

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: :
: :
GALLAUDET UNIVERSITY - : Case No. 06-16
CONSTRUCTION OF THE SORENSON :
LANGUAGE & COMMUNICATIONS :
CENTER :
-----:

Monday,
May 22, 2006

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

The Public Hearing of Case No. 06-16 by
the District of Columbia Zoning Commission convened
at 6:30 p.m. in the Office of Zoning Hearing Room at
441 4th Street, N.W., Washington, D.C., 20001, Carol
J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice-Chairperson
GREGORY JEFFRIES	Commissioner
JOHN G. PARSONS	Commissioner (NPS)
MICHAEL G. TURNBULL	Commissioner (AOC)

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OFFICE OF ZONING STAFF PRESENT:

SHARON SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

STEPHEN MORDFIN
JENNIFFER STEINGASSER

The transcript constitutes the minutes
from the Public Hearing held on Monday, May 22,
2006.

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

6:46 p.m.

CHAIRPERSON MITTEN: Good evening ladies and gentlemen. This is the public meeting of the Zoning Commission for the District of Columbia for Monday, May 22, 2006, and I apologize for the delay.

My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioners Michael Turnbull, John Parsons and Greg Jeffries.

The subject of this evening's hearing is Zoning Commission Case No. 06-16 and this is request by Gallaudet University for special exception relief pursuant to Sections 210 and 3104.1 of the Zoning Regulations for approval to permit the construction of the Sorenson Language and Communications Center.

The subject property is located at 800 Florida Avenue, N.E., and is known as Lot 60 in Parcel 141.

Notice of today's hearing was published in the D.C. Register on April 7, 2006 and copies of that hearing announcement are available to you and they're on the wall bin by the door.

This hearing will be conducted in

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1 accordance with the provisions of 11 DCMR Section
2 3117 and these are the BZA rules which we use for
3 further processing in campus planning cases. So the
4 order of procedure will be as follows: we'll take
5 up any preliminary matters, then we'll have the
6 presentation of the applicant's case, report by the
7 Office of Planning, report by any other government
8 agencies, report by Advisory Neighborhood Commission
9 5B, organizations and persons in support and
10 organizations and persons in opposition.

11 The following time constraints will be
12 maintained in this hearing. We understand the
13 applicant is willing to stand on the record and we
14 may avail ourselves of that, and organizations who
15 choose to testify will have five minutes and
16 individuals will have three minutes.

17 The Commission intends to adhere to
18 these time limits as strictly as possible in order
19 to hear the case in a reasonable period of time.

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

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1 Please be advised that this proceeding
2 is being recorded by the court reporter and is also
3 being web cast live. Accordingly, we ask you to
4 refrain from making any disruptive noises in the
5 hearing room during the hearing, and when presenting
6 information to the Commission please come forward
7 and have a seat at the table as these gentlemen have
8 done and turn on and speak into the microphone first
9 stating your name. When you're finished speaking
10 we ask you turn the microphones off because they
11 pick up background noise.

12 The decision of the Commission in this
13 case must be based exclusively on the public record.
14 To avoid any appearance to the contrary the
15 Commission requests that persons present not engage
16 members of the Commission in conversation during a
17 recess or at any other time and Mrs. Schellin will
18 be available throughout the hearing to answer any
19 procedural questions you might have.

20 We ask you to turn off all beepers and
21 cell phones so as not to disrupt the proceeding, and
22 at this time we'll take up any preliminary matters.
23 Mrs. Schellin, anything?

24 MRS. SCHELLIN: Just to state that we
25 have received the affidavit of maintenance and it's

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1 in order.

2 CHAIRPERSON MITTEN: Okay. Mr.
3 Collins, anything preliminarily?

4 MR. COLLINS: No ma'am. We do have the
5 written statement of Mr. Kelly here on behalf of
6 Gallaudet and I'd like to submit that to the record.

7 CHAIRPERSON MITTEN: That would be
8 great. And as you're doing that I'd ask anyone
9 who's planning on testifying this evening, even if
10 it's just to answer questions, to rise now and raise
11 your right hand and direct your attention to Mrs.
12 Schellin.

13 (WITNESSES SWORN.)

14 CHAIRPERSON: So would you like to say
15 anything by way of introduction Mr. Collins?

16 MR. COLLINS: Yes, thank you, Madam
17 Chair and Members of the Commission. My name is
18 Christopher Collins with the law firm of Holland and
19 Knight here on behalf of Gallaudet University.
20 Sitting to my right is Mr. Paul Kelly, the Vice
21 President for Administration and Finance of the
22 University, and to my far right Mr. Greg Mella who's
23 a principal with Smith Group Architects who are the
24 architects of this project.

25 As you mentioned, this is an application

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1 for approval of the Sorenson Language and
2 Communications Center. It's a further processing
3 application. The Sorenson Center was the subject of
4 the campus plan, it was the first of the buildings
5 to be constructed under the campus as listed on the
6 campus plan.

7 The building that you'll see this
8 evening is consistent with the approved height, bulk
9 and program approved in the campus plan. The
10 building will be centrally located on the campus as
11 you've seen. There is no increase in students or
12 faculty. Part of this is simply to provide more
13 upgraded and modern space for the university.

14 We did meet with the community on
15 several occasions, with the single member district
16 commissioner of the ANC in a meeting. We also met
17 with the Gallaudet Community Relations Council, an
18 organization of some 30 years to foster relations
19 between the university and the community, and their
20 letter of support is in the record.

21 We also met with the ANC committee of
22 the whole to discuss the application and then,
23 finally, the full ANC which also submitted a letter
24 of support to us which we in turn gave to you on
25 Friday and it is in the record.

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1 In addition, we also contacted the ANC
2 across the street, ANC-6A. We contacted the single
3 member district commissioner who then suggested we
4 contact the chair who said that they did not feel
5 that a full presentation was necessary to that ANC,
6 but if we wanted to submit something for information
7 we could give it to their committee, their zoning
8 committee.

9 We contacted them and they wanted to
10 have a full presentation at some point for
11 information purposes and we're planning to do that.

12 We also have Office of Planning, D-DOT
13 in support and we have the two witnesses here for
14 any questions you might have.

15 CHAIRPERSON MITTEN: Okay. Thank you.
16 Any questions from the Commission for the applicant?
17 Mr. Turnbull?

18 COMMISSIONER TURNBULL: Yes. I've
19 just got a couple of things maybe you can clarify.
20 One, you talk about in changing this you're going to
21 lose 95 parking spaces but the information says that
22 that's no impact on the campus, that you're only at
23 74 percent or something of the percentage of cars
24 that possibly you could use there. Why didn't you
25 get rid of all of it? I'm just curious, if you can

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1 get rid of 95, why don't you get rid of all of it
2 and just make it a green area?

3 MR. MELLA: We do have provisions for
4 handicapped parking for --

5 CHAIRPERSON MITTEN: Would you identify
6 yourself for the record?

7 MR. MELLA: Yes, thank you. My name is
8 Gregory Mella, I'm a partner with the Smith Group
9 and I'm the architect for this project.

10 We did have a need to provide four spots
11 for handicapped people so they would have direct
12 access to the building, and then the additional ten
13 spots is to serve the clinic.

14 The building will have hearing, speech
15 and language clinic which serves the outside
16 community, sometimes small children who require
17 testing of their hearing who come, so the 14 spots
18 that are provided as part of this building are
19 really more to serve outside users who come to the
20 building and the handicapped.

21 COMMISSIONER TURNBULL: Okay. As the
22 master plan continues to grow and looking back on
23 that master plan the shape changes. Of course, it's
24 only conceptual at that point but does this parking
25 lot then change in configuration as you change the

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1 plan? There's supposed to be a future parking
2 garage or you change it into the new residential
3 area in later phases, does that parking change at
4 some point or does it basically stay the same? Do
5 you see it evolving or what?

6 MR. MELLA: I'm going to defer to Paul.

7 MR. KELLY: Good evening, I'm Paul
8 Kelly, Vice President for Gallaudet University. The
9 future master plan, the area that you're talking
10 about, there's underground parking and a residential
11 component above it. It would be 300 spaces on the
12 ground, which is more than we have right now, so it
13 would be more underground parking.

14 COMMISSIONER TURNBULL: Looking at the
15 master plan, going back to it and looking at this
16 plan tonight, the Lincoln Circle there's two areas
17 that are culled out on the existing plan that show
18 this as critical or congestion points for pedestrian
19 traffic interface. The main one is along that main
20 north-south spine that goes along there. There's a
21 bridge there now, does that stay?

22 MR. KELLY: There's a bridge there now.
23 If we execute the total master plan we would re-
24 route the road so that it would avoid that area.
25 That would just be a walkway.

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1 COMMISSIONER TURNBULL: Okay.

2 MR. KELLY: So the bridge would come
3 out. But there would not be traffic allowed on that
4 part of the circle.

5 COMMISSIONER TURNBULL: Okay. And I
6 guess my last question is you're going for lead
7 certification on the building but I don't see --
8 you're not doing anything green on the roof at all?

9 MR. KELLY: The roofs will be cool
10 roofs, EPA-compliant roofs with a high reflectivity.
11 That will mitigate the urban heat island effect for
12 the building so that it won't create a hot
13 microclimate. It also will contribute to the
14 overall energy efficiency of the building.

15 We calculated the reflectivity to
16 increase the energy performance of the building by
17 about 2 to 5 percent. There are no vegetated roofs
18 that was part of this building.

19 COMMISSIONER TURNBULL: Okay. Thank
20 you.

21 CHAIRPERSON MITTEN: Anyone else?
22 Anyone else have questions?

23 (NO RESPONSE)

24 Okay. Thank you very much. Now we're
25 ready to hear from the Office of Planning.

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1 MR. MORDFIN: Good evening Chair and
2 Members of the Commission. I'm Stephen Mordfin with
3 the Office of Planning and the Office of Planning
4 would like to stand on the record.

5 CHAIRPERSON MITTEN: Okay. Any
6 questions for Mr. Mordfin? Did you have any
7 questions for Mr. Mordfin, Mr. Collins?

8 MR. COLLINS: No, I do not.

9 CHAIRPERSON MITTEN: Okay. I don't
10 think we have any other government agencies
11 represented. Is there anyone here from the ANC?

12 (NO RESPONSE)

13 Okay. Then I would note that as Mr.
14 Collins mentioned, under letter that Mr. Hughes sent
15 in we do have the letter from ANC-5B submitted into
16 the record. I think that's Exhibit No. 26. And I
17 think it meets all of the requirements for great
18 weight and they voted unanimously in favor of the
19 application that's before us.

20 Anyone who'd like to testify in support?

21 (NO RESPONSE)

22 Anyone who'd like to testify in opposition?

23 (NO RESPONSE)

24 Okay. Anything you'd like to close
25 with Mr. Collins?

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1 MR. COLLINS: Just that there's also a
2 D-DOT report in the file as well. I think you have
3 that.

4 CHAIRPERSON MITTEN: I'm sure we do
5 because I remember seeing it. And that's another
6 thing that you provided to us so I appreciate that.

7 MR. COLLINS: Yes.

8 VICE CHAIRPERSON HOOD: And also Madam
9 Chair I want to make sure, because I know Mr. Borden
10 at Gallaudet Community Relations Council had worked
11 hard with Gallaudet over the years, and I want to
12 make sure that for the record we note that they also
13 supplied a letter in support.

14 CHAIRPERSON MITTEN: Thank you Mr.
15 Hood.

16 MR. COLLINS: And then in conclusion we
17 respectfully request your approval of our
18 application.

19 CHAIRPERSON MITTEN: Thank you.

20 MR. COLLINS: Thank you.

21 CHAIRPERSON MITTEN: Well, I would move
22 approval of Case No. 06-16.

23 VICE CHAIRPERSON HOOD: Second.

24 CHAIRPERSON MITTEN: Is there any
25 discussion? All those in favor please say aye.

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1 (Ayes.)

2 Any opposed?

3 (NO RESPONSE)

4 Mrs. Schellin?

5 MRS. SCHELLIN: Staff will record the
6 vote 5-0-0 to approve Zoning Commission Case No. 06-
7 16, Commissioner Mitten moving, Commissioner Hood
8 seconding, Commissioners Parsons, Jeffries and
9 Turnbull in favor, and I just want to confirm that
10 they could do a summary order.

11 CHAIRPERSON MITTEN: I don't see why
12 not. Make full use of the BZA rules and do a
13 summary order.

14 I'm sorry we kept you waiting but we
15 didn't keep you long so thank you very much and
16 we're adjourned.

17 (Whereupon, the public hearing in the
18 above-entitled matter, having been concluded, went
19 off the record at 6:58 p.m.)
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