

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

-----+
IN THE MATTER OF: |

TRINITY COLLEGE |

Case No.
00-37 CP

-----+

Thursday
January 18, 2001

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

The Public Hearing of Case No. 00-37 CP by the
District of Columbia Zoning Commission convened at 7:00 p.m. in
the Office of Zoning Hearing Room at 441 4th Street, Northwest,
Washington, D.C., Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Chairperson
CAROL J. MITTEN	Vice Chairperson
HERBERT M. FRANKLIN	Commissioner
KWASI HOLMAN	Commissioner
JOHN G. PARSONS	Commissioner

COMMISSION STAFF PRESENT:

Alberto P. Bastida, Secretary, ZC
Gerald Forsburg, Office of Zoning

OTHER AGENCY STAFF PRESENT:

Andrew Altman, Director, Office of Planning
Lara Belkind, Office of Planning
David McGettigan, Office of Planning

D.C. OFFICE OF CORPORATION COUNSEL:

Alan Bergstein, Esq.
Marie Sansone, Esq.

Preliminary Matters.....	4
Presentation by Paul Tummonds, Esq. on behalf of Trinity College	8
Presentation by Patricia McGuire, President, Trinity College	9
Presentation by Phillip Renfrow, Project Architect	19
Presentation by Cullen Elias, O.R. George & Associates	28
Commission Questions.....	35
Office of Planning Report, David McGettigan.....	49
Closing Remarks of the Applicant.....	55

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

(7:15 p.m.)

CHAIRPERSON HOOD: Good evening, ladies and gentlemen. This is the public hearing of the Zoning Commission of the District of Columbia for Thursday, January 18, 2001.

My name is Anthony J. Hood, Chairperson of the Zoning Commission of the District of Columbia. Joining me this evening are Commissioners Herbert M. Franklin, Kwasi Holman, John G. Parsons, and Carol Mitten who serves as Vice Chair.

The subject of this evening's hearing is Zoning Commission Case No. 00-37CP, the Trinity College Campus Plan. As published in the D.C. Register on Friday, December 8, 2000, the review of the campus plan has been transferred from the Board of Zoning Adjustment to the Zoning Commission. Therefore, this case which was originally scheduled to heard by the Board of Zoning Adjustment on Tuesday, January 9, 2001 is being heard this evening under the jurisdiction of the Zoning Commission.

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

The order of procedure is as follows: preliminary matters, certifications of the maintenance of posting, identification of parties, Applicant's case, report of the Office of Planning, report of other agencies, report of the Advisory Neighborhood Commission, I believe it's 5-C, am I correct? Parties and persons in support, parties and persons in

1 opposition, closing remarks by the Applicant.

2 All persons planning to testify, either in favor
3 or in opposition are to fill out two witness cards. These cards
4 are located at each end of the table in front of us.

5 Upon coming forward to speak to the Commission,
6 please give both cards to the Reporter who is sitting to my
7 right.

8 Cross examination of witnesses is permitted by the
9 Applicant or parties. The ANC within which the property is
10 located is automatically a party in this case.

11 The record will be closed at the conclusion of
12 each case, except for any materials specifically requested by
13 the Commission and the staff who will specify at the end of the
14 hearing exactly what is expected.

15 To avoid any appearance to the contrary, the
16 Commission requests that persons present not engage the Members
17 of the Commission in conversation. Please turn off all beepers
18 and cell phones at this time so not to disrupt these
19 proceedings.

20 The Commission will now consider any preliminary
21 matters. Preliminary matters are those that relate to whether a
22 case will or should be heard today, such as requests for
23 postponement, continuance or withdrawal or whether proper and
24 adequate notice of the hearing has been given. If you are not
25 prepared to go forward with the case today, or if you believe

1 the Commission should not proceed, now is the time to raise such
2 a matter. I don't believe we have that issue, but before I ask
3 staff for preliminary matters, I want to apologize for the
4 lateness we had in Executive Session, so I ask you, beg you for
5 your indulgence.

6 Staff, do you have any preliminary matters?

7 MR. BASTIDA: Yes, Mr. Chairman. The affidavit of
8 posting is correct and it was done in a timely fashion and
9 secondly, the Applicant has just provided a letter for us from
10 Advisory Neighborhood Commission 5-C that is addressed to you
11 with attention to me and I will be distributing that in a few
12 minutes.

13 CHAIRPERSON HOOD: Okay, thank you.

14 MR. BASTIDA: That concludes staff preliminary
15 matters.

16 CHAIRPERSON HOOD: Okay, thank you, Mr. Bastida.
17 I'm going to ask Mr. Paul Tummonds, I believe, who is a
18 representative of the Applicant, the counsel, okay, I'm going to
19 ask you about how much time do you think you need and let me
20 give you notice that we have your submittals. We have read
21 them, so I would ask you to consider that when you're are giving
22 the amount of time that you need.

23 MR. TUMMONDS: I believe that we can complete our
24 presentation in about 15 minutes and then our panel is here to
25 answer any questions that you may have.

1 CHAIRPERSON HOOD: Okay, thank you. Colleagues,
2 if everything is in order I will ask you to proceed with your
3 case.

4 Hold on one second, please.

5 MR. BASTIDA: I have to swear the witnesses.

6 CHAIRPERSON HOOD: Did I read that in the
7 statement?

8 MR. BASTIDA: You did.

9 CHAIRPERSON HOOD: I did? Okay.
10 Well, let's swear the witnesses then .

11 MR. BASTIDA: Do you swear or affirm that the
12 testimony you are about to give is the truth?

13 WITNESSES: Yes.

14 MR. BASTIDA: Thank you.

15 CHAIRPERSON HOOD: Okay, Mr. Tummonds, you may
16 proceed.

17 MR. TUMMONDS: Thank you, Madam Chair --

18 CHAIRPERSON HOOD: Thank you. I've been called a
19 lot worse.

20 (Laughter.)

21 MR. TUMMONDS: A little levity here. My name is
22 Paul Tummonds. I'm with the law firm of Shaw, Pittman. We're
23 here this evening to present the further processing application
24 of the approved Trinity College campus plan for the new Trinity
25 Center for Women and Girls in Sports. With me here this evening

1 is Patricia McGuire, President of Trinity College; Phillip
2 Renfrow, Project Architect; and Cullen Elias, the Traffic
3 Engineer.

4 We have provided copies of Mr. Renfrow and Mr.
5 Elias' résumés to the staff and we would ask that both of these
6 gentlemen be admitted as expert witnesses.

7 CHAIRPERSON HOOD: Colleagues, we have in front of
8 us Mr. Renfrow and Mr. Elias --

9 MR. ELIAS: Elias.

10 CHAIRPERSON HOOD: Elias, I'm sorry. Elias.
11 We've been asked to say that they're expert witnesses. Any
12 objection? I hear no objection. We will. They are expert
13 witnesses.

14 MR. TUMMONDS: Thank you. We believe that the
15 statement of Applicant was quite thorough in discussing Trinity
16 College's need for this facility, the project's conformance with
17 the approved campus plan as well as this project's satisfaction
18 of the requirements of Section 210 of the zoning regulations.

19 Since the Office of Planning, the Department of
20 Public Works and ANC 5-C have all submitted reports or letters
21 supporting our project, our witnesses are prepared to provide
22 brief presentations and then be willing to address any questions
23 that you may have.

24 With that, I'll turn to our first witness, Pat
25 McGuire, President of Trinity College.

1 MS. MCGUIRE: Good evening, Mr. Chair and --

2 (Laughter.)

3 CHAIRPERSON HOOD: Thank you.

4 MS. MCGUIRE: -- and Members of the Panel. It's a
5 great pleasure to be here tonight and I really want to thank you
6 for the time and attention you have given to our application.
7 My colleagues are going to describe the details of this project.

8
9 I think the most important thing I can do for you
10 is to summarize why this project is important for Trinity
11 College and also important for the District of Columbia.

12 Trinity College is one of the District of
13 Columbia's great educational treasures. It is 103 years old
14 this year. It is the only remaining
15 free-standing women's college in the greater Washington region.

16 It is one of only 21 Catholic women's colleges still operating
17 in the nation. There used to be almost 190 such institutions.
18 It is an increasingly small sector and we continue to be
19 considered the leader of the sector and we're growing stronger
20 each day.

21 This new facility, the Trinity Center for Women
22 and Girls in Sports which is the campus center on the master
23 plan that was approved by the Board of Zoning Adjustment in
24 1996, this is the very first, full-fledged indoor athletic
25 facility that Trinity College has ever had in a full century.

1 Not only that, it is the first new building that Trinity College
2 has constructed in 35 years.

3 That alone is pretty unusual for a college or
4 university anywhere, let alone in this town. But Trinity has
5 only built what it needed in each generation. Indeed, there
6 have been times when probably Trinity should have built, but it
7 did not have the wherewithal to do such building.

8 In the 1970s and 1980s when the wave of co-
9 education hit, colleges like Trinity suffered severe enrollment
10 declines and if we look around the city we see that a number of
11 institutions that once were great institutions of Washington are
12 no longer with us, Marjorie Webster College, Dumbarton College,
13 Mt. Vernon College are all gone. Trinity is the only one
14 remaining. But in that period of time in the 1970s and the
15 1980s when the universities were building their campuses,
16 because of the enrollment decline in women's colleges, Trinity
17 could not build and continued to modernize its campus in the way
18 that other institutions did.

19 Trinity made it through that period because of the
20 great hard work of the Sisters of Notre Dame who founded Trinity
21 and all of the lay men and women who formed common cause with
22 them for this important mission.

23 But we soon learned that hard work was not enough
24 and to recover from that rather devastating period in our
25 institutional history, a time when, in fact, we almost did

1 close, it was really necessary for Trinity to look at some
2 substantial changes in who it served and how it served the
3 students.

4 Trinity today still believes that the
5 undergraduate education of women is our core and primary mission
6 and our women's college continues today in our College of Arts
7 and Science. Trinity started our weekend college in 1985 to
8 educate the adult working women of the District of Columbia in
9 the Washington region and today that program is our School of
10 Professional Studies.

11 Perhaps Trinity's most well-known program locally
12 today is our School of Education which educates teachers and
13 principals for the District of Columbia public schools and also
14 our Catholic schools and schools throughout this region as well.

15 I should also note in the last 10 years the
16 profile of Trinity student body who we serve has changed rather
17 dramatically. While we still, in fact, focus on the education
18 of women, today, our student body consists of 75 percent
19 students who are

20 African-American and Latina and nearly 50 percent of our
21 students are from the District of Columbia. Of that 50 percent,
22 nearly 40 percent are graduates of the District of Columbia
23 public schools. In fact, it's very important to note that for
24 the D.C. Tuition Assistance Program, Trinity is the largest
25 private college provider in the D.C. Tuition Assistance Program

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 with nearly 65 students participating in the D.C. Tuition
2 Assistance Program.

3 Now students choose Trinity today, students from
4 the District of Columbia, students from all over the country,
5 women students, because of our strong academic reputation. We
6 are co-educational in our graduate program for teachers and
7 school administrators. They also choose Trinity for our strong
8 academic reputation. They also like to be in Washington. They
9 also like our warm and caring and relatively small campus
10 environment.

11 But many students today, particularly young women
12 coming out of school, find that a college campus without
13 athletic facilities is simply inadequate, indeed, it's a real
14 turnoff and our lack of athletic facilities continues to be an
15 economic challenge for us in terms of recruiting enough students
16 to make the college economically viable.

17 A women's college stands for equal opportunity and
18 yet we are not giving them equal facilities, that they could
19 find on other campuses.

20 So we determined that this project, the
21 construction of the first athletic center on our campus, along
22 with the renovation of an older building, Alumnae Hall, to
23 create a real student center was necessary to have a positive
24 impact on Trinity's ability to recruit and retain the kinds of
25 students that will make our college viable longer term.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrross.com

1 We have 1500 students in all of our degree
2 programs, undergraduate and graduate. We suspect that the
3 largest impact will be on the full-time population which is
4 currently 450 students of whom right now 150 are resident. We
5 would like to see those numbers grow to approximately 700 full-
6 time undergraduate students with approximately 500 resident and
7 if we hit that number, we would still be at only half the
8 student population we were at in 1969 when we had our larger
9 student population.

10 Now let me tell you why, in addition to helping
11 Trinity's full-time undergraduate population and also expanding
12 service to our other populations, let me tell you why this
13 project is also important to the District of Columbia and it
14 relates to Trinity's health and vitality and also the services
15 we can provide to the city.

16 According to the most recent report released by
17 the D.C. Department of Employment Services, in spite of
18 Trinity's relatively small size, we are the 100th largest
19 employer in the District of Columbia with 250 employees. We
20 generate approximately \$25 million a year in economic impact.
21 So Trinity's health and vitality is important to sustain because
22 in our part of Northeast Washington that employment source and
23 that economic impact is very, very important for our communities
24 in Brookland and Edgewood as well.

25 Trinity recently was able to gain for the District

1 of Columbia several very important grants and it's an example of
2 the kind of economic benefit we bring. We recently were the
3 only university in the city to secure a Department of Labor
4 grant, \$1.5 million for workforce education in partnership with
5 Edgewood Terrace, Marriott International in the D.C. Workforce
6 Investment Council.

7 We also have secured nearly \$1 million in grants
8 for teacher technology training from America Online and also
9 from the U.S. Department of Education, mostly focused on
10 training teachers from the District of Columbia public schools.

11 That's the kind of economic benefit that we've been able to
12 bring that returns directly to the District of Columbia, our
13 teachers and our children. There's another kind of community
14 benefit that this project is going to make it possible for
15 Trinity to deliver to our neighbors in Brookland and Edgewood
16 and Bloomingdale and also to the city.

17 As we develop this project and as we begin to talk
18 with our neighborhood civic leaders and our Advisory
19 Neighborhood Commission, we realize that the best way for this
20 project to be most useful for Trinity in our neighborhood was to
21 ensure that there was a very strong community program and
22 component in everything that we do in our new Trinity Center for
23 Women and Girls in Sports. We chose to focus on women and girls
24 because that's our history and tradition. We will, in fact,
25 have programs in this facility that will be for children, after

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 school, weekends, summer camp programs. We also will welcome
2 young people into the building and organize sports programs and
3 we have assured our Advisory Neighborhood Commission that we
4 will have swimming times and other kinds of recreation times for
5 the adults and the seniors. We will have wellness and fitness
6 and other kinds of community programming in this building.

7 Trinity has a strong track record of providing
8 space for all different kinds of community programming in our
9 part of town. We have been happy to host everything from the
10 Mayor's transition team to meetings of the ANCs to most recently
11 the McMillan Sand Filtration Plan Hearings and so forth.

12 We have no space that can seat more than 300
13 people right now on our campus. This facility will give us a
14 slightly larger space that will be useful not only for sports
15 and basketball and swimming, but also the gym floor can be
16 converted for a somewhat larger community gatherings and other
17 such meetings as well.

18 We are proud to be working in partnership with the
19 Advisory Neighborhood Commission. We're very proud that we have
20 the unanimous letter of support from our ANC and we enjoy
21 working with them.

22 We're also working the 2012 Olympic Coalition.
23 We've been designated as possibly a practice site for some of
24 the women's sports and some of the amateur athletic sports
25 leading up to the 2012 Olympics. We're partners with the Girl

1 Scouts and all of their troops in the city. We're partners with
2 the Women's Sports Foundation which is the national Organization
3 that creates programs with women and amateur athletics, the
4 Olympics and women champions.

5 We also partner with D.C. Scores which is an after
6 school soccer program for children from our schools. Shade
7 Elementary School which is a partner school with us has a team
8 and many others. We host their soccer tournaments for younger
9 children from the D.C. Schools who engage in this literacy plus
10 athletic program.

11 We've had a lot of support. You see it in our
12 application. It's been very gratifying. We had a ceremonial
13 ground breaking for this project on November 4th, not to pre-
14 empt any decision, but it was the 100th anniversary of the first
15 time that students arrived on our campus on November 4th, 1900,
16 so we had a little ceremony. We had about 400 people come and
17 those 400 people included a large number of our neighbors and
18 children from the neighborhood and so forth.

19 We were especially gratified that Council Member
20 Vincent Orange spoke and our ANC Commissioner Debbie Smith spoke
21 and Gyre Lynch, one of our favorite Olympians spoke and so
22 spoke. The other person who came and spoke was Eleanor Holmes
23 Norton and it was just so gratifying. It was the Saturday
24 before the election. She took time to come and speak and during
25 her remarks she said that this is the kind of project that a

1 college or university should be doing in the city to be of
2 service to the city and to open itself up to our neighbors and
3 community. It was very gratifying. I was pleased she came and
4 also to have that kind of endorsement for what we're doing.

5 So we're very happy. We believe that, in fact,
6 this is the right thing for Trinity. It will secure our future.

7 It will also help to continue the economic development of Ward
8 5 that is so important to all of us.

9 So thanks for listening and I'm happy to answer
10 your questions.

11 CHAIRPERSON HOOD: What we will do, Ms. McGuire,
12 we will ask the questions after you all finish your
13 presentation. Thank you.

14 MR. TUMMONDS: Our next witness is Phillip
15 Renfrow, Project Architect.

16 MR. RENFROW: Good evening, Mr. Chairman, Members
17 of the Commission. I'm Phillip Renfrow. I'm a principal at
18 Gire Brown Renfrow Architects and we're here representing the
19 design team for this project and the Applicant, Trinity College.

20
21 This is an application for further processing of
22 Trinity College's 1996 campus plan for the construction of the
23 Center for Women and Girls in Sport which was outlined in
24 concept in that 1996 campus plan. This also includes selective
25 renovations for a portion of the adjoining facility, the

1 existing Alumnae Hall on campus.

2 I know you're familiar with the campus and where
3 it's located. It's in Northeast Washington surrounded on most
4 all of its perimeter by
5 multi-family residential with some limited neighborhood
6 commercial also in that area. Toward the south end of the
7 campus here to the right side of this illustration, is a D.C.
8 Recreation Department facility as well.

9 The proposal parallels exactly the location and
10 uses that were outlined in the campus plan for this new
11 facility. It is shown here in this drawing, located right in
12 the center of campus as was proposed in the master plan, a
13 slightly different configuration, but in the exact location and
14 with the exact uses that were proposed for in that document.

15 It's shown here. It's a 67,000 square foot
16 building on three levels. It will provide educational,
17 recreational, athletic competition, opportunities for students,
18 for faculty and staff and for the community. The project here,
19 shown here will be developed in these three levels, two levels
20 shown here; the first and lowest level being for a swimming pool
21 with associated dressing rooms on either side, equipment and
22 various things that go along with that. Closely associated with
23 that will be our selective renovation of the lowest floor of the
24 existing Alumnae Hall. That will be developed as a Fitness
25 Center which will be a part of this entire complex.

1 The middle floor of this building will be devoted
2 for gymnasium purposes. It will have two practice courts when
3 not in use for competition or when used as a single court,
4 meeting NCAA requirements, will have a seating capacity of 1600
5 people on that level with the associated services to support
6 that crowd.

7 The upper floor shown here in the left side of
8 this illustration will consist of a walking track which will
9 continue around the gymnasium and athletic offices and other
10 support spaces for this facility.

11 It's being designed very much to be in harmony
12 with the existing Alumnae Hall and you can see from this
13 illustration some of the materials that have been proposed.
14 We've made some slight revisions in the materials from the
15 documents that were previously submitted. This is designed as a
16 brick building with cast stone elements that are used at
17 openings and for detail and ornamentation on the building. It
18 sits against Alumnae Hall which is a limestone building with a
19 clay tile roof. Many of the architectural elements from that
20 existing building are being borrowed to the new facility so that
21 there will be a harmony and a dialogue between both of those
22 buildings.

23 As I've said, we've made some minor revisions of
24 materials to create an entire brick facade with these limited
25 cast stone elements as you see here in this drawing.

1 We've also made some revisions to have a standing
2 seam metal roof in the same color as the terra cotta roof tiles
3 as opposed to the materials that were submitted in the original
4 package. But all these elements are designed so that the
5 architectural character of this building, while it will still
6 look new, will be very much -- complement the existing
7 architectural character that's here on campus.

8 The building itself is approximately 65 feet high
9 from the center of the rear elevation to its roof peak and it
10 remains about 18 feet in height below the existing peak of the
11 adjacent Alumnae Hall.

12 This is kind of the first phase of what was
13 indicated in the master plan as the campus center. Ultimately,
14 there will be additional renovations of Alumnae Hall to create
15 what's been envisioned as a real campus center to combine
16 recreational and athletic activities along with student life
17 activities in the existing building and this is kind of the
18 first installment of that campus center approach.

19 While we do not impact any other buildings on
20 campus with this construction, these programs all exist. They
21 have no home right now. We're not taking space from any other
22 building. There will be no backfilling of existing buildings as
23 a result of the construction of this building. However, when
24 you build a building of this scale on campus you impact the
25 site. And there are some relocations that will be a result of

1 the construction of the building.

2 The campus site plan here illustrates that impact.

3 The primary and most significant one is that the current
4 athletic field sits here in this lower part of the campus. This
5 is a big, open space right now. That athletic field will need
6 to be moved as a part o this proposal. It is proposed to be
7 located here in what is now large, natural or man-made actually
8 bowl right here by increasing the depth of that bowl and moving
9 some earth back behind it, we find the area that we require for
10 an NCAA competition field. It's about 385 feet, I believe, by
11 250 feet, including the safety zones around the field for the
12 three athletic events that will take place there, lacrosse,
13 field hockey and soccer.

14 Also, an impact to this move is that the existing
15 tennis courts, which are located now in this bowl, will also be
16 relocated as result of this project. They are proposed then to
17 move back to this location between the new building and a rather
18 steep and wooded hillside to the east side of the campus. This
19 will replace the six tennis courts in this staggered fashion
20 here, alongside the building, replace the existing six that are
21 relocated from this position.

22 There are few other campus impacts. We are,
23 accordance with the campus plan, we're introduced a new entrance
24 along Franklin Street which is illustrated here. This will have
25 direct access to new parking lots which are also part of the

1 campus plan and also will give us service access directly to
2 this new complex here in the heart of campus. This new service
3 area then will service the proposed athletic facility as well as
4 the existing Alumnae Hall which is the primary dining facility
5 on campus with food service and materials coming in and out.

6 There are other minor impacts to the campus
7 circulation and parking. We have increased the parking from 331
8 vehicles to 406 vehicles, a net gain of about 75. That's being
9 done in two locations by redefining this parking lot located
10 here and enlarging it, we increase our spaces located here near
11 the front of the campus center and also introducing a new
12 parking lot here near Franklin Street. And that will give us
13 our net 75 additional spaces that we're proposing are necessary.

14 We did parking counts originally and based on the
15 occupancy of the campus even with the new building the required
16 number of spaces was like 262 and we're proposing that with
17 these improvements we will reach 406, well in excess of those
18 that would be required just for the spaces that this plan
19 represents.

20 Also, the impact of course, is to landscaping and
21 we're going to move some earth over here to create this. We
22 will be impacting the existing site in a manner that we need to
23 be very careful about. We are taking down approximately 50
24 trees as a part of this project. Most of those trees are
25 reasonably insignificant trees, not very large or in poor

1 condition. They are generally located along a road back here,
2 some trees in this neighborhood and some trees surrounding this
3 bowl-shaped location of the tennis courts. Most of those trees
4 are small and not very large. There are about three trees on
5 the site that we wish we could save, but we're not able to.
6 There's a very handsome red maple, I'm sorry, red oak here, that
7 we would love to save. There's also a magnolia tree in this
8 location that will be disturbed by both excavation and utility
9 trenching that we're not able to save and there's a large oak
10 tree right here which has been significantly pruned back because
11 it currently overhangs the tennis courts and would continue to
12 overhang the athletic field if it remained.

13 So even though there are about 50 trees all
14 together, the trees themselves are fairly modest with the
15 exception of those three specimen trees and we do have a very
16 elaborate landscape plan for replacement of trees and to
17 increase the landscape inventory of the campus. All of the
18 parking lots, of course, will exceed the minimum requirement by
19 zoning regulations for landscaping within the parking areas.
20 There will be a screen of new trees planted along Franklin
21 Street to provide the zoning required screening of that area
22 from the adjoining residential properties and we will be placing
23 new trees in along this edge of the new field, as well as
24 replacing materials along this hillside so that this hillside
25 can remain a very natural looking slope down to the new athletic

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 fields.

2 So overall, while we are taking away a number of
3 trees, our plan calls for in excess of 130 new trees to be
4 planted and we believe that this will become a very important
5 feature and an asset to the college as they go through.

6 The project, as we show it to you, as we've
7 submitted, does not produce any objectionable conditions to the
8 neighborhood, noise or traffic or for any student activities.
9 It brings this activity to the center of campus. It's almost
10 300 feet from any campus perimeter, any campus property line.
11 It will focus those activities surrounding the athletic facility
12 as well as the relocated fields as well as the relocated tennis
13 courts to the center part of campus well away from the
14 surrounding residential neighborhoods.

15 So it meets the criteria for Section 210 of the
16 zoning regulations, producing no objectionable conditions. It
17 will produce a very modest increase in the FAR of the campus.
18 With this new building we will reach an FAR of .39 versus our
19 allowable of 1.8. And as you can see by this illustration, the
20 campus is quite open and has a lot of open space remaining.

21 And finally, it will certainly become an asset to
22 the campus. it will be an asset to the community. It will
23 continue to foster the relationship that the college has with
24 the community right now and will allow Trinity to reach that 103
25 year old vision that they have of educating the whole student,

1 the mind and the spirit and the body when we finally realize the
2 athletic facilities.

3 MR. TUMMONDS: Mr. Elias will conclude with a
4 brief presentation regarding the traffic and parking study that
5 was prepared by O.R. George & Associates.

6 MR. ELIAS: Mr. Chairman, Members of the
7 Commission, good evening all. I'm Cullen Elias, I'm Vice
8 President of O.R. George & Associates. We are responsible for
9 preparing a traffic study in support of the planned Trinity
10 center.

11 Our study concluded that the Trinity center can be
12 developed as planned without having any adverse impacts on or
13 becoming objectionable to neighboring property from a traffic
14 and parking perspective.

15 Our study based on discussions with the Department
16 of Public Works, Intermodal Planning Division focused on the
17 entrances to the site. There are three entrances to the site
18 off Michigan Avenue as well as the two adjacent intersections of
19 Irving Street at Michigan and Franklin Street at Michigan.

20 We undertook turning moving counts during the
21 weekday as well as on Saturdays and based on an analysis of
22 those data, it was determined that the intersections currently
23 operate at acceptable levels of service and there excess or
24 reserve capacity of those intersections.

25 We also obtained accident data from the city and

1 based on the years 1995 to 1997, based on that data and
2 considering the number of vehicles that enter each intersection
3 during the morning and afternoon peak hours of the weekdays as
4 well as the peak hours on Saturdays, it was felt, it was
5 determined that there were no safety deficiencies at those
6 intersections warranting further evaluation or study.

7 The campus is provided with a total of 331 spaces.

8 I won't go much into that. Already testimony by Mr. Renfrow
9 pointed out that there are plans to add some 75 more spaces,
10 bringing it to a total of 406 spaces. Those are all paved
11 surface spaces. There is another area of the campus called Lot
12 F which is used for accommodating design events, like all
13 campuses they do have Homecoming and other activities which
14 generate a number of significant number of vehicles requiring
15 significant parking and that parking lot there provides some 214
16 spaces. So if you were to look at the paved as well as the
17 unpaved spaces, you have a total of some 514 spaces provided on
18 campus.

19 We undertook parking usage surveys on both weekday
20 and Saturdays. And it should be noted that when we took on the
21 Friday and Saturday including our study there were several
22 nonacademic activities scheduled on campus which included a
23 luncheon, family weekend celebration, ceremonial ground breaking
24 which was already testified about, as well as fund raising
25 activities.

1 Our surveys indicated that the occupancy, the
2 parking occupancy during the weekdays is in the range of 67
3 percent. The Saturday observed the parking lot occupancy was 76
4 percent.

5 For the Lot F which is that other event parking,
6 the occupancy was 15 percent. This indicates clearly that
7 currently there is -- the parking adequately meets the parking
8 demand and there is excess reserved parking.

9 The campus is located 0.5 miles to the west of the
10 Brookland Catholic University of America Metro rail station.
11 The campus is also served by WMATA's Metro bus system. There
12 are some six routes which traverse Michigan Avenue and Franklin
13 Street which provide connections to Union Station, Fort Totten,
14 Van Ness, Tenleytown Stations and of course, the Brookland-CUA
15 Station.

16 The college also operates its own shuttle van
17 service providing, there's one van in operation, 15-passenger
18 van with 20 minute frequencies.

19 The proposed Trinity Center will include, as was
20 mentioned earlier, some 7,000 square feet of floor area, but an
21 essential element to be the gymnasium which has some seating
22 capacity for 1600 persons. And we evaluated a maximum
23 attendance design event to evaluate the adequacy of the existing
24 parking and assuming some percentage for absenteeism and some
25 percentage for transit and other forms of transportation

1 modes, we projected that -- the parking demand, the required
2 parking demand would be in the range of 200 to 250 spaces during
3 that maximum attendance event.

4 We feel that with the some 406 spaces that will be
5 provided at the end of this, as a result of this proposal, that
6 those spaces will adequately cover the design event and will not
7 leave any shortage in parking or cause an intrusion in the
8 neighborhood.

9 One item I want to point out is the relation to
10 access for the facility. Most of the events, if not all, will
11 be held during the off-peak weekday periods as well as weekday
12 and evening periods, evening and after hours periods as well as
13 on weekends. So the impacts of the facility on your weekday
14 peak hour will be very much insignificant or minimal.

15 In addition, the proposal includes the provision
16 of a new access route, access entranceway off Franklin Street
17 which Mr. Renfrow is pointing to there which along with the
18 existing entrances off Michigan and there are two gated
19 entrances, one off Franklin and one off 4th Street which will be
20 opened to accommodate design events. With all of those access
21 points, operating during your design event, the traffic impact
22 will be quite dispersed and it will be minimal.

23 The college also has certain measures in place to
24 ensure efficient access and I would also reference those. Those
25 are indicated on page 18 of our study. They include provide

1 information to the attendees by the rep. site, by use of flyers,
2 providing security personnel to direct traffic and facility of
3 parking within the campus. We feel that with those measures in
4 place with the distribution of traffic to the various access
5 points, the impact of the proposed facility will be quite
6 minimal.

7 In conclusion, we want to -- I would like to say
8 again that the proposed Trinity Center will not have an adverse
9 impact on the adjacent roadways or neighborhoods from the
10 perspectives of traffic and parking and can be developed as
11 planned in accordance with the city's zoning regulations.

12 Thank you.

13 MR. TUMMONDS: In conclusion, we note that the
14 Office of Planning has recommended approval of the application
15 with eight conditions. Trinity has no objection to including
16 these conditions or those conditions which you deem appropriate
17 in an order approving the project. And therefore, due to the
18 overwhelming support of this project from the ANC, the
19 community, the Office of Planning, the Department of Public
20 Works, we ask that the Commission approve this application by a
21 bench decision and issue a summary order in this case with those
22 conditions from the Office of Planning.

23 Thank you.

24 MR. BASTIDA: Mr. Chairman.

25 CHAIRPERSON HOOD: Thank you for your

1 presentation.

2 Colleagues, before I recognize my colleagues, Mr.
3 Bastida?

4 MR. BASTIDA: Yes. Do you accept also the
5 condition of the Department of Public Works?

6 MR. TUMMONDS: Yes, we do.

7 MR. BASTIDA: Thank you.

8 CHAIRPERSON HOOD: Let me just say, colleagues, do
9 we have any questions considering they had the ground breaking
10 and all?

11 (Laughter.)

12 Just a little humor. Colleagues, any questions?

13 (Pause.)

14 If not, I'll go first. Commissioner Franklin, you
15 can start.

16 I just have two questions and maybe a comment.
17 I'm going to ask Mr. Renfrow and Mr. Elias to help me out with
18 this. My orientation has always been bad.

19 Franklin Street, could you show me again the
20 entrances on Franklin Street in the proposed new one?

21 MR. RENFROW: There's an existing entrance located
22 on Franklin Street right here in this position between the
23 library and the science building. That gate is typically closed
24 most of the time and is only opened for the convenience of the
25 college when they need it or as Mr. Elias mentioned, for large

1 events when they would need to bring parking in from multiple
2 locations. That gate would be open for that purpose.

3 The new gate which is located here at the east
4 side of the science building was a part of the master plan and
5 introduces the access to the campus for the purpose of getting
6 to parking and service to the new facility and existing
7 facilities in the center of campus.

8 CHAIRPERSON HOOD: I saw the recommendations from
9 DPW and Office of Planning. I believe coming down Franklin
10 Street you're coming off of a hill, am I correct?

11 MR. RENFROW: You're high here and coming down the
12 hill this way.

13 CHAIRPERSON HOOD: So traffic and I'm not trying
14 to be a traffic expert, the cars are moving pretty fast?

15 MR. RENFROW: There's also a traffic light that
16 stops traffic about here.

17 CHAIRPERSON HOOD: All right. My concern is when
18 you have these big events, you have some fast drivers, not too
19 many in D.C.

20 (Laughter.)

21 And they're going to be coming down that hill and
22 I'm on the record so I'm going to use that language. They're
23 going to be flying down that hill and my concern is what --
24 while I see what the Department of Public Works and OP
25 recommend, what other precautionary measures are in place or do

1 you think that the ones here are satisfactory and will take care
2 of that issue?

3 MR. ELIAS: Yes, Mr. Chairman, I can take that
4 question. We have looked at the Franklin Street entrance in
5 terms of site distance, in terms of queuing along Franklin
6 Street at the corner of -- at the approach of Franklin at
7 Lincoln Road. It's our evaluation that there are adequate site
8 distances available, there will be for vehicles leaving as well
9 as entering the site through a site entrance. In our study we
10 also recommended that the Applicant utilize the Metropolitan
11 Police Department to provide manual control of the intersection
12 and we also recommended signage to be provided to the approaches
13 of the intersection along Franklin Street.

14 We think with those measures in place, there
15 wouldn't be any safety deficiencies at that entranceway.

16 CHAIRPERSON HOOD: Let me find out a little bit --
17 go into a little more depth for signage. Are you speaking in
18 reference to those school signs with school signs with the
19 caution light, is that the kind of sign we're talking about or
20 just a sign stating slow down, entrance?

21 MR. ELIAS: That's right. It will be a message
22 sign which says intersection ahead or entranceway ahead,
23 something like that. But we'll be able to warn drivers that
24 they're approaching an intersection and to be aware for vehicles
25 leaving or entering.

1 But we think, most of all, having the manual
2 control at a time when you have major events, that will serve to
3 reduce speeding along the roads as well as enhance safety at
4 that location.

5 CHAIRPERSON HOOD: Well, I understanding you're
6 asking for Metropolitan Police Department, but community folks
7 want to see the Police Department in their community, but my
8 concern again is flying off -- coming down Franklin Street.
9 Maybe you want to look into one of those signs when you have an
10 event that will say, a caution sign. And again, I'm not a
11 traffic expert, but I have used that many times. I'm not one of
12 the speeders, but I have been down there many times.

13 Okay --

14 MR. ELIAS: That's a good point. We will take it
15 into consideration.

16 CHAIRPERSON HOOD: My next question, entrance on
17 Michigan Avenue. You have one entrance that's one way and I
18 think that's the horseshoe effect.

19 MR. ELIAS: That's right.

20 MR. RENFROW: That's correct.

21 CHAIRPERSON HOOD: The next entrance, I guess my
22 concern is the playing field is going to be moved in that open
23 area, when you come in to your left.

24 How close is that -- how many feet is that away
25 from the street?

1 MR. RENFROW: This corner to Michigan Avenue is
2 approximately 200 feet across here. This sits down the hill.
3 Entering off of Michigan Avenue, this U is considerably lower,
4 almost 20 feet lower in elevation, so it sits down very much in
5 this bowl. So it would be not only horizontal distance, but
6 also visually sitting much lower.

7 CHAIRPERSON HOOD: Much lower, okay. Thank you.

8 My last comment is, Ms. McGuire, it's good to see
9 if this is approved that Trinity is going to continue the good
10 work that they're doing in the surrounding community.

11 Colleagues, any questions? Commissioner Franklin?

12 COMMISSIONER FRANKLIN: Yes, Mr. Elias, there was
13 reference in some of the materials, I can't at the moment put my
14 finger on it, to the possibility of parking, substantial parking
15 at Catholic University that might be available on certain
16 occasions and yet, it seems to me what is being proposed on
17 campus seems to be more than sufficient. I'm just curious as to
18 -- and maybe President McGuire can answer this. On what
19 occasions would there be need for overflow parking with Catholic
20 University and is there a real commitment on their part?

21 MS. MCGUIRE: Yes, there is a real commitment on
22 their part. We share many different kinds of services from time
23 to time. They've been allowing us to use their field house, for
24 example, until we get our own.

25 The only event that frankly I can imagine even now

1 which is an event we have once a year is commencement, when
2 there is a significant number of people coming to campus. It's
3 a two-hour only event and we may need to disperse parking for
4 something like that and we had indications -- they have said
5 that we would certainly be able to call on them and use their
6 campus if we needed to divert parking.

7 We don't anticipate that size event at all in
8 this. We're trying to anticipate everything, but frankly, what
9 our parking colleague here has said I thin is true. I think
10 most of the kinds of events we will have in this new facility
11 will probably bring school children to campus perhaps in school
12 buses and that kind of event. We do not envision individual
13 single cars coming in large number for the kinds of sporting
14 events and other events we envision. But we did want a back up
15 plan in case we need to have a very occasional time, like a
16 commencement, where we needed an extra provision.

17 COMMISSIONER FRANKLIN: Thank you. One of the
18 conditions, Mr. Renfrow, in fact a couple of them, set forth in
19 the Office of Planning approving the recommendation, calls for -
20 - let's see, number 5 says a comprehensive landscape plan for
21 the campus which identifies trees to be preserved and removed
22 should be developed, etcetera.

23 Am I looking at such a comprehensive landscape
24 plan in drawing LA-102 called detailed landscape plan, campus
25 center?

1 MR. RENFROW: That was the protection and
2 preservation plan. It was not developed at the time the
3 submission was made. It has been developed and is in the
4 process of continuing right now and we have identified, as I
5 mentioned in my testimony earlier, some 130 plus trees that
6 scheduled for replanting, as well as acknowledging the Office of
7 Planning's concern about the number of trees that are being
8 removed.

9 MR. TUMMONDS: I think to add to that, Mr.
10 Franklin, condition number 2 requires that the Applicant should
11 address the tree preservation, planting, soil control and
12 construction and management practices in an environmental impact
13 statement. I think that means the environmental impact
14 screening form process which is part of the building permit
15 process now and that plan would be submitted to Office of
16 Planning for review and comment as well as the Department of
17 Health through their review of the building permit process.

18 COMMISSIONER FRANKLIN: Thank you. You've
19 answered my question which was a concern with the statement, the
20 environmental impact statement which I don't think was intended.
21 I hope it was not intended. And you agree.

22 MR. TUMMONDS: Yes, we agree.

23 COMMISSIONER FRANKLIN: That's all I have, Mr.
24 Chairman.

25 CHAIRPERSON HOOD: Thank you, Commissioner

1 Franklin.

2 Colleagues, any other questions? Commissioner
3 Mitten?

4 VICE CHAIRPERSON MITTEN: I would first like to
5 say that I was educated by the Sisters of Notre Dame for 12
6 years so I can imagine what a special place Trinity College is.

7 COMMISSIONER FRANKLIN: And if she is evidence of
8 it, it's a pretty good place.

9 (Laughter.)

10 VICE CHAIRPERSON MITTEN: Thank you. I did have a
11 couple of questions though. The location of the proposed
12 athletic field, is that going to impact what I believe is called
13 Lot F which is the unpaved area in terms of capacity?

14 MR. RENFROW: No, in fact, this illustration does
15 not show it, but we have done detailed layout of parking to
16 achieve the number of spaces that have been identified here, 214
17 or 204, I believe, and they fit nicely in this location, even
18 with the regrading that is required to achieve the full-size
19 field that's necessary and that's been done. Mr. McGettigan has
20 seen that drawing and it does illustrate the ability to achieve
21 that number of spaces in this area.

22 VICE CHAIRPERSON MITTEN: Okay. In the approved
23 campus plan there was some discussion about adding security at
24 the gates and I also have a related question about the new
25 access point on Franklin which is depending on what -- there

1 were some statements that seemed to minimize the use of the
2 Franklin Street entrance and the fact that it's gated would
3 suggest to me it's relatively minimal use, but then in the
4 minutes of the meeting that the college had with the ANC and
5 other community folks, there was a question posed about the
6 Franklin Street gate and I think -- well, in the minutes it says
7 the Trinity College representatives responded that the Trinity
8 center would be available to all neighborhood residents and that
9 the Franklin Street entrance is expected to be open at all times
10 during the day. So can you reconcile that for me?

11 MR. RENFROW: Well, the location on Franklin
12 Street, if you have been to the campus you'll understand this is
13 the low part of the campus and it rises to the highest elevation
14 approximately where Main Hall sits. So this portion of the
15 campus is visually isolated from the main part of the campus, so
16 it's the college's desire and I don't think they know exactly
17 how often the gate is going to be open or closed, but to have
18 some level of control, a gated entrance on this side, just for
19 security reasons. At night, they can close it off. Once
20 events, parking lots empty, they can lock that gate, but I think
21 during the day because of frequency of traffic in and out, for
22 servicing of this building and for access to this parking lot as
23 well as for community access, both walking and vehicular, that
24 that gate would typically remain open.

25 MS. MCGUIRE: Okay. If I could just add to that,

1 we are working with the ANC liaison function on exactly how the
2 center will be used and how the programming would be used. So I
3 think the reference in those minutes was to the fact, as Mr.
4 Renfrow just said, it is probably, most likely that during
5 normal business hours of operation that will be open because
6 students will need to access the parking lot and our neighbors
7 from Shade Elementary of Franklin Commons might want to come
8 over. We will be scheduling times when the community will have
9 access to the center for things like open swims or things like
10 that. And that we will work out with the community liaison
11 committee that we've established with the ANC.

12 The gate will definitely be closed at night after
13 normal operating hours and we don't know quite what those are.
14 We would close that because one of our other obligations is
15 campus security and we do have the benefit of being a self-
16 contained campus and the ability to close the campus definitely
17 helps us in terms of security.

18 Our security program is also looking at how much
19 additional security will be necessary during the day time and
20 that sort of thing, but access, while also maintaining the
21 security presence, if you will, is a balance and we'll work with
22 the community on that.

23 VICE CHAIRPERSON MITTEN: Okay, and then a
24 question about pedestrian circulation and I know that was
25 another area of concern in the approved campus plan that was

1 expressed.

2 In terms of the athletic field itself and getting
3 -- I assume people will generally be going from the field when
4 an event has concluded and going into the campus center and it
5 seemed that there was sidewalk only on the side of the street
6 that the campus center is located on. There isn't sidewalk on
7 the field side of that road and can you just talk a little bit
8 about pedestrian safety in that kind of a context?

9 MR. RENFROW: Your assumption, I think, is
10 correct, that leaving the field one would come back to the
11 dressing rooms, for instance here, if you're participating in an
12 athletic event. Or you might be going to the dorm or to this
13 dorm facility here. As you mentioned, most of the sidewalk
14 development is on this side of the road, principally because we
15 saw that as the primary access for vehicles. There's a small
16 drop off place for a bus or for a team to drop off players here,
17 if they're coming here or for an accessible facility for this
18 building as well.

19 Most of the -- we've all been on fields and seen
20 people moving in and through them and because this is an
21 athletic field people are moving around all over the place. We
22 didn't feel like directing traffic necessarily from this to this
23 location or even up to the center of campus was really
24 necessary. It's a big open field. It's a big open area. The
25 fact that it is an athletic field is simply there are stripes on

1 the ground. It's not really anything but grass. So this entire
2 area, part of our goal is to try to keep this open, visually
3 open, the center of the campus and still have activity there,
4 but we just didn't feel the need, given the numbers of people
5 we're talking about, the frequency of going back and forth, we
6 don't believe we're going to be wearing out the grass in any
7 particular path back and forth, that it was really necessary to
8 encumber that side with sidewalks.

9 VICE CHAIRPERSON MITTEN: Well, I was just trying
10 to pick up on a concern that was expressed in the campus plan
11 which is that not so much people wandering aimlessly through the
12 campus, I mean I don't think that's a problem, just to keep
13 pedestrians out of the street, so to the extent that there's not
14 a sidewalk on that side and they want to walk on something, hard
15 surface, they might end up in the street. I don't know if that'
16 s a concern. I raise it for your further consideration.

17 MR. RENFROW: Thank you.

18 VICE CHAIRPERSON MITTEN: That's all I have.

19 CHAIRPERSON HOOD: Okay, that concludes our
20 questions.

21 First, let me ask before we get to the Office of
22 Planning, is there anyone here from the ANC?
23 Okay.

24 Next, we'll have the Office of Planning's Report.

25 MR. McGETTIGAN: Thank you, Mr. Chairman. My name

1 is David McGettigan from the Office of Planning. We've looked
2 at this application. The Applicant was very willing to work
3 with us and make some changes that we requested regarding
4 landscaping. As you can see, they've started to address, and we
5 looked carefully at the parking because it was of concern. And
6 they did do some layouts for me of the field parking, the
7 unpaved parking for events and that there was adequate space
8 there, I think, 204 or so. And the size of the facility was not
9 of concern to us. It seems to be in keeping with the rest of
10 the campus. You see from the rendering that the building is
11 actually a little lower than Alumnae Hall. The activity that's
12 going to be there and the use was certainly compatible and
13 favorable to the neighborhood. So we didn't have any objections
14 to this. We recommend approval with some conditions which are
15 mostly taken partially from the campus plan and partially to
16 preserve the -- and make sure they consider the environmental
17 impacts of this extensive grading to create this field which
18 will require some tree removal and I think they are on their way
19 to addressing those concerns. And if you have any questions, I
20 can answer them.

21 CHAIRPERSON HOOD: Thank you, Mr. McGettigan. Any
22 questions for the Office of Planning?

23 COMMISSIONER PARSONS: Yes, I do. Mr. McGettigan,
24 getting back to Mr. Franklin's point earlier on the removal of
25 trees, I'm not familiar with the campus, but we're not talking

1 about a forested condition here, are we or are we talking about
2 a grassed environment with specimen trees in it?

3 MR. McGETTIGAN: Yes. It's mostly a grassed
4 environment with specimen trees, that's correct.

5 COMMISSIONER PARSONS: And as I understand it they
6 plan to remove 50 or so trees?

7 MR. McGETTIGAN: Yes, they do now. As he
8 indicated, their first plan that they gave me showed a lot more
9 tree removal and we in response to my concerns they've seemed to
10 reduce it, the number of trees to be removed. And hopefully,
11 they can make some efforts to save some of the nicer trees out
12 there that are on the edges of the grading.

13 COMMISSIONER PARSONS: Through the use of
14 retaining walls and that kind of system?

15 MR. McGETTIGAN: Yes, a low retaining wall or tree
16 well around the tree's root line can sometimes be used to
17 preserve it. It's something that you really can't tell whether
18 or not it can be done until you do a detailed grading plan for
19 the site which is usually not done at this phase in the project.

20 So that's why I wanted to give them the benefit of the detailed
21 engineering studies later on and see what they can save.

22 COMMISSIONER PARSONS: So you're not suggesting
23 then that a condition of our decision here is another set of
24 plans submitted to us, but rather that would be developed and
25 dealt with at a subsequent level?

1 MR. McGETTIGAN: Yes, I would anticipate that the
2 environmental screening process would be able to handle that
3 condition.

4 COMMISSIONER PARSONS: So there would be no
5 condition in an order of our approval regarding the trees as you
6 recommend it or would there?

7 MR. McGETTIGAN: The environmental process is one
8 where the Applicant submits a screening form and it's reviewed
9 and checked off to make sure things are done and I just wanted
10 to make sure that the tree preservation was not missed in that
11 process.

12 So by stipulating it as a condition, we'll make
13 sure that it's addressed.

14 COMMISSIONER PARSONS: I wanted to be sure that we
15 didn't leave something in the record that's not desirable for
16 anybody and your number 7 on page 2, you're saying that the
17 construction shall be in accordance with plans marked as Exhibit
18 6 and that's not really what we want to do, is it with regard to
19 the trees?

20 MR. McGETTIGAN: Right.

21 COMMISSIONER PARSONS: These plans in here reflect
22 a different iteration.

23 MR. McGETTIGAN: Revised plans have been submitted
24 so we should be careful to make sure the correct iteration of
25 the plans is put into the order as referenced in the order.

1 Also, the building material of the roof evidently
2 changed from the initial submission so we should make sure that
3 that is reflected in the order.

4 COMMISSIONER PARSONS: All right, well, let's --

5 MR. McGETTIGAN: Also, we should note, I spoke
6 with Corporation Counsel earlier today. She said in these -- in
7 writing these conditions, we should be careful of when we use
8 "should" and "shall" if it's something need to require we need
9 to make sure we use the word "shall" in some of these
10 conditions, particularly the traffic, the Department of Works
11 conditions. They have the word "should" in it that perhaps
12 should be changed to "shall." So in writing the order we should
13 be cognizant of what's intended.

14 COMMISSIONER PARSONS: So we should probably have
15 a condition that urges the minimal removal of trees and give
16 direction to them so that when they go forward they'll have that
17 direction from this Commission?

18 MR. McGETTIGAN: Correct.

19 COMMISSIONER PARSONS: Use of retaining walls,
20 tree wells, the kinds of things you mentioned.

21 MR. McGETTIGAN: Yes.

22 COMMISSIONER PARSONS: Okay, thank you.

23 CHAIRPERSON HOOD: Okay, does the Applicant have
24 any questions of the Office of Planning?

25 MR. TUMMONDS: We don't have any questions.

1 CHAIRPERSON HOOD: Okay, again, there are no ANC,
2 no representative from the ANC 5-C.

3 The report of the other agencies, we do have
4 something in the record from the Department of Public Works
5 which has already been discussed.

6 The report of the Advisory Neighborhood
7 Commission, ANC, there's a letter here from James Barry, the
8 Chairperson of ANC 5-C in support. There's so much on here I
9 haven't seen whether it's unanimous, but I believe it was
10 unanimous. Okay.

11 MR. BASTIDA: Mr. Chairman, are you waiving your
12 guidelines to accept the late filing of the report, of the ANC
13 report?

14 CHAIRPERSON HOOD: The ANC?

15 MR. BASTIDA: Yes.

16 CHAIRPERSON HOOD: Colleagues, do we have any
17 problems with accepting the ANC report? No problems, so waived.

18 Okay, persons in support? Persons in opposition?
19 Closing remarks by the Applicant.

20 MR. TUMMONDS: Again, we thank you for your time
21 this evening and we would ask that the Commission render a bench
22 decision this evening supporting this application.

23 Thank you very much.

24 CHAIRPERSON HOOD: Thank you. Colleagues, we have
25 in front of us a request for a bench decision, but before we

1 proceed to discussion, I want to caution us. There are some
2 things -- I want us to -- if we so desire to move forward
3 tonight, I want us to be able to leave a little flexibility for
4 our Corporation Counsel to be able to tweak some of these
5 conditions because I'm not sure if some of them are enforceable.

6 So with that, I will open it up for discussion.

7 COMMISSIONER FRANKLIN: Mr. Chairman, I'm prepared
8 to move the approval of the application, subject, in general, to
9 the conditions recommended by the Office of Planning and agreed
10 to by the Applicant.

11 I agree with Mr. Parsons' comment that maybe we
12 might be a little bit more general, if I understood it, with
13 respect to some of the landscaping conditions.

14 In making the motion, I'd like to say that I would
15 like to commend President McGuire for two things. One is the
16 obvious command of her material and the substance of this, it is
17 not often that we have the President of an institution before us
18 who obviously is intimately acquainted of all aspects of the
19 proposal; and secondly, for an obvious commitment of the
20 institution, I'm sure under your leadership, to provide
21 continuing really important service, not only to the students,
22 but also to the community. I think it's possibly a pace setter
23 for the who university community in the District and I hope that
24 your colleagues are watching you as a model.

25 CHAIRPERSON HOOD: Okay, we have a motion.

1 COMMISSIONER FRANKLIN: Yes, the DPW condition
2 would also be included.

3 CHAIRPERSON HOOD: Commissioner Franklin, could I
4 just make a friendly amendment? My concern again is the caution
5 signal and I guess I don't want to say "shall", but I want to
6 leave it optional. If I can just say "should".

7 Mr. Bastida, if we can just put that in there
8 because I don't want that to hold up progress. But if you look
9 at it, the traffic expert looks at it and sees that it is
10 needed, but if we can just put that in as a condition as
11 "should" not "shall" from what I'm hearing from Mr. McGettigan.

12 MR. BASTIDA: Sure, Mr. Chairman.

13 CHAIRPERSON HOOD: Okay, with that, colleagues,
14 any other comments before I ask for a second?

15 COMMISSIONER PARSONS: I'll second the motion

16 CHAIRPERSON HOOD: Okay, it's been moved and
17 properly seconded. All those in favor by using the sign of
18 voting?

19 (AYES.)

20 Any opposition? So ordered.

21 Staff, would you record the vote?

22 MR. BASTIDA: Yes, Mr. Chairman, the staff would
23 record the vote 5 to 0. Mr. Franklin moving, Mr. Parsons
24 seconding, the remaining Commissioners voting in the
25 affirmative.

1 Thank you.

2 CHAIRPERSON HOOD: Okay, thank you, Ms. McGuire, I
3 also would like to associate myself with the comments of my
4 colleague, Commissioner Franklin. I will not try to elaborate
5 any more than what he's done, but I will leave it at that.

6 Is there anything else, colleagues? If everything
7 is in order, this hearing is adjourned.

8 (Whereupon, at 8:27 p.m., the hearing was
9 concluded.)

10

11