

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

SHERRY GLAZER, ESQ.
LORI MONROE, ESQ.
MARY NAGELHOUT, ESQ.

The transcript constitutes the minutes
from the Public Hearing held on December 5, 2005.

AGENDA ITEM

OPENING REMARKS

Chairperson Mitten 4

Z.C. CASE NO. 05-22 OF INTEREST TO ANC 1B 4

Mr. Radulescu 10

OFFICE OF PLANNING

Joel Lawson 38

ANC 1B

Philip Spalding 38

PERSONS IN SUPPORT

Sheila Royster 39

VOTE ON CASE NO. 05-22 42

ADJOURN

Chairperson Mitten 43

6:33 P.M.

1
2 CHAIRPERSON MITTEN: Good evening, ladies
3 and gentlemen. This is the Public Hearing of the
4 Zoning Commission of the District of Columbia for
5 Monday, December 5th, 2005.

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

10 The subject to this evening's hearing is
11 Zoning Commission Case No. 05-22. This is a request
12 by Level II Development, LLC, for approval of a
13 consolidated Planned Unit Development for property
14 located on the east side of 14th Street, NW, between
15 Belmont Street and Florida Avenue. And it's known as
16 Lots 119 and 122 in Square 2868.

17 Notice of today's hearing was published in
18 the D.C. Register on October 7th, 2005, and copies of
19 the hearing announcement are on the table near the
20 door.

21 The hearing will be conducted in
22 accordance with the provisions of 11 DCMR Section 3022
23 and the order of procedure will be as follows. We'll
24 take up any preliminary matters followed by the
25 presentation of the Applicant's case, report by the

1 Office of Planning, report by any other Government
2 agencies, report by the affected Advisory Neighborhood
3 Commission. In this case, it's 1B. Parties and
4 persons in support and parties and persons in
5 opposition.

6 The following time constraints will be
7 maintained in this hearing. We've had an offer that
8 we choose not to refuse from the Applicant to stand on
9 the record, but we do have a few questions. And then
10 organizations will have five minutes and individuals
11 will have three minutes.

12 The Commission intends to adhere to these
13 time limits as strictly as possible in order to hear
14 the case in a reasonable period of time. The
15 Commission reserves the right to change the time
16 limits for presentations, if necessary, and notes that
17 no time shall be seeded.

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

24 Please be advised that this proceeding is
25 being recorded by the Court Reporter. Accordingly, we

1 ask you to refrain from making any disruptive noises
2 in the hearing room.

3 When presenting information to the
4 Commission, we ask you to sit at the table in front of
5 us and then please turn on and speak into the
6 microphone first stating your name and home address.
7 When you're finished speaking, please turn the
8 microphone off so it doesn't pick up any background
9 noise.

10 The decision of the Commission in this
11 case must be based exclusively on the public record.
12 To avoid any appearance to the contrary, the
13 Commission requests that persons present not engage
14 the members of the Commission in conversation during
15 a recess or at any other time.

16 Staff will be available to answer any
17 questions that you might have during the hearing and
18 you can address those to Mrs. Schellin.

19 I'd ask you to turn off all beepers and
20 cell phones at this time as to not disrupt the
21 hearing. And now we'll take up any preliminary
22 matters.

23 Mrs. Schellin, any preliminary matters?

24 MRS. SCHELLIN: No additional matters
25 other than the party status request.

1 CHAIRPERSON MITTEN: Okay.

2 MRS. SCHELLIN: And to note that we did
3 receive a report from DDOT.

4 CHAIRPERSON MITTEN: Okay. Thank you.

5 Thank you for the reminder about the party
6 status request.

7 At Exhibit 23, we have a request for party
8 status. Party in favor from the Sankofa Tenants'
9 Association.

10 Is there any objection from the Commission
11 to accepting this group as a party in this matter?

12 VICE CHAIRMAN HOOD: No objection.

13 CHAIRPERSON MITTEN: Okay. Mr. Glasgow,
14 did you have any preliminary matters?

15 MR. GLASCOW: Yes. One very brief
16 preliminary matter, Madam Chair.

17 We have in clarification of the new
18 antenna facility, the pole antenna.

19 CHAIRPERSON MITTEN: Yes.

20 MR. GLASCOW: We have a set of drawings
21 for that that we wanted to enter into the record.

22 CHAIRPERSON MITTEN: Thank you. And I
23 think those were passed out to use already. So, we
24 have those in front of us.

25 MR. GLASCOW: All right. And you will

1 note from them that the antenna will be no higher than
2 the existing tower . The total height of the existing
3 tower that's at the south end of the site which is
4 like 145 feet in height. What this does is we have to
5 replace that tower with a structure that ends up being
6 of vehicle height, so this would go on the roof
7 structure. Would be 21 feet 7 inches in height.

8 CHAIRPERSON MITTEN: Okay.

9 MR. GLASCOW: I think it's about two feet
10 by two feet as opposed to the size of the existing
11 tower and has one eight-foot dish on it.

12 CHAIRPERSON MITTEN: Okay. We'll see if
13 we get any questions about that. I'd ask that anyone
14 who is planning on testifying this evening would rise
15 now and take the oath. And Mrs. Schellin will
16 administer the oath.

17 MRS. SCHELLIN: Do you solemnly swear or
18 affirm that the testimony you will give in this
19 evening's proceeding will be the truth, the whole
20 truth and nothing but the truth?

21 Thank you.

22 CHAIRPERSON MITTEN: All right. Mr.
23 Glasgow, we have accepted your offer to stand on the
24 record and you did a little bit of introduction to the
25 additional submission. Is there anything else that

1 you wanted to say briefly or just go to our question?

2 MR. GLASCOW: Just if you do not have any
3 questions for Mr. Smart, who is our economic
4 consultant, then we would like to excuse him.

5 CHAIRPERSON MITTEN: Okay. Is he that
6 expensive?

7 Anyone have any questions for Mr. Smart?

8 I think you can go.

9 MR. GLASCOW: Thank you, Madam Chair.

10 CHAIRPERSON MITTEN: Okay. Let's turn to
11 questions from the Commission.

12 Who would like to start?

13 COMMISSIONER TURNBULL: Madam Chair.

14 CHAIRPERSON MITTEN: Please, Mr. Turnbull.

15 COMMISSIONER TURNBULL: I have a question
16 on the overhang. And I was just curious that although
17 reading the information on the building design and
18 what it tries to accomplish, and then looking at the
19 elevation, I guess I don't see the relationship to the
20 extent of what it really does as to what the language
21 tells us. And I'm wondering if the Office of Planning
22 had any discussions with the Applicant in relationship
23 to that that they could tell us about?

24 Was this the only option present? Was
25 this something that just--is this it?

1 CHAIRPERSON MITTEN: Let's get the
2 response from the Applicant first--

3 COMMISSIONER TURNBULL: Okay.

4 CHAIRPERSON MITTEN: -- and then we can
5 have the Office of Planning weigh in when they make
6 their report.

7 MR. GLASCOW: I'd like to call up Mr.
8 Marius Radulescu, the architect.

9 CHAIRPERSON MITTEN: It would be easier if
10 you sat down, although I do have a hand mike if you
11 need it.

12 MR. RADULESCU: My name is Marius
13 Radulescu, 2238 Observatory Place NW, Washington, D.C.
14 20007.

15 There are two areas where we have
16 overhangs. One is at the corner of Florida and 14th
17 Street. And have this to point to the location. So,
18 there is an overhang here and there is another area
19 for overhang at the corner of Belmont and Florida
20 Avenue here.

21 Now, the overhang on this area extends
22 about four feet at this end and almost zero at that
23 end. So, basically, the overhang is not parallel to
24 the footprint of the building on Florida Avenue--on
25 14th Street.

1 The overhang clears the second floor so
2 it's basically is an extension of the third floor.
3 The same level is for this overhang at the corner of
4 Florida and 14th Street. And, again, it's not part of
5 the footprint. It extends about four feet into
6 Florida--into 14th Street and about two foot six or so
7 on 14th Street. So, that's the location for the
8 overhangs.

9 CHAIRPERSON MITTEN: And I don't now if
10 this speaks to what Mr. Turnbull was saying.

11 Why did you choose to do that? Why did
12 you choose to have the overhang?

13 MR. RADULESCU: The overhand was done for
14 architectural reasons. Basically, we're trying to
15 work with a particular characteristics of the site.

16 What happened at that particular location
17 is that 14th Street makes a bend as you look up. Also
18 there's an elevation change. So, we tried to have
19 facets on the building to pick up this directional and
20 elevation change.

21 CHAIRPERSON MITTEN: Is that helpful,
22 Commissioner Turnbull?

23 COMMISSIONER TURNBULL: I guess I just
24 don't see it. I don't see why the--I look at that
25 elevation. From what all the gymnastics that I'm

1 hearing, it just doesn't read that it's accomplishing
2 a lot of anything, if anything, if it had been back
3 within the constraints of the building lot.

4 For me, it's just hard to pick that up.
5 And I'm not critical of the design itself, I just
6 don't see that going beyond the footprint of the
7 property line to pick up this minute, small--I just
8 don't see what it gains.

9 But, I mean, I don't have anything wrong
10 with the design itself. I just can't see that in the
11 gymnastics of bumping this out, you're gaining that
12 much by doing it. But I'll defer to anyone else who
13 wants to--

14 COMMISSIONER JEFFRIES: Commissioner
15 Turnbull, I just want to be clear.

16 You're referring to this right at the
17 intersection of--

18 COMMISSIONER TURNBULL: Yes.

19 COMMISSIONER JEFFRIES: -- Florida Avenue
20 just with the one column that's up and then--

21 COMMISSIONER TURNBULL: Well, I'm looking
22 on sheet A on 04. 04 shows--they show the two
23 darkened areas and I'm looking at the one on the
24 right-hand side of the building. And it shows a
25 rather large extension for floors three through seven.

1 I think it's floors three through seven, which is the
2 corner. It's this corner of the building that's
3 showing on the elevation on front right here on this
4 plan. And I can't see if that had been back three
5 feet and everything had kind of shifted, what it
6 really does. But, I mean, to me it seems like we're
7 doing a lot to pick up something that's very subtle in
8 a sense that I don't know if it's -- I'm not sure what
9 it gains.

10 MR. GLASCOW: Mr. Turnbull?

11 COMMISSIONER TURNBULL: Yes.

12 MR. GLASCOW: In residential buildings, of
13 course, you can generally have bays up to four feet.
14 We weren't asking for any special relief for that
15 design element of the building in either location.
16 The maximum extent is four feet--

17 COMMISSIONER TURNBULL: Okay.

18 MR. GLASCOW: -- and then it tapers back.
19 So, there was no relief being requested--

20 COMMISSIONER TURNBULL: Okay.

21 MR. GLASCOW: -- on that.

22 COMMISSIONER TURNBULL: All right.

23 CHAIRPERSON MITTEN: Anything else, Mr.
24 Turnbull?

25 COMMISSIONER TURNBULL: No. That's it.

1 CHAIRPERSON MITTEN: Okay. Anyone else.
2 Commissioner Jeffries? You had your light on.

3 COMMISSIONER JEFFRIES: Oh, okay.

4 I'll start with a statement. I thought
5 the elevations were excellence quite frankly. I
6 thought they were very developed and mature and
7 because I live a block from this location, I very much
8 know this location very well. And I think it's a very
9 good solution to the very steep height that you
10 experience as you're going north.

11 I did have a couple of questions, just
12 minor questions on the interior.

13 Where it says retail mezzanine, what's
14 your thoughts about the types of retail that would be
15 at that mezzanine level? Or is that just, I mean,
16 sort of secondary space that overlooks the ground
17 floor retail?

18 MR. FRANCO: David Franco, 2307 15th
19 Street, NW, Washington, D.C. 20009.

20 The idea for that retail mezzanine was to
21 enable one of the retail stores that front 14th
22 Street, say a restaurant, to have access to that
23 retail mezzanine and offers additional seating. We've
24 not committed to that particular use, but that was one
25 of the uses we talked about.

1 COMMISSIONER JEFFRIES: Okay. And then
2 the other statement was this recreation space that's
3 off the desk area. That's not really going to be
4 recreation space, is it?

5 Is it going to be more like a lounge?

6 MR. FRANCO: Yes. It's going to a Y-FI
7 lounge.

8 COMMISSIONER JEFFRIES: Yes. Okay. Okay.
9 That's it. If anyone has any--

10 CHAIRPERSON MITTEN: Thank you,
11 Commissioner Jeffries.

12 Mr. Parsons?

13 COMMISSIONER PARSONS: Let's follow up on
14 the retail mezzanine.

15 Now, if the retail restaurant or whatever
16 is on the ground floor opts not to do that, what would
17 this space become?

18 MR. FRANCO: Another option we explored
19 would be office space.

20 COMMISSIONER PARSONS: So, it wouldn't be
21 an extension of the recreation space but you would--

22 MR. FRANCO: Right. That's correct.

23 COMMISSIONER PARSONS: And they would
24 access that through the front desk, the stand-alone
25 kind of office?

1 MR. FRANCO: Well, there could be
2 opportunity to them to access it through the Florida
3 Avenue. There's a hallway or corridor at this other
4 end of the site.

5 COMMISSIONER PARSONS: Labeled retail
6 mezzanine?

7 MR. FRANCO: That's correct.

8 COMMISSIONER PARSONS: I see.

9 Let me understand, you were having a
10 conversation with Mr. Turnbull. And, again, we're
11 looking at S-04, just because it's handy.

12 This extension or overhang is over your
13 property line, shown as PL on this drawing. Correct?

14 MR. FRANCO: That's correct.

15 COMMISSIONER PARSONS: So, there's no need
16 for a public space permit for what we're talking about
17 here?

18 MR. FRANCO: No. It's an overhang at the
19 second level.

20 COMMISSIONER PARSONS: All right.

21 Well, let's talk about the overhang at the
22 roof, which is best shown, I think, on the perspective
23 view on the cover.

24 This is a metal--well, you describe it
25 please.

1 MR. RADULESCU: It is a metal in concrete.
2 Cantilever is not overhang since it doesn't go beyond
3 the footprint or the property line.

4 COMMISSIONER PARSONS: Right. And its
5 purpose is decorative?

6 MR. RADULESCU: The purpose is decorative
7 and to shade the terraces of the upper most level of
8 the building.

9 COMMISSIONER PARSONS: So, these are the
10 terraces on the roof of the--

11 MR. RADULESCU: On the roof. Yes.

12 COMMISSIONER PARSONS: Not the ultimate
13 roof but of the roof of the first building?

14 MR. RADULESCU: Yes. It would be the 8th
15 floor roof. The 8th floor terrace. Right.

16 COMMISSIONER PARSONS: And these are
17 cantilevered out over--

18 MR. RADULESCU: It is cantilevered out but
19 not beyond the building permit or footprint or
20 property line.

21 COMMISSIONER PARSONS: And the heights of
22 building--the measurement is taken from this corner?

23 There was a long piece of your
24 presentation that confused me frankly as to where the
25 measurement is--maybe you're confused as well. But

1 help me with the measurement of the building. Where
2 is that--Mr. Glasgow?

3 MR. GLASCOW: Mr. Parsons, the point of
4 measurement is the top of the curve at the middle of
5 the front of the building on Belmont.

6 COMMISSIONER PARSONS: And that is the
7 level of this horizontal architectural embellishment,
8 I'll call it. What we were just talking about?

9 MR. GLASCOW: Right. I believe it's that
10 level or one lower. It's not above that level.

11 MR. RADULESCU: I didn't understand your
12 question regarding the height.

13 MR. GLASCOW: Yes. He wants to know what
14 the height of that thing is. Right. It's not above 90
15 feet from the point of measurement?

16 MR. RADULESCU: No. It's not.

17 MR. GLASCOW: All right.

18 COMMISSIONER PARSONS: Now, as you are,
19 I'm so disappointed by your presentation on the
20 antenna because the sketch of your architect which
21 accompanied the presentation was so elegant. But
22 technicians took over, apparently and now we have
23 this.

24 I guess compared to what? We now have one
25 dish instead of two.

NEAL R. GROSS

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

1 MR. GLASCOW: You have a 145 foot tower
2 with two eight foot dishes on it.

3 COMMISSIONER PARSONS: And the new one is
4 a single dish?

5 MR. GLASCOW: The new one will be a single
6 dish, 21 feet 7 inches tall and it is--

7 COMMISSIONER PARSONS: Aren't they pretty.
8 Oh, thank you for that exhibit.

9 MR. GLASCOW: Yes.

10 COMMISSIONER PARSONS: That's just so
11 thoughtful.

12 MR. GLASCOW: And it is--the pole has a
13 dimension that's 3 feet 5 which, I think, that it's
14 hard to draw something of the scale that we had that's
15 only 3 feet 5 wide. So, I think you're going to see
16 that it's--because when I started to scale it, I know,
17 I was calling you guys today talking about when I was
18 scaling some things, they were showing bigger than
19 what they really were because it was hard to draw it
20 that small.

21 COMMISSIONER PARSONS: Yes. So, there's
22 no hope. Obviously, you wouldn't have brought this to
23 us if it wasn't what you needed.

24 DR. GLASS: Yes, sir. This is what
25 Comcast said this is what we need to have in order to

1 replace the tower in the other facilities.

2 CHAIRPERSON MITTEN: I just want to
3 clarify one point which is what was put on the easel
4 is all about the dishes that are on the ground. But
5 what's at the top of the antenna now is two eight inch
6 diameter dishes.

7 MR. GLASCOW: Eight feet.

8 CHAIRPERSON MITTEN: Eight feet diameter.
9 Thank you. Yeah, they wouldn't be too visible that
10 way.

11 And now there will be one.

12 MR. GLASCOW: There will be one.

13 CHAIRPERSON MITTEN: Okay.

14 MR. GLASCOW: And I think we have a couple
15 of whips. A couple of little things.

16 CHAIRPERSON MITTEN: I think we want to
17 clarify exactly what's going to go on the tower so
18 it's not like, you put up the tower and--

19 MR. GLASCOW: Right.

20 CHAIRPERSON MITTEN: -- things can be
21 added on later.

22 MR. GLASCOW: Yes. Yes.

23 MR. RADULESCU: We have an exhibit which
24 shows what goes on the tower, on the new tower.

25 CHAIRPERSON MITTEN: Oh, that would be

NEAL R. GROSS

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

1 great.

2 MR. RADULESCU: So, the picture show the
3 exiting conditions. And that will be the new tower.
4 This is the dish antennae and the other area is
5 transmitters which are actually small devices.

6 CHAIRPERSON MITTEN: Does it show on the
7 elevation view, does it show where each of those other
8 devices will be positioned?

9 MR. RADULESCU: No. On the elevations, we
10 just show the big eight foot dish. The elements we
11 are not showing.

12 CHAIRPERSON MITTEN: Can you just give us
13 another elevation that would show where these other
14 items would be positioned?

15 MR. FRANCO: If I may. The other
16 equipment. There's flexibility in the location of the
17 other equipment on the pole that sticks out from the
18 building.

19 The microwave dish has to have a specific
20 elevation, a specific height which follows basically
21 the same direct path that it is currently using. So,
22 there is some flexibility.

23 And the new equipment, the new local
24 broadcasting antennae in the whip are essentially some
25 of the same dimensions as currently on there now.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: I think we just want
2 to have a complete picture of what will be on this
3 tower. And right now what you're showing is the dish
4 because it's the most prominent thing. But if we could
5 just have a complete picture of where things will be,
6 that would be helpful and in what quantity. Okay.

7 Mr. Parsons.

8 COMMISSIONER PARSONS: Well, I wanted to
9 give the architect an opportunity to try to design
10 this. I mean, it must be just heartbreaking to you to
11 see what you've had to add to this building. I'm not
12 asking you to agree with that. But you spent a lot of
13 effort in designing the facades of this building and,
14 you know, this antennae you've put on the roof--

15 MR. RADULESCU: If I may. It will not be
16 that visible. What you see in this exhibit is a front
17 elevation which will--

18 COMMISSIONER PARSONS: I understand.

19 MR. RADULESCU: So, unless you are looking
20 for those antennae specifically looking up, they're
21 not going to be that visible. Anything is better than
22 what is--

23 COMMISSIONER PARSONS: Compare to what,
24 sure.

25 So, you're not motivated to try to design

1 this tower and give it some kind of an architectural
2 embellishment as opposed to let the engineers take
3 over and --

4 MR. RADULESCU: I'm motivated to design
5 anything, in fact. I don't want to leave anything to
6 chances. But we have to work with certain
7 limitations.

8 COMMISSIONER PARSONS: I understand. But
9 maybe you could give it some sense of elegance and set
10 a new horizon for how we're going to deal with these
11 things.

12 MR. GLASCOW: Raise the bar.

13 COMMISSIONER PARSONS: Raise the bar.
14 Yes.

15 You're confident we're not going to be
16 able to see this from Belmont or 14th Street or it's
17 just going to --

18 MR. RADULESCU: Especially from Belmont
19 because--

20 COMMISSIONER PARSONS: All right.

21 MR. RADULESCU: -- the angle is more
22 acute.

23 COMMISSIONER PARSONS: I see.

24 And, Mr. Glasgow, you can assure us
25 tonight there's only one, not two?

1 MR. GLASCOW: One tower.

2 COMMISSIONER PARSONS: No. One antennae.

3 MR. GLASCOW: Dish?

4 COMMISSIONER PARSONS: One foot diameter?

5 MR. GLASCOW: Yes, sir. One dish.

6 COMMISSIONER PARSONS: How are they able
7 to accomplish that when they have two now?

8 MR. FRANCO: I don't know that answer.

9 COMMISSIONER PARSONS: Guaranteed. You
10 won't see back.

11 MR. FRANCO: It is guaranteed though.

12 COMMISSIONER PARSONS: Good. Thank you.
13 That's all I have.

14 COMMISSIONER JEFFRIES: Excuse me, Madam
15 Chair.

16 But you will be able to see that antennae
17 if you're walking north on 14th Street, because that
18 end of the building it's a higher point. Is that not
19 correct?

20 MR. RADULESCU: If you be far enough.
21 Yes. You will see the antennae but--

22 CHAIRPERSON MITTEN: Mr. Hood.

23 VICE CHAIRMAN HOOD: Thank you, Madam
24 Chair.

25 Mr. Glasgow, I'm not sure the traffic

1 person is here, but should be somewhere.

2 MR. GLASCOW: Yes. We have a traffic
3 engineer here.

4 VICE CHAIRMAN HOOD: I just had a
5 question.

6 I want to know the significance of the
7 outing, if they could put the rendering A04.1 up and
8 kind of just run we through the circulation. How
9 that's going to work. Obviously the alley is playing
10 an important role here.

11 Oh, I'm sorry. I think I want--yes. A05.
12 Oh, I'm sorry.

13 CHAIRPERSON MITTEN: S03.3.

14 VICE CHAIRMAN HOOD: I got the wrong
15 circulating on the roof. But anyway.

16 If you can just kind of run through that
17 and show me the importance of that alley and the role
18 it's going to play with loading and access to the
19 garage and whatever.

20 MR. WORKOSKY: Good evening. My name is
21 Mike Workosky. I'm with Wells and Associates. My
22 address is 12829 Kettering Drive, Herndon.

23 The alley will be--just to orient
24 ourselves here.

25 CHAIRPERSON MITTEN: You can pick up the

1 microphone and pull it closer to you if you like.

2 MR. WORKOSKY: Just so we should orient
3 ourselves here, this is northbound 14th Street.
4 Florida Avenue, East, West, Belmont Street to the
5 North.

6 The alley at the southern end of the site
7 will be 15 feet wide. Northern end of the site 20
8 feet wide. Access to the parking garage will be via
9 a one-lane inbound and outbound for below grade
10 parking. So, there's a signalized intersection here
11 at 14th and Florida Avenue. Vehicles can come down
12 Florida Avenue, turn left into the alley. Turn left
13 and go down to the parking garage. Come back out and
14 go left or right.

15 There's an unsignalized intersection at
16 Belmont Street, stop control, so my suspicion is that
17 the majority of vehicles that want to go northbound
18 would probably come out of the alley and turn right.
19 To go southbound, they would come out to the traffic
20 signal and turn left.

21 Truck loading and access is in this area
22 which is separated from the parking garage. There is
23 no separations in here so that you have some
24 maneuverability back here. Trucks essentially would
25 come around. Large trucks would come around on

NEAL R. GROSS

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

1 Belmont. You can see that we've clipped the curve
2 back here so that trucks can make this maneuver back
3 into the loading space and then pull out past the
4 garage entrance and come back out onto Florida Avenue.
5 I think we have a better diagram of that.

6 VICE CHAIRMAN HOOD: I'm actually fine
7 with that unless my colleagues want to see it.

8 CHAIRPERSON MITTEN: Well, I think--I
9 don't know what you are going to be showing us, but
10 one of the things that's of concern on this plan in
11 particular is the truck that is shown in making a
12 maneuver there. I think that's what that--it looks
13 like it has to go over someone else's property to make
14 the move.

15 MR. WORKOSKY: Yes. This is a smaller
16 size truck though we had coming in on Florida Avenue
17 that would back into this area and then pull in. But
18 the majority of the maneuvers are going to be directed
19 to the north onto Belmont and come this way so that
20 they can back into these areas.

21 I think this one was just a way to show
22 that we could potentially make this turn here and use
23 the 15-foot wide alley to get past the entrance and
24 then pull in.

25 CHAIRPERSON MITTEN: Can you just clarify

1 it? Is that showing the truck going over someone
2 else's property and not working within the confines of
3 the alley?

4 MR. WORKOSKY: This portion would be.
5 Yes. On the corner.

6 CHAIRPERSON MITTEN: I guess I'm just
7 wondering. Why would you show that to us if you're
8 trying to convince us that it can work?

9 MR. GLASCOW: Madam Chair, we have taken
10 the 15-foot alley and widened it to 20 feet in that
11 area. And if the truck makes an extra maneuver, it
12 doesn't do that.

13 CHAIRPERSON MITTEN: Okay.

14 MR. GLASCOW: If it takes more than one
15 maneuver.

16 MR. WORKOSKY: Yes. I think what would
17 likely happen is, a truck would pull here, pull up and
18 they would probably back twice so they could get into
19 the space. Or they would pull down further in this
20 direction and then back in.

21 So, in other words, where you see this
22 path here, where it comes in and turns left. Rather
23 than pulling in this direction, I think the purpose
24 was that if this--

25 MR. GLASCOW: Madam Chair, there's an

1 error in that diagram. Excuse me. The alley doesn't
2 run. The alley runs one way. It's south at that
3 area. It doesn't do that.

4 CHAIRPERSON MITTEN: Okay.

5 MR. WORKOSKY: For trucks.

6 MR. GLASCOW: Yes. For trucks.

7 MR. WORKOSKY: Trucks.

8 MR. GLASCOW: So, it doesn't make this
9 maneuver.

10 CHAIRPERSON MITTEN: So, the truck
11 wouldn't be able to come in from Florida Avenue?

12 MR. GLASCOW: That's right. It's going to
13 come in from Belmont.

14 CHAIRPERSON MITTEN: Maybe if we have--

15 MRS. SCHELLIN: I think if there's two
16 mikes or more on, we're having feedback. Yes.

17 MR. GLASCOW: Madam Chair, the truck
18 doesn't make that maneuver.

19 CHAIRPERSON MITTEN: Okay.

20 MR. GLASCOW: Okay. The trucks all come
21 in from Belmont where we've taken off the corner of
22 the site.

23 CHAIRPERSON MITTEN: Okay.

24 MR. GLASCOW: You see, we've set back on
25 the property line. We've widened the alley to 20 feet

NEAL R. GROSS

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

1 and the trucks that's 12 feet wide can pull up and
2 parallel park, you know, off of a 20-foot alley and
3 it's got a 12-foot wide berth. The trucks are about
4 no more than eight feet wide, so that you've got a
5 total of 32 feet to get a truck that's eight feet wide
6 in there.

7 CHAIRPERSON MITTEN: Can you just maybe
8 give us revised drawings of--

9 MR. GLASCOW: Yes.

10 CHAIRPERSON MITTEN: -- S03.1.2 and .3,
11 because they all show, you know, the truck coming in
12 from the South?

13 MR. FRANCO: Actually, S03.4 more
14 accurately represents the truck flow.

15 MR. GLASCOW: How the trucks will
16 maneuver. Right.

17 If you look at S03.4.

18 CHAIRPERSON MITTEN: Okay.

19 COMMISSIONER PARSONS: So, in that
20 circumstance, the truck would back in from Belmont
21 Street to get to the loading dock?

22 MR. GLASCOW: No. The truck pulls in and
23 it backs into the berth.

24 MR. WORKOSKY: I'm sorry. If you look at
25 S03.1. Here's a truck coming up Belmont Street,

NEAL R. GROSS

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

1 turning right and see where it would cut the corner
2 back there? It goes down in this direction and pulls
3 in here and then backs into the space. And then
4 there's a subsequent diagram that shows him pulling
5 out and coming this way. Back onto Florida Avenue.

6 COMMISSIONER PARSONS: Yes. I'm talking
7 about the other loading dock in SO3.4 seems to imply
8 if the tires are correctly--that he starts backing up
9 on Belmont, goes into the alley and backs into the
10 loading dock. Is that correct? Two tires on the back
11 of the truck.

12 MR. GLASCOW: We see what you're saying,
13 Mr. Parsons. We will submit revised drawings on that.
14 Because all the trucks come in and then they parallel
15 park.

16 CHAIRPERSON MITTEN: Let me just ask a
17 couple of things to clarify.

18 The whole area where it says the ban
19 space, the residential truck space, the retail truck
20 space, the loading area. There's no impediment
21 between the space and the alley. There's no wall or
22 anything. Is that right?

23 So, when you draw these to show us how a
24 maneuver would take place, you're assuming there's a
25 truck in whatever space is not the one that's being

NEAL R. GROSS

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

1 backed into, that there's a truck in the space? So,
2 that's why they're contorting. If there was no truck?

3 MR. GLASCOW: That's right.

4 CHAIRPERSON MITTEN: Okay. Okay.

5 And what would the expectation be that
6 there would be multiple trucks sort of after the
7 initial move in that there would be multiple trucks?

8 MR. GLASCOW: Very, very limited. We just
9 didn't--we didn't want to go through asking for relief
10 on the 12 by 55 foot berth.

11 Normally, when we don't have--when we
12 don't have the kind of room that we have here, I come
13 in and I ask for --give us relief on the 12 by 55 foot
14 berth because we're rarely going to ever use it.

15 Mr. Hood, we sort of jumped off on your
16 initial question.

17 VICE CHAIRMAN HOOD: I did want to--the
18 truck is going to enter. I want to make sure I
19 understand this.

20 The truck is going to enter from Belmont
21 Street. Right? And most trucks are going to be told
22 in advance this is one way. Right? That's the only
23 --meanwhile, they're going to pull in and back up and
24 get in there and unload and whatever. But when they
25 get ready to pull out on Florida Avenue, you're going

NEAL R. GROSS

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

1 to have a car going to the garage. How is that going
2 to work?

3 That's why I'm saying. This alley is
4 becoming essential. How is that going to work? Are
5 we going to have fights? Am I going to look at
6 Channel 5 and see that there was an argument over it.

7 I mean, we've had a case on this before.
8 How is that going to work?

9 MR. FRANCO: Well, the traffic coming out
10 of the building to the garage, the vehicular traffic,
11 the residents, always have the option of pulling out
12 and turning right, thereby completely bypassing any
13 blockage from trucks maneuvering in and out of the
14 building zone.

15 VICE CHAIRMAN HOOD: There's enough room
16 for me to unload. I'm in a truck. Enough room in
17 that alley for me to unload, pull out and not put a
18 damper on the person who is trying to get into the
19 garage?

20 MR. FRANCO: Absolutely.

21 VICE CHAIRMAN HOOD: Okay. Good.

22 The other question is. Eastbound on
23 Florida Avenue coming from 14th. I guess I'm going
24 east. My orientation badge is retired. But, okay.

25 Florida Avenue going east and I guess it's

NEAL R. GROSS

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

1 a quarter of a block we're going to be making a left
2 to turn in so I can go into the garage. Am I correct?

3 MR. FRANCO: That's correct.

4 VICE CHAIRMAN HOOD: In the traffic
5 analysis and you can help me with this. In the
6 traffic analysis, does it talk about the traffic
7 that's going to be backed up, because I don't live in
8 the neighborhood, but I've traveled this Florida
9 Avenue and I know that sometime--and they're one lane.
10 Florida Avenue is one lane with parking on both sides.
11 Right? In this particular block?

12 MR. FRANCO: That's correct.

13 VICE CHAIRMAN HOOD: Okay. So, if I'm
14 waiting to turn, I'm getting ready to make a left turn
15 and I'm sure that no one blocks the alley, not in the
16 District. So, the people who are going westbound are
17 not going to block the alley. So, I'm waiting to make
18 a turn. And I'm trying to make sure this has been
19 calculated in your thoughts.

20 I'm ready to make a left turn to go into
21 the parking garage. How much of a back-up, how much
22 of a back-up and this deals with the timing, how much
23 of a back up am I going to have going eastbound on
24 Florida Avenue trying to make a left turn into the
25 parking garage, even though I know that the people

NEAL R. GROSS

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

1 that are going westbound have left that area open for
2 me to get in?

3 I mean, has this been thought of? Thought
4 about, rather? --in your analysis and I just missed
5 it?

6 MR. WORKOSKY: We forecasted the volume
7 there, the number of vehicles that would be going
8 eastbound on Florida Avenue and turning left. It's
9 about 20 vehicles in the evening peak hour at that
10 location. So, we have a pretty low volume that would
11 be making that movement.

12 I don't disagree with you that those
13 people would be contending with people in the
14 westbound direction in the queue. One of the things
15 that we've looked at at the signal timing here was to
16 increase the side street by five or six seconds. And
17 what that does is it helps the overall intersection
18 work better. But it also reduces the queue.

19 So, by keeping the same cycle length, the
20 total number of cycles in an hour, it will help reduce
21 this queue. But we did look at the eastbound left
22 turn queue there. And I don't believe there would be
23 much delay there if we--as long as the driveway
24 obviously isn't blocks by the queue during some of the
25 cycles where people back up there. There would be

NEAL R. GROSS

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

1 virtually no cue for that left turn movement. I can
2 look and see if I can find the queue in here.

3 VICE CHAIRMAN HOOD: That's okay.

4 Just a suggestion and maybe and I know
5 DDOT submitted something to us. And I haven't really
6 had a chance to really think it through and look at
7 it. But, I wonder if it's legal, first of all, and
8 I'll leave this up to you. Just a suggestion. Maybe
9 we want to try to maybe put a sign and I don't know if
10 this can be legally done. But a sign that says,
11 please do not block entrance. I mean, I don't know if
12 that's something that you may want to look at or did
13 we talk to DDOT about doing that. Because I can see
14 that becoming a potential problem.

15 MR. WORKOSKY: There are signs or striping
16 that can be placed right before the intersection like
17 a secondary stop bar that would say. There's a very
18 simple sign that says, don't block intersection or
19 don't--

20 VICE CHAIRMAN HOOD: It's a sign?

21 MR. WORKOSKY: It's a sign, but you can
22 supplement it with a stop bar on the pavement so that
23 when people are queuing here, the last person that
24 comes up and sees he's not going to fit, he kind of
25 sees the stop bar along with the sign. Because you do

NEAL R. GROSS

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

1 have curbside parking. So, some of those signs
2 become, you know, background when they're offset by
3 eight feet from your approach to the signal. So, that
4 may be a good suggestion just in that section.

5 VICE CHAIRMAN HOOD: I'm not an expert,
6 but hopefully before the proposed action, final
7 action, maybe you ought to look into that and maybe
8 add that to it if you find out it's needed. Okay?

9 MR. WORKOSKY: Great idea.

10 VICE CHAIRMAN HOOD: Thank you, Madam
11 Chair.

12 CHAIRPERSON MITTEN: Anyone else have any
13 questions? All right.

14 Mr. Spalding, do you have any questions on
15 cross examination for the ANC? And Ms. Royster, one
16 of the benefits of party status is you get to ask
17 cross examination questions.

18 Could I just see who Ms. Royster is? Did
19 you have any questions for the Applicant? Okay.
20 Thank you.

21 Thank you, all.

22 MR. GLASCOW: Thank you.

23 CHAIRPERSON MITTEN: We're ready now to go
24 to the report by the Office of Planning. Mr. Lawson.

25 MR. LAWSON: Madam Chair, my name is Joel

1 Lawson with the D.C. Office of Planning. I'm here
2 with Jennifer Steingasser.

3 We're happy to stand on the record and
4 just remain available for any questions the Commission
5 may have.

6 Thank you.

7 CHAIRPERSON MITTEN: Thank you.

8 Any questions for the Office of Planning?

9 Anyone have any questions?

10 Mr. Glasgow, any questions? Mr. Spalding?
11 Ms. Royster, any questions? All right.

12 Then we have in the record at Exhibit
13 Number--I don't know what the Exhibit Number is. At
14 Exhibit Number 26, we have the report by DDOT where
15 they express that they have no objection to the
16 project. And are there any other Government agencies
17 represented here today? Okay.

18 Then we'll move right to the Advisory
19 Neighborhood Commission 1B report. Mr. Spalding.

20 MR. SPALDING: Phil Spalding. I live at
21 1929 13th Street which is about three blocks from this
22 site. And the Commission has been working with this
23 developer for a long period of time, almost a year on
24 this particular design. We have taken this up at the
25 Commission twice, once in a letter to Mr. Franco and

1 most recently in November, both unanimous votes in
2 support of this project and I'll just stand on that
3 record unless you have any questions.

4 CHAIRPERSON MITTEN: Thank you. Anyone
5 want to ask Mr. Spalding a question?

6 Mr. Glasgow? Ms. Royster?

7 Okay, thank you. Just like to give
8 everybody their turn.

9 All right. Then, we'd ask Ms. Royster to
10 come forward and give the testimony for the party in
11 support, which is the Sankofa Tenants' Association.

12 MS. ROYSTER: Good evening. I am the
13 President of the Sankofa Tenants' Association and
14 we're located at the Cresthill Apartments which is
15 1430 Belmont Street, NW.

16 We are most in favor of this project here
17 because of the community benefits package that has
18 been offered and what it will do for us as residents
19 of this building that's in need of not only
20 renovations, but also we are in the process of hoping
21 to be owners of this property.

22 Sankofa, I would just say this about
23 Sankofa and end my testimony with it.

24 Sankofa is a bird that come from Africa
25 and this bird symbolizes hope. It symbolizes

1 responsibility, cooperation and most of all looking
2 out for the neighbor. This bird when it's in flight
3 is always looking over its shoulder to make sure that
4 all the members who are involved are in step together.

5 And with this, this is what we want to do.
6 We want to be able to accomplish this goal by having
7 all of our residents maintain their status there at
8 the Cresthill Apartments. So, that's why we're so
9 much in favor of this project and what it will do to
10 enhance us of becoming homeowners there on Belmont
11 Street.

12 CHAIRPERSON MITTEN: Thank you. Any
13 questions for Ms. Royston? Any questions? Questions?

14 Thank you for your testimony.

15 MS. ROYSTER: Thank you.

16 CHAIRPERSON MITTEN: And good luck.

17 Anyone else who would like to testify in
18 support?

19 Anyone who would like to testify in
20 opposition?

21 Okay. Mr. Glasgow.

22 MR. GLASCOW: Just in closing. Very
23 briefly, we believe that we've met the standard with
24 respect to this submission for PUD application. There
25 are some time constraints in working with the Sankofa

NEAL R. GROSS

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

1 Tenants' Association and with the Applicant.

2 We would like to, if we could, get the
3 bench decision this evening and then supplement the
4 record with the filings that have been requested with
5 respect to the traffic turning diagram.

6 CHAIRPERSON MITTEN: And the antennae.

7 MR. GLASCOW: And the antennae.

8 CHAIRPERSON MITTEN: Okay. Okay. I think
9 we have an agreement about moving forward tonight.

10 So, with the understanding that before
11 final action, we would receive an additional
12 submission regarding the tower and the placement of
13 each piece of equipment on the tower. And a further
14 investigation into the left turn off of eastbound
15 Florida Avenue that Mr. Hood had requested. As long
16 as we receive those additional submissions prior to
17 final action, then I would move approval of Case No.
18 05-22.

19 COMMISSIONER JEFFRIES: Second.

20 CHAIRPERSON MITTEN: Is there any
21 discussion?

22 I would like to say that notwithstanding
23 the little perhaps contortion of the facade that goes
24 on over the public space, I do agree with Mr. Jeffries
25 that the architecture is especially interesting and

NEAL R. GROSS

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

1 you've had some architecture that's been, let's say,
2 more challenging for us to support along the corridor.
3 And this is one that it's very easy to support because
4 the quality is there and hopefully this will set the
5 standard for further cases coming down the line.

6 So, thanks for bringing it to us and if
7 there's no further discussion, I would ask for all
8 those in favor, please say aye.

9 (AYES)

10 CHAIRPERSON MITTEN: Any opposed?

11 Mrs. Schellin.

12 MRS. SCHELLIN: The staff would record the
13 vote, five to zero to zero to approve proposed action
14 in Case No. 05-22. Commissioner Mitten moving,
15 Commissioner Jeffries seconding. Commissioners
16 Parsons, Hood and Turnbull in favor. And final action
17 will not be taken until the requested documents are
18 filed.

19 Do we want to set a date for that?

20 CHAIRPERSON MITTEN: It's up to them how
21 fast they want to get a final action.

22 MRS. SCHELLIN: Okay. Can you file by --
23 well 30 days out. We can do it in January. December
24 23rd?

25 MR. GLASCOW: December 23rd? Sure.

1 MRS. SCHELLIN: And that would allow the
2 parties until December 30th to respond which then we
3 could put you on our January 9th agenda. That would
4 be 30 days for NCP.

5 CHAIRPERSON MITTEN: Okay. Mr. Parsons?

6 MRS. SCHELLIN: If that works?

7 COMMISSIONER PARSONS: Sure. I just want
8 to make sure. I added a point here on this antennae
9 that there's no advertising or other logos contained
10 on this antennae which should be reflected in the
11 drawings and in the order if you would please.
12 Thanks.

13 MR. FRANCO: There are no advertisements.

14 CHAIRPERSON MITTEN: He means now or ever?

15 COMMISSIONER PARSONS: The next iteration.

16 MR. FRANCO: Now or ever.

17 MR. GLASCOW: Sure. It will be a
18 condition in the order.

19 CHAIRPERSON MITTEN: Okay. Well thanks
20 for coming out on a snowy night. And we're adjourned.

21 (Whereupon, the above matter was concluded
22 at 7:17 p.m.)

23

24