 dimension to the outer wall of the building, not to
3 the ?

4 MR. TATTONI: Not to the grey roof area?

5 COMMISSIONER MAY: ? 6th or 7th floor,
6 right, at least what I could find in my hurried
7 examination.

8 MR. TATTONI: It's 12 feet back from the
9 grey roof area.

10 COMMISSIONER MAY: Twelve feet back from
11 the grey roof area.

12 MR. TATTONI: Yes.

13 COMMISSIONER MAY: And, it's 12 feet, 7
14 inches tall or something like that. And, the 12 feet,
15 7 measures from where it leaves ? from the peak of the
16 roof I think.

17 MR. TATTONI: It's probably measured from ?
18 yes, it's measured from the absolute peak of the roof,
19 not from the low point where it touches.

20 COMMISSIONER MAY: Right, so I'm not sure
21 how it has to be measured by the regulations, this is
22 sort of a weird circumstance for the roof, since it's
23 sloping, but I don't think that it would be the peak.

24 The question is whether it's at the point at which it
25 takes off or is it the point at which you are

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1 measuring for the horizontal distance. So, I think
2 there may be a little bit of tweaking that needs to be
3 done, in terms of meeting the 1/1 setback.

4 CHAIRPERSON MITTEN: Will you take a look
5 at that for us?

6 MR. TATTONI: Yes, absolutely.

7 COMMISSIONER MAY: That's it, thank you.
8 Sorry for that.

9 MS. GIORDANO: Madam Chair, members of the
10 Commission, in closing I just wanted to address the
11 parking issue again, and I think it's clear in the
12 plan that it was not intended that the parking number
13 be a cap. I mean, that was completely contrary to
14 what the community was asking at that time, and I
15 don't think the language, it certainly doesn't mention
16 cap.

17 CHAIRPERSON MITTEN: I just wanted to make
18 sure we talked about it.

19 MS. GIORDANO: Okay.

20 CHAIRPERSON MITTEN: In case it did say
21 cap, then we could deal with it as part of the
22 amendment process.

23 MS. GIORDANO: Right.

24 CHAIRPERSON MITTEN: Okay.

25 So, there are a few ? is that ? are you

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1 done now?

2 MS. GIORDANO: Yes.

3 CHAIRPERSON MITTEN: There are a few
4 additional submissions that we're going to need, then
5 we'll need your color boards that you brought to us
6 and photographs of the model, although I guess those
7 two guys in the back of the room would just as soon
8 leave it here, a further discussion of the measurement
9 of the penthouse height and setback and how that
10 conforms to the Zoning Regulation, and then anything
11 else that would occur to you that you might want to
12 just add to the record to make sure that when we come
13 to deliberate that there's no unanswered questions
14 when we take a look at the campus plan itself.

15 And, that should do it, unless someone
16 else has any other ideas.

17 MR. BASTIDA: Madam Chairman?

18 CHAIRPERSON MITTEN: Sir?

19 MR. BASTIDA: Would you like also a better
20 description of the materials of the penthouses?

21 CHAIRPERSON MITTEN: I'll leave that to
22 Commissioner May.

23 COMMISSIONER MAY: Well, I think it's
24 pretty clear to me, but if there are actually any
25 changes that are contemplated, and you want to provide

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1 further information on it, that would be fine. I
2 wouldn't require anything.

3 CHAIRPERSON MITTEN: Okay.

4 I mean, that's optional.

5 COMMISSIONER HANNAHAM: Madam Chair, I have
6 a question. Are we going to get the whole campus
7 plan, or are we just going to get specific pages?

8 CHAIRPERSON MITTEN: I think it would be
9 great to have a copy of the whole plan, but also have
10 those pages that we should be focusing on highlighted,
11 to, you know, sort of focus our attention, but not
12 restrict us.

13 COMMISSIONER HANNAHAM: Right, I would
14 agree.

15 MS. GIORDANO: I can provide that now, just
16 an enumeration of the pages that come into play.

17 CHAIRPERSON MITTEN: Okay.

18 Let me just ask you a question.
19 Typically, when we are doing a campus plan fresh we do
20 the order and then some time later the plan is
21 submitted in final to conform to the order.

22 What would you propose to do about the
23 amended pages? Are we going to deal with it in the
24 same manner, or are you proposing to submit those
25 amended ? whatever the proposed pages would be as part

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1 of the submission?

2 MS. GIORDANO: Well, I thought if it were
3 important to the Commission's deliberations we could
4 submit it in advance.

5 CHAIRPERSON MITTEN: Okay.

6 All I'm concerned about is just timing.

7 MS. GIORDANO: Right.

8 CHAIRPERSON MITTEN: It doesn't seem like a
9 lot of ?

10 MS. GIORDANO: It's really not a lot, the
11 problem is, we don't have the original graphics. So,
12 I may just ? we might have to do something a little
13 crude and just mark it up.

14 CHAIRPERSON MITTEN: Yes.

15 MS. GIORDANO: If that's all right.

16 CHAIRPERSON MITTEN: I think we can deal
17 with it.

18 MS. GIORDANO: Okay.

19 CHAIRPERSON MITTEN: Do you have a date to
20 suggest for the closing of the record, Mr. Bastida?

21 MR. BASTIDA: Yes, I was going to ? if the
22 Commission would like you can close the record right
23 now, and then just allow for the further submission.
24 And, I was going to suggest on Thursday, October the
25 2nd by 3:00, and you need to serve that on the ANC, and

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1 then the ANC, if it is amicable with the ANC, would
2 have until October the 8th at 3:00. Is the ANC here,
3 or he left?

4 CHAIRPERSON MITTEN: He went away.

5 MR. BASTIDA: Well, I will notify him, to
6 make any comments on the submission.

7 CHAIRPERSON MITTEN: Okay.

8 MR. BASTIDA: And, that way the Commission
9 could take this matter at their regular October
10 meeting of the 20th.

11 CHAIRPERSON MITTEN: Okay.

12 How does the 2nd work for you, Ms.
13 Giordano?

14 MS. GIORDANO: We can meet those deadlines.

15 CHAIRPERSON MITTEN: Okay, terrific.

16 So, well, the record will remain open for
17 the specified submissions until the 2nd of October, and
18 then the ANC ? both ANCs would have a chance to
19 respond by the 8th, and would you anticipate filing
20 proposed findings of fact and conclusions of law?

21 MS. GIORDANO: Yes.

22 CHAIRPERSON MITTEN: Okay, so that would be
23 by the 8th as well.

24 And then, we'll try our darnedest to get
25 it on the agenda for October 20th. Does that all sound

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1 good?

2 MR. BASTIDA: If it is good for the
3 Commission, it's good for us.

4 CHAIRPERSON MITTEN: That is the correct
5 answer, Mr. Bastida.

6 Any, you know what, with that good answer
7 we are going to let you go home early tonight.

8 MR. BASTIDA: Thank you.

9 CHAIRPERSON MITTEN: I'd like to thank you
10 all for your participation in this hearing, and we are
11 now adjourned.

12 (Whereupon, the above-entitled matter was
13 concluded at 7:39 p.m.)

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