

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:           :
                               :
HOFFMAN-STRUEVER           : Case No.
WATERFRONT, LLC, Second    : 11-03A
Stage PUD at Southwest     :
Waterfront, Squares 390,   :
391, 473 and Adjacent      :
Riparian Areas             :
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Monday,
July 23, 2012

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

The Public Hearing of Case No. 11-03A by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Chairman
MARCIE COHEN	Vice Chairperson
MICHAEL G. TURNBULL	Commissioner FAIA, (AOC)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy
Director, Development Review &
Historic Preservation

MATT JESICK

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

JAMIE HENSON

This transcript constitutes the
minutes from the Public Hearing held on July
23, 2012.

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

6:35 p.m.

CHAIRMAN HOOD: Okay. Good evening, ladies and gentlemen. This is a Public Hearing of the Zoning Commission for the District of Columbia for Monday, July 23, 2012.

My name is Anthony Hood. Joining me are Vice Chair Cohen and Commissioner Turnbull. Commissioner May will be reading the record.

We are also joined by the Office of Zoning staff, Ms. Sharon Schellin. Also the Office of Planning, Ms. Steingasser, Mr. Jesick and Mr. Henson.

This proceeding is being recorded by a court reporter and is also webcast live.

Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

The subject of this evening's hearing is Zoning Commission Case No. 11-03A.

This is a request by Hoffman-Struever for

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1 approval of a Second Stage PUD for property
2 located on the Southwest Waterfront on a site
3 generally bounded by the Washington Channel and
4 Maine Avenue between 11th Street and to the west
5 on 6th on the east.

6 Tonight's hearing addresses Parcel
7 11 only and the Waterfront Park.

8 Notice of today's hearing was
9 published in the DC Register on February 17,
10 2012 and copies of that announcement are
11 available to my left on the wall near the door.

12 This hearing will be conducted in
13 accordance with the provisions of 11 DCMR 3022
14 as follows: Preliminary matters; the
15 applicant's case; report of the Office of
16 Planning; report of other Government agencies;
17 report of the ANC, in this case 6D; organizations
18 and persons in support; organizations and
19 persons in opposition; rebuttal and closing by
20 the applicant.

21 The following time constraints will
22 be maintained in this hearing: The applicant

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1 50 minutes, organizations five minutes,
2 individuals three minutes.

3 All persons appearing before the
4 Commission are to fill out two witness cards.

5 These cards are located to my left on the table
6 near the door. Upon coming forward to speak
7 to the Commission, please, give both cards to
8 the reporter sitting to my right before taking
9 a seat at the table.

10 When presenting information to the
11 Commission, please, turn on and speak into the
12 microphone, first, stating your name and home
13 address. When you are finished speaking,
14 please, turn your microphone off, so that your
15 microphone is no longer picking up sound or
16 background noise.

17 The decision of the Commission in
18 this case must be based exclusively on the public
19 record. To avoid any appearance to the
20 contrary, the Commission requests that persons
21 present not engage the Members of the Commission
22 in conversation during any recess or at any time.

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1 In addition, there should be no
2 direct contact, whatsoever with the
3 Commissioners concerning this matter, be it
4 written, electronic or by telephone. Any
5 materials received directly by a Commissioner
6 will be discarded without being read and any
7 calls will be ignored.

8 The staff will be available
9 throughout the hearing to discuss procedural
10 questions.

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

14 Would all individuals wishing to
15 testify, please, rise to take the oath?

16 Ms. Schellin, would you, please,
17 administer the oath?

18 MS. SCHELLIN: Yes. Please, raise
19 your right hand.

20 (Whereupon, the witnesses were
21 sworn.)

22 MS. SCHELLIN: Thank you.

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1 VICE CHAIR COHEN: Mr. Chairman, I
2 would just like to ask a question about a
3 submission that was made by the applicant on
4 July 18th. It doesn't have to do with tonight's
5 hearing. But is that out of order or can I ask
6 --

7 CHAIRMAN HOOD: Vice Chair Cohen,
8 you can do anything you want. Just let me finish
9 the last sentence of my opening statement.

10 VICE CHAIR COHEN: Oh.

11 CHAIRMAN HOOD: At this time, the
12 Commission will consider any preliminary
13 matters.

14 Does the staff have any preliminary
15 matters?

16 MS. SCHELLIN: Yes, sir, there are
17 several requests for party status.

18 VICE CHAIR COHEN: Okay.

19 MS. SCHELLIN: We have received the
20 Affidavit of Maintenance. It seems to be in
21 order. And so staff would just ask the
22 Commission to consider the party status

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1 requests.

2 CHAIRMAN HOOD: Okay. But let me
3 go to Vice Chair.

4 MS. SCHELLIN: And experts, I'm
5 sorry.

6 CHAIRMAN HOOD: Okay. Experts.
7 Okay.

8 VICE CHAIR COHEN: Yes, we received
9 a submission that had a number of attachments.
10 Let me show it to you. It had to do with
11 different harbors or -- yes. And I feel like
12 I'm looking at these exhibits and when I look
13 at them, they look like apples and oranges
14 compared to what we are looking at for the
15 channel and D.C.

16 So what I'm asking for is further
17 explanation of why these particular, like the
18 Seine River, the Houston Channel, why they are
19 comparable? Because just from, again, looking
20 at these slides, it doesn't seem comparable to
21 me.

22 So if you can explain why you chose

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1 these particular comparables, it would really
2 be appreciated if I can understand further.
3 They just don't seem correct to me.

4 MR. GLASGOW: We can submit that
5 information, Vice Chair Cohen, in our rebuttal.

6 VICE CHAIR COHEN: Terrific.

7 CHAIRMAN HOOD: Okay.
8 Commissioners, let's go with party status.
9 Hold on a second. I want to do Tiber Island.
10 I'm not sure what exhibit it is, but Tiber
11 Island. Hold on one second. Exhibit 46. They
12 are represented by Mr. Hitchcock's law firm.
13 They are a proponent. Tiber Island is uniquely
14 affected because it lies directly across 6th
15 Street from the proposed new construction of
16 Parcel 11.

17 And I think in the PUD, if I'm not
18 mistaken, in our First Stage, I think we granted
19 them party status. But anyway, Let me open it
20 up. Any comments?

21 VICE CHAIR COHEN: It's not clear
22 how close they are, but they were right across

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1 the street from the development and I see no
2 reason not to grant them party status. It is
3 really not filled out, my copy.

4 COMMISSIONER TURNBULL: I would
5 concur. I don't think -- I'm okay with it.

6 CHAIRMAN HOOD: Okay. Did you see
7 this? It's not filled out. Anyway, okay, we
8 will grant Tiber Island Cooperative Homes' party
9 status as a proponent. Okay.

10 Let's go to Harbour Square Owners.
11 Again, we're doing this on the submission of
12 Parcel 11.

13 VICE CHAIR COHEN: Yes.

14 CHAIRMAN HOOD: Turn your mike on.

15 VICE CHAIR COHEN: Mr. Chairman, I
16 think that Harbour Square being directly across
17 the street should be granted party status.

18 CHAIRMAN HOOD: Any other comments?

19 Well, I'm not understanding something
20 personally and I think Mr. Turnbull may be in
21 line with me.

22 COMMISSIONER TURNBULL: Yes, I

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1 mean, I guess we want to --

2 CHAIRMAN HOOD: Hold on.

3 COMMISSIONER TURNBULL: -- know
4 exactly -- they both say they are both across
5 the street. One says it's closest and the other
6 one says it's down a bit.

7 MR. GLASGOW: With respect to --

8 COMMISSIONER TURNBULL: That's
9 what I seem to recall that they are, but I just
10 want to make sure for the record.

11 MR. GLASGOW: Harbour Square is
12 directly across the street from the park. It's
13 not directly across the street from Parcel 11.

14 COMMISSIONER TURNBULL: Okay.
15 That's what is a little confusing. Okay.
16 Good.

17 CHAIRMAN HOOD: Okay. Good.
18 Okay. Well, they are across from the park,
19 that's before us tonight, too.

20 COMMISSIONER TURNBULL: Okay.

21 CHAIRMAN HOOD: So okay. All
22 right. Thank you, Mr. Glasgow. Frankly, I

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1 would have called Harbour Square, but since Mr.
2 Glasgow is here and it looks like you all are
3 part, I'm sure he will speak on your behalf for
4 you. So thank you very much.

5 Commissioners, any concern with
6 Harbour Square?

7 COMMISSIONER TURNBULL: No.

8 CHAIRMAN HOOD: Okay. So Harbour
9 Square will be a party status in support.

10 Let me see, what about Gangplank?

11 Just a second. Again, you know, as in the
12 previous cases, because of where they live, I
13 don't have any objection to granting them party
14 status.

15 Any objections?

16 VICE CHAIR COHEN: No, I concur with
17 you.

18 CHAIRMAN HOOD: Okay. So GPSA, is
19 what I call it, will be a party as an opponent.

20 Okay. Let's go with --

21 MR. GLASGOW: Mr. Chairman, if I
22 would, with respect to Gangplank, not that we

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1 object, but this is a land side discussion this
2 evening. We are not discussing piers or
3 anything on the waterside.

4 CHAIRMAN HOOD: Okay. Thank you.
5 Does that change anybody's mind up here? Okay.
6 Thank you very much.

7 Let's go --

8 COMMISSIONER TURNBULL: I was going
9 to say it's still within Phase 1 construction.

10 CHAIRMAN HOOD: Okay. What about
11 Seven Seas Cruising Association? Anybody?

12 VICE CHAIR COHEN: Well, maybe for
13 the exact reason that this is really the land
14 side of the phase, Seven Seas really -- you know,
15 we have denied them in the past and I think that
16 this one is even further remotely from their
17 area of concern. So I would not grant them party
18 status.

19 CHAIRMAN HOOD: Okay. I would
20 agree. Mr. Turnbull?

21 COMMISSIONER TURNBULL: No, again,
22 I guess we struggle with the same thing. They

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1 are non-residents. They are an organization
2 representing cruisers that do park in the
3 channel, but is on an interval basis. It's not
4 like continuous. There is, obviously, a
5 concern about what is going on, but I don't think
6 it's the same as someone who is actually living
7 here and has -- is a resident.

8 CHAIRMAN HOOD: I notice this time,
9 Mr. -- so they don't think we look at their
10 submissions, Mr. Johnson submitted something
11 stating that they had 25 residents, I believe,
12 who live in Washington, D.C.

13 But still I think on the factual
14 basis of this application, while I appreciate
15 him telling us -- and I don't like to worry people
16 up and down, not at this time.

17 While I understand that he has 25
18 people and he went through questioning how many
19 residents were in the 25, because I think he
20 heard from us enough about there were no
21 residents that lived here, but they actually
22 do have 25 possibly that live here. But I think

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1 his submission, and I never talked about the
2 residents living here, speaks for itself as far
3 as what the issue is.

4 And the issue has been fully
5 conveyed to us through Seven Seas giving us
6 information. I think even we're making some
7 headway. I'm not sure. Maybe I'll ask that
8 question at the end of the night. So I would
9 agree with my colleagues that we would deny party
10 status to Seven Seas.

11 Okay. Mr. Solon?

12 MS. SCHELLIN: Chairman Hood, are
13 we going to do a motion since there was a denial?

14 Could we do a motion, please?

15 CHAIRMAN HOOD: Okay. I move that
16 we deny Seven Seas based on the submission of
17 Exhibit --

18 VICE CHAIR COHEN: And I'll second.

19 CHAIRMAN HOOD: -- 45. Oh, there
20 it is right there at the top. 45 and ask for
21 a second.

22 VICE CHAIR COHEN: Second.

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1 CHAIRMAN HOOD: It has been moved
2 and properly seconded. Any further discussion?

3 All those in favor?

4 ALL: Aye.

5 CHAIRMAN HOOD: Not hearing any
6 opposition, Ms. Schellin, would you record the
7 vote?

8 MS. SCHELLIN: Yes, sir. Staff
9 records the vote 3-0-2 to deny party status in
10 opposition to Philip Johnson for Seven Seas
11 Cruising Association. Commissioner Hood
12 moving, Commissioner Cohen seconding,
13 Commissioner Turnbull in support.
14 Commissioner May not present, not voting. The
15 third Mayoral Appointee position vacant not
16 voting. And this is a vote to deny.

17 CHAIRMAN HOOD: Okay. Mr. Solon,
18 Exhibit 101, actually, with his submission and
19 the proximity of the proponent, I would be in
20 favor of granting him --

21 MR. GLASGOW: Mr. Chairman, could
22 I speak to that?

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1 CHAIRMAN HOOD: Let me finish and
2 then I'll come to you.

3 MR. GLASGOW: Okay. Thank you.

4 CHAIRMAN HOOD: His proximity and
5 when I look at what we just did for the other
6 Harbour Square residents who are in support,
7 Mr. Solon and his group or Mr. Solon himself.

8 In this case, I would be in favor of giving
9 him party status on his submission. I just want
10 to have a discussion, not a motion, because I
11 want to hear from Mr. Glasgow.

12 The difference tonight is all three
13 of us have to agree. But I'm not saying you
14 have to agree with me. I can change my mind,
15 but the difference tonight, we can't have one
16 -- we all have to agree.

17 COMMISSIONER TURNBULL: Oh, I
18 thought you wanted to hear from Mr. Glasgow?

19 CHAIRMAN HOOD: No, I wanted to hear
20 from you all first.

21 COMMISSIONER TURNBULL: Oh, you
22 wanted to hear from us. Oh.

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1 VICE CHAIR COHEN: Oh.

2 CHAIRMAN HOOD: Yes. And then we
3 will hear from Mr. Glasgow, once we figure out
4 which way we are going. I just did that to start
5 discussion.

6 I think, at least for this parcel
7 and what was provided, the information provided,
8 this is the first time about Harbour Square being
9 across the street from the park, is it the park
10 or the -- wherever it was across the street,
11 I think it's no different than the submission
12 that was presented to us earlier by the Harbour
13 Square Owners, Inc., in this case, let me make
14 that clear, I don't think we made any mistakes
15 in the previous cases.

16 VICE CHAIR COHEN: Mr. Chairman, I
17 will go along with your discussion and
18 observation with regard to Mr. Solon and give
19 him party status.

20 CHAIRMAN HOOD: Did you want to hear
21 from Mr. Glasgow first?

22 COMMISSIONER TURNBULL: No, no, no.

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1 I don't need to hear from Mr. Glasgow.
2 Basically, I just want to understand. Your
3 position is that since he is part of the Harbour
4 Square group that is in opposition, not
5 represented by Harbour Square proponents, which
6 we granted party status to, that they should
7 be represented or he should be able to represent
8 himself?

9 CHAIRMAN HOOD: I think in this
10 case, I think we have one group that is a
11 proponent, which is, I think, across the street
12 from the park.

13 COMMISSIONER TURNBULL: Yes.

14 CHAIRMAN HOOD: At least that's
15 what I understand, either them or Tiber Island.
16 I forgot who it is, but anyway, now we have a
17 Harbour Square resident who is in the same
18 proximity, same -- at least -- now, the only
19 difference is he lives on N Street. And those
20 streets run funny because you remember M Street
21 and then they said there was 6th Street, so I'm
22 not sure how those streets run.

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1 But I remember I'm looking here
2 where this goes to the next party status
3 requested, a number of requests we have, I
4 remember M Street. I thought we gave them party
5 status, because they were 6th Street.

6 So I'm just thinking I'm looking at
7 the name here, Harbour Square, so that's just
8 kind of what Mr. Solon has in his submission.
9 He lives at Harbour Square.

10 COMMISSIONER TURNBULL: Okay.

11 CHAIRMAN HOOD: So I don't see how
12 we can grant proponent party status at Harbour
13 Square and not an opponent who lives in Harbour
14 Square, unless N Street and the rest of it makes
15 a difference, because even there it's 500 N and
16 Mr. Solon is 510 N.

17 COMMISSIONER TURNBULL: I don't
18 have any major opposition to that. I think he
19 has tried hard for several hearings. It is
20 going to add an hour to our hearing though.

21 CHAIRMAN HOOD: Sometimes you can
22 beat us down, yes, that will probably happen,

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1 too, but we'll deal with it.

2 Okay. Mr. Glasgow?

3 MR. GLASGOW: Thank you. I think
4 some of the questions that were just coming up,
5 I think will relate to what it is that we are
6 talking about here when you talk about an
7 individual unit owner. He owns a unit within
8 the co-op. His unit is No. 433. We have the
9 documents that show that his address at 510 N
10 Street, he lives about 552 feet from the
11 Waterfront Park and he lives about 711 feet from
12 Parcel 2.

13 And I can introduce that in the
14 record and I think that that is significant as
15 opposed to the co-op association, which
16 envelopes the whole. He does not. He has a
17 unit within co-op. And it is, you know, a large
18 building.

19 CHAIRMAN HOOD: Okay. Could you--

20 MR. GLASGOW: And I think when you
21 see --

22 CHAIRMAN HOOD: -- pass that --

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1 MR. GLASGOW: -- these --

2 CHAIRMAN HOOD: You'll pass that up
3 for the record?

4 MR. GLASGOW: Yes.

5 CHAIRMAN HOOD: Okay.

6 MR. SOLON: He got my unit number
7 wrong.

8 CHAIRMAN HOOD: Mr. Solon, you have
9 been down here with us enough nights to know
10 that we don't do that.

11 VICE CHAIR COHEN: Mr. Chairman, my
12 hesitation earlier when I was waffling about
13 granting him party status or not, well, a few
14 of his concerns just cannot be upheld legally,
15 like the view as an example, so that is why I
16 was, you know. waffling about giving him party
17 status or not.

18 But I think that, again, it's
19 appropriate.

20 CHAIRMAN HOOD: All right.

21 MR. GLASGOW: And, Mr. Chairman, if
22 you look at where 510 is, he is going to be way

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1 more than 200 feet from the property, whatever
2 unit he has in 510.

3 CHAIRMAN HOOD: Okay. We're going
4 to keep our ruling, Mr. Glasgow. I would move
5 that we grant party status to Mr. Gene Solon
6 as an opponent in this case and ask for a second.

7 VICE CHAIR COHEN: Second.

8 CHAIRMAN HOOD: Okay. It has been
9 moved and properly seconded. Any further
10 discussion?

11 All those in favor?

12 ALL: Aye.

13 CHAIRMAN HOOD: Not hearing any
14 opposition, Ms. Schellin, would you record the
15 vote?

16 MS. SCHELLIN: Yes. Staff records
17 the vote 3-0-2 to grant party status to Eugene
18 Solon in opposition. Commissioner Hood moving,
19 Commissioner Cohen seconding, Commissioner
20 Turnbull in support. Commissioner May not
21 present, not voting. And the third Mayoral
22 Appointee position vacant, not voting.

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1 CHAIRMAN HOOD: Okay. Let me try
2 this a different way this time. You know, you
3 always learn something new down here.

4 Mr. Glasgow, we have about five more
5 requests as opponents. Do you have any problems
6 with any one of those five? Even though we have
7 a way that I would like to deal with this.

8 MR. GLASGOW: Right.

9 CHAIRMAN HOOD: But do you have any
10 objection?

11 MR. GLASGOW: Mr. Chairman, I have
12 three: William McLin --

13 CHAIRMAN HOOD: Oh, you know what,
14 I have -- somebody gave me three. How did I
15 get three copies? Okay. All right. I'm
16 sorry. I have three.

17 MR. GLASGOW: I have William McLin,
18 Alice Wender, Leslie Randolph, no objection to
19 any of those.

20 CHAIRMAN HOOD: Okay. Now, is this
21 the same one that's on 6th Street?

22 MS. SCHELLIN: In the First Stage,

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1 they were joined together and called themselves
2 the 6th Street Homeowners.

3 VICE CHAIR COHEN: And, Mr.
4 Chairman, I think that they should be joined
5 together here as well. A number of their
6 criteria are duplicative. And I mean, they,
7 basically, share the same concerns, so I would
8 grant them party status as a group.

9 CHAIRMAN HOOD: I would be inclined
10 to agree with the Vice Chair. I just don't know
11 whether to call them 6th Street or M Street.
12 But I would grant the M Street, what's here,
13 the address M Street. What do we call them,
14 6th Street? What did we call them last time?

15 Is it okay for us to call them the
16 6th Street -- M Street? We can call 6th Street.

17 Is it okay to call 6th Street again? Okay.
18 Okay. Was that a yeah? Okay. So let's -- the
19 6th Street Homeowners. Okay. And we will grant
20 them party status as an opponent.

21 Okay. So we have all of it now?
22 I move that we grant the 6th Street Homeowners

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1 party status as an opponent and ask for a second.

2 VICE CHAIR COHEN: Second.

3 CHAIRMAN HOOD: Moved and properly
4 seconded. Any further discussion? Are you
5 ready for the question?

6 All those in favor?

7 ALL: Aye.

8 CHAIRMAN HOOD: Not hearing any
9 opposition, Ms. Schellin --

10 MS. SCHELLIN: Yes.

11 CHAIRMAN HOOD: -- would you record
12 the vote?

13 MS. SCHELLIN: Staff records the
14 vote 3-0-2 to grant party status in opposition
15 to the 6th Street Homeowners, which consists of
16 William McLin, Leslie Randolph and Alice Wender.

17 Commissioner Hood moving, Commissioner Cohen
18 seconding, Commissioner Turnbull in support.
19 Third Mayoral appointee position vacant, not
20 voting. And Commissioner May not present, not
21 voting.

22 CHAIRMAN HOOD: Okay. All right.

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1 Mr. Glasgow, do you need this back?

2 MR. GLASGOW: No, sir, I don't need
3 it back.

4 CHAIRMAN HOOD: Okay. Let's go
5 through expert witnesses. Let's not deal with
6 -- tell me who you are proffering tonight.

7 MR. GLASGOW: We are proffering Mr.
8 Michael Foster of MTFA Architects. I believe
9 his r  sum   is in the record.

10 Mr. Sami Kirkdil of SK&I Architects.

11 Sami has been accepted as an expert before the
12 Commission before. I have had him in at least
13 two cases before this Commission as an expert.

14 Rob Schiesel from Gorove/Slade
15 Associates.

16 And then we also are offering as an
17 expert witness from our land planning firm, hold
18 on one second here, I've got to get my list in
19 front of me, Paul Josey of Nelson, Byrd, Woltz
20 Landscape Architects.

21 COMMISSIONER TURNBULL: So there is
22 four people?

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1 MR. GLASGOW: Yes, there are four.

2 COMMISSIONER TURNBULL: So we have
3 Mr. Foster, Mr. --

4 MR. GLASGOW: And Josey are new.

5 COMMISSIONER TURNBULL: Mr.
6 Kirkdil -- Mr. Josey is the only one new. Is
7 Mr. Josey a landscape -- is he a licensed
8 landscape architect?

9 MR. GLASGOW: We don't have
10 licensure for landscape architects in the
11 District of Columbia.

12 COMMISSIONER TURNBULL: Oh, okay,
13 that's -- you've got a good point there. Is
14 he licensed in any other jurisdiction?

15 MR. GLASGOW: And he is offered as
16 an expert in landscape design. And I think you
17 will see from his --

18 COMMISSIONER TURNBULL: Okay.

19 MR. GLASGOW: -- r  sum  .

20 COMMISSIONER TURNBULL: Member of
21 the ASLA?

22 CHAIRMAN HOOD: We need to be on a

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1 microphone if anybody is going to respond. We
2 have a question. If you could come forward,
3 Mr. Josey?

4 MR. JOSEY: I'm not currently a
5 member of the ASLA, but I have been a prior member
6 in previous years.

7 COMMISSIONER TURNBULL: So you're
8 going to proffer him as an expert in landscape?

9 MR. GLASGOW: Design.

10 COMMISSIONER TURNBULL: Design.

11 MR. GLASGOW: In landscape design
12 and he has been the project manager for a number
13 of the projects that are on his r  sum  , including
14 North Bethesda Market, St. John's College Master
15 Plan, St. John's College, Humphreys Courtyard
16 and Flight 93 National Memorial in Shanksville,
17 Pennsylvania.

18 CHAIRMAN HOOD: Okay. I was just
19 looking to see if there was one of those projects
20 I didn't care for, but I think he is all right.
21 I don't have a problem.

22 COMMISSIONER TURNBULL: Okay.

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1 CHAIRMAN HOOD: No problem. Okay.

2 Now, the other three, were already previously
3 accepted?

4 MR. GLASGOW: Two of the others have
5 been previously accepted by this Commission.

6 CHAIRMAN HOOD: Okay. Let's go to
7 -- I know about Mr. Schiesel and let's go to
8 the other one. There is one more that -- I don't
9 want to go -- the ones that have not been
10 accepted.

11 Okay. So Michael Foster?

12 MR. GLASGOW: Michael Foster has
13 been accepted as an expert before BZA, but not
14 before this Commission.

15 CHAIRMAN HOOD: So he is the only
16 one that hasn't been accepted in front of the
17 Zoning Commission?

18 MR. GLASGOW: Commission
19 previously. That's correct.

20 COMMISSIONER TURNBULL: I think he
21 is fine.

22 CHAIRMAN HOOD: Okay. Any

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1 objections?

2 VICE CHAIR COHEN: No.

3 CHAIRMAN HOOD: Okay. No
4 objections. All right. So everybody is --
5 four people are being proffered as experts.
6 Anything else?

7 MR. GLASGOW: I do have a
8 preliminary statement to update the Commission
9 as to certain things that have been occurring
10 with respect to -- because, you know, we did
11 have the big Fine Arts Commission meeting on
12 the 19th and then there were a couple of other
13 things that have come up.

14 CHAIRMAN HOOD: So in part, you're
15 going to update how you have been doing with
16 Seven Seas? Are we going to -- is that part
17 of the update?

18 MR. GLASGOW: That would be part of
19 the applicant's case, I believe.

20 CHAIRMAN HOOD: Okay.

21 MR. GLASGOW: I think we have had
22 preliminary -- sort of more preliminary matters,

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1 because we are not on the clock for this.

2 CHAIRMAN HOOD: Okay. All right.

3 You may begin.

4 MR. GLASGOW: All right. Thank
5 you. With respect to the Commission of Fine
6 Arts, we have received now, as of the July 19th
7 session with Fine Arts, concept approval for
8 all of the parcels that are involved and all
9 of the pieces with respect to this Stage 2 PUD.

10 So that would include the Parcel 2,
11 Parcel 3B, Parcel 11A, the District Pier, Wharf
12 Pier, House -- Dock Master House, Transit Pier
13 Pavilion, the Waterfront Park and Maine Avenue
14 Hall that was approved this past July 19th. And
15 we will be getting into the record copies of
16 the plans that the Fine Arts Commission approved
17 on that.

18 COMMISSIONER TURNBULL: I was about
19 to say that's based upon drawings which we
20 haven't seen yet?

21 MR. GLASGOW: That is correct.
22 That is based upon drawings which you all haven't

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1 see, but a lot of your comments were very similar
2 to those --

3 COMMISSIONER TURNBULL: Okay.

4 MR. GLASGOW: -- from the
5 Commission of Fine Arts. And then, of course,
6 we know we have got to have everything come into
7 sync. But this will at least allow us to get
8 a set of drawings to the Commission from what
9 the Fine Arts did.

10 Now, Fine Arts' drawings are
11 different than your drawings, so we are going
12 to try to get those all to the same level of
13 completeness.

14 Next, with respect to the public law
15 that was a public law that was a further result
16 of that passage, there are two small parcels.

17 If we can have the lights for one second, so
18 that that can be seen? Those are-- we are
19 requesting that those areas, now that they have
20 gone from the Park Service to the District of
21 Columbia, those are the dark shown areas there
22 in the Waterfront Park.

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1 Those two spaces which are the more
2 rectangular one is the Lobsterman's Park and
3 the other one is an extension down at the
4 southeast end of the park. Those are now gone
5 to the District of Columbia. My understanding
6 is the District of Columbia will be transferring
7 those to the applicant. So we want to
8 incorporate those as part of the Waterfront
9 Park.

10 CHAIRMAN HOOD: Mr. Glasgow, for
11 me, if you had a pointer?

12 MR. GLASGOW: Yes.

13 CHAIRMAN HOOD: A pointer would be
14 very helpful to me.

15 MR. GLASGOW: Thank you. There is
16 the Lobsterman's Park and there is the area,
17 the other area to the southeast portion of the
18 Waterfront Park. So those areas -- and when
19 you see our plans for the Waterfront Park, both
20 of those areas will be included in those plans
21 tonight.

22 CHAIRMAN HOOD: Okay.

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1 MR. GLASGOW: Next --

2 COMMISSIONER TURNBULL: Mr.
3 Glasgow, are those -- what phase would they be
4 part of? Are those Phase 2?

5 MR. GLASGOW: Phase 1.

6 COMMISSIONER TURNBULL: Phase 1.

7 MR. GLASGOW: Yes. When the
8 Waterfront Park gets done, those will all be
9 part of that.

10 COMMISSIONER TURNBULL: Okay.
11 Thank you.

12 MR. GLASGOW: Next, with respect to
13 -- we have a request and we understand that there
14 will be information submitted to the record on
15 this, but that involves a Parcel 11 affordable
16 housing component. We are going to be asking
17 for a waiver from that.

18 At pages 5 and 9 of the Office of
19 Planning report it is referenced at Parcel 11
20 and particularly the residential building on
21 Parcel 11B is not exempt from the affordable
22 housing requirements of the Zoning Regulations.

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1 So we will be asking that -- for an
2 exemption on that, but then I want to have a
3 brief explanation here. As a result of the very
4 significant amount of affordable housing being
5 provided throughout the entirety of the project,
6 the applicant thought it may be beneficial to
7 the community and the project to offer a
8 significantly increased amount of work force
9 housing, which would range up to 120 percent
10 of AMI for 20 percent of the gross floor area
11 of Parcel 11B as opposed to 8 percent of the
12 project, which would be split between 4 percent
13 at 50 percent AMI and 4 percent at 80 percent
14 AMI under IZ for concrete construction.

15 If it is a still-built product, it
16 would be 5 percent at 50 percent AMI, 5 percent
17 at 80 percent AMI for 10 percent of the gross
18 floor area.

19 We, therefore, are requesting
20 flexibility and a waiver from the requirement
21 of the IZ Regulations for that. We believe that
22 that's -- we have looked at the economics of

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1 the provision at this level of affordability
2 that we are requesting and essentially the two
3 ways of proceeding with work force housing or
4 affordable housing to the applicant are
5 essentially economically neutral.

6 So this request is very focused and
7 limited in scope to the Parcel 11B building.
8 And we believe that in the context of this
9 application and further objectives for a wide
10 variety of income types of the project that
11 providing two to two and a half times the IZ
12 requirement, but at a different affordability
13 level would further the housing objectives of
14 the District of Columbia.

15 On an overall basis, as approved in
16 the Stage 1 order, the entire development will
17 be providing 160,000 square feet of development,
18 which would meet or exceed the requirement for
19 IZ and that equates to about 15 percent of the
20 anticipated residential FAR.

21 Half of that 160,000 square feet
22 would be at a 30 percent AMI and half of that

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1 is at a 60 percent AMI. So we think having this
2 other component is something that makes sense
3 in terms of this project, because the number
4 of units and the depth of subsidy is far beyond
5 what would be required under IZ.

6 And we understand that we do need
7 to ask for flexibility of that, but we think
8 that this is a request that should be taken
9 seriously by the Commission and then looked at
10 and see whether or not this makes more sense
11 in this context, because, I think, as the
12 Commission will recognize, there are gaps within
13 our affordable housing, and just in our
14 marketplace, as to who can afford to be where
15 and under what circumstances. And we believe
16 that this can help fill in one of those gaps.

17 The applicant is prepared to proceed
18 in either direction, but, again, we thought this
19 would be something that could be beneficial on
20 the overall housing needs of the District of
21 Columbia.

22 COMMISSIONER TURNBULL: And have

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1 you had a chance to review that with the Office
2 of Planning?

3 MR. GLASGOW: We have raised the
4 issue previously, but not in the detail and they
5 haven't seen any of our numbers or any exhibits.

6 COMMISSIONER TURNBULL: Okay. So
7 they are hearing about it for the first time,
8 too, then?

9 MR. GLASGOW: I wouldn't say they
10 have heard about it from the first time.

11 COMMISSIONER TURNBULL: Okay.

12 MR. GLASGOW: I have talked to them
13 -- for the first time. I have discussed it with
14 them the first time. The applicant, I believe,
15 has discussed it with them, but not in this
16 detail or not in this nature.

17 COMMISSIONER TURNBULL: Okay.

18 MR. GLASGOW: So they are,
19 essentially, hearing about this as we are
20 submitting it to the Commission in this request.

21 COMMISSIONER TURNBULL: Okay.

22 MR. GLASGOW: And so we want to have

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1 the opportunity to get them the information.
2 They will comment on it. And then we will get
3 it into the record with the Commission.

4 VICE CHAIR COHEN: Needless to say,
5 I mean, could we follow, you know, how you were
6 describing it? I would like to see a very
7 detailed chart as to what you are proposing,
8 including the depth of subsidy and who you are
9 reaching.

10 By that, I mean, not only the 80
11 percent AMI, but translate it to income, please,
12 because I think you need to make a very
13 compelling case for any type of waiver for IZ.

14 MR. GLASGOW: Okay.

15 VICE CHAIR COHEN: Okay.

16 MR. GLASGOW: Okay. Thank you on
17 that. Then with respect to -- procedurally,
18 with respect to the nature of this hearing and
19 then hearing the Chairman earlier, this is land
20 side that we are on this evening with respect
21 to the Waterfront Park, Parcels 11A and B and
22 the M, what's it called, Street.

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1 So we were not planning on having
2 a discussion on things like moorings and docks
3 and all that this evening, because that's not
4 part of what OP has presented on and not part
5 of what we are prepared on.

6 CHAIRMAN HOOD: Are you saying that
7 to us or are you telling everybody else who is
8 going to come behind you?

9 MR. GLASGOW: I'm laying it out
10 there, so that --

11 CHAIRMAN HOOD: You were giving a
12 hint. Yeah, I didn't expect to hear about
13 moorings and anchorage. I don't expect to hear
14 that tonight.

15 MR. GLASGOW: Yes, sir. With that,
16 we are now ready to -- unless there
17 are --

18 CHAIRMAN HOOD: They have three
19 minutes. They can say whatever they want.
20 It's just, you know, three minutes.

21 VICE CHAIR COHEN: Oh, one
22 additional question before you go on. Do you

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1 have any updates on the cogeneration plan?
2 Because that will impact on this phase.

3 MR. SEAMAN: Yes. We are currently
4 in continued talks with Washington Gas and it
5 is part of the plan right now for it to be part
6 of the Parcel 2 development. We will have a
7 little bit more information next Tuesday when
8 we present, but I think we will present it in
9 the alternate, in case it doesn't happen and
10 show the residential and retail combination.

11 But right now, it looks like we are
12 moving ahead with the cogeneration plant.

13 CHAIRMAN HOOD: We will make sure
14 everybody is here next Tuesday. Mr. Turnbull.

15 COMMISSIONER TURNBULL:
16 Absolutely.

17 CHAIRMAN HOOD: All right. Are we
18 ready? We ready to get started? Okay. Let's
19 get started.

20 MR. GLASGOW: All right. Thank
21 you, sir. All right. Good evening, Members
22 of the Commission. For the record, my name is

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1 Norman M. Glasgow, Jr. with the Law Firm of
2 Holland & Knight here on behalf of
3 Hoffman-Struever Waterfront, LLC. Here with
4 me is Ms. Caroline Brown, also of Holland &
5 Knight, Mr. Shawn Seaman is here of
6 Hoffman-Struever, Mr. Kwasi Holman is in the
7 audience of St. Augustine's Church, Mr. Michael
8 Foster of MTFA Architects, who is the architect
9 for Parcel 11A, Mr. Sami Kirkdil of SK&I
10 Architects for Parcel 11B, Paul Josey of Nelson,
11 Byrd, Woltz Landscape Architects and Rob
12 Schiesel is also here.

13 We are prepared to proceed with the
14 direct presentation of the applicant, at this
15 time. Mr. Seaman?

16 MR. SEAMAN: Thank you. I think
17 this is going to be easier with the lights off.

18 Good evening, Chairman Hood and
19 Zoning Commission Members. My name is Shawn
20 Seaman. I live at 1342 W Street, N.W.,
21 Washington, D.C. I'm a principal at PN Hoffman
22 and the project director for Hoffman-Madison.

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1 Tonight we will continue the
2 presentation of The Wharf with a presentation
3 specifically at Parcels 11A, 11B and the
4 Waterfront Park at the southeast end of the site.

5 11A is owned by the vestry of St.
6 Augustine's Church and Kwasi Holman, the
7 chairman of St. Augustine's Southwest
8 Development Committee will be testifying on
9 behalf of the vestry this evening.

10 Parcel 11A is right on Maine Avenue
11 and then 11B is the residential behind.

12 Joining me in the presentation this
13 evening are Michael Foster of MTFA, Sami Kirkdil
14 of SK&I Architects and Paul Josey of Nelson,
15 Byrd, Woltz Landscape Architects.

16 I would like to preface this
17 evening's presentation with a few comments on
18 this portion of the project that are worth
19 highlighting.

20 Mr. Glasgow alluded to the
21 Waterfront Park parcels and mentioned last week
22 Public Law 112-143. I'm sorry, earlier this

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1 month, Public Law 112-143 was approved in
2 addition to deauthorizing the portion of the
3 channel that we talked about at length. The
4 law also clarified several outstanding land and
5 title issues within the PUD boundary.

6 They are not all Park Service
7 property, but there are several federal
8 properties at the south end of the site that
9 the title was never clearly transferred to the
10 District of Columbia.

11 This law will now allow Parcels
12 255.23, 255.24, Lots 883, 884, 885 in Square
13 503 and the Maine Lobsterman parcel Lot 819 in
14 Square 473 to be transferred by the District
15 to the developer for inclusion in the project.

16 The outcome of this will mean a more
17 logical eastern boundary to the Waterfront Park,
18 as shown here in red, and that will be further
19 described by Paul Josey in his presentation.

20 So just to go over these again,
21 that's the Maine Lobsterman, the statutes in
22 that park. That one is Park Service and then

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1 these four or five parcels at the south end are
2 now going to be part of the transfer to the
3 developer. This will regularize the Waterfront
4 Park and actually create a straight edge down
5 there, which I think makes more sense of it.

6 The DDOT report, the June 18th DDOT report,
7 indicated that the Agency would not support
8 one-way traffic or parking on only one side of
9 the street along 6th Street, S.W. This design
10 was approved during the Stage 1 PUD and the
11 design was made initially to address the
12 frequently used 6th Street, S.W., by the tour
13 buses going down to the Spirit Cruiselines.

14 We purposely narrowed the street and
15 made it one-way during the design to dissuade
16 traffic from using 6th Street.

17 After talking to the neighbors and
18 the ANC and reading the DDOT report, we have
19 since modified the design in response to those
20 comments and now we are showing two-way traffic
21 and parking on both sides of the street of 6th
22 Street. So the section that you see here, the

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1 existing, is on the bottom, the proposed is on
2 the top and you will see it allows the same
3 function.

4 M Place, S.W., this is turning the
5 corner. 6th Street comes down off of Maine, M
6 Place is turning the corner here. This is the
7 section on M Place looking east. It is a private
8 street that was closed as part of the Water
9 Street closure. It will continue to have
10 two-way traffic and it will have parking on one
11 side of the street, on the side closest to
12 Waterfront Park. And it is designed
13 specifically to protect the critical root zone
14 of the existing canopy trees that are adjacent
15 to the Spirit Cruiseline parking lot right here.

16 So again, the existing is below the
17 proposed is above. So the new townhouse-- I'm
18 sorry, the new condominium development for
19 Parcel 11B is here and that's M Place with the
20 two lanes of travel and a single lane of parking.

21 And then turning the corner further,
22 Water Street, S.W. This is the last remaining

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1 piece of Water Street right here between Parcel
2 10 and Parcel 11 and we will be looking at
3 sections looking to the north.

4 Water Street will have two-way
5 traffic and parking on the one side of the street
6 closest to Parcel 11. It has been purposely
7 narrowed to become more residential in character
8 and dissuade large commercial buses from
9 entering the south end of the site or Waterfront
10 Park.

11 To this end and to respond to the
12 6th Street Neighbors' concerns, we will be
13 placing signage on the Park Road and at M Place,
14 S.W. to preclude commercial bus traffic from
15 those streets. So the location of that signage
16 would be to stop buses from coming up M Place
17 here and preclude them from going down 6th and
18 M Place. And then also to stop them from going
19 further down into the Waterfront Park.

20 Next, Commissioner Turnbull, you
21 asked us to provide previous diagrams from the
22 Stage 1 submission that showed a matter-of-right

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1 townhome development along 6th Street, S.W., in
2 comparison to what is being proposed. We have
3 updated these drawings to reflect the current
4 design.

5 In the first image, we showed a
6 series of three story townhouses that could be
7 constructed matter-of-right in an R-3 Zone with
8 a total average height along 6th Street of 60
9 feet to the top of the roof.

10 In contrast, we are currently
11 proposing a four story building with average
12 height along 6th Street of the property line of,
13 approximately, 42 feet with a 12 foot tall
14 occupied penthouse setback at a 1:1 ratio or
15 12 feet from the building edge yielding a total
16 average height of 54 feet on the 6th Street side
17 of the building.

18 This is in comparison to the 60 feet
19 in the matter-of-right R-3. And then we have
20 elevation views and then proposed. And we had
21 gone through these with you during the Stage
22 1 and just wanted to show you with the updated

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1 entities.

2 Next, there is a two stage proposal
3 for addressing tour bus loading and unloading
4 for the Spirit and Odyssey vessels at Pier 4.

5 Pier 4 located down here used to be
6 planned for townhouse residential. Pier 4 is
7 now going to maintain its current use as a
8 commercial boat pier. The redeveloped
9 commercial boat pier will be developed as part
10 of a later phase PUD. Until that time, buses
11 will load and unload in a designated loading
12 zone along Maine Avenue.

13 We are currently coordinating this
14 with the ANC and DDOT. It is our intent that
15 bus parking will not be permitted along Maine
16 Avenue adjacent to the project site. And I do
17 want to point out I don't think we have got it
18 fixed here, but this is not parking on Maine
19 Avenue. These blue areas are actually shown
20 as drop-off/pick-up only for 15 minutes. And
21 the intent is that the buses could park here
22 and patrons would walk down to Pier 4.

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1 This is showing the existing
2 condition with the Gangplank parking lot,
3 Cantina Marina and the Odyssey offices and then
4 walking along The Wharf to Pier 4.

5 And then the next slide will show
6 after we redevelop M Street Landing, the buses
7 would be in roughly the same location on M
8 Street, go through M Street Landing and down
9 to Pier 4.

10 So we have worked very closely with
11 Entertainment Cruises, that's the operator of
12 both the Spirit and Odyssey to create a strategy
13 for bus management, where the buses go after
14 they drop off their patrons, keeping them off
15 of the neighborhood streets, working in
16 conjunction with the ANC. We have worked on
17 land side accommodations to get physically
18 challenged patrons from where the buses drop
19 off down to Pier 4 where the boats depart.

20 Mr. Glasgow mentioned in his opening
21 remarks the affordable housing. We feel
22 strongly that affordable -- work force housing

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1 on Parcel 11 is an important component to the
2 overall affordable housing strategy at
3 southwest. This is the only opportunity to
4 provide homeownership opportunities in our
5 Phase 1 for teachers, police officers, fire
6 fighters and others who earn too much to qualify
7 for MIZ housing and cannot afford market rate
8 units.

9 And then lastly, Chairman Hood, I
10 would just give you an update on the Seven Seas
11 Cruising Association. We had an opportunity
12 to have a call last Friday, July 20th, with Bill
13 Johnson and our engineers from Moffatt & Nichol
14 and went through the mooring field proposal that
15 we had proposed the last time and had a
16 discussion and got feedback from him and he was
17 going to evaluate it further, which we may hear
18 about tonight.

19 With that, I would like to turn the
20 presentation over to Kwasi Holman of St.
21 Augustine's Church who will introduce the new
22 church that is planned for Parcel 11. Thank

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1 you.

2 CHAIRMAN HOOD: I know Mr. Holman
3 knew who to give his cards to being a former
4 member.

5 MR. HOLMAN: It's been a while.

6 CHAIRMAN HOOD: Oh, it sure has
7 been.

8 MR. HOLMAN: Yes, quite a while.
9 Good evening, Chairman Hood and Members of the
10 Commission. With your permission, I will
11 summarize my testimony for the record. My name
12 is Kerry G. Kwasi Holman. I'm a resident of
13 Tiber Island. I live t 1221 4th Street, S.W.

14 And we have been working in
15 partnership with Hoffman-Struever to develop
16 this property that is currently the home of our
17 church. We have worked for the past 20 years
18 at St. Augustine's providing a number of
19 community services in addition to our church,
20 including our Bread For Life program, which
21 feeds the homeless. And we provide
22 scholarships to youth and we work with a number

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1 of community organizations to provide low cost
2 space to such organizations as ANC-6B to
3 Southwest Neighborhood Assembly, Alcoholics
4 Anonymous and other nonprofit organizations.

5 This choice to work with the
6 development comes out of a discernment process
7 where we decided that our best way to stay a
8 viable part of this community was to joint
9 venture with PN Hoffman. We have had several
10 meetings with the community and we have also
11 been working with the U.S. Commission of Fine
12 Arts.

13 We were recently granted
14 preliminary concept approval. We continue to
15 work with the Commission on a number of issues,
16 including the steeple for our bells, the windows
17 that face north as well as the brick edge along
18 those windows. I would like to -- and as well
19 as the party wall, if you will, between the
20 church and the residents.

21 We will continue to work throughout
22 this process with our ANC and our neighbors.

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1 I would like to, with your permission, ask Mr.
2 Michael Foster to come forward to give you some
3 more details of our development and I'll be happy
4 to answer any questions.

5 MR. FOSTER: Thank you, Kwasi. And
6 good evening, Commissioners, Chairman Hood and
7 Members of the Commission. Again, my name is
8 Michael Foster with MTFA Architecture. And we
9 have had the privilege of working with this --
10 with the church, the building committee and
11 Reverend Clark the last several years in
12 planning the program and proposed project.

13 The proposed project is meant to
14 replace the existing church in, approximately,
15 the same size and capacity, but yet situated
16 to increase the services, many of which Mr.
17 Holman mentioned that serve this community.
18 But to do that with a little bit better
19 visibility and a little better access for ADA
20 and people with disabilities.

21 Here -- back one. On the site plan,
22 the site is located on the north portion of

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1 Parcel 11 and is designed to, when they welcome
2 people from the existing community, circulate
3 around to a four court plaza entering into the
4 building and to have a presence there that is
5 part of this urban community situated between
6 an existing residential, proposed residential,
7 civic across the street and future commercial
8 to provide this civic amenity for St.
9 Augustine's Episcopal Church.

10 Next slide. The floor plan
11 organization actually has -- the main entrance
12 is off of a plaza that provides good visibility
13 at the intersection of Maine and M Street, but
14 also drop-off from 6th Street for the more
15 ceremonial vehicles, a limo for weddings, a
16 hearse for funerals, and then to have a four
17 court plaza that opens onto the future M Street
18 Landing Park.

19 Entering here is the administrative
20 area, classrooms, a fellowship hall with the
21 requisite court areas, a community kitchen.

22 Next slide. Up a monumental stair

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1 to a north annex and an upper room sanctuary
2 with additional classrooms and the Thurgood
3 Marshall reading room and library located on
4 this floor as well.

5 Next slide. The roof -- the body
6 of the building is a two story building with
7 a mechanical screen that would screen rooftop
8 equipment between that screening and the
9 residential building with the upper level of
10 the sanctuary.

11 Next slide. Here it's better shown
12 in the section, little entry vestibule to a main
13 lobby, a two story volume as you go up the
14 monumental stair to upper north annex, the
15 Thurgood Marshall room as well as the sanctuary
16 overlooking the water and the intersection of
17 Maine and M Street.

18 The elevations again are composed
19 of this two story base of the building that are
20 clad in bronze shingles with a brick trim with
21 a clear glass and a light blue reflective glass
22 at the sanctuary. Then with a screened glass

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1 that has a translucent luminescent light
2 quality, but screens the mechanical space beyond
3 with the primary entrance opening to the four
4 court plaza and the bell tower glass for the
5 bell tower and cross anchoring the building in
6 its location.

7 Next slide. Along the broad
8 elevation, again, you see the base. The sweep
9 of the glass really is something that is meant
10 to be aspirational of the, you know, metaphor
11 of the ship of the nave and the sail on the
12 horizon. We have received concept approval of
13 this from the Commission of Fine Arts and
14 continue to work on some subtle refinements of
15 the brick and bronze detailing for the building.

16 Next slide. And again from the west
17 elevation, we really wanted it to draw people
18 from the community around to the front entrance
19 as well as the front entrance to have a very
20 dignified entrance visible for the sanctuary
21 and the public light.

22 Next slide. And here as you come

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1 down this, it's really designed to frame the
2 view corridor established out to the waterfront.

3 Next slide. And, you know, provide
4 a welcoming entry. And I think this slide shows
5 it best. We are trying to do something that
6 has a compatibility of materials, but stepping
7 up the scale from this two story to the stair
8 to the four story residential that has
9 compatible materials, but each one is
10 functionally explicit.

11 We wanted the church to have its own
12 identity, but to be a compatible neighbor with
13 the residential, so there is some shared
14 materials with some brick accents, bronze and
15 some glass detailing, but each one, while
16 compatible, are functionally explicit to their
17 individual uses.

18 Next slide. The front entrance,
19 again, is meant to be a very warm and welcoming
20 space opening into what will be a two-phase
21 plaza, one which will be of a concrete permeator
22 that would match the sidewalk standards around,

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1 but then once the final pallet is selected for
2 the M Street Park, it would be continued, so
3 it's one continuous plaza, you know, from the
4 church out to the waterfront, which would
5 actually have a paved elevated area for cars
6 to come across that would have a place, you know,
7 there for more ceremonial drop-off for
8 limousines and hearse.

9 Next slide. Again, the pallet of
10 the material is simple, but rich with a bronze
11 shingle base, a brick framing of the window,
12 a blue reflective glass with a screening for
13 the mechanical and then a clear glass to provide
14 some transparency at the entrance coming in.

15 The entrance accent would be a
16 precast that would match the limestone color
17 of the Canterbury Cathedral for the expression
18 of the crosses and the entrance here. And
19 again, with a pattern glass for the bell tower
20 in this location.

21 Next slide. And here, the same
22 pallet of material as seen from the other

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1 elevation.

2 And with that, we will answer any
3 questions, but turn that over to Sami Kirkdil.

4 MR. KIRKDIL: Okay. Hi. My name
5 is Sami Kirkdil. I'm one of the principals of
6 SK&I Architects. Over the last 12 years, we
7 have built several notable residential
8 buildings with PN Hoffman in the District of
9 Columbia. We are very excited to be a part of
10 this team.

11 I mean, our design here, basically,
12 we have also got our CFA approval, April 19.
13 Our building is, basically, in keeping with the
14 Phase 1 Stage PUD approval. We have 109
15 residential units. 116,000 square feet of GFA.

16 And we are doing, basically, 45 feet of building
17 height with 12 feet of occupiable penthouse.

18 Go back. Can we turn the lights?

19 Huh? Okay. We are locating building entrance
20 between Water Street and M Street, basically,
21 building onto this lobby will be located on this
22 location. Building -- okay. Sorry.

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1 Garage entrance will be located on
2 Water Street, basically, coming in and our lobby
3 is located on, basically, Water and M Place,
4 basically. And we are four story building and
5 there is a first level of parking that,
6 basically, provides several parking spaces.
7 We have a ramp down to lower parking level, which
8 is, basically, total of 71 parking spaces.

9 We are also, basically, kind of
10 designing the building. There are several --
11 we are trying to incorporate as many open public
12 spaces as possible incorporating auto space in
13 the units. We are doing baby views and
14 balconies outside of the building. We have
15 internal courtyard, basically -- which is
16 basically going to be public for the residents
17 of this building.

18 We are also trying to use rooftop
19 terrace for the units as well. So we are trying
20 to increase our open public space for the units
21 and trying to incorporate views to the water
22 and so forth.

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1 And the courtyard will be 46 feet
2 wide and it's only three stories tall, so it's
3 going to, you know, basically, be a very nice
4 space. We have a public amenity space in the
5 first floor that opens up to that courtyard space
6 and it becomes terrace on the second floor for
7 the residents.

8 As you can see in the building
9 section, there is a 4 feet difference between
10 Water Street and 4th Street. Basically,
11 buildings along 4th Street ends up being 6 feet.

12 They become English basement units. They can
13 get buried, so in our -- we are taking our
14 building height from Water and M Street, so,
15 basically, along the Tiber Island townhouses,
16 building is going to read more like a three and
17 a half stories than four stories.

18 And this is some of the context.
19 Basically, we are trying to get our inspirations
20 from some of the earlier modern buildings in
21 our symmetrical building composition, you know,
22 trying to incorporate as much outdoor space and

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1 balconies into the units and glass and also the
2 building colors and structures as well.

3 So this is the Tiber Island
4 residences. Basically, we are taking our
5 clues. We are trying to provide some outdoor
6 balconies for our residences and we are trying
7 to kind of create several layers in the building
8 design, basically, background is more darker
9 brick and lighter brick and metal framing in
10 front of it to kind of articulate the building
11 facade to read as several layers, so building
12 appears in a more broken down scale.

13 And, basically, on the lobby
14 entrance, we are providing a bigger gesture to
15 kind of mark the building entrance. We have,
16 basically, a glass bay that kind of extends
17 towards the height of the building.

18 This is towards the M Place, again,
19 the lobby, the building entrance, background
20 brick and foreground with metal frames and,
21 basically, balconies, full balconies, French
22 balconies and upper penthouse.

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1 This is from the Maine Avenue
2 looking towards 6th Street. This is -- you know,
3 we are trying to preserve 4th Street, basically,
4 full trees along the church and one of them
5 happens to be here. This is showing with the
6 tree preserve. And, obviously, you don't see
7 anything, so this next rendering showing if
8 there wasn't a tree what the scale is in that
9 street.

10 This is from, basically, the park
11 looking back into the building lobby. Our main,
12 you know, tower elements marking the lobby of
13 the building. Basically, you can see the frame
14 and the background plane. And as you can see,
15 you can barely see the penthouse of the building.

16 This is from again Maine Avenue
17 transitioning back to the church.

18 And this is our material board. We
19 have a sample of it. Basically, we have a darker
20 brick that we are using for background of the
21 building. And we have three lighter metal
22 panels that we are trying to articulate the

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1 building. We have light color brick,
2 basically, frames the front frames with the
3 lighter metal panels and then the darker metal
4 panel happens to be in the background as well.

5 And these are some of the details.

6 Basically, this is a detailed cut from the
7 French balconies showing metal railings and
8 storefront windows and so forth. And this is
9 a cut section through the rear balcony and deeper
10 balconies with the bay windows.

11 These are -- this is, basically, our
12 landscape. We are trying to save existing four
13 trees along 6th Street and Maine Avenue. As I
14 was showing you on the rendering, this is the
15 tree that, basically, we are showing on that
16 rendering. And we are -- basically, have 17
17 feet face of the building to the curb, that's
18 a very decent, you know, basically, streetscape,
19 a sidewalk tree strip and a grass paneling in
20 front of the building.

21 We are also doing LEED silver.

22 MR. GLASGOW: With that, I'll give

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1 it to Paul Josey.

2 MR. JOSEY: Good evening, Chairman
3 Hood, Members of the Commission. My name is
4 Paul Josey. I'm the project manager from
5 Nelson, Byrd, Woltz Landscape Architects in
6 Charlottesville, Virginia.

7 And we are presenting tonight the
8 -- you can see a context plan of the Waterfront
9 Park. The Waterfront Park here, Parcel 11 being
10 to the north of it and then nearby residential
11 communities, Tiber Island and Harbour Square
12 and also this is the Washington Channel here.

13 This is the police/ fire pier, Pier 4.

14 The overall design process for this
15 has been a true corroboration with community
16 members that were selected by ANC Commissioners.

17 We had about four or five different charrettes
18 that we came up with this design together for
19 the park.

20 On the left, you will see what was
21 previously presented, these two plans. These
22 are figured around showing the built-form. The

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1 top left one is showing the built-form of the
2 walls and paths. And you can see the initial
3 design was having a -- the main priority was
4 getting in the access road to the police pier
5 and that has since been removed in this next
6 plan.

7 And then, also, you can see some
8 comments from the CFA that was related to how
9 internal paths are used within the park, how
10 they will move through the park and how community
11 members can access the park and also how they
12 are connected to the waterfront and how the --
13 so this is -- this row, they were saying,
14 essentially, cutoff the waterfront from access.

15 And also how we used plants to shape
16 space within the park. So as a redesign or
17 rethinking going back to the community, we had
18 another scenario where we presented a shift in
19 the access road to the police pier, so that no
20 longer was running parallel. We reduced the
21 size to a minimum of 20 feet width and opened
22 up views increasing paths and such and also still

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1 including the turnaround plaza.

2 You will see instead of being a
3 circular form, it has taken a more rectilinear
4 form, so that it has a multi use function for
5 community members and events. It is also used
6 by the police and fire pier as a turnaround.

7 And the planting scheme, you can see
8 that we have used plants, particularly trees,
9 you know, upper large canopy trees to frame views
10 between the piers out towards Washington Channel
11 and to East Potomac Park. You can see the two
12 different scenarios.

13 Next slide. This is just showing
14 how there is changes to the plan, to the design.

15 The area shown is the connection to 6th Street
16 and to Water Street and how you would enter into
17 the park from N Street as well as along the
18 promenade itself. And then there are a series
19 -- and the blue lines is highlighting the
20 internal paths, both secondary and primary
21 paths, that would bring you through the park
22 and into the park with lots of options for

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1 movement.

2 And then finally, the key views
3 which was a major element in the initial design
4 charrette sessions with the community about how
5 important it is to engage the views to the water.

6 And so we have included views, you know, between
7 the piers and out across Washington Channel and
8 even looking down to the Potomac south along
9 the existing row of Willow Oaks, which are up
10 here.

11 These are showing the spaces that
12 were created through those both planted and
13 built-forms, the main entry space and entry
14 plaza where you would enter in past the threshold
15 of the large trees, a large central lawn was
16 a big element that the community was interested
17 in shaped by a large pergola that frames the
18 space and then there is adjacent to that a play
19 area where a series of play mounds and berms
20 are that frame the use, we will mention that
21 more in a second, a Bocce court and other
22 activity and events terrace for the community.

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1 And there is a series of -- this is
2 the overall design. So you enter in off of 6th
3 Street into the plaza space. You come under
4 the pergola, it kind of acts as a threshold into
5 the park. There is an interactive stepped water
6 fountain that would -- it steps from here down
7 and running parallel with the Washington Channel
8 and it is meant to represent the geological
9 nature of the area.

10 It starts off with Carderock, the
11 stone being regionally sourced from the Bethesda
12 area and then moving down that is representative
13 of the Piedmont and then stepping down to the
14 coastal plain we have a small Ipe wooden stepped
15 area that you could sit on to engage the
16 fountain.

17 You enter below that into the play
18 lawn itself, long views again out over the water.

19 A series of play mounds are also used as we
20 sort of bermed up topography in this area and
21 also in here to both provide recreation for
22 people and children as well as to frame the

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1 views.

2 So you are separating the play lawn
3 from, you know, the access road and but you are
4 also really shaping views and creating, you
5 know, the longer connection from the park to
6 the water, from the play lawn to the water.

7 As you move further, there is Bocce
8 courts here. There is a small storage building
9 for park items. At the end of that, then
10 continuing down you would -- there is the access
11 road that has been reshaped and reduced. At
12 the terminus is the turnaround plaza and the
13 police and fire pier parking that is existing.

14 And this plan has been worked
15 through with the police. They have requested
16 to have their existing amount of parking spaces
17 as well as these existing spaces here we provided
18 for them. And so they are happy with this plan
19 and they give approval.

20 You also see closer to the water a
21 series of rain gardens and bioswales. There
22 are four shown in this plan, five, excuse me,

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1 that will be filtering all the stormwater from
2 the site, so that you are infiltrating the
3 groundwater and not having to go off into the
4 Washington Channel. So you are treating the
5 water before it moves off the site using regional
6 plants throughout the design to -- you know,
7 both riparian and regional plants native plants
8 that would give reference to other plants in
9 these low and riparian areas along the Potomac
10 and also of the region.

11 So that's the general plan. One
12 other thing is a small cafe terrace that would,
13 you know, become part of this future parcel.

14 This is looking in when you enter
15 the entrance plaza itself under the pergola.
16 Of note, the pergola has three areas that are
17 with would-be vines growing on top of that.
18 And then two areas, as requested by the
19 community, that would be a solid, you know,
20 plastic surface that would -- it's a polymer
21 surface that would be solid that would not allow
22 rain or weather through in sort of large summer

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1 storms.

2 You are looking over the geology
3 found here. This is the entry fountain spilling
4 over here and then stepping down going south.

5 The play lawn and you can also see the views
6 across the Potomac Park and then the berms
7 shaping those views.

8 This is an aerial of the project
9 looking -- again, you can see the play lawn and
10 how these views are framed using a combination
11 of canopy trees and understory trees with the
12 seasonality of the trees. You will have spring
13 color and fall color, winter color in some of
14 the things, especially in the rain gardens.

15 We will see -- this gives in to some
16 of the precedents. I'm using Ipe or similar
17 hard wood that would make up the steps for the
18 fountain and also become part of an element on
19 the pergola itself. Strips of these would be
20 along this one edge of the pergola.

21 This similar idea, the cantilever
22 pergola, all the different materials. We would

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1 have a material board we will show you in a
2 moment. Just the play mound, the idea, and then
3 we have an exposed aggregate for vehicular that
4 would be oyster shell exposed aggregate. And
5 we have a sample to provide of that and also
6 plant board that we will show, again, regional
7 and native plants. And I'm concluding now.
8 That's it.

9 MR. GLASGOW: All right. Mr.
10 Chairman, this concludes the applicant's direct
11 presentation.

12 CHAIRMAN HOOD: All right. Give us
13 a moment. We're looking at the material boards.

14 I do have some questions that Commissioner May
15 had asked and I think one of them, as I was
16 reading earlier, is if you could bring all the
17 material boards back for the Tuesday meeting?

18 So he would like to see them on Tuesday. I
19 don't know how you want to work that out, but
20 I have to watch what I say, because he reads
21 the transcript very well.

22 MS. SCHELLIN: He's watching.

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1 CHAIRMAN HOOD: Oh, he's watching,
2 oh.

3 VICE CHAIR COHEN: On the black
4 powder coated steel frame, what is that going
5 to do to birds?

6 MR. JOSEY: Could you repeat the
7 question?

8 VICE CHAIR COHEN: Yes. On the
9 black powder coated steel frame, what is that
10 going to -- what impact does that have on birds?

11 MR. JOSEY: I'm not aware of any
12 impact on birds.

13 VICE CHAIR COHEN: Would you check
14 into that, please?

15 MR. JOSEY: Yes, ma'am.

16 VICE CHAIR COHEN: Could you turn
17 to the picture called Parcel 11B view from 6th
18 Street? And you do mention that, you know, the
19 police department reviewed the park plan, but
20 I'm wondering if you are approaching from this
21 area, it looks awfully, you know, empty. And
22 I was wondering what your feelings are regarding

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1 safety as you walked in toward it, you know,
2 past that barrier?

3 MR. GLASGOW: Are you talking about
4 the entrance to the Waterfront Park and the
5 distance?

6 MR. JOSEY: We do have an eventual
7 lighting plan that -- you know, it would keep
8 the existing Willow Oaks there and have a
9 well-lit entrance into the park itself.

10 VICE CHAIR COHEN: Thank you. On
11 Parcel 11B, the view from M Street, how wide
12 is that brick wall that separates the church--
13 well, it's not separating, it's abutting the
14 condo. How wide is that? Because it looks like
15 it could be an extremely interesting pallet for
16 a graffiti artist. It's a huge blank brick wall
17 or it looks large from the drawing.

18 MR. GLASGOW: Is this the bronze
19 panels of the church in here?

20 VICE CHAIR COHEN: No. It's
21 abutting. It's a short -- there, right there.

22 MR. FOSTER: That dimension is

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1 about 10 to 11 feet wide and it's not brick.
2 It's a bronze metal panel.

3 VICE CHAIR COHEN: Okay. But
4 still, it can be drawn on?

5 MR. FOSTER: Well, it could be drawn
6 on, yes.

7 VICE CHAIR COHEN: Just curious.
8 Actually, I have questions for DDOT, so --

9 CHAIRMAN HOOD: Okay. I'll do it.
10 You ask your questions. Okay. Mr. Turnbull?

11 COMMISSIONER TURNBULL: Thank you,
12 Mr. Chair. Let's look at the church first.
13 The -- from what you said, you are going to have
14 unloading of vehicles on Water Street.

15 MR. FOSTER: Right.

16 COMMISSIONER TURNBULL: Is that
17 designated parking? It show like that those
18 are parking spaces. So I'm just curious.

19 MR. FOSTER: I think that was more
20 for ceremonial that would be for an occasional
21 wedding or a funeral. And usually during a
22 wedding or funeral because they are not every

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1 day or every weekend, you would, you know,
2 reserve two or three spaces on a Saturday or
3 a Sunday for, you know, an event.

4 COMMISSIONER TURNBULL: What about
5 handicap drop-off?

6 MR. FOSTER: Handicap drop-off, we
7 have handicap space provided in the building.
8 And there is --

9 COMMISSIONER TURNBULL: You mean
10 someone has got to go into the parking lot and
11 get out and go through into --

12 MR. FOSTER: If they are driving the
13 vehicle. If it's a --

14 COMMISSIONER TURNBULL: No. If
15 somebody is dropping off somebody?

16 MR. FOSTER: Oh, I'm sorry. If
17 it's a drop-off situation, you would have --
18 there is no parking for drop-off right along
19 the M Street and Maine Avenue.

20 COMMISSIONER TURNBULL: There is
21 none?

22 MR. FOSTER: There is no --

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1 COMMISSIONER TURNBULL: Right.

2 MR. FOSTER: -- street parking, so
3 that would be, you know, a drop-off area.

4 COMMISSIONER TURNBULL: Is that the
5 safest place to do that?

6 MR. FOSTER: Well, if you are being
7 dropped off, you are being dropped off at the
8 curb, so I don't think you are in --

9 COMMISSIONER TURNBULL: What about
10 loading and unloading, deliveries, flowers
11 going to the church, something going to the
12 church? Where does that take place?

13 MR. FOSTER: I think there -- well,
14 that diagram does show a car right in the front.
15 Most buildings, and I would hope this one would
16 as well, would have a no parking directly
17 opposite the front entrance and that would be
18 for a short term drop-off for a disabled person,
19 a wheelchair or a quick run-in delivery. That
20 would be on 6th Street. I'm sorry, not 6th
21 Street, Water Street.

22 COMMISSIONER TURNBULL: Well, we

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1 got into this before. And maybe our friends
2 from Department of Transportation will talk
3 about it. I mean, this doesn't sound like it's
4 an operational plan. I mean, I just think that
5 things haven't been looked at from an
6 operational use of the church and what is going
7 to happen from deliveries.

8 DDOT doesn't like people parking out
9 on Maine or M Street and I think 6th Street if
10 there are cars parked, then there is going to
11 be double parking.

12 MR. FOSTER: I misspoke. It wasn't
13 6th Street. It is Water Street.

14 COMMISSIONER TURNBULL: Water
15 Street.

16 MR. SEAMAN: It's not -- Water
17 Street is actually --

18 MR. FOSTER: Right out from the
19 front.

20 MR. SEAMAN: Sorry. Water Street
21 is actually a private roadway. It's not a DDOT
22 right-of-way.

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1 COMMISSIONER TURNBULL: So that
2 parking there is not --

3 MR. SEAMAN: It's not DDOT parking,
4 no.

5 COMMISSIONER TURNBULL: Reserve
6 parking?

7 MR. SEAMAN: No. It's -- the idea
8 would be to have on-street parking, probably
9 two hour parking, similar to how it operates
10 today. We have talked about having it enforced
11 by the DC Ticketing, but it is not a DDOT
12 right-of-way, so we have the ability to sign
13 it to provide a no parking entrance in front
14 of the church.

15 COMMISSIONER TURNBULL: Well, I
16 think I need to see that. I think there is
17 something that needs to be provided, otherwise,
18 you're going to have double parking.

19 MR. SEAMAN: Sure.

20 COMMISSIONER TURNBULL: You're
21 going to have a UPS truck, FedEx truck or
22 something, anything that gets delivered to the

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1 church is going to be double parked on Water
2 Street.

3 MR. SEAMAN: Right.

4 COMMISSIONER TURNBULL: So, I mean,
5 we have had that in other areas of the city and
6 they get upset by it. And so they would like
7 to see a plan. So I think we need to see a
8 loading -- I mean, there is no really loading
9 provided for the church right now.

10 MR. SEAMAN: There is loading
11 internal to the garage.

12 COMMISSIONER TURNBULL: But you've
13 got to go all the way through the lot and go
14 through that tiny -- that 3 foot door that goes
15 between the kitchen and the trash room.

16 MR. SEAMAN: Right. That's true.

17 COMMISSIONER TURNBULL: It's an
18 elegant entrance for people coming into the
19 church.

20 MR. SEAMAN: No, for loading there
21 or flower deliveries --

22 COMMISSIONER TURNBULL: Right.

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1 Now, but I mean if people --

2 MR. SEAMAN: -- and FedEx.

3 COMMISSIONER TURNBULL: -- are
4 coming to the church and I -- well, what we didn't
5 talk about is parking for the church. There
6 is 15 spaces?

7 MR. SEAMAN: There is seven parking
8 spaces for the church.

9 COMMISSIONER TURNBULL: Only
10 seven?

11 MR. SEAMAN: Yes.

12 COMMISSIONER TURNBULL: 15 is
13 required.

14 MR. SEAMAN: Yes.

15 COMMISSIONER TURNBULL: And you are
16 only providing seven in an area that is already
17 congested, so people coming from out of the area,
18 neighbors or parishioners coming to the church,
19 you're only providing seven spaces for people.

20 MR. SEAMAN: I can let --

21 MR. FOSTER: Mr. Holman can respond
22 to that.

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1 COMMISSIONER TURNBULL: Okay.

2 MR. HOLMAN: Thank you,
3 Commissioner Turnbull. We have conducted a
4 census of our members and the majority of them
5 are neighborhood residents. In fact, on an
6 average Sunday, you would only have five to seven
7 people parking in our circular right-of-way.

8 We think that going forward we will
9 be continuing to recruit the majority of our
10 members from the neighborhood. And so we would
11 hope that the Commission could grant us a degree
12 of relief from that requirement, because there
13 are -- I would say we have the seven spaces
14 internally, but the majority of our members tend
15 to walk.

16 COMMISSIONER TURNBULL: Okay.
17 Well, Mr. Holman, you are on the record for seven
18 spaces for your church. That is what is just
19 out there. I just want to make sure
20 you --

21 MR. HOLMAN: No, no. I --

22 COMMISSIONER TURNBULL: -- agree.

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1 MR. HOLMAN: -- what I'm saying is
2 that under -- within the structure, there are
3 seven spaces.

4 COMMISSIONER TURNBULL: Right.
5 That's what I'm saying. You have got seven
6 designated spaces within the parking area. I
7 just want you to be sure what you said. Okay.

8 Now, you talked about funerals. Is
9 that elevator big enough to put a hearse in?
10 I mean, to put a casket in?

11 MR. HOLMAN: Yes, sir.

12 COMMISSIONER TURNBULL: It is?

13 MR. HOLMAN: Yes, sir.

14 COMMISSIONER TURNBULL: Okay. I
15 think I may be repeating some comments. I think
16 OP had a lot of comments and I think maybe CFA
17 on the plaza. I think a lot of -- there was
18 a feeling that was a little unfinished. And
19 there is some -- I think OP, and OP can get into
20 their comments on the street designation, the
21 raised walkway. I think there needs to be more
22 clarification on that street, you know, how it

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1 has come through and the plaza that it reads.

2 I mean, I think we can't see -- I
3 think the drawings are a little unclear. They
4 are not the most descriptive when you look at
5 the plaza and see the delineation of the paving.

6 I think we would really like and I think OP
7 would like to see a delineation of how the raised
8 paving works by the street, how you are
9 designating "road" street from plaza.

10 So I think it is a little unclear
11 right now how that really works. And I think
12 just from the standpoint of safety and user --
13 from pedestrians, I think it would be good for
14 us to see how that really works.

15 MR. FOSTER: Okay. Thank you,
16 Commissioner Turnbull. There is two parts to
17 this. There is the Phase 1 which is delineated
18 in the second slide of the church that does show
19 the Water Street coming through, which will have
20 an interim plaza.

21 And I think it is reasonable to say
22 that the parking that is right in front of the

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1 church, you know, can be removed for drop-off,
2 for inference, as you suggest. There is a car
3 shown there and that does show the line and
4 delineation of the interim paving, which extends
5 to that curb line on the entire perimeter and
6 that would be the concrete sidewalk that we
7 mentioned, because in the subsequent phase, the
8 future phase to the south for M Street Landing,
9 we would want to have a coordinated paver pattern
10 and any landscape components that draw across
11 that we would want to have that.

12 COMMISSIONER TURNBULL: Can you
13 show us the differentiation between the two?
14 I think it's a little unclear. What's Phase
15 1? What's Phase 2? Or provide us better
16 drawings that show Phase 1 and Phase 2.

17 MR. FOSTER: The -- let's see here.
18 The Phase 1 is limited -- is at this line as
19 drawn. And it extends from the church entrance
20 out to Water Street. This car appears to be
21 mislabeled that is there, but we can have that
22 remaining open for drop-off as is typically done

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1 directly outside of the front of a commercial
2 or church building for drop-offs and the
3 operational issues that you mentioned.

4 In the Phase 2, this is Phase 1,
5 which is delineated here, between the church
6 entrance and Water Street. In the subsequent
7 phases, all of this will be redesigned and come
8 before you, so that the specific materials
9 specified for this M Street Landing Park can
10 continue from the park right to the front
11 entrance.

12 And typically at this location for
13 safety, you would put a rolled curb or small
14 bollards that would designate an area, maybe
15 even a change in pattern, but it is meant to
16 be a raised landing, so that this park is
17 continuous.

18 But Phase 1 would be limited to this
19 line as shown on both of these drawings.

20 And Phase 2 will come before you with
21 the final pallet. We didn't want to pick that
22 now, because any stone would not be there.

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1 COMMISSIONER TURNBULL: On this
2 sheet --

3 MR. FOSTER: That's shown as Phase
4 2.

5 COMMISSIONER TURNBULL: 2 point --
6 that's Phase 2?

7 MR. FOSTER: Right. That's the
8 completed --

9 COMMISSIONER TURNBULL: So the
10 paving in front of the church is not there?
11 That's not going to be there?

12 MR. FOSTER: Not in Phase 1.

13 COMMISSIONER TURNBULL: So that's
14 going to be ripped up and you are showing on
15 this drawing a scored 2 x 2, 4 x 4 concrete?

16 MR. FOSTER: Yes, sir, correct.

17 COMMISSIONER TURNBULL: You better
18 explain that on some other drawings for us that
19 clearly delineates that.

20 MR. FOSTER: Yes, sir.

21 COMMISSIONER TURNBULL: And
22 clearly show us what is happening with the curb

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1 in Phase 1, so we understand what is going on.

2 MR. FOSTER: Very good.

3 COMMISSIONER TURNBULL: I mean, I
4 think it's a little unclear. We need to
5 understand what the neighborhood is getting and
6 understand the safety impacts of what we are
7 going to think. OP needs to see that and they
8 can talk about it themselves.

9 I think I've got one of Commissioner
10 May's questions, I can leave that for when you
11 read it.

12 What is the size of the bronze panel?

13 MR. FOSTER: It's the exact size on
14 that material, which I think is about 20 inches
15 by 9 inches. The table board behind you. Each
16 shingle is an actual scale shingle there.

17 COMMISSIONER TURNBULL: It didn't
18 look like it was 20 inches, but --

19 MR. FOSTER: It might be 16. There
20 is --

21 COMMISSIONER TURNBULL: Okay. But
22 you are saying it's 20 inches?

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1 MR. FOSTER: I don't have the exact
2 dimension for the record.

3 COMMISSIONER TURNBULL: Well,
4 could you tell us then?

5 MR. FOSTER: We will have to get
6 that and confirm it.

7 COMMISSIONER TURNBULL: Okay. I
8 just wanted to talk about the blue glass on the
9 church. There is -- the drawings are very
10 deceptive. The renderings are clearer in one
11 sense. The elevations are not very definitive.

12 I think they are not clear as to what you really
13 see around the windows. I think CFA has talked
14 about that.

15 I think we need better drawings of
16 elevations that show us how you are delineating
17 around the windows or the brick work, the
18 paneling, because the drawings are very
19 cartoonish in elevation.

20 The renderings are a lot clearer.

21 The renderings almost show clear glass at the
22 sanctuary where you are actually showing that

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1 it is blue glass, but on the elevation, it looks
2 like clear and you can see right through.

3 MR. FOSTER: It is a -- as is shown
4 on the sample board, the actual panels have a
5 light blue tint and a semi-reflective quality
6 just for glare control inside and out. But it
7 does have a -- it is very intentional to be
8 transparent and even leans out a little bit,
9 so you don't have a glare from the sky, a lit
10 sky.

11 COMMISSIONER TURNBULL: Okay.

12 MR. FOSTER: And the rendering is
13 shown at more of a low light, so that the light
14 inside would make it, you know, very transparent
15 to the outside.

16 COMMISSIONER TURNBULL: So you will
17 be able to see everybody in the sanctuary?

18 MR. FOSTER: Absolutely.

19 COMMISSIONER TURNBULL: Okay.

20 MR. FOSTER: Yes, sir.

21 COMMISSIONER TURNBULL: I'm
22 concerned about the fritted. Are you

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1 definitely going to be able to block or screen
2 the mechanical equipment with this fritted
3 glass?

4 MR. FOSTER: Oh, absolutely, yes.

5 COMMISSIONER TURNBULL: It looked
6 a very -- I mean, on some of your drawings, it
7 sort of shows that you can see some things
8 through there. And I mean, it doesn't really
9 show that there is a difference on the blue
10 glass. Is there a difference?

11 I mean, I'm looking at one of these
12 elevations. And is there a difference from
13 where the screening goes down to the regular
14 glass then? Do you see a definitely definition
15 of --

16 MR. FOSTER: The outside of the
17 glass would be the same and would have a similar
18 color, so when you look at it at an angle, you
19 would have a reflection. So it has -- it's very
20 similar. The fritting is on the inside of the
21 mechanical screened glass.

22 COMMISSIONER TURNBULL: Yes.

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1 MR. FOSTER: It's on the inside
2 face. So it is really meant to still be
3 translucent, a sense of an etherial screen.
4 You would see objects behind it, but you wouldn't
5 see like a train or a carrier condenser. But
6 just like you would see objects on the wall
7 beyond the sanctuary, you know, it's not meant
8 to be a stand roll or reflective. It's meant
9 to have a semi-transparency to it.

10 And I think we have shown, you know,
11 a 60 percent frit, but we will be doing some
12 fine tuning whether that's a 60 percent or an
13 80 percent frit. We do want light to move around
14 on all sides of it to make it a little bit lighter
15 as it meets the sky.

16 COMMISSIONER TURNBULL: There is a
17 window at the back of the sanctuary. It doesn't
18 look like you can see any mechanical equipment.
19 Could you verify that you cannot see any
20 mechanical equipment from back there?

21 MR. FOSTER: I will. That is -- we
22 have tested that, but I can confirm it for you

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1 --

2 COMMISSIONER TURNBULL: It looks,
3 again --

4 MR. FOSTER: -- now before --

5 COMMISSIONER TURNBULL: Yes. It
6 looks like you can't, but --

7 MR. FOSTER: From the ground, you
8 see up at an angle beyond it and it's really
9 meant to allow south light in at a very narrow
10 sliver to just provide some direct light on,
11 you know, a Sunday morning or, you know, at noon.

12 COMMISSIONER TURNBULL: One of the
13 old comments from CFA was that they were
14 concerned that the bell tower wasn't -- didn't
15 look like it was tied into the church. Has there
16 been any further discussions on that?

17 MR. FOSTER: The bell tower has
18 substantially been changed since that comment.
19 And the --

20 COMMISSIONER TURNBULL: So this
21 reflects the change?

22 MR. FOSTER: This reflects the

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1 change which they did support at the meeting
2 this past week where they provided conceptual
3 approval.

4 COMMISSIONER TURNBULL: Okay.

5 MR. FOSTER: Thank you.

6 COMMISSIONER TURNBULL: Thank you.

7 On the residential building, there is, again
8 drawing wise, a big difference between the
9 renderings and the elevations on the residential
10 building.

11 The residential building show --
12 they show the side that the facade is looking
13 a lot lighter. If I look at the elevations,
14 which again are hard to read, they are not as
15 defined as what we normally get. And I think
16 we have talked about clarity of drawings before.

17 They read a lot darker.

18 The panels read and it looks like
19 the sample boards read like a very dark gray.

20 You have got a lighter gray out in front for
21 the precast of what it is and the brick and then
22 the panels back by the building. And again,

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1 I guess these are -- read very dark.

2 I mean, I'm just worried about the
3 compatibility with the neighbors across the
4 street. I mean, it looks very dreary. It looks
5 very dark in the elevations of the residential
6 building.

7 But if I look at the renderings, the
8 renderings look a lot brighter, more lively
9 building, so I'm just curious as to what you
10 are trying to achieve.

11 MR. GLASGOW: Sami, do you want to
12 respond to that?

13 MR. KIRKDIL: Yes, I'll try, I'll
14 try. I mean, think metal panels quite like
15 in general in pallet, I think, in the rendering
16 elevations, what you might be reflecting is --
17 showing is the brick, darker brick in the
18 background. And if I in real life show you that
19 brick, it has a lot of reflective character to
20 it.

21 So it kind of shines and shimmers
22 and it appears a lot lighter in real life. That

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1 actually we had a rendering. It was tough to
2 really render.

3 COMMISSIONER TURNBULL: Yes, I
4 know.

5 MR. KIRKDIL: We have used it on
6 several buildings.

7 COMMISSIONER TURNBULL: You have
8 used it on several buildings?

9 MR. KIRKDIL: Yes, darker brick,
10 yes.

11 COMMISSIONER TURNBULL: Could you
12 provide us some photos of that?

13 MR. KIRKDIL: Sure, sure.

14 COMMISSIONER TURNBULL: I mean, as
15 I say, I've looked and the renderings show one
16 thing, but this shows a very dark building.
17 Now, whether it is --

18 MR. KIRKDIL: We have a computer
19 rendering.

20 COMMISSIONER TURNBULL: I know.
21 And that's why I'm saying, we've got a big
22 difference between the renderings and the

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1 elevations. And it's hard to really understand
2 what you are trying to achieve with your -- I'm
3 not faulting the design or anything.

4 MR. KIRKDIL: That's a good --

5 COMMISSIONER TURNBULL: I'm just
6 trying to understand what we are trying to see.

7 MR. KIRKDIL: The foreground and
8 background to kind of articulate the --

9 COMMISSIONER TURNBULL: Well,
10 maybe a better drawing. Maybe a drawing that
11 might articulate that better, either way,
12 whether it is a rendering looking on the side,
13 but it would be nice to see -- I mean, I would
14 feel better. I mean, trying to look at what
15 the buildings across the street, the
16 neighborhood --

17 MR. KIRKDIL: Yes.

18 COMMISSIONER TURNBULL: -- and
19 color-wise what are we looking at? I mean, I'm
20 not looking -- you're not matching, but I'm
21 trying to get a feel for the character of what
22 the neighborhood will look like.

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1 MR. KIRKDIL: Okay.

2 COMMISSIONER TURNBULL: And I guess
3 the one question is, which OP has brought up
4 and they can get into it, there is no loading
5 berth. There is no loading. There is no 30
6 foot. I mean, you have asked for a lot of relief
7 on loading. I mean, there is like five
8 different loading berths required or four in
9 both, for the church and for the building, but
10 we have no loading berths. We have simply got
11 a space and I'm just wondering what's the
12 rationale for that.

13 MR. FOSTER: We do have the service
14 loading and the back door on the inside of the
15 parking garage on the P1 level that is --

16 COMMISSIONER TURNBULL: But it is
17 not really a berth though. It looks like you
18 just pull in and --

19 MR. FOSTER: It's not going to be
20 a very actively used first floor that garage
21 and I think this area back here is actually
22 fairly significant for the number of units that

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1 we have in the building. And then we have
2 private streets on M Place and 6th Street and
3 we can look to provide a little bit more
4 information about how that is signed and how
5 we handle events.

6 COMMISSIONER TURNBULL: That would
7 be good.

8 MR. FOSTER: Okay.

9 COMMISSIONER TURNBULL: That would
10 be good.

11 MR. KIRKDIL: We'll see.

12 COMMISSIONER TURNBULL: That would
13 be good. The trash room. How is the trash
14 room? I don't see a door on it. I'm just
15 curious how it gets accessed.

16 MR. KIRKDIL: There will be a
17 roll-up door in the face of the building.

18 COMMISSIONER TURNBULL: On the face
19 of the building?

20 MR. KIRKDIL: Yes. To get the--

21 COMMISSIONER TURNBULL: On Water
22 Street?

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1 MR. KIRKDIL: Am I right? I'll
2 look at the elevation.

3 MR. SEAMAN: The garage entrance is
4 the roll-up door. It's not a separate door for
5 the --

6 MR. KIRKDIL: Okay.

7 COMMISSIONER TURNBULL: Oh, okay.

8 MR. SEAMAN: Yes.

9 COMMISSIONER TURNBULL: And so you
10 come in and there must be something at the back
11 that opens up or?

12 MR. SEAMAN: Yes, we should
13 definitely have a door.

14 COMMISSIONER TURNBULL: Yes,
15 right.

16 MR. SEAMAN: So from now to then,
17 we should --

18 COMMISSIONER TURNBULL: Yes, I'm
19 just curious.

20 MR. SEAMAN: -- load this.

21 COMMISSIONER TURNBULL: I'm just
22 curious. I'm just looking at obvious things

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1 that aren't shown.

2 MR. SEAMAN: Right. Okay. We
3 will fix it.

4 COMMISSIONER TURNBULL: Okay. I
5 think CFA also talked, they had a concern, about
6 residential. Because of the grade, we have
7 residential units going below-grade as you go
8 toward M Street. Now, do we have entrances from
9 the street into the units?

10 MR. KIRKDIL: I think we don't have
11 stoops any more. We don't have entrances.

12 COMMISSIONER TURNBULL: You don't
13 have entrances from any of the units going onto
14 the street?

15 MR. SEAMAN: No, we don't.

16 COMMISSIONER TURNBULL: That's a
17 mixed space. Sometimes it's kind of nice to
18 have a little activity on the street, but --

19 MR. KIRKDIL: We agree.

20 MR. SEAMAN: Yes, we agree. That
21 was one of the casualties of widening the street
22 back to the 38 or 39 foot width.

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1 COMMISSIONER TURNBULL: Okay.

2 MR. SEAMAN: Going back to the
3 two-way traffic.

4 COMMISSIONER TURNBULL: I think I
5 had asked you to look at the graphics as you--
6 for the entrance to the condos. The little red
7 sign on the wall looks a little anemic. It looks
8 kind of like someone just wanted to put a sign
9 there, so I think you've really got to look at
10 the entrance a bit.

11 Okay. Let me -- now, there is --
12 on the park there is phasing on the park. Would
13 you explain?

14 MR. JOSEY: The phasing has been
15 removed from the park.

16 COMMISSIONER TURNBULL: It has been
17 removed. Okay.

18 MR. JOSEY: Due to the recent --

19 COMMISSIONER TURNBULL: So it is
20 all going to be built as one?

21 MR. JOSEY: Correct.

22 COMMISSIONER TURNBULL: Okay.

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1 Okay.

2 MR. SEAMAN: That was the Maine
3 Lobsterman and then also the area adjacent to
4 the Pier 4 was federal parcels that now that
5 the District has the ability to transfer them,
6 that's --

7 COMMISSIONER TURNBULL: Okay.

8 MR. SEAMAN: -- one single phase.

9 COMMISSIONER TURNBULL: I think as
10 the Vice Chair was talking about, a lighting
11 plan, do we have -- we don't have a lighting
12 plan per se or yet on any of that?

13 MR. JOSEY: We do not have a
14 lighting plan. We have just started the
15 conversation with the lighting consultant.

16 COMMISSIONER TURNBULL: Okay. And
17 the same with the rest of the building. I mean,
18 I see some single lamps out on the streets and
19 I'm not sure what else is going on around the
20 building. Is there any other kind of lighting
21 that we need to know about that would impact
22 neighbors?

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1 MR. JOSEY: The --

2 COMMISSIONER TURNBULL: Plaza
3 lighting or --

4 MR. SEAMAN: Well, the intent for
5 6th Street and M Place and Water Street would
6 be to use a DDOT standard --

7 COMMISSIONER TURNBULL: The basic
8 standard.

9 MR. SEAMAN: -- fixtures, yes.

10 COMMISSIONER TURNBULL: Standard
11 detailed lights.

12 MR. SEAMAN: A little more light--

13 COMMISSIONER TURNBULL: Okay.

14 MR. SEAMAN: -- on DDOT streets,
15 even though they are private.

16 COMMISSIONER TURNBULL: Okay.

17 Well, I mean, some of the questions I'm not sure
18 whether we get into -- I get into OP's questions.

19 They talk about the rear yard for both
20 buildings. I don't know whether I can let OP
21 get into their -- I mean, you have seen the OP
22 report and I don't know if you want to respond

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1 to that.

2 MR. GLASGOW: Yes. With respect to
3 that particular issue, we do have the church
4 and the apartment building are a single building
5 under the regulations. They are connected
6 above-grade. I think what we have determined
7 and what I was looking at was that we would ask
8 for -- I guess it's a very technical type of
9 waiver from the Commission, because you have,
10 in effect, what looks like three streets,
11 although they are not all public streets.

12 COMMISSIONER TURNBULL: Right.

13 MR. GLASGOW: So we would have three
14 public streets. There would be -- you know,
15 you take a rear yard to the center line of the
16 street. There is no rear yard required.

17 COMMISSIONER TURNBULL: Okay.

18 MR. GLASGOW: So we were looking at
19 it along those lines.

20 COMMISSIONER TURNBULL: Okay. On
21 the park, the park is a private park technically?
22 I mean, private park?

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1 MR. SEAMAN: Correct. Well, it
2 will be part of the reconveyanced property back
3 to the District, so it is -- it will be maintained
4 by the project association, but it will be owned
5 by the District as is the other reconveyanced
6 property.

7 COMMISSIONER TURNBULL: Are dogs
8 allowed in the park?

9 MR. JOSEY: Through a lengthy
10 discussion with the neighborhood and through
11 that design process, they determined that there
12 would not be a dog park or anything specifically,
13 you know, catering directly for dogs.

14 COMMISSIONER TURNBULL: But you
15 could walk your dog through it, as long as you
16 -- I mean, are there going to be signs posted
17 that says please --

18 MR. JOSEY: Potentially you could.
19 We haven't brought that up with the
20 Neighborhood --

21 COMMISSIONER TURNBULL: Okay.

22 MR. JOSEY: -- Design Commission,

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1 but --

2 COMMISSIONER TURNBULL: Curb your
3 dog or something like that. I'm just curious,
4 because I thought some of the neighbors might
5 bring it up about that.

6 Mr. Chair, I will relinquish.

7 CHAIRMAN HOOD: Let me ask a couple
8 of questions from Commissioner May.

9 First, he sends his apologies and
10 I have to be very careful, because he's going
11 to read all of this and I don't want to say
12 anything bad about him, like I normally do,
13 because he will repeat it back to me.

14 First, he sends his apologies on
15 behalf of himself and his family for not being
16 present. He had a longstanding family
17 obligation. I think Commissioner Turnbull has
18 already asked what is the size of the bronze
19 shingle.

20 MR. GLASGOW: Yes.

21 CHAIRMAN HOOD: But the second part
22 of Commissioner May's concern in that question

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1 is he wants the sample boards to be returned
2 for the 7/31 hearing, which is next Tuesday,
3 one week from tomorrow.

4 He also says, this is the question,
5 "I appreciate the view comparison between a
6 matter-of-right apartment building and the
7 proposed design. Can they also trace the
8 profile of the proposed building and overlay
9 upon the matter-of-right proposal?"

10 Now, if you have already done that,
11 just tell me, so that when he reads the record,
12 he will know which -- if you could just give
13 us the rendering or a sheet number of what it
14 is, if you can tell us just where it is located.

15 MR. GLASGOW: I don't know that we
16 have done that yet, but we can get that for next
17 week.

18 CHAIRMAN HOOD: Okay.

19 MR. GLASGOW: Yes.

20 CHAIRMAN HOOD: Is the mechanical
21 area labeled on --

22 MR. GLASGOW: Mr. Chairman, the

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1 applicant wanted to make sure that they had the
2 -- I believe what he wants to do is you take
3 a section through the proposal and through the
4 matter-of-right with the R-3 and lay them
5 against each other, essentially?

6 MR. SEAMAN: A sectional view
7 though, not a rendering.

8 COMMISSIONER TURNBULL: No, I think
9 he wants a sectional.

10 MR. GLASGOW: He wants a section,
11 because he said --

12 CHAIRMAN HOOD: What he wants, I can
13 tell you this --

14 MR. GLASGOW: -- he was talking
15 about --

16 CHAIRMAN HOOD: -- you might want
17 to do both.

18 MR. GLASGOW: Okay. What did you
19 say then --

20 CHAIRMAN HOOD: Can they also trace
21 -- here is what he says.

22 MR. GLASGOW: Okay.

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1 CHAIRMAN HOOD: "I appreciate the
2 view comparison between the matter-of-right
3 apartment building and a proposed design. Can
4 they also trace the profile" --

5 MR. GLASGOW: Yes, it's a profile
6 section.

7 CHAIRMAN HOOD: -- "of the proposed
8 building and overlay of" --

9 MR. GLASGOW: That's a section.

10 CHAIRMAN HOOD: -- "upon the
11 matter-of-right proposal?"

12 MR. GLASGOW: Yes, I interpret that
13 as a section being laid one on top of the other.

14 CHAIRMAN HOOD: Okay. The next
15 question is is the mechanical area labeled on
16 Drawing No. 2.15, basically, a condenser farm/
17 will there be windows on the top floor spaces
18 that overlook the condensers?

19 MR. GLASGOW: No.

20 CHAIRMAN HOOD: Okay. What is the
21 height of the elevator overall?

22 MR. KIRKDIL: I think it will be

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1 like 12 feet. I'll have to verify that.

2 CHAIRMAN HOOD: Okay. You want to
3 verify that for next Tuesday?

4 MR. KIRKDIL: Yes.

5 CHAIRMAN HOOD: Okay. Can you
6 provide elevations of the internal courtyard?

7 MR. KIRKDIL: We can.

8 CHAIRMAN HOOD: Okay. Please,
9 provide a drawing of the existing condition of
10 the area that will be the park. Please,
11 indicate on the drawing or a separate drawing
12 what trees or other features will remain in the
13 new park.

14 Do I need to repeat that? Ms.
15 Schellin, can we copy and paste and also make
16 sure that the applicant has these questions?

17 Explain the status of the National
18 Park Service parkland and the plans for the Maine
19 Lobsterman statue.

20 MR. SEAMAN: Would you like me to
21 answer now?

22 CHAIRMAN HOOD: If you can answer

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1 now, he is going to read.

2 MR. SEAMAN: Sure. The Maine
3 Lobsterman is that Lot 819 that I had discussed,
4 the square lot that is now going to be included
5 in the park and it will be transferred to --
6 by the District to the developer at the time
7 we close with the District.

8 The Maine Lobsterman is a statue
9 that was a gift from the Campfire Girls of
10 Cundy's Harbor Maine, which is dear to the hearts
11 of Mainers and Susan Collins in the legislation
12 indicated that it needs to continue to have a
13 view of the water and the proximate Maine Avenue.

14 So we will be looking at a location
15 on the site that is appropriate for it. We have
16 talked about the Fish Market as one option, but
17 it will be part of the project.

18 CHAIRMAN HOOD: Okay. Has the
19 applicant worked with the National Park Service
20 regarding access for maintenance vehicles and
21 such to the Titanic Memorial area and their
22 adjacent park?

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1 MR. SEAMAN: I think they are
2 primarily serviced through the extension of P
3 Street along the northern boundary of Fort
4 McNair, so there would be no change to that
5 access. And then they drive along the actual
6 promenade up into the park. I think Paul can
7 confirm, but I believe that the waterfront road
8 that goes into the police parking lot you could
9 continue to access through the police parking
10 lot as they do today. So there would be no
11 change.

12 MR. JOSEY: That is correct. And
13 also regarding the existing trees on the site,
14 the only existing trees are the large diameter
15 trees. This is the Willow Oaks here and also
16 there is a grove of large Willow Oaks in this
17 area that will remain.

18 CHAIRMAN HOOD: Okay. Ms.
19 Schellin, did we have another page? That's all
20 the questions then? Oh, okay. I wanted to make
21 sure I didn't leave out page 2.

22 Let me ask my -- he does say have

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1 fun. Mr. Turnbull put me up to that. He is
2 going to read the record, Mr. Turnbull. You
3 put me up to that. I wasn't going to say
4 anything. Okay. Vice Chair?

5 VICE CHAIR COHEN: Yes.

6 CHAIRMAN HOOD: I'll ask my
7 questions next Tuesday, I think.

8 VICE CHAIR COHEN: My question is
9 regarding the bronze shingles. I really am --
10 they don't quite appear rich. They look very
11 shabby to me, but maybe I'm just unfamiliar with
12 it. How do you treat it, because, right now,
13 it has all kinds of fingerprints on it and I'm
14 just not familiar with that as a material. Not
15 that I think I should be, but I'm not.

16 MR. FOSTER: We can get some more
17 patinaed material, because bronze, unlike
18 copper, like copper will patina green and then
19 stain.

20 VICE CHAIR COHEN: Yes.

21 MR. FOSTER: Where bronze actually
22 patinas slightly lighter and more muted as it

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1 ages. That right now what you have is a raw
2 material that when it patinas, it is a little
3 bit -- I mean, it's a very traditional material
4 in the liturgical architecture, ecclesiastical
5 architecture for many, many years, centuries.

6 And what it does is --

7 VICE CHAIR COHEN: I'm just
8 familiar with medieval.

9 MR. FOSTER: Well, this is a modern
10 material that is coated, but it patinas
11 naturally without staining. And as it does
12 patina, it patinas a little bit softer, more
13 muted. It's not a reflective material, but it
14 is -- I mean, it's like, you know, bronze statues
15 that have been out in the weather
16 for --

17 VICE CHAIR COHEN: Right, yes.

18 MR. FOSTER: -- hundreds of years
19 and it patinas much like that.

20 VICE CHAIR COHEN: So is this
21 recognized by the U.S. Green Building Council
22 as a sustainable material?

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1 MR. FOSTER: It's a natural
2 material.

3 VICE CHAIR COHEN: Okay.

4 MR. FOSTER: Often in a -- you know,
5 it has got a steel body with a bronze -- finish
6 to bronze. It does patina naturally and it is
7 very lightweight and efficient material, yes.

8 VICE CHAIR COHEN: Okay. I'm sorry
9 that I demeaned it.

10 A question on the Waterfront Park.

11 I noticed that the walkway that abuts the river,
12 is there any protection from just -- other than
13 the fact that you have delineated a different
14 sidewalk from the barrier height, is there a
15 height there, so that little kids won't go
16 running and falling in?

17 MR. FOSTER: Out in front of it, the
18 church to the park?

19 VICE CHAIR COHEN: I'm looking at
20 the aerial view of the Waterfront Park. And
21 the promenade and there is a differentiation
22 between the barrier, if it is a barrier, or the

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1 promenade itself, but is there a height to that?

2 MR. FOSTER: I'll let the landscape
3 architect address that.

4 MR. SEAMAN: Well, I'll answer it.

5 I think the condition that you saw on The Wharf,
6 the 60 feet for the bulk of the project, that
7 would transition when you get to the M Street.

8 M Street Landing is just on the other side of
9 10th Street. And then after 10th Street, you
10 really become part of the Waterfront Park Zone.

11 This area would be treated with a
12 more traditional rail. And we haven't picked
13 the rail out, but it would be 42 inches or --
14 yes, a 42 inch handrail.

15 VICE CHAIR COHEN: All right.

16 MR. SEAMAN: Not dissimilar to what
17 is there today.

18 VICE CHAIR COHEN: Okay. So it is
19 safe?

20 MR. SEAMAN: Yes.

21 VICE CHAIR COHEN: Yes.

22 CHAIRMAN HOOD: Okay. I only have

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1 one question. I think it's 1.4 in the
2 renderings. Could we put that -- it's facing
3 -- it's actually -- no. Actually, I want the
4 one facing the church. Okay. I mean, I really
5 like the design of the church. I have to say
6 that. You know, everything was good until I
7 started looking all the way up to the roof,
8 penthouse, I guess, or the top of -- I guess
9 that's the residential.

10 When I looked over the top of the
11 church and I see it, it almost looks like, I
12 don't know, a warehouse up there. And I'm
13 looking at different perspectives of it. And
14 I just -- that just sets -- that doesn't set
15 well with me.

16 I think the design of the church
17 looks good. I'm looking down -- if I keep
18 focused and don't look up to the room -- I just
19 think it looks weird. When I look up, it just
20 doesn't tie in with -- and I'm surprised that
21 Mr. May didn't ask that or mention that. Maybe
22 he thinks it looks great, but, you know, I just

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1 don't -- that doesn't look well to me. So we
2 need to relook at that.

3 I don't know, Mr. Turnbull, if you
4 have concerns with that, but that just doesn't
5 look well.

6 COMMISSIONER TURNBULL: No, you
7 raise a good point. I guess the other thing
8 is when you are in those units, you are looking
9 down at the roof of the church. And I don't
10 know if that's -- I mean, you've basically got
11 mechanical units down there and you've got a
12 screen, so I'm not sure what you are really going
13 to see from up on that. It doesn't -- it looks
14 a little unfinished.

15 I mean, I think the roof -- I guess
16 it's a membrane roof. I don't know. It's not
17 really defined what that roof is up on the church
18 most likely.

19 MR. SEAMAN: There are actually
20 very nice views from that side of the residential
21 building. You would see the Washington
22 Monument and Maine Avenue and we were trying

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1 to provide a little bit of animation up there.

2 We did setback the penthouse the 12 feet as
3 we did on the other facades of the building,
4 but we --

5 CHAIRMAN HOOD: I'm just saying,
6 basically, from the materials -- now, you
7 remember now, we've got three different. It
8 looks different up there, it looks different
9 here and it looks different here.

10 It just does set. I'm not
11 necessarily talking about the views. I'm
12 talking about how it coincides or how it goes
13 along with what is already there for the finish
14 of the church.

15 MR. SEAMAN: Yes.

16 CHAIRMAN HOOD: To me, that looks
17 like you came over to my neighborhood and took
18 part of the warehouse and just sat it up on top
19 up there. That's what it looks like. I don't
20 know if it's just the copier you used or what,
21 but it just looks out of place.

22 MR. SEAMAN: Okay.

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1 CHAIRMAN HOOD: Because I think the
2 church -- I really am impressed with the-- if
3 my church got that kind of lift, I would be down
4 here, too, like Mr. Holman testifying in
5 support. But I just think when you get up to
6 the top, even though it may not be a part of
7 the church, I just think it looks out of place.

8 Let's see if we can beautify that a little bit.

9 But if it comes back like this, then I think
10 you all will say that you like it like that,
11 but I just think that we do a disservice when
12 I look at the nice church that's down there.
13 It's just my opinion.

14 MR. SEAMAN: Okay.

15 CHAIRMAN HOOD: I'll be looking to
16 see if you do anything with that. Okay.

17 MR. SEAMAN: Primarily, the
18 materials though just to clarify, it's the --

19 CHAIRMAN HOOD: It's either the
20 materials or it's either what I'm looking at,
21 because what I have here, I'm getting two
22 different views on what I'm looking at here,

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1 this compared to this. And then we've got
2 another one.

3 MR. GLASGOW: What sheet number, so
4 we make sure we are looking at what you are
5 looking at?

6 CHAIRMAN HOOD: The sheet number
7 I'm looking at that we had to study was 1.4.
8 the one that we got this evening doesn't have
9 a number on it, but it's the view from future
10 M Street Landing.

11 MR. GLASGOW: Okay.

12 CHAIRMAN HOOD: Okay. That's it,
13 view from future M Street Landing.

14 MR. GLASGOW: Okay.

15 MR. SEAMAN: Okay.

16 CHAIRMAN HOOD: And on one of them
17 it is 1.7, you can also see it again, the
18 rendering 1.7. Just have a look at it and,
19 again, we have like -- I'm looking at three
20 variations right here in front of me.

21 COMMISSIONER TURNBULL: And I think
22 part of it is on the elevations, 1.7. Again,

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1 they are not -- I don't want to call them totally
2 cartoonish, but on 1.7, the elevations are very
3 -- it's hard to tell. Colors are very harsh
4 on the one point on those elevations.

5 I think if we had a better elevation
6 that would be clear, along with the rendering,
7 it might give us a better feel for it.

8 MR. SEAMAN: Okay.

9 CHAIRMAN HOOD: Okay. That's all
10 the questions. Any other questions? Vice
11 Chair?

12 VICE CHAIR COHEN: Now that the
13 Chairman brought up the church and its seven
14 parking spaces, again, you're going to have
15 events, weddings and funerals. So I think you
16 need to address where those people will be
17 parking in the neighborhood.

18 MR. SEAMAN: We will as part of the
19 -- it's sort of a two-part answer,
20 unfortunately. But as Phase 3 of the project,
21 the Parcel 10, Parcel 9 and 10 will be built
22 and that spans to both sides of M Street Landing.

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1 And there will be, approximately, 1,000 parking
2 spaces in there on two levels. So there will
3 be ample public parking available in the garage.

4 It will be at a cost, but there will
5 be additional parking that is off-street
6 provided. And then in the interim, the -- in
7 front of Channel Inn, in front of the Gangplank
8 Marina parking lot that is there, the Water
9 Street that is existing today, although it is
10 closed on paper, the street will exist and many
11 of the on-street parking spaces will exist until
12 Phase 3 is constructed.

13 VICE CHAIR COHEN: And who owns
14 those -- for the interim uses, who owns it?

15 MR. SEAMAN: The parking under
16 Parcel 9 and 10 and M Street Landing?

17 VICE CHAIR COHEN: Well, the ones
18 that will be used interim, like you said the
19 Channel Inn parking.

20 MR. SEAMAN: The interim is
21 currently owned by the District. It would be
22 conveyed to the developer during the -- or when

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1 we close with the District. So during
2 construction, it would be owned by the
3 developer, but it would probably maintain the
4 parking on Water Street.

5 CHAIRMAN HOOD: Okay. Any other
6 questions? Okay. Let's do cross-examination.
7 Chairperson Litsky, do you have any
8 cross-examination?

9 MR. LITSKY: I do.

10 CHAIRMAN HOOD: Come forward.
11 There is a seat down on the end.

12 CROSS-EXAMINATION

13 MR. LITSKY: Thank you. I wanted
14 to know will the change in the affordability
15 component for Parcel 11B be impacted whether
16 or not you are granted a 10 percent flexibility
17 on the number of units on that site?

18 MR. GLASGOW: No. It will be on the
19 basis of the gross floor area. The percentage
20 of gross floor area.

21 MR. LITSKY: Okay. It had just
22 been brought up that at 1.4, the front of the

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1 church, it appears as though the setback
2 penthouses on top allow for folks who have units
3 in that residential building to then stand out
4 on their patio in front of their unit. Is that
5 so? And if so, will those folks be visible to
6 people looking at the church from the street
7 up toward those penthouses?

8 MR. SEAMAN: Those are occupiable
9 penthouses, so, yes, people could get on the
10 penthouse.

11 MR. LITSKY: Okay.

12 MR. SEAMAN: And it's -- I mean,
13 there are long views at times down the street,
14 so you may see people on the --

15 MR. LITSKY: Just curious because
16 we were talking about how it looked from, you
17 know, Maine Avenue and I just wanted to clarify
18 that.

19 As we had in Stage 1, ANC-6D had a
20 number of issues that we needed to address.
21 I think you recall, you know, last year we had
22 some 27 points that the developer was good enough

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1 to address and check off. Most of those, I
2 think, were included in the Zoning Order.

3 Because we have been through such
4 a lengthy process, we had and we received so
5 many stacks of -- a stack that high of materials,
6 it has kind of confused us all.

7 One of the things that the developer
8 was good enough to do was to incorporate our
9 concerns in one single book, rather than to have
10 several books. Toward that point, we wanted
11 to make sure, as we had asked, that this was
12 going to be included as something that you would
13 send to the Zoning Commission as an exhibit.

14 And I just want to make sure that
15 that -- in that way we would allow them to
16 recognize our concerns and have the answers
17 provided by you as well. So what's what we have
18 asked to be done. I just want to make sure that
19 that is going to be done.

20 MR. SEAMAN: Yes, that's the intent
21 once we finalize that document.

22 MR. LITSKY: Great. Okay. That's

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1 swell. Commissioner Turnbull had talked about
2 his concerns regarding the loading. And I
3 heard, and maybe I misheard, that 6th Street
4 might be used for loading as well. Could you
5 clarify if that's so?

6 MR. SEAMAN: I think I may have
7 misspoke. I meant to say that M Place Southwest
8 and Water Street were both private streets and
9 that we have the opportunity to sign those.

10 MR. LITSKY: Great. So we're not
11 talking about 6th Street.

12 MR. SEAMAN: I misspoke about 6th
13 Street. I apologize.

14 MR. LITSKY: I just wanted to
15 clarify that.

16 The other thing is that the cafe
17 terrace is part of now this Phase 1 development.

18 It had originally been part of the Phase 2.
19 And we didn't have an opportunity to discuss
20 how that cafe terrace was going to be used.

21 One of the things that concerned the
22 folks, everybody actually who had participated,

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1 there were 45 of us who had participated in the
2 charrette for the park, was to ensure that we
3 would not have, at any point, food service in
4 that park. And we would not have -- I think
5 originally perhaps, you know, they had thought
6 of, you know, putting a hamburger joint in there,
7 which would have been nice, but not for the
8 residents in the park, because it's our amenity
9 that we negotiated hard and long for.

10 My concern is since we didn't have
11 an opportunity to really talk about how that
12 cafe, that round cafe area, off to where Parcel
13 10 is going to be is going to be utilized. It's
14 that area right over there on the screen over
15 to the left hand side. I don't have a little
16 point -- yes, that one.

17 It leads directly into the park.
18 Since we don't have a building 10 there now and
19 we won't have a building 10 there for a period
20 of time, my part -- my question is what is that
21 going to be used for and do you envision that
22 you might have food trucks or anything like that

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1 that would supply that area with food?

2 MR. SEAMAN: I think ultimately we
3 would like it to be associated with the cafe
4 that is in Parcel 10. So the ultimate design
5 would be to have outdoor dining.

6 MR. LITSKY: Right.

7 MR. SEAMAN: In the interim, I don't
8 think that we have really finalized any plans.
9 There will not be food trucks.

10 MR. LITSKY: Right.

11 MR. SEAMAN: I think we would like
12 the ability to do a catered event on the cafe
13 terrace, so there might be trucks that bring
14 food and --

15 MR. LITSKY: Sure. The total --

16 MR. SEAMAN: -- things like that.
17 But it's not a food truck roundup in the cafe
18 terrace.

19 MR. LITSKY: Just wanted to make
20 sure.

21 MR. SEAMAN: Sure.

22 MR. LITSKY: Because that was

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1 something we didn't have an opportunity to talk
2 through before. That was going to be held off
3 to the second phase.

4 You have asked for flexibility in
5 the manner and the selection of landscape
6 materials. And I wanted to understand if you,
7 in any way, think that that might prohibit
8 eventually, a one -- a replacement of the Willow
9 Oaks on site?

10 MR. SEAMAN: Could you repeat the
11 question?

12 MR. LITSKY: Yes. In the document
13 that had been provided to the Zoning Commission
14 by Holland & Knight, I think on July 3rd, there
15 was, on page X, a request for flexibility on
16 a number of issues. One of those issues had
17 to do with the flexibility in terms of landscape
18 material for the entire project that we have
19 been discussing in the entire PUD, at this point.

20 And since we are only addressing
21 this, but I'm addressing this to the larger point
22 as well, would that -- I'm concerned that if

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1 the Willow Oaks disappeared on Maine Avenue and
2 I know you can't directly address that, because
3 you are only dealing with the Waterfront Park,
4 but we might not be able to have an opportunity
5 to have a one for one replacement, which is
6 something that we dearly want to have.

7 MR. SEAMAN: The Maine Avenue
8 trees, our plan is to do Willow Oaks or Shumard
9 Oak, I believe is the other species.

10 MR. LITSKY: Right.

11 MR. SEAMAN: The flexibility we are
12 requesting is not to change that commitment.
13 So I'm not sure if that answers--

14 MR. LITSKY: It does.

15 MR. SEAMAN: -- that. The
16 flexibility is more for the other planting
17 materials where we just haven't made a selection
18 yet.

19 MR. LITSKY: Great. That's
20 helpful. One of the other issues of flexibility
21 was the manner in the materials that you use
22 on the project. I assume that would pertain

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1 to the materials used on Parcel 11 as well, so
2 that was part of the flexibility. It was within
3 the flexibility request.

4 One of the things that we have not
5 had an opportunity to see are the boards with
6 the materials on them. We have never seen them.

7 So although you have seen them in the book,
8 we have seen them in the book as well. So, you
9 know, I would like an opportunity. I think we
10 all would like an opportunity, the ANC
11 Commissioners, to have -- to get a chance to
12 see what these -- how these buildings are going
13 to be constructed.

14 And we have not had that opportunity
15 yet. So as we have concerns about it, we would
16 like to see exactly what it is that we are talking
17 about. When we are talking about the bronze
18 paneling, when we are talking about the blue
19 glass, when we are talking about the fritted
20 glass and to really see what the color of the
21 graystone is going to be, particularly, on
22 Parcel 11B.

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1 So if we have an opportunity, we
2 have, I think, four ANC Commissioners here
3 tonight to take a look at that. And if you could
4 bring that to our meeting on the 30th, that would
5 be very helpful.

6 MR. SEAMAN: Sure. We can bring it
7 on Monday evening. We can also have them
8 available at our trailer on-site --

9 MR. LITSKY: Oh.

10 MR. SEAMAN: -- since we are going
11 to round them up for next Tuesday's hearing any
12 way.

13 MR. LITSKY: Okay.

14 MR. SEAMAN: So, yes.

15 MR. LITSKY: I did have a question
16 about -- the applicant's transportation and
17 traffic plan is in the process of being reworked,
18 as I understand it. So my question to the
19 traffic consultant is when is that new plan going
20 to be available for us to review? And will we
21 have it prior to our meeting on the 30th where
22 we are supposed to make a determination about

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1 whether we change our views?

2 MR. SCHIESEL: All our supplemental
3 materials will be ready before the 30th. I'm
4 sorry, I'm Rob Schiesel, Project Manager,
5 Gorove/Slade Associates.

6 Yes, they will be available by the
7 30th.

8 MR. LITSKY: Okay. But will they
9 be available for us? I mean, it's kind of like
10 they have to be in by a certain date. We've
11 got them in, we stamp them and the Zoning
12 Commission has the material or OP has the
13 material. If we get a book that thick on the
14 30th, it's going to be very difficult for us to
15 digest what has been provided to us and to
16 analyze what it is that you have reconveyed.

17 And so what I'm curious is not will
18 it be available, when is it going to be
19 available, so we have an opportunity to review
20 it prior to the time that we have our meeting
21 on the 30th?

22 MR. SEAMAN: Frankly, we are

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1 working as fast as we can and I cannot give you
2 an exact time, but we will get you the materials
3 as fast as we can.

4 MR. LITSKY: Okay. Also to that
5 same point, may I have an opportunity to question
6 DDOT?

7 CHAIRMAN HOOD: What are we doing
8 Tuesday? Rebuttal? Oh, I'm sorry, when DDOT
9 and the -- I'm sorry, I was sitting here thinking
10 about Tuesday. When we get to the Office of
11 Planning and the DDOT report, then that's when
12 we will have cross. I'll call the
13 cross-examination then.

14 MR. LITSKY: Okay.

15 CHAIRMAN HOOD: Okay.

16 MR. LITSKY: I think I have one more
17 question then. No.

18 CHAIRMAN HOOD: Okay. Thank you.

19 Mr. Hitchcock, Tiber Island and Harbour Square,
20 any cross? Okay. Mr. Kopp? Is Mr. Kopp here?
21 Do you have any cross?

22 MR. KOPP: Do I need to repeat my

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1 name? I'm Jason Kopp, President of the
2 Gangplank Slipholders Association. I live at
3 600 Water Street, S.W., in D.C.

4 With all due respect, Mr. Chairman,
5 one thing that has been really challenging for
6 us is that this project, in a way, has been a
7 moving target, somewhat difficult to pin down
8 as we move across these hearings.

9 And so I guess my first question that
10 I would like to ask the applicant is if there
11 is some sort of integrated strategy for relating
12 the uses of the land and the water side? Because
13 we are hearing some times that pieces of this
14 project don't relate to the water, but it seems
15 like there is different pieces fragmented
16 throughout the PUD.

17 We just want to know if there is an
18 overall strategy for relating what is happening
19 on the land in terms of construction to what
20 is happening on the water side.

21 CHAIRMAN HOOD: That's a good
22 question.

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1 MR. SEAMAN: Yes, there is
2 definitely a strategy to interact between the
3 water and the land. So I think Mr. Glasgow's
4 point this evening was Parcel 11A and 11B and
5 the Waterfront Park are a little unique because
6 it's not the typical condition that you see on
7 Parcels 1, 2, 3, 4, 5 at the north end of the
8 site where it is actually integrating The Wharf,
9 the bulkhead, the fendering, the piers and all
10 of the public realm with what is happening land
11 side.

12 So, I mean, certainly, the
13 Waterfront Park is an amenity for the entire
14 project and 11A and 11B are part of the project.

15 But there is no water side components to this
16 evening's presentation. I think that was the
17 only point.

18 And, you know, the project was
19 derived from a water plan first that was followed
20 by the land side plan and the importance of the
21 water is not lost upon us.

22 MR. KOPP: Okay. And I guess as a

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1 follow-up to that, it seems that construction,
2 at this point and in this parcel that we are
3 discussing now, would clearly have an impact
4 on the existing community, even the liveaboard
5 community in this area. And even if the
6 construction of the marina isn't planned until
7 a later phase, we are trying to, I guess, have
8 a better understanding of how these different
9 construction plans now will impact us.

10 And it is definitely challenging for
11 us, at this point, because there are certain
12 parts of the plans that aren't completed yet,
13 you know, if we look at lighting in the park,
14 and some of these areas seem to be very close
15 or right next to where the boats will be in the
16 transition and where the new marina will
17 eventually be built.

18 So we are wondering if the applicant
19 might be able to provide plans for the entire
20 PUD area that could show sort of what is
21 happening. I don't know, maybe at six month
22 intervals as the construction moves forward and

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1 the impacts that might have on the community
2 there.

3 MR. SEAMAN: I think we have
4 submitted, for the record, the Construction
5 Management Plan, which I believe addresses those
6 concerns. We would be happy to -- if we haven't,
7 we can submit it, but I think that has already
8 been submitted, which goes on a -- I think it
9 is a month-by-month basis, but it talks about
10 the impacts at various locations on the site.

11 MR. KOPP: Okay. And I am perhaps
12 not as familiar with that plan as I wish to be.

13 So I guess a question I might have then is does
14 that plan address -- in terms of parking, I know
15 we asked a few parking questions already. But
16 it seems like the current -- the plans for the
17 church and the park, that that was actually built
18 where the marina parking is currently.

19 And at the different stages of that
20 construction, how parking would be handled for
21 current marina uses whether it is for the
22 residents there or the actual commercial users

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1 of the marina.

2 MR. SEAMAN: The construction of
3 the church and the residential has no impact
4 on the Gangplank parking lot. And, in fact,
5 the Gangplank parking lot would remain virtually
6 as is. The Water Street that exists today would
7 dead end into the Water Street that turns out
8 onto Maine Avenue. But the parking lot for
9 Gangplank would remain. I testified to that
10 last week that during the Phase 1 construction,
11 the Gangplank land side components, the parking,
12 the mail, the service, the boat access would
13 remain the same.

14 It may -- during construction, there
15 may be a limited access to the south end as the
16 park and the church are being constructed, but
17 there will always be access to the north, to
18 the intersection at 7th Street where Channel Inn
19 is today. That road will remain open during
20 the construction of Phase 1.

21 MR. KOPP: Okay. And that was
22 something that we were asking just because it

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1 was difficult to see from the drawings. We
2 didn't know exactly -- I guess one of the things
3 it brings up is we are kind of wondering when
4 we might be able to see some drawings as well
5 that give us a better idea from the water side
6 towards the land of what it looks like as things
7 are progressing forward, because it is a
8 challenge for us sometimes to understand, you
9 know, if a parking lot is being affected or not.

10 And clearly, as you said, it's not
11 in this case, but we couldn't really tell from
12 the drawings that we saw today where exactly
13 certain pieces of the PUD are located.

14 MR. SEAMAN: I believe one of the
15 requests was for -- and this was from the first
16 hearing, I believe, was a rendering or an image
17 from the land side out to the water to look at
18 the lighting and the docks. Are you asking for
19 something different than that initial request?

20 MR. KOPP: No, it's --

21 MR. SEAMAN: I guess I'm not clear
22 what the question is.

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1 MR. KOPP: -- just a follow-up on
2 that, basically. And I didn't know when those
3 are going to be produced, so I guess I was asking
4 when.

5 MR. SEAMAN: Well, I'm not sure that
6 that is going to answer your question, because
7 it's going to be a rendering looking out at the
8 docks from the land side. So it's more about
9 the lighting and what the marina would look like.
10 It's less so about what you would see looking
11 back at the land.

12 I'm not sure that we are going to
13 have renderings of what the existing condition
14 is on the land when you look back. But for the
15 Gangplank, you have the Channel Inn building.

16 Right now, the current plan is to leave the
17 Channel Inn building as is. The Gangplank
18 parking lot to leave the Gangplank parking lot
19 as is. The Gangplank offices as is. The
20 Odyssey offices, the Cantina Marina Pier as is.

21 So there would really be very little
22 change between the Police Pier and 7th Street

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1 as you look back to the land side from the water.

2 I mean, I'm happy to provide a diagram, but
3 it's really taking a photo of the existing
4 conditions, as far as a visual.

5 MR. KOPP: Okay.

6 CHAIRMAN HOOD: Mr. Kopp, did that
7 answer your question? Because I heard a lot
8 of as is.

9 MR. KOPP: I think it did answer in
10 terms of that particular space. Of course, we
11 have other questions about the spaces that won't
12 be as is, but I don't know that it will affect
13 that particular parcel. I guess that goes to
14 the whole overall issue of what is challenging
15 with trying to ask about specific pieces of this
16 project at one time.

17 But so another question then
18 regarding the park is if operating hours for
19 the park have been established and I think maybe
20 this was already brought up, but when it will
21 be lit and how it will be lit and what impacts
22 that might have on the nearby community.

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1 MR. JOSEY: The lighting strategy
2 is to keep it safe and well-lit, but not overly
3 lit. We will have Dark Sky Initiative for all
4 the light fixtures. Everything will be reflect
5 -- you know, pointing down, so not pointing out
6 to the water. Those are the general intentions
7 of the lighting design.

8 And then regarding hours of the
9 park, we haven't established a set amount of
10 hours to the park yet.

11 MR. KOPP: Okay. And just a
12 follow-up question about the park. Does the
13 mark meet any criteria like sustainable sites
14 or other eco-green criteria?

15 MR. JOSEY: Currently, we have --
16 in the early days, we haven't looked at
17 sustainable sites, but we plan to have it all
18 LEED-approved to meet -- I mean, all the stone
19 samples are within 500 miles and all the, you
20 know, general quality of the light and surfaces
21 we are trying to keep it all LEED-required.

22 MR. KOPP: Okay. Those are all my

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1 questions that I have for now.

2 CHAIRMAN HOOD: 6th Street, Ms.
3 Randolph, do you have any cross?

4 MS. RANDOLPH: I have a few
5 questions.

6 CHAIRMAN HOOD: Okay. Mr. Solon,
7 you don't have any questions tonight, do you?
8 Oh, you have two? Okay.

9 MS. RANDOLPH: Is my mike on?

10 CHAIRMAN HOOD: Yes.

11 MS. RANDOLPH: Good evening, Leslie
12 Randolph. I live on 6th Street. The address
13 is 462 M Street, but my home is prominently
14 displayed in the majority of pictures you are
15 looking at that are directly opposite the
16 structure on 6th Street.

17 So first of all, I have just a couple
18 of technical questions. Was M Place part of
19 the legislation to close the Waterfront Street?

20 MR. SEAMAN: Yes, it was.

21 MS. RANDOLPH: And what's the
22 number of the legislation?

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1 MR. SEAMAN: Do you have that log
2 number? We can get it. It was approved by
3 Council and is now District Law.

4 MS. RANDOLPH: Okay. And
5 regarding the church, Mr. Holman, I live across
6 the street from the church. Is the church going
7 to still have two congregations meeting there?

8 MR. HOLMAN: At what point?

9 MS. RANDOLPH: Currently, I'm aware
10 that there are two congregations that meet at
11 the church. And for instance, the afternoon
12 congregation sometimes parks about 10 cars on
13 the actual current land of the church. I saw
14 10 cars parked on the land of the church
15 yesterday.

16 So I would like to know how many
17 congregations will be using the church?

18 MR. HOLMAN: Currently, there are
19 two and I expect that going forward, although
20 I cannot speak to the new church when it is
21 constructed, those discussions have not been
22 conducted.

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1 MS. RANDOLPH: And regarding to the
2 architect of the church, is it possible that
3 the bronze paneling can be treated as the New
4 York Subway cars are, such that they do not
5 retain graffiti?

6 MR. FOSTER: There is a sealer
7 component to it. We will have to research the
8 comparison of that coating to what is
9 particularly used in the New York Subway cars.
10 I'm not familiar with that. I understand it
11 in concept, but not the actual product. We'll
12 look into it.

13 MS. RANDOLPH: Okay. Okay. And
14 briefly, to the architect of Parcel B, well,
15 you know, I'll ask that question later in my
16 own testimony. Thank you.

17 CHAIRMAN HOOD: Mr. Solon?

18 MR. SOLON: I'm Harbour Square
19 resident Gene Solon. I only have two questions
20 left. Ms. Cohen did so nicely on the parking
21 -- church parking question about there being
22 funerals and weddings and christenings and such

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1 ecumenical church, who knows, bar mitzvahs and
2 brisses and all that stuff, some of which Mr.
3 Hood from his neighborhood and to some of which
4 Virginians and Marylanders would attempt to
5 come.

6 My lighting question was taken care
7 of very nicely by Mr. Kopp. But I want to
8 emphasize, this is not just a green lawn any
9 more. It is a park meant to have lot of activity
10 going on there. Which activity would require
11 lighting and --

12 MR. GLASGOW: Mr. Chairman, does he
13 have a question for our panel?

14 MR. SOLON: I certainly do.

15 MR. GLASGOW: Thank you.

16 CHAIRMAN HOOD: Thank you, Mr.
17 Glasgow.

18 MR. SOLON: And I want to ask
19 whether that lighting would be for parking --
20 for the parking area as well and for the church
21 area as well? For the church parking area and
22 for the park roundabout traffic and parking.

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1 MR. SEAMAN: The church parking
2 area is internal, so it's in the parking garage.

3 And regarding the park, you know, the
4 turnaround, yes, there would be some lighting
5 for that area as well. There would be lighting
6 for the turnaround area as well, correct.

7 MR. SOLON: Because I, too, am
8 concerned about how lighting will affect
9 neighbors who want to get their sleep.

10 MR. SEAMAN: That is our intention
11 to keep that lighting as low, but safe as
12 possible.

13 MR. SOLON: Okay. Now, what about
14 park noise? The plans I looked at available
15 at Harbour Square had a rectangular area labeled
16 stage. Are you folks thinking that there would
17 be entertainment in the park area at all?

18 MR. SEAMAN: I'm not familiar with
19 the word stage used in any of our drawings.

20 MR. SOLON: Okay. No, it might
21 have been an obsolete drawing.

22 And the last question is about

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1 benches. The -- at an ANC meeting, we were told
2 that the pergola would have -- you know, would
3 be a walking passageway, but that there would
4 be benches under the canopy.

5 I'm concerned about how the benches
6 will be used maybe by vagrants. Mr. Westbrook
7 and I have a lot to do with the emplacement of
8 the benches along -- that you see now along the
9 promenade. And those benches had an arm right
10 in the middle of them to discourage people who
11 would want to lie down on them.

12 What kind of benches do you envision
13 for the pergola?

14 MR. SEAMAN: We looked at a number
15 of different benches that do incorporate that
16 feature, but I also think that we are right
17 across the street from the Fire and Police Pier.

18 We are going to have police officers around.

19 There are going to be people using this. We
20 don't expect this to be a park that ever has
21 vagrants, you know, occupying it.

22 MR. SOLON: Okay. I asked my

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1 question. I got my answers. Thank you very
2 much.

3 CHAIRMAN HOOD: Good. Thank you.

4 Let me help out with cross-examination from
5 this point forward. A lot of the history is
6 unnecessary. What we really need to do is ask
7 the question. So I'm going to -- I allowed a
8 lot of that this time, but all the background
9 what happened 20 years ago and all, let's leave
10 all that out. Let's just ask the question to
11 whoever the person is that is testifying when
12 we do cross. Let's just ask that question,
13 please. Let's get to the question.

14 Okay. Let's go to the Office of
15 Planning's report and the District Department
16 of Transportation.

17 MR. JESICK: Thank you --

18 CHAIRMAN HOOD: Mr. Jesick and Mr.
19 Henson.

20 MR. JESICK: -- Mr. Chairman and
21 Members of the Commission. The Office of
22 Planning supports the overall design direction

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1 for this portion of the project and we can
2 recommend approval of most aspects of the
3 project being considered this evening.

4 As the Commission noted, there are
5 some questions that we outlined in our report
6 and we appreciate the applicant working to
7 resolve many of those questions. I'm not sure
8 I can add too much to the Commission's discussion
9 earlier, but we look forward to seeing updated
10 designs for the public spaces and we are also
11 encouraged to hear that the applicant will be
12 looking at loading management techniques.

13 Regarding the Inclusionary Zoning,
14 I think we will definitely examine whatever
15 proposal the applicant brings forward. I
16 think, however, I do want to make the point that
17 the affordable housing numbers that have been
18 cited by the applicant, the 160,000 square feet,
19 that was a result of the Land Disposition
20 Agreement or LDA, which was an agreement between
21 the District and the developer for Parcels 1
22 through 10.

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1 And that's where those quantities
2 of affordable and work force housing were set
3 forth. Parcel 11 was not part of the LDA. It's
4 a private development agreement between the
5 developer and a property owner. And the LDA
6 was never intended to remove IZ requirements
7 from any other private development.

8 So I think we are going to be
9 examining their proposal through that lens.
10 But I would be happy to take any questions.
11 Thank you.

12 CHAIRMAN HOOD: Let's go. DDOT do
13 you want to stand on the record or do you have
14 anything you want to add?

15 MR. HENSON: Nothing to add
16 tonight. We stand on the record.

17 CHAIRMAN HOOD: Okay.

18 MR. HENSON: Glad to answer
19 questions.

20 CHAIRMAN HOOD: Okay.
21 Commissioners, any questions for Office of
22 Planning or DDOT? Commissioner Turnbull?

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1 COMMISSIONER TURNBULL: You had a
2 number of points you raised in your report.
3 And I'm assuming the applicant is going to
4 respond to those points.

5 You had one question about compact
6 car relief there over 40 percent or it's 40/93,
7 compact cars exceeding the cap, the 40 percent
8 cap. Do you want to talk about that?

9 MR. JESICK: Sure. The Zoning
10 Regulations set forth a maximum percentage of
11 spaces in a garage that can be compact. By my
12 count, the applicant has exceeded that
13 percentage. We don't have any objection to that
14 ratio that is presented, but we feel that that
15 relief or flexibility would be required to be
16 granted from the Zoning Commission.

17 COMMISSIONER TURNBULL: How about
18 DDOT?

19 MR. HENSON: That generally is not
20 a concern that we tend to have.

21 COMMISSIONER TURNBULL: Oh, okay.
22 You talk on M Place more narrower travel lanes.

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1 Is that now -- do you feel comfortable with
2 the plan? I mean, are you commenting on the
3 plans we have before us?

4 MR. JESICK: I believe that was a
5 suggestion to -- that would result in a wider
6 planting box on the north side of M Place.

7 COMMISSIONER TURNBULL: Yes.

8 MR. JESICK: I don't think we have
9 seen any plans that have changed that, but it's
10 more of a suggestion than an issue --

11 COMMISSIONER TURNBULL: Okay.

12 MR. JESICK: -- with us.

13 COMMISSIONER TURNBULL: Well,
14 obviously, you have made a point about
15 considerable relief for the loading berths area.
16 And you have heard the applicant's response.
17 Any follow-up?

18 MR. JESICK: You know, we look
19 forward to working with the applicant to see
20 what sort of loading management techniques they
21 --

22 COMMISSIONER TURNBULL: Right.

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1 You did ask for that, right.

2 MR. JESICK: -- want to use.

3 COMMISSIONER TURNBULL: A

4 management plan.

5 MR. JESICK: Yes, at a minimum, yes.

6 COMMISSIONER TURNBULL: Okay. So
7 you want to see that at a minimum?

8 MR. JESICK: I think that would be
9 useful.

10 COMMISSIONER TURNBULL: Okay.

11 Well, the street entrances for the units have
12 gone away. That was one of your concerns or
13 one of your points that you raised in your
14 report.

15 MR. JESICK: Could you maybe refer
16 me to a specific --

17 COMMISSIONER TURNBULL: I thought
18 you had something about entrances on the street.

19 I've got a note here entrances on the street.

20 Let me go back and look at your report.

21 MR. JESICK: I think we were just
22 noting that previous designs did have entrances

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1 directly onto the street.

2 COMMISSIONER TURNBULL: And now
3 they have gone away.

4 MR. JESICK: Right.

5 COMMISSIONER TURNBULL: Okay. You
6 mentioned some concerns about the plaza in front
7 of the church. You talked about the crosswalk
8 on Water Street and you heard now that is part
9 of a two-phase implementation. I asked for some
10 clarification on the interim plan and so
11 hopefully that will help answer your questions
12 on that.

13 MR. JESICK: Yes. We appreciate
14 the Commission asking for more drawings on that
15 subject.

16 COMMISSIONER TURNBULL: Okay. I
17 think, Mr. Chair, that's all my questions.

18 CHAIRMAN HOOD: Any others? Okay.
19 Any other questions of Office of Planning and
20 DDOT? Vice Chair?

21 VICE CHAIR COHEN: This is a
22 question for DDOT. 6th Street was proposed to

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1 be one-way at one time. Why do you feel it is
2 necessary to make it a two-way street with
3 parking on both sides?

4 MR. HENSON: The reason we wanted
5 to keep 6th Street two-ways was to facilitate
6 access to the site. And so I'm looking at
7 Rendering 1.9, which gives a little bit of an
8 idea of a little bit of some of our reasoning.
9 And so if you will look at --

10 VICE CHAIR COHEN: What's the
11 rendering?

12 MR. HENSON: 1.9 on the large sheet
13 that we had. It's basically just a site plan.
14 Okay. So from our perspective, we wanted to
15 make sure that access was provided in a way that
16 was safe. And so if you will notice, the main
17 piece of, I guess, what would remain Water Street
18 doesn't have full access on Maine Avenue.

19 And so what we see is necessary is
20 to provide full access to serve the site,
21 preferably from a signal, because what ends up
22 happening, if you don't do that, is you get

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1 people making U-turns and we prefer that not
2 happen or winding more through the neighborhood
3 than they probably need to.

4 And then for the parking on both
5 sides, we really wanted to try to preserve the
6 facilities that exist today and those are RPP
7 spaces. And so we wanted to do the best to
8 preserve those existing spaces.

9 VICE CHAIR COHEN: Thank you.

10 MR. HENSON: Sure. Thank you.

11 CHAIRMAN HOOD: Any other
12 questions?

13 VICE CHAIR COHEN: Yes. This is
14 for the Office of Planning. Again, the Water
15 Street and church plaza, you have asked for more
16 information about the exact materials proposed,
17 which, you know, Commissioner Turnbull also
18 asked for. And I just wanted to mention that
19 there are a lot of -- somebody sent me a report
20 on environmental papers, so I hope that you will
21 look for that and, you know, consider that as
22 part of the material that hopefully will be used.

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1 MR. JESICK: We will look at that.

2 Thank you very much.

3 CHAIRMAN HOOD: Any other
4 questions?

5 VICE CHAIR COHEN: No, thank you.

6 CHAIRMAN HOOD: Okay. Does the
7 applicant have any cross?

8 MR. GLASGOW: No questions.

9 CHAIRMAN HOOD: Chairman Litsky, do
10 you have any cross?

11 MR. LITSKY: For Mr. Henson with
12 DDOT.

13 CROSS-EXAMINATION

14 MR. LITSKY: Do you feel that the
15 seven spaces that has been set aside for the
16 church at Parcel 11A is going to be sufficient?

17 MR. HENSON: I would imagine that
18 there will surely be times where parking will
19 exceed those seven spaces, but I'll also note
20 that there is a large events venue on-site that
21 if scheduled correctly, could, indeed,
22 accommodate the parking demand.

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1 MR. LITSKY: ANC-6D has requested
2 and the applicant has decided to agree with us
3 that RPP -- that they won't go for RPP on 11B,
4 frankly, or any of the other residential
5 buildings. That's not a problem for DDOT?

6 MR. HENSON: Really, we don't take
7 a position one way or the other. We just do
8 our best to say what will happen if develops
9 are or are not included in RPP. So we don't
10 have a position one way or the other.

11 MR. LITSKY: Okay. Also for DDOT,
12 we have worked for many years to keep buses as
13 far away from the existing residential
14 neighborhood as we can. You have seen in the
15 drawings tonight that there are laybys that have
16 been presented on both sides of Maine Avenue.

17 I want to be assured by you that this is a plan
18 that DDOT embraces, because if you don't, we
19 have a significant problem.

20 MR. HENSON: And so what I think is
21 relatively easy to agree on is an Interim Access
22 Plan. But what our report very clearly said

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1 is that we expect site uses to be handled
2 on-site. And our position hasn't changed in
3 that respect.

4 We understand that there is surely
5 different needs in interim conditions when there
6 is construction going on and we want to do our
7 best to accommodate the applicant and the
8 neighborhood as best we can. But for the
9 permanent condition, our position remains as
10 stated in our report, which is private uses
11 should be accommodated on private space as much
12 as possible until the case can be made otherwise.

13 MR. LITSKY: Okay. So my question
14 to you would be given what it is that you have
15 seen thus far, in terms of what has been
16 presented, since this is not supposed to be an
17 interim solution, this is supposed to be a
18 permanent solution keeping those tour buses away
19 from the Waterfront Park, what is your
20 suggestion of how this should be done? You just
21 say fix it?

22 MR. HENSON: Well, I'll also note

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1 that this is only -- what we are seeing is Parcel
2 11, so there are other spaces where potentially
3 the applicant could use to -- on a private space
4 to drop-off that wouldn't necessarily need to
5 go into the park and circle back through. I
6 think is what you are asking. Am I correct in
7 understanding?

8 MR. LITSKY: Yes. I mean, just to
9 clarify, this is a very, very big issue with
10 southwest.

11 MR. HENSON: Sure. I understand.

12 MR. LITSKY: And we have been
13 working with the applicant for a long time
14 attempting to address this issue.

15 MR. HENSON: Yes.

16 MR. LITSKY: So my question to you
17 is where on the current plan, as you have seen
18 it, would we be or would the Spirit trips
19 essentially, the big boats, be able to drop-off
20 and pick-up passengers within the project that
21 would not require them to, as they have done
22 for 45 years, go down either 6th Street, which

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1 they don't really use, they use Water Street,
2 to drop passengers off at the boats keeping them
3 away from the residences?

4 How do you perceive that as working?

5 Because we haven't seen that in your report.

6 You just say just handle it and I don't
7 understand where you want them to handle it.

8 MR. HENSON: And I can't speak to
9 their design. What we have made clear on is
10 that we expect them to handle it on their private
11 space. I can't say that they have to handle
12 it here or there. It is on their private space
13 and not necessarily on our streets.

14 Again, we will do our best to be as
15 flexible as possible and keep them away. In
16 particular, in the interim cases, which they
17 have showed along Maine Avenue. But in the
18 permanent case, in particular, when these future
19 parcels, and forgive me I don't remember the
20 numbers off the top of my head, but when they
21 develop, I think it's safe to say we would expect
22 them to include a way to drop-off in those areas

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1 off the public space inasmuch as is possible.

2 MR. LITSKY: Okay. Fair enough.

3 Thank you.

4 CHAIRMAN HOOD: Thank you. Mr.
5 Glasgow, you might want to ask your presenters
6 if they could step back, because I don't think
7 we will be crossing them any time soon.

8 MR. GLASGOW: Cross is finished.

9 CHAIRMAN HOOD: For the applicant,
10 yes. Not that we don't mind you sitting at the
11 table, but, you know, we'll make some room for
12 others, so we can move faster.

13 Okay. Tiber Island, Harbour
14 Square? Okay. Mr. Kopp, GPSA? Okay. 6th
15 Street? Mr. Solon, do you got any questions
16 for either one? Okay. Turn your mike on.

17 MS. RANDOLPH: Oh, Leslie Randolph
18 for the 6th Street Homeowners. I have a question
19 for the Office of Planning.

20 Do you know which legislation closed
21 part of 6th Street to create M Place?

22 MR. JESICK: I don't have that off

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1 the top of my head, no.

2 MS. RANDOLPH: And I have a question
3 for DDOT.

4 DDOT, do you know the actual length
5 of M Place Street?

6 MR. HENSON: As it will be in the
7 future? I don't know either way yet, the truth
8 be told, existing or future.

9 MS. RANDOLPH: Okay. Well,
10 allegedly, M Place was carved out of 6th Street,
11 which used to go behind my house and they are
12 claiming their property is now surrounded by
13 three streets. And I want to know how long M
14 Place is. Do you know where it is on the map?

15 MR. HENSON: I mean, I don't know
16 exactly where 6th begins and M Place ends.

17 MS. RANDOLPH: And --

18 MR. HENSON: I mean, I assume it's
19 in the curve. I don't know exactly where in
20 the curve.

21 MS. RANDOLPH: Okay. So at some
22 point, I will want the Office of Planning to

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1 confirm how long M Street is.

2 And regarding Waterfront Street,
3 DDOT, do we know whether cars can ingress and
4 egress out of Waterfront Street onto what is
5 known as M Street or Maine Avenue?

6 MR. HENSON: The way that it is
7 shown and the applicant's description is that
8 they would have a right-in off of Maine. I guess
9 that would be southeast bound, at that point.
10 and a right-out owned to Maine Avenue southeast
11 bound and I would imagine that would be what
12 DDOT would support as it moves forward in public
13 space review.

14 So these are issues that are solved
15 in public space review.

16 MS. RANDOLPH: And will that
17 suffice for their garbage trucks to
18 ingress/egress onto Water Street from M Street?

19 MR. HENSON: Well, I don't have the
20 turn templates in front of me. It typically
21 does, yes.

22 MS. RANDOLPH: Thank you.

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1 CHAIRMAN HOOD: Okay. Mr. Solon?

2 Oh, that's right, no cross. Okay.

3 Report of other Government
4 agencies? Do we have anything? ANC is next.

5 Any other Government agencies, other than what
6 we have already discussed?

7 Okay. Let's go to the report of the
8 ANC-6D.

9 MR. LITSKY: Thank you, Chairman
10 Hood and Commissioners. My name is Andy Litsky.

11 I live at 423 N Street, S.W. Tonight, I'll
12 be delivering testimony on behalf of ANC-6D
13 where I serve as Chairman. I'm also the SMD
14 Commissioner representing the land side
15 residential waterfront complexes.

16 Directly adjacent to the PUD as well
17 as the GPSA, 94 liveaboard residents whose
18 floating residences are located at the Gangplank
19 Marine and who are the only residents living
20 directly within the boundaries of the PUD
21 itself.

22 As you know, on the 11th of June,

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1 ANC-6D passed a resolution opposing this Second
2 Stage PUD. However, those concerns -- many of
3 those concerns have been ameliorated by
4 discussions that we have had with the applicant
5 over a period of time. However, we are still
6 testifying tonight in opposition of the project
7 until otherwise.

8 During the intervening six weeks,
9 we have had additional opportunity to review
10 significant amounts of clarifying information
11 presented by the applicant in writing during
12 formal and informal discussions and through a
13 series of negotiations with four of our seven
14 Commissioners at the least.

15 We spent an extraordinary amount of
16 time trying to get on top of this massive amount
17 of information. As such, we have called a
18 special meeting to review this PUD once more
19 on July 30th and will amend our formal report
20 to the Zoning Commission accordingly.

21 Again, as you didn't tonight, we
22 didn't receive the drawings for July 19th, so

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1 we are a little bit behind the 8-ball and we
2 expect to receive those drawings in the next
3 day or so.

4 The portion of the PUD that you
5 addressed this evening abuts and most directly
6 impacts the land side residential communities
7 of Harbour Square Cooperative, Tiber Island
8 Condominiums and the Tiber Island Cooperative
9 Homes where I have lived since 1977.

10 The St. Augustine's Church. We
11 appreciate the significant use of glass in the
12 construction of the St. Augustine's Church
13 building as the design has evolved over the past
14 several months. It has lightened the building
15 face onto Maine and it has eliminated many of
16 the original concerns that we had that the
17 sanctuary protruded into the viewshed of M
18 Street West.

19 This is also the first opportunity
20 where the developers have attempted to address,
21 we think directly, the architecture of the
22 surrounding neighborhood. In this instance,

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1 the iconic glass enclosure of the Mead Complex
2 at Arena Stage directly across the street from
3 the church.

4 There continues, however, to be a
5 concern that the parking on the site does not
6 properly accommodate the church, which today
7 can hold 15 or more parked vehicles on its
8 surface lots.

9 Currently, the plan, as you know,
10 calls only for seven spots to be provided
11 internal for the church itself. The church has
12 and will continue to be a venue for many
13 non-religious community gatherings at its lower
14 hall. This may present a challenge, since many
15 attend these, city officials and folks come from
16 throughout the region and they need to drive.

17 Indeed, you know, if this church is
18 any indication as with the rest of the
19 neighborhood churches in southwest, many of them
20 -- many of the parishioners come from off-site
21 and they drive.

22 This is a church that is going to

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1 be brand new. It's going to be a church on a
2 wonderful site. And, frankly, I would expect
3 that there will be people, if they want to grow,
4 who will want to attend this church from outside
5 our neighborhood as well. So I would expect
6 that seven spaces are probably going to be
7 insufficient for the church.

8 ANC-6D has also not seen the
9 material boards for this parcel, as I stated
10 before. And this is concerning since many of
11 the drawings have changed over time due to
12 comments from CFA.

13 Also, the applicant has requested
14 flexibility on the color ranges and materials
15 of the proposed base on availability of
16 construction. As such, we are really unclear
17 with any precision about how the buildings on
18 Parcel 11 may appear when built, and that has
19 to do with Parcels 11A and 11B.

20 For the Parcel 11B residential
21 building, this is a structure that has changed
22 rather significantly over the course of time.

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1 As it stands today, we still feel that the
2 building occupies too much of the space on the
3 property on which it occupies. That is not
4 something that we can particularly amend now,
5 but it is also a concern that the more friendly
6 residential face of the building that had been
7 presented before with residences opening up to
8 6th Street no longer are there.

9 And that's a concern. Instead the
10 street entrances to those units have been
11 redesigned to show for all intents and purposes
12 not only a benign condo townhouse looking
13 complex, as had been originally proposed, but
14 a five story apartment building.

15 While the current drawings have 6th
16 Street now as a two-way street, something we,
17 too, feel is a necessity and that the applicant
18 is preserving street parking along 6th Street
19 on both sides, we note that the applicant is
20 at the same time narrowing the width of 6th Street
21 by 2 feet, I think, which we feel could have
22 otherwise perhaps been used to provide more

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1 appropriate setbacks on that parcel. Although,
2 I'm not quite sure what you do with the
3 additional 2 feet.

4 Instead of welcoming entrances, we
5 are now looking at a series of English basement
6 units, not exactly what we had been envisioned
7 and this is particularly disconcerting since
8 the applicant is also requesting flexibility
9 to permit maximum lot occupancy of 93 percent
10 on Parcel 11B. We support decreased lot
11 occupancy.

12 We also support a more appropriate
13 setback along 6th Street that would be encouraged
14 by uted entrances along that block to mirror
15 the townhouses directly across the street.

16 In the areas of flexibility document
17 that was presented to the Zoning Commission on
18 July 3rd, the applicant had requested that they
19 be allowed to increase by 10 percent the number
20 of residential units depicted in their plans
21 at 11B. That would mean that they would have
22 a building with potentially 120 units.

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1 While it might not occupy a larger
2 space, it certainly will occupy -- there will
3 be more people there and there will be a greater
4 need for parking and everything else on that
5 space.

6 If that flexibility were provided,
7 that would be a full 30 percent more units than
8 had originally been proposed for 11B in its
9 earliest iteration.

10 As many have expressed to the
11 applicant and to this Commission, we have seen
12 a steady market increase in size and coverage
13 of this entire PUD bit-by-bit over time. And
14 this is another instance of it.

15 I had an old boss who, you know, we
16 were lobbyists at the time and he used to use
17 parables to make a point. And I recall he once
18 asked how do you boil a frog? And I said you're
19 asking a boy from New York, I have no idea how
20 you boil a frog. And he goes let me tell you.

21 You boil it very slowly. You put it in tepid
22 water and then you turn the burner on very low,

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1 so it becomes warmer and warmer and the frog
2 goes to sleep and the next thing you know it
3 is food.

4 This Commissioner, this frog has had
5 about enough. We have been boiling this frog
6 too much and, frankly, I think if we continue
7 to offer flexibility, particularly on this site,
8 it doesn't provide the complex anything of value
9 and it certainly doesn't provide the folks
10 living across the street anything of value as
11 well.

12 11B is too big. The building has
13 too much lot coverage. Indeed, Tiber Island's
14 490 M Street, the hirise directly across the
15 street on 6th Street, is eight stories tall.
16 It has 96 units. We also fail to understand
17 how increasing the parcel size of 11B addresses
18 the concerns that CFA had in April to emphasize
19 that St. Augustine's be the more prominent
20 building of the two, because of its public
21 stature in the southwest community.

22 We don't see that any architectural

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1 relationship between the two buildings has been
2 resolved in any way, other than the use of color
3 dark.

4 We have requested and not yet
5 received samples of the materials, as we said,
6 that the applicant seeks to use for construction
7 on the site. We have expressed significant
8 discomfort, as you have tonight, about the
9 quality of the drawings that we have been
10 presented and lead us to believe, in particular,
11 the color of the brick used for Parcel 11B is
12 much lighter than is likely to be used in
13 reality.

14 Now, I have been told at various
15 times that the applicant has attempted to show
16 the brick under different lighting concerns and
17 conditions. However, if you look at the
18 drawings 2.2, 2.3, 2.8 and 2.9, you will notice
19 there is a wide variation of the color of the
20 brick as they have presented. Just open up your
21 packets and you will see that.

22 Our preference clearly is for a

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1 lighter tone and pallet in 11B and for portions
2 of 11A that face Tiber Island.

3 While the applicant has also told
4 us that they sought to provide a more cohesive
5 pallet for Parcel 11, they have given little
6 thought or concern to how this relates to the
7 award-winning structures of Tiber Island
8 complex located directly across the street from
9 the building.

10 Now, I'm not talking about Historic
11 Preservation, which they were granted in May.

12 When this building was completed, this complex
13 was completed in 1966, Tiber Island was only
14 one of three projects in the country to receive
15 a first honor for design excellence from the
16 American Institute of Architects.

17 The two other awards that year were
18 given to the architects who designed Dulles
19 International Airport and CBS Headquarters,
20 known as Black Rock, that's pretty significant
21 coverage and pretty significant project
22 recognition.

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1 And so the notion that we would be
2 building a project directly across the street
3 that is so starkly different from what faces
4 it is of concern to us. We would appreciate
5 the Commissioners to support our design and that
6 more attention be given to incorporating some
7 of the architectural elements of the neighboring
8 complex of Tiber Island within Parcel 11B.

9 That probably most easily can be
10 accommodated by lightening the tone and the
11 color of the materials that they will use. In
12 that way, we would achieve a more subtle meld
13 for one portion of residential southwest to the
14 next.

15 As noted in previous testimony,
16 parking is at a premium in southwest already.

17 This project will bring an additional 1,200
18 units overall in our neighborhood. And ANC
19 wants to commend the applicant for agreeing not
20 to use RPP for 11B nor any other residential
21 property on that site.

22 On the Waterfront Park, the

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1 Waterfront Park is going to be a terrific asset
2 to our community. We appreciate that the
3 applicant has fully engaged our community
4 residents by holding two large charrettes where
5 we actually participated in the design process
6 itself.

7 It was a most successful approach
8 toward planning. And what emerged, I think,
9 will be a very pleasant addition to the
10 neighborhood and provide a visual counterpoint
11 to the activity to the north of the site.

12 We are appreciative that the
13 applicant has also expressed an interest in
14 developing the remaining portions of Waterfront
15 Park, even though this was originally going to
16 be done in the second phase.

17 What I think had been addressed in
18 my questions earlier about the cafe terrace has
19 been addressed. And so I'll just strike that
20 from the written testimony.

21 But this is to be a residential park
22 that was our major community amenity in this

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1 entire project. And we are interested in having
2 that space not become a waystation for
3 passengers waiting for the big boats. So if
4 it turns out that we are going to have somehow
5 buses traversing either M Street Landing or
6 somehow going to Parcel 10 once it is built,
7 we want to make sure that this park is not going
8 to somehow be used as a waystation for the folks
9 waiting to get to the Spirit ships.

10 As such, we note that Water Street
11 will now have additional activity because of
12 the increased commercial usage at pier 4. They
13 are going to have an additional boat for the
14 Spirit ships and they are also going to have
15 the Odyssey moving over there. So we encourage
16 the Commissioners to ensure that no bus traffic
17 e allowed on Water Street or 6th Street to bring
18 passengers to the big boats. That would
19 absolutely be death for our complexes.

20 Additionally, we encourage the
21 Spirit ships to employ non-gas powered vehicles
22 to bring passengers who need such transport from

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1 the bus layby on Maine Avenue to Pier 4.

2 Commissioners, that concludes my
3 testimony. I stand ready to answer your
4 questions.

5 CHAIRMAN HOOD: Okay. Thank you
6 very much, Chairman Litsky. Commissioners, any
7 questions for the ANC?

8 COMMISSIONER TURNBULL: Yes.
9 Well, Commissioner Litsky, I think you had some
10 of the same questions that I had regarding the
11 color on 6th Street. And I think what we are
12 going to be getting is some clearer drawings.

13 I mean, there is a wide variety of difference
14 in what you are seeing between elevations and
15 renderings and as the architect explained, it's
16 the difference, but it still looked dark.

17 So I'm hoping we are going to get
18 some drawings that better reflect the
19 relationship between the existing buildings and
20 the new structure. So hopefully that is going
21 to clarify some of your concerns. Maybe it will
22 exasperate them, I'm not sure.

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1 Have you had any discussions with
2 Mr. Holman regarding the church and the parking
3 at all? I mean, he was very adamant that seven
4 spaces was plenty.

5 MR. LITSKY: Well, he's getting a
6 free church, so I would think that that will
7 be plenty. That's a pretty nifty tradeoff.

8 COMMISSIONER TURNBULL: Yes.

9 MR. LITSKY: Frankly, we had one
10 discussion about parking. We met once with the
11 architect for the church. And Mr. Holman, who
12 is a neighbor and a friend, was at that meeting
13 and so beyond that time, when I actually pointed
14 out, I said how many -- I asked -- actually,
15 I asked the reverend how many spots do you have
16 on-site and she kind of counted them up on her
17 hand and she said 15.

18 I said so is seven going to be
19 enough? And she goes seven is what we are going
20 to have. And I went okay. So for the reverend
21 to --

22 COMMISSIONER TURNBULL: Even with

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1 possibly two congregations?

2 MR. LITSKY: Two -- well, two
3 congregations.

4 COMMISSIONER TURNBULL: Whatever.

5 MR. LITSKY: Yes. And additional
6 growth one would hope.

7 COMMISSIONER TURNBULL: Yes.

8 MR. LITSKY: But seven spots it is.

9 COMMISSIONER TURNBULL: You
10 mentioned about the entrances not being on 6th
11 Street to the new building. I think we had all
12 seen entrances before. I think we are all
13 assuming that there is going to be entrances.
14 What is your feeling that that does to the life
15 of the street then?

16 MR. LITSKY: I think it truncates
17 it. I mean, we have -- I know that my neighbors
18 from 6th Street are in and out of their houses
19 on 6th Street. They have entrances on both parts
20 of the townhouse. People also walk down 6th
21 Street to 490 M, which is their building, and,
22 you know, we were hoping to have a more

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1 residential feel. I mean, clearly they are
2 going to be residences, but I don't think the
3 residential feel is going to be there as much
4 without the entrances directly into those units
5 as you would --

6 COMMISSIONER TURNBULL: Yes.

7 MR. LITSKY: -- if you had
8 maintained them. And so that, I think, is not
9 as pleasant a prospect, not only to look at,
10 but to the kind of street to live on as we would
11 have had those entrances been maintained.

12 COMMISSIONER TURNBULL: And you are
13 concerned about the bulk of the building also?
14 The overall size of the building?

15 MR. LITSKY: It's a big old
16 building, yes, absolutely. It's a big
17 building. It occupies a lot of that lot and
18 it is a large building. I mean, nowhere in any
19 way, shape or form are we going to have the amount
20 of visual space as we have with the current St.
21 Augustine's Church.

22 It occupies a small percentage of

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1 its existing lot and there is a lot of air and
2 space and it is just simply not going to be the
3 same.

4 COMMISSIONER TURNBULL: Yes.

5 MR. LITSKY: And I think everybody
6 accepts that. However, what one is faced with
7 when one is on 6th Street, across the street or
8 on the west side of 6th Street could potentially
9 be minimized were that building to be less.
10 How one makes it less, I don't know. But
11 clearly, if you had entrances to those buildings
12 I think it would make it --

13 COMMISSIONER TURNBULL: That would
14 make a difference.

15 MR. LITSKY: -- credible.

16 COMMISSIONER TURNBULL: Okay.
17 Thank you.

18 CHAIRMAN HOOD: Okay. Any other
19 questions? I'm not going to say that Mr. Holman
20 said -- he is a former colleague of ours, so
21 I'm not going to say he said seven parking
22 spaces. But I will tell the applicant, I am

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1 concerned. I know when you have different
2 people, you know, it sounds good because they're
3 coming from the neighborhood, but I know you
4 increase tithes when you build your membership,
5 so I know people probably will be driving and
6 that's something we really need to look at, those
7 seven parking spaces for the church.

8 I'm not going to diminish the church
9 getting a new church. I'm not going to do that,
10 but that seven parking spaces, I want us to look
11 at.

12 Also, the material boards. I don't
13 know if we can make a way for the ANC to be able
14 to see those material boards. They have
15 requested them. I think you are going to do
16 at the Monday meeting.

17 And also, I think that you all also
18 asked for something else from DDOT and from
19 others. I would suggest or strongly encourage
20 that we give the ANC what they have asked to
21 review sooner than later, because I will not
22 -- personally, I don't know if my colleagues

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1 would agree, but I would not be in any rush,
2 because these are the folks who are going to
3 have to endure whatever is done down there.

4 So I won't be in any rush. So the
5 quicker you get it to them, so they can analyze
6 it and do it, the quicker we can move. So I'm
7 not being a microphone bully. But I'm just
8 saying the quicker you move, so they can have
9 a chance to analyze it, the quicker we can move
10 forward. So I'm not going to be in any rush.

11 If they have not had the opportune
12 time to do it, I'm not going to rush.

13 Okay. Yes? Sure.

14 MR. LITSKY: The fact that you said
15 you are not going to be in any rush --

16 CHAIRMAN HOOD: Nope.

17 MR. LITSKY: -- we were ourselves
18 putting ourselves in a rush to make sure that
19 we were accommodating your schedule and
20 accommodating the schedule for the Zoning
21 Commission.

22 You are having a final wrap-up on

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1 the 31st and we wanted to make sure and I think
2 that we have had over the period of time an
3 opportunity to work with the applicant.
4 Really, we're just spending more hours, yes,
5 we might as well be on staff, that we are living
6 over at the trailer between the meetings that
7 we are having.

8 And so we have exchanged a lot of
9 information. There was information we feel
10 comfortable about. The traffic, frankly, is
11 concern. It has been a concern from the First
12 Stage. It is a concern now. And so, you know,
13 if we wind up getting this right before our July
14 30th meeting and we don't have an opportunity
15 to analyze it appropriately, what is it that
16 you are looking for from the ANC?

17 I mean, we would hope that we would
18 have an opportunity to possibly change our minds
19 on this.

20 CHAIRMAN HOOD: Well, let me tell
21 you --

22 MR. LITSKY: But we want to be able

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1 to provide guidance, but I'm not quite sure what
2 you are telling me.

3 CHAIRMAN HOOD: Let me say this,
4 Chairman Litsky. I have already recognized
5 that you all are meeting on the 30th. And I have
6 already recognized if we have our rebuttal and
7 closing on the 31st. I have already recognized
8 that. I'm waiting to see how it lands on the
9 -- how we do when we get to the 31st.

10 But I will tell you that I -- and
11 I think my colleagues will go along with me,
12 that we need to make sure there is opportune
13 time. I'm just asking everybody to put their
14 best foot forward and make sure we do the best
15 we can.

16 But I also realize that it's an ANC
17 Commission job and I said this 1,000 times, this
18 is a volunteer job and that you all are
19 volunteers. So one day turnaround. I have
20 already had that on my mind to begin with, so
21 we are going to have to make sure we allow time
22 for the community, considering the ANC more or

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1 less, has the opportune time to be able to
2 respond.

3 And when we get to the 31st and that
4 has not happened, which I don't believe 30 to
5 the 31st, then we are going to make sure that
6 that happens. That's just where I am. Okay?

7 COMMISSIONER TURNBULL: Yes. And
8 I think, Mr. Chair, you said that your report
9 is going to be an oral report. You may have
10 some points you are going to talk about, but
11 your written report can be -- the record is going
12 to be left open for you to submit your final
13 report. So we are not going -- I mean, you may
14 give a brief summary of what, you know, happens
15 on the 30th, but I mean, your final report that
16 comes into us will be what we are looking for.

17 CHAIRMAN HOOD: In all fairness,
18 I'm sure that Mr. Glasgow will not allow that.

19 He know that you are all meeting on the 30 and
20 31st. He will probably come down and object if
21 we go ahead and just hold each of those. So
22 I don't even have to look over there. I'm sure

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1 he will do that. I have worked with Mr. Glasgow
2 for years and I know how he operates.

3 Right, Mr. Glasgow?

4 MR. GLASGOW: Yes, sir.

5 CHAIRMAN HOOD: Okay. Okay. Oh,
6 let's see, do we have any cross-examination?
7 Did we do that? No, I didn't. Does the
8 applicant have any cross-exam? Mr. Glasgow,
9 you're all right. Tiber Island and Harbour
10 Square, do you have any cross-examination?
11 GPSA, do you have any cross-examination? 6th
12 Street, any cross? Mr. Solon, any cross?

13 MR. SOLON: No.

14 CHAIRMAN HOOD: Okay. Great.
15 Thank you. Okay. Let's go to the party in
16 support, parties in support.

17 MS. SCHELLIN: Chairman Hood, they
18 are going to do -- come up to the table together,
19 go through their presentations and then you guys
20 can ask questions of both of them while they
21 are there. They think that will run smoother.

22 CHAIRMAN HOOD: Okay. Hold on one

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1 second. They are both going to do it? They
2 both want to take 15 minutes?

3 MS. SCHELLIN: He said 10. I'm
4 giving them an extra five, because there was
5 time left on the clock.

6 CHAIRMAN HOOD: Okay. We are going
7 to take a two minute break. That's what you
8 have to do when you don't have a quorum. We're
9 going to take a two minute break, three minute
10 break.

11 (Whereupon, at 9:39 p.m. a recess
12 until 9:43 p.m.)

13 CHAIRMAN HOOD: Okay. We are going
14 to go ahead and get started. Okay. Can I have
15 everybody's attention? Let's go ahead and get
16 started, so we can get out by 12:00.

17 Okay. Mr. Hitchcock, are you ready
18 to begin?

19 MR. HITCHCOCK: Thank you, Chairman
20 Hood, yes. Con Hitchcock for Tiber Island
21 Cooperative Homes and for the Harbour Square
22 Owners Association.

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1 Mr. Chairman, Members of the
2 Commission, I'm pleased to introduce Ms. Colleen
3 Rooney, who is the President of Tiber Island
4 Cooperative, and Mr. Tom Daly, who is the
5 President of Harbour Square Owners, because one
6 must choose between being a party in support
7 or a party in opposition, they all appear here
8 as parties in support, but I want to emphasize
9 that the support is conditional. There are some
10 specific concerns that they have and I will let
11 them address those concerns specifically.

12 So why don't we start with Ms.
13 Rooney?

14 MS. ROONEY: Good evening. My name
15 is Colleen Rooney. I live at 429 N Street, S.W.
16 On behalf of the Tiber Island Cooperative's
17 389 unit owners, we appreciate the opportunity
18 to be here. We have submitted a prepared
19 statement which I will summarize.

20 We support the efforts to revitalize
21 the Southwest Waterfront and we appreciate how
22 the developers reached out to us and other

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1 members of the community. I would like to focus
2 our testimony on two concerns about the overall
3 project, then some specific concerns about
4 Parcel 11.

5 Our first general concern is the
6 traffic problem inclusive of parking that the
7 ANC has highlighted. We support their
8 testimony and in the interest of time, I will
9 not repeat their points or go through in detail
10 ones that have already been in our written
11 statement. But traffic in the area, inclusive
12 of parking, is a serious problem.

13 Our second general point involves
14 the height and massing of the buildings for the
15 overall project, particularly at the west end
16 of the waterfront. We understand the
17 developer's view that tall buildings are
18 essential if view corridors are to be preserved
19 from sites north, such as Banneker Overlook or
20 views down 9th Street or 7th Street.

21 We would ask, however, as you
22 consider the redevelopment as a whole to,

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1 please, step back and consider whether the
2 overall scale is simply too much and will turn
3 Maine Avenue into a canyon.

4 Turning to specifics, let me start
5 with Parcel 11. In our Stage 1 testimony last
6 year, we expressed concern about the following:

7 (A) The overall height of the
8 apartment structure on the current St.
9 Augustine's Church site.

10 (B) The building setbacks along 6th
11 Street, S.W.

12 And (C) the facade appearance.

13 All these remain. In fact, with the
14 drawings now submitted by the applicant, our
15 concerns are even greater, particularly with
16 the 6th Street frontage.

17 The existing Tiber Island townhome
18 along 6th Street are about 30 feet in height and
19 they are setback, approximately, 50 feet.
20 Previously, the applicant had submitted
21 drawings showing 6th Street facade for Parcel
22 11B that included townhouse-like entrances,

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1 stoops, setbacks, etcetera, that appeared
2 somewhat compatible with the low-rise scale of
3 the existing street.

4 However, the new design of the
5 structure submitted with the Stage 2 submission
6 is significantly out of scale with the existing
7 buildings and no longer has setbacks. We object
8 to the developer's departure from what was
9 presented to you previously.

10 Although the applicant has
11 characterized the Parcel 11 building as being
12 only four stories in height, roughly 45 feet,
13 this really understates the size and mass of
14 the building. With the occupied penthouse, in
15 actuality a fifth floor, the proposed building
16 really rises, approximately, 57 feet
17 above-grade.

18 The early attempt to harmonize the
19 6th Street facade of the property including the
20 facade along a stretch the developer identifies
21 as M Place has been abandoned entirely.
22 Basically, the developer is now proposing to

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1 build a prosaic five story apartment building
2 completely filling the lot without setbacks,
3 most likely in an effort to demonstrate that
4 the proposed building should be no more
5 troubling than what could already be built on
6 the property as a matter-of-right.

7 The developer includes an
8 illustration drawing 2.26 of a group of three
9 story townhomes contrasting this with the
10 drawing with the proposed new building drawing
11 2.27. We respectfully suggest that the
12 drawings do not accurately portray the scope
13 of the disparity between what is being proposed
14 and what might otherwise be built.

15 Frankly, the drawings attempt to
16 suggest that a five story apartment building
17 will be no more obtrusive visually than a row
18 of three story townhomes. This is not credible.

19 In our view, the developer proposed
20 -- the developers proposed Parcel 11B apartment
21 building is still too tall and too large for
22 the small property and does not properly relate

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1 to the existing, and since our last testimony,
2 now designated by the Historic Preservation
3 Board as landmark property of Tiber Island
4 directly across the street.

5 The overall height of Parcel 11B
6 building including any occupied penthouse
7 should be reduced to 45 feet or less and setbacks
8 from 6th Street and M Place that had been included
9 in Stage 1 proposal should be restored.

10 Let me now turn to the Waterfront
11 Park. We are pleased to support the park, but
12 note our objection as to any proposals that would
13 increase pedestrian traffic along -- across
14 Tiber Island property.

15 As to the Pier 4, we understand no
16 final development proposal has been presented.

17 We are troubled by the proposed increase in
18 commercial use there during the construction
19 phase, given the noise, traffic and other
20 problems associated with the cruiseship
21 operations there.

22 In conclusion, Tiber Island

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1 Cooperative is pleased to support the efforts
2 to improve the -- improve and revitalize the
3 Southwest Waterfront where many of our residents
4 have lived for many years. We do, however, as
5 the Commission to consider the following four
6 points as you deliberate on this project:

7 (1) The need for a proper traffic
8 analysis of M Street, S.W./S.E. corridor as
9 highlighted by the ANC as well as the parking
10 issues.

11 (2) The potential for a tall flat
12 wall of buildings along Maine Avenue which would
13 represent a serious retreat from the softer more
14 human-scaled proposal that was being presented
15 to the community during the early design phases.

16 (3) The height and massing of the
17 revised Parcel 11B apartment building. The
18 overall height including any occupied penthouse
19 should be reduced to 45 feet or less. Setbacks
20 from the street along 6th Street and M Place
21 should be restored.

22 And (4) the expansion of the

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1 operations at Pier 4 during the transition.

2 We are opposed to any plans that will
3 allow the continued bus access along 6th Street,
4 S.W., or provide any bus drop-off to passengers
5 on 6th Street.

6 One development since we were here
7 last, Tiber Island has been designated a
8 landmark property by the Historic Preservation
9 Board. This underscores the need to be sure
10 that the facades between what is happening on
11 Tiber Island side and what is going to happen
12 on Parcel 11B be more cohesive. Thank you.

13 MR. HITCHCOCK: Mr. Daly?

14 MR. DALY: I'm Tom Daly. I live at
15 1319 4th Street, S.W., and I'm currently serving
16 as President of the Board of Directors of the
17 Harbour Square Owners Incorporated.

18 Harbour Square is a 447 unit
19 cooperative on the south side of M Street between
20 4th and the current Waterfront Park. The
21 Harbour Square Complex was built in the
22 mid-'60s. Seven of the structures at Harbour

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1 Square are currently listed on the National
2 Register of Historic Buildings.

3 Harbour Square is immediately
4 adjacent to the proposed Waterfront Park and
5 near Parcel 11 section of the Waterfront PUD.

6 The entire Southwest Waterfront
7 development will have a significant impact on
8 Harbour Square, its residents and our neighbors.

9 Although Harbour Square continues to support
10 the concept of redevelopment along the
11 waterfront, our support is conditioned on the
12 points being addressed below:

13 AND-6D has provided a detailed
14 series of observations and objections relating
15 to the overall project. We endorse the ANC's
16 concerns, particularly as to the lack of
17 adequate treatment of traffic on M -- in the
18 M Street corridor.

19 The applicant and the District
20 propose adding a very large number of hotel
21 rooms, offices and residences nearby along the
22 Washington Channel along with a 6,000 seat

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1 performance venue. We are particularly
2 concerned about the issue of bus traffic and
3 passenger access to Pier 4.

4 The lack of adequate transportation
5 study and specifics in this matter and the PUD,
6 appears to be unsatisfactory in an urban
7 environment, particularly as we see increasing
8 traffic congestion from National's Park coupled
9 with a very low level of traffic enforcement
10 on game days.

11 Turning to the specifics for Parcel
12 11 or I'm sorry, for the parcel -- for the
13 Waterfront Park. We commend the developer for
14 working with community leaders in this regard.

15 We will continue engagement to encourage a
16 proper balance of paved space, green space and
17 are somewhat concerned about the traffic
18 turnaround that has been redesigned in front
19 of the Police and Fire Pier.

20 We also are very concerned about
21 retention of the mature tree canopy in the area.

22 We note that the Commission of Fine

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1 Arts has suggested developing new access points
2 to Waterfront Park from the neighboring
3 community. We want to voice our objection to
4 any proposals if the effect would be to increase
5 pedestrian traffic across private Harbour
6 Square property.

7 The new design of the structure
8 slated for the St. Augustine's property provided
9 with the Stage 2 submission is significantly
10 out of scale with the existing buildings in the
11 area and no longer has setbacks. This is a
12 problem for us as it alters the scale of what
13 we were expecting from the earlier stage of this
14 case.

15 We believe that the developer should
16 return to what was presented previously to the
17 Commission, as it would be more contextual
18 within the neighborhood.

19 Finally, we understand that the
20 development on Pier 4 is not part of tonight's
21 case, however, this is connected with filed
22 plans showing an expansion of ship operations

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1 on Pier 4 and vehicle access to The Wharf area
2 during the transition period.

3 Consistent with the ANC's point
4 about the need for traffic study, we note that
5 Harbour Square has suffered the presence of bus
6 traffic relating to cruise operations for many
7 years. The problem will be exasperated if the
8 current application is approved and work begins
9 without the information needed for a full scale
10 traffic study.

11 Please, do not allow this to happen
12 yet again. Thank you very much.

13 MR. HITCHCOCK: Thank you. We have
14 nothing further.

15 CHAIRMAN HOOD: Okay. Thank you
16 all very much for your presentation.
17 Commissioners, any cross-exam or, I mean, any
18 questions of either Tiber Island or Harbour
19 Square? Commissioner Turnbull?

20 COMMISSIONER TURNBULL: Yes, thank
21 you, Mr. Chair. Ms. Rooney, whether or not you
22 had received the historic landmark designation,

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1 you still would be opposed to the way the
2 building is set up on 6th Street?

3 MS. ROONEY: Yes, we would.

4 COMMISSIONER TURNBULL: But --

5 MS. ROONEY: Yes.

6 COMMISSIONER TURNBULL: -- with the
7 designation, you are even more concerned or,
8 I mean, how does that weigh in on your judgment?

9 MS. ROONEY: I feel it gives us more
10 concern, at this point. I mean, we have put
11 a great deal of effort into maintaining the
12 property, maintaining the integrity of the
13 property, living up to the standard of the design
14 of the property, to have such a dramatic
15 transition directly across the street, I feel
16 does our property an injustice.

17 COMMISSIONER TURNBULL: Well, you
18 had heard the architect talk about how he made
19 references to your buildings and --

20 MS. ROONEY: Right.

21 COMMISSIONER TURNBULL: --
22 reference to --

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1 MS. ROONEY: How he made references
2 to the actual execution, I felt, was lacking.
3 Relative to very much the color context,
4 incredibly dark appearance based on what the
5 appearance of the lighter appearance of the
6 Tiber Island property is. It's just saying that
7 the historic designation of the property gives
8 it a more official position within the
9 neighborhood and that should be respected.

10 COMMISSIONER TURNBULL: And the
11 current --

12 MS. ROONEY: And it should be looked
13 at more closely.

14 COMMISSIONER TURNBULL: -- design
15 doesn't do that for you?

16 MS. ROONEY: Not currently, no.
17 It's --

18 COMMISSIONER TURNBULL: So you
19 would like to see the entrances back?

20 MS. ROONEY: I would like to see the
21 entrances back and the setbacks put back there
22 to give it more of that neighborhood feel that

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1 we have at this time.

2 COMMISSIONER TURNBULL: And, Mr.
3 Daly, you are of the same opinion then on that?

4 MR. DALY: Yes, we are.

5 COMMISSIONER TURNBULL: Okay.
6 Thank you.

7 CHAIRMAN HOOD: Any other
8 questions? Ms. Rooney, let me just ask a quick
9 question.

10 MS. ROONEY: Go ahead.

11 CHAIRMAN HOOD: Are you familiar
12 with Mr. Solon?

13 MS. ROONEY: Excuse me?

14 CHAIRMAN HOOD: Do you know Mr.
15 Solon?

16 MS. ROONEY: No, I don't.

17 CHAIRMAN HOOD: Oh, okay. Okay.
18 Okay. Never mind. Okay. Any other
19 questions?

20 VICE CHAIR COHEN: No.

21 CHAIRMAN HOOD: Okay. Does the
22 applicant have any cross-examination?

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1 MR. GLASGOW: One question.

2 CROSS-EXAMINATION

3 MR. GLASGOW: Ms. Rooney, is it your
4 testimony that the height and mass of the Parcel
5 11B building has increased from the Stage 1
6 approval?

7 MS. ROONEY: Yes. The original
8 Stage 1, the original designs that were
9 presented were a three story townhouse-style
10 presentation with stoops and setbacks set on
11 the original presentation of what was shown to
12 the neighborhood.

13 MR. GLASGOW: My question was has
14 the -- is it your testimony that the height and
15 mass of the Parcel 11B building has increased
16 from the Stage 1 approval from this Commission?

17 MS. ROONEY: I believe it has
18 increased in size, based from the Stage 1 with
19 the fifth floor penthouse, occupied penthouse,
20 I believe it has increased in size.

21 MR. GLASGOW: Okay. That's the
22 answer to the question. The same question to

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1 you, Mr. Daly. Is that your testimony also that
2 it has increased from the Stage 1 approval?

3 MR. DALY: That's what we believe.

4 And it certainly appears that way in the
5 renderings and the elevations presented.

6 MR. GLASGOW: Okay. Thank you.

7 CHAIRMAN HOOD: Okay. Thank you.

8 Okay. Mr. Kopp, any cross-examination? Ms.
9 Randolph, any cross-examination? Mr. Solon,
10 any cross-examination? Turn your microphone
11 on, Mr. Solon.

12 MR. SOLON: Ma'am, sir, do each of
13 you support the project as currently proposed?

14 Yes or no?

15 MS. ROONEY: We approve -- we
16 support it with reservation.

17 MR. SOLON: Mr. Daly?

18 MR. DALY: We support it with
19 reservation.

20 MR. SOLON: Thank you.

21 MR. DALY: And conditions.

22 CHAIRMAN HOOD: I guess I can ask

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1 you my question now. Do you know Mr. Solon?

2 MS. ROONEY: Yes.

3 CHAIRMAN HOOD: Okay. All right.

4 Thank you all very much. Appreciate it. I
5 was actually going somewhere with that. Let
6 me just say this and I wasn't making light of
7 it. I just wanted to know in the discussions
8 what Harbour Square was -- did you all discuss
9 it? Maybe I got my places mixed up. Wherever
10 Mr. Solon lives, did you all discuss it in your
11 residential meeting or anything and were his
12 views mentioned, you know?

13 But if you didn't know who he was,
14 I'm sorry -- maybe it's you, Mr. Daly. Maybe
15 I'm mixed up.

16 MR. DALY: Right. Yes.

17 CHAIRMAN HOOD: Did you all
18 discuss? Okay.

19 MR. DALY: We have had numerous and
20 lengthy discussions about the position of the
21 corporation and certainly recognize that
22 individual owners may have dissenting views.

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1 CHAIRMAN HOOD: But was Mr. Solon
2 involved with that discussion?

3 MR. DALY: Mr. Solon was -- made his
4 opinions known, both in writing and at resident
5 comment periods during our board meetings.

6 CHAIRMAN HOOD: Okay. I gotcha.
7 Mr. Solon, I'm sorry, I just wanted to know how
8 that whole system worked. Mr. Solon, Mr. Solon?
9 Okay. I know you take it personally, but I'm
10 trying to get to the bottom of seeing if your
11 issues were fleshed out at those meetings, but
12 we will talk about that when you come up.

13 Thank you all very much. We
14 appreciate it. Okay. I have one person in
15 support. Wait a minute. Oh, okay, I only have
16 one person in support, Mr. Westbrook. Is there
17 anyone else who is present who is in support
18 who would like to testify as an individual?
19 Okay. Come on up, Mr. Westbrook. You are the
20 only person in support and then we'll go to the
21 parties in opposition.

22 MR. WESTBROOK: Mr. Chairman, I'm

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1 Richard Westbrook. I reside at 505 H Street,
2 S.W. This is -- I'm in Single Member District
3 1, which covers most of this area along M Street
4 and to the north to Independence Avenue.

5 The general comment I still have and
6 I've expressed this before is there is too much
7 height and too much bulk. I said no more than
8 90 feet and we got 130 feet. And, of course,
9 the resulting is more bulk as well.

10 Other than that, I'm in favor of this
11 project. We need the redevelopment and it's
12 in keeping with the Comprehensive Plan Amendment
13 of 1998, which reads "Revitalize and redevelop
14 the Southwest Waterfront along Maine Avenue as
15 a major destination and service area for the
16 currently 20 million visitors per year to the
17 nation's capital."

18 Well, that figure has now gone up
19 to 25 million and following the discussions
20 about the National Mall Plan, which was approved
21 last year, and I was a participating party on
22 that, the projection that they have is 40

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1 million. And I can't remember the date they
2 used, that's why I was hoping Mr. May would be
3 here tonight.

4 So I want to point out things that
5 have occurred since I was here last. And that
6 was the draft presentation of the Southwest
7 Eco-District, which we heard Thursday evening,
8 very elaborate plan, supports tourism totally.

9 It would be 10th Street would be, basically,
10 an extension of the National Mall with all kinds
11 of facilities possibly formed, museums, two or
12 three other memorial sites and an improved
13 Banneker Park Overlook.

14 So this is something that relates
15 to the Southwest Waterfront and is in support,
16 but you have got a huge increase in potential
17 visitation, traffic, circulation problems and
18 they did a pretty good thing of connecting the
19 Banneker Overlook area to the Southwest
20 Waterfront, which was pretty much in agreement
21 with what I think they should be doing.

22 I'm also a D.C. licensed tour guide.

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1 I've been that since '03. So -- and I'm very
2 concerned about servicing the Spirit ships with
3 tourists and the increase in tourism. And I
4 don't think a two block drop-off place is very
5 satisfactory to servicing those boats.

6 CHAIRMAN HOOD: Okay. Thank you
7 very much, Mr. Westbrook. Any comments?

8 VICE CHAIR COHEN: No.

9 MR. WESTBROOK: Would you like to
10 have a copy of the --

11 CHAIRMAN HOOD: You can give that
12 to the staff --

13 MR. WESTBROOK: Okay.

14 CHAIRMAN HOOD: -- if you don't
15 mind. Thank you very much, Mr. Westbrook.

16 MR. WESTBROOK: You're welcome.

17 CHAIRMAN HOOD: Any cross-exam?
18 Hold it before you move, Mr. Westbrook. Any
19 cross-examination, Mr. Glasgow? Chairman
20 Litsky, any cross? Mr. Hitchcock? Mr. Kopp,
21 any cross? Ms. Randolph?

22 MS. ROONEY: No, thank you.

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1 CHAIRMAN HOOD: Okay. Mr. Solon,
2 any cross?

3 MR. SOLON: No. Thank you very
4 much.

5 CHAIRMAN HOOD: Okay. Thank you
6 very much, Mr. Westbrook.

7 MR. WESTBROOK: You're welcome.

8 CHAIRMAN HOOD: Okay. Let's go to
9 the parties in opposition. If they could all
10 come up, I think, at the same time. I think
11 there is enough room. GPSA, 6th Street and Mr.
12 Solon. I think we will go in that order.

13 Now, you've got 20 minutes, but you
14 don't necessarily have to use the whole 20 if
15 you don't need it. You know, if we don't finish
16 tonight, which I hope we will, but if we don't
17 finish tonight, we're just going to have to
18 finish on the 31st. But I'm hoping we will
19 finish tonight. Is that okay? Because the
20 Metro closes at -- and all those that are green
21 and we watch how we drive and everything, we
22 catch the Metro.

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1 So if we don't finish tonight, we
2 will just have to start off with this on the
3 31st, but I'm hoping we can finish tonight.

4 MS. SCHELLIN: If someone wants to
5 sit and start, we can get the first party going.

6 MS. RANDOLPH: And, approximately,
7 how many minutes do I have?

8 CHAIRMAN HOOD: You have 20
9 minutes.

10 MS. RANDOLPH: Oh, okay. I'll try
11 and be as brief as possible, because Mr. Litsky
12 was so thorough.

13 MR. KOPP: The 20 minutes is for
14 all? No? For -- okay.

15 CHAIRMAN HOOD: Again, you know, if
16 you don't need all of it --

17 MR. KOPP: I don't.

18 CHAIRMAN HOOD: Okay. Then maybe
19 we will finish, but you have 20 minutes a piece.

20 We will start with Ms. Randolph. Did you want
21 to start?

22 MS. RANDOLPH: I'll go. I'm ready

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1 to go. Good evening. My name is Leslie
2 Randolph. I'm an individual who filed an
3 individual Notice of Appearance, but I am here
4 speaking on behalf of my neighbors who live on
5 6th Street, S.W.

6 Additionally, Ms. Humphreys who
7 filed last year could not file because the ISIS
8 system was not working on the day when she
9 attempted to file.

10 The townhomes on 6th Street are
11 uniquely impacted because we live less than 100
12 feet from the proposed structure. If you look
13 at the first picture that is in my exhibit, that
14 is 6th Street. Our home are directly opposite
15 this green area, which is where the parcel will
16 be, Parcel 11B.

17 We will be negatively impacted by
18 the massing density and proximity of the
19 structure and lose significant privacy, space
20 and micro-climate. The massing and scale of
21 the building facing our homes will damage the
22 streetscape of openness from over 75 percent

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1 to zero percent and be damaging to our design,
2 which is now recognized for historic
3 preservation status.

4 The gist of my testimony this
5 evening, however, actually relates to two
6 issues. It is very possible that Mr. Shawn
7 Seaman and his legal counsel may resolve this
8 issue for me, but it is unclear, at this point
9 in time, whether there was actually legislation
10 passed regarding M Place.

11 If there was not legislation passed
12 regarding M Place, then there was no
13 jurisdiction ever to narrow M Place.
14 Additionally, I have been in repeated
15 discussions at the grace of Ms. Bacon and Ms.
16 Gabby Levi who were rather charming and
17 pleasant, but there has been this discussion
18 over the past two years about whether my street
19 is going to be narrowed or widened and back and
20 forth.

21 My posture is that 6th Street
22 currently is not subject to any legislation

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1 closing the street. I originally favor and
2 still favor that 6th Street remain a
3 bi-directional street.

4 Notably, I'm first going to address
5 this potential jurisdictional issue. I am
6 aware that 11A and 11B were not in the original
7 PUD. I question whether those parcels were ever
8 mentioned in financing bill 17591. It is also
9 doubtful and I think there was testimony tonight
10 that Parcel 11A and 11B were not contained in
11 the Land Disposition Act that was actually
12 passed to effectuate the jurisdiction to support
13 partial closure of 6th Street, S.W.

14 Regardless of whether a street
15 application was closed, the mere filing of an
16 application does not confer jurisdiction on the
17 city to close a street. Those of us on 6th Street
18 never received any notice about the closure of
19 any part of 6th Street, S.W.

20 So I'm here. I don't know what M
21 Place is. I don't know the length of it. I
22 want the Office of Planning to confirm whether

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1 the legislation was passed and what the actual
2 length of M Place is.

3 For those of you who are unaware of
4 our neighborhood, 6th Street, which is looking
5 down the street, used to wrap around the block
6 to Waterfront Street. So now it sounds like
7 a little tiny piece of 6th Street is now made
8 M Place.

9 Last year, I argued before this
10 Board that at a minimum there should be R-5-B
11 rear yardage on 6th Street opposite my home.
12 According to the provisions in R-5-B, the main
13 provision, which is 404.1 rear yards, provides
14 that the rear of the building should be at a
15 minimum not less than 15 feet or allowable under
16 404.2.

17 And 404.2 seems to provide some
18 exception that is said to apply to a corner lot
19 abutting three or more streets. I want to be
20 very clear about this. It seems to me that the
21 developer is being very crafty by trying to carve
22 out a little piece of 6th Street into M Place,

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1 so that it can claim that Parcel 11B is actually
2 abutted by three separate streets, so that they
3 do not have to comply with 404.1 rear yardage.

4 I am requesting that the Zoning
5 Commission hold fast to 404.1 rear yardage
6 requirements for an R-5-B Zoned property.

7 The Office of Planning should not
8 allow flexibility under the PUD to affect its
9 interpretation of that regulation. The
10 developer has chosen to build a structure with
11 an internal courtyard at the expense of the
12 homeowners on 6th Street, who deserve rear
13 setback.

14 That setback is -- that lack of
15 setback is what is destroying the character of
16 our street. If you look at the exhibit I have
17 provided to you, you will see our property as
18 originally shown and as it currently exists,
19 although the photo is from July 18, 2011.

20 Then last year in this presentation,
21 they showed you the second page of my exhibit
22 and it was dated 7/18/2011, and as Mr. Litsky

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1 testified and even as Ms. Colleen of the Tiber
2 Island Cooperative testified, it showed
3 buildings that were more to scale.

4 What concerns me here in this
5 picture, however, is that they actually narrowed
6 6th Street in order to portray this scale. So
7 that was misrepresentative because last year
8 they didn't have legal authority to narrow my
9 street and I don't believe they have it now.
10 And so this painting or this portrayal or CAD
11 drawing is a -- was a misrepresentation to this
12 Zoning Commission contrary to the legal document
13 and the legal description of Parcel B that they
14 made in the legal documents they presented last
15 year and that was reflected in the brief they
16 filed in support of the hearing. And that is
17 currently maintained in their filing, but they
18 should not have portrayed this street as such,
19 because last year and even now, they don't have
20 any legislation to narrow my street.

21 And so they portrayed their building
22 to make it look more neighborly and to scale.

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1 What I am suggesting is that they should have
2 to push their building back by 15 feet from the
3 current two-lane street as described. There
4 is -- my street is not legally narrowed and there
5 is no jurisdiction that it be narrowed.

6 I just also tell you that I have seen
7 numerous accidents on 6th Street. Hopefully in
8 the future when there are no buses, that won't
9 transpire. But I also do not -- I am not a
10 proponent of you narrowing 6th Street to
11 effectuate making their building look better.

12 They should just simply push it back from where
13 it is portrayed today by 15 feet.

14 So if you look at their third page
15 in this drawing, you will see the new building,
16 which is huge in scale, seems to be looming over
17 my street and like several of the prior
18 witnesses, the brick -- even though I understand
19 the need to have this appearance of depth in
20 the building, the darkness of the brick, I think,
21 will make my street look like an alley.

22 So going back to my testimony that

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1 is written, the developer has chosen to build
2 a building with this internal courtyard. They
3 could have built a building that was U-shaped.

4 There are actually buildings in Clarendon that
5 are very similar near the Crate & Barrel that
6 are, approximately, the same height, concrete
7 on the bottom, stick construction, four stories
8 high and they are shaped like a U.

9 They could have had an open U rather
10 than this closed courtyard, which could have
11 effectuated a feeling of more space on their
12 building.

13 The developer chose not to do so and
14 those of us on 6th Street should not be penalized
15 and the Office of Planning should not, excuse
16 me, fall into giving them an exception because
17 they don't realize that, in substance, M Place
18 and 6th Street are one in the same street. And
19 it's an artifice to say that this building is
20 on three streets, Waterfront Street, M Place
21 and 6th Street.

22 When if M Place does exist, it is

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1 about, I don't know, 45 feet long, because I
2 know it's, approximately, six or seven car
3 spaces, whatever that is. And so you should
4 not waive this requirement to have rear yardage
5 under R-5-B.

6 This flexibility of the park might
7 be nice for the Tiber Island Cooperative. They
8 are my neighbors. I appreciate them. But that
9 amenity does not undo the damage, the
10 architectural damage being done to the townhomes
11 that sit on 6th Street, S.W.

12 I will not reiterate all of my
13 architectural comments, because Mr. Litsky has
14 covered a significant amount of them. I just
15 want to state just for clarity. The brick is
16 too dark. I understand architecturally. I
17 love architecture. You want to have some
18 rapport in looking at the building.

19 But that dark brick could be
20 lightened somewhat. And I think that this
21 building could look really great with just a
22 little bit of setback. Last year I asked for

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1 10 feet. Technically, under the law, there
2 should be 15 feet. I don't see why I have to
3 have what is now an alleyway for a street.

4 Thank you.

5 CHAIRMAN HOOD: Okay. Thank you
6 very much. Let's go through everyone and then
7 we will do cross-examination. Okay. 6th
8 Street? I'm sorry, GPSA, Mr. Kopp?

9 MR. KOPP: Yes. Jason Kopp, 600
10 Water Street, S.W., Gangplank Slipholders
11 Association President.

12 We want to thank the Commissioners
13 for allowing us to comment on the application
14 before you. And the GPSA also wants to say we
15 appreciate the latitude that the Commission has
16 provided us, especially in light of the overall
17 development, the impact it will have and the
18 challenges that we face as a volunteer
19 organization that is representing the only
20 community directly impacted by all phases and
21 aspects of the development.

22 And I want to take a moment also to

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1 commend the applicant and the Deputy Mayor's
2 Office for all the work they have been putting
3 into attempting to meet with us on a regular
4 basis to try to resolve the pending issues that
5 the liveaboard community has.

6 We enjoy working with the applicant.

7 We are having a positive experience. However,
8 we haven't resolved a number of the pending
9 issues.

10 And at the first hearing, we were
11 asked if issues were unresolved throughout this
12 process, to report back to the Commission. We
13 were told that we would not have the opportunity
14 to testify on July 31st, so we thought we would
15 take the opportunity now to be able to report
16 back to you on where the process is at.

17 And although we are hopeful that we
18 will eventually reach resolution on these issues
19 -- the issues that I'll describe to you now are
20 issues that are still currently open.

21 So the residents of Gangplank Marina
22 liveaboards and commute-aboards have been an

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1 important part of the Southwest Waterfront and
2 the greater southwest neighborhood as long as
3 there has been a marina.

4 We have lived through countless
5 redevelopment proposals through the mega
6 restaurant era, through the nightclub era and
7 through the empty building era.

8 We built a thriving community bound
9 together by love of the special place that we
10 call home. We are already the model of a
11 successful public place. We have a distinctive
12 character, are accessible, generate activity
13 and promote social interaction.

14 Equally important, we contribute to
15 the community. We maintain our properties.
16 We have paid millions of dollars in slip fees
17 to owners and the District. We support local
18 businesses. We have been productive, engage
19 citizens who care about our neighborhood and
20 demonstrate it through a wealth of volunteer
21 activities from leading the Southwest
22 Waterfront Fireworks Festival Volunteer Corps

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1 to conducting emergency response training, from
2 trash pickups with Alice Ferguson Foundation
3 to volunteering at our local schools and
4 churches.

5 We did not need a world class marina
6 to do this. It occurred organically in a marina
7 with aging infrastructure and sometimes
8 different landlords.

9 We recognize, however, that the
10 Washington Channel is an under-utilized and
11 sometimes under-appreciated treasure in a city
12 long starved of access to its waterfront.

13 We support the idea of a liveable
14 walkable development. We would like to share
15 our love of the water with citizens and tourists
16 alike. We hope that the greater southwest
17 community will benefit from the jobs and
18 economic opportunity that a successful
19 multi-use development will bring.

20 But we ask that the needs of the only
21 residents displaced by the development be
22 considered by the Zoning Commission and that

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1 clear unbiased language to protect our interest
2 as we move into a period of tremendous
3 uncertainty and considerable change.

4 These needs include: A mechanism
5 for transferring liveaboard status that
6 protects our investment in our vessels and
7 encourages continued investment in upkeep
8 during construction.

9 A transition plan that covers not
10 only boat movements, but liveability and
11 affordability.

12 Recognition that preservation of
13 the unique liveaboard community recognized by
14 the Zoning Commission during the Stage 1 PUD
15 requires special attention to lighting, noise,
16 visual privacy and other project elements that
17 will directly impact our quality of life during
18 and after construction.

19 Assurance that we will not be left
20 in an untenable, unlivable position should this
21 multi-year, multi-partner project experience
22 significant delays, changes in scope or phasing

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1 after our boats are relocated into the
2 compressed configuration.

3 Recognition that the design of the
4 new marina should reflect the needs of the
5 liveaboard community, which includes assurances
6 that we will not be priced out by amenities and
7 improvements we do not need nor forced out by
8 design which meets the needs of recreational
9 boaters rather than liveaboards.

10 I would like to elaborate on each
11 of these topics and will refer to the attachments
12 that we submit today to supplement my remarks
13 here.

14 Liveaboard status. In order to
15 live on a boat at the marina full-time, a
16 slipholder needs liveaboard status from the
17 marina. At this time, Gangplank Marina is the
18 only marina in the District with liveaboard
19 slips and the only one of two in the Greater
20 Metropolitan area with access to mass transit.

21 This has created a specialized
22 economy around Gangplank liveaboards. We are

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1 a captive market. Our unique liveaboard
2 community flourished at Gangplank because there
3 was a standardized system of liveaboard status
4 transfers under the District's watch.

5 The current liveboards paid a
6 premium for their boats because of the system
7 and they bought boats with limited boat value
8 outside of Gangplank because of that same
9 system. They had reasonable assurance that
10 they could readily resell liveboards
11 residences when life's circumstances required
12 without suffering extreme financial hardship.

13 This created incentives to
14 maintain, improve and upgrade vessels over time.

15 The new system for managing liveaboard status
16 should do the same. We have described the
17 marina's requirements for liveaboard status
18 transfers under District ownership in
19 Attachment A.

20 We cannot support this application
21 which will trigger the transfer of land between
22 the District and the applicant without assurance

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1 that we will not suffer irreparable economic
2 harm by losing our ability to transfer
3 liveaboard status when we have to sell our
4 vessel.

5 According to plans submitted by the
6 applicant, more than half of the liveaboard
7 vessels will be relocated by the first quarter
8 of 2013. The new marina is scheduled to be built
9 in the third phase of The Wharf development.
10 No sooner than 2018, according to the Stage 1
11 PUD submittals and in three phases.

12 Notwithstanding the applicant's
13 representation, we are not just moving slips.

14 Boats will be berthed in a significantly
15 compressed configuration, some in undersized,
16 oversized and/or temporary slips for an extended
17 period of time.

18 Most boats will make multiple moves,
19 but boat movements are only a part of transition.

20 We have significant concerns about the
21 continuity of services, stability and slip and
22 liveaboard fees, construction impacts, change

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1 of marina slipholder requirements and more.

2 As a displaced residential
3 community, we believe all these concerns should
4 be addressed in the applicant's transition plan.

5 A proposed outline of minimum transition plan
6 elements is attached as Attachment B.

7 Quality of life impact of the
8 developmental marina residents. The Wharf
9 development will sit alongside a longstanding,
10 albeit, relocated loading residential
11 community. We are particularly concerned that
12 the lighting designs avoid imposing light
13 trespass, glare or clutter on our slips.

14 Noise is of a similar concern. We
15 ask you to remember that sound is amplified over
16 water and we can be affected by noise that is
17 generated far up channel. We request that this
18 be considered as you review designs and use of
19 spaces adjoining marina slips, the hours,
20 duration, type of activity permitted in outdoor
21 spaces are a particular concern.

22 The impact of Kastle Stadium,

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1 although many of us enjoy Kastle Stadium and
2 have attended events there, can be at times very
3 loud and over late into the evening. As an
4 example of the use which can be incompatible
5 with quiet enjoyment of the marina and quite
6 possibly East Potomac Park.

7 We enjoy -- we urge the Commission
8 to renew its request for renderings that show
9 the impact of project lighting on water side
10 occupants and to consider the special condition
11 of water borne noise when considering the
12 appropriateness of all outdoor uses and
13 activities.

14 Protection against hardship causing
15 excessive delays. Our community is facing six
16 more years of a highly disruptive relocation
17 as we are being involuntarily moved to -- prior
18 to the start of Phase 1 construction and the
19 new marina is not scheduled to be built until
20 Phase 3 of the project.

21 In addition to our concerns about
22 the transition, we are concerned that we are

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1 assuming immediate risk in dislocation for the
2 promise of a new marina. Excessive delays,
3 change in scope or a gap in project limitation
4 would be particularly damaging to our community.

5 We ask that the adequacy review of
6 all transition planning take into account the
7 risk that a temporary accommodation may stretch
8 for many, many years.

9 New marina and design process.
10 Although the new marina is not scheduled for
11 construction until Phase 3 of The Wharf
12 development, it was part of the preliminary
13 approval granted in the Stage 1 PUD hearing and
14 has been referenced repeatedly during Phase 1
15 Stage 2 PUD hearings.

16 We are concerned that the world
17 class marina could be unworkable and
18 unfathomable for many current liveaboard
19 families. We conducted an extensive
20 community-based design charrette in November
21 2011 and provided the results to the applicant.

22 We received a late and incomplete

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1 response which did not address the quality of
2 life concerns. We did appreciate the meetings
3 that we had after that time with the marina
4 engineer from the applicant. However, they
5 have not led to commitments and given that this
6 process is divided into various stages, we have
7 been told that we need to wait for those
8 commitments, even though they will impact us
9 now.

10 We ask that the Commission reiterate
11 its findings from the Stage 1 PUD that we are
12 a unique community worth preserving and
13 reinforce that with the directive that requires
14 the applicant to demonstrate that the new marina
15 will remain workable and affordable to the
16 liveaboard community.

17 An example of our concerns is found
18 in Exhibit C. A letter of comment provided by
19 GPSA to the Army Corps of Engineers. The
20 charrette findings are included as Attachment
21 D.

22 Mr. Chairman and Commissioners, we

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1 have a deeply vested interest in the success
2 of The Wharf development. We have equally deep
3 concerns that we are a community at risk. We
4 ask that as you consider this PUD and weigh the
5 community benefits promised by the applicants
6 in exchange for extraordinary accommodations,
7 for land use, height and density, you require
8 the applicant to do what is needed to sustain
9 our community during the transition period,
10 recognize our unique culture in the design of
11 the new marina and share our long-term viability
12 by keeping liveaboard slips available,
13 transferrable and affordable.

14 As we have heard in the past, many
15 of these matters are currently subject to
16 negotiations with the applicant and discussions
17 with ANC-6D. Our opposition to the application
18 reflects the current incomplete state of those
19 negotiations.

20 For this and other reasons, we
21 believe it is in everyone's best interest to
22 address these outstanding matters in your

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1 findings of fact and order language and I urge
2 the Commission to do this to ensure important
3 community agreements are comprehensive, fair
4 and enforceable. Thank you.

5 CHAIRMAN HOOD: Thank you very
6 much. Mr. Solon?

7 MR. SOLON: Commissioners, I, Gene
8 Solon, a twice elected former member of the Board
9 of Directors of the Harbour Square Housing
10 Cooperative from which there are unique views
11 of the Washington Channel, continue to work hard
12 for a high quality Southwest D.C. Waterfront
13 Redevelopment Project that respects community
14 residents and visitors alike, preserves water
15 viewsheds and meets the highest architectural
16 roadway and waterway safety and environmental
17 protection standards.

18 Although some adjustments have
19 recently been made, the proposed Wharf Project
20 is still so far from meeting those standards
21 that I refusing to engage in convolution and
22 contortion again straightforwardly register my

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1 opposition to it.

2 Commissioners, I urge you to
3 carefully scrutinize a number of the assertions
4 made under oath to this quasi judicial body.
5 Some made from the beginning of these
6 proceedings, some made all of a sudden in
7 reaction to issues I and others introduced
8 during these proceedings about the contents of
9 legislation that reduces USACE jurisdiction,
10 but does not address proposed pier length.

11 About elongated evacuation staging
12 areas, all together dependent upon a single
13 pinched harbor exit way. About the
14 relationship between vessel and water body
15 dimensions. About roadway and waterway
16 congestion and safety and about discussions,
17 some long ongoing and some newly begun with the
18 USACE, the Army Corps of Engineers, DC Sail,
19 SSCA, GPSA and others.

20 Such discussions have not always
21 been smooth and significantly productive to
22 date. Whatever concessions the Army Corps of

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1 Engineers has gotten from HMW, HMW was not
2 specified to us what Washington Channel pier
3 lengths would facilitate safe harbor passage,
4 including emergencies.

5 On Friday, July 20th, I received a
6 report from the Army Corps of Engineers
7 officially stating on Public Law 112.143 "I do
8 not read anything in that with regard
9 specifically to cause for extension of current
10 Washington Channel pier lengths."

11 And on re-emergency and -- on
12 emergency evacuation, "The Corps has not yet
13 made a permit decision and, therefore, we have
14 not specified to anyone what proposed Washington
15 Channel pier lengths would permit safe harbor
16 passage including during any emergencies."

17 Commissioners, at this late date,
18 vital issues remain unresolved. Please, don't
19 allow hearings scheduled time to run out until
20 all missing information is in your hands and
21 until all issues have been resolved, not only
22 by HMW measure, but by written agreement from

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1 all concerned.

2 Please, see the photographs on page
3 2. And, please, see a verbatim copy of the USACE
4 July 20th email message on page 3.

5 I have been in constant
6 communication with the Army Corps of Engineers
7 and, at this point, I would like to enter into
8 the record what I wrote them just yesterday --
9 oh, early today.

10 "I don't think the planners and
11 constructors of the existing piers, docks and
12 slips, etcetera, are dummies who simply didn't
13 realize that they can make more money by building
14 longer than existing Washington Channel piers
15 docks and slips, etcetera."

16 It seems much more reasonable for
17 us to conclude that they decided to show respect
18 for the long-cherished channel water expanses
19 that provide adequate safety margins and lovely
20 views along with other benefits for the channel
21 area community and visitors.

22 Such as ample room for youngsters

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1 and adults to learn how to tack and otherwise
2 control small and medium size sailboats. There
3 is a lot yet to do to make this HMW proposal
4 worthy of your approval. And I hope you don't
5 approve it until all that needs to be done to
6 improve it is finally done.

7 I thank you very much.

8 CHAIRMAN HOOD: Thank you very
9 much. Commissioners, any questions of any of
10 the parties in opposition? Commissioner
11 Turnbull?

12 COMMISSIONER TURNBULL: Yes, thank
13 you, Mr. Chair. Mr. Kopp, I mean, other than
14 tonight, I mean, the applicant has received this
15 type of information before from you, right?

16 MR. KOPP: Sorry, yes. We have
17 been either discussing the majorities issues
18 if it wasn't within the meetings that we have
19 been having on a regular basis over the last
20 month and a half two months, definitely over
21 the past two years, all of these issues, at some
22 point in time, have brought up -- have been

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1 brought up on a regular basis.

2 COMMISSIONER TURNBULL: And in your
3 discussions, have you -- at what point of
4 resolution are you with most of these issues?

5 MR. KOPP: I think in terms of the
6 liveaboard transfer issue, I'm hoping that we
7 are very close. We will, I guess, find out more
8 at the next meeting. We have gone -- I think
9 the developer has put forth several proposals
10 that have been good faith proposals. We have
11 countered with several other proposals because
12 each side has specific issues that they feel
13 like are issues that are very challenging for
14 each side.

15 So we are hoping that the next
16 meeting, which should be later this week, will
17 give us a better idea of where that specific
18 issue is.

19 I think with regard to the
20 transition plan, to be completely honest, I
21 think that the developers has been working
22 really hard to try to address these issues as

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1 of late. I think that given how large this
2 project was, it apparently took a long time
3 before the applicant, I guess, realized how
4 important we felt these issues were, because
5 they were going to be impacting us right away.

6 I think there might have been a lot
7 of focus on land side. And so there is still
8 a lot of issues that we are trying to get in
9 writing and that's why we finally made sure that
10 we had this document written out, because we
11 have discussed them in our meetings and there
12 has been suggestions that yeah, we can agree
13 on that, but we don't have written language yet
14 saying that those things are agreed upon.

15 There is some basic things in there
16 that -- as you all have seen the transition plan,
17 there are some basic things agreed to in terms
18 of utilities and how those will be relocated.

19 But a lot of the other issues, I don't think
20 we have had agreement on -- in writing yet.

21 And particularly, we are interested
22 in anything that helps us set up a structure

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1 so that if there are issues, we have a way to
2 deal with it. So like .7 where it says "Identify
3 an ombudsman or some sort of mechanism where
4 we can have resolution of any disputes that might
5 arise, since we don't have the same type of
6 tenant protections that other folks do in the
7 area."

8 COMMISSIONER TURNBULL: So this
9 basically summarizes all your concerns for them
10 in one document?

11 MR. KOPP: Yes.

12 COMMISSIONER TURNBULL: Okay.
13 Thank you. Ms. Randolph, I think the applicant
14 stated earlier in its testimony that 6th Street
15 was going to go back to its original size. Did
16 I misunderstand that?

17 MR. SEAMAN: The current plan is 2
18 feet narrower than its current size.

19 COMMISSIONER TURNBULL: 2 feet?

20 MR. SEAMAN: Curb-to-curb, yes.

21 COMMISSIONER TURNBULL: Okay.

22 MR. SEAMAN: But it's the same

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1 function with two lanes of parking, two lanes
2 of travel.

3 COMMISSIONER TURNBULL: Okay.
4 Thank you. So you're almost there. But your
5 concern --

6 MS. RANDOLPH: I would like the
7 Zoning Commission to be aware that I believe
8 they have created M Place. I believe that they
9 have created M Place to portray this legal
10 fiction that their building sits on three
11 streets, so that they don't have to give us rear
12 yardage under R-5-B.

13 COMMISSIONER TURNBULL: Well, they
14 have asked for -- they have asked us flexibility
15 earlier. Mr. Glasgow did talk about looking
16 at this as a single building and that there would
17 be flexibility on the rear yard.

18 MS. RANDOLPH: Yes. And I
19 strenuously disagree and oppose that request
20 for flexibility, because they have voluntarily
21 chosen to design their building this way. They
22 could have designed a U-shaped building.

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1 COMMISSIONER TURNBULL: Yes.

2 MS. RANDOLPH: There are several in
3 Virginia very similar.

4 COMMISSIONER TURNBULL: Well, the
5 Commission has noted your concern and has noted
6 the ANC's and we are going to take a hard look
7 at 6th Street and setbacks.

8 MS. RANDOLPH: Much appreciated.

9 COMMISSIONER TURNBULL: And the
10 relationship with the historical buildings.
11 I mean, we understand where you are coming from
12 and we're going to take a hard look at that.

13 MS. RANDOLPH: Because, frankly, if
14 I lived in Los Angeles, I have now already lost
15 almost \$500,000 off the potential value of my
16 home, because if you live on the ocean in Los
17 Angeles, your home could be \$2 million versus
18 one block away which is \$1 million.

19 COMMISSIONER TURNBULL: Yes.

20 MS. RANDOLPH: And I have already
21 asked -- based upon your actions last year, lost
22 potential dollar value. And I understand I

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1 don't have view rights, but you did accord Arena
2 Stage view corridor. You have even addressed
3 Harvard Square to some extent by, you know,
4 houses won't be built on Pier 4.

5 But those of us on 6th Street, we
6 acknowledge yes, we have already suffered a
7 loss. I don't want to suffer any more by having
8 my house situated on a dark alley, which is what
9 it will appear to be when I look out of my window.

10 All I will see are his dark bricks. Thank you.

11 COMMISSIONER TURNBULL: Well, we
12 are going to look at it.

13 MS. RANDOLPH: Thank you.

14 COMMISSIONER TURNBULL: We have
15 heard your concerns.

16 CHAIRMAN HOOD: I know we hear a lot
17 of cases, did we hear Arena Stage? I must not
18 have been paying attention that night. Did we
19 hear Arena Stage?

20 PARTICIPANT: BZA.

21 CHAIRMAN HOOD: Oh, okay, okay.

22 MS. RANDOLPH: And I'm --

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1 CHAIRMAN HOOD: Let's give credit
2 where credit is due. It's not the Zoning
3 Commission. I know I didn't hear it. Oh, you
4 heard it?

5 COMMISSIONER TURNBULL: It was that
6 other body.

7 CHAIRMAN HOOD: Oh, okay.

8 MS. RANDOLPH: I'm speaking --

9 CHAIRMAN HOOD: I don't remember
10 hearing Arena Stage.

11 MS. RANDOLPH: -- to the fact that
12 last year Arena Stage gave testimony that
13 because its building is so beautiful that Mr.
14 Tom wanted to make sure that the view corridor
15 of his building was addressed. And despite the
16 fact that no one lives there, the view corridor
17 is being maintained, even though he doesn't have
18 legal rights to a view corridor.

19 And I was told I had no legal rights
20 to a view corridor. So I'm just -- I want to
21 remind this Commission that my home has already
22 lost monetary value, though other buildings have

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1 been allowed to have their view. Thank you.

2 CHAIRMAN HOOD: But let me just say
3 this, that was -- I'm not going to get into a
4 debate with you, but some things are within our
5 jurisdiction, that was a Supreme Court ruling.

6 There is case law out there about views.

7 MS. RANDOLPH: We understand.

8 CHAIRMAN HOOD: You don't buy a
9 view.

10 MS. RANDOLPH: Right. But --

11 CHAIRMAN HOOD: Okay.

12 MS. RANDOLPH: -- nor did Arena
13 Stage and they have received something. We have
14 zero now.

15 CHAIRMAN HOOD: Okay.

16 MS. RANDOLPH: Thank you.

17 CHAIRMAN HOOD: I think they are on
18 the corner. Okay. Thank you. Any other
19 questions? Vice Chair?

20 VICE CHAIR COHEN: Mr. Kopp, you had
21 written to the Army Corps of Engineers on
22 February 6th and we have a copy of that. Have

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1 they responded to you?

2 MR. KOPP: No. There was no
3 response to that letter. And to be honest, that
4 was another part of the process that was
5 confusing, because the way that the public
6 notice was made and when public comments were
7 to be received was not clear.

8 So I'm not 100 percent certain what
9 happened after the letter was received. There
10 was acknowledgement of reception of the letters,
11 but there was no response.

12 VICE CHAIR COHEN: Thank you.

13 CHAIRMAN HOOD: Okay. I do want to
14 associate myself with Commissioner Turnbull,
15 especially when we are looking at 6th Street or
16 M Street or whatever the name of the street is.

17 But I do want us to go down the line
18 and investigate. And I heard him say, I think,
19 it was 2 feet.

20 VICE CHAIR COHEN: Yes.

21 CHAIRMAN HOOD: Yes, okay. I'm
22 just putting it out there for the applicant and

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1 they can respond at the appropriate time.

2 Okay. Let's see, does the
3 applicant have any cross-examination?

4 CROSS-EXAMINATION

5 MR. GLASGOW: First to Ms.
6 Randolph, because she was asking about the
7 street closing statute and I'll do this in a
8 form of questions, so we can get it in the record
9 here.

10 Are you aware that D.C. Law 19-19
11 involved the street closing of M Place, S.W.?

12 MS. RANDOLPH: I'm aware of a -- I
13 did research of a legislation for something
14 that's called the Waterfront Street Closure and
15 my question to your party earlier was whether
16 that includes M Place.

17 MR. GLASGOW: I think a review of
18 -- I'll ask in the form of a question.

19 If you review D.C. Law 19-19, will
20 you see that M Place, S.W., was closed during
21 that piece of legislation? Are you aware of
22 that?

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1 MS. RANDOLPH: I'm aware of
2 legislation called Waterfront Street Closure.

3 MR. GLASGOW: All right. We will
4 submit for the record the legislation.

5 MS. RANDOLPH: Thank you.

6 MR. GLASGOW: Next --

7 CHAIRMAN HOOD: Could you highlight
8 it, so we won't miss it? Thank you.

9 MR. GLASGOW: Yes. Next, with
10 respect to Parcels 11A and 11B, are you aware
11 that those were part of the Stage 1 approval?

12 MS. RANDOLPH: I am aware of that,
13 yes.

14 MR. GLASGOW: Okay. Are you --
15 next. Are you aware that with respect to the
16 rear yard regulations, that that open space is
17 for the lot upon which it is provided and not
18 for adjoining properties?

19 MS. RANDOLPH: I don't understand
20 your question. Could you, please, describe
21 what you are saying?

22 MR. GLASGOW: All right. When you

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1 look at the construct of the Zoning Regulations
2 and you have a rear yard requirement, are you
3 aware that that rear yard is to be provided to
4 create open space for the lot upon which it is
5 located and it's not for the benefit of the
6 adjoining properties?

7 MS. RANDOLPH: I would like you to
8 show me a diagram, so I can understand what you
9 are saying. I don't understand your question.
10 Thank you.

11 MR. GLASGOW: All right. We will
12 submit then on rebuttal on that.

13 Next, with respect to Gangplank, Mr.
14 Kopp, what is your legal right with respect to
15 the slips that you have right now? Do you have
16 any legal right to transfer those slips or are
17 those slips on an annual agreement with the
18 District with a term -- a 30 day termination
19 provision?

20 MR. KOPP: The legal right that we
21 have to keep our boats docked in the slips that
22 they are in is through the Slip License

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1 Agreement. And your assessment of the
2 termination, that's possible through that
3 agreement. It does exist, which is why we are
4 very concerned that we don't have the same sort
5 of protections that other tenants might have
6 in the District.

7 However, I think with the question
8 of whether or not we have a legal right to
9 transfer the liveaboard status with the license
10 agreement, as far as I know, that's never
11 actually happened that we transfer the
12 liveaboard status, but through the course of
13 business, I believe, the District has
14 standardized a practice where if a boat with
15 liveaboard status is sold and if the current
16 slipholder is in good standing, when a new Slip
17 License Agreement is signed by the next owner,
18 then the marina would facilitate that transfer.

19 They would say we will allow this new individual
20 to live on the boat. That is my understanding.

21 MR. GLASGOW: Now, with respect to
22 -- is it your understanding that the developer

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1 has presented two separate offers that would
2 improve upon the legal right that you have to
3 transfer your existing right on the -- well,
4 you have no existing right to transfer, but would
5 provide a right to transfer?

6 MR. KOPP: I would have to say that
7 I probably should ask you to clarify the
8 question, because --

9 MR. GLASGOW: Okay.

10 MR. KOPP: -- if my understanding
11 is whether or not they have improved upon it?
12 I would say that we have not received an
13 agreement that we can understand will improve
14 upon how we believe the current system
15 functions.

16 MR. GLASGOW: All right. Well, I
17 think that that will go then with the further
18 discussions between you and the applicant.

19 MR. KOPP: And if it's okay to
20 comment a little bit further, I would say the
21 biggest challenge for us, at this point, has
22 been that while we definitely think the system

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1 can be improved and we are trying to discuss
2 that with the applicant right now, it's
3 difficult to find a solution that has allowed
4 the community to form and exist over 30 years
5 and say let's change this immediately when there
6 is no way to really test the effects that the
7 new system is going to have.

8 So for us, that has been the biggest
9 challenge. We talk about a lot of the details
10 that I think have made reaching a resolution
11 quickly challenging.

12 MR. GLASGOW: I have no further
13 questions for this witness.

14 CHAIRMAN HOOD: Thank you. Thank
15 you very much. Mr. Hitchcock, do you have any
16 cross of either one of the parties?

17 MS. SCHELLIN: The ANC.

18 CHAIRMAN HOOD: Okay. I'm sorry.
19 ANC Chairman Litsky, do you have any cross of
20 either one of the parties? Mr. Hitchcock, you
21 don't have any?

22 MR. HITCHCOCK: No.

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1 CHAIRMAN HOOD: Mr. Kopp, do you
2 have any cross-examination of either Ms.
3 Randolph or Mr. Solon? Okay. Ms. Randolph,
4 do you have any cross-examination of either Mr.
5 Kopp or Mr. Solon?

6 MS. RANDOLPH: No, thank you. And
7 I appreciate having been allowed to testify.

8 CHAIRMAN HOOD: Okay. Mr. Solon,
9 do you have any cross-examination of Mr. Kopp
10 or Ms. Randolph?

11 MR. SOLON: Yes. I have a
12 cross-examination to Ms. Randolph.

13 CHAIRMAN HOOD: Okay.

14 MR. SOLON: How come you present
15 your cases so well?

16 MS. RANDOLPH: He is a neighbor.

17 CHAIRMAN HOOD: He is, okay.

18 MS. RANDOLPH: Thank you.

19 CHAIRMAN HOOD: All right. Okay.

20 Thank you all very much. We appreciate your
21 testimony. It looks like we are going to
22 finish.

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1 Let me go with the persons in
2 opposition. I have Mr. Corbett, Mr. Corbett?

3 Okay. If you can come forward? Oh, I'm sorry.

4 I was about to leave Mr. Johnson. Okay. Mr.
5 Johnson? Yes, Mr. Corbett, you can sit -- come
6 forward. Mr. Johnson, Mr. Michael Clark?
7 Okay. Okay. Howard Gasaway, if you can come
8 forward?

9 I called Mr. Corbett. Deborah
10 Ruttenberg?

11 MS. RUTTENBERG: I'm actually not
12 speaking again.

13 CHAIRMAN HOOD: Okay.

14 MS. RUTTENBERG: I'm just here.

15 CHAIRMAN HOOD: Okay. Mike
16 Crouch? Oh, so Mike Clark and Mike Crouch are
17 the same person. Okay. That's a good way to
18 testify twice. Okay. Nancy Masterson,
19 Commissioner McBee, Diane Schulz, Benisse
20 Lester. Okay. And is there anyone else who
21 would like to testify in opposition? Okay.
22 This is going to be our first and last panel

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1 and we will end with this panel.

2 I'm going to start with you, Mr.
3 Johnson, to my left and I'm going to come down
4 to my right.

5 MR. JOHNSON: Thank you,
6 Commissioner Hood. Good evening,
7 Commissioners, and thank you again for your
8 continued indulgence. My name is Philip
9 Johnson. I reside at 411 Walnut Street, #3920,
10 Green Cove Springs, Florida.

11 On the first slide I presented to
12 you in -- with regard to party status and I had
13 an affidavit that indicated I had -- the SSCA
14 had 25 members that showed an address of 2000
15 or 200 XX. I'm aware of seven SSCA members who
16 are currently within the impacted area.

17 You asked about the discussions with
18 the applicant. At the 12 July Zoning meeting,
19 the applicant presented slides which showed the
20 mooring field. At the time, SSCA indicated the
21 swing circles looked small and close to East
22 Potomac Park.

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1 At the Zoning meeting, the applicant
2 agreed to work with SSCA on the moorings, but
3 within the limits of the U.S. Army Corps of
4 Engineers permit application.

5 SSCA and the applicant had a
6 teleconference on Friday, 20 July. A good
7 engineering discussion ensued. SSCA, by the
8 way, it was one SSCA and five of the applicant's
9 engineers. Pointed out several perceived
10 discrepancies which the applicant said he would
11 look at.

12 As a result of the discussion, the
13 engineering discussion, SSCA expressed concern
14 that the currently configured and proposed
15 moorings were not viable as presented. And it
16 was unlikely that they could be made viable with
17 the applicant's proposed pier extensions.

18 On the third page of my submission,
19 I show a blowed up section of the view graph
20 that they displayed on 12 July that showed two
21 25 foot boat moorings, four 30 foot moorings,
22 five 40 foot moorings and four 50 foot moorings.

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1 When we looked at the details of the
2 engineering to back up the mooring swing circles
3 and in discussion with a known expert, David
4 Merrill, of Boat Moorings, LLC, I came to the
5 conclusion that the numbers just would not add
6 up.

7 I have provided examples for each
8 of the boat lengths, but, essentially, the swing
9 circles for a 25 foot boat, the minimum distance
10 has a difference of about 15 feet. For a 30
11 foot boat, the difference is 12 feet. For a
12 40 foot boat, 14 and for a 50 foot boat, 21 feet.

13 It is my understanding during PUD
14 2 submissions that the applicant's data should
15 be within 2 percent or 10 feet. Clearly, all
16 these circles exceed that type of precision.

17 In addition, just in general,
18 regarding the mooring field, next slide, smaller
19 moorings are very limited use. Vessels of 25
20 foot usually do not carry a tender and cannot
21 travel ashore. In addition, the moorings over
22 the Metro Yellow Line Tunnel are complicated

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1 in screw helix style moorings, so it may not
2 be an option.

3 And it should a weighted mooring be
4 used, the swing scope would be almost double
5 what they show.

6 In addition, it is my understanding
7 that they have not filed a WMATA request for
8 the EPR filing. In their WMATA filing for work
9 over the tunnels, they did not include the
10 mooring field.

11 All right. Last, the proximity to
12 shore for these moorings shows between 5 and
13 12 feet, which is unrealistic.

14 Lastly, the mooring fields do not
15 show many moorings for 60 foot vessels. The
16 minimum distance between the National Park
17 Service park wall and the edge of the channel
18 for a 50 foot vessel, by my calculations, would
19 be about 186 feet.

20 My closing remarks for SSCA is SSCA
21 understands that anchoring is not the most
22 efficient use of mooring area. SSCA supports

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1 the installation of secure well-engineered
2 moorings in confined waters. The anchored
3 boats in the Washington Channel add fabric and
4 diversity to the harbor vista.

5 SSCA believes that the D.C. Zoning
6 should insist on a detailed harbor traffic study
7 and have it independently reviewed. Please,
8 don't turn the D.C. Harbor into a parking lot.

9 Thank you.

10 CHAIRMAN HOOD: Okay. Thank you.

11 Next?

12 MR. CORBETT: My name is Mike
13 Corbett. I have owned and operated a boat in
14 the Washington Channel for about the last 10
15 years. I am also a member of the SSCA and I
16 share many of Mr. Johnson's concerns.

17 And I don't want to reiterate
18 everything that you have heard to date on this
19 issue, but it just appears to me and many others
20 that the planning for the water side of the
21 project is just not in sufficient detail to meet
22 the standards of PUD 2.

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1 That's all I have.

2 VICE CHAIR COHEN: The standards
3 of?

4 MR. CORBETT: The standards of
5 accuracy required for the submission at this
6 time. The designs are not of sufficient
7 accuracy representing the proposed mooring
8 fields and the other requirements.

9 CHAIRMAN HOOD: Okay. Thank you.
10 Next?

11 MR. GASAWAY: Well, I don't know
12 whether to say good night or good evening.

13 CHAIRMAN HOOD: Either one. We
14 hear them both, sir.

15 MR. GASAWAY: Either one.

16 CHAIRMAN HOOD: We'll say good
17 morning shortly.

18 MR. GASAWAY: Thank you,
19 Commissioner Hood and Vice Chair. I am Howard
20 Gasaway. I live in Washington, D.C., 2806 32nd
21 Street, S.E., that's Ward 7.

22 I am here tonight to speak on behalf

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1 -- in opposition to the proposed reduction of
2 the channel from 400 feet to 200 feet in the
3 Washington Channel.

4 I will not go into my whole
5 statement. You can read that, but I would like
6 to make a few comments that the developers may
7 want to take into consideration.

8 Remember, boats do not have brakes
9 and when you reduce space, you are creating a
10 hazard that you may forget. And the larger
11 the boat is, the longer it takes for them to
12 stop. So if you are going to take 200 feet,
13 what you are going to do is take away some of
14 the safety aspects of boating on -- in the
15 Washington Channel.

16 I look at this as if you have been
17 to Annapolis, they have a little thing up there
18 they did some years back, they call it the Ego
19 Alley. They have more accidents up there and
20 I think that is what you are doing here with
21 this channel is creating an alley for boaters.

22 Boaters need space to turn around.

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1 They need mooring space. There is a concept
2 of 7:1 for boaters moored that means that you
3 seven times -- if you have a depth of 25 feet,
4 you multiply that times seven, that tells you
5 how many feet of line you need to be able to
6 moor your boat. And that goes in a 360 degree
7 angle when a boat is moored, because the wind
8 coming and the tides going, the boat circles.

9 If you take away space, as I stated,
10 that you are going to create a danger hazard
11 for boaters.

12 And let me tell you one other thing.

13 I have been boating in Washington for 40 years,
14 okay? And most times in the Washington Channel
15 new boats like to go up it, because there's more
16 open space. They don't want to go out on the
17 Potomac, because they don't have the skills.
18 So they go up there. It's almost like a learning
19 process for boaters, new boaters to go in.

20 I don't know if you realize that
21 Washington Channel is the only secure and
22 protected piece of water in Washington, D.C.,

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1 that part there. If you do that, if you move
2 them boats out into the Anacostia River where
3 I keep my boat, Lord help us, we've got a lot
4 of trash going down there, but we are going to
5 clean it up. We have been cleaning it up for
6 25 years.

7 What you are taking away, too, is
8 that on the Washington Channel you have young
9 kids coming in there to learn how to boat on
10 a kayak. I was fortunate to serve as the Admiral
11 of the Potomac back in the '80s when we had the
12 River Fest.

13 My job was to meet all tall ships
14 and bring them into Washington, D.C. and greet
15 them and make them feel like they are home.
16 But what has happened over the past, the water
17 has receded so that some of the tall ships
18 stopped coming into Washington, because they
19 didn't want to deal with the hazard of trying
20 to turn their boat around with those big slips.

21 When you talk about 102 foot
22 sailboat, a tall ship coming into D.C., they

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1 stop. They start stopping in Alexandria,
2 that's where they go. They stop there.

3 I have been advocating and trying
4 to get those tall ships to try to come back to
5 Washington, D.C. in more ways than I will go--
6 reasons also.

7 And I would hope that the developers
8 would take into consideration boaters that they
9 -- any boats that can't turn around in a little
10 spot. They need safe places to turn around.
11 What you are going to do is decrease -- also
12 belongs to the Potomac River Yacht Club
13 Association, which is a partner of CYBCA.

14 I want to say that we have over
15 85,000 members in our organization. We run from
16 Norfolk, Virginia all the way up to Delaware.

17 And we deal with boaters and I'm here to speak
18 on behalf of the boaters down on the -- in the
19 Washington, D.C. area. My job is the director
20 of legislation for Washington, D.C., I guess
21 because I live here.

22 I would ask the developers to take

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1 into consideration the boaters. I have heard
2 that above the Key Bridge, they are trying to
3 declare that as a non-motorized boating, which
4 means that you have nothing but the news and
5 ties up there.

6 What you are going to do is you're
7 going to lose all your motorized vehicles/ boats
8 that come to D.C. Last year we had 100 boats
9 coming to D.C. that were going to go to
10 Gangplank.

11 CHAIRMAN HOOD: Please, give us
12 your closing thought.

13 MR. GASAWAY: Okay.

14 CHAIRMAN HOOD: Give us your
15 closing thought.

16 MR. GASAWAY: My closing would be
17 I would just hope that the developer takes into
18 consideration of trying to cut back on taking
19 that 200 feet and try to explore other avenues
20 of trying to get what they are trying to get
21 at. Thank you.

22 CHAIRMAN HOOD: Thank you. Next?

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1 MS. MASTERSON: Hi. I'm Nancy
2 Masterson and I have a little bit of a different
3 perspective on everything.

4 I have lived at the Gangplank Marina
5 for 13 years. And they -- the Gangplank along
6 with the, I guess it would be, Deputy Mayor's
7 Office made it systematically difficult to live
8 there by bringing in additional commuting boats,
9 additional tour boats, not allowing
10 professionals to come in to service your water
11 heater.

12 For example, Sears couldn't come in
13 and drain my water heater, because they didn't
14 have the right kind of insurance, Sears Roebuck
15 and Company.

16 But now, I live at 510 N Street,
17 S.W., at Harbour Square. I'm Gene Solon's
18 neighbor, so I have another perspective, too.

19 And also, I'm a gardener and I garden at St.
20 Augustine's. That property was found to have
21 -- well, they had to diggings and they came back
22 with distillates in it. They found maps that

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1 I sent to Gabby Levi. I found them at Eastern
2 Market, took pictures of them.

3 I believe Diane Schulz wound up
4 buying them. Has -- from the 1950s all the toxic
5 materials that will be involved and they will
6 have to remediate there. It's not only going
7 to affect the boaters or the landowners, it's
8 going to affect the boaters equal. It's going
9 to affect everybody. So you can approve the
10 river again like the Anacostia with what they
11 are going to plan on doing.

12 So I don't know how they plan to do
13 that. Shawn Seaman made a statement that the
14 flow of the -- some of the oils that was found
15 there, they were capped for nine months. I
16 didn't garden for over a year at St. A's, because
17 I couldn't. They had a big drill hole in there
18 that they had to put a cement thing in and let
19 it sit for a couple of years.

20 But getting back on the whole issue
21 of not only just the environment, too, with the
22 eco-district, with -- oh, Shawn Seaman was

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1 talking about the distillate went up, right?
2 He said they flew upwards, which is
3 counterintuitive. And so we have to
4 investigate that.

5 I don't know when all of that comes
6 about. And the other part that I want to get
7 at is the Southwest Eco-District is now I live
8 in a place where we can't have rooftop gardens.

9 They have abolished those. Whereas Southwest
10 Eco-District can. They are encouraging that.

11 And one of the things you want to
12 encourage is to go about with the Sustainable
13 Site's Initiative that landscape designers do,
14 that equals the LEED agreements for landscape
15 design. So follow that through, please.

16 CHAIRMAN HOOD: Thank you. Next,
17 Commissioner McBee?

18 MR. MCBEE: Thank you. Chairman
19 Hood, good evening. My name is Ron McBee. I
20 live at 827 3rd Street, S.W. I am the Advisory
21 Neighborhood Commissioner for ANC-6D03 and here
22 to speak for my Single Member District and

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1 support the testimony that has been given by
2 our -- by Andy Litsky for our ANC.

3 I am also a member of the board of
4 directors for the Community Benefits
5 Coordinating Council. So this evening, I'll
6 be giving testimony for both of those elements,
7 but very shortly. I will try to make this brief.

8 I understand we are here at the end of the
9 evening.

10 In regards to the Inclusionary Zone
11 change, which would be my comment as part of
12 the board of directors of the Community Benefits
13 Coordinating Council, while we have not acted
14 on this request as a board, this goes really
15 against our mission to maintain the diversity
16 that's in our southwest community.

17 We would hope to keep that
18 Inclusionary Zoning in place. And I think that
19 Reverend Hamilton would have been here this
20 evening if she could have been, but she is
21 leaving to go out of town tomorrow, so I just
22 leave this open as a comment to you and we will

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1 address that separately from the Community
2 Benefits Coordinating Council to you.

3 We are also -- Reverend Hamilton has
4 also talked to you about employment and that's
5 another great issue for us here.

6 You know, this is a, as somebody said
7 tonight, moving target. This project is a
8 really very large complex and I think any
9 variances really should get a good hearing, as
10 we would do with a PUD modification.

11 I just want to point out as Mr.
12 Litsky talked tonight, I got this today, this
13 gives you a little sense of my reading for the
14 next day or two. But let me go on to talk about
15 what we have in front of us tonight.

16 Parcel 11A. Parcel 11A still for
17 me provides issues around the view corridor,
18 particularly at 6th and M Street. And if you
19 look within our drawings here and look at
20 Drawings 11.3 and -- excuse me, 1.3 and then
21 look at Drawing 1.9.

22 1.9 seems to limit that viewshed

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1 view that one would hope to get when one drives
2 up to 6th and M Street. My understanding is that
3 when we talked about this with our 28 points,
4 27 points that we agreed with the developer on
5 for the Stage 1, is that that link from the church
6 would be 21 feet 11 inches.

7 I'm not sure if it's still there.

8 I would like to see if we could get some drawings
9 that would verify that, that distance from the
10 curb back to the building. That building seems
11 to project out. The church, St. Augustine's,
12 I mean, I certainly have nothing against the
13 church and -- but I think I want to see that
14 view corridor maintained, so that when somebody
15 comes to southwest, when they look there, they
16 can see some waterfront. They can see some
17 masts of some boats.

18 The other part for me as well is that
19 as we look at that design and I looked at it
20 again this evening, it made me aware that there
21 -- we have no plan for the landscape for the
22 median strip. That's something that we

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1 desperately need to look at. I don't think I
2 want trees sitting in the middle of the block
3 or pose that view from people who are motorists
4 that would be coming to our area.

5 We want to share our waterfront.
6 We all live here for a particular reason of our
7 love of our waterfront area. And I think that
8 as we look at that, we need to look at the
9 landscaping that would be along that median
10 strip and how it will harmonize both with our
11 community and the waterfront, which we have
12 heard a lot about tonight.

13 Real quickly with 11B, which is the
14 large residential building we talked about, I'm
15 confused about the discussion with public open
16 space within the middle of that building. I'm
17 not sure how it could be public space. It might
18 be shared space with the tenants in there, but
19 I'm not sure how we, as a community, would have
20 egress or access to that area.

21 I'm also concerned as well, which
22 I think somebody brought up tonight about the

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1 loading dock areas, how that would handle and
2 how it would function clearly for our community
3 here.

4 Again, let me just say I appreciate
5 the opportunity to come here tonight. One last
6 element, perhaps we will hear later on, is how
7 we get our Stage 1 PUD. It was the process by
8 which a bid was granted for this project. And
9 I think we would like to hear about how that
10 bid, this is the improvement district, is going
11 to work and function within these elements that
12 we have in this complex process here that is
13 The Wharf.

14 We really all want to see it move
15 forward. But I think we want to make sure it's
16 the best project possible. Thank you.

17 CHAIRMAN HOOD: Thank you. Next?

18 MS. SCHULZ: Good evening. My name
19 is Diane Schulz. And I live in an apartment
20 in the N801, 560 N Street, S.W., at Harbour
21 Square.

22 And I kind of wanted to give you kind

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1 of an overview of this is where I am, this is
2 what I see and this is kind of where I'm coming
3 from.

4 And so in my packet, what I did, I
5 wanted to give you the plan and the renderings
6 that they gave us about the park. They don't
7 give us a sense of how that is in the neighborhood
8 and how it relates to the neighborhood.

9 So on my first page, I kind of drew
10 -- I'm not a very good drawer, but I drew this
11 little rendering and my apartment is this one
12 on the very corner and there are nine apartments
13 in the N801 tier. And I am 82 feet from the
14 -- 82 feet from where the new park is going to
15 be .

16 And the N802 tier and so these
17 pictures that you have got in my packet were
18 all taken from my neighbor's 02 tier and my tier,
19 N01 tier. And we are both 82 feet from the park.

20 Also, the patio below, which is our
21 communal patio, is 25 -- it's going to be 25
22 feet from the new park. And we are -- the people

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1 at Harbour Square, we all share that patio and
2 our weight room and our exercise room all glass
3 enclosed, it's seen -- you can see it from
4 anybody walking by and we all share it. And
5 that is also going to be 82 feet from the park
6 area.

7 So the park is, basically, and as
8 you can see from the pictures in 2.4, 3.4 and
9 4.4, is basically my front yard. And at
10 different times of the year, it is right there.

11 And my apartment has glass windows from floor
12 to ceiling. So I was not, basically, given an
13 opportunity, because I was not chosen by my board
14 to be in the charrette process.

15 In fact, nobody in my building was
16 chosen to be in the charrette process for the
17 park. And that includes -- there are nine
18 apartments in each of the 02 -- 01, 02 and 03
19 tiers that are well within the 100 feet. All
20 told, there are several hundred people who are
21 affected directly by the proximity of the park
22 directly in front of their homes.

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1 Now, as -- again, as a cooperative,
2 we all share the use of our pool, exercise room
3 and so I just wanted to show you kind of what
4 we see and how we are affected and the fact that
5 we didn't get a chance to really express our
6 concerns about the park.

7 CHAIRMAN HOOD: Okay. Thank you.
8 Next?

9 MS. LESTER: Hello. Oh, good
10 evening and I thank you for sticking around this
11 late. My name is Benisse Lester. I'm also a
12 Harbour Square and former elected member of our
13 board of directors from 2007 to 2010. I'm also
14 in the same tier that Diane was describing.
15 I'm in N301 and 560 building of Harbour Square,
16 which is our most populated building.

17 And I think the park is great in
18 concept, but I ask both the Zoning Commission
19 and the developer to, please, consider that the
20 diagrams as they are written appear, to me, to
21 pack too many functions into a relatively small
22 space that is extremely close to where we live

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1 and I'm concerned that some of the elements
2 there, while they may be well-intended and may
3 look good on paper, will disturb the peace and
4 the safety or the aesthetics of our residents.

5 And what was described earlier was
6 a more open space maybe more described for
7 strolling with landscaping and fountains and
8 so forth that would be more suitable for such
9 close proximity to such a densely residential
10 area.

11 Specifically, I have some concerns.

12 The storage building that is described directly
13 opposes the 560 building interface and surely
14 this could maybe be buried in the ground or put
15 in a less visible location.

16 The ball courts concern me. I doubt
17 they will end up being Bocce Ball, because who
18 plays Bocce Ball in our demographics? But I'm
19 concerned it will have continuous bouncing balls
20 that if you have ever lived near there, that
21 is maddening to live near.

22 The playgrounds, I'm concerned that

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1 they are in extremely close proximity and may
2 be noisy and worse may at night, because it's
3 not that we don't really get policed, in the
4 wee hours may have groups and gangs. We already
5 have a lot of crime, violent crime, people are
6 regularly mugged. We had a man who was murdered
7 in broad daylight just a couple of blocks from
8 us.

9 I'm concerned that places to hide
10 or places to linger or lurch can be a source
11 of danger.

12 The events plaza, hopefully I heard
13 this correctly, that this is not for events,
14 but I'm not sure what it is for, but if you look
15 at the aerial view that you have of the park,
16 in front of Harbour Square right now, we have
17 increased concrete between the events plaza and
18 what was supposed to have been a modification
19 to minimize the appearance of our -- the traffic
20 circle that is there, which right now has a
21 pretty big patch of grass.

22 Right now, there is a much bigger

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1 area of concrete. I would ask, as our president
2 had said, to please have more foliage and a
3 better balance of foliage, because we have just
4 concrete in front of us.

5 I hope that the amphitheater layout
6 is not one where the events are being planned
7 there, because that would be terribly noisy.
8 We have, basically, a big sound tunnel. So I
9 just ask that, please, how very close we are
10 be considered that we have a very dense number
11 of residents.

12 And the last thing I would just say
13 on the Willow Oaks. Commissioner Cohen had
14 seemed to flew into that as an interest. I'm
15 very concerned that the structures are too
16 close. In fact, they are impinging on our
17 property and that the structures being built
18 will be too close to these trees and endanger
19 them.

20 And I'm also concerned that it is
21 not a one-for-one. It's on M Street, 200
22 year-old trees are replaced with saplings.

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1 Thank you very much.

2 CHAIRMAN HOOD: Okay. Thank you
3 all very much. Let's see if we have any
4 questions up here? Commissioner Turnbull?

5 COMMISSIONER TURNBULL: Well, Ms.
6 Lester, I don't really see a playground shown
7 on the drawings. I think --

8 MS. LESTER: They are on there.
9 There is a --

10 COMMISSIONER TURNBULL: There is a
11 play lawn.

12 MS. LESTER: No, it says a play --
13 there is actually a playground. There is an
14 oval on it. May I come up and show you at least
15 --

16 COMMISSIONER TURNBULL: No, that's
17 okay.

18 MS. LESTER: -- it's the diagram we
19 have. There is an oval that says a play mound,
20 a playground.

21 COMMISSIONER TURNBULL: I see play
22 mound. Is there a --

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1 MS. SCHULZ: It's a play area.
2 It's right by our building.

3 COMMISSIONER TURNBULL: But are
4 there devices for playing?

5 MS. LESTER: It's over here. It
6 says play area right here. Here is the Bocce
7 Ball courts. It's very much minimized, but here
8 is -- here we are --

9 MS. SCHULZ: It's 80 feet from our
10 corner.

11 MS. LESTER: -- right here.

12 COMMISSIONER TURNBULL: But it's a
13 hill. I mean, there is no devices, I don't
14 think.

15 MS. LESTER: I don't know what it
16 is.

17 COMMISSIONER TURNBULL: There are
18 no playground devices. The applicant is
19 nodding that there are no playground devices.

20 MS. LESTER: That's reassuring.
21 That's reassuring.

22 COMMISSIONER TURNBULL: Just --

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1 MS. LESTER: And I'm just concerned
2 --

3 COMMISSIONER TURNBULL: Okay.

4 MS. LESTER: -- about this events
5 terrace and the Bocce courts, events plaza.
6 We are right here. We are within 100 feet of
7 this.

8 MS. SCHULZ: It's 25 feet from our
9 terrace.

10 COMMISSIONER TURNBULL: Yes. You
11 know what Bocce Ball is? I mean, you --

12 MS. LESTER: I know, but I --

13 COMMISSIONER TURNBULL: -- throw
14 balls in the sand.

15 MS. LESTER: -- doubt we are going
16 to have Bocce Ball, because who would play Bocce
17 Ball in Washington?

18 COMMISSIONER TURNBULL: I might.
19 Commissioner Hood and I will. The Chair will
20 come do it.

21 CHAIRMAN HOOD: You'll see Mr.
22 Turnbull down there. You won't see me, but

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1 he'll be down there.

2 COMMISSIONER TURNBULL: I'm a
3 vicious player, yes.

4 MS. LESTER: Bocce Ball, nobody
5 will be there. But then maybe make a garden
6 instead, that might be prettier. It might get
7 more use. Thank you though.

8 COMMISSIONER TURNBULL: Okay. Mr.
9 Johnson, have you had a chance to share with
10 the applicant your points here before tonight?

11 MR. JOHNSON: I did in detail, I
12 think.

13 COMMISSIONER TURNBULL: You did.

14 MR. JOHNSON: I went through and we
15 had, as I said, a good engineering discussion
16 ensured. As engineers, they are all prone to
17 do, you set assumptions and --

18 COMMISSIONER TURNBULL: So is there
19 going to be a follow-up meeting?

20 MR. JOHNSON: Unless they have
21 anything that they can, you know, change, I don't
22 think physics is going to change.

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1 COMMISSIONER TURNBULL: On the
2 mooring plan I see these circles and they all
3 sort of overlap. Can they be spread apart?

4 MR. JOHNSON: There is no issue with
5 the overlap because generally all the vessels
6 will move together.

7 COMMISSIONER TURNBULL: Oh, okay.

8 MR. JOHNSON: So overlapping
9 circles is usually --

10 COMMISSIONER TURNBULL: Not an
11 issue.

12 MR. JOHNSON: -- condoned. Yes.

13 COMMISSIONER TURNBULL: So boats
14 can just miss each other.

15 MR. JOHNSON: Yes. Usually they
16 all move together.

17 COMMISSIONER TURNBULL: In sync,
18 okay. So do you sail back and forth every week
19 or --

20 MR. JOHNSON: No, sir, I don't.
21 That would be -- although I get down to Florida
22 to discuss Florida anchoring and mooring issues

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1 quite often.

2 COMMISSIONER TURNBULL: So are you
3 anchored up here now?

4 MR. JOHNSON: The vessel is up in
5 the harbor, yes.

6 COMMISSIONER TURNBULL: Okay. I
7 was just curious. I mean, you are from Florida.
8 I am just wondering, do you get home?

9 MR. JOHNSON: Home --

10 COMMISSIONER TURNBULL: Home is on
11 the boat?

12 MR. JOHNSON: Yes. I'm a full-time
13 cruiser.

14 COMMISSIONER TURNBULL: Okay.

15 MR. JOHNSON: Yes.

16 COMMISSIONER TURNBULL: All right.

17 Thank you.

18 CHAIRMAN HOOD: Okay. Any other
19 questions up here? Do we have any
20 cross-examination from the applicant, Mr.
21 Glasgow? Chairman Litsky, any
22 cross-examination? Okay. Mr. Hitchcock?

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1 Okay. Mr. Kopp, any cross-examination? Ms.
2 Randolph, any cross?

3 MS. RANDOLPH: No, thank you.

4 CHAIRMAN HOOD: Okay. And, Mr.
5 Solon, any cross-examination?

6 MR. SOLON: One question.

7 CROSS-EXAMINATION

8 MR. SOLON: For the -- I'm Gene
9 Solon, Harbour Square resident. I have one
10 question. For each of the Harbour Square-ites
11 here to answer.

12 Our corporation president, he said
13 he was president of the board of directors, but
14 Mr. Daly is the corporate president, Harbour
15 Square Owners, Inc. president. All of us are
16 shareholders, not just the board of directors.
17 We are his constituents.

18 So I want to ask, Ms. Masterson, Ms.
19 Schulz, Ms. Lester, has the president of our
20 corporation or the board of directors of our
21 corporation ever had a membership meeting to
22 discuss what our corporation president might

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1 present to the D.C. Zoning Commission this
2 evening?

3 MS. LESTER: No.

4 MS. SCHULZ: No.

5 MR. SOLON: I asked specific
6 questions of our board of directors just a day
7 or two ago, have they answered those questions?

8 You know what those questions are, because you
9 all got my emails.

10 MS. SCHULZ: They never answered
11 the questions.

12 MR. SOLON: Mr. Hood, you have
13 inquired about what our participation was as
14 members, as shareholders of a corporation called
15 Harbour Square Owners, Inc. and my question gave
16 you the answers. There has not been adequate
17 involvement of the shareholders. And there
18 should have been.

19 MS. SCHULZ: We were discouraged.

20 MS. MASTERSON: Can I add one other
21 point? It's not the police, it's the Harbor
22 Patrol. You will never get Harbor Patrol to

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1 come out to police the area.

2 Mr. Litsky and I and Diane, as a
3 matter of fact, met with Lieutenant Neplinger
4 and that's why the cars are back off the street,
5 all the Harbor Patrol people, they don't patrol.

6 They are a special operations division. They
7 don't patrol the streets. It's just the water.

8 CHAIRMAN HOOD: Okay. Thank you.

9 Any other questions up here?

10 COMMISSIONER TURNBULL: Just I had
11 one I forgot for Commissioner McBee.

12 You heard the IZ, the alternate
13 proposal to IZ with the work force housing.
14 Any comments? You really didn't say anything
15 that.

16 MR. McBEE: Well, no. I think it's
17 more -- I don't think the proposal would fly
18 for me. I really look at the Inclusionary Zone,
19 I think we would like to stay with it. No
20 disrespect to fire fighters or police in our
21 community, but I think also that we have a very
22 diverse community and I think that we would like

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1 to maintain it.

2 And one of the ways to do that is
3 through the IZ, so --

4 COMMISSIONER TURNBULL: And one of
5 your other main concerns was about a 21 foot
6 setback to the church?

7 MR. McBEE: It's supposed to be 21
8 feet 11 inches setback from the edge of the
9 building to the curb. So I was wanting to make
10 sure it is in one of our agreements that we have
11 with the applicant and --

12 COMMISSIONER TURNBULL: You want to
13 make sure it's?

14 MR. McBEE: I want to make sure it's
15 there.

16 COMMISSIONER TURNBULL: Okay.

17 MR. McBEE: I just want to make --
18 you know, when you looked at that Drawing 1.9
19 versus 1.3, when you start to look at 1.9, I
20 had a hard time seeing that view corridor that
21 they showed in 1.3.

22 COMMISSIONER TURNBULL: And you,

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1 obviously, don't think that the trees in the
2 median helped your viewshed.

3 MR. McBEE: Yes, I really had a
4 second thought about that and I would think that
5 having some type of -- something along there
6 that --

7 COMMISSIONER TURNBULL: Like low
8 plantings or something?

9 MR. McBEE: Yes. I think it would
10 be well to have some color and some other things
11 that -- we have been looking at that median strip
12 in my community and looking at some type of
13 perennials that would be appropriate.

14 COMMISSIONER TURNBULL: Okay.
15 Thank you.

16 MR. McBEE: Yes.

17 CHAIRMAN HOOD: Okay. Any other
18 questions? Okay. Thank you all very much.
19 We appreciate your testimony. Thank you.

20 Okay. We are going to have rebuttal
21 and closing on Tuesday at 6:30. I would just
22 suggest there are a lot of concerns. This is

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1 a major piece. I would just suggest that the
2 applicant try to address a lot of the concerns
3 that you have heard in the past four hearings
4 or five hearings or however many hearings we
5 have had, because I can tell you that I'm
6 prepared to take my time and go through it.

7 Okay. So the quicker that some of
8 these issues are -- the major ones, all of them
9 are important, but the major ones are addressed,
10 the quicker we can move forward. But I'm
11 prepared to take my time.

12 And I think the Commission is, too,
13 I believe. Am I correct? Okay. All right.
14 So with that, we will meet on Tuesday at 6:30
15 and we will see everybody then for rebuttal.

16 And the only cross would be on
17 rebuttal and that will be it and any other thing
18 we need to show up, nothing major.

19 Anything else, Ms. Schellin?

20 MS. SCHELLIN: I think the
21 applicant was going to do a limited -- there
22 is a limited scope hearing on the CFA, so the

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1 applicant was going to do that. And the ANC
2 was going to give a verbal update and then
3 closing and rebuttal, as you said. Other than
4 that, no other testimony.

5 CHAIRMAN HOOD: Okay. All right.

6 We are all on the same page. With that, I'll
7 see everyone Tuesday night at 6:30. Thank you.

8 (Whereupon, the Public Hearing was
9 concluded at 11:27 p.m.)

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