

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ZONING ADJUSTMENT

+ + + + +

PUBLIC HEARING

+ + + + +

TUESDAY, JUNE 14, 2005

The Public Hearing convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice at 10:00 a.m., Ruthanne G. Miller, Vice Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

RUTHANNE G. MILLER	Vice Chairperson
CURTIS L. ETHERLY, JR.	Board Member
JOHN A. MANN, II	Board Member (NCPC)

OFFICE OF ZONING STAFF PRESENT:

CLIFFORD MOY	Deputy Secretary
BEVERLEY BAILEY	Zoning Specialist
JOHN NYARKU	Zoning Specialist

D.C. OFFICE OF THE ATTORNEY GENERAL:

LORI MONROE, ESQ.
MARY NAGELHOUT, ESQ.

OFFICE OF PLANNING STAFF PRESENT:

KAREN THOMAS
MAXINE BROWN-ROBERTS

This transcript constitutes the minutes from the Public Hearing held on June 14, 2005.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

C-O-N-T-E-N-T-S

<u>AGENDA ITEM</u>	<u>PAGE</u>
PRELIMINARY MATTERS	6
<u>APPLICATION OF ALEXANDER AND TRENITA DAVIS:</u>	
<u>17330 ANC-4B</u>	13
<u>WITNESS:</u>	
EARL RICHARDSON	16
<u>APPLICATION OF APARTMENT DEVELOPMENT LP, ON</u>	
<u>BEHALF OF LARRY D. AND CAROL K. QUILLIAN:</u>	
<u>17331 ANC-6B</u>	23
CAROLYN BROWN, ESQ.	24
Holland and Knight	
2099 Pennsylvania Avenue, N.W.	
Suite 100	
W a s h i n g t o n , D . C .	
20006	
<u>WITNESS:</u>	
MURPHY ANTOINE	30
<u>APPLICATION OF APARTMENT DEVELOPMENT LP, ON</u>	
<u>BEHALF OF LARRY D. AND CAROL K. QUILLIAN:</u>	
<u>17332 ANC-6B</u>	63
CAROLYN BROWN, ESQ.	63
Holland and Knight	
2099 Pennsylvania Avenue, N.W.	
Suite 100	
W a s h i n g t o n , D . C .	
20006	
<u>WITNESS:</u>	
MURPHY ANTOINE	68
17332 ANC-6	

NEAL R. GROSS

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

APPLICATION OF ST. ALBAN'S SCHOOL, ON BEHALF
OF THE PROTESTANT EPISCOPAL CATHEDRAL
FOUNDATION OF D.C.:

17320 ANC-3C 97

WHAYNE QUIN, ESQ. 112
Holland and Knight
2099 Pennsylvania Avenue, N.W.
Suite 100
W a s h i n g t o n , D . C .
20006

WITNESSES:

MAJOR GENERAL RIPPE. 117
JEAN DUFF 121
VANCE WILSON 129
ROGER DUFFY. 149
RICHARD BURCK, JR. 154
COLLEEN MEEHAN 195
BRAD BELT 232
LOUIS SLADE 258

Adjourn

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

P R O C E E D I N G S

10:00 A.M.

CHAIR MILLER: Good morning. This hearing will please come to order. My name is Ruthanne Miller. I'm the Vice Chair of the Board of Zoning Adjustment. Our distinguished Chair will not be able to be with us today, so I will be presiding, along with my fellow mayoral appointee, Mr. Etherly to my right and NCPC Member, Mr. John Mann to my left. And also with us today from Office of Zoning is Mr. Cliff Moy and from the Office of Attorney General, Lori Monroe. And also from the Office of Zoning, Beverley Bailey.

Copies of today's agenda are available to you and are located to my left in the wall bin near the door. Please be advised that the 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.

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

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 All persons planning to testify, either in
2 favor or in opposition are to fill out two witness
3 cards. These cards are located to my left on the
4 table near the door and on the witness tables. Upon
5 coming forward to speak to the Board, please give both
6 cards to the reporter sitting to my right. The order
7 of procedure for special exceptions in variances is,
8 one, statement and witnesses of the Applicant; two,
9 Government reports including Office of Planning,
10 Department of Public Works, etcetera; three, report of
11 the Advisory Neighborhood Commission; four, parties or
12 persons in support; five, parties or persons in
13 opposition; six, closing remarks by the Applicant.

14 The record will be closed at the
15 conclusion of each case, except for any material
16 specifically requested by the Board. The Board and
17 the staff will specify at the end of the hearing
18 exactly what is expected and the date when the persons
19 must submit the evidence to the Office of Zoning.
20 After the record is closed, no other information will
21 be accepted by the Board.

22 The Sunshine Act requires that the public
23 hearing on each case be held in the open before the
24 public. The Board may, consistent with its rules of
25 procedure and the Sunshine Act, enter executive

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 session during or after the public hearing on a case
2 for purposes of reviewing the record or deliberating
3 on the case.

4 The decision of the Board in these
5 contested cases must be based exclusively on the
6 public record. To avoid any appearance to the
7 contrary, the Board requests that persons present not
8 engage the members of the Board in conversation.
9 Please turn off all beepers and cell phones at this
10 time so not to disrupt these proceedings.

11 The Board will now consider any
12 preliminary matters. Preliminary matters are those
13 which relate to whether a case will or should be heard
14 today such as requests for postponement, continuance
15 or withdrawal or whether proper and adequate notice of
16 the hearing has been given.

17 If you are not prepared to go forward with
18 a case today or if you believe that the Board should
19 not proceed, now is the time to raise such a matter.

20 Does the staff have any preliminary
21 matters?

22 MS. BAILEY: Madam Chair, Members of the
23 Board and to everyone, good morning.

24 Yes, there is, Madam Chair, and it has to
25 do with Application No. 17315 of Todd Collins. There

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 is a request for postponement.

2 CHAIR MILLER: Good morning, and you're
3 with that case?

4 MS. BAYLOR: Yes, good morning, Madam
5 Chair and Members of the Board. I am asking for a
6 postponement.

7 CHAIR MILLER: Could you please identify
8 yourself for the record.

9 MS. BAYLOR: I'm sorry. My name is Brynee
10 Baylor, attorney for Collins Development LLC and I am
11 here today requesting a postponement for the
12 application and we're requesting about a three to four
13 month postponement, the reason being that NCRC is
14 right now one of the owners of the property, a couple
15 of the lots that we are trying to develop and they
16 will not be releasing the property for development
17 until September of '05. And with that, also there's
18 another lot that's still in litigation, although it
19 was supposed to be resolved by this time. It's still
20 there. So we are requesting a postponement so that we
21 will be in a position to request relief.

22 CHAIR MILLER: And that other lot, you
23 expect the litigation to be completed in three to four
24 months?

25 MS. BAYLOR: We do. Actually, it should

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 have been completed already, so I mean any day now.
2 We're waiting.

3 CHAIR MILLER: Do my Board Members have
4 any questions right now?

5 MR. ETHERLY: Madam Chair, thank you very
6 much. No objection with respect to the postponement
7 request along the lines of your question regarding the
8 lot that continues to be in litigation.

9 What's your sense in terms of NCRC's
10 posture regarding their pieces? Do you anticipate
11 that September would be sufficient time?

12 MS. BAYLOR: Well, we do believe that --
13 they believe that September will be sufficient. I
14 think October would be better for us just to allow a
15 couple of days in the interim, just to make sure that
16 everything is smooth and there's no further
17 postponement required.

18 MR. ETHERLY: Thank you. Thank you, Madam
19 Chair.

20 CHAIR MILLER: Thank you.

21 MR. MANN: I was wondering whether or not
22 you could address with any more specificity some of
23 these particular lots that OP in their Supplemental
24 Report had addressed. Some of them, as you noted,
25 were done by -- or under the control of NCRC, some

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 under DHCD. And so is it four lots that are holding
2 up this process?

3 MS. BAYLOR: That's correct. There
4 are four lots holding up the process and as it stands
5 right now, we are still working with DHCD and NCND,
6 North Capitol Neighborhood Development Corporation to
7 determine exactly who we need to get the permission
8 from as it pertains to Lots 869 and 866.

9 MR. MANN: But you think all those issues
10 are going to be resolved by October?

11 MS. BAYLOR: We do believe that, we do.
12 We're very optimistic and we think that they'll
13 probably be resolved by September, however, we think
14 that by October we should be in a good place.

15 MR. MANN: I must say, perhaps I
16 misunderstand OP's Supplemental Report, were there
17 also some issues regarding the type of relief or that
18 the relief that was being sought seems to be somewhat
19 different than what OP is suggesting?

20 MS. BAYLOR: Well, just the variance in
21 terms of two units versus the three units and either
22 way, I mean our argument is still, we're still asking
23 for the three unit relief in the respective lots, but
24 I think those are the only issues that they have.
25 They still are apprehensive and not in support of the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 three units, but they are in terms of the area
2 variance.

3 MR. MANN: Okay, so the application itself
4 is not going to change.

5 MS. BAYLOR: No.

6 MR. MANN: You're simply --

7 MS. BAYLOR: That's correct.

8 MR. MANN: Okay, thank you.

9 MS. BAYLOR: However, I will say, I'm
10 sorry. In the event that we do have a problem
11 obtaining permission, then there might be a different,
12 you know, we might have to withdraw one of the lots
13 that we're requesting relief from, but hopefully that
14 won't be the case.

15 CHAIR MILLER: Let me ask you this, we
16 could postpone it until October, or we could postpone
17 until November and what gets tricky is if we postpone
18 it until October and you're not ready and there's some
19 complication, then by that date our calendar will
20 probably have filled up for November, if not December.

21 MS. BAYLOR: Right.

22 CHAIR MILLER: So if you would like for us
23 to give you a little longer extension at this point,
24 we could do that.

25 MS. BAYLOR: Okay, we appreciate it, if

NEAL R. GROSS

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

1 that would be possible. November would be fine.

2 CHAIR MILLER: Mr. Moy, what date do we
3 have in November?

4 MR. ETHERLY: And if I may, Madam Chair,
5 as we're looking for an appropriate date in November,
6 I just wanted to confirm that you are in receipt, of
7 course, of the Office of Planning's Supplemental
8 Report?

9 MS. BAYLOR: We do have it.

10 MR. ETHERLY: I think it would definitely
11 be very helpful that as you continue to prepare for
12 the case that you give some considerable thought to
13 some of the observations that are made in the Office
14 of Planning Report with particular some of the
15 concerns regarding the economic hardship argument and
16 any other information that they've identified as
17 perhaps at this point being somewhat lacking in the
18 application. I think that would be very helpful.

19 So hopefully, if we're ready to rock and
20 rock in November, we'll be able to address some of
21 those questions, if not have them resolved.

22 MS. BAYLOR: Thank you.

23 MR. MOY: Madam Chair, the staff would
24 recommend that if we're looking at November, November
25 15th in the afternoon at 1 o'clock.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 CHAIR MILLER: Does November 15th in the
2 afternoon work?

3 MS. BAYLOR: Yes.

4 CHAIR MILLER: I also want to make another
5 comment.

6 MS. BAYLOR: Sure.

7 CHAIR MILLER: I think in the interim I
8 gather that you will be working out the authorization
9 question and there are some questions raised by Office
10 of Planning with respect to the relief you're seeking
11 and I would suggest in the interim you can also take
12 the opportunity to talk with Office of Planning, to
13 talk with the Zoning Administrator, because I
14 understand that you have self-certified the relief.

15 MS. BAYLOR: That's right.

16 CHAIR MILLER: So if you, during that
17 period, come to any different conclusions, unless my
18 colleagues feel otherwise, supplement your application
19 and update so that we have before us what you'd like
20 us to rule on.

21 MS. BAYLOR: Thank you and I will do that.

22 CHAIR MILLER: Okay. Are there any other
23 comments from the Board Members? Then I think we have
24 a consensus here that the postponement is granted
25 until November 15th.

NEAL R. GROSS

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

1 MS. BAYLOR: Thank you.

2 CHAIR MILLER: Do we have any other
3 preliminary matters, Ms. Bailey?

4 MS. BAILEY: No, Madam Chair, that's it.
5 Swearing in the witnesses, perhaps is -- I don't know
6 if you consider that a preliminary matter.

7 CHAIR MILLER: Yes, I think that this
8 would be a good time to swear in the witnesses. Would
9 all individuals wishing to testify today, please rise
10 to take the oath and Ms. Bailey would administer the
11 oath.

12 MS. BAILEY: Please raise your right hand.
13 Do you solemnly swear or affirm that the testimony you
14 will be giving today will be the truth, the whole
15 truth and nothing but the truth?

16 (THE WITNESSES WERE SWORN.)

17 CHAIR MILLER: Thank you. Will you call
18 the first case, please?

19 MS. BAILEY: Application No. 17330 of
20 Alexander and Trenita Davis, pursuant to 11 DCMR
21 Section 3104.1, for a special exception to allow a one
22 story rear addition to an existing single-family
23 detached dwelling under section 223, not meeting the
24 rear yard requirements, that's in section 404. The
25 property is located in the R-2 District at 7435 8th

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Street, N.W., Square 3178, Lot 106.

2 CHAIR MILLER: Is the Applicant here in
3 this case?

4 Would you come to the table and get
5 comfortable and then you can put your microphone on
6 and introduce yourself.

7 Good morning.

8 MR. DAVIS: Madam Chair, Members of the
9 Board, good morning. My name is Alexander Davis. My
10 wife and I, Trenita Davis, have lived at 7435 8th
11 Street, N.W., for more than 44 years. We want to
12 complete a one story addition at the rear of our
13 house, but the addition goes into the required rear
14 yard by about three feet. We would like to reduce the
15 rear yard from 20 to 17 feet, therefore we are asking
16 for a special exception under Section 223.1 of the
17 zoning regulation.

18 Our neighbors all signed a petition in
19 favor of our addition. The Advisory Neighborhood
20 Commission voted to support us. The addition will not
21 take away light from the neighbors or invade their
22 privacy. Also, you will hardly be able to see the
23 addition from the street or the sidewalk in the front
24 of the house.

25 I would like to finish the addition before

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 I bring my wife home from the nursing home. Our
2 driveway goes around to the back of the house and I
3 will be able to push the wheelchair into the house
4 without using stairs in the front.

5 I hope you will grant us the special
6 exception and I will appreciate anything you can do to
7 speed up the process. The contractor is ready to
8 complete the construction as soon as the permit is
9 issued.

10 I would be happy to answer any questions
11 you may have. Thank you.

12 CHAIR MILLER: Thank you. Do my Board
13 Members have any questions?

14 Okay, we don't have any questions for you.
15 You have a pretty straight forward application, so
16 what we're going to do is now go to the Office of
17 Planning and hear what they have to say.

18 Good morning, Mr. Moore.

19 MR. MOORE: Good morning, Madam Chair and
20 Members of the Board. The Office of Planning is
21 supporting this application and therefore to
22 recommend.

23 CHAIR MILLER: Thank you, Mr. Moore. Did
24 you see the Office of Planning's Report, Mr. Davis?

25 MR. DAVIS: Beg your pardon?

NEAL R. GROSS

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

1 CHAIR MILLER: Did you see the Office of
2 Planning's Report that they did on your application?

3 MR. DAVIS: I did.

4 CHAIR MILLER: And do you have any
5 questions for Mr. Moore?

6 MR. DAVIS: No, I don't.

7 CHAIR MILLER: Okay. Do my Board Members
8 have any questions for Mr. Moore?

9 Is there a representative of the ANC here?
10 Okay, we have a letter from Mr. Gell, your attorney,
11 indicating that the ANC voted unanimously to support
12 your application.

13 Did you go to the ANC meeting?

14 MR. DAVIS: I did.

15 CHAIR MILLER: Okay. Are there any
16 persons here wishing to testify on this application?

17 Please come forward.

18 MR. RICHARDSON: My name is --

19 CHAIR MILLER: Is your microphone on?
20 Yes, now it is. Okay.

21 MR. RICHARDSON: My name is Earl
22 Richardson and I live at 7440 7th Street, N.W. I live
23 on the street in the rear of Mr. Davis' house. Mr.
24 Davis is an Indian, a Delaware Indian. I am related
25 to Ossia Gardine who was one of the councilmen in the

NEAL R. GROSS

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

1 Prince George's County Council and Mr. Gardine was a
2 North Dakota Indian. Mr. Gardine was a bull. Howard
3 University is the bulldog.

4 I am here to say that Mr. Davis is living
5 on an Indian Reservation in the county of Washington,
6 D.C. and we are concerned about Mr. Davis' natural
7 rights, not his civil rights. I am an expert in
8 natural rights.

9 I'm am the seventh child in the family of
10 eight children and my two parents makes a family of
11 ten. I am the seventh child. I was ordained by our
12 God, Blackwood. Blackwood is a diamond. Blackwood is
13 the board of education. Blackwood is the capstone of
14 Negro education.

15 CHAIR MILLER: Excuse me, can I interrupt
16 you? This is about a zoning issue and I want to ask
17 you if you can help me understand what your zoning
18 issue might be with respect to his adding on to his
19 house?

20 MR. RICHARDSON: My zoning issue is that
21 this is a civil proceeding. I am concerned with
22 natural law.

23 CHAIR MILLER: Are you concerned that he's
24 building over grounds that Indian --

25 MR. RICHARDSON: I'm not concerned about

NEAL R. GROSS

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

1 that. I'm concerned about his natural rights.
2 Because I am concerned about his natural rights, this
3 Thomas Jefferson, who wrote the Constitution. Here is
4 a copy of it. It's in the Jefferson Memorial. It
5 states "I have sworn upon the alter of God eternal
6 hostility against every form of tyranny over the minds
7 of men. We hold these truths to be self evident that
8 all men are created equal, that they are endowed by
9 their Creator and certain inalienable rights, among
10 these are life, liberty and the pursuit of happiness,
11 that to secure these rights, governments are
12 instituted among men solemnly published and declare
13 that these colonies are and of right to be right to be
14 free and independent states and for the report of this
15 declaration was the firm reliance on the protection of
16 the divine providence our lives, our fortunes, our
17 sacred honor" and it goes on. You've seen it. I can
18 read the whole thing. But what he's saying, that Mr.
19 Davis is protected by the Divine providence and the
20 Divine providence is the eye of providence and the eye
21 of providence is the apex of the pyramid in Egypt.
22 This country was built on the Star of David and God is
23 the law of the land. A point of law is a point of
24 light and a point of light is a point of life.

25 CHAIR MILLER: Mr. Richardson, I'm sorry

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 I didn't say this earlier, but persons who testify in
2 support get three minutes to testify.

3 MR. RICHARDSON: Three minutes?

4 CHAIR MILLER: Yes, and I think that we're
5 over that at this point, so if you want to conclude?

6 MR. RICHARDSON: Yes, Madam Chair, please.
7 Thank you.

8 First of all, I have a bill here, the
9 first 10 amendments to the Constitution is the Bill of
10 Rights. This I have in my folder here. Is the Bill
11 of Rights.

12 CHAIR MILLER: If you want to submit
13 something in writing to the record, you can also.

14 MR. RICHARDSON: The Bill of Rights is
15 911, that's a dollar bill. On the back of a dollar
16 bill there's the Star of David and there's a pyramid
17 with an eye of providence on it. The eye of
18 providence is the torch of freedom.

19 CHAIR MILLER: Okay. Thank you very much.
20 And if there's anything else you want to put in the
21 record, you can.

22 MR. RICHARDSON: At this point?

23 CHAIR MILLER: You can hand something to
24 staff at my far right, if you want to. I just can't
25 have you -- I can't let you talk any more though

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 because we're under time constraints.

2 MR. RICHARDSON: Thank you.

3 CHAIR MILLER: Okay, thank you very much.
4 Is there anybody else here wishing to testify on this
5 matter?

6 Okay, Mr. Davis, at this point then, I'm
7 going to turn to you for any other closing remarks you
8 might want to say before we consider your case.

9 MR. DAVIS: The only thing I want to say
10 to this Board, my wife and I have celebrated 51 years
11 of marriage and right now she's in a nursing home
12 because of amputation of one leg. And what we're
13 trying to do is bring her home so that we can live out
14 the rest of our lives together instead of having her
15 in a nursing home and me at home. So I appreciate any
16 consideration you may give us.

17 Thank you very much.

18 CHAIR MILLER: Thank you. Board Members,
19 I think at this point I would like to move to approve
20 Application No. 17330 of Alexander and Trineta Davis
21 pursuant to 11 DCMR 3104.1 for a special exception to
22 allow a one story addition to an existing single
23 family detached dwelling under Section 223, not
24 meeting the rear yard requirements, Section 404, at
25 premises 7435 8th Street, N.W.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Do I have a second?

2 MR. ETHERLY: Second, Madam Chair.

3 CHAIR MILLER: I think that this is a very
4 straightforward strong case for a 223, for a special
5 exception relief under 223. Office of Planning's
6 report is quite thorough and quite detailed. What we
7 have here is a one story addition to a single family
8 detached dwelling. We have no objection by neighbors.
9 We have no objection by the ANC.

10 In going through the tests of 223.2,
11 there's testimony and evidence that the proposed
12 addition will not unduly affect the light and air
13 available to neighboring property. There are existing
14 side yards on both sides to limit the adverse effects
15 on the neighboring properties and neighboring
16 properties are in support.

17 The proposed addition will not unduly
18 compromise the privacy of use and enjoyment of the
19 neighboring properties. The addition is going to be
20 built approximately at the same depth as the patios in
21 both of the neighboring dwellings and they have no
22 objection.

23 The addition, together with the original
24 building, as viewed from the street, alley and other
25 public way does not substantially visually intrude

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 upon the character, scale and pattern of houses along
2 the subject street frontage. Its design is consistent
3 with the character, scale and pattern as determined by
4 Office of Planning and we heard the Applicant say it
5 can hardly be seen from the street.

6 The maximum lot occupancy doesn't exceed
7 50 percent as required by 223.3 and Office of Planning
8 doesn't recommend that we impose any other special
9 treatment here and I haven't heard any evidence as to
10 what we should, so anyway, I think at this point all
11 the elements of 223 have been met and I'm prepared to
12 vote for this.

13 Do my Board Members have any other
14 comments? Okay.

15 All those in favor say aye.

16 (Ayes.)

17 All those opposed.

18 (No response.)

19 Will you call the vote, please?

20 MS. BAILEY: The vote is recorded as 3-0-2
21 to approve the application. Ms. Miller made the
22 motion. Mr. Etherly seconded. Mr. Mann is in
23 agreement. We do not have a Zoning Commission Member
24 with us today and Mr. Griffis is not here.

25 CHAIR MILLER: Thank you, Ms. Bailey. At

NEAL R. GROSS

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

1 this point, I would propose to my Board Members that
2 we waive our rules for issuing a final order and issue
3 a summary order in this case.

4 MR. ETHERLY: No objection, Madam Chair.

5 CHAIR MILLER: Okay, in which case that's
6 what we'll do.

7 So we'll be issuing an order probably
8 today.

9 MR. DAVIS: Thank you very much.

10 CHAIR MILLER: Thank you very much. Good
11 luck.

12 Ms. Bailey, will you call the next case.

13 MS. BAILEY: Application No. 17331 of JPI
14 Apartment Development LP, on behalf of Larry D. and
15 Carol K. Quillian, pursuant to 11 DCMR Section 3104.1,
16 for a special exception to allow an addition to an
17 existing single-family dwelling under section 223, not
18 meeting the side yard requirements. That's Section
19 405. The court requirements is Section 406, and
20 nonconforming structure requirements, 2001.3. This is
21 to establish a flat at the site. The property is
22 zoned R04 and it's located at 1229 E Street, S.E.,
23 Square 1019, Lot 816.

24 CHAIR MILLER: Good morning. Would you
25 identify yourself for the record, please?

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MS. BROWN: Yes, good morning, Madam Chair
2 and Members of the Board. My name is Carolyn Brown.
3 I'm with the law firm of Holland and Knight here on
4 behalf of the Applicant, JPI Apartment Development LP
5 for the property at 1229 E Street, S.E. in the Capitol
6 Hill Historic District.

7 With me today are Mr. Norman Glasgow, Jr.
8 of our firm; Mr. Greg Lamb and Mr. Carlos Bonner of
9 JPI; Mr. Murphy Antoine and Erin Christensen of Torti
10 Gallas and Partners, the architects.

11 I believe the Members, you have all
12 received a copy of our statement in support of the
13 application and copies of the letters of support from
14 the ANC, I hope are in the record, as well as letters
15 of support from the Capitol Hill Restoration Society
16 and that letter is at Tab F of the pre-hearing
17 submission booklet.

18 CHAIR MILLER: Yes, we have those.

19 MS. BROWN: And the Applicant is not aware
20 of any opposition to this proposal. In fact, the
21 Applicant has received overwhelming support from
22 everyone in the community, the ANC and obviously the
23 Capitol Hill Restoration Society, as well as concept
24 approval from the Historic Preservation Review Board.

25 The Applicant is appearing before you

NEAL R. GROSS

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

1 today to request relief under Section 223 of the
2 zoning regulations for an addition that does not
3 conform with the side yard requirements of Section
4 405.3, the width requirements for an open court under
5 Section 406.1 and the provisions of a nonconforming
6 structure under Section 2001.3.

7 The Applicant is proposing to redevelop
8 and enhance a dilapidated property and rehabilitate a
9 historic shotgun house which is the very rare building
10 type on Capitol Hill, and in fact, the Middle Atlantic
11 region, they're more predominant in the Southern
12 States.

13 It's been vacant and abandoned for a long
14 time now and it's been a problem site that the
15 community has really been looking for a developer to
16 help rehab and enhance the site. So they were pleased
17 when JPI stepped up to the plate to take a look at
18 this property and it's one of two properties that JPI
19 is developing. There's the adjacent site to the south
20 on Pennsylvania Avenue which is the subject of the
21 second application that you'll be hearing today.

22 We have reviewed the Office of Planning
23 Report and their concern about using a trellis to
24 connect two structures to create one building for
25 zoning purposes. However, we believe that the issue

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 of whether a trellis is an appropriate connection has
2 already been addressed and approved by this Board in
3 a previous case and in accordance with the long-
4 standing interpretations of the Zoning Administrator's
5 office.

6 In BZA Case No. 16863, the Board had an
7 extensive discussion on this issue for property
8 located at 420 M Street, N.W. There, the Applicant
9 proposed to connect two structures in the R-5 District
10 with a trellis that would create a 51 percent
11 coverage. The grid was enough that it was 51 percent
12 coverage. Again, there was extensive discussion on
13 it. The record was left open for submissions to the
14 Board on the subject and ultimately the application
15 was approved with that trellis and I have for the
16 record that I can hand in now copies of that order.
17 It's a summary order, but also the transcript which
18 has that discussion.

19 CHAIR MILLER: That would be great. Thank
20 you very much.

21 Is there some magic to the 51 percent?

22 MS. BROWN: Apparently, in that case there
23 is a discussion about it. We are proposing 60 percent
24 coverage with perlins, but the architect can get into
25 that a little bit in greater detail.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 I can also tell you another -- many of the
2 examples that exist in the city will not be on the
3 record for BZA approval because they're done matter of
4 right. Another example is that the corner of 12th and
5 New York Avenue, there was an open court issue for the
6 property and in discussions with the Zoning
7 Administrator, it was solved by creating an open grid
8 pattern so that you still have the transparency and
9 light and air permeating the area, but it was
10 considered to be part of the structure and it made the
11 court issue go away.

12 So there is past examples of this. It has
13 been decided and looked at, but we're also willing to
14 look at other options because we are hopeful that we
15 could get vote today in this case in support.

16 CHAIR MILLER: I don't think we'll get a
17 vote today, just to be upfront with you. Although I
18 think we discussed this in Executive Session and what
19 we anticipate is that you would get a vote in two
20 weeks when we have our decision making. We don't have
21 with us our Chairman, Mr. Griffis, who wanted to
22 participate in this case. And also, we understanding
23 that one of the Zoning Commissioners, Mr. Hildebrand,
24 also wanted to read the record in this case and
25 possibly participate.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 So that's the way it is, but I don't think
2 two weeks is too long. But I am curious because I did
3 start to look at some law in this myself when this
4 issue came up and maybe it's addressed in this
5 decision that you're just giving me that I haven't
6 seen, but whether there has to be a certain amount of
7 coverage for some kind of -- for some regulations to
8 kick in when you said about the 51 percent, is that
9 significant. In this case, I guess you're saying
10 you're going to have 60 percent, so it doesn't matter?

11 MS. BROWN: It doesn't matter and we also
12 are willing to explore, just so we can get a quick
13 decision, other options that perhaps a canvas covering
14 or even plexiglass on the underside of the trellis to
15 make sure that it's a solid structure so we don't have
16 to get into the issue, we can get a faster decision.

17 CHAIR MILLER: You won't get a faster
18 decision. I mean what I'm saying --

19 MS. BROWN: And I understand.

20 CHAIR MILLER: We want to give you the
21 right decision and you know, maybe you don't need any.
22 Maybe you need 30 percent, maybe you don't need any
23 kind of trellis will do. I just was wondering if --
24 I heard you say 51 percent and I just wanted to know
25 if that was a magic number type of regulation or

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 something.

2 Okay, it just was a situation in one of
3 the cases.

4 MS. BROWN: That's correct.

5 CHAIR MILLER: Okay.

6 MS. BROWN: The architect will describe in
7 greater detail the addition and how it will not
8 impinge on the light, air or privacy or adjacent
9 properties. And in fact, at the HPRB hearing in
10 February, the immediate neighbor to the east testified
11 in strong support of this application. And you will
12 find our standards of how we meet the standards of our
13 discussion on how we meet the burden of proof at pages
14 4 to 8 in our prehearing statement.

15 So if there are no other preliminary
16 questions that you may have, I'd like to proceed with
17 the testimony of our witness, our only witness.

18 CHAIR MILLER: I do have one other
19 preliminary.

20 MS. BROWN: Sure.

21 CHAIR MILLER: And I think -- I just want
22 to throw it out now and it can be addressed later, but
23 when we're looking at lot occupancy, did you calculate
24 that for the area under the trellis or not?

25 MS. BROWN: Yes, that was included in the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 lot occupancy calculation.

2 CHAIR MILLER: Okay, thank you.

3 MS. BROWN: Yes. So I will proceed with
4 our first and only witness. We have Mr. Murphy
5 Antoine on my far right and Mr. Greg Lamb from JPI in
6 the center here is here for questions.

7 CHAIR MILLER: Okay.

8 MS. BROWN: Thank you.

9 MR. ANTOINE: Good morning, Madam Chair,
10 Members of the Board, for the record, my name is
11 Murphy Antoine. I am a principal architect and
12 planner with Torti Gallas and Partners and we're
13 representing JPI Apartment Development LP as the
14 contract purchaser of the property at 1229 E Street
15 for which we are proposing the renovation of the
16 existing shotgun structure. Again, it's one of only
17 two structures in the Capitol Hill Historic District
18 of this type that pre-date 1853, so there's certainly
19 a lot of interest by the neighbors, by the Capitol
20 Hill Restoration Society, by the Historic Preservation
21 Review Board and Historic Preservation Division in the
22 renovation of this structure, and a two and a half
23 story addition to that structure that would be new
24 construction.

25 The areas of variance relief that we're

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 seeking are the minimum width for the side yard of the
2 addition that would be built from property line to
3 property line, the 31.8 feet that defines the width of
4 that yard. The minimum width for an open court and
5 nonconforming additions to an already nonconforming
6 structure.

7 The minimum width of the open court is a
8 nonconforming side yard as it exists now of four and
9 a half feet. The addition would make that a
10 nonconforming open court again, of four and a half
11 feet.

12 The proposal, our testimony is that it
13 does not have substantial adverse effect on any of the
14 adjacent neighborhoods. Again, in the next case,
15 we'll talk about the property to the south which JPI
16 is also proposing to develop. That development is
17 pushed toward the Pennsylvania Avenue side, leaving
18 the rear adjacent portion of that property to 1229 E
19 Street open for light and air.

20 The addition is also -- on 1229 E Street
21 is also placed to the rear of the lot, but with the
22 minimum -- also with the minimum side yard or rear
23 yard, excuse me, to maintain light and air to the
24 property on Pennsylvania Avenue. Its adjacencies to
25 the east and west along E street, again, does not have

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 an adverse affect on light and air because it's set
2 back in the lot, because the narrow face of the
3 addition faces those lots.

4 Privacy is not an issue. In fact, we
5 would submit that the improvements improve privacy to
6 the adjacent neighborhoods with privacy fences on both
7 sides and landscaping and the wall of the addition.
8 There are no windows of the neighbors facing into the
9 side. The windows that we're proposing for the
10 addition are fixed, translucent, but not transparent
11 windows, again not making a view issue of the privacy.

12 Visual intrusion, again, we went through
13 a great deal of effort with Historic Preservation
14 Division staff and HPRB over the winter and spring to
15 ensure that the addition and renovation did
16 specifically fit in with the historic character of
17 this district again, because this is of great concern
18 to the neighbors, to the Board and to OP.

19 Lot occupancy is less than 60 percent as
20 required in an R-4 District. It's 57 percent is the
21 proposal.

22 CHAIR MILLER: Was the trellis an issue at
23 the HPRB review?

24 MR. ANTOINE: The trellis was actually a
25 specific issue and a specific request by Historic

NEAL R. GROSS

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

1 Preservation Division staff and HPRB. Actually, our
2 initial proposal did have a much stronger connection
3 between the addition and the shotgun house and the
4 concern was that the new addition again, really be set
5 apart from the historic structure of the shotgun
6 house. So it was a specific response to a specific
7 request.

8 MS. BROWN: As a follow up to that, I
9 believe you may not have the most current HPRB staff
10 report in the record, so I wanted to provide that for
11 you.

12 CHAIR MILLER: Thank you. If you were to
13 fill in under the trellis as was one of the
14 suggestions from Office of Planning, would that affect
15 the light and air or privacy or any of the other
16 elements.

17 MR. ANTOINE: It would depend on how we
18 did it and that's why I'd like to suggest the perlins.
19 As the trellis is proposed now, we have a series of a
20 couple of beams with about 12 or 13 rafters on top of
21 them. I'd propose this 60 percent coverage with
22 perlins above that, basically a spacer or a nailer
23 that's something like a two by two with an inch space
24 in between them. There would probably be about 40 of
25 them up there. I think that that would maintain

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 enough light and air to still not have an adverse
2 affect, but also get us what we need in terms of
3 making enough coverage to make a building connection,
4 a roofed connection.

5 CHAIR MILLER: But does your plan, as it
6 stands now create more light and air?

7 MR. ANTOINE: Yes, it does.

8 CHAIR MILLER: It does for your property.
9 Does it for the neighboring properties?

10 MR. ANTOINE: Well, because it is adjacent
11 or within that four and a half feet of the side open
12 court, you can say that the more that that's closed
13 then perhaps its casting more of a shadow, although
14 with the addition of a privacy fence on that side,
15 it's probably about the same height of the trellis
16 anyway, so in responding to the privacy issue, it
17 probably does not affect the light and air.

18 CHAIR MILLER: Okay, and we haven't seen
19 the latest HPRB report that's just been submitted, so
20 we me may not have all the information, but is the
21 trellis, as you have presented it, more in character
22 and scale than would be the surrounding neighborhood
23 and the historic aspect of this property than would be
24 a more filled in covering?

25 MR. ANTOINE: Yes, it is and I think that

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 that was specifically HPRB and Historic Preservation
2 Division staff concern with the stronger connection,
3 a more built internal connection.

4 CHAIR MILLER: Thank you. Do my Board
5 Members have questions?

6 MR. MANN: A couple of questions. It
7 wasn't clear for me looking at the drawings that were
8 submitted. Is the trellis physically connected to
9 both of these structures or is it just kind of
10 abutting it?

11 MR. ANTOINE: It would be adjacent to them
12 and probably stabilized with some kind of support on
13 those structures.

14 MR. MANN: Stabilized, does that mean that
15 there would be a physical connection between the
16 buildings and the trellis?

17 MR. ANTOINE: There could be, yes. There
18 could be a physical attachment, yes.

19 MR. MANN: And is that from a legal
20 standpoint, would that physical connection be required
21 in order to control these?

22 MS. BROWN: Yes, it would be required.

23 MR. MANN: Okay, so there's minor gaps
24 that are shown in the plans, in fact, would probably
25 not exist.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MR. ANTOINE: Would be attached with some
2 kind of hanger.

3 MR. MANN: Okay, and this might be
4 hairsplitting and I guess just kind of a procedural
5 question, but I was curious about the open court
6 dimensions. You said it's four and a half feet, but
7 doesn't it actually narrow a little bit more down
8 towards the trellis area and wouldn't that be the open
9 court dimension?

10 MR. ANTOINE: The 4.1? Is it 4.1 at the
11 other? I thought that that was a typographical error
12 in one of the reports, that it was actually four and
13 a half feet for the dimension of the side yard as it
14 exists now.

15 MR. MANN: But not at its most narrow?

16 MR. ANTOINE: I thought it was. We have
17 the plat.

18 MR. MANN: The difference appears to be
19 probably no more than half a foot and I'm not certain
20 that really -- you have to be on the microphone if you
21 want to explain that.

22 MS. CHRISTENSEN: For the record, my name
23 is Erin Christensen and I'm with Torti Gallas and
24 Partners, Architects as well. The new open court
25 would be four and a half feet at the -- at most of the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 court and then where the trellis comes in, it would
2 reduce to 4.1 feet right here.

3 MR. MANN: Okay, and I actually don't
4 recall which was in which document now, but I just
5 wanted to clarify that and make sure it was understand
6 what the actual dimension was.

7 Thank you.

8 MS. BROWN: If there are no more
9 questions, that concludes our direct presentation of
10 our case.

11 CHAIR MILLER: Thank you. Is there a
12 representative from the ANC Commission here? No,
13 okay, in which case then we'll turn to the Office of
14 Planning.

15 MS. THOMAS: Good morning, Madam Chair, my
16 name is Karen Thomas and I'm with the Office of
17 Planning. I'm sitting in for Mr. Mordfin today. He
18 was directly -- he wrote the OP Report. I would like
19 to say that we have no objection to the development of
20 the flat. However, our concern is with the trellis.
21 We believe that it meets the special exception test on
22 the whole in terms of light and air and privacy
23 aspects of the 223. However, our main concern is with
24 the definition of a structure and with respect to the
25 trellis and its connection to the two buildings.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 We consulted with the Zoning
2 Administrator's office and they also had some concerns
3 as to the interpretation of a trellis as a structure,
4 which would connect two main buildings. In our
5 report, we decided to recommend that the design be
6 amended to remove the trellis and either directly
7 connect it to the dwellings as one structure or attach
8 the two dwellings with the connection that meets the
9 definition of building under Section 199.1.

10 Thank you.

11 CHAIR MILLER: Ms. Thomas, I wanted to ask
12 you a few questions. I know this isn't your report.

13 MS. THOMAS: That's fine.

14 CHAIR MILLER: But perhaps you can answer
15 them.

16 I think that the Office of Planning made
17 a statement and I don't have it right exactly in front
18 of me, but to the effect that granting a 223 with
19 respect to this trellis would open the door for
20 multiple buildings on a lot being approved under 223.
21 And I'm wondering if you can elaborate on what type of
22 situation that Office of Planning anticipates that
23 would undermine the zoning plan and open this kind of
24 door for what kind of projects.

25 MS. THOMAS: We thought about people

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 having garages, separate garages and wanting to use it
2 as, for instance, as a studio, for instance. We have
3 seen cases coming before us like that, questions
4 coming before us like that and then connecting it with
5 some kind of a trellis structure and calling it one as
6 part of the main house where it was clearly two
7 separate structures having the garage and trying to
8 convert the garage and using the house and just
9 connecting it by a trellis and coming in under 223.
10 We're concerned about the intent of that type of
11 situation proliferating under 223.

12 MR. ETHERLY: I'm sorry, Madam Chair, I
13 just wanted to follow up on that particular thought
14 and once again recognizing that this is not Mrs.
15 Thomas' report, but was there any discussion at the
16 Office of Planning around what would be the -- at what
17 point would you feel the trellis becomes substantial
18 enough to be a more formalized connection between the
19 two buildings?

20 MS. THOMAS: We wouldn't call it a trellis
21 at that point. You know, we see a trellis as
22 something, that -- you know plants and vines grow on.
23 It doesn't signify for us sort of a permanent
24 structure, something that seems permanent that really
25 attaches to buildings. It's not like a sort of a

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 platform or a concrete structure.

2 We would like that if two buildings are
3 being connected, you know, there is some type of wall
4 structure either connecting two buildings like how you
5 would traditionally connect a building. But we're
6 concerned about a trellis, seems sort of a temporary
7 structure that can eventually go away and then there
8 it is. You have two buildings on one lot.

9 MR. ETHERLY: So at this particular point,
10 it's perhaps the Office of Planning's thinking that as
11 long as there's a more formalized connection, one
12 which perhaps takes on more, as you say, kind of a
13 building type of feel, there's a wall, there's a
14 ceiling, there's some supports to it, as opposed to
15 something that's perhaps a little more open air, a
16 little more -- I don't want to say an architectural
17 embellishment. I think a trellis is a little more
18 substantial than that, but I think -- is that an
19 appropriate characterization of the direction in which
20 you would want to go? With that in mind, based on
21 what you've heard from the Applicant, does that give
22 you a greater sense of comfort that it's heading in
23 the right direction or do you think there's still more
24 that needs to be done with this trellis connection?

25 MS. THOMAS: Yes, I'm agreeing with what

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 you're saying that something more substantial that
2 would meet the intent of the definition under 199.
3 The Applicant has stated that they would consider more
4 permanent like -- do you want to repeat what it is you
5 said?

6 MS. BROWN: A canvas covering or
7 plexiglass is what we've suggested if that's the
8 direction we actually need to take.

9 MS. THOMAS: Yes, we're not going to
10 dictate what exact form it should dictate, but
11 something more permanent than a trellis.

12 MR. ETHERLY: But I think just to put it
13 candidly, it sounds like what you're worried about is
14 you kind of said in your report, but just to
15 paraphrase, you don't want Applicant's coming in
16 trying to pass off and I'm definitely -- I don't think
17 we're anywhere near that situation here, but your
18 concern is you don't want the slippery slope to come
19 about where we have two buildings being passed off as
20 one by virtue of some basic communication between the
21 two of them, some basic connection between the two.

22 MS. THOMAS: That's correct. In our
23 opinion, we see a trellis as an embellishment.

24 MR. ETHERLY: Thank you. Thank you, Madam
25 Chair.

NEAL R. GROSS

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

1 CHAIR MILLER: Okay, I have some other
2 questions. First of all, is your concern with the
3 trellis only when it's used as a connector?

4 MS. THOMAS: For two buildings?

5 CHAIR MILLER: Yes.

6 MS. THOMAS: Yes.

7 CHAIR MILLER: So for instance, if there
8 was an addition to a single family dwelling that had
9 a trellis over a deck, that wouldn't be a problem?

10 MS. THOMAS: No, a trellis over a deck
11 because the deck is counted toward lot occupancy by
12 itself.

13 CHAIR MILLER: It's not the question of
14 walls then or a covering in that case. Why don't we
15 have to have walls and a covering?

16 MS. THOMAS: The trellis in that instance
17 with the deck isn't doing anything. It's not
18 connecting another building. It's a structure. It
19 becomes an embellishment in that instance, if it's
20 over a deck or something. That's an embellishment.

21 CHAIR MILLER: So a deck is okay, but it
22 doesn't have walls under 191.1 like a building, but a
23 deck can be an addition with a trellis?

24 MS. THOMAS: A deck could be an addition
25 with a trellis, yes.

NEAL R. GROSS

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

1 CHAIR MILLER: So they have here a patio
2 with a trellis, counting towards lot occupancy,
3 leading to another dwelling and your problem with that
4 in their counting the lot occupancy for the patio and
5 the trellis, so how is that so different from a deck
6 and a trellis?

7 MS. THOMAS: Is that a patio? Is it being
8 described as a patio?

9 MR. ANTOINE: As a porch, yes. As a
10 covered -- we don't need to use the word trellis.
11 It's a covered connection over a porch that is common
12 to both of these flat, or to the flat and the
13 addition.

14 As it's presented in the application, it's
15 a 190 square foot porch addition with that coverage.

16 MS. THOMAS: So are you saying that the
17 main structure that's connecting the two buildings is
18 a porch?

19 MR. ANTOINE: A floor and a roof and
20 beams. There are no walls on two of the sides. There
21 are certainly walls on two where the existing and the
22 addition are.

23 MR. ETHERLY: Would you -- just as a
24 piggyback on that, would you describe the proposed new
25 porch as something of a -- what's the word I'm looking

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 for? Does it to an extent try to harken back to the
2 porch of the original shotgun structure, so to speak?

3 MR. ANTOINE: It's the back porch versus
4 the front porch that is also restored on E Street.

5 MR. ETHERLY: I think one of the pieces
6 that's perhaps unique about this that may take it out
7 of the realm of the slippery slope that I understand
8 the Office of Planning is concerned about is you do
9 have the very unique structure of the shotgun property
10 that you're dealing with and I think both the HPRB
11 documents that we have in the file now speak to the
12 architectural nature and character of the original
13 property and the effort, the concern on the part of
14 HPRB to ensure that the addition is done in a way
15 that's -- that maintains the character and is
16 respectful of the original property.

17 I think to an extent the porch/trellis,
18 however we want to refer to it, but it might be more
19 appropriate to call it a porch. I think perhaps is a
20 very important piece of that milieu that might take it
21 out of the realm of the concern that OP rightfully has
22 which is is it just a communication to make two
23 buildings one for the purposes of getting the 223 as
24 opposed to another portion of the zoning regs.

25 MS. THOMAS: I would have to -- the Office

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 of Planning, we would still want to question the issue
2 of the porch. Me personally, I have no problem with
3 it.

4 MR. ETHERLY: Understood.

5 MS. THOMAS: I have no problem with seeing
6 that, but if that's how it's approached, but that's
7 something I would try to get a better feel from the
8 Office of Attorney General or the ZA.

9 CHAIR MILLER: Ms. Thomas, did Office of
10 Planning look at past BZA decisions or court cases
11 with respect to the question of whether a trellis
12 cannot be a communicator with respect to a 233?

13 MS. THOMAS: In our discussions I know --
14 communication, whatever they call it, I know in our
15 discussions, we knew that the Board approved this in
16 the past, but I'm not clear as to how exactly it was
17 done or how it was approved, what was the specific
18 language. I don't know. I really can't say.

19 CHAIR MILLER: Okay, and another question
20 I have, 223 uses the word "addition", "an addition to
21 a one family dwelling or flat." And I'm wondering are
22 you aware of that, is there a definition for addition
23 in the regulations that limit it in some way to walls
24 on both sides?

25 MS. THOMAS: I'm not aware right now.

NEAL R. GROSS

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

1 CHAIR MILLER: Or that the top needs to be
2 covered?

3 MS. THOMAS: I'm not fully aware right
4 now. I'll have to check.

5 CHAIR MILLER: Okay.

6 MS. THOMAS: We specifically looked at --
7 when I spoke to the Office of the Attorney General, we
8 focused on the definitions of building and structure.

9 CHAIR MILLER: Right.

10 MS. THOMAS: And when it came to
11 structure, hold on --

12 (Pause.)

13 CHAIR MILLER: But 223 talks in terms of
14 addition.

15 MS. THOMAS: That's correct. This is why
16 we have any concern. This is why we have any
17 question, should this come under a different section
18 under 225.16. An addition means adding to an existing
19 structure, straight add-ons to an existing structure.
20 Now we're trying to connect two separate buildings, so
21 does this --

22 CHAIR MILLER: Am I understanding
23 correctly that the other building hasn't been built
24 yet so it's not connecting to another building, it's
25 adding on to the building that's there by means of

NEAL R. GROSS

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

1 this trellis going back and the whole shotgun manner
2 to another -- and adding then a filled-in dwelling.
3 So I mean the trellis does act as a connector in the
4 end, but it's not connecting to existing buildings.

5 Am I correct on that? Okay.

6 MR. ANTOINE: It's connecting on one side
7 to the existing shotgun, to the back of the existing
8 shotgun.

9 CHAIR MILLER: Right, and then you're
10 connecting another dwelling to that. Okay. Okay, I'm
11 sorry for all that time, but this is an important
12 issue.

13 MS. THOMAS: Yes, I know.

14 CHAIR MILLER: And I think that we are
15 probably -- we are going to taking until July 5th to
16 decide this case in giving everyone an opportunity to
17 brief this issue further.

18 Just for the record, I did a little bit of
19 research and I want to bring to the attention what I
20 looked at and one case is Application No. 11889, a BZA
21 decision in 1975 that dealt with a deck with a trellis
22 over it being attached to a single-family dwelling.
23 And that BZA order found in a finding of facts that
24 the proposed addition and row dwelling are treated as
25 one structure in applying the pertinent requirements

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 of the zoning regulations.

2 And then the other case that I found of
3 some significance was a Court of Appeals case, Tyco
4 Gotto case, 423 A.2d 917 (1980), in which the Court of
5 Appeals found a problem with the Board of Zoning
6 Adjustment considering a communication of pipe
7 underground connecting two buildings, but they didn't
8 say anything about any communication above ground.

9 MS. THOMAS: Right. I think the
10 definition here specifically states above ground, so
11 I don't know how that one would apply.

12 CHAIR MILLER: Right. Well, anyway, I'm
13 just saying from my very preliminary review of some
14 law and I think the parties here can brief it fully,
15 the only communication between buildings that I found
16 that wasn't allowed was this kind and it is in the
17 regulations. It says you can't count that like
18 conduits or pipes underground. But I haven't found
19 anything that says anything about a trellis or about
20 why does it have to be a certain percentage filled in
21 order to be allowed. So the parties can address that,
22 I hope, in the next couple of weeks.

23 I have another question, adverse impact.
24 Would there be, in your opinion, a greater adverse
25 impact on light, privacy, scale, character of the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 neighborhood with a filled in addition as opposed to
2 the trellis proposal before us?

3 MS. THOMAS: From what I understand I
4 don't believe in our discussions we thought it would
5 cause any privacy issues or light and air issues.

6 CHAIR MILLER: What wouldn't, the trellis
7 proposal or the filled in?

8 MS. THOMAS: The filled in.

9 CHAIR MILLER: Which do you think would
10 have a lesser adverse impact?

11 MS. THOMAS: Well, the lesser would be
12 it's all airy, obviously.

13 CHAIR MILLER: Okay, thank you. Okay, I
14 don't have any other questions.

15 MR. ETHERLY: If I could, Madam Chair, let
16 me come back to HPRB for a moment because I think the
17 HPRB discussion was kind of a very helpful one and I
18 want to get a little bit of a sense and then perhaps
19 even touch on the Capitol Hill Restoration Society
20 submittal. With respect to HPRB and this can go to
21 either the architect or to Ms. Brown, was there a
22 sense that a larger connection or communication
23 between the two structures begins to, in some way,
24 impose or impact the original structure?

25 Could you speak a little bit to that

NEAL R. GROSS

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

1 because I want to get a sense of what you feel from an
2 architectural standpoint as opposed to an HPRB
3 standpoint your limitations are in terms of what you
4 can do with that addition, that connection to the
5 addition and not run afoul of HPRB's thinking.

6 MR. ANTOINE: When we discussed a direct
7 connection or a direct structured and closed
8 connection between the two structures the feeling on
9 both HPRB's part, the staff's part and on our part
10 also was that that was less respectful of the
11 renovation of the shotgun house and that they should
12 be -- that that connection should be something that
13 was a different character than the built enclosed
14 structure of the shotgun and the built enclosed
15 structure of the new unit.

16 MR. ETHERLY: Okay. And with respect to
17 -- was there a presentation of any type to the Capitol
18 Hill Restoration Society as part of your process?

19 MR. ANTOINE: Yes, there was.

20 MR. ETHERLY: And was there any pointed
21 discussion at that meeting or at that presentation
22 about the connection between the two?

23 MR. ANTOINE: Similar discussion and we,
24 in fact, had joint meetings with representatives of
25 CHRS's Preservation Subcommittee and Historic

NEAL R. GROSS

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

1 Preservation Division staff and discussed just those
2 issues.

3 MR. ETHERLY: Okay, that covers it, Madam
4 Chair. Thank you.

5 CHAIR MILLER: I have one more follow-up
6 question for Ms. Thomas.

7 Would you explain to me why you think 2516
8 would work in this case? Office of Planning has said
9 that this should be -- in their report, said that this
10 shouldn't be a 223, it should be a 2516.

11 MS. THOMAS: That addresses, it provides
12 a special exception relief for having two buildings on
13 one lot. On the face of it, I do believe that it
14 would meet those tests, much better than the issue of
15 the trellis. We just have concerns about the trellis,
16 that being used. To us, it's an embellishment, more
17 of an architectural embellishment than a structure as
18 defined.

19 So anything else that falls under that
20 would have to come under two buildings on one lot.
21 And we believe this is a more appropriate section to
22 address the development of the flat.

23 CHAIR MILLER: Okay.

24 MS. THOMAS: With the shotgun house.

25 CHAIR MILLER: Okay. Does the Applicant

NEAL R. GROSS

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

1 have any questions for the Office of Planning?

2 MS. BROWN: I was going to comment and add
3 to the discussion on the trellis connection issue. I
4 can do that now or I can do it in closing.

5 CHAIR MILLER: Closing, yes, let's wait
6 for closing which may be pretty soon.

7 MS. BROWN: Yes.

8 MR. ETHERLY: Madam Chair, if I could, let
9 me also ask something I neglected to ask in kind of
10 that rundown of discussions at HPRB and at the Capitol
11 Hill Restoration Society. We are, of course, in
12 receipt of Exhibit 22 which is the ANC-6B report on
13 this particular application. Was there discussion at
14 the ANC regarding the addition and the connection, in
15 particular, on the property?

16 MR. ANTOINE: There was not as extensive
17 discussion. We certainly discussed how we were
18 structuring the addition and through the various
19 iterations of the plan, we did present to the ANC the
20 fully enclosed addition and the shared walls at an
21 earlier, I think, December meeting. That was not the
22 plan, but obviously it was voted on and unanimously
23 approved by the ANC with this structured addition,
24 structured connection.

25 MR. ETHERLY: And you've alluded to it in

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the written submissions and you just referenced it and
2 HPRB, of course, speaks to it somewhat, but it might
3 be helpful and obviously, it probably could be an
4 afternoon discussion to go through kind of the history
5 of the iterations of the project as you've gotten from
6 initial concept to where you are now, but could you
7 perhaps speaks a little bit to where you started in
8 terms of thinking about this addition and in
9 particular, the connection, and where you kind of
10 ended up? I think that might be helpful to give a
11 little bit of context.

12 Once again, I understand where the Office
13 of Planning is coming from and in particular as you
14 look at a community like Capitol Hill, perhaps, the
15 concern is that all of a sudden you have a new genre
16 of carriage houses that might start popping up on the
17 Hill that in some way are going to get done by going
18 through 223 by virtue of just having some
19 architectural embellishment connecting the two pieces
20 and once again, I don't think that's where we are with
21 this particular case because of the unique
22 architectural history of the original structure on the
23 lot. But I think it might be helpful just to give my
24 colleagues and I a sense of where you started from in
25 terms of a design for this originally and where you

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 are now.

2 MR. ANTOINE: Certainly, the design that
3 we're looking at now is pretty much the third
4 iteration, although it went through several kind of
5 tweaks in the middle. The first was a larger kind of
6 globbing on to the back of the shotgun house and
7 perhaps even building over some of the back of the
8 existing shotgun house. And again, I think everyone
9 from HPRB, from Historic Preservation Division staff,
10 CHRS, is really excited to see something happen with
11 the shotgun house. The size and that direct enclosed
12 condition space connection was an issue for all of
13 those bodies December when we were talking about this
14 structure.

15 So then we pulled it back. We did this
16 structured covered connection to the addition as the
17 second iteration. It was still a larger building,
18 larger footprint, larger square footage and there were
19 concerns about that size and obviously related to some
20 of the privacy issues and light and air that we're
21 dealing with here and so that was about the February
22 version. In the March and then the April HPRB is what
23 we're looking at now and there was audible sighs of
24 relief in terms of what we'd come up with in terms of
25 it's impact on the lot and the neighbor and the great

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 benefit of the renovation of the shotgun house that
2 has sat vacant and boarded up and is a privacy, a
3 safety and concern issue as it stands today and has
4 for years.

5 MR. ETHERLY: So initially, we were
6 looking at what might be defined or described as a
7 more traditional addition to the shotgun property.
8 You're essentially just going to glob right on to it
9 and by all indications, most interested observers and
10 parties were concerned about that from the standpoint
11 of one, light and air; but two, what kind of harm, if
12 any, architecturally, aesthetically it does to the
13 existing original property.

14 MR. ANTOINE: Yes, that it was
15 inappropriate for this exceptional and unique piece of
16 architecture in the Capitol Hill Historic District.

17 MR. ETHERLY: Do you see this and this may
18 be a difficult question to answer because you probably
19 haven't necessarily done any type of survey on the
20 Hill, but do you see this particular property as a
21 frequent occurrence or based on your familiarity are
22 there other properties of this type on the Hill?

23 MR. ANTOINE: We have not done that
24 specific survey, but we've been reminded over and over
25 again by the people that are intimately familiar with

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the neighborhood, with CHRS and neighbors, that this
2 is one of only two structures like this. The one, I
3 believe, is on 8th Street on the other side of
4 Pennsylvania that has already gone under a renovation
5 and an addition to that structure.

6 My opinion wouldn't set a precedent for
7 more shotgun house renovations, additions because
8 there are none out there to be had.

9 MR. ETHERLY: And once again, I think
10 based on the record that we have, this house has been
11 dated back to 1850s?

12 MR. ANTOINE: Pre-1853 and that's all they
13 know about it and again it's one of only two of that
14 type of that era that still exists in the District.

15 MR. ETHERLY: And just because it was
16 referenced in the HPRB report it really has perhaps no
17 zoning basis, but just out of curiosity and being an
18 avid Discovery Channel watcher, was there any
19 agreement regarding some of the archeological comments
20 that HPRB included in its report in terms of doing
21 some addition, whether it's excavation work or just
22 some archeological exploration before moving forward,
23 should you receive approval?

24 MR. ANTOINE: Yes, as part of the
25 conceptual approval, JPI proffered to do archeological

NEAL R. GROSS

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

1 test pits on both this property and the property that
2 we'll talk about in the next case.

3 MR. ETHERLY: Excellent, thank you. Thank
4 you, Madam Chair.

5 MR. MANN: I have one minor question. How
6 is this unit going to be accessed? How will the
7 occupants access the unit?

8 MR. ANTOINE: The addition?

9 MR. MANN: Yes.

10 MR. ANTOINE: From the drive, the drive
11 that goes on the side and the side -- the conforming
12 side yard to the shotgun house ends in another porch
13 that's not covered to the front door pretty much at
14 the end of that drive.

15 MR. MANN: Okay.

16 MR. ANTOINE: It can also be accessed from
17 the covered porch in the front.

18 MR. MANN: By walking through --

19 MR. ANTOINE: By another door.

20 MR. MANN: Right.

21 MR. ANTOINE: Right.

22 CHAIR MILLER: You probably just said
23 this, but I just want to make sure. Two dwellings,
24 you can access each of -- you can go from the back
25 dwelling to the front dwelling through the porch, it

NEAL R. GROSS

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

1 provides access to both places?

2 MR. ANTOINE: Yes, it does.

3 CHAIR MILLER: Okay. Thank you. I asked
4 this earlier, but just in case someone has come in, is
5 there anybody here from the ANC?

6 Okay, we do have a letter of unanimous
7 support from ANC-6B that was voted upon at a regularly
8 scheduled and properly noticed meeting with a quorum
9 present. So we can give great weight to that.

10 Okay, are there any parties or persons in
11 support of this application here to testify?

12 Not seeing any, are there any parties or
13 persons in opposition here to testify today?

14 So that brings us to closing remarks.

15 MS. BROWN: Thank you, Madam Chair. To
16 get back to the issue of this connection, what I'd
17 like to do is briefly read the definition of building
18 under the zoning regulations. It is a structure
19 having a roof supported by columns or walls, so that
20 gets to your question of whether you need the walls in
21 order for it to be a structure. You do not. You need
22 just to have columns and a roof.

23 We believe that -- I'll finish th
24 definition and re-read it again. "A structure having
25 a roof supported by columns or walls for the shelter,

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 support or enclosure of persons, animals or chattel."
2 So if you have the porch that is covered by a trellis
3 that has a roof and columns, that it encloses, it
4 becomes a shelter for persons, that does meet the
5 definition of building, so it is a legitimate
6 connection. I think that the cases that you cited
7 from 1975 would be persuasive support for that
8 position as well.

9 CHAIR MILLER: Excuse me, I don't usually
10 do this, but where are your columns?

11 MR. ANTOINE: There are four posts pretty
12 much parallel to the sidewalls of the shotgun house
13 carrying through. I think Erin can probably point to
14 them. There. They're about 16 inch by 16 inch piers
15 as we're conceiving them now. So they're substantial
16 columns.

17 CHAIR MILLER: Thank you.

18 MS. BROWN: And I think to get to the
19 Office of Planning's point about whether or not we're
20 setting some sort of precedent by having -- by anyone
21 using a trellis as a connection between an existing
22 garage and a house, if it -- clearly, it would meet
23 the -- under the Office of Planning's viewpoint the
24 definition, if it's covered, it's done all the time
25 and there are many examples of people connecting their

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 main house to the garage with more substantial
2 structures than just perhaps the trellis or the
3 connection that we're using in this case.

4 Again, more examples keep coming to mind
5 as I'm sitting here. There's the one at 4000
6 Wisconsin Avenue, the McDonald's that connects the
7 Channel 9 news building and there's a connection.
8 It's more substantial. It's either a metal or a
9 canvas connection, but it's there for a reason. It's
10 to make sure that there are two buildings -- one
11 building for zoning purposes.

12 There's another case, a BZA case that I
13 can submit for the record that's upper Connecticut
14 Avenue. It's a U-shaped building and again they used
15 a canvas cover to make it one building for zoning
16 purposes, a connection. And that was an appeal case
17 and it was upheld for using the canvas, so I think --
18 but based on the other cases that we have submitted to
19 the record that even the 51 percent or 60 also would
20 suffice, but again, we will do what needs to be done
21 in order for it to meet the definition of building and
22 a legitimate connection under the zoning regulations.

23 Thank you. We believe that we do meet the
24 test for a special exception relief under Section 223
25 and we would hope that you could grant this

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 application. Thank you very much.

2 CHAIR MILLER: Are there any other
3 questions from the Board Members?

4 Okay, what we're going to do then is set
5 this for July 5th decision and Mr. Moy, could you give
6 us a date in which any supplemental pleadings could be
7 filed for our consideration for our decision?

8 MR. MOY: Ms. Bailey, do you have a date?
9 I don't have my calendar with me.

10 MS. BAILEY: June 27th. Would that be
11 sufficient for you?

12 MS. BROWN: Yes, Madam Chair, that's
13 sufficient for the Applicant.

14 CHAIR MILLER: What I'd like to suggest is
15 first of all that you -- you can do this in one of two
16 forms. You could submit a proposed order if you like
17 or you could brief it, but I want to suggest that you
18 definitely address in either a proposed order or a
19 briefing is this issue about the trellis and the
20 connection. There are issues that Office of Planning
21 has raised.

22 In addition to that, in general, you seem
23 to be addressing certain degrees of filling in and if
24 you could address that, whether that's established in
25 law anywhere, that it matters anywhere from an open

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 deck to a trellis to the 50 percent filled, 60 percent
2 filled, canvas, whatever distinctions you think there
3 are or aren't should be addressed, and then make sure
4 we do have all the calculations we need. It sounds
5 like they're probably in here, but that if we're
6 talking about the lot occupancy under the trellis, if
7 it's in your paper it's great, if it isn't, take the
8 time to supplement and put that in.

9 Do my Board Members have any other
10 questions to address?

11 Okay, I think that's it. You basically
12 know what the issue is here. And I would say that if
13 Office of Planning has any more that they want to say
14 on the record on this issue that they're welcome to
15 submit supplemental report by that date as well.

16 June 27th, is that correct, Ms. Bailey?

17 MS. BAILEY: June 27th, Madam Chair, for
18 submissions.

19 CHAIR MILLER: Right, that's really up to
20 Office of Planning. We're not necessarily seeking a
21 report, but we want to give you the opportunity if you
22 would like to.

23 MS. THOMAS: Okay.

24 CHAIR MILLER: Okay, anything else on this
25 case?

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Thank you very much.

2 MS. BROWN: Madam Chair, thank you.

3 CHAIR MILLER: Ms. Bailey, you can call
4 the next case, whenever you're ready.

5 MS. BAILEY: Application No 17332,
6 Application of JPI Apartment Development LP, on behalf
7 of Larry D. and Carol K. Quillian, pursuant to 11 DCMR
8 Section 3103.2, for a variance from the lot occupancy
9 requirements under section 772, and a variance from
10 the residential recreation space requirements under
11 subsection 773.3, to allow the construction of a 47-
12 unit residential condominium in the Capital Hill
13 Historic District. It's also zoned C-2-A and it's
14 located as 1230 Pennsylvania Avenue, S.E., Square
15 1019, Lot 55.

16 If I'm not mistaken, there was a request
17 for roof structure provisions, however, that has been
18 withdrawn, so that's no longer on the table.

19 That's it, Madam Chair.

20 CHAIR MILLER: Good morning. I want to
21 ask you to identify yourself for the record again,
22 since this is a different case.

23 MS. BROWN: Thank you, Madam Chair. For
24 the record, my name is Carolyn Brown with the law firm
25 of Holland & Knight on behalf of the Applicant, JPI

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Apartment Development, LP.

2 With me here today is Mr. Greg Lamb and
3 Mr. Carlos Bonner of JPI and the architect, Mr. Murphy
4 Antoine and Erin Christensen from Torti Gallas.

5 Again, I believe you have our complete
6 submission in the record for the pre-hearing statement
7 and copies of the letters of support from the ANC and
8 from the Capitol Hill Restoration Society. I believe
9 that's Tab E in this pre-hearing submission. And
10 again, we are not aware of any opposition in this case
11 and again, we have overwhelming support from the
12 community for this project.

13 We are appearing before you today to
14 request two area variances, that increase the maximum
15 permitted percentage of lot occupancy from 60 percent
16 to 63 percent and a reduction in the required amount
17 of residential recreation space from 20 percent to 8
18 percent.

19 As Ms. Bailey mentioned, we had originally
20 requested roof structure relief. We had two different
21 stair tower enclosures. We have now reduced that to
22 one, so we no longer require that relief.

23 Additionally, since the time our
24 prehearing statement was submitted two weeks ago, the
25 design of the building has been slightly modified to

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 include a couple more projecting balconies out the
2 rear. We had gotten it down to 62 percent, but this
3 maintains it at 63 percent lot occupancy. I have
4 revised drawings here and also a revised plat that
5 shows this change.

6 CHAIR MILLER: What did you say? Did it
7 come down to 62 percent or it's now back to 62 --

8 MS. BROWN: We were at 63 percent. We had
9 hoped that we had reduced it to 62 percent during the
10 HPRB review process, but we were unable to achieve
11 that. The drawings that were submitted to you show 62
12 percent, but we were unable to make that work. So
13 it's at 63 percent just like it has always been in the
14 initial request. So I'm sorry I even mentioned the 62
15 percent.

16 CHAIR MILLER: Okay.

17 MS. BROWN: I confused for no good reason.
18 Again, this project represents an opportunity to
19 redevelop a long, under utilized site at a critical
20 location along Pennsylvania Avenue with a significant
21 residential project containing 44 units and 22 parking
22 spaces.

23 Again, this project has very exceptional
24 and unique conditions inherent in the property.
25 Number one, it's a very unique shape, trapezoidal with

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 a jagged rear lot line. There is an existing historic
2 rowhouse that contributes to the Capitol Hill Historic
3 District that must be maintained. It's not centrally
4 located on the site. It's off to one side, but not to
5 the exact side edge, so we have to have an unusual
6 building configuration around it.

7 There's no alley access to the rear of the
8 property, so we have to get the parking in off the
9 Pennsylvania Avenue almost through the building, so
10 these unique and unusual conditions create a practical
11 difficulty in meeting the strict application of the
12 lot occupancy and residential recreation space
13 provisions.

14 As the architect will describe in greater
15 detail, because of the reduction in the building
16 height at either end, due to historic preservation
17 constraints, the footprint of the building bumped out
18 just a little bit at the end to make sure that we have
19 the space that we needed. It was also to create the
20 most efficient interior configuration for the
21 building, included the double loaded corridor, which
22 is really crucial for any type of residential
23 building.

24 Additionally, in order to create enough
25 parking for this project and a viable number of

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 residential units, the amount of residential rec space
2 provided as I mentioned is only 8 percent instead of
3 the required 15. I misspoke earlier. It was 15
4 percent requirement.

5 As you will hear from the architect, there
6 is ample opportunity for active and passive recreation
7 in the neighborhood, however, by virtue of the Watkins
8 recreational center which is one block to the north.
9 It's a huge facility with basketball courts, baseball
10 fields, swimming pool. It was quite a bit to offer,
11 this particular residential development and there's
12 also the passive opportunities for recreation along
13 Pennsylvania Avenue's restaurants and retail
14 establishments.

15 Our statement in support of the
16 application, at pages 4 to 8, and the report of the
17 Office of Planning, demonstrate very clearly how the
18 three prong test for variance relief is met. If you
19 have no preliminary questions, I would like to proceed
20 with the testimony of our architect, Mr. Murphy
21 Antoine.

22 Thank you.

23 CHAIR MILLER: I have a preliminary
24 question, but the architect may address this, you
25 know, as he does his presentation. But my basic

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 question is what would happen to the building if you
2 came in at 60 percent as opposed to 63 percent that
3 goes to the practical difficulty prong and I have a
4 feeling that he'll address that, but I wanted to throw
5 that out there so you do address it. Thank you.

6 MR. ANTOINE: Certainly. Would you like
7 me to go ahead and answer that question now?

8 We would --

9 CHAIR MILLER: Whatever works for you. If
10 it works better in your presentation, that's fine.
11 It's just a question I'd like you to answer.

12 MR. ANTOINE: For the record, my name is
13 Murphy Antoine. Good morning, Madam Chair, and
14 Members of the Board. I am an architect and planner
15 with Torti Gallas representing JPI as the contract
16 purchaser for the property at 1230 Pennsylvania.

17 The proposal is for new construction of 43
18 condominium units and the renovation of one existing
19 rowhouse at the exact address of 1230 Pennsylvania.
20 The lots actually would go from 1214 to 1232
21 Pennsylvania and the new construction building wraps
22 around that existing rowhouse at 1230 that would be
23 renovated. Twenty-two parking spaces for those 44
24 units that are created with the new construction and
25 the renovation. A four-story building with a basement

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 at its center, three stories at the sides with the
2 basement, except for the area that the -- that we go
3 through the building to get to the back to get to the
4 parking.

5 Again, we're looking for variance relief
6 in the required residential recreation space and in
7 the lot occupancy. The shape and size of the block,
8 again, was referred to as it has a jagged edge in the
9 back and with the diagonal, gives us a unique shape.
10 It also is unique in its size in that it's not -- it's
11 larger than a single lot, but it's not quite enough of
12 a block and the -- really, the existence of the
13 contributing rowhouse at 1230 in the middle of the
14 block requiring us to wrap any new structure around
15 that and renovate contributes to the exceptional and
16 unique character of the site.

17 CHAIR MILLER: Can I interrupt you for one
18 second?

19 MR. ANTOINE: Certainly.

20 CHAIR MILLER: What do you mean it's
21 larger than a single lot, is that what you said?

22 MR. ANTOINE: It's larger than a single
23 rowhouse lot which is sort of the typical subdivision
24 along Pennsylvania avenue and in back along the E
25 Street side. So it's not as straight forward as just

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 renovate that rowhouse, look at that rowhouse, that 16
2 foot slice. It's 187-foot wide lot which is a larger
3 lot to configure, but again, it's not access from the
4 alley, it's not as big as an entire block or half a
5 block. It has these exceptional characteristics in
6 its access in the existing structure that makes it
7 unique.

8 CHAIR MILLER: Thank you. Okay.

9 MR. ANTOINE: The practical difficulties,
10 I'll talk a little bit about the lot occupancy.
11 Again, having to wrap around that existing rowhouse
12 limits our footprint, limits what we can do in terms
13 of the built structure. The specific HPRB
14 requirements in terms of transitioning the building at
15 its ends adjacent to 1214 and adjacent to 1232 meant
16 we needed to bring that part of the structure down to
17 three stories and that is more than anything what
18 really pushed the lot occupancy up to the 63 percent
19 because we lost that buildable square footage in the
20 build down. so in the CHC overlay, in the CHC
21 District where we're given a .5 FAR bonus because of
22 the HPRB demands, we can only take advantage of about
23 -- we're up to 2.69 FAR and that is with the 63
24 percent, 63 percent lot occupancy. So if we pushed
25 it to 60 percent, we'd lose units. We'd lose square

NEAL R. GROSS

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

1 footage. We're already not able to take advantage of
2 the full CHC 3.0 FAR and so we would be constrained
3 even further.

4 CHAIR MILLER: Do you know how many units
5 you would have lost? How much square footage?

6 MR. ANTOINE: We lost one or two units
7 just looking at the straight numbers.

8 CHAIR MILLER: Okay.

9 MR. ANTOINE: Again, our testimony is that
10 there's no detriment to the public good of the zoning
11 in the recreation space. There's an entire block --
12 one block away at E Street, the Watkins Recreation
13 Center. Again, with the ball fields, the swimming
14 pool, this is an entire block of recreational space,
15 pretty much around the corner from the new proposal
16 and then all of the passive recreation, retail
17 activities along Pennsylvania Avenue, along Barracks
18 Row that again would be proximate and available to the
19 new proposed building.

20 Again, the lot occupancy from 60 percent
21 to 63 percent, we feel it's a modest deviation and
22 actually contributes more to the light, the provision
23 of light and air for those adjacent units, so again,
24 we were forced to build out a little bit in footprint
25 to get to 63 percent to make up for some of those

NEAL R. GROSS

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

1 reductions in carving out at 1232 and 1214 and again,
2 our testimony is that that actually increases light
3 and air and open space for those adjacent units. So
4 it's a benefit that gets traded off for the lot
5 occupancy.

6 MS. BROWN: Madam Chair, that concludes
7 our direct case in chief and we'd be happy to answer
8 any questions that you may have.

9 MR. MANN: You mentioned at the beginning
10 of the presentation that a double loaded corridor is
11 crucial. Is that crucial from an engineering and
12 architecture standpoint or from an economic
13 standpoint?

14 MS. BROWN: I would guess it's better for
15 the architect to answer that question and the
16 Applicant, but I would assume it's both.

17 MR. MANN: Okay.

18 MR. ANTOINE: All of the above, certainly
19 trying to do a single loaded corridor is inefficient
20 structurally. It's inefficient use of the space and
21 that definitely has impacts on the viability of the
22 project for the Applicant.

23 MR. MANN: Okay. Do I understand
24 correctly that everything that's cross hatched on your
25 exhibit A-3.4 is the residential rec space?

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MR. ANTOINE: That's correct.

2 MR. MANN: And in figure 2, is some
3 residential rec space on -- I don't know if that's
4 oriented north-south, but on the lefthand side, what
5 is the dimension of that roof deck going from left to
6 right?

7 MR. ANTOINE: From the east to west
8 dimension on the western edge is 24 or 25 feet wide
9 and on the eastern edge is 32.

10 MR. MANN: It says 24 feet wide. Ms.
11 Brown, do you know if there's any requirement for a
12 minimum dimension for a roof deck to be considered as
13 residential rec?

14 MS. BROWN: I am not aware of any minimum
15 dimension.

16 MR. MANN: Well, I think actually Section
17 773.7, unless I'm misinterpreting the presentation or
18 the regulation, it says that if any portion of a roof
19 is to be used for residential recreation space, the
20 roof area shall have no dimension less than 25 feet.

21 MS. BROWN: I'm getting assistance from
22 Mr. Glasgow. He's going to answer it, yes.

23 Yes, we see Section 773.7.

24 MR. MANN: Okay, I mean I want to make
25 sure that I'm not misinterpreting this. It does say

NEAL R. GROSS

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

1 25 feet and the dimension of this says 24 feet,
2 correct?

3 MR. ANTOINE: Correct.

4 MR. MANN: So do I see a disconnect here?

5 MR. ANTOINE: Yes, you do. We could make
6 that deck 25 feet wide on the western portion of the
7 unit.

8 MR. MANN: So the plans would be amended
9 to make that a 25 foot dimension and then it's
10 possible, although I'm not certain that you might end
11 up with the same problem on the opposite side where
12 there's a slight indentation. The full dimension of
13 the deck of 30.5 feet, but it's unclear whether or not
14 the 25-foot dimension will be met where the
15 indentation occurs.

16 MR. ANTOINE: Correct, the indentation, I
17 believe is 6 to 8 feet, so it would probably have an
18 impact at the 8 feet.

19 MR. MANN: Okay, so that portion may
20 require some adjustment to the amount of relief sought
21 or would you be able to adjust that so that it's a
22 minimum dimension of 25 feet?

23 MR. ANTOINE: We'd have to go back and
24 take a look at that. I can't say off the top of my
25 head.

NEAL R. GROSS

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

1 We can't go over the rowhouse certainly to
2 the west.

3 MR. MANN: Right.

4 MR. ANTOINE: And the question is could we
5 go closer to the property line on the east without
6 impacting our HPRB approved elevations which have some
7 sensitivity, the proportions there.

8 MR. MANN: But the one foot on the other
9 side is not as big an issue as this -- we need to take
10 a look at this one.

11 MR. ANTOINE: Okay.

12 MS. BROWN: I think what we're saying is
13 perhaps the percentage will change, but the area of
14 relief stays the same, so we do not need any
15 additional relief, it's just the percentage.

16 MR. MANN: I'm having a little trouble
17 processing that.

18 MR. ANTOINE: If we use on the eastern
19 side, if we get rid of that portion of roof deck that
20 is less than 25 feet for the 4 foot depth that it
21 doesn't comply, then we might be whereas now we're
22 providing 8.47 percent res rec space, it might go down
23 to 8.35.

24 MR. MANN: But that's just -- are you just
25 talking about the side with the indentation?

NEAL R. GROSS

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

1 MR. ANTOINE: Yes.

2 MR. MANN: Okay, the other side would
3 still require you to get to 25 foot dimension.

4 MR. ANTOINE: Yes.

5 MR. MANN: I see.

6 CHAIR MILLER: Isn't your other option to
7 ask for a variance from the 25 feet requirement?

8 MR. ANTOINE: Yes.

9 CHAIR MILLER: I mean if you think that
10 it's suitable for residential rec space?

11 MS. BROWN: Yes, and I think that's
12 probably the option we would prefer to just reduce the
13 overall percentage to a lowered number as opposed to
14 maybe reconfiguring it, but if we need to reconfigure
15 it, we will.

16 MR. ANTOINE: And to reduce the minimum
17 dimension from 25 to 24 for relief from that.

18 CHAIR MILLER: But I'm suggesting that you
19 might need another variance from the 25 foot
20 requirement, not just from the percentage required.

21 MS. BROWN: Well, I think what would end
22 up happening is that area would not count toward
23 residential recreation space. So instead of giving 8
24 percent, it wouldn't count -- we'd provide it, but our
25 number might be reduced to 7 or 6 percent. I don't

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 know what the calculation would be.

2 MR. GLASGOW: Ms. Miller, we've done that
3 before. We just said that if it's reasonable, provide
4 20 or 24 feet rather than even ask for the variance
5 for that. We just said we won't even count it as
6 residential recreation space. The space is there,
7 we're going to build the project in accordance with
8 the plans approved by the Board which is a requirement
9 in your regulations, so what's shown on there -- we
10 won't even count it as residential recreation space.
11 Therefore, you don't get hung up in all these
12 variances with the 24 feet width, rather than 25 feet,
13 when you're providing something reasonable and can be
14 used.

15 CHAIR MILLER: I guess my experience has
16 been in cases where we've just given variances from
17 the 25 feet requirement. Are you going to use it for
18 residential rec space in any event?

19 MR. ANTOINE: Madam Chair, my recollection
20 is that when we've experienced cases like this before,
21 although it's not been counted toward recreation space
22 in our deliberations, we've taken into account that
23 there's this additional space that can be used as
24 residential recreation space, even though it doesn't
25 meet the restrict requirements.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 So just as though we take into
2 consideration the other sort of recreational
3 alternatives, we include this in our thought process
4 as whether or not there are other alternative
5 residential recreation spaces available.

6 CHAIR MILLER: I think we've probably done
7 it both ways, which must be the situation.

8 Does Office of Attorney General have an
9 opinion on this?

10 MS. GLAZER: Madam Chair, I do recall a
11 case. I'm not sure which one where there was a change
12 in the percentage of the reduction and I don't see a
13 legal problem with that, however, I think the
14 application would have to be amended to reflect that
15 change and the calculations would have to be redone.

16 MS. BROWN: We can probably calculate you
17 that for you right now while we go through other
18 questions and we can get the exact percentage for you.

19 CHAIR MILLER: Okay, I mean if we go
20 through route, I just would want to be assured also
21 that that space is going to be used.

22 MS. BROWN: It would have to be if these
23 plans are approved. Obviously, it has to be built as
24 this would -- we would have to comply with what
25 drawings were approved.

NEAL R. GROSS

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

1 CHAIR MILLER: Okay, so we really may have
2 the option of going either way and it may not matter
3 which way we go, so okay.

4 MR. BONNER: Certainly, it's an amenity to
5 the building and it's going to help with the sales.

6 CHAIR MILLER: Are there other questions
7 from my Board Members?

8 I just want to see if you can fill out
9 this practical difficulty just a little bit more. And
10 I know there is one here, but basically I think on
11 page 7 you say that adhering to the 60 percent lot
12 occupancy requirement would require the Applicant to
13 add a floor to the two end bays with the HPRB has
14 specifically rejected. It sounds like that's one
15 which maybe you can elaborate on if you could and also
16 you also said you would lose units. I don't know if
17 these two are related or what, but if you could just
18 address it a little more.

19 MR. ANTOINE: They're related in that if
20 we take the 2.69 or 2.7 FAR which again is less,
21 significantly less than the allowable as the target
22 needed to make this a practical project, then we need
23 to make that square footage up somewhere.

24 The HPRB concern with building up to four
25 stories on the ends where you're adjacent to a 2.5

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 story townhouse is what's prohibiting us from building
2 in that -- building in that air space which pushed our
3 footprint out, again, given the 2.69, 2.7 FAR target
4 to make this a practical project. We had to make that
5 square footage up somewhere. It pushed the footprint
6 out. It pushed some of these projecting bays that
7 Carolyn referred to earlier out.

8 CHAIR MILLER: So if you push up, you
9 don't increase the lot occupancy, but if you go out,
10 you do?

11 MR. ANTOINE: Correct.

12 CHAIR MILLER: And you can't go because of
13 the HPRB constraints?

14 MR. ANTOINE: That's correct.

15 MS. BROWN: Madam Chair, I would refer you
16 to Exhibit or Tab D in our prehearing statement which
17 has the February HPRB staff report and the very first
18 recommendation that they make in their -- I guess it's
19 on page 3 of their report is consistent height along
20 Pennsylvania Avenue is incompatible with the character
21 of the Historic District and it was to exactly do
22 this, reduce the height. So it is there as their
23 official recommendation from February.

24 MR. ANTOINE: And again, the existing
25 rowhouse in the footprint of that and the unique

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 condition that creates, if that was not there, if that
2 had been allowed to go into demolition by neglect as
3 the other row houses on this lot had, then we could
4 get a 60 percent occupancy building on that lot, going
5 up and not building up over these ends, but because of
6 this special condition of needing to wrap around that
7 existing footprint and not being able to build above
8 that, is another condition on this site that is
9 exceptional.

10 CHAIR MILLER: Good. Okay, and why don't
11 you do the same thing with the residential rec space
12 which is 20 percent down to 8 percent. I mean I guess
13 -- if you had to do 20 percent, what would happen?

14 MR. ANTOINE: Again, you wouldn't have
15 the building. You wouldn't be able to park the
16 building in the way because of the access that we have
17 to access from Pennsylvania. We need to go through
18 the building to get to parking in the back and the 20
19 percent of that gross floor area is basically half of
20 the site if all of that was exterior and again, you
21 don't get a building that would cover half of this
22 site. There's just not a residential building
23 configuration that comes from that kind of footprint.

24 CHAIR MILLER: How much is the residential
25 rec -- what percentage of the residential rec space is

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 outside?

2 MR. ANTOINE: Of what we're providing?

3 CHAIR MILLER: Of what you're providing.

4 MR. ANTOINE: Of what we're providing, 90
5 percent is outside.

6 CHAIR MILLER: Okay, so you're meeting the
7 outside requirement, okay.

8 Is there a representative from the ANC
9 here today? Okay, not seeing one, then I think -- do
10 my Board Members have any other questions at this
11 point?

12 MR. MANN: Remind me again what the
13 parking requirement is for the building?

14 MR. ANTOINE: The parking requirement is
15 one space per two units, so at the 44 units, which
16 includes the renovated townhouse, we're providing 22
17 spaces, one space per two units.

18 MR. MANN: So you're meeting the minimum
19 requirement.

20 MR. ANTOINE: Yes.

21 MR. MANN: So it wouldn't be possible then
22 to say -- without relief -- taking parking spaces and
23 converting that to residential rec space?

24 MR. ANTOINE: Correct.

25 MR. MANN: Okay.

NEAL R. GROSS

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

1 CHAIR MILLER: I think we can go to the
2 Office of Planning now.

3 MS. THOMAS: Good morning, Madam Chair.
4 For the record again, I'm Karen Thomas for the Office
5 of Planning. The Office of Planning concurs with the
6 Applicant's statement regarding the property's
7 uniqueness, unique features which we believe creates
8 a practical difficulty meeting the zoning requirements
9 including the lot occupancy and recreational space
10 requirements.

11 We concluded, therefore, that the variance
12 has met the required tests and that it could be
13 granted without substantial detriment to the public
14 good and without substantially impairing the intent
15 and integrity of the zone plan and therefore we
16 recommended approval of increasing the lot occupancy
17 and a decrease in the minimum residential recreation
18 space.

19 Thank you.

20 CHAIR MILLER: Thank you. Do my Board
21 Members have any questions?

22 I guess we don't have any questions for
23 you on this one.

24 Does the Applicant have any questions for
25 Office of Planning?

NEAL R. GROSS

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

1 MS. BROWN: No, Madam Chair.

2 CHAIR MILLER: And you have a copy of
3 Office of Planning's report?

4 MS. BROWN: Yes, we do and we agree with
5 it.

6 CHAIR MILLER: All right.

7 MR. ETHERLY: Madam Chair, if I could, I
8 apologize for not jumping in. I wanted to just ask a
9 very brief question of the Office of Planning. At
10 page of your report, Ms. Thomas, it was referenced
11 that there was a telephone conversation with the
12 Department of Transportation regarding the proposed
13 application. And you noted that the Department of
14 Transportation did not have any objection to the
15 application.

16 Do you recall if there was any discussion
17 about and I'm looking for my reference, regarding a
18 vehicular access to Pennsylvania Avenue, that was
19 indeed the --

20 MS. THOMAS: I believe that was in the
21 nature of the discussion with respect to the curb cut
22 off of Pennsylvania Avenue. And since the Applicant
23 couldn't provide any, there's no alley access, that
24 wasn't a problem.

25 MR. ETHERLY: Okay, thank you. Thank you,

NEAL R. GROSS

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

1 Madam Chair.

2 CHAIR MILLER: Are there parties or
3 persons in support who wish to testify on this
4 application here today?

5 Not seeing any, are there any persons who
6 want to testify in opposition to the application?

7 Okay, then we're ready for closing
8 remarks.

9 MS. BROWN: Thank you, Madam Chair. We
10 have taken this time to recalculate the percentage of
11 residential recreation space being provided on site
12 and it is now 5.6 percent instead of 8 percent. We
13 believe through our testimony and evidence of record,
14 we have demonstrated that we meet the three prong test
15 for variance relief and we would ask for a decision
16 today, if you believe it's warranted and hopefully a
17 summary order.

18 Thank you very much.

19 CHAIR MILLER: I have one follow-up
20 question.

21 MS. BROWN: Yes ma'am.

22 CHAIR MILLER: Why is it preferable to ask
23 for a 5.6 variance down to 5.6 instead of another
24 variance from the 25 feet? Is it preferable to you?

25 MS. BROWN: It is preferable to us --

NEAL R. GROSS

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

1 CHAIR MILLER: Why is that?

2 MS. BROWN: And partly for notice reasons.
3 If we were to require a variance from this Section
4 773.4 potentially, we would need to readvertise.

5 (Pause.)

6 And Madam Chair, if there were no notice
7 issue, we're indifferent.

8 CHAIR MILLER: Okay, so basically the
9 provision that was cited in the notice was for a
10 percentage decrease. It wasn't from the deviation
11 from the 25 feet regulation. Okay, thank you.

12 (Pause.)

13 MR. MANN: Madam Chair, if I may, while
14 we're kind of getting our ducks in a row, I just
15 wanted to for purposes of ensuring that the record is
16 full, Staff has suggested that it would be
17 appropriate, perhaps, to ensure that we have OP's
18 position on the record with respect to the 5.6
19 percentage as still being within OP's comfort ground.

20 MS. THOMAS: Yes, I don't believe we would
21 have any objection to that.

22 MR. MANN: Thank you, Madam Chair. Thank
23 you, Ms. Thomas.

24 CHAIR MILLER: Thank you, Mr. Etherly. I
25 think we're prepared to deliberate on this case at

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 this point then.

2 And why don't we deliberate under motion.

3 MR. ETHERLY: Madam Chair, it would be my
4 motion to approve Application 17332 of JPI Apartment
5 Development LP on behalf of -- where's my appropriate
6 sheetwork here -- thank you very much -- on behalf of
7 Larry D. and Carol K. Quillian, pursuant to 11 DCMR
8 3103.2, for a variance from the lot occupancy
9 requirements under section 772, and a variance from
10 the residential recreation space requirements under
11 subsection 773.3, to allow the construction of a 47-
12 unit residential condominium at the premises 1230
13 Pennsylvania Avenue, S.E. and I would invite a second.

14 CHAIR MILLER: Second.

15 MR. ETHERLY: Thank you very much, Madam
16 Chair. I think the record has been more than
17 adequately and satisfactorily filled out and completed
18 with respect to both of the variance tests. Clearly,
19 both the ANC, Office of Planning support has been
20 consistent in this regard as we've discussed
21 previously with respect to some of the particular
22 aspects of the subject property, in particular, its
23 irregular and as is referred in the Applicant's
24 submittal, jagged rear lot line clearly creates an
25 exceptional condition which contributes to a number of

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 considerations that impact both lot occupancy concerns
2 and residential rec space requirements.
3

4 If I could, I'll deal with the residential
5 rec space requirements first, because I think that's
6 a fairly straight forward discussion as is evidenced
7 by the record and we'll note that with the 4100 square
8 feet of residential rec space approximately -- 90
9 percent of which is outdoors or thereabouts, there
10 clearly is a substantial amount of options still
11 contained within the subject property and the project
12 as proposed for residents. And then as has been
13 alluded to, a number of options abound with respect to
14 -- in close proximity to the subject property.

15 As was discussed, with regard to some of
16 the HPRB considerations and concerns, we have a fairly
17 unique and very particular streetscape on Pennsylvania
18 Avenue that the Applicant has done very well to remain
19 consistent to with respect to the frontage on
20 Pennsylvania Avenue and some of the height issues as
21 have been discussed.

22 Clearly, I think, we are looking at some
23 very similar considerations with regard to lot
24 occupancy, in terms of the Applicant's efforts to
25 develop, once again, a streetscape that is consistent

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 with the existing frontage along Pennsylvania Avenue,
2 but also a project that internally is consistent and
3 works internally in terms of the building core.

4 With respect to the issue of substantial
5 detriment to the public good and the provision of
6 variance relief, without impairing the intent and
7 purpose and integrity of the zone plan, I think
8 clearly here we have a project that goes to great
9 lengths to respect Pennsylvania Avenue, the existing
10 residential streetscape, but while at the same time
11 bringing some much needed and continued development to
12 Pennsylvania Avenue.

13 I'll pause there, Madam Chair, and
14 encourage others to speak to the application, but I'm
15 very pleased to support the application.

16 CHAIR MILLER: Thank you, Mr. Etherly.
17 I just want to add a little bit to what you said.
18 Basically, this is one of those situations where the
19 developer had some real constraints with respect to
20 trying to develop around an existing historic dwelling
21 and in this case the developer is developing a
22 wraparound rowhouse and we actually heard the specific
23 constraint -- one of the constraints is that the
24 developer would have been able to build up were it not
25 for protecting the historic character of the property

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 and then in which case to make up for FAR, the
2 developer had to add the units on the end and that
3 brought the lot occupancy over by three percent which
4 is a modest deviation.

5 And then with respect to the residential
6 recreation requirements, I think that the property was
7 very limited with respect to location because of the
8 jagged configuration and also the whole wraparound
9 design and there was very limited space and they are
10 using fully the space that they could use without
11 losing so many units that they probably couldn't have
12 a residential building there. But we didn't really
13 have to go that far.

14 Also, there clearly was a practical
15 difficulty in providing 20 percent recreation space
16 and they're very near -- there's a great recreation
17 center, the Watkins Recreation Center very near the
18 property which has basketball courts, football fields,
19 baseball fields, softball fields, volleyball courts,
20 swimming pool, playground and a large multipurpose
21 room.

22 So I think there's no problem with
23 detriment to the public by not providing more
24 recreation space.

25 Are there any other comments anybody?

NEAL R. GROSS

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

1 MR. MANN: I have no additional comments.
2 I agree with you and Mr. Etherly.

3 MR. ETHERLY: I'll also note for the
4 record, of course, Madam Chair, as was indicated in
5 the presentation of the Applicant, that ANC-6B was
6 also in unanimous support of the application as was
7 the Capitol Hill Restoration Society and even though
8 the letter was not submitted directly for our record,
9 but rather to HPRB, in terms of their proceedings,
10 Ward 6 Council Member Sharon Ambrose was also in very
11 strong support of the application as well. So there's
12 a very clear and unbroken line of community support
13 for this development project as well.

14 CHAIR MILLER: Okay. If there are no
15 further comments, then all those in favor say aye.

16 (Ayes.)

17 All those opposed?

18 (No response.)

19 All those abstaining?

20 (No response.)

21 Would you like to call the vote, Ms.
22 Bailey?

23 MS. BAILEY: The vote is recorded as 3-0-2
24 to approve the application. Mr. Etherly made the
25 motion. Ms. Miller seconded. Mr. Mann is in

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 agreement. Mr. Griffis, nor any Zoning Commission
2 member is present today.

3 MS. BROWN: Thank you, Madam Chair.
4 Again, if a summary order is appropriate, we'd
5 appreciate it. Thank you.

6 CHAIR MILLER: You would like a summary
7 order?

8 MS. BROWN: Yes, please.

9 CHAIR MILLER: Okay, then in which case do
10 my colleagues have any --

11 MR. MANN: No objection, Madam Chair.

12 MR. ETHERLY: No objection.

13 CHAIR MILLER: Okay, then by consensus,
14 we'll waive our rules for issuing a final decision and
15 issue a summary order in this case.

16 MS. BROWN: Thank you, Madam Chair and
17 Board Members.

18 CHAIR MILLER: Thank you. Ms. Bailey, are
19 there any other cases for this morning?

20 MS. BAILEY: That's it for the morning
21 session, Madam Chair.

22 CHAIR MILLER: Okay, well, thank you very
23 much. This hearing is adjourned.

24 (Whereupon, at 12:01 p.m., the hearing was
25 recessed, to reconvene at 1:20 p.m.)

NEAL R. GROSS

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

A F T E R N O O N S E S S I O N

(1:20 p.m.)

CHAIR MILLER: This hearing will please come to order.

Good afternoon, ladies and gentlemen. My name is Ruthanne Miller. I'm the Vice Chair of the Board of Zoning Adjustment. Our distinguished chair, Mr. Griffis, is unable to be with us today, so I'll be presiding over these hearings with my distinguished colleague, Mr. Etherly, to my right, who is a Mayoral appointee; and with Mr. John Mann, to my left, who is an NCPC representative.

Also joining us today is Cliff Moy, from the Office of Zoning; Mary Nagelhout from Office of Attorney General; and Beverley Bailey from Office of Zoning.

Copies of today's agenda are available to you and are located to my left in the wall bin near the door. Please be aware that 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.

When presenting information to the Board, please turn on and speak into the microphone, first stating your name and home address. When you are

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 finished speaking, please turn your microphone off so
2 that your microphone is no longer picking up sound or
3 background noise.

4 All persons planning to testify, either in
5 favor or in opposition are to fill out two witness
6 cards. These cards are located to my left on the
7 table near the door and on the witness tables. Upon
8 coming forward to speak to the Board, please give both
9 cards to the court reporter sitting to my right.

10 The order of procedure for special
11 exceptions in variances is, one, statement and
12 witnesses of the Applicant; two, Government reports
13 including Office of Planning, Department of Public
14 Works, Department of Transportation, etcetera; three,
15 report of the Advisory Neighborhood Commission; four,
16 parties or persons in support; five, parties or
17 persons in opposition; six, closing remarks by the
18 Applicant.

19 Pursuant to Sections 3117.4 and 3117.5,
20 the following time constraints will be maintained.
21 The Applicant, Appellant, persons and parties, except
22 an ANC in support, including witnesses, 60 minutes
23 collectively; Appellees, persons and parties, except
24 an ANC in opposition including witnesses, 60 minutes
25 collectively. Individuals, three minutes. These time

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 constraints do not include cross examination and/or
2 questions from the Board.

3 Cross examination of witnesses is
4 permitted by the Applicant or parties. The ANC within
5 which the property is located is automatically a party
6 in a special exception or variance case.

7 Nothing prohibits the Board from placing
8 reasonable restrictions on cross examination including
9 time limits and limitations on the scope of cross
10 examination.

11 The record will be closed at the
12 conclusion of each case except for any materials
13 specifically requested by the Board.

14 The Board and the staff will specify at
15 the end of the hearing exactly what is expected and
16 the date when the persons must submit the evidence to
17 the Office of Zoning. After the record is closed, no
18 other information will be accepted by the Board.

19 The Sunshine Act requires that the public
20 hearing on each case be held in the open before the
21 public. The Board may, consistent with its rules of
22 procedures and the Sunshine Act, enter executive
23 session during or after the public hearing on a case
24 for purposes of reviewing the record or deliberating
25 on the case.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 The decision of the Board in these
2 contested cases must be based exclusively on the
3 public record. To avoid any appearance to the
4 contrary, the Board requests that persons present not
5 engage the members of the Board in conversation.
6 Please turn off all beepers and cell phones at this
7 time so not to disrupt these proceedings.

8 The Board will make every effort to
9 conclude the public hearing as near as possible to 6
10 p.m. If the afternoon cases are not completed at 6
11 p.m., the Board will assess whether it can complete
12 the pending case or cases remaining on the agenda.

13 At this time, the Board will now consider
14 any preliminary matters. Preliminary matters are
15 those which relate to whether a case will or should be
16 heard today such as requests for postponement,
17 continuance or withdrawal or whether proper and
18 adequate notice of the hearing has been given.

19 If you are not prepared to go forward with
20 a case today or if you believe that the Board should
21 not proceed, now is the time to raise such a matter.

22 Does the staff have any preliminary
23 matters, Ms. Bailey?

24 MS. BAILEY: No, Madam Chair, none. We
25 have none.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 CHAIR MILLER: If not, let us proceed with
2 the agenda.

3 MR. QUIN: Madam Chairperson, shall I
4 proceed?

5 CHAIR MILLER: Is this a preliminary
6 matter?

7 MR. QUIN: I was going to take a
8 preliminary matter, yes.

9 CHAIR MILLER: Okay. Let me say this,
10 there's only one case on the agenda, so I think we
11 ought to call the case and you can address the
12 preliminary matter.

13 MR. QUIN: Fine.

14 CHAIR MILLER: Let me first say would all
15 individuals wishing to testify today, please rise to
16 take the oath.

17 Ms. Bailey, would you administer the oath?

18 MS. BAILEY: Please raise your right hand.
19 Do you solemnly swear or affirm that the testimony you
20 will be giving today will be the truth, the whole
21 truth and nothing but the truth?

22 (THE WITNESSES WERE SWORN.)

23 CHAIR MILLER: Would you identify yourself
24 for the record, please?

25 MR. QUIN: Thank you, Madam Chairperson,

NEAL R. GROSS

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

1 Members of the Board. My name is Whayne Quin with
2 Carolyn Brown of Holland and Knight. We represent the
3 Protestant Episcopal Cathedral Foundation on behalf of
4 St. Alban's today in this case.

5 As you are probably aware, the school has
6 been negotiating over a period of time with the ANC-3C
7 and other organizations to reach a usage agreement.
8 We've met many times or to state it better, they've
9 met many, many times, but they're yet there yet and we
10 are very hopeful that an agreement will be reached.
11 So in an effort to make use of this time, what we
12 would like to do with the concurrence of the ANC is to
13 proceed with our case in chief, questions that would
14 come up by the Board, anyone else, any other party and
15 then we have perhaps a couple of witnesses that would
16 appear in support and get as far into the case as
17 possible today and then request a continuance while we
18 finish negotiating this agreement which, as I said,
19 we're very hopeful of successfully concluding and so
20 maybe it could be continued until next month.

21 We have talked to Mr. Nero about this just
22 briefly.

23 CHAIR MILLER: Did Mr. Nero indicate that
24 there was a time next month available?

25 MR. QUIN: He said that possibly on the

NEAL R. GROSS

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

1 26th of July, but I'm hopeful that this whole process
2 shortens any further hearing, so it would be hopefully
3 fairly brief.

4 MS. MACKWOOD: Madam Chair, Nancy Mackwood
5 for ANC-3C. I would support what Mr. Quin is
6 suggesting with a slight change.

7 We would support having the Applicant
8 present their case in chief. We would certainly
9 support anyone who has come down today to offer
10 testimony in support, that they be allowed to speak
11 out of turn so they don't have to return, but we would
12 prefer, strongly prefer that no additional testimony
13 after that, no government witnesses, the ANC, that no
14 one else testify.

15 I think we are close, I'm optimistic that
16 we are close to a usage and a parking agreement, that
17 will be relevant to these proceedings and if we are
18 successful, the ANC will undoubtedly ratify that
19 agreement and our position on the special exception
20 application could well change.

21 So the prospect that we're holding out is
22 that this could be an uncontested hearing, whereas
23 right now, it's a contested hearing. So while I
24 greatly respect your schedule, I would strongly hope
25 that the Board would agree to limiting today's hearing

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 to the case in chief and the supporting witnesses.

2 CHAIR MILLER: I have a few questions. Do
3 you intend to cross examine today?

4 MS. MACKWOOD: Yes.

5 CHAIR MILLER: So it would still be
6 contested in that sense, am I correct?

7 MS. MACKWOOD: Well, unless you're willing
8 to keep the record open beyond today because we have
9 no guarantees that we will have an agreement, so I
10 feel I have to cross examine witnesses so that we will
11 have a record.

12 But that doesn't change the fact that I'm
13 very hopeful that notwithstanding that, that we can
14 come back here at a later date and indicate our
15 support for this application on the basis of a usage
16 and a parking agreement.

17 MR. QUIN: Madam Chairperson, if the Board
18 would wish, we can always bring our witnesses back
19 because they have to come back for rebuttal anyway, if
20 there were a rebuttal, so it's up to the Board how you
21 proceed.

22 CHAIR MILLER: And Ms. Mackwood, why
23 shouldn't we hear from the government today?

24 MS. MACKWOOD: I'm suggesting that you not
25 hear from the government.

NEAL R. GROSS

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

1 CHAIR MILLER: Why is that and how will
2 your negotiations affect the government's testimony?

3 MS. MACKWOOD: Well, I think the
4 government, I don't want to speak for the Office of
5 Planning, but I think that there are aspects to their
6 report that could well change if there isn't a usage
7 agreement and a parking agreement. The Department of
8 Transportation, for example, might need to make a
9 statement and contribute to the Office of Planning's
10 report and I believe that the Office of Planning is
11 supportive of the postponement, concluding the case
12 today with the case in chief.

13 CHAIR MILLER: Is there anything else you
14 want to tell us before we deliberate on this?

15 Okay, I'll start the deliberation then.
16 We're faced with a situation where we have an entire
17 afternoon devoted to this case and my looking at the
18 calendar in July, we don't have that. And then we go
19 into recess in August.

20 And I'm not sure what the next date is.
21 I understand your situation, although I don't
22 understand exactly the nexus of with not going forward
23 today. This is what I want to propose. I think we
24 should hear the case, just like you're going to cross
25 examine today and then we will leave the record open.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 We will not make a decision until September at the
2 earliest and during that time period, if you want to
3 negotiate an agreement and things change, you'll have
4 the opportunity to submit to that effect whether ANC
5 changes their position from opposed to support,
6 whether it's you jointly submit conditions, whether
7 something changes, fine.

8 This is what I'm proposing. My Board
9 Members and you let me know what you think, but we'll
10 have the time to review pleadings between now and
11 September, but I don't see enough time in July to hear
12 witnesses.

13 What do my Board Members think?

14 MR. ETHERLY: Madam Chair, I'm inclined to
15 agree with you somewhat. I would perhaps want to
16 offer one question for Ms. Mackwood. You are in
17 receipt of the Office of Planning's initial report on
18 this application, correct? Do you feel that the ANC
19 would be disadvantaged in any way in terms of
20 proceeding with cross examination of the Office of
21 Planning today?

22 MS. MACKWOOD: To some extent I guess I
23 would think that. I think the Office of Planning
24 report is relying to a large extent on their being a
25 parking and a usage agreement and if one doesn't

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 materialize and again I want to stress that I think
2 one will materialize, then I would hope that the
3 Office of Planning would reconsider their position and
4 confirm more closely with the Department of
5 Transportation and I also want to just comment very
6 quickly on something that Ms. Miller said. I realize
7 that your schedule is very tight, but I think what
8 we're offering here is no further witnesses after
9 today. And that I would hope that you might be able
10 to squeeze this application into a time frame that
11 would not require very much time.

12 Keep in mind also that the Historic
13 Preservation Review Board also will be reviewing this
14 application and they haven't heard it yet. They won't
15 be hearing it for the first time until the end of this
16 month. And their staff have indicated that they will
17 take at least two months to consider this. So the
18 record would have to remain open, at least I'm
19 assuming it will remain open at the request of the
20 Office of Planning, if not the Applicant and we would
21 certainly have no objection to that pending the HPRB
22 decision.

23 So I am -- you know, I think what we're
24 offering here is perhaps an early afternoon for you,
25 witnesses not having to make statements that in a few

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 weeks from now they may be able to take a different
2 position. It makes for a cleaner record and a very
3 limited hearing time on your part after today.

4 MR. MANN: Madam Chair?

5 CHAIR MILLER: Yes.

6 MR. MANN: May I ask a question? Mr.
7 Quin, is the application before us the relief that
8 you're seeking subject to change based on the outcome
9 of negotiation?

10 MR. QUIN: No.

11 MR. MANN: So there's going to be no
12 change in the application?

13 MR. QUIN: No, the only thing that would
14 be submitted is a usage agreement which hopefully we
15 would reach and I think what Ms. Mackwood is saying is
16 that if we are successful, there would be no need for
17 any further witnesses. The only potential
18 disagreement that I would have with Ms. Mackwood is I
19 don't see any reason why the Office of Planning
20 couldn't proceed today, but that's entirely within the
21 discretion of the Board. And I understand Ms.
22 Mackwood's feeling that maybe it would be better to
23 put that over so that she could later cross examine in
24 the event that we were not able to reach an agreement.

25 CHAIR MILLER: Why don't we hear from the

NEAL R. GROSS

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

1 Office of Planning on this? Do you have a problem
2 with our going forward today and leaving the record
3 open with respect to this usage agreement and leaving
4 it open for Office of Planning to do a supplemental
5 report if circumstances change?

6 MS. THOMAS: Yes, I think it will give us
7 an opportunity for us to do a supplemental report is
8 there, we'll agree because right now I think the usage
9 agreement is an important part of our recommendation
10 as the other portion, the HPRB portion. I think
11 that's important.

12 CHAIR MILLER: Ms. Mackwood, what
13 witnesses would we hear today that we wouldn't hear if
14 there's a usage agreement?

15 MS. MACKWOOD: You probably wouldn't hear
16 from the ANC or it would be probably about a minute
17 long. You probably wouldn't hear from the community
18 association. You probably wouldn't hear from many
19 residents in opposition. I think it would be -- I
20 think there are actually two or three neighborhood
21 organizations that would probably testify in
22 opposition and this may not be persuasive to the
23 Board, but I don't know how -- I know Ms. Miller is
24 familiar, but I don't know how familiar the other
25 Board Members are with the controversies we've had in

NEAL R. GROSS

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

1 the neighborhood with the cathedral and this is a real
2 opportunity for us to bridge some of the longstanding
3 differences that we've had and from the ANC's
4 perspective, it would be enormously beneficial, I
5 believe, for neighborhood relations if we were not put
6 in the position where we had to offer very negative
7 testimony today. It would -- we really hold out the
8 hope that we are going to be able to be supportive of
9 this application and really turn the page on some of
10 our past -- our past history with the cathedral, so I
11 would -- you know, I would add that that's obviously
12 not probably a very persuasive matter as far as you're
13 concerned, but I think it's an important one for the
14 community.

15 CHAIR MILLER: Let me ask one more
16 question. How long have you been negotiating with
17 respect to this case?

18 MS. MACKWOOD: Probably since the middle
19 of or the end of May, yes, I think, two, two and a
20 half weeks.

21 MR. QUIN: I don't -- I think we've been
22 negotiating, as far as I'm concerned, since certainly
23 January, in that area. We've been to the ANC. We've
24 been to community meetings. We've had -- in fact,
25 there's an exhibit in your package that shows some of

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the meetings that we've had. It's been an extensive
2 outreach for a long time.

3 The usage agreement itself, I know there's
4 been extremely intense discussions and that can be
5 described by our witnesses. But that's been going on
6 for at least a month or longer and I think we appeared
7 before the ANC, we've already appeared now three
8 times, I believe, before the ANC. So it's something
9 that we've all been working hard on and I think that's
10 what gives us and that's why we are together in this
11 request and I support Ms. Mackwood's request for the
12 postponement and I think it is awkward for her and for
13 people in the neighborhood to come in today when we're
14 right in the middle and many -- I won't say the
15 percentage that we think we resolved at this point,
16 but it's a fairly high percentage of issues that we
17 have resolved already, so that what would have to
18 happen today to protect the ANC is that they would
19 have to come in and speak in total opposition when, in
20 fact, we're much closer to that in the agreement. And
21 for that reason I would hope that the Board would
22 consider our request.

23 We can go as far as you feel that we can
24 because there will be cross examination. You all will
25 have questions. We expect that our testimony will

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 take at least an hour, maybe a little bit more, the
2 last indulgence of the Board and if there's anything
3 else that you feel you should take, if you want to
4 take a preliminary presentation by OP, that could be
5 done, understanding that Ms. Mackwood can have a later
6 time for cross examination.

7 I think we can use the time efficiently
8 today.

9 CHAIR MILLER: Okay, I think we'll confer
10 about this, but I would like to say that the ANC, the
11 community, everyone has notice as to when our hearings
12 are and the fact that you cannot reach negotiation in
13 time for our hearings and then ask us to waste our
14 afternoons or whatever, when we could have fit in
15 another case here is disturbing. And it's just a
16 message that we want to send to you all, that it's not
17 just about you, it's about other cases getting heard.

18 There's a backlog of cases. Our schedule
19 is crammed and you know when these dates are. You
20 should -- it's hard for us to understand why you don't
21 meet that goal of completing your negotiations by
22 then, but let me --

23 (Pause.)

24 Okay, we've had a chance to discuss the
25 options and what we're going to do is have you all

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 proceed and we'll see how it goes today and if we're
2 at a logical point where we decide that it makes sense
3 to stop before the ANC does their testimony, then
4 we'll stop, but we're not going to decide that
5 definitively at this point.

6 MR. ETHERLY: I think that's the
7 appropriate way to proceed, Madam Chair, and I think
8 it's perhaps also very important to know that, I'm
9 sure my colleagues and I appreciate and understand
10 perhaps the sensitive point at which conversations,
11 dialogue, finds itself regarding the potential of
12 reaching an agreement on this application, one which
13 the community and the ANC, in particular, can be
14 comfortable with. I think as the chairwoman alluded
15 to, we're perhaps caught between a little bit of a
16 rock and a hard space in terms of wanting to still
17 take advantage of the opportunity with all of our
18 players gathered here today, members of the community,
19 the Applicant, of course, ANC, to get shall we say a
20 little bit of work done. I think we're all
21 appreciative of the opportunity to perhaps get home
22 early on this Code Red day, but be that as it may, I
23 think it's an appropriate compromise for us to move
24 forward, see what we can get done today and then
25 perhaps just take stock once we reach that moment in

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the agenda for the ANC's report.

2 I want to be, and I'm sure once again my
3 colleagues are sensitive to perhaps the awkward
4 position, Ms. Mackwood, that you find yourself in
5 along with the ANC in perhaps not wanting to be on the
6 record in any way as opposing the project, if you feel
7 that you are indeed so close to reaching some
8 agreement on some of the more important and pressing
9 issues here, but I think if we can make some progress
10 today that will ultimately stand us all in real good
11 stead in terms of moving forward.

12 So I'm in agreement, Madam Chair.

13 CHAIR MILLER: Just on that note also, we
14 didn't discuss this quietly, but I think as far as
15 order of procedure goes, we'll hear from the Applicant
16 and then we'll hear from the Office of Planning and
17 then I think Ms. Mackwood you suggested that perhaps
18 we hear from persons in the community before the ANC
19 and I think we could do that, especially given that
20 all these people's schedules have been arranged to
21 come down here and then see where we are.

22 MS. MACKWOOD: Could I suggest that in
23 terms of people in the community that you hear from
24 the Applicant's supporters, their testimony, rather
25 than the opponents for many of the reasons that I

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 mentioned earlier and I think the residents, the
2 individuals in opposition are -- can certainly speak
3 for themselves, but my understanding is that they are
4 all hopeful that they do not have to testify today, so
5 I would simply -- when you reach the point at which
6 you're going to take a second deliberation on this, I
7 hope you would reconsider that. Thank you.

8 CHAIR MILLER: In our normal order of
9 procedure is for persons in support to speak first
10 anyway, so okay. I think we can proceed with the
11 case.

12 MR. QUIN: Thank you, Madam Chair, Members
13 of the Board. Just to call your attention, I
14 referenced something and I wanted to correct myself.
15 I said January for the ANC meeting. If you look under
16 Tab H, two of the ANC meetings, but not the third one
17 are referenced and the first one was November of last
18 year and then we had one in April and then there was
19 one recently. So I just wanted to correct the record
20 on that.

21 CHAIR MILLER: Thank you.

22 MR. QUIN: We are very pleased to appear
23 before you today in the special exception case which
24 is extremely important to the well-being and mission
25 of St. Alban's School, to provide an outstanding

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 education to its diverse student body in an attractive
2 and state-of-the-art physical environment.

3 Specifically, in this case, the school
4 seeks your approval in three areas. These are
5 described in detail in our written statement, but I'd
6 like to just summarize them. The first is a new
7 connector wing addition that will tie the physical
8 facilities, the existing physical facilities together
9 and dramatically improve the educational programs of
10 the school.

11 I would say at the outset and it's part of
12 the record, that no increase in the number of students
13 is being sought in this application and a phased
14 increase of the staff faculty of nine, a total of nine
15 FTE over the next 10 years is requested.

16 CHAIR MILLER: Mr. Quin, I'm sorry to
17 interrupt you, but is there an enrollment cap in
18 effect or not?

19 MR. QUIN: No, there's not a cap and the
20 orders of the Board are under Tab C and you can
21 examine that. There are no caps for either the
22 student faculty or staff.

23 CHAIR MILLER: Has the number of students
24 remained pretty constant in the last few years?

25 MR. QUIN: In the last few years, yes.

NEAL R. GROSS

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

1 CHAIR MILLER: Okay. Thank you.

2 MR. QUIN: So that's the first area. The
3 second request is a reconfiguration and improvement of
4 the St. Alban's athletic fields located at the
5 southeastern corner of the -- generally at Garfield
6 and 34th Street. This also will be substantially the
7 same level of activity as present, and that will be
8 described by our witnesses.

9 Now construction on these two parts of our
10 application would commence in 2006 and we hope they
11 would be completed in the fall by the end of 2007.

12 The third area of approval relates to a
13 below-grade performing arts center addition with a new
14 auditorium and support space, primarily to serve the
15 existing St. Alban's and National Cathedral School
16 coordinated performing arts programs, but also to
17 serve some of the Cathedral's programs.

18 Here, the essential increases in activity
19 would be after school hours when there would be plenty
20 of parking. Construction on the performing arts
21 center is expected to commence at a substantially
22 later date, not yet decided, but within the 10 years
23 that we are following in this particular special
24 exception.

25 Now as you're aware from Court of Appeals

NEAL R. GROSS

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

1 Decisions, special exceptions are predeemed compatible
2 with the neighborhood and with the R0-1B zone so long
3 as the criteria set forth in section 206 are met.

4 Our witnesses today will establish that we
5 will clearly meet all of those criteria, namely, as it
6 said in the ordinance, the proposed building additions
7 will not be objectionable because of noise, traffic,
8 number of students or otherwise objectionable
9 conditions, and as previously mentioned, we note again
10 that there is no seeking of an increase of the
11 students and only a modest increase in faculty staff.

12 What is unusual about this case, other
13 than the fact that we've been almost two years of
14 outreach with the community, are the extensive
15 measures being taken by the Foundation and St.
16 Alban's, most of which are not even legally required
17 or even expected. But they're to better serve the
18 employees, students and visitors to this important
19 landmark and maybe even more important, to enhance the
20 good relationship with the community.

21 And I'll just briefly cite a couple of
22 those examples. The Foundation, at a very substantial
23 expense, over \$30 million, is building a bus facility,
24 below grade, to accommodate parking for buses that
25 come to the Cathedral, and also at the same time, a

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 below-grade parking garage that will provide over 400
2 spaces for off-street parking to serve the employees,
3 students, visitors and even neighbors, where
4 appropriate.

5 This parking garage will free up, we
6 estimate almost 300 parking spaces in the neighborhood
7 and that would be added to the availability of spaces
8 that will be described by our traffic consultant.

9 As also indicated in our statement, the
10 school has gone even further than you normally would
11 go in cases and has had a detailed hydrological study
12 made and a detailed noise study to make certain that
13 the proposed uses are compatible and not a problem and
14 meet the regulations.

15 There are many other actions that are
16 being taken that will be described by our witnesses
17 and many that we expect to be incorporated into the
18 usage agreement that we are working with the ANC and
19 other organizations on. And that will include, by the
20 way, construction management plan.

21 Before calling the witnesses, what I would
22 like to do at this point, just very briefly, is to
23 call your attention to some of the exhibits and
24 describe them because they have great relevance to our
25 case.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 I'll not deal with A and B of our
2 submission because that simply deals with the zoning
3 and the location of the property. C, I've already
4 referenced. And you'll see that the last BZA case
5 that we had before the Board was in 1994.

6 Under D, the acoustical study and that's
7 a detailed study again measuring what the effect of
8 noise would be and in many cases it decreases from the
9 existing situation and that will be described.

10 The traffic study is under E which will be
11 described by and reviewed by Mr. Slade. Under F is
12 the ANC-3C report to the HPRB which is support with
13 conditions and as stated and alluded to by Ms.
14 Macwood, we believe that the HPRB will hear this on
15 the 23rd of June, but I personally think that there's
16 at least a possibility that no further meeting will be
17 necessary. That may not be true, but as you know,
18 HPRB has separate and distinct authority from the
19 Board while they relate to each other, there's no
20 requirement that HPRB act before the BZA.

21 The hydrological study is set forth under
22 G and the record of the meetings which I referenced
23 earlier under H and unless there are questions, I'd
24 like to proceed with our witnesses and while not
25 listed, if you could indulge us in a brief

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 introduction overview by the representative of the
2 Foundation, the Washington National Cathedral, Major
3 General Stephen Rippe who is the Chief Operating
4 Officer of the Foundation.

5 General Rippe?

6 GEN. RIPPE: Good afternoon, Madam
7 Chairperson and Members. I'm Major General (Retired)
8 Stephen T. Rippe, Chief Operating Officer and
9 Executive Vice President of the Protestant Episcopal
10 Cathedral Foundation.

11 I live at 1750 P Street, Northwest in this
12 city.

13 The Foundation is an institution perhaps
14 unique in all of America. We were founded well over
15 a hundred years ago by an act of Congress for the
16 promotion of religion, education and charity. We have
17 the sixth largest cathedral in the world and three of
18 the finest schools that exist anywhere. Last year,
19 the Cathedral had three quarters of a million
20 visitors. We accommodated 4300 tour buses and we
21 educated over 1500 children in our schools.

22 The Bishop's guidance three years ago to
23 me was very clear. Work to establish first rate
24 community relations with our dedicated community
25 leaders such as Nancy Macwood. Take proactive

NEAL R. GROSS

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

1 measures to be a good neighbor in our crowded, urban
2 environment. Do something to solve the problem of car
3 parking and tour buses along Wisconsin Avenue and
4 ensure our facilities are appropriate to support our
5 fundamental missions.

6 We have made much progress in this regard
7 and I'm happy to report three of our more significant
8 initiatives. First, we will begin construction in
9 early August of a totally underground car garage that
10 will accommodate approximately 414 cars, and second,
11 an underground bus garage in early December that will
12 accommodate 18 tour buses. The result is an
13 improvement in our ability to accomplish our mission
14 and a vast improvement in the congestion on our
15 neighborhood streets.

16 This has been a challenging endeavor as
17 you can well imagine because the \$34 million for these
18 projects were not programmed three years ago, but with
19 great support from the community, the city and from
20 our Foundation leadership, we will get this done.

21 Finally, thirdly, St. Alban's, with your
22 approval, will begin construction next year of a much
23 needed upgrade to their antiquated facilities. The
24 plans you will hear today are the result of thorough
25 and intensive work, both internally and externally.

NEAL R. GROSS

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

1 These well thought out, coordinated and most
2 considerate plans are vital in order that the school
3 may continue to offer a first rate educational
4 experience appropriate for this day and century.

5 On behalf of Bishop Chain, we thank you
6 for your time, attention and consideration. That
7 concludes my testimony, ma'am.

8 CHAIR MILLER: Thank you very much.

9 MR. QUIN: Madam Chairperson, I assume
10 that you will hold questions until -- unless they're
11 clarifying questions until we complete our
12 presentation?

13 CHAIR MILLER: How many witnesses do you
14 have?

15 MR. QUIN: Well, we're cutting Mr. Sher,
16 maybe that's a good -- that's our token gesture for
17 you today.

18 (Laughter.)

19 I think we have five, excluding the
20 General, one, two, three, four, five.

21 CHAIR MILLER: Then I say we might not
22 h o l d a l l o u r q u e s t i o n s .

24 MR. QUIN: All right.

25 CHAIR MILLER: We might ask specific

NEAL R. GROSS

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

1 witnesses.

2 MR. QUIN: That's fine, I just wanted them
3 to know.

4 CHAIR MILLER: That's a lot to hold in our
5 head, you know.

6 (Laughter.)

7 Do you have any questions, Mr. Etherly?
8 We don't have any questions for this witness, thank
9 you very much.

10 MR. ETHERLY: No questions, Madam Chair,
11 we just have a very quick question for Mr. Quin. I
12 know that we're in receipt of a couple résumé s. Are
13 you intending at any point to offer witnesses as
14 expert?

15 MR. QUIN: Yes, there are four witnesses
16 that we will offer as experts: Roger Duffy of
17 Skidmore, Owings and Merrill; Richard Arentz, of
18 Landscape Architects; Skip Burck, Landscape
19 Architects; and Lou Slade, a transportation
20 consultant.

21 I was going to wait until we came to our
22 first one, but if you'd like to do it now that's fine
23 also.

24 CHAIR MILLER: Why don't we do it with the
25 witness.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MR. QUIN: Thank you. Our next witness,
2 Madam Chairperson, Members of the Board is Jean Duff,
3 who is chairman of the St. Alban's Community Relations
4 Committee and she will give an overview of what we're
5 seeking today and the efforts that we've had for
6 community outreach.

7 CHAIR MILLER: Mr. Quin, I just want to
8 clarify your question about questions for the
9 witnesses. I was referring to Board questions, but we
10 can do the cross after you finish your case, but
11 sometimes Board Members have questions during it.

12 MR. QUIN: That's fine, thank you.

13 MS. DUFF: Madam Chair, Members of the
14 Board, ladies and gentlemen. My name is Jean Duff.
15 I live at 2700 36th Street, Northwest in the City of
16 Washington. I'm speaking to you today as a neighbor
17 of the school, as a former parent, my son graduated
18 this past couple of weeks, as former president of the
19 St. Alban's Parents Club, as a former member of the
20 governing board of the school and as current chair of
21 the St. Alban's Community Relations Subcommittee.

22 The St. Alban's School is part of the
23 Protestant Episcopal Cathedral Foundation. The
24 Foundation is the legal entity that incorporates the
25 Washington National Cathedral, the three schools on

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the Cathedral close, National Cathedral School,
2 Beauvoir and St. Alban's School.

3 This is why all the materials that make up
4 our application to the BZA refer to the Foundation.
5 The school is almost one hundred years old. Since
6 1909 we've been educating boys in academics, athletics
7 and the arts. From small beginnings the school has
8 grown to a complement of 568 students in the academic
9 year just ended. However, the school's facilities
10 have not kept up with the growth in the student body.
11 As a result, the school buildings and facilities are
12 inadequate for the level of educational excellence
13 that our boys deserve and their parents expect.

14 We need to build and renovate to meet the
15 needs of our program. One of the many attractions of
16 St. Alban's is its size. The school is large enough
17 to be diverse and stimulating, but small enough to
18 enable a sense of community. This can foster a range
19 of student friendships and encourage lifelong
20 relationships.

21 We're not going to change this aspect of
22 the school. Everything we're presenting in our
23 application is designed to support the current
24 program, not to accommodate more students. As has
25 been said, we have no plans to increase enrollment.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 We do intend to add about nine faculty
2 members to the team as part of the teaching and
3 learning initiative that is the centerpiece of our
4 long-range plan.

5 We are proposing three new facilities as
6 described in our application for a special exception.
7 These are an extension to an existing building that
8 will provide new classroom, office and social space;
9 a 650-seat performing arts center that would
10 accommodate the entire school, as well as provide a
11 venue worthy of the skills and talents of our
12 students; and thirdly, a reconfiguration of the
13 athletic fields that would replace our existing single
14 field with a multi-purpose field for football, soccer
15 or lacrosse in season; a full-size baseball field that
16 converts to practice space out of season; a regulation
17 track; and eight new tennis courts.

18 Our current fields dates from 1912 when
19 the school had a quarter of the number of teams we
20 have today.

21 In coming to the BZA this afternoon, we're
22 asking your approval of these projects, but I want to
23 point out that we've already gone through many
24 consultation and approval processes, both internal and
25 external.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 To begin the approval process, we worked
2 with the Building and Grounds Committee of the St.
3 Alban's School in order to develop a proposal that was
4 eventually approved by the St. Alban's School
5 Governing Board. At the same time we worked with
6 other bodies on the Cathedral close, the All Hallow's
7 Guild that manages the grounds of the close, the
8 Protestant Episcopal Cathedral Foundation Grounds
9 Committee and the Board of Trustees of the Foundation.
10 Without their support for our plans, we could not be
11 here today.

12 We have worked with the staff of the
13 Historic Preservation Review Board in preparation for
14 our appearance before that Board later this month.
15 We've also worked for the staff of the Office of
16 Planning in preparation for our appearance here today.

17 In addition, we've worked extensively with
18 our own immediate community, the neighbors of the
19 school. Before we began that process, we identified
20 a set of principles that would guide the nature of our
21 dealings with our neighbors and with the community as
22 we developed plans, seek necessary approvals and
23 proceed with the eventual renovation and construction.

24 There are five principles. I'll just run
25 through them very quickly. Number one, as one of the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 oldest neighbor's in this community, St. Alban's
2 recognizes and respects how much all neighbors value
3 their location and the surroundings we enjoy and we as
4 a school are committed to maintaining those values.

5 Secondly, we committed to share relevant
6 study results, research data, concept designs, plans
7 and proposals with the community to ensure
8 transparency and openness.

9 Thirdly, we invite community comment at
10 each stage in the development of plans and consider
11 proposals to meet the needs of St. Alban's.

12 Fourthly, we commit to consult with our
13 neighbors by providing opportunities for comment
14 before making decisions, considering alternatives or
15 preparing designs of new or upgraded facilities.

16 And finally, following the planning and
17 approval process and before starting any renovation or
18 construction, we have committed to work and consult
19 with our neighbors on the Cathedral close and with the
20 wider community to develop routes, schedules and
21 parking arrangements to minimize noise, traffic or
22 other disturbance during construction. We implemented
23 an elaborate community relations program over the last
24 18 months that included a new community relations
25 website, community newsletters, three meetings with

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the full ANC at their full public meeting, and twice
2 more with the ANC committees, a total of six community
3 meetings that were widely advertised in local papers
4 and by direct mail. And in all, during that outreach,
5 we calculate that we have met with more than 150
6 neighbors of the school.

7 In these various meetings, we've invited
8 detailed comment and feedback and as you can imagine,
9 neighbors have not been shy about raising their
10 concerns. Areas of particular interest, in addition
11 to those that relate to historic and aesthetic
12 interests, were noise, hydrology, parking and new
13 facilities usage.

14 Garfield Street neighbors were concerned
15 that with the reconfiguration of the athletic fields
16 and the resultant relocation of the seating area there
17 might be increased noise at the homes on Garfield
18 Street. St. Alban's commissioned a study to evaluate
19 this. The conclusion, after extensive testing and
20 modeling, was that the reconfiguration would be most
21 likely to result in a slight lowering of noise levels
22 at Garfield Street with the possibility of a small
23 increase at some homes on 34th Street, but in an
24 amount not detectable by the human ear.

25 Hydrology concerns were for possible

NEAL R. GROSS

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

1 changes to the water table as a result of
2 construction. The engineering study concluded that
3 there would be no permanent works constructed that
4 would impact the water table even at the highest
5 recorded ground water levels.

6 Over the past several weeks, as you've
7 already heard, St. Alban's has been intensively
8 involved in meetings with ANC-3C and with
9 representative neighbors and neighborhood groups to
10 negotiate a usage agreement that would spell out terms
11 for parking and for facilities usage. As of
12 yesterday, there have been six meetings during the
13 day, evenings and weekends and here I would like to
14 complement the ANC chair for her extraordinary
15 flexibility in bringing her Members and neighbors to
16 the table for these meetings.

17 These meetings have aggravated more than
18 15 hours and are pursuing agreement that satisfies
19 community concerns for the level of usage of the new
20 facilities and that addresses parking concerns raised
21 by the neighbors.

22 The school is committed to reaching a
23 satisfactory agreement as a condition of the support
24 of the ANC-3C and of approval of our special exception
25 request from the BZA. Elements under discussion

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 include car registration, new procedures for visitors
2 and visiting school buses and restriction of student
3 parking. In addition, the school has offered
4 commitment to no student parking in the neighborhood,
5 except for North Garfield Street and to management of
6 construction-related parking.

7 I'd like to sum up by saying that the
8 school needs these new facilities as we approach our
9 one hundredth anniversary in order to continue a
10 second century of academic, athletic and artistic
11 excellence for our boys, these facilities and
12 improvements are essential.

13 We have met the requirements for process
14 in the community and we ask for your approval of our
15 application.

16 Thank you.

17 CHAIR MILLER: Do you have any questions?
18 I have one question basically. You talk about needs
19 and I'm wondering if you want to elaborate at all as
20 to like, for instance, with the athletic fields or
21 something, what they can't do now that they'll be able
22 to do with the new facility?

23 MR. QUIN: Vance Wilson, the headmaster
24 was going to address that, if that's okay?

25 CHAIR MILLER: Okay, that's perfect, thank

NEAL R. GROSS

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

1 you.

2 MR. QUIN: And he happens to be our next
3 witness, so thank you for the introduction.

4 CHAIR MILLER: Great, okay. Thank you
5 very much. Wait, we have a question over here.

6 MR. MANN: You mentioned that there would
7 be parking restrictions imposed on the students with
8 certain exceptions, one of them being Garfield Street
9 and I was wondering if you could address that further
10 or if perhaps you wanted to defer that until another
11 witness?

12 MS. DUFF: And that was still under
13 negotiations, so I think perhaps we should defer?

14 MR. QUIN: We could defer that to another
15 witness, both -- Mr. Slade would address the whole
16 traffic part.

17 MR. MANN: Thank you.

18 MS. DUFF: May I just add as chair of the
19 Community Relations Committee that I, too, feel that
20 we have made great progress towards the negotiation of
21 a usage agreement and I feel that we're very close.

22 CHAIR MILLER: Okay.

23 MR. QUIN: Our next witness is Vance
24 Wilson, the headmaster of St. Alban's School.

25 MR. WILSON: Hello, my name is Vance

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Wilson. I live at 3505 Woodley Road, Northwest and I
2 am the seventh headmaster of St. Alban's School, a
3 school that in the year 2009 will celebrate one
4 hundred years of residence here in the City of
5 Washington on Mount St. Alban, a school that for one
6 hundred years has had basically the same philosophy
7 that is unchanged and that is that we try to educate
8 young men to seek meaning in their lives of faith, to
9 live lives of honor and integrity. Those two points
10 of our mission being what we hope to also model in our
11 dealings with the community, both our local neighbors
12 and the entire city, and to teach young men to become
13 leaders especially by service.

14 That philosophy has been successful enough
15 to have an entire range of service to this city and
16 the country from a class graduate of the Class of '63
17 being the Vice President of the United States; a
18 graduate of the Class of '58 being on the first manned
19 flight to the man; and a Class of 2000 being in charge
20 of the homeless centers in the City of Hartford,
21 Connecticut at the ripe age of 25.

22 There are five aspects of our school that
23 I would particularly like to discuss to help you
24 understand what it is in our mission in this city.
25 The first is we have just recently been part of the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 benchmarking study of 15 independent schools in major
2 cities in this country: Boston, Philadelphia, New
3 York, Washington, Cleveland, San Diego, Los Angeles,
4 Atlanta and Dallas are some of the ones, many of them
5 being boys schools like ourselves and included in our
6 benchmarking was a study of diversity statistics in a
7 school. We were the most diverse school of all those
8 15, including schools like Collegiate School in New
9 York City, Roxbury Latin in Boston, St. Mark's in
10 Dallas, University School in Cleveland. Twenty-seven
11 percent of our student population is non-Caucasian; 20
12 percent of our student population is of African or
13 African-American in our school. Our financial aid
14 budget is between 15 and 18 percent of the tuition,
15 depending on calculations that schools do in different
16 ways, but it certainly is a significant part of our
17 budget.

18 We also have a program called the Skip
19 Grant Program. Skip Grant is a 25-year retired
20 athletic director of St. Alban's. We renamed program
21 from its original name which was called the Risk
22 Program in the 1960s when St. Alban's integrated as a
23 private school in this city. It devotes \$1 million of
24 an endowment every year to working, in particular,
25 with 30 boys that we identify from this city that we

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 feel that can do the academic work at our school which
2 is of the highest level, as you know, but which we
3 bring into the city either as day students or as
4 boarders to try to succeed in an environment that we
5 think will make them leaders of this city and of the
6 country.

7 Next week we open our summer program, the
8 School of Public Service which brings 33 students from
9 around the country into our dorms to study service in
10 this city by visiting people like yourselves and
11 others and having case studies about what it means to
12 be a leader who serves in a city. Those 33 students,
13 60 percent of them are from public schools around the
14 country; 47 percent of the entire student population
15 is given financial aid to come here in the summer.

16 And finally, we take to heart, Councilman
17 Cathy Patterson's task force recommendation that our
18 facilities are used by the City of Washington. As
19 you know, we have often tried to have outreach in
20 artistic matters and athletic matters and other things
21 to groups in the City of Washington to come to our
22 campus.

23 Three points to make about what we would
24 like to do. We focus the school on the academic life,
25 the athletic life and the artistic life of our boys

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 and the renovation projects that we're going through
2 directly address all of those issues. The extension
3 to the academic building that Mr. Quin talked about is
4 the result of a lot of study on our part including
5 commissioning Bralesford and Dunlevy, a national firm
6 for space studies about the fact that we are in over
7 utilized buildings and 100 percent of our classroom
8 usage by the boys.

9 I would help you understand that issue and
10 not simply the fact that the last academic building we
11 built at St. Alban's was 35 years ago in the early
12 1970s, the Stewart building, but also ask you to
13 consider in your experience in education i the 1970s,
14 the average class load of a student at St. Alban's was
15 four courses. The average class load of a student at
16 St. Alban's now as in most cases in both public and
17 private education around the country is six, five or
18 six. So our enrollment has increased somewhat from
19 the 1970s, but we are still compared to our fellows
20 around the country a relatively modest sized school,
21 but like all other schools, our program is much bigger
22 than it was in the 1970s.

23 That's only to speak academically, but if
24 we turn to the athletic issue that you raised, Madam
25 Chairperson, in 1912, our athletic fields were built

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 in 1912. The last track meet we had at St. Alban's at
2 home was in 1971 because you could no longer hold a
3 meet on a cinder track that wasn't an oval and was the
4 wrong length. To try to explain what it means from an
5 athletic point of view, let's use the example of
6 springtime sports. As you know, lacrosse is a huge
7 sports in this city, as is baseball. Right now, with
8 one field, if the lacrosse team has a game, the
9 baseball team can practice only on the infield. If
10 the infield is playing a game, the lacrosse team has
11 to go around to the elementary school playground to
12 try to do drills on a field that I would characterize
13 as being about one third the size of most lacrosse
14 practice fields. So our lacrosse team, in competing
15 with some teams in town which you happen to know to be
16 very good in lacrosse, has a very difficult time
17 having full field practices. That's just one example.
18 I could do the same in the fall for football and
19 soccer.

20 And finally, the performing arts center.
21 We have a masterful coordinated program with National
22 Cathedral School and the last two years in the
23 springtime we are having to turn away patrons who come
24 to our two consecutive weekends of performances, three
25 performances at a time so six houses in our current

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 theater cannot house the number of people to come see
2 our students perform and we would very much like to
3 provide a performing arts center on the close which
4 would seat the combined upper schools of both National
5 Cathedral School and St. Alban's and put the entire
6 St. Alban's School in that performing arts center at
7 the same time. It's for artistic purposes, primarily.
8 It's also a place that you could hold an upper school
9 assembly.

10 So finally, I'd be glad to take any
11 questions. It's a very exciting time in the history
12 of St. Alban's. We think that we're a great school
13 who has contributed much to this city and to this
14 nation over the last 100 years. We feel that these
15 projects are absolutely essential to maintaining our
16 position as an excellent school for boys to be
17 educated in this city.

18 Thank you very much.

19 CHAIR MILLER: Thank you. I just have a
20 couple of questions. Did you use the term over-
21 utilized buildings?

22 MR. WILSON: Yes.

23 CHAIR MILLER: Can you explain that a
24 little bit, a little more?

25 MR. WILSON: If you have a school in a

NEAL R. GROSS

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

1 classroom situation, it's an interesting concept to
2 explain to the business people on our Board. You
3 don't want to have classrooms at 100 percent capacity
4 all day long, especially if your mission includes
5 individual extra help and tutoring between teachers
6 and students.

7 So we not only have 100 percent
8 utilization of our classrooms, we have converted
9 spaces that were built for other purposes including,
10 believe it or not, closets into small classrooms in
11 order to accommodate our kids.

12 CHAIR MILLER: How do you measure 100
13 percent utilization?

14 MR. WILSON: Bralesford and Dunlevy, the
15 space people came in to do that and basically it means
16 if there's six periods in the day, when you walk
17 around school, you'll find every classroom having a
18 class in it at the time or perhaps I'll include in
19 that a study hall.

20 CHAIR MILLER: Okay. It's not specific to
21 occupancy stuff, it's not like how many kids are in
22 the classroom.

23 MR. WILSON: No, no, no. It's just that
24 all the classrooms are used. I'm sorry if I used an
25 improper term of over-utilization.

NEAL R. GROSS

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

1 CHAIR MILLER: No, I don't think you did.
2 I was just trying to understand your --

3 MR. WILSON: It's my lay persons term.

4 CHAIR MILLER: And I heard you talk about
5 the fields and I'm sure the architect will get into
6 it, but I was just curious. You did mention the
7 tennis courts, and I'm wondering you said you had
8 eight?

9 MR. WILSON: We have 10 now and in the new
10 plan we would go from 10 to 8.

11 CHAIR MILLER: So you're decreasing the
12 tennis?

13 MR. WILSON: We are and resurfacing it in
14 a surface that is not yet been announced by the
15 headmaster because it's of some controversy in the
16 community on what that surface will be, but that
17 tennis club, to use an example, is -- has membership
18 all throughout the City of Washington, including many
19 members in the nearby neighborhood and it's an
20 important service and a wonderful facility for people.

21 CHAIR MILLER: And so these eight tennis
22 courts, they're used by the community, they're used by
23 St. Alban's and are they also used by NCS?

24 MR. WILSON: Yes, and they're used by
25 people in other parts of the city too.

NEAL R. GROSS

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

1 CHAIR MILLER: And are you -- I understand
2 NCS also has tennis courts. Are you including their
3 tennis courts in your count or not?

4 MR. WILSON: No. NCS has -- there's one
5 other court at Beauvoir, the elementary school. And
6 there's another court that's next to the College of
7 Preachers which is called NCS' court. Those are two
8 singletons. The eight courts, for example, if you
9 have an interscholastic match, you need seven
10 contiguous courts to have an interscholastic match.
11 We can't send boys up to another place on the close
12 for those tennis matches. They need to be supervised.

13 CHAIR MILLER: Okay, thank you.

14 MR. MANN: You talked about some of the
15 summer programs that you conduct on campus. I don't
16 know if that was just an example or if it was
17 everything you did?

18 MR. WILSON: No, our summer program
19 includes a summer school which serves primarily
20 students from public education in the city who come
21 there for enrichment and to make up courses. We have
22 a summer sports camp program which includes all the
23 sports that we would do during the course of the
24 school year. We have -- that includes all the sports,
25 so that's both outdoors and indoors.

NEAL R. GROSS

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

1 The School of Public Service that I
2 mentioned and a two-week program called the Royal
3 School of Church Music which are choristers who sing
4 in the cathedral.

5 MR. MANN: And will the intensity of these
6 programs increase with the new facilities?

7 MR. WILSON: No. Our plan for athletic
8 facilities is not to increase any of our usage of
9 those facilities at all.

10 In other words, if I could go back to my
11 example of lacrosse and baseball, those two things
12 would still be doing the same thing, but they would
13 have full fields to do it. The idea is to create size
14 for the teams, not additional usage.

15 MR. MANN: We're still talking about the
16 summer program at the moment, is that correct?

17 MR. WILSON: And the school year.

18 MR. MANN: Okay, but there will be no
19 change then in the number of participants in summer
20 programs?

21 MR. WILSON: No, we have no plans to
22 increase the size of that program at all.

23 MR. MANN: Thank you.

24 CHAIR MILLER: But you're not able to have
25 track events at home right now?

NEAL R. GROSS

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

1 MR. WILSON: That's correct.

2 CHAIR MILLER: So that would increase
3 because you --

4 MR. WILSON: We expect that we would have
5 two track meets at home and one IAC conference match
6 every six years. There are six members of the IAC and
7 you're supposed to host it once. And two home track
8 meets and that would be an addition. We do not have
9 home track meets at this time. We're hoping that we
10 can do that with little impact on the neighborhood.
11 A track meet of two schools is not a significant
12 event. The IAC Conference track meet would be a
13 significant event every six years.

14 CHAIR MILLER: But currently they
15 practice, your track team practices --

16 MR. WILSON: They run on a cinder track
17 and during the spring, the cross country team runs
18 everywhere, all over the city. That wouldn't change.
19 The cross country team would probably use the track a
20 little more also.

21 CHAIR MILLER: But for baseball, football,
22 lacrosse, they practice anyway on your property. It's
23 just on smaller fields?

24 MR. WILSON: We do on occasion, we will go
25 off-site for some of those practices. At times, we

NEAL R. GROSS

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

1 have tried to rent areas around the city. We were
2 successful for a year or two and then those properties
3 might turn over or something like that. We always are
4 looking for off-site rentals, you know, for an
5 athletic team to practice, but I can't tell you from
6 year to year if it's going to remain the same from
7 year to year.

8 CHAIR MILLER: So then there might be some
9 increase then in usage by your teams on your property
10 in practicing because they wouldn't have to go off-
11 site?

12 MR. WILSON: I would say that that is
13 probably true. When they go off-site, they do gather
14 on our fields. They get on a bus and then go off-site
15 and they come back. There's that situation, but if we
16 can practice everybody on the field, then I think to
17 be accurate, you're correct in saying that all the
18 boys will be there.

19 Practices last, lower school starts
20 practice about 2 o'clock and practices go into the
21 evening.

22 CHAIR MILLER: What's into the evening
23 mean, until what time about?

24 MR. WILSON: Sundown, I would think and so
25 that depends on the season. Baseball games go later

NEAL R. GROSS

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

1 because of sundown. Football practices are ending at
2 sundown. We have no plans for lights or anything on
3 the fields. We're not interested in night time stuff
4 at all.

5 CHAIR MILLER: Do you have practices pre-
6 season in the mornings as well?

7 MR. WILSON: In pre-season, we practice
8 three weeks prior to the first game which is the first
9 Saturday in September. That's usually around August
10 20, 21. We practice first at a school in Virginia and
11 then come and have double practices a day. Right,
12 until school starts and we've been doing that --

13 CHAIR MILLER: You've been doing that in
14 Virginia so that would come to St. Alban's?

15 MR. WILSON: I'm sorry, we go away first
16 for summer practice to a camp.

17 CHAIR MILLER: Okay.

18 MR. WILSON: To get all the boys together
19 for four days of intensive bonding and playing.

20 CHAIR MILLER: So that would continue?

21 MR. WILSON: Right.

22 CHAIR MILLER: Is that correct? I don't
23 want to put words in your mouth.

24 MR. WILSON: Yes, and then they come back.
25 That would continue. We would take them off-site

NEAL R. GROSS

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

1 first. That's as much a psychological experience as
2 a physical experience and then we bring them back to
3 campus for two days until school starts.

4 We have been doing that.

5 CHAIR MILLER: How many days would they be
6 there then before pre-season on campus?

7 MR. WILSON: I would say -- David? Six.

8 CHAIR MILLER: Six days.

9 MR. WILSON: I'm sorry, he's our athletic
10 director. Six days on campus.

11 CHAIR MILLER: Okay. And would you say
12 that's pretty standard for private schools to have
13 their practices then?

14 MR. WILSON: The IAC has the most
15 restrictive pre-season practice schedule of any
16 schools in the city. So our three weeks before
17 Saturday is very small compared to other schools.

18 CHAIR MILLER: What's the IAC?

19 MR. WILSON: I'm sorry, Interstate
20 Athletic Conference are six teams that make up our
21 conference. Those schools are Landon, Episcopal, St.
22 Stephan's, St. Agnes, St. Alban's, Georgetown Prep and
23 Bullis School. That's our athletic conference, but we
24 play many teams throughout the city, especially in
25 sports like basketball in which there are lots of

NEAL R. GROSS

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

1 games.

2 CHAIR MILLER: Thank you.

3 MR. ETHERLY: Thank you very much Madam
4 Chair. Mr. Wilson, if I could I think most of my
5 questions have been answered by earlier questions, but
6 I just wanted to make sure I have a fairly clear
7 understanding of where we are in terms of staff or
8 staff and faculty numbers at this point.

9 At a couple of places in the written
10 submissions there's reference to the plan to do some
11 phasing in. I believe the number would be nine new
12 faculty members over the next 10 years.

13 MR. WILSON: That's correct.

14 MR. ETHERLY: So I just want to be sure I
15 understand kind of where we are now in terms of upper
16 school and lower school and then with respect to that
17 nine being phased in over the next 10 years, where
18 they will fall primarily.

19 In terms of the number of current faculty
20 and staff, where are you at now presently, total
21 number.

22 MR. WILSON: One hundred thirty four.

23 MR. ETHERLY: One hundred thirty four.
24 And so that would be a combination of both faculty and
25 staff?

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MR. WILSON: Yes, and upper and lower
2 school. Lower school for us begins in grade 4. It
3 goes from grade 4 to grade 8.

4 MR. ETHERLY: And then your upper school
5 would go from 9 to 12?

6 MR. WILSON: Correct, sir.

7 MR. ETHERLY: Okay. Do you have a sense
8 for how that number, that number, 134, is broken out
9 in terms of your upper school and lower school?

10 MR. WILSON: Well, for faculty, our
11 faculty is about 70 people and that would be
12 approximately, and please, understand this to be
13 approximately a 40/30 split, 40 being upper, 30 being
14 lower. Those are our approximate numbers. I'm sorry
15 I don't have them exactly. The rest would be staff
16 and they would be spread throughout the program. They
17 would not be local to lower school or upper school
18 except perhaps the upper school head's assistant would
19 be upper school, but most of the staff would work
20 throughout the school.

21 MR. ETHERLY: And with respect to the nine
22 that you are anticipating phasing in over the next 10
23 years, how do you anticipate those nine FTEs to be
24 allocated? Will they be primarily upper school or
25 lower school or would that also be spread out across

NEAL R. GROSS

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

1 both schools?

2 MR. WILSON: I would say that that would
3 be spread out across both schools and I don't expect
4 us to, in other words, increase nine next year. I'm
5 thinking that those nine would probably be spread out
6 over the next 10 years in a slow accretion of people
7 because that's the only thing we can afford. It's a
8 financial issue.

9 MR. ETHERLY: And those nine would also be
10 in all likelihood a combination of --

11 MR. WILSON: Five/four, six/three. It's
12 a teaching and learning program as Ms. Duff suggested
13 and that would be for the entire school.

14 MR. ETHERLY: Okay, thank you. Thank you,
15 Madam Chair.

16 CHAIR MILLER: Thank you very much.

17 MR. WILSON: Thank you.

18 MR. QUIN: Madam Chair, for the Board's
19 understanding, we do have the athletic director who is
20 here, who can answer more detailed questions if that
21 would be necessary at any point. I just wanted you to
22 know that they are here.

23 CHAIR MILLER: Thank you.

24 MR. QUIN: Our next witnesses are -- we'll
25 put them together as a team and they've coordinated

NEAL R. GROSS

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

1 their presentation so that it will go, I believe, very
2 smoothly to shift from architecture/landscape,
3 architect to landscape dealing with it in an organized
4 fashion.

5 I've submitted their résumé s. Roger
6 Duffy, Skidmore, Owings and Merrill, I'd like to
7 submit him as an expert in the field of architecture.
8 Richard Arentz, Arentz Landscape Architects, I'd like
9 to submit him as an expert in the field of landscape
10 architecture and the same for Skip Burck and you have
11 the résumé of Richard Burck as well.

12 We also have Lou Slade who would be our
13 last witness, as an expert in traffic consultation,
14 and he has been here many, many times as an expert.
15 So I would like to submit all three of those as
16 qualified, to be qualified as experts in those
17 respective fields.

18 CHAIR MILLER: Thank you. Ms. Mackwood,
19 do you have any questions or any objections to the
20 proposed experts?

21 MS. MACKWOOD: Just to recap, it's Mr.
22 Arentz and Mr. Burck as landscape architect experts,
23 is that right?

24 MR. QUIN: Yes.

25 MS. MACKWOOD: And Mr. Slade is a traffic

NEAL R. GROSS

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

1 expert and was there one other expert?

2 MR. QUIN: Roger Duffy, Skidmore, Owings
3 and Merrill, as the architect.

4 MS. MACKWOOD: Okay. Will there be a
5 noise expert testifying today?

6 MR. QUIN: No, we have the report. We
7 thought it was conclusive enough, but we can always
8 bring him back at some other point or submit answers
9 to questions, if you would like. Here are -- by the
10 way, I'm sorry I didn't get those to you earlier, the
11 résumé s of each.

12 MS. MACKWOOD: Madam Chair, we have no
13 objections to the four individuals that Mr. Quin
14 identified.

15 CHAIR MILLER: Thank you.

16 MR. QUIN: Thank you. Then at this point
17 let me turn our testimony over to Roger Duffy --

18 CHAIR MILLER: Mr. Quin, I'm sorry, do you
19 want us to accept them as expert witnesses?

20 MR. QUIN: I'm sorry, I thought you just
21 did, I apologize.

22 CHAIR MILLER: Ms. Mackwood said she had
23 no objections.

24 MR. QUIN: Okay.

25 CHAIR MILLER: Do my colleagues? Okay,

NEAL R. GROSS

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

1 we have no objection. We accept them as expert
2 witnesses.

3 MR. QUIN: Thank you very much. Roger?

4 MR. DUFFY: My name is Roger Duffy. I'm
5 a partner of Skidmore, Owings and Merrill. My home
6 address is 19 Stuyvesant Oval, New York, New York
7 10005.

8 The close is a magnificent treasure in
9 Washington, D.C., bounded by Wisconsin Avenue,
10 Garfield Street, 34th Street and has at the high point
11 of Washington, D.C., the Cathedral. So it's a
12 privilege for me and my team to be focused in thinking
13 about this wonderful landscape and the St. Alban's
14 School.

15 So as a point of orientation, the --

16 MR. QUIN: Roger, why don't you use the
17 pointer, the laser, if you have it.

18 MR. DUFFY: So as a point -- this being
19 the Cathedral here, this is the outline of the close.
20 This being Wisconsin Avenue here. Garfield Street.
21 A bit of Massachusetts Avenue here.

22 So the area shaded in the salmon color
23 here is the area occupied by St. Alban's School of the
24 close and the area over here that Richard Arentz will
25 talk about a little bit later is the athletic fields

NEAL R. GROSS

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

1 as described earlier by the headmaster.

2 This is an aerial photograph that's at a
3 closer scale, focusing in on the St. Alban's School.
4 Again, for orientation, this is the current main
5 entrance to the St. Alban's School. It's
6 characterized as the senior circle. This is the
7 little sanctuary and the Lane Johnson Building, these
8 were the first two buildings of the school. This is
9 the lower school, the True Lucas wing here. The
10 existing classroom building that we'll be adding on
11 to, this is called the New Wing, but it's circa 1966.
12 The library of St. Alban's, the Stewart building here,
13 the Martin gymnasium, the Activities building and what
14 will be described a little bit later by Skip Burck the
15 little field.

16 The area in the brighter red color here is
17 the area of the addition that Mr. Quin described at
18 the beginning of the presentation and the area in this
19 light salmon color below the level of the senior
20 circle or beneath the topography is the area for the
21 performing arts building that was described earlier.

22 The Cathedral that the headmaster
23 described at Mount St. Alban's occupies the high
24 ground of Washington, D.C. so that's the high ground
25 of the close as well. Twenty feet down from there is

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the main entrance to the primary building of St.
2 Alban's, the Lane Johnson Building or the senior
3 circle main entrance to the campus.

4 So the first buildings occupied the high
5 ground of St. Alban's just after the turn of the
6 century and over the years they built many buildings
7 at the lower part of their campus and the difference
8 between the upper or entrance topography and the lower
9 topography where they've also built buildings is 60
10 feet of grade difference. So therein lies a challenge
11 for us, creating this new building because the campus
12 is currently not accessible to all persons and
13 secondly, we were able to accomplish this addition
14 which finishes up before the ground floor of the
15 Cathedral starts, so therefore, if you follow that
16 logic, the views of the Cathedral are not occluded,
17 any more than they are currently already occluded by
18 existing buildings. So in other words, the height,
19 the roof line of the new wing, the current New Wing
20 classroom building is in alignment with the extension
21 or the addition that Mr. Quin described. And all of
22 those things finish up well before the ground floor of
23 the Cathedral even starts.

24 The St. Alban's campus lacks a single
25 architectural character, so we offer as evidence

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 pictures of existing buildings, buildings that
2 actually occupy the site currently, from the Martin
3 gymnasium to the Activities building to the Lawrence
4 Pool, to the little sanctuary to the Stewart building,
5 the Library building which is attached to the New Wing
6 classroom building, the Lane Johnson building and the
7 True Lucas lower school building. So it's a rich
8 tapestry of architectural styles, you might say.

9 At the senior circle level or main
10 entrance level of St. Alban's is the Lane Johnson
11 building. Just to the right is the little sanctuary
12 and this building was just after the turn of the
13 century and it is the primary representation or
14 symbolic center or heart of the St. Alban's campus and
15 will remain so in the future. The other architecture
16 as proposed, the additions, will be secondary against
17 this primary symbolic heart to their campus.

18 As important as architecture is on the
19 close landscape is also extremely important. This
20 landscape was planned by Frederick L. Olmsted, Jr.
21 just after the turn of the century. It's a
22 magnificent and varied landscape. Clearly, two things
23 that are of equal status in our minds are the
24 architecture of the Cathedral and the landscape or the
25 Olmsted Woods within the close.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 So all of that is a prelude to what we're
2 proposing here today. Again, on this section you can
3 see the high ground and low ground of the campus or
4 the investments they've made over time at St. Alban's.
5 And the intention is to take these two light green
6 lines which exist as outside landscape levels and
7 create two intermediate landscape terrace levels to
8 stitch together the high ground with the low ground.
9 These would be levels that would be accessible to all.
10 They would also be levels that would be landscaped.
11 So it forms a connection between the community at the
12 bottom of the hill, to the Cathedral and from the
13 Cathedral down to the community as a public sequence.

14 We've also considered, because St. Alban's
15 started as church school or School of the Cathedral,
16 views of the Cathedral from this new addition and also
17 views of Washington, D.C. since it is the high ground
18 and there are wonderful views of both.

19 So to make this point more clearly, we
20 have highlighted views of the Cathedral from the St.
21 Alban's campus and views of the Washington Mall from
22 the St. Alban's campus. And Skip Burck will elaborate
23 on this point and tell you how this was part of the
24 original Frederick L. Olmsted intentions for this site
25 connected use.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 This is the approved close master plan for
2 the entire area here and Olmsted designed this area to
3 be a woodland garden with buildings that would exist
4 within this woodland garden. Over time, what's
5 commonly referred to as the Olmsted Woods was cut back
6 with building interventions and is now an island that
7 exists within this area of the close. It was never
8 intended to be like this.

9 So the intentions of the architecture and
10 the landscape is to create a linkage between these two
11 systems and in fact, expand the area of the Olmsted
12 Woods as originally intended back into the St. Alban's
13 campus and merge architecture with landscape. So at
14 this point I'd like to introduce Skip Burck, a
15 wonderful landscape architect. We're very fortunate
16 to have him as part of our team and he will elaborate
17 on some of these landscape features.

18 MR. BURCK: Madam Chair, Members of the
19 Board, my name is Richard "Skip" Burck. I'm president
20 of Richard Burck Associates Landscape Architects. I
21 live at 3 Forest Street, in Lexington, Massachusetts.
22 I'd like to just reiterate what Roger Duffy has said
23 about this image because it's central to my
24 presentation and I think Richard Arentz' also, when he
25 follows later, about our desire to take this wonderful

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 feature of the close and look at ways to reintegrate
2 it with a more developed landscape.

3 In the proposed landscape of St. Alban's
4 we have three goals. The first is solving functional
5 problems, the vehicular circulation and drop off,
6 pedestrian circulation, knitting together the campus
7 in a way that hasn't been done before which is shown
8 here and maybe the most difficult aspect of this is
9 also making all of that accessible in a handicapped
10 situation which given the grade changes Roger just
11 described is quite difficult, but doable.

12 In addition, as an overlay to that, we
13 want to create a strong network of social spaces.
14 This is a campus and we want to create a variety of
15 spaces where students can get to know one another and
16 their instructors and Roger will speak about both of
17 these in more detail later on.

18 This image here, excuse me, let me go back
19 here for a second. Scholaskill here, we want to use
20 new planting to create a cohesive landscape to knit
21 together all the diverse parts of the St. Alban's
22 landscape and also relate it to the greater landscape
23 of the close.

24 This image here is a limited work plan and
25 shows the areas which will need to be reconsidered for

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 landscaping in the area of the performing arts center,
2 the New Wing extension, suppressed loading dock, the
3 little field that would be used for construction
4 staging. And the yellow areas are in addition to that
5 and show disturbed landscapes that have never really
6 been treated, never really been planted. They've been
7 left over from road construction and have volunteer
8 trees and pretty weedy growth for the most part.

9 So it's a large area to consider and
10 because of that we've taken a master planning approach
11 to how we might plant that and in doing so, the
12 fundamental question is what does history have to say
13 about that?

14 So we've gone to a number of sources, the
15 first, the 1998 master plan for the Cathedral close
16 which describes the Olmsted Woods as being the
17 dominant landscape of the close and that future
18 development should serve to strengthen it.

19 We've also looked at historic
20 correspondence, photographs and plans at Farstead in
21 Brookline, Massachusetts which is the main repository
22 for Olmsted's work.

23 Roger spoke about this a little bit
24 earlier. This is one of the first two buildings at
25 St. Alban's, the little sanctuary, a very interesting

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 note here about viewing the dome of the Capitol and
2 it's a device the Olmsted firm used a lot. They would
3 use landscape elements or site architecture in order
4 to inframe important vistas and they have it there on
5 their plan. There's the dome of the Capitol in this
6 historic photograph.

7 This plan and the one following it are
8 probably the most important plans that we've looked at
9 at Fairstead. Again, a very early plan. This is
10 1907. It again shows the little sanctuary with that
11 note about the Capitol Dome, the Lane Johnston
12 building here and this is before the development of
13 the little field which would occur right here and it
14 shows a deep stream valley, 20 to 30 foot deep with a
15 spring as its source. And what's very telling about
16 this plan though is it shows a line of oak trees
17 coming down here. The next plan I'm going to show you
18 shows again this building and this building in red,
19 just for your reference. Here they are again, Lane
20 Johnston and little sanctuary in red. And this plan
21 of two years later, 1909 shows the stream valley
22 filled here, but they filled it up to the trunks of
23 these trees and so the existing trees here define the
24 extent of the little field, but also the elevation of
25 it because they didn't want to fill over the trunks so

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 as to kill them, a very small baseball diamond there.
2 A great place to play if you're a strong right hand
3 hitter.

4 And this photograph shows what the plan
5 showed just prior, it shows Olmsted Woods coming into
6 the interior of the St. Alban's campus. These are
7 those trees. This is the little field right here. So
8 the first half of this last century, the forest of
9 Olmsted Woods was integrated with the campus. This
10 plan shows the existing condition today where, as
11 Roger Duffy pointed out, the Olmsted Woods more or
12 less sits in isolation, and we have the different sort
13 of ornamental landscapes, foundation plantings of
14 existing buildings, the fields, the little field, and
15 the disturbed areas.

16 And our recommendation, given the scope of
17 work that we have, then is to take the Forest
18 Association of Olmsted Woods, the oaks, the beech, the
19 dogwoods, the ferns, and in essence bring it into this
20 and make Olmsted Woods a part of the fabric of St.
21 Albans again like it was for half a century and
22 integrate the plants of St. Albans.

23 Thank you.

24 Roger.

25 MR. DUFFY: I'd like to elaborate on the

NEAL R. GROSS

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

1 connections of the architecture from the high ground
2 to the low ground, and we offer these three
3 dimensional axiometrics of our intentions.

4 The elevation 360 here is the elevation of
5 the Senior Circle, or the main entrance of the St.
6 Albans campus. Elevation 314 is an existing plaza
7 level in front of the activities building.

8 So currently to get from elevation 360 to
9 elevation 314, you would walk down a very steep
10 asphalt road and pass exposed dumpsters and things
11 that we'll look at in a moment.

12 The intention --

13 CHAIRPERSON MILLER: Can I interrupt you?
14 I'm sorry.

15 MR. DUFFY: Yes.

16 CHAIRPERSON MILLER: Just on that point
17 though, did you say they weren't accessible to all?

18 MR. DUFFY: That's true.

19 CHAIRPERSON MILLER: Even though it's a
20 road? I thought maybe it was terraced.

21 MR. DUFFY: No, it's way above the ADA
22 slope criteria.

23 CHAIRPERSON MILLER: Oh, there's a slope
24 criteria. Okay. So what do they do now?

25 MR. DUFFY: Well, it's just not

NEAL R. GROSS

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

1 accessible.

2 CHAIRPERSON MILLER: They have to go
3 another way?

4 MR. DUFFY: It's preexisting conditions,
5 right.

6 CHAIRPERSON MILLER: Okay.

7 MR. DUFFY: So this is the area that Mr.
8 Quin described earlier as the extension, the classroom
9 addition to the New Wing, the circa 1966 building, and
10 you can see at the ending point here the intervention
11 of a circulation system that includes an elevator that
12 would allow all of these buildings to be
13 interconnected, but also all of the landscapes that we
14 have described to be interconnected as well.

15 So these linkages that Skip described,
16 these landscape terraces would be a component piece of
17 this solution.

18 We superimposed on this drawing the
19 existing buildings with that circulation system, just
20 to be clear about that, and now we're superimposing on
21 that the existing landscape topography.

22 Essentially what we've done is to take
23 beginnings and ends of existing landscapes, for
24 instance, the front or the western door of the
25 National Cathedral is beautifully landscaped and the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Olmsted Woods is beautifully landscaped, but if you
2 would connect those things with a meandering path
3 through St. Albans, the middle is not up to the
4 standards of the beginnings and ends of these
5 sequences.

6 So what we've essentially proposed to St.
7 Albans is that these middle landscapes or these middle
8 pathways connecting existing beginnings and ends be
9 made consistent with the wonderful landscape of the
10 Close (phonetic) that exists around them.

11 We've also attempted to achieve a material
12 continuity with the various pieces of architecture
13 that we showed you earlier, and essentially the
14 backbone or armature for the construction of the New
15 Wing addition and areas that will support these new
16 terraces that we've created will be constructed out of
17 stone that will match the stonework of the turn of the
18 century Lane Johnson Building.

19 This is an aerial rendering of the
20 proposal of the classroom extension, which is this
21 portion here. This is the elevator connection that
22 makes all of this accessible.

23 This portion here is the existing New Wing
24 that will be reclad, and these are some of the new
25 terrace levels, this being the little field. And

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 these new terrace levels connect different levels of
2 the Olmsted Woods and help create these two
3 intermediate steps from the high ground to the low
4 ground and also hide subterranean loading and service
5 and mechanical areas for the St. Albans campus.

6 All of these activities, service and
7 loading and some mechanical, are currently on
8 prominent view on the campus when viewed from the
9 community behind these buildings. Currently they're
10 all sitting in this location here above the very steep
11 asphalt roadway. All of that will be completely
12 hidden from view in the future below this new green
13 terrace landscape.

14 These are some of the trees that Skip
15 Burck described that would extend the Olmsted Woods
16 through to the opposite side of the St. Albans campus.

17 MR. ETHERLY: And, Mr. Duffy, if I may
18 very quickly, if you could return to that prior slide,
19 with respect to -- I just want to be clear -- the
20 landscaping and the representative depictions of the
21 trees, that's meant to be fairly reflective of what
22 you're intending the final product to look like?

23 MR. DUFFY: Thank you for that question.
24 I think it does deserve clarification.

25 These are indicative conceptual

NEAL R. GROSS

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

1 renderings, and they're not meant to be 100 percent
2 specific, but these do represent an intention and also
3 a logic that we're working with on these solutions,
4 and a relative size, as well.

5 MR. ETHERLY: Okay. Perhaps when we
6 return to Mr. Burck's remarks, as you discussed, the
7 incorporation of the Olmsted Woods into the existing
8 architecture and some of the new construction, it's
9 going to be very helpful really, at least for one
10 Board member, to kind of talk me through that so that
11 I understand what you mean.

12 I am kind of perhaps one of the visual
13 folk here on the Board. So I'm trying to picture the
14 incorporation of the woods into the new construction.
15 So that will be helpful to kind of perhaps spoon feed
16 that piece of it to me. But I just wanted to be sure
17 that you are not intending this to represent what the
18 final product would look like.

19 MR. DUFFY: I think it is representative
20 of, but not specifically so. I mean, we're in an
21 early phase of the design, but I do believe that the
22 intentions are strongly indicated here.

23 MR. ETHERLY: But as you were referencing,
24 the walkways and the paths that we see here and then
25 the movement between the terraces, all of that is

NEAL R. GROSS

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

1 definitely meant to pick up on the material used here.

2 MR. DUFFY: Yes.

3 MR. ETHERLY: Okay, and that's going to
4 flow throughout all of the new connections.

5 MR. DUFFY: Yes.

6 MR. QUIN: And I guess at another point we
7 could ask Skip to come back and describe in more
8 detail the nature of the plannings that would be
9 there. This is a little bit scarce in order to make
10 your other points.

11 MR. ETHERLY: Okay. Excellent.

12 Thank you, Madam Chair.

13 CHAIRPERSON MILLER: So just to follow up
14 on what Mr. Quin is saying, I gather that that picture
15 didn't reflect all of the landscaping that's actually
16 going to be planned for that area. I know we see a
17 lot of lawn and some trees, but there may be more?

18 MR. BURCK: Yes.

19 CHAIRPERSON MILLER: You have to come to
20 a microphone though.

21 MR. BURCK: For example, most likely in
22 these beds here we would find a tree level, small
23 tree, shrub and groundcover association, all those
24 different layers to those plantings like you would
25 find in the forest, and we would look, too. In fact,

NEAL R. GROSS

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

1 my project manager was on site today and yesterday
2 analyzing the different layers here, looking at
3 Olmsted Woods to find out exactly what the planting
4 association was so that we could then propose that for
5 replicating areas of that elsewhere.

6 CHAIRPERSON MILLER: Do we have a
7 landscaping plan in the record?

8 MR. BURCK: It's a very schematic one at
9 this point.

10 CHAIRPERSON MILLER: It's schematic at
11 this point?

12 MR. BURCK: Yes.

13 CHAIRPERSON MILLER: Is that in the record
14 or not yet?

15 MR. BURCK: The schematic one is in the
16 record, yes, and I think, skip, one of the things we
17 may want to do is to file in the record a more
18 complete one that would show the nature of the
19 plantings that you propose in these areas.

20 CHAIRPERSON MILLER: That would be a good
21 idea. Thank you.

22 MR. QUIN: Madam Chairperson, just to call
23 your attention, in the area in the plant that was
24 filed, if you look at the planning plan under L-102,
25 I just want to make sure that they are referenced in

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the site area plan. That covers what we have today,
2 but I think maybe we should do a consolidation that
3 would make it more easy.

4 MR. ETHERLY: Well, I think definitely as
5 we move to the PowerPoint presentation it will be very
6 helpful, if not necessary, to have this included in
7 the record and, of course, submitted to the ANC. It
8 is definitely helpful in terms of, shall we say,
9 informing all of the schematics that are included in
10 the submittal that came with the prehearing submission
11 because what I'm doing and perhaps what my colleagues
12 are doing is looking back between the schematics,
13 getting that with the presentation and the oral
14 testimony, and then of course, as we see the
15 conceptual illustrations, it's very helpful in terms
16 of trying to really pull it all together.

17 So I'll leave it there, but I will perhaps
18 have some further questions as we continue to kind of
19 talk a little bit about the landscaping piece. But I
20 gather right now where we're at is just essentially
21 trying to get a sense of what the spirit is behind the
22 thinking for the overall project, and I appreciate
23 that one major theme right off of the bat is trying to
24 incorporate, revive more of the Olmsted Woods to,
25 shall we say, counterbalance some of the erosion that

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 we've seen over the years as a result of prior
2 constructions. And I can definitely appreciate that.

3 And then, secondly, trying to replicate in
4 some of the newly created open spaces and some of the
5 pathways a little more of a tie aesthetically,
6 conceptually, architecturally even so there's not
7 perhaps such a disparate feel to the campus because of
8 that rich architectural tapestry that you reference,
9 which I can also appreciate.

10 But otherwise, the schematics just as an
11 example of a question in my head, as you look at the
12 plantings plan that's noted in Sheet No. L-102, there
13 are some very specific references to number of trees
14 that would require removal or mitigation, and then a
15 total number of trees in landscape.

16 Are those numbers, for example, Mr. Quin,
17 are those numbers intended to be hard numbers at this
18 point or is that still somewhat --

19 MR. QUIN: No, these are fairly advanced
20 numbers. So I think that the three sheets that you
21 have beginning with 100 are indicative of what our
22 proposal is. That shows the tree mitigation plan, and
23 then it shows the planning plan under L-102.

24 MR. ETHERLY: Okay, but you're suggesting
25 that there may be an ability at this point in terms of

NEAL R. GROSS

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

1 some of your illustrations to offer a more advanced or
2 somewhat tighter look.

3 MR. QUIN: I was suggesting that. Now I'm
4 looking at it and thinking it looked pretty detailed
5 as it is, but we can certainly relook at that and see
6 if it should be supplemented.

7 MR. ETHERLY: Okay. Excellent.

8 Thank you, Madam Chair. I apologize for
9 that.

10 MR. MANN: Madam Chair, since we've
11 stopped here and started to engage in this discussion,
12 you actually did use a phrase at the beginning of this
13 portion of your presentation that you're at an early
14 phase of design, and I was going to address that
15 later, but what does that mean, "at an early phase of
16 design"? For the particular schematic that you're
17 showing us or for all of design or just landscape?
18 Maybe you can just clarify that.

19 MR. DUFFY: We're advancing all of these
20 projects simultaneously, and we're about at the end of
21 the schematic phase moving into design development
22 with these projects.

23 As Mr. Quin described earlier, two of them
24 will advance beyond that, the classroom edition and
25 the athletic field component that you'll hear about in

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 a few minutes.

2 MR. MANN: Okay. So that's not in
3 contradiction with the specificity with which Mr. Quin
4 just noted the plans have regarding trees?

5 MR. DUFFY: No, I think that some areas
6 had to be looked at in greater detail, and that was
7 one of the issues, the trees.

8 MR. MANN: In regard to the entire
9 landscape plan, not just the one slide where you made
10 that comment, correct?

11 MR. DUFFY: Yes. Also, these areas of
12 landscape have been a touch mutable in discussions
13 with the community, and you can appreciate that this
14 is a dynamic process.

15 MR. MANN: Okay. Thank you.

16 CHAIRPERSON MILLER: I just located L-102,
17 and I just want to make sure that I understand. It
18 doesn't say what kind of trees are being planted or
19 anything like that, does it? We don't have that in
20 the record. It just says to let them -- where trees
21 are going to be planted.

22 MR. QUIN: I think that's correct, but I'd
23 like Mr. Burck to address that issue.

24 CHAIRPERSON MILLER: Okay, and the other
25 question, I would think that Mr. Burck would be the

NEAL R. GROSS

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

1 appropriate witness. You're working on this very
2 closely with HPRB; is that not correct, since it's
3 historic property?

4 MR. QUIN: Yes, absolutely.

5 CHAIRPERSON MILLER: So they're looking at
6 the kinds of trees that are going in here to be
7 consistent with Olmsted's plan, et cetera; is that
8 right?

9 MR. QUIN: That's my understanding. Mr.
10 Duffy and Mr. Burck, and I know Carolyn Brown of our
11 office have all been working with Steve Colcutt at the
12 office, and that also will be going to HPRB on the
13 23rd, next week.

14 So, yes, that will be part of their
15 approval, I'm sure.

16 CHAIRPERSON MILLER: And I would think
17 that there would be that kind of a detailed landscape
18 plan then presented to them showing what types of
19 trees --

20 MR. QUIN: Yes.

21 CHAIRPERSON MILLER: -- and what types of
22 shrubs.

23 MR. QUIN: And that's what I was
24 proposing. I was hoping that we could take that lead
25 and file that with the Board as well.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: That would be great.
2 Yes, that's what I was hoping as well. Okay, and
3 there will be time for that.

4 MR. QUIN: Thanks. CHAIRPERSON MILLER:
5 Thank you.

6 MR. MANN: Is the landscape on the
7 national register?

8 MR. QUIN: The entire Close is on the
9 national register.

10 MR. MANN: The entire Close. So that
11 includes?

12 MR. QUIN: The appearance, both physical.
13 There is always a question of interpretation as to
14 what a designation means, but some people say even the
15 topography is. Other people say it's not the
16 topography; it's the structure. So I think it's open
17 to some interpretation, but overall the goal here is
18 to deal with physical improvements, including
19 landscaping. That includes hard and soft, as well as
20 the architecture.

21 MR. MANN: Great. Thank you.

22 MR. ETHERLY: And one final question on
23 this area. With respect to some of the ongoing
24 discussions that will be taking place with the ANC and
25 with the community, we're probably nearing or we're

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 beginning to touch on some of those areas, and I want
2 to be sensitive of not putting the applicant in the
3 position of speaking for the ANC because, of course,
4 the ANC will address a number of these issues, but you
5 did reference, Mr. Duffy, that there are components of
6 the landscaping piece, if not all of it in its
7 entirety, that are a big part of your conversations
8 with the community. Is that an appropriate
9 characterization here, that this overall landscaping
10 plan is a big piece, or are there particular segments
11 of the property where there are going to be particular
12 issues that hopefully will get resolved?

13 MR. DUFFY: That would be my
14 understanding, but Mr. Quin may want to clarify that.

15 MR. QUIN: We think we're already
16 resolving those issues as we deal with HPRB because
17 that will be part of the process, and we've already
18 submitted and responded. In fact, today we filed
19 additional drawings. I guess it was today or was it
20 yesterday? Yesterday, additional drawings to address
21 those, including softer approach, for example, from
22 34th Street and ironwork as opposed to different types
23 of fencing and step-ups, and some of that will be
24 shown today.

25 MR. ETHERLY: Okay, excellent.

NEAL R. GROSS

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

1 MR. QUIN: As we get into the next phase.

2 MR. ETHERLY: Okay, and the reason why I
3 ask is, once again, I think we're trying to marry a
4 couple of different things here. One, of course, will
5 be the zoning inquiry, but I think, of course, there
6 are going to be a number of concerns that will emerge
7 from the ANC, that already have emerged from the ANC's
8 initial report filing and may emerge in terms of oral
9 testimony.

10 So I'm trying to also be sure that we're
11 flagging those areas where there still is some
12 discussion that's ongoing. So we're aware of that as
13 well.

14 MR. QUIN: Yes.

15 MR. ETHERLY: So if there are any shall we
16 say red flag areas that need to be highlighted, that
17 would be helpful so that we know that this is an area
18 that really still needs some work and some dialogue.

19 MR. QUIN: Yes. That will be also covered
20 by Mr. Arentz as our next witness.

21 MR. ETHERLY: Excellent. Thank you.

22 Thank you, Madam Chair.

23 MR. DUFFY: I offer this exhibit. This is
24 the existing condition of the St. Albans portion.
25 This is the asphalt roadway that was previously

NEAL R. GROSS

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

1 described here, extremely steep from about this point
2 up through to where the loading and service area is
3 behind the first building on the campus, the Lane
4 Johnson Building, to serve as their active refectory
5 or cafeteria space.

6 And this is what that outdoor loading area
7 looks like here with outdoor mechanical space and
8 dumpsters for the trash. All of that, including the
9 asphalt roadway that currently bisects or precludes
10 bringing the Olmsted Woods into the campus because it
11 severs it right here, all of that will be suppressed
12 or hidden from view and allow these green landscapes
13 to float over top and connect each other from high to
14 low.

15 MR. QUIN: Mr. Etherly, one thing that I
16 don't know whether you saw, if you look at L-101 --
17 I'm sorry to jump back -- but the common name is set
18 forth in the lower left-hand corner in terms of the
19 trees that are being planted. So I didn't want you to
20 get the feeling that this was just a, you know,
21 indefinite. This has been studied, and it will be
22 native species to go along with the Olmsted Woods.

23 MR. ETHERLY: Okay. Excellent. Thank
24 you.

25 MR. DUFFY: So, again, you can see the

NEAL R. GROSS

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

1 extent of the roadway, and at this point it will go
2 underneath this green terrace and have loading service
3 and all mechanical spaces underneath this potential
4 landscape into the future, and this allows the
5 connection of these green spaces through all the way
6 to the perimeter of the Close.

7 An indicative three dimensional
8 perspective of the addition, the connection through to
9 the Olmsted Woods from this new terrace that hides the
10 loading, trash, and mechanical areas, and the elevator
11 tower rendered in stone that would allow accessibility
12 to all levels throughout the campus.

13 This is the Senior Circle area of the
14 campus. This is the front door of the Lane Johnson
15 Building. So this would be the high ground or main
16 entrance of the St. Albans School. It currently has
17 a round-about approximately in this location. It is
18 accessible to vehicles and will remain so and
19 currently has a parking spaces and those are intended
20 to remain in the future.

21 What we've done here is to create the
22 opportunity of bringing some more trees into this area
23 and softening the edge and also creating a more
24 definitive and designed connection through from that
25 archway of the little sanctuary that Skip Burck showed

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 you earlier connecting through to the future
2 Performing Arts Building and New Wing classroom.

3 So the Performing Arts space would be
4 located beneath the Senior Circle virtually hidden
5 from view, and that's about all there is to say about
6 that program. Very little of that building is visible
7 from grade in any condition.

8 So the entrance would be here adjacent to
9 the existing New Wing building. You would go down a
10 series of stairs or have elevator access down to the
11 performance space, which would be beneath the existing
12 Senior Circle.

13 CHAIRPERSON MILLER: So what would be
14 visible? The roof of it or what?

15 MR. DUFFY: No, there's one side here.
16 There's a stair that comes down that helps link this
17 landscape with the next sequenced landscape down.
18 This is an exterior stone, blue stone paved stair with
19 a stone wall to match the Lane Johnson Building so it
20 looked like a landscaped wall, and that would be one
21 edge that would emerge out of the ground from a zero
22 condition. It's sort of pie shaped to an area that
23 would be one story high in this location here.

24 And this area here is about 13 feet down
25 or one story down. Sorry. This area here would be

NEAL R. GROSS

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

1 down one level, and that would be paved with blue
2 stone as well, and that facade there would be the main
3 lobby of the Performing Arts, but hidden from view
4 because you would be on an upper landscape looking out
5 over to views of Washington at that point.

6 CHAIRPERSON MILLER: Thank you.

7 MR. DUFFY: You would have to be within
8 the campus to actually see it.

9 So I'd like to introduce Richard Arentz to
10 go through the athletic field component piece of the
11 project.

12 CHAIRPERSON MILLER: Mr. Duffy, I just
13 want to ask you one question before you go. You made
14 a comment about I think that the new addition was
15 going to be built, but it was secondary, I think --

16 MR. DUFFY: Yes.

17 CHAIRPERSON MILLER: -- to the Lane
18 Building.

19 MR. DUFFY: Yes, Lane Johnson.

20 CHAIRPERSON MILLER: Lane Johnson
21 Building. Could you explain that a little bit, what
22 you mean by that?

23 MR. DUFFY: That's a good question. There
24 are different ways to answer it because it's a complex
25 question, but the Lane Johnson Building sits on the

NEAL R. GROSS

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

1 high ground of the St. Albans portion of the Close,
2 which, as described earlier, is down from the high
3 point of where the cathedral sits, and it is a robust
4 building. It is rendered in this heavy stone, and it
5 has a strong presence because it's adjacent to the
6 main entrance, but also occupies the high ground and
7 it's a very permanent kind of architecture.

8 And this extension is really an extension
9 of an existing building which is call the New Wing,
10 which was done in the '60s. So it generally follows
11 the profiles of that existing building and is an
12 extension of the something else.

13 So by default it is really an addition to
14 an existing condition and finishes up downhill from
15 where the Lane Johnson Building even starts. So as a
16 strategy for the architecture, we thought that these
17 landscaped walls that we have to support these
18 terraces and the new classroom addition as described
19 very skillfully by your fellow Board member is the
20 dominant architectural characteristic of these new
21 interventions, and the classroom space would be
22 transparent and look out into the trees that would be
23 the extension of the Olmsted Woods.

24 So from that building, you could
25 appreciate the landscape that would surround the

NEAL R. GROSS

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

1 building.

2 CHAIRPERSON MILLER: Okay. As a follow-
3 up, do tell me what you meant by landscaped walls.

4 MR. DUFFY: May I show you a picture?

5 This is a depiction of the structure of
6 the architecture, and the architecture is in support
7 of landscape, landscaped terraces, and support of
8 these new addition, and so everything that you're
9 seeing in this view is constructed out of the
10 stonework that would match this turn of the century
11 building and be in support of landscaped, whether it's
12 grass areas or treed areas or classroom areas.

13 So that's what we mean by these landscaped
14 walls, these spaces in the foreground that would be
15 in support of these new terraces that would hide
16 service and loading areas for the project.

17 So we characterize those as landscaped
18 walls. They would be beautiful stone walls that you
19 would see in a landscape somewhere or around the
20 perimeter of the Close there are many of these stone
21 walls around the perimeter of the Close along
22 Wisconsin Avenue, for instance.

23 CHAIRPERSON MILLER: So are they like
24 retaining walls?

25 MR. DUFFY: Something like that, but well

NEAL R. GROSS

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

1 done, I mean, to match things that are magnificent
2 about the Close, not meant to create a new vocabulary.

3 CHAIRPERSON MILLER: Right, and they're
4 beautiful stone, and they're not landscaped
5 themselves.

6 MR. DUFFY: No, no, no, no.

7 CHAIRPERSON MILLER: With ivy all over
8 them or something like that.

9 MR. DUFFY: No, no, no.

10 CHAIRPERSON MILLER: Okay. Thank you.

11 MR. DUFFY: I'm sorry. I guess that was
12 a confusion

13 CHAIRPERSON MILLER: No, no. You answered
14 it well. Thank you very much.

15 MR. QUIN: Madam Chairman and members of
16 the Board, I want to make certain that we don't leave
17 with you the impression that we're not pretty far
18 along. In fact, we're 50 percent completed, design
19 development drawings, and I thought if I could just
20 take about two minutes and have Mr. Burck just
21 summarize the landscaping intention, that might be
22 helpful to the Board in terms of detailing the nature
23 of what the landscaping would be.

24 So Skip.

25 MR. BURCK: There was a question earlier

NEAL R. GROSS

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

1 on whether or not to put this in the presentation or
2 not. So it wasn't in the presentation, but here it
3 is.

4 This is a list of --

5 MR. QUIN: That was my fault because I
6 thought we would try to cut down on the amount of
7 testimony, knowing full well that you would ask the
8 question.

9 MR. BURCK: Thank you for falling on your
10 sword.

11 And I'll read you different categories of
12 plantings that go from the tallest to the smallest
13 just so you'll get an idea of where we are on this,
14 but canopy trees for this new planting may include red
15 maple, swamp white oak, tulip poplar and tupelo.

16 Understory trees: red bud, Silver Bell,
17 American holly, ironwood, and sassafras.

18 Medium high shrubs: witch hazel,
19 winterberry holly, mountain laurel, Catawba
20 rhododendron, arrow wood viburnum.

21 Low to medium shrubs: native deciduous
22 azaleas, summer sweet dwarf Father Gil, Virginia sweet
23 spire.

24 And then on the ground plane, hay scented
25 fern, wood fern, Virginia blue bells, May apple foam

NEAL R. GROSS

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

1 flower, and Christmas fern.

2 And this, again, is a preliminary list
3 that we are starting to look now in detail at Olmsted
4 Woods to see whether or not we have the full spectrum
5 and will be adjusted to the design process.

6 CHAIRPERSON MILLER: Will you be
7 finalizing that this summer with HPRB or what?

8 MR. BURCK: I suspect so. To tell you the
9 truth, I'm not exactly clear what the --

10 MR. QUIN: I think what we probably
11 normally do is to have a range. In other words,
12 designate the areas and say within this area the range
13 will be such-and-such or similar, and that's what
14 we've done before, and I suspect that's what the Board
15 would like to see.

16 CHAIRPERSON MILLER: Yes.

17 MR. QUIN: Certainly the HPRB will want to
18 see it.

19 CHAIRPERSON MILLER: Right.

20 MR. QUIN: And I assume that you all would
21 like to see it as well.

22 CHAIRPERSON MILLER: That's right. That's
23 right. I mean, that's what I'm assuming, that if we
24 were interested in the planting list, that HPRB would
25 be. So whatever you would be submitting to them since

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 they're so concerned about the historic property, you
2 would submit to us --

3 MR. QUIN: Yes.

4 CHAIRPERSON MILLER: -- so it would reach
5 our concerns as well. Okay.

6 MR. QUIN: Yes.

7 CHAIRPERSON MILLER: Thank you very much.

8 MR. QUIN: Thank you.

9 MR. ETHERLY: And if I could, Madam Chair,
10 while we have Mr. Burck up, let me just dispense with
11 this question quickly.

12 It was noted in the Office of Planning
13 report, but at page 4, the Office of Planning does
14 note under landscaping a number of different things,
15 but of particular importance, the introduction of
16 additional vegetation between the fields and extended
17 plantings along the practice fields south of the
18 Olmsted Woods to have a unified edge along Garfield
19 Street.

20 Are those issues that are also being
21 addressed in the landscaping plan at this point as
22 well?

23 MR. BURCK: Yes.

24 MR. ETHERLY: Okay. Thank you.

25 Thank you, Madam Chair.

NEAL R. GROSS

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

1 MR. MANN: And one follow-up question.
2 During your presentation you described or you used the
3 phrase "cohesive landscape." So does that mean the
4 inclusion of those plant types that you just listed
5 create that cohesive landscape? And do you mean by
6 cohesive that they're truly the original intent of
7 Olmsted?

8 MR. BURCK: No. By cohesive what I mean
9 is that we're going to use a very similar palate
10 throughout all of the disturbed area, which is
11 probably 70 to 80 percent of the St. Albans campus as
12 a result of the design proposals in order to tie the
13 different areas together. Some areas will have lawn
14 with trees in them which will be native trees, but the
15 predominance will be woodland in character, which will
16 have all of the different layers that I've mentioned.

17 MR. MANN: Thank you.

18 CHAIRPERSON MILLER: I have one other
19 question before you go. I mean, this sounds like you
20 all are doing major landscaping in connection with
21 this application; is that correct?

22 MR. BURCK: Yes.

23 CHAIRPERSON MILLER: Okay. When is the
24 last time that St. Albans did undertake any kind of
25 major landscaping?

NEAL R. GROSS

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

1 MR. BURCK: I would suspect it was
2 probably a part of the last architecture that was
3 built there. Would it be the Stewart Building 35
4 years ago? That would be my guess.

5 CHAIRPERSON MILLER: Okay. Thank you very
6 much.

7 MR. BURCK: No, I take that back. There
8 have been later memorial gardens as part of the
9 campus. So probably more recently, within the last
10 five or ten years.

11 CHAIRPERSON MILLER: The memorial gardens,
12 were they pretty major like this or just isolated
13 gardens?

14 MR. BURCK: No, no, isolated, yeah. I
15 think that's been the pattern of the development of
16 the campus.

17 CHAIRPERSON MILLER: Okay. Thank you.

18 MR. ETHERLY: Madam Chair, this is going
19 to be my last question.

20 Mr. Burck, before you run, what I'm
21 trying to do, once again, there are a number of kind
22 of elements to this kind of big chunks, and I think
23 we've landed in one of the nice, big chunks, which is
24 landscaping, no pun intended here, but while I have
25 the benefit of you, I just also wanted to run through

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 a quick observation that was made in the ANC report,
2 and that was as we begin to kind of transition our
3 discussion also towards the athletic portion of this
4 piece, part of the concern, part of an issue, of
5 course, will be that you're going to have to remove
6 some trees, either remove or otherwise impact a number
7 of trees.

8 And in addition, there were concerns noted
9 in the ANC report around buffering, and from a visual
10 impact standpoint buffering for some of the
11 surrounding property owners that bordered the subject
12 property, and then also from kind of a sound
13 standpoint.

14 So while I have you up here, could you
15 speak a little bit to some of your thinking or some of
16 your planning around buffering from a landscape
17 standpoint, visually, as well as to any extent
18 buffering would help from a sound standpoint?

19 MR. BURCK: Well, first, I'd like to
20 clarify that landscape does absolutely nothing to
21 alter sound. It does psychologically, but in a
22 physical sense, it does not.

23 MR. ETHERLY: Okay.

24 MR. BURCK: Okay? In terms of buffering,
25 Roger has mentioned Decker Terrace here between

NEAL R. GROSS

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

1 Stewart and in the library and making this connection
2 here. It's very important to us, and so we would like
3 this edge here to appear very nicely.

4 So we're interested in what this looks
5 like from an internal point of view, but on the other
6 hand, from cars traveling here, I think the intent is
7 to allow them to continue to see the Cathedral.

8 So the buffering needs to be done
9 carefully because we don't want to close the public
10 out from use of the Cathedral, but from interior
11 views, we want to make the edge look very nice, and
12 this is, as I mentioned earlier, one of those edges
13 that has been neglected for a long time, has a lot of
14 broken up trees on it from storm events and kind of
15 volunteer weed trees.

16 MR. ETHERLY: Is it fair to say or could
17 you identify in terms of the trees that are slated to
18 be removed at this particular point, are they all
19 occurring in pretty much a concentrated area, or do
20 you anticipate tree removal happening throughout the
21 property for various reasons?

22 MR. BURCK: Well, the scope of work plan
23 I showed a pretty large area of construction activity,
24 and so it will be the trees. They're not located in
25 one discrete area. They're, you know, filtered all

NEAL R. GROSS

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

1 throughout as construction would go from one area to
2 another.

3 MR. ETHERLY: Okay. So it's fair to say
4 that, one, the landscaping plan is going to really
5 cover a wide swath of property, not necessarily
6 concentrating in any one area, but is it fair to say
7 that as you deal with the boundary, perimeter of the
8 property here, especially along this street because
9 you have residences that line this entire
10 thoroughfare, is it safe to say that you are, of
11 course, paying a lot of attention to this particular
12 stretch here from a planting and a tree standpoint?

13 MR. BURCK: Down here? We have not really
14 focused on this area down here. We have focused more
15 on the slope here.

16 MR. ETHERLY: Okay. Thank you.

17 Thank you, Madam Chair.

18 MR. QUIN: Mr. Etherly, just so that you
19 probably have already figured it out, but Mr. Burck is
20 really dealing with the landscaping primarily to the
21 west of Pilgrim Road, which comes in through Chill
22 Pilgrim (phonetic) Road, and Mr. Arentz is dealing
23 with the athletic fields to the east.

24 MR. ETHERLY: Okay.

25 MR. QUIN: And that's why there may not be

NEAL R. GROSS

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

1 apparent cohesiveness in the design, but there is.
2 They've worked together all along, and you'll now hear
3 from Mr. Arentz on the athletic facilities and how he
4 has addressed a lot of the issues that have been
5 raised, even fairly recently. You will see some
6 slides on that.

7 MR. ETHERLY: Excellent. Thank you.

8 CHAIRPERSON MILLER: I just want to follow
9 up on Mr. Etherly's question and maybe Mr. Arentz is
10 going to address this because it sounds like you just
11 said that Mr. Burck is doing the landscaping for the
12 area north of Pilgrim Road, and that Mr. Arentz is
13 going to talk about the fields.

14 And I guess what Mr. Etherly was noticing,
15 that it looks somewhat bare along Garfield Street. Is
16 that Garfield Street?

17 And I'm wondering is someone addressing
18 landscaping along Garfield Street or is that not in
19 your application?

20 MR. QUIN: No, that's very much part of
21 what we're doing, and Mr. Arentz has been spinning his
22 tires getting ready to charge into the explanation of
23 it.

24 CHAIRPERSON MILLER: Great. Thank you
25 very much.

NEAL R. GROSS

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

1 MR. BURCK: Thank you.

2 MR. QUIN: Mr. Arentz.

3 MR. ARENTZ: Thank you, Madam Chair,
4 Board.

5 I am Richard Arentz, Arentz Landscape
6 Architects based here in Washington, D.C. I live in
7 8401 Charnock Road, Orlean, Virginia.

8 What I am talking about today is the
9 fields project and hopefully being able to tie in and
10 answer a lot of these questions that you've just
11 recently brought up about how all of these pieces
12 really do work together.

13 What I'd first like to do is to be able to
14 talk about the boundaries of the fields project.
15 First, that it's bounded by, on the eastern side here,
16 by 34th Street, Garfield Street here, Pilgrim Road,
17 and Olmsted Woods along this edge, and then by a
18 combination of Shared Services and Beauvoir School to
19 the north.

20 Of the fields projects, the fields that
21 are currently there, there are the ten tennis courts
22 that are running along Garfield Street. There is a
23 mixed field here, again, track, that is wrapping
24 around. You can see here that it is not regulation
25 and it is just circling around the outside of the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 baseball field.

2 The other component here that we're going
3 to be addressing is that this is the existing Beauvoir
4 pool.

5 The program that we are looking to fit
6 into this site, which actually I'm sorry. I didn't
7 point out in this last slide. Actually one of the
8 things that's difficult here is looking at the overall
9 slope of this, and just to keep in mind that this is
10 an overall sloping site that goes 81 feet from the
11 diagonal of here at the base of Beauvoir down to the
12 intersection of 34th and Garfield, and the 67 foot
13 drop going north and south in this direction.

14 The fields program itself start off with
15 we are actually decreasing the amount of tennis courts
16 where having eight courts with the first four of those
17 courts being on exactly the same location and grade of
18 the existing courts in that corner.

19 We are then adding another four just north
20 of that, following along an existing wall that happens
21 to separate out that play field that's there
22 currently, and we are going to be -- this second set
23 of tennis courts follows with that same grade.

24 Just to the west of that, there's an
25 underground, less than 1,000 square foot tennis

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 pavilion and storage, and that's underground in this
2 location. So all that really is appearing is there's
3 an 11 foot high wall that happens along here, and this
4 would be underneath there.

5 There's also going to be access --

6 CHAIRPERSON MILLER: Excuse me. What's a
7 tennis pavilion?

8 MR. ARENTZ: It's a facility where you can
9 go buy supplies, tennis balls. You can have your
10 tennis rackets restrung, that kind of thing.

11 CHAIRPERSON MILLER: Not underground
12 tennis courts?

13 MR. ARENTZ: No.

14 So anyway, so that we looked at doing it
15 this way so that it was the most discrete form of
16 expression of this building along the edge. To be
17 able to get to that, you would end up coming up from
18 down below up to here, and then above that, there is
19 space that you could use as a viewing area for when
20 there's tournaments going on for the school.

21 Then further north of that, there is a
22 dedicated practice field that's 100 feet by 200 feet.
23 Off to the left-hand side is a baseball field that is
24 320 feet by 320 feet, and there are two practice
25 fields that could be overlaid on top of that, you

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 know, for fall use.

2 Above that, to the northern part of the
3 site, this is now a regulation track that is a six-
4 lane track, and there's a multi-purpose field that
5 happens here that would include soccer, lacrosse, and
6 football.

7 Again, obviously the field events would be
8 happening towards the perimeter of this.

9 We are also looking at relocating in kind
10 the Beauvoir swimming pool. They currently have a
11 12,000 square foot area that they use, and that is
12 going to be relocated over here.

13 Now people are going to be using the
14 space, and with trying to be able to get this as the
15 central collection point for everybody to come in, so
16 that it's access for people to be coming up Pilgrim
17 Road, to be able to come across from the school itself
18 over here and into a central collection point. This
19 central plaza is the place where people can then move
20 from there through an arcaded space going east to
21 west, and from there you can drop down into the
22 practice fields or baseball, to be able to drop down
23 this way to be able to get to the tennis courts
24 through here and to be able to get back out to 34th
25 Street.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 We have handicapped accessible ramp that
2 goes from, again, the entrance plaza up to the upper
3 fields, again, all of the uses that I had just
4 described previously.

5 There is access to the Beauvoir pool from
6 Beauvoir, and it would be coming down this slope and
7 into their pool pavilion and into the pool itself.

8 We are also looking at just in general
9 wrapping this whole edge and the existing sidewalks.
10 There are going to be two community gated
11 opportunities here and here to be able to allow the
12 community access from those other spots rather than
13 just making it one here at Pilgrim Road.

14 There's also going to be an emergency
15 access point that would happen up at this location for
16 field use.

17 CHAIRPERSON MILLER: Are the community
18 gates to walk into or they're not for cars?

19 MR. ARENTZ: No, no. They're just for
20 walking.

21 CHAIRPERSON MILLER: Just for walking.
22 Okay.

23 MR. MANN: Those gates, you need a key to
24 access them. Is that --

25 MR. ARENTZ: There's going to be a

NEAL R. GROSS

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

1 combination code on them that would be given to the
2 local community throughout the area here. We can
3 clarify that.

4 I'm sorry. To clarify that, it closes at
5 five and opens at 7:00 a.m., and it would be timed to
6 be accessed. I'm sorry?

7 Opens at five and then closes at seven.

8 CHAIRPERSON MILLER: So you're saying the
9 gate opens at five?

10 MR. ARENTZ: Automatically bringing the
11 gate --

12 CHAIRPERSON MILLER: Automatically at 5:00
13 p.m.?

14 MR. ARENTZ: A.m.

15 CHAIRPERSON MILLER: Oh, 5:00 a.m.

16 MS. MEEHAN: No.

17 CHAIRPERSON MILLER: It's to be
18 determined?

19 MR. ARENTZ: Sorry, Colleen.

20 MS. MEEHAN: That's okay.

21 My name is Colleen Meehan. I work at St.
22 Albans School. I'm Director of Planning.

23 Rita asked SOM to do some research on how
24 we could make this gate work for the neighbors who
25 have asked repeatedly if they could have an easier way

NEAL R. GROSS

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

1 to access the Close, and we'd very much like to
2 provide that. So without making it too much of a
3 labor intensive activity, we have found a device that
4 is actually a timer, very much like the timer you
5 might use on your household lights. This is a timer
6 that will unlock the gate at 5:00 p.m., which is after
7 the time that sports have ended and a couple of hours
8 after the time that the young children at Beauvoir for
9 whom we have a particular security concern would have
10 left the Close.

11 And so at 5:00 p.m., it would open, and
12 anyone walking their dog or coming in to just enjoy
13 the grounds would be able to come in at that entrance
14 on 34th Street and then directly walk through the
15 arcade, which will be a safe environment because it's
16 covered and in terms of the sports, and then go over
17 towards Pilgrim Road and into the woods or up the
18 roadway.

19 It would then lock in the morning, you
20 know, prior to the time that students would be
21 arriving for school.

22 CHAIRPERSON MILLER: There's going to be
23 a covered arcade?

24 MS. MEEHAN: Mr. Arentz is going to be
25 describing that.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: Oh, you're going to
2 be describing that. Okay. You're talking about being
3 protected from stray balls and stuff like that?

4 MS. MEEHAN: Exactly.

5 CHAIRPERSON MILLER: Okay. Thank you.

6 MR. ARENTZ: This diagram rally talks
7 about how we're actually fitting these fairly large
8 footprints of the field and the of the baseball into
9 the sloping site. Obviously currently there are
10 slopes; there are walls, there are steps, and we're
11 just really reconfiguring how those are allocated
12 throughout the site, again trying to reconcile these
13 fairly large footprints into this and really making
14 sure that we're maximizing the opportunities here.

15 One of the things that I wanted to talk
16 about here -- and I'll get to the arcade in a
17 second -- but how we're terracing this up, it was
18 really important for us in the beginning of this, and
19 my first has been working on this on the heels of the
20 master plan that was completed in '98, and looking at
21 how this could get reconciles.

22 So one of the things that was important to
23 us is keeping the existing grade here at the
24 intersection of 34th and Garfield and preserving the
25 long views up to the Cathedral. And so that was an

NEAL R. GROSS

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

1 important part of our work from the very beginning.

2 What we have here is, again, an existing
3 grade, and what happens here is it is a one percent
4 slope that goes from west to east. The residual that
5 we have then, again, is existing grade. There is an
6 existing wall that happens along here currently at the
7 north end of those four tennis courts. We would be
8 keeping that existing grade. There would be a new
9 wall that would happen there, and then we will add in
10 this next layer of tennis courts that's happening
11 here. It's actually cutting down 11 foot of grade out
12 of the area.

13 So part of our effort was to really look
14 at how we're cutting and being able to increase views
15 coming into the site. So further as we go on up from
16 there, again, with this slipping one percent across,
17 we're actually able to pick up two feet across there.

18 So on this condition we end up having a
19 wall that's at four and a half feet high and out to
20 six and a half feet high to this end.

21 As we're moving sort of toward the west,
22 this wall, again, is 11 feet when it's on the inside
23 and from the outside condition, we have a nine foot
24 wall internally, and we've also brought out some low
25 landscape walls. I mean, there are conditions

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 throughout the Close that have a variety of
2 opportunities for the pedestrian experience, and one
3 of those, it talks about some of the low walls that
4 are 30 inches and lower so that walking past those,
5 they are not inundating walls.

6 So it was one of the things that we've
7 been looking about as sort of the edge conditions.
8 Also, the walls that get pulled out to the edge would
9 be clad in stone, very much talking about the
10 materials of this place.

11 So there's a low wall that then also is
12 bounding from three feet high, again, up to nine feet
13 high towards the back of the baseball field.

14 The baseball field itself slopes at a one
15 and a half percent slope, you know, from home plate
16 out and in all three directions so that that's
17 actually a two foot grade difference from home plate
18 out to this field and a four foot difference to here.
19 So, again, in these large footprints, there's actually
20 a fair amount of grade that's actually taken up with
21 even very subtle slopes such as those.

22 As we move further north, we're coming
23 across then this arcade, and the design intention here
24 was to really use this as sort of a gathering spot
25 here for the entrance plaza and to be able to bring

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 you through a safe and covered environment. So what
2 this is doing is bringing you along sort of the
3 pedestrian spine, if you will, that connects the site
4 and all of the activities north and south through this
5 east-west corridor.

6 CHAIRPERSON MILLER: Could I ask you about
7 that arcade?

8 MR. ARENTZ: Sure.

9 CHAIRPERSON MILLER: It has the cover.
10 Does it have sides? Does it have walls or is it
11 columns or what is --

12 MR. ARENTZ: It's just columns, and it's
13 a stone arcade that is actually Roman arch, and again,
14 it's at this end over here only 12 feet that is
15 expressed, again, because of how this slopes across
16 here, and then to this end it's 17 feet that is
17 actually expressed, height.

18 CHAIRPERSON MILLER: Height of columns?
19 That's what you mean by "expressed"?

20 MR. ARENTZ: No, height of the top of the
21 arcade to the base of the arcade.

22 CHAIRPERSON MILLER: Okay. Is how much?

23 MR. ARENTZ: Twelve to 17.

24 CHAIRPERSON MILLER: Twelve to 17. Okay.

25 MR. QUIN: You're going to come to the

NEAL R. GROSS

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

1 perspective.

2 MR. ARENTZ: Yeah.

3 CHAIRPERSON MILLER: It's going to be
4 apparent then, perspective? The columns though, can
5 you just give me an idea though what they're like, how
6 thick they are, how many spaces in between or are
7 there a lot of open spaces in between?

8 MR. ARENTZ: There is, but I might defer
9 to the architects. Can we come back to that?

10 CHAIRPERSON MILLER: Yes, go ahead. Yes.

11 MR. ARENTZ: Okay, great. So then we're
12 slipping up from there vertically to be able to get to
13 this 308 level, and what we're doing at this level is
14 we're actually sloping up from 34th Street, and we're
15 going to be ending up cutting in a bit off of Pilgrim
16 Road.

17 From there we are then sloping up.
18 There's a 40 foot grade difference from this part of
19 Beauvoir down to the 308 and then a 30 foot grade
20 difference here.

21 And what we're looking at doing is trying
22 to really maximize how that is perceived, pushing the
23 slope back so that you really are receding into the
24 slope, and I think that this next image really starts
25 to demonstrate how we see that happening.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 The seating which is for the field part of
2 this, there's a 600 person capacity within these
3 bleachers' seating, and what we've done with that is
4 really tried to stretch that out so that it actually
5 goes out to the ten yard lines on the ends, and then
6 it just gradually slopes back up so that we're
7 maximizing the amount of green space that we have on
8 the edges of the seating.

9 The other thing that we're looking at
10 doing here is that, again, the vertical surfaces,
11 trying to have those as much as possible -- the
12 material stone is quite important for us, but we also
13 from some of the community comments have been, you
14 know, is that too hard. So we are looking at trying
15 to soften much of the vertical surfaces throughout
16 this space with Boston ivy, and I'm going to be
17 specific about that.

18 It's a fairly traditional material like
19 you would see on campus like this, and it's one that
20 does -- it's deciduous. It drops its leaves in the
21 fall. It actually turns quite bright red in the fall
22 and then drops its leaves, and it allows the stone to
23 be able to breathe. So it's not a long-term
24 maintenance issue. You would have that with English
25 ivy for example.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: May I ask you is this
2 the perspective from the field for football basically
3 or lacrosse?

4 MR. ARENTZ: Yes. I'm sorry. This is the
5 308 elevation; this is the track, and then the multi-
6 purpose field.

7 CHAIRPERSON MILLER: Oh, okay. How does
8 the seating capacity compare to what it is currently?
9 Is there something --

10 MR. ARENTZ: There's not a comparable now.
11 I mean what happens now is it's actually just dragged
12 out onto the field.

13 CHAIRPERSON MILLER: I mean, for the field
14 now is there some seating capacity?

15 MR. ARENTZ: No.

16 CHAIRPERSON MILLER: No. People just sit
17 on the hill basically?

18 MR. ARENTZ: There's bleacher seating, but
19 it's not tucked into the hillside like this.

20 CHAIRPERSON MILLER: I'm just wondering if
21 the space is going to be able to accommodate more
22 spectators than the current space.

23 MR. QUIN: Why don't I call David Baad,
24 the Athletic Director, to explain that quickly?

25 CHAIRPERSON MILLER: Okay. Thank you.

NEAL R. GROSS

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

1 MR. BAAD: I'm David Baad, the Director of
2 Athletics.

3 The way we do things now is that we have
4 about ten bleacher sections that can hold
5 approximately 350 people, but for some games we draw
6 many more than that and people simply just stand
7 around the field to watch the game.

8 CHAIRPERSON MILLER: Right.

9 MR. BAAD: So we're certainly having
10 stands that will accommodate more people, but I don't
11 think that would change the crowd sizes at all. It
12 would just be more comfortable seating for people.

13 CHAIRPERSON MILLER: Okay. Thank you.

14 MR. ARENTZ: Next, moving out to the edge
15 condition, these are two examples of what the existing
16 conditions look like, albeit in the winter. I think
17 it really sort of tells the story about this
18 condition. I mean, what we have are old chain linked
19 fences that are rusted. They are also the old silver
20 type of chain linked fence.

21 Over the years, vines, et cetera, have
22 grown up through them. Even trees have grown up into
23 them. So it's really a bit bedraggled, this edge
24 condition.

25 The other thing that we have are slopes

NEAL R. GROSS

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

1 that range up to 60 percent slope such as in this
2 area. One of the problems with that is that with
3 slopes that steep, it's very difficult to get people
4 to get in there to maintain them. Generally we
5 consider a 30 percent slope is sort of the maximum
6 that you would want to get in for a movable situation.

7 So that's one of the reasons we think that
8 this is really left in this condition, which again is
9 not very nice.

10 You know, the other components of the edge
11 are some stone walls. This is that area that I had
12 mentioned before, that wall across where the second
13 level of tennis courts would be going in. So that's
14 really talking about what this edge condition looks
15 like at the moment.

16 There are a number of street trees that
17 primarily are along 34th Street, which are great and
18 in good condition, and obviously those are things that
19 we're planning on sort of celebrating.

20 This diagram is we'll be talking about our
21 efforts to either maintain or improve grade conditions
22 along the edge. So we have achieved an 80 percent
23 improvement or retain the existing. This is existing
24 on this corner and we've actually cut out 11 feet of
25 grade here so that we're encouraging these longer

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 views into the site.

2 So the goals here were to increase the
3 views in by changing the grades or maintaining them;
4 to dramatically upgrade the plantings throughout, but
5 primarily on the edge; and that we were also looking
6 at when walls are happening, that those walls are
7 happening, that we are making the commitment that they
8 are stone and when we are pulling out the edge
9 condition, you know, it's one of the highest grade
10 materials.

11 The thoughts, sort of building on what
12 Skip had talked about earlier, were looking at, and
13 this is actually just showing some of the images of
14 those levels of plantings, from the variety of, you
15 know, sort of canopy trees, and actually to look at
16 the drawings. Right now they're called out as canopy
17 trees, shade trees. I mean, there are flowering
18 trees. So this, again, canopy trees.

19 These are representative of understory and
20 flowering trees. This is a redbud and behind is
21 actually dogwood. This is one of our native evergreen
22 trees, this sort of American Holly, and this plant
23 over here is Fathaghia (phonetic).

24 So we're looking at it doing a variety of
25 materials that would be appropriate to pull out here

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 that, you know, are very much thinking about the
2 native plants for this region, and so, again, this is
3 a very general idea of what that pallet might be.

4 The other image that's up here is to sort
5 of talk about the softening of some of these vertical
6 surfaces with the Boston ivy.

7 In some of the comments that have come
8 back from the community, particularly from the ANC,
9 was to, you know, can we beef up our planting efforts
10 along all of really the edge conditions, and we have
11 taken that to heart and have come back and have added
12 more trees throughout this whole zone and actually
13 quite a bit here at the entrance plaza, along Garfield
14 Street.

15 This little quadrant that was left here,
16 again, this is 30 percent slope that's happening
17 across there, and we have actually pulled the
18 plantings down into that. So there's a lot more
19 plantings there.

20 And we are looking at efforts here to try
21 to be able to save a few more of the trees that we
22 have at the Beauvoir pool.

23 Again, you know, we're left here with
24 existing conditions. We have the safety concerns of
25 all of these internal uses of the fields, and really

NEAL R. GROSS

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

1 the opportunity here is to be able to pull the notion
2 of Olmsted Woods across Pilgrim Road to here along the
3 edge of the baseball field.

4 MR. ETHERLY: Mr. Arentz, if we could,
5 could we stick with the prior slide just for a moment?

6 With regard to this intersection here --

7 MR. ARENTZ: Yes.

8 MR. ETHERLY: -- Garfield and 34th, let me
9 try to take a stab at kind of summing up what I think
10 I'm hearing thus far. It sounds like in large part
11 there was a desire to insure that you still protect
12 the vista into the closed property.

13 MR. ARENTZ: Right.

14 MR. ETHERLY: One of the things that I'll
15 be interested to hear from the ANC because I don't
16 want to presume that this is the issue or assume it,
17 but is it safe to say that there is, however, a
18 tension between wanting to preserve those vistas into
19 the Close with also insuring that there still is some
20 type of satisfactory visual buffer as you look into
21 the athletic area, correct?

22 MR. ARENTZ: Correct. I mean, we have
23 along the edge, I mean, in the beginning of looking at
24 this we were thinking of not having as many large
25 canopy trees as ultimately came because it was our

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 perception that, you know, the scale of that, is that
2 going to be blocking views?

3 So I think there's a fine line to be
4 established there. I think it's everybody's desire to
5 not be able to see because we do have safety concerns.
6 There's going to be a six foot high fence that's along
7 here. So we're looking at having an undulating
8 planting, the same with the idea of the canopy trees,
9 the understory trees, so that there's a variety, so
10 that this is not just a straight line of plant
11 material, but that you would see a softness, an
12 undulation very much talking about the very casual
13 woodland nature of Olmsted Woods.

14 MR. ETHERLY: Okay. So as I look at some
15 of the graphic representations, in particular, A-301
16 in the prehearing submission offers a perspective of
17 Garfield and 34th Street. I'll ask the same question
18 as we got into a little earlier. Is that intended to
19 be a fairly straightforward representation of what you
20 intend that kind of visual line to look at along
21 Garfield and towards 34th?

22 MR. ARENTZ: Yes.

23 MR. ETHERLY: So that would be kind of --

24 MR. ARENTZ: I was going to go to the next
25 slide because it's here.

NEAL R. GROSS

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

1 MR. ETHERLY: Pretty much, yeah, pretty
2 much.

3 MR. ARENTZ: Yeah, it very much is. I
4 mean, what we're looking at here, again, trying to
5 transition up, we looked at this from several
6 different perspectives. We looked at this as people
7 who are walking by the edge condition and what their
8 views are going to be like as they're looking up into
9 the Cathedral.

10 And also having just recently moved out of
11 Cleveland Park as a resident here, you know, driving
12 past this all the time you think about it as, you
13 know, what is it like also being in a car, and so you
14 want to make sure that -- and this was an intersection
15 that was always really quite an important one to me
16 personally because you're always looking up there.

17 So wanting to maintain that grade and be
18 able to maintain the view up was important. So
19 planting-wise, you know, we would be looking at
20 keeping these fairly low plantings right here at the
21 corner, and then you can see here where it's starting
22 to transition back up, and we'll get to another image
23 here where it actually is pulling in some evergreens.

24 We have thought about, you know, trying to
25 minimize the amount of things that will be really

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 dense and completely block views out, but again, if
2 it's a filter views that are coming in so that, you
3 know, you're not going to get a completely direct view
4 every time, but we're trying to frame the views so
5 that we're really trying to make sure that this
6 experience is the best that it can be.

7 MR. ETHERLY: Okay. So there will be
8 varying areas of intensity, but part of the thinking
9 is insuring it at at least that Garfield Street-34th
10 Street corner. There is an opportunity, an opening so
11 to speak from which passersby, vehicles still have a
12 vista into the Close.

13 MR. ARENTZ: Right.

14 MR. ETHERLY: And similarly, that would
15 also perhaps be the case for residents that kind of
16 about that particular corner, as well, still
17 maintaining sight lines --

18 MR. ARENTZ: Exactly.

19 MR. ETHERLY: -- into the property.

20 Now, is it fairly set in stone, no pun
21 intended, that the chain linked fence that serves as
22 the perimeter for what would be, I guess, the tennis
23 courts. That essentially is what you're going with at
24 this particular point?

25 I don't necessarily have any ideas or

NEAL R. GROSS

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

1 notions about what else would go there, but is that
2 pretty much the only option at this particular point?

3 MR. ARENTZ: Yeah. At the tennis courts
4 we have a ten foot, high black, vinyl coated, chain
5 linked fence. We do not have the upper rail. So
6 we're trying to really keep this as light as possible.
7 We find that the upper rail really anchors that and
8 makes it heavier. So we're just having a wire that
9 would end up making that taut.

10 So the things that you're left with really
11 are the vertical members here. Along the portion
12 where there's the baseball field, we end up having a
13 six foot high security fence there that's also a chain
14 link.

15 And, again, some of the comments that have
16 come back from the community is: can you push that as
17 much as possible?

18 And this next slide is one of those
19 opportunities where we thought we could do that. We
20 could actually make an iron fence, and that's really
21 this section right here, and this is the alleyway
22 across the way here. What you're looking at up here
23 is the track and field. So we have sidewalk along
24 34th Street, a 30 inch high wall that's stone, and
25 then a 30 percent slope that slopes up to the track.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 So what happens here -- in fact, we were
2 going over this this morning -- is, you know, there's
3 a sense of depth that's created here and actually sort
4 of a picturesque view of this with the rolling of this
5 grate so that it actually looks further than it
6 actually will be.

7 There's also here's an opportunity to be
8 able to take some of the clues from the existing part
9 of the site and there are dead or cedars that are here
10 that are really quite nice and are things that could
11 be transplanted, and we're actually looking at being
12 able to try to have that happen within here and
13 perhaps even repeat that one moment with some
14 evergreens. So it's framing this very nice view to
15 the Cathedral.

16 MR. ETHERLY: Now, coming back to the
17 tennis courts for a moment, as I've had occasion to
18 note before in other cases, being a tennis fan myself
19 and maybe on a good day a tennis player, I do note at
20 times, of course, that tennis courts do employ wind
21 screens or other types of material that are attached
22 to the fence to serve as a buffer for winning things
23 along those lines.

24 Is there any type of -- and perhaps this
25 is directed to the Athletic Director or maybe not --

NEAL R. GROSS

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

1 is there any type of plan along those lines to do
2 anything like that that would interfere with that
3 sight line as you've established it?

4 MR. ARENTZ: Yeah, to my knowledge they
5 have never used windscreens here, but I think we're
6 thinking that it might be the U.S. Open blue as far as
7 the material.

8 MR. ETHERLY: Okay. Let's not go there.
9 (Laughter.)

10 MR. ARENTZ: I'm just kidding.

11 MR. ETHERLY: Now, with respect to and
12 just while I have you I'll throw the question out
13 there so I can be done with it. The ANC report did
14 reference, and you spoke to it to some extent, on I
15 believe it was page 3 of the report -- actually it's
16 page 4 of my fax copy, it did reference some of the
17 once again understory plantings, perimeter hardwood
18 trees, to assist with kind of some of the visual
19 buffering for some of that streetscape along the
20 tennis court and to an extent perhaps along the
21 baseball field.

22 Is it your sense that this is pretty much
23 where you are now in terms of the landscape and
24 planting presentation for this particular area or are
25 there still other pieces in terms of that perimeter

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 that you're working on to, shall we say, soften this
2 piece and not just from the standpoint of the
3 perimeter, but as we talk a little bit about the
4 plaza, the arcade, if you will, which is what I think
5 is a very lovely addition, but from the standpoint of
6 visually conceivably that could be a lot of stone work
7 that you're looking at.

8 But I guess my bottom line question is
9 you're pretty much close to final right now in terms
10 of what you're proposing with regard to the
11 landscaping on this part, on this piece.

12 MR. ARENTZ: Yeah. That's what Skip was
13 saying before. I mean, we were asked to be able to
14 advance up, talking about where do we see canopy trees
15 happening, where do we see understory trees happening.

16 So the drawings now have that level of
17 specificity to them, but exactly what those plans are
18 yet, that is going to be the next piece that we will
19 go into.

20 MR. ETHERLY: Okay. Thank you.

21 MR. ARENTZ: And just additionally, I just
22 wanted to point out here, I mean, this is intended
23 that the arcade, and I know it's a little bit
24 difficult to read from here, but we're looking that
25 those are also clad, I mean, with the ivy so that,

NEAL R. GROSS

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

1 again, this has a soft, green vertical presence to it.

2 MR. ETHERLY: Okay. Excellent.

3 Thank you, Madam Chair.

4 CHAIRPERSON MILLER: I have a few
5 questions. Are you finished?

6 MR. ARENTZ: Yes.

7 CHAIRPERSON MILLER: Okay. Could you
8 elaborate more about the pool? You say you're moving
9 the pool from one spot to another spot. Why are you
10 doing that? What's going to be where the pool is?

11 The pool is actually Beauvoir property as
12 opposed to St. Albans property, but the pool is being
13 -- I mean, it's all one foundation property. I
14 understand that.

15 MR. ARENTZ: Right.

16 CHAIRPERSON MILLER: Somewhat I understand
17 that, but it's going to be moving onto St. Albans'
18 area?

19 MR. ARENTZ: Well, the existing pool is
20 located here, and as the fields project moves into and
21 covers this area, it was negotiated in the master plan
22 that they would relocate the pool, and so the pool is
23 actually not physically taking that pool, but having
24 to build a new pool obviously, would go into this
25 location, and that's something that the school is

NEAL R. GROSS

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

1 committed to doing.

2 MR. QUIN: And would you describe is this
3 the same size, the same access? Everything is the
4 same except it shifted over?

5 CHAIRPERSON MILLER: Same use of the pool?

6 MR. QUIN: Same use, no other uses.
7 That's why when we talked to the Zoning Administrator
8 earlier, we thought that rather than having two
9 separate applications, it made sense just to put it in
10 this application because there's nothing that we're
11 changing about any condition of the Beauvoir order
12 that would make any sense to have to have a new
13 application. It's just going from one site to
14 another, the same number of students, everything is
15 the same.

16 CHAIRPERSON MILLER: And it's all one
17 property owned by the foundation.

18 MR. QUIN: All owned by the foundation,
19 and they are not separate corporations. They're not
20 separate ownerships. They're part of the foundation.

21 CHAIRPERSON MILLER: Is there going to be
22 any particular landscaping around the pool?

23 MR. ARENTZ: As I said, let me go back to
24 the next slide.

25 Yeah, we're looking at and this is a

NEAL R. GROSS

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

1 concern for all of us in making sure that the pool is
2 screened. The pool actually drops down from -- it's
3 essentially eight feet lower off of Pilgrim Road here.
4 So it's actually you're stepping down into it, and
5 we're looking to have this whole zone planted out.

6 Now, there are some efforts to be able to
7 try to save some trees there, and we are working hard
8 to see if that's a possibility. So we haven't
9 finalized that, but we are looking at that, and that
10 would really be primarily in this zone.

11 The difficulty with that is, you know,
12 we're trying to push the pool, you know, having all of
13 the same square footages, et cetera, with that. We
14 want to make sure in the end that if we do make the
15 efforts of trying to save trees, which the efforts are
16 there, we want to make sure that if it's being done
17 and the monies that would be allocated to that, it's
18 worthwhile.

19 I would hate to see them spending, and
20 personally having been through that, having them spend
21 money to try to save something if it only has 50-50
22 chance of living. It would be better top actually buy
23 some other trees.

24 CHAIRPERSON MILLER: Okay. So there will
25 be a bath house or something that's going to go there

NEAL R. GROSS

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

1 as well?

2 MR. ARENTZ: There is a pool house
3 changing room facility that's here, and the image,
4 it's actually tucked into the hillside as well. So
5 it's not actually expressing itself. Let me get to
6 that. I'm sorry. It's the other direction.

7 It's actually tucked into -- sorry. Over
8 here. So it's really pretty quietly moved into that
9 hill.

10 CHAIRPERSON MILLER: Okay, and did you say
11 that you're going to be replacing the edging around
12 34th and Garfield that's currently a wall that
13 looks -- am I incorrect?

14 I think you're saying you're going to have
15 all of this new stone wall. Let's go back there. See
16 that, the wall there behind the fence?

17 MR. ARENTZ: This wall?

18 CHAIRPERSON MILLER: Yeah, and it curves
19 around and goes up the --

20 MR. ARENTZ: This wall?

21 CHAIRPERSON MILLER: Yes. Is that going
22 to be replaced or is that going to stay the same?

23 MR. ARENTZ: This wall actually in the
24 end, this may end up having to be replaced, but there
25 is going to be a stone wall put back in there because

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 at this condition, this is where the second four
2 tennis courts come in. We're actually cutting down
3 this 11 feet of grade so that you can see. You're
4 going to open up views to the Cathedral.

5 CHAIRPERSON MILLER: Right, okay.

6 MR. ARENTZ: And, again, that was one of
7 the goals.

8 With that being cut across there, the
9 tennis court being laid into there, they probably will
10 need to take that wall down as we're just constructing
11 that and just simply for feasibility of keeping that
12 wall completely intact.

13 Haven't quite gotten there as to whether
14 that absolutely happens, but the notion in the end is
15 that the end product will have a stone wall there.

16 CHAIRPERSON MILLER: So around 34th Street
17 there will be a stone wall, and you're not sure
18 whether it will be the one that's there or there might
19 be a new one?

20 MR. ARENTZ: Right. We just have to look
21 at, you know, when we're actually taking all of the
22 soil out of here and you're having equipment and stuff
23 taking the soil down and actually coming back in and
24 putting the new surface in whether this wall will be
25 able to stay there, and in the end, the important part

NEAL R. GROSS

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

1 of it is that the stone wall will be there as an end
2 product.

3 CHAIRPERSON MILLER: But am I correct that
4 the new stone walls that you'll be putting in will be
5 more attractive than the one that's there currently?

6 MR. ARENTZ: Well, let's go in the other
7 direction. You can see where the stone wall is.
8 Actually that other slide was talking about how they
9 are terracing up there. So the wall we were just
10 looking at, in fact, it is right there.

11 So you're having -- because we're cutting
12 that grade across the way, and then there's another
13 wall which is stepping up which is the beginnings of
14 that wall.

15 CHAIRPERSON MILLER: Okay. Just bear with
16 me. I'm sorry. It's like maybe I can't tell exactly
17 what the stone calls look like. I'm under the
18 impression that your new stone walls will be more
19 attractive than the old stone wall. Am I wrong?

20 MR. ARENTZ: Well, that certainly is the
21 intention, yes.

22 CHAIRPERSON MILLER: Okay, and so with
23 respect to 34th Street, is it undecided at this point
24 whether they'll be replaced depending on how the
25 construction goes or --

NEAL R. GROSS

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

1 MR. ARENTZ: Well, it would only be that
2 one wall because, again, these are all new walls. I
3 mean, these do not exist.

4 CHAIRPERSON MILLER: Right, okay.

5 MR. ARENTZ: And so these are all new and
6 so you can assume that they are new stone.

7 CHAIRPERSON MILLER: Right.

8 MR. ARENTZ: And that they do look great,
9 and if it is just that one because the grades happen
10 to fall exactly in the same plane, and so there's a
11 possibility that that might be able to be saved.

12 CHAIRPERSON MILLER: Okay. So if you can
13 save it, you're just going to leave that one. Okay.
14 Right?

15 MR. ARENTZ: Yeah, if we can.

16 CHAIRPERSON MILLER: Okay. I have one
17 last question, and I didn't want to interrupt you
18 before, and I'm not sure whether you'll know exactly
19 what you're referring to at this point, but you made
20 a comment about celebrating trees on 34th Street when
21 you showed us the trees that were existing, and I
22 wasn't sure what you meant by how you are going to be
23 celebrating the trees on 34th Street.

24 MR. ARENTZ: Well, along 34th Street, the
25 best street trees on the project for this part of the

NEAL R. GROSS

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

1 project, meaning the fields project are along here.
2 They're really wonderful willow oaks that are in very
3 good condition and health. So the point was here that
4 there's nothing that's happening with that that's
5 going to jeopardize those trees.

6 So you know, we're saying they're great.
7 They add to the fabric of the edge of this Close, and
8 we really encourage that kind of thing.

9 CHAIRPERSON MILLER: Okay. So your
10 landscaping there is going to complement those trees
11 and as opposed to some other areas, those trees aren't
12 in jeopardy. That's what you meant?

13 MR. ARENTZ: Those trees are not in
14 jeopardy, no.

15 CHAIRPERSON MILLER: Okay. Thank you.

16 MR. ARENTZ: Thank you.

17 MR. ETHERLY: Madam Chair, a real quick
18 question, perhaps not for Mr. Arentz, but just so I
19 round out my understanding on the athletic piece,
20 which perhaps might come back to Mr. Baad, but I'll
21 toss it to you, Mr. Quin, and you can field it
22 appropriately, no pun intended.

23 With regard to the baseball field, any
24 bleachers planned for that field at all? And I'll say
25 actually for the baseball field and for the practice

NEAL R. GROSS

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

1 field. Any bleachers of any sort or seating?

2 If you could turn your microphone on, Mr.
3 Arentz.

4 MR. ARENTZ: Oh, I'm sorry.

5 Yeah, just for the baseball field, there's
6 actually, and I'm sorry I didn't say this, there are
7 200 seats that are here that it's tucked into this
8 hillside here because as we're coming off of Pilgrim
9 Road and it's actually sloping down so that the seats
10 are in there, about 200.

11 MR. ETHERLY: Okay, but no other -- no
12 accompanying press box for that field, correct? Just
13 seating?

14 MR. ARENTZ: No, actually there is going
15 to be facilities over onto the side. That would be
16 actually associated with the arcade.

17 MR. ETHERLY: And then bleachers for the
18 football field and the track will be located here?

19 MR. ARENTZ: I'm sorry?

20 MR. ETHERLY: There's a rendering at -- I
21 apologize for not having it handy -- there's a
22 rendering that showed the -- okay. Note here what's
23 referred to, I guess, as the multi-purpose field.
24 There's bleacher seating there, correct?

25 MR. ARENTZ: Right. That's the 600 seats

NEAL R. GROSS

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

1 that I had talked about, right.

2 MR. ETHERLY: Okay, and there will be a
3 press box structure at the top.

4 MR. ARENTZ: Yes, there is.

5 MR. ETHERLY: Okay, and now you also are
6 indicating that there will be an additional there.

7 MR. ARENTZ: Yes.

8 MR. ETHERLY: Okay, and that's for the
9 multi-purpose field.

10 MR. ARENTZ: Right.

11 MR. ETHERLY: Now, there will also be an
12 additional 200 seats that will be built into the hill
13 as you go into the entry plaza off of Pilgrim Road for
14 the baseball stadium.

15 MR. ARENTZ: There's 200 seats there for
16 baseball.

17 MR. ETHERLY: Plus a small press box
18 structure.

19 MR. ARENTZ: Right, and it's actually just
20 really for filming that's going to be associated off
21 to the side.

22 MR. ETHERLY: Okay, okay.

23 MR. ARENTZ: So it's not -- like this.

24 MR. ETHERLY: Excellent. Okay. Now, with
25 respect to the tennis area, any bleacher seating

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 there?

2 MR. ARENTZ: No. It's just going to be
3 being able to stand above that 11 foot wall that I had
4 mentioned and being able to look down. So, no, that's
5 not designated that way.

6 MR. ETHERLY: Okay, and as was indicated
7 earlier by Mr. Wilson, no night activities in terms of
8 athletics at any time.

9 MR. ARENTZ: That's correct.

10 MR. ETHERLY: So there will be no exterior
11 lighting for any of those fields.

12 MR. ARENTZ: That's correct.

13 MR. ETHERLY: Okay. Now, with respect to
14 the arcade, because the arcade is intended to be
15 available for community and/or public use from 5:00
16 p.m. until 7:00 a.m. essentially, will there be
17 lighting of any type in the arcade area?

18 MR. ARENTZ: We have to finalize that, but
19 there would be a level of safety lighting that would
20 have to happen.

21 MR. ETHERLY: And in all likelihood, that
22 would once again -- I understand that you have to
23 finalize that -- in all likelihood would that be some
24 type of hung lighting so it's overhead as opposed --

25 MR. ARENTZ: We don't know about that yet.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MR. ETHERLY: Okay. Is it your -- and the
2 reason why I inquire is based on some of the
3 renderings of the 34th Street Garfield corner
4 intersection, the arcade would be visible -- thank you
5 very much for heading to that slide -- the arcade
6 would be visible to some extent from that corner and
7 perhaps from other points along the streetscape of
8 Garfield Street and then 34th. So I just want to get
9 a sense of overall, of course, once again still
10 respecting the privacy of the Cathedral. If there is
11 lighting of some sort used there, it will be very
12 helpful to get some sense as to what type of lighting
13 that will be and what you expect in terms of the level
14 of illumination that would be visible.

15 I would anticipate, and it's probably not
16 going to be significant as you said; it's going to be
17 more so safety, but it's a beautiful arcade, but from
18 the renderings enclosed in the drawing, it also
19 presents an enclosed area which without the
20 appropriate level of lighting could raise some
21 concerns for anyone who wants to make use of it.

22 So it will be helpful to get some guidance
23 at the appropriate time of what you anticipate that
24 lighting be.

25 MR. ARENTZ: Okay.

NEAL R. GROSS

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

1 MR. ETHERLY: Thank you, Madam Chair.

2 MR. QUIN: Mr. Etherly and members of the
3 Board, that one point that we really should clarify is
4 that the time for closing, meaning the opening at
5 five, there may be -- I mean, the Close has to deal
6 with situations and the likelihood is that there will
7 be a time, say, at 11 o'clock or 12 o'clock when that
8 gate is closed. I mean, the statement that it would
9 be open until seven may not be what we need to do.

10 So maybe for the neighborhood it would be
11 better to seal it off at a certain point rather than
12 having people walking in. So I just want to make sure
13 that that's part of the record.

14 MR. ETHERLY: Thank you.

15 Thank you, Madam Chair.

16 CHAIRPERSON MILLER: Actually I have one
17 more question. When you had one of the renderings up,
18 what's the structure behind the bleachers? When you
19 had the football field showing with the bleachers that
20 hold 600?

21 MR. ARENTZ: Yes, it's the press box.

22 CHAIRPERSON MILLER: Press box.

23 MR. ARENTZ: Yes.

24 CHAIRPERSON MILLER: Do you have a press
25 box now or is that a new thing?

NEAL R. GROSS

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

1 MR. ARENTZ: I'll let Dave talk about that
2 again.

3 MR. BAAD: The term "press box" is really
4 a misnomer. We call it a press box for short. Really
5 what that is, our league requires us to both film
6 football games, to exchange film, and also to provide
7 an area both for our coaches and for opposing coaches
8 to spot the game so that they can communicate by
9 headphones, and that's what that structure is
10 primarily for.

11 We'll also film soccer and lacrosse games
12 from there as well.

13 CHAIRPERSON MILLER: And what do you do
14 now?

15 MR. BAAD: What we do now is we have
16 temporary towers erected, scaffolding really and
17 people climb the scaffolding.

18 CHAIRPERSON MILLER: Thank you.

19 MR. BAAD: Yes.

20 MR. MANN: I have a final question. Can
21 you show the illustration that outlines the areas of
22 influence for St. Albans? There were two distinct
23 areas, the ones shown in the salmon color and it
24 showed the -- right, that one, and the question
25 actually is for Mr. Quin.

NEAL R. GROSS

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

1 To follow up on something that you
2 mentioned earlier regarding a conversation that you
3 had with the Zoning Administrator, how were those
4 boundaries determined?

5 MR. QUIN: The boundaries basically are
6 allocation of space from the foundation. It's all one
7 record lot, and to some degree it's just arbitrary
8 because it really defines or is supposed to define
9 roughly the areas that are allocated to the different
10 portions of the Close. Part of it is like the Olmsted
11 Woods, is the Cathedral, and then you have on the left
12 the salmon area that's the subject of this application
13 for St. Albans and on the right the subject for the
14 St. Albans as well.

15 MR. MANN: And does it have any sort of
16 bearing on this application? Because you mentioned
17 earlier that there was some discussion about an order
18 for the Beauvoir School, and I was wondering whether
19 or not they had their own defined area and if those
20 are discrete areas and --

21 MR. QUIN: No, they're not discrete areas.
22 Frankly, what I've done for -- I don't want to get
23 back into the last application for NCS, but basically
24 it seemed to me, and maybe I was the one that was sort
25 of saying that we should do it, that rather than that

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 each time we show something to someone about an
2 application, to show the entire Close gets very
3 cumbersome and not really that specific. So why not
4 draw a line that roughly covers the areas that we're
5 dealing with?

6 And we've done that, for example, when we
7 did many years ago Hearst Hall. We simply drew a line
8 to say this is Hearst Hall area. When we did NCS
9 athletic facility, we took a line that was below
10 Beauvoir down Beauvoir Drive, and that was NCS
11 athletic facility.

12 This is really arbitrary for
13 simplification and for visual aid to the Board and to
14 all who work on it. It has no legal import or
15 requirement whatsoever.

16 MR. MANN: Okay. Thank you.

17 MR. QUIN: We're now at our last witness,
18 Mr. Slade on traffic, parking, transportation. I
19 didn't know whether you wanted to take a break first.

20 CHAIRPERSON MILLER: We do. Actually I
21 was just going to suggest that. We've been sitting
22 for over three hours, all of us. So I would suggest
23 since we're going into a new area anyway that we take
24 about a 15-minute break.

25 MR. QUIN: See what a good idea this

NEAL R. GROSS

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

1 postponement might be?

2 CHAIRPERSON MILLER: Thank you.

3 (Whereupon, the foregoing matter went off
4 the record at 4:18 p.m. and went back on
5 the record at 4:43 p.m.)

6 CHAIRPERSON MILLER: Mr. Quin, are you
7 ready to present your next witness?

8 MR. QUIN: Yes, Madam Chairperson. I
9 wonder if it would be possible. I've talked to Nancy
10 Mackwood and she's all right with it. If I could call
11 our one supporting witness that's from the
12 neighborhood. It ties in, frankly, to a lot of the
13 discussion. He lives on 34th Street, and if I could
14 call him now, he could be a witness now and then we'd
15 go into Lou Slade as our last witness if that's okay.

16 CHAIRPERSON MILLER: That's fine.

17 MR. QUIN: Mr. Brad Belt.

18 MR. BELT: Good afternoon. Thank you for
19 the opportunity to appear, Madam Chair.

20 My name is Brad Belt. I'm the Chief
21 Executive Officer of the Pension Benefit Guarantee
22 Corporation here in Washington, D.C. My particular
23 interest is as a participant in the Cathedral Close
24 community in a number of respects. I'm on the board
25 of the PECF. I have daughters at NCS and a Beauvoir,

NEAL R. GROSS

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

1 and we are educational parishioners, perhaps not as
2 often as Dean Lloyd would like, but an occasional
3 parishioner; a frequent user of the Beauvoir pool, not
4 myself personally, but my daughters and wife almost
5 daily during the summer.

6 And perhaps most particularly and
7 relevantly to this discussion, I reside at 2915 34th
8 Street, which is directly across from the St. Albans
9 soccer fields. That 34th Street rendering that you
10 saw a few moments ago, that could basically be taken
11 from my front steps.

12 So in that regard, I am as impacted by
13 traffic, noise, usage, construction, and visual
14 aesthetic issues as there is anybody around the
15 Cathedral Close with respect to particularly the
16 athletic fields. In that regard, I'd like to make a
17 couple of points because I'm fully supportive of this
18 project, not to say that there aren't issues, but I
19 think that we're working through those in a systematic
20 way, but I'd like to touch upon the reasons why I'm
21 supportive.

22 A couple of procedural points to make.
23 One, I speak for myself and I want to make clear that
24 there are some individuals who purport to represent
25 the neighborhood, the community. I don't want to

NEAL R. GROSS

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

1 ascribe anything but the best of motives and
2 intentions to them, and they can articulate their
3 views very well. They do not represent my views, nor
4 do they represent the views of my neighbors along 34th
5 Street with respect to most of the issues that we'll
6 be discussing today.

7 A second point that I would note from a
8 procedural standpoint is that I have found during the
9 five years we've resided at 2915 34th Street the
10 Cathedral and all of its institutions to be
11 extraordinarily responsive to the issues that I've
12 raised, that others have raised.

13 There have been innumerable meetings held
14 particularly with respect to this project. I've
15 attended many of those over the course of the past
16 several months. I actually kind of gave up because,
17 in fact, there was a certain amount of repetition, but
18 I think the process has been extraordinarily open and
19 constructive, and St. Albans and the Cathedral have
20 been very responsive.

21 A couple of points, substantive points
22 with respect to why I believe this is so critically
23 important. First, and I suspect others can testify to
24 this better than I can, the facilities desperately
25 need to be upgraded. I don't have daughters that will

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 be going to St. Albans. They're going to Beauvoir and
2 NCS. Just as the girls needed a much great, a
3 significantly enhanced facility for NCS, I think the
4 boys need so for St. Albans.

5 Secondly, there's no doubt in my mind
6 based upon all of the renderings we've seen that from
7 an aesthetics standpoint and in keeping with Frederick
8 Law Olmsted's vision of the Cathedral Close, this will
9 be a dramatic improvement over the status quo, just as
10 is the case at 34th Street and Woodley with respect to
11 the athletic center.

12 A couple of points with respect to usage
13 and parking because my views, I suspect, are very
14 different from others. I regret very much that the
15 facilities at the athletic center, the Thornton
16 Athletic Center -- I know this is not the subject of
17 this -- are underutilized. These are going to be
18 tremendous facilities, and my view would be let's
19 utilize them to the greatest extent possible rather
20 than underutilize them.

21 I'm one that embraces the noise on the
22 weekends. I think it's a wonderful thing and part of
23 the reason that I moved across the street from the
24 Cathedral Close, to see the athletic activities being
25 carried on in weekends, the football games, the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 baseball games, the soccer games. That's part of why
2 I live there.

3 The idea that we would want to somehow cut
4 back on that or be concerned that that kind of
5 activity is ongoing, I think, is unfortunate, and I
6 know some do have those views. I respect that.
7 That's not my particular view.

8 With respect to parking, we routinely park
9 in front of our house. It's a public street. It's
10 not zoned parking. That's a convenience for me.
11 Occasionally that's not doable because of events on
12 the Cathedral Close. It's also, for example, a snow
13 emergency route. So when there's a snow emergency we
14 have to move.

15 I have never had to move the car more than
16 a block away or into the alley behind our house. It
17 has just not been a significant issue. Occasionally
18 it's an annoyance only in terms of the convenience I
19 get from parking in front of the house, but I have no
20 right to entitlement to parking spaces in front of my
21 house. We could pursue Zone 3 parking if we wanted to
22 do so. We haven't done so.

23 Bottom line, and I don't want to take up
24 more of your time, but I'm happy to answer any
25 questions, is that our family moved and moved where we

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 did because of the wonderful things that the Cathedral
2 Close offers to us and its surrounding community. I
3 recognize that change is inevitable. I feel no sense
4 of entitlement.

5 If I felt for a moment that there was a
6 net detrimental effect on the value of our house, on
7 my daily lives, we would certainly pick up and move,
8 but to the contrary, all of the changes being made
9 that have been made over the past few years and I
10 think will continue to be made are a dramatic
11 enhancement to the overall community and cathedral
12 environment, and very much in keeping with the Olmsted
13 vision, which is one I fully support.

14 Thank you, Madam Chair.

15 CHAIRPERSON MILLER: Thank you.

16 I have a few questions. First is how do
17 we know what your neighbors think? We don't know that
18 they've authorized you to speak on their behalf.

19 MR. BELT: You're absolutely right. I do
20 not speak for them, and they can certainly represent
21 their own views. What I can tell you is based upon
22 discussions, they would express and were certainly
23 happy to provide an affidavit to this regard if it
24 would be helpful, that the views expressed by some of
25 the community organizations are not their own.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: And I would like to
2 communicate --

3 MR. BELT: And that would be the Paiges,
4 the Betts, the Farquars and others that are my
5 contiguous neighbors.

6 CHAIRPERSON MILLER: Okay. At this point
7 I think it's pretty realistic to say that this
8 proceeding is going to be continued and that we're not
9 going to finish today, and that the record will be
10 open for others to submit letters, affidavits,
11 whatever. And so you might communicate that to your
12 neighbors if they wish to do so.

13 MR. BELT: I'll be delighted to do so.

14 CHAIRPERSON MILLER: With respect to
15 usage, we haven't heard -- we're out of order now, and
16 that's what happens when we get out of order. So I'm
17 going to have to ask you: are you aware of certain
18 types of restrictions that those who are not speaking
19 for you are seeking that would exclude your use of the
20 facilities that you would like to have?

21 MR. BELT: I'm aware of the discussions
22 that are ongoing. I think there's an attempt to reach
23 usage agreement and my understanding is that St.
24 Albans is being very accommodating in that regard. My
25 hope is that there's an agreement that can be reached

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 that's a consensual one.

2 At the end of the day, I'll let those
3 parties work out that issue. My bias would be
4 towards, again, full utilization rather than under
5 utilization, and some of the issues that have been
6 expressed with respect to parking and noise are not
7 ones, quite frankly, that I find to be serious
8 concerns, and they have not had an adverse impact on
9 me previously, and I don't anticipate they will going
10 forward.

11 CHAIRPERSON MILLER: When we consider
12 special exceptions for schools under 206, we look at
13 adverse impacts, and we consider conditions that will
14 mitigate adverse impacts, and therefore, when we're
15 considering usage restrictions, we would be looking at
16 what kind of adverse impacts those restrictions would
17 be mitigating.

18 Are you aware of any anticipated adverse
19 impacts at least on your part that we would need to
20 impose conditions to mitigate?

21 MR. BELT: The only thing that I can come
22 to mind, I suspect this would not be an issue, is not
23 having construction and trucks rolling up before 7:00
24 a.m. in the morning or some reasonable period of time.
25 That was an issue that was dealt with dealing with the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Thornton Center Project, the athletic center project
2 for NCS. I assume that issue has been satisfactorily
3 addressed and resolved.

4 The primary issues that I think have been
5 presented with respect to parking, noise abatement,
6 there have been issues, and I've been fully engaged
7 with these with respect to the perimeter, and there's
8 no question in this case I made my views known that I
9 was concerned about a chain link around the perimeter,
10 and I found St. Albans to have been very, very
11 responsive to that particular issue.

12 I recognize that when you're talking about
13 a tennis court or some area where there's going to be
14 athletic endeavor where you're running right up to the
15 fence, you probably can't have a wrought iron fence.
16 So you have to have something with some give or some
17 greater height, but it appears to me that where they
18 can accommodate concerns about visual impact they have
19 done so with respect to the plannings, with respect to
20 stone walls, with respect to replacing chain link
21 fence for a significant portion of the perimeter with
22 a wrought iron treatment.

23 CHAIRPERSON MILLER: Let me say this also
24 because I think individuals come to our hearings and
25 they don't know exactly how we have decided a lot of

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 things in the past, and we have been --

2 MR. BELT: I will confess my ignorance in
3 that regard, Madam Chair.

4 CHAIRPERSON MILLER: Well, that's
5 understandable, but, no, we have been saying
6 consistently that, for instance, your concern about
7 trucks rolling in at 7:00 a.m. or whatever, that those
8 are construction management issues that we don't have
9 jurisdiction over, and we encourage the community to
10 come to an agreement with the applicant on those
11 issues.

12 With respect to usage, we do have
13 jurisdiction, and I hear what you're saying. The
14 parties also may come to whatever agreements they may
15 decide outside of our proceedings. So we may not have
16 power over their own agreements, and so I would also
17 say to you that if you have real concerns about usage
18 and that there is maybe some agreements being made,
19 that you may want to get involved.

20 I'm not advising you or whatever, but I
21 just want you to be clear and the parties of what our
22 jurisdiction is. If there is no usage agreement, we
23 do deal with usage concerns, and we will be hearing
24 evidence about parking or noise or whatever, and then
25 this Board would decide.

NEAL R. GROSS

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

1 However, whatever agreements parties come
2 to by themselves outside of these proceedings, we
3 don't have control over that.

4 MR. BELT: I appreciate that. I guess the
5 bottom line from my perspective again, 34th Street is
6 a very narrow street. We're very close to all of the
7 activities that are ongoing. We're right in the
8 middle of that block, in that 34th Street rendering.
9 We're as directly impacted by these things as anybody
10 else, and I simply do not share the concerns for the
11 most part with respect to parking, usage, noise, and
12 other activities than have been represented as being
13 neighborhood concerns or those of individuals that
14 abut the Cathedral community around the perimeter.

15 CHAIRPERSON MILLER: And the concerns that
16 you may have had were with respect to landscaping and
17 fencing, and are you saying that the applicant has
18 been responsive on those fronts?

19 MR. BELT: They've been responsive on all
20 issues as far as I'm concerned. There ultimately is
21 a give-and-take. There are inevitably going to be
22 tradeoffs, and there has got to be a balancing of
23 interest. Not everybody is going to have the same
24 perspective on usage, for example.

25 Again, my bias is to have greater

NEAL R. GROSS

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

1 utilization rather than less utilization because I
2 think that's a good thing for the community. I think
3 that's a good thing for the school, and I embrace
4 that. I understand and appreciate that others feel
5 differently, but I just want to make clear that there
6 is not a unanimity of opinion in the neighborhood with
7 respect to those issues, and I expect consensually we
8 can and should work those things out.

9 CHAIRPERSON MILLER: And you live across
10 the street from the field.

11 MR. BELT: Yes.

12 CHAIRPERSON MILLER: And you don't feel
13 that there's an adverse impact currently with respect
14 to noise or traffic or parking more than what's
15 understandable in a city?

16 MR. BELT: That's absolutely right. I
17 mean, the parking is far, far worse in Georgetown or
18 different places where we regularly go to shop, to
19 entertain ourselves. These are public streets.
20 Again, for convenience purposes we park on 34th Street
21 right in front of our house. Occasionally we're not
22 able to do that. It's a public street. I don't have
23 any entitlement to having two spots with my name on
24 them right in front of my house.

25 I've never had to park more than a block

NEAL R. GROSS

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

1 away. Nancy Nord, one of the ANC Commissioners had
2 held a series of meetings previously where we were
3 actually monitoring on a daily basis usage issues and
4 parking issues for a long period of time. Routinely,
5 Garfield tends to fill up a little bit more than 34th,
6 but you never had to go more than a block away to be
7 able to park.

8 CHAIRPERSON MILLER: You and Ms. Nord did
9 a little study. Is that what you're saying?

10 MR. BELT: She held a series of meetings
11 with a number of people from the community where we
12 talked through those issues, and this was in the
13 process of trying to come up with -- and it was more
14 in the context of the parking garage and other Close-
15 wide issues with respect to parking.

16 There's no question that there has been
17 over time a fair amount of parking in the neighborhood
18 from all of the Close institutions, and whether one
19 has an entitlement to the spots in front of their
20 house I'll leave to you all to judge, but I think that
21 the Cathedral has done, and this is part of my role as
22 a member of the board of PCF, has gone to great
23 lengths with respect to, for example, the parking
24 garage and implementing policies, and I think that's
25 part of this agreement. I don't want to step on

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 anybody else's toes, but St. Albans is trying to put
2 in place with respect to their students to encourage
3 use of on Close parking facilities.

4 I know that the Cathedral has gone to
5 great length to encourage use of public
6 transportation, you know, providing accommodation for
7 bus garages. I mean, these accommodations have been
8 fairly regular over the last several months in at
9 least the five years that I've been there.

10 I can't speak to what transpired prior to
11 the five years that I've lived across the street.
12 There may have been a higher level of antagonism
13 during that period of time, but it certainly doesn't
14 reflect my experience in the last five years.

15 CHAIRPERSON MILLER: Okay. Thank you.

16 Do my Board members have any questions?

17 MR. ETHERLY: Yes, Madam Chair.

18 Very briefly you touched upon a number of
19 areas that I would have hit. So I just wanted to real
20 quickly, Mr. Belt. Thank you very much for your
21 testimony.

22 With respect to where your residence is
23 located, fortunately we still have the Close site plan
24 up on the screen. Could you kind of just rough
25 estimate, and I'll just use the laser pointer?

NEAL R. GROSS

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

1 MR. BELT: Well, it's actually at the top
2 tree there along 34th Street on the Close property.

3 MR. ETHERLY: Okay. Is this -- there we
4 go.

5 MR. BELT: It's directly across the street
6 from that.

7 MR. ETHERLY: Okay, excellent. Okay.
8 With respect to your existing views of the Close
9 property and, in particular, the Cathedral, how would
10 you describe that sight line for yourself right now
11 from let's just say the front of your residence.

12 MR. BELT: One of the best views in
13 Washington and one that I'm fiercely protective of.

14 MR. ETHERLY: Okay. So it's your sense,
15 based on what you know of the existing plan and
16 perhaps what you've seen of the presentation, that
17 that view will be protected.

18 MR. BELT: I do believe that. It's an
19 issue that I'm very, very sensitive to.

20 MR. ETHERLY: Okay. Let me then step over
21 to the issue of traffic. You referenced your
22 appreciation for some of the activity, in particular,
23 some of the athletic events that go on on site. As
24 you are probably aware, of course, there's a
25 performance facility that's associated with this

NEAL R. GROSS

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

1 proposal. Do you have any concerns regarding the
2 introduction of performance related traffic?

3 You may be aware that the Department of
4 Transportation did suggest perhaps a later start time
5 for some of the events related to the Performance
6 Center out of concern for rush hour related traffic
7 butting up against traffic for patrons going to the
8 Performance Center. Any concerns there?

9 MR. BELT: I don't know if concern is
10 quite the right word. Certainly from a personal
11 perspective -- and this isn't a conversation I've had
12 with any of the Close institutions -- is that to the
13 extent possible you should try to kind of load
14 balance, you know, rush hour issues, dismissal from
15 school or arrival at school to, you know, accommodate
16 influx, a different influx so that you don't overlap
17 and overload the parking facilities not only on the
18 Close but unduly so in the surrounding neighborhood.

19 But even on the worst of circumstances, we
20 have the Flower Mart once a year. You know, you have
21 the state funerals. You have sometimes a very noted
22 individual like Desmond Tutu, Bishop Tutu, appearing
23 at the Cathedral, all wonderful things, and there are
24 just occasions where there isn't parking available
25 right around the Close.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 You know, that's in a sense the price that
2 one pays, and I think it's an extraordinarily small
3 price for all the benefits derived from being closely
4 associated with the Close community.

5 MR. ETHERLY: Okay. Now, I'd love to very
6 briefly just get a sense of kind of your residential
7 routine, and by that I mean typically are you out of
8 your residence in advance of the business day and
9 returning typically at the close of the business day?

10 MR. BELT: I do personally. That would
11 not be the case with my wife and children.

12 MR. ETHERLY: Okay. So in terms of other
13 members of your household there is some experience
14 with life --

15 MR. BELT: Yes.

16 MR. ETHERLY: -- near the Close during
17 school and what have you.

18 MR. BELT: They're shuttling back and
19 forth to schools and to the pool multiple times during
20 the day, other activities.

21 MR. ETHERLY: Okay, and so based on your
22 familiarity with your wife's experience -- let's put
23 it like that -- not presuming anything, but based on
24 your familiarity with her daily routine, it would
25 continue to be your testimony that she has not

NEAL R. GROSS

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

1 encountered anything out of the way or shall we say
2 tremendously inconvenience with respect to just the
3 ongoing activity of the school.

4 MR. BELT: Minor inconvenience only
5 relative to the extraordinary convenience of being
6 able to regularly park in front of our house.

7 MR. ETHERLY: Okay, and as that relates to
8 noise in particular, let's say, during the weekend or
9 after hours during events, you would have, once again,
10 no horror stories to share?

11 MR. BELT: There have been no instances in
12 which after hours or in the evening that we've ever
13 encountered any noise related issues. There certainly
14 is noise during the weekends when their athletic
15 endeavor is ongoing. Again, I find that to be part of
16 the overall experience, my expectation.

17 I knew when we moved there that there were
18 schools there, that those kinds of things would be
19 ongoing. When I hear whistles start blowing and the
20 crowd cheering, I tend to kind of pop out of the house
21 if I'm not doing something else or stop the chores for
22 a few moments, go across the street, watch through the
23 fence, and actually watch for a while.

24 MR. ETHERLY: Okay.

25 MR. BELT: Or walk around the block to sit

NEAL R. GROSS

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

1 down. I think that's one of the wonderful things
2 about what we have at the Close community.

3 MR. ETHERLY: Okay. Now, last question,
4 Madam Chair.

5 To an extent I hate hypotheticals just
6 because I had to go through the craziness of first
7 year of law school where hypotheticals become a
8 nightmare to you, but let's say for a moment that you
9 put yourself in the shoes of perhaps a resident, a
10 member of the community, a property owner who is
11 perhaps not as open to the idea of that activity and
12 that vigor that goes with activities on the Close
13 property related to the school.

14 Do you feel or would you feel if you were
15 to put yourself in that person's shoes that the level
16 of activity and noise is in any way above and beyond
17 what would be acceptable or reasonable with respect to
18 the operation of the school property?

19 That's kind of a weird and perhaps even
20 hackneyed hypothetical, but I'm just kind of curious.
21 Let's say you put yourself in those shoes for a
22 moment.

23 MR. BELT: Obviously that's difficult to
24 do. I certainly can try to be empathetic. I'm not
25 sure I can, and they can speak for their own interests

NEAL R. GROSS

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

1 much better than can I. Just to note that the
2 Cathedral and the Close has been there for 100 years.
3 The schools have been there for that period of time.
4 All of this activity has been ongoing for that period
5 of time.

6 I didn't predate that. I'm not sure that
7 many of our neighbors did.

8 MR. ETHERLY: Okay.

9 MR. BELT: So, you know, the bottom line
10 is this was all ongoing. The question is if
11 marginally more, marginally less. I don't think
12 people cheer any louder than they used to. I don't
13 think whistles are any louder than they used to be.
14 You know, this is part of life around the Close.

15 MR. ETHERLY: I appreciate that.

16 MR. BELT: Again, I think it's something
17 that is one of the really attractive aspects of life
18 around the Close.

19 MR. ETHERLY: Okay. Thank you.

20 Thank you, Madam Chair.

21 CHAIRPERSON MILLER: Also I just wanted
22 to remind us that we're not talking about whether or
23 not a school can be there. We're going to be looking
24 at the difference if it's measurable with the changes.

25 I want to ask you one more question. I

NEAL R. GROSS

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

1 think you made a reference to your unhappiness. I
2 don't think you used that word, but about the
3 restrictions that were put on the National Cathedral
4 school's athletic facilities, that you didn't think
5 that was a good idea, and in that we don't know what
6 restrictions are going to be proposed for these
7 facilities.

8 I'm wondering if you might want to
9 elaborate on that any further.

10 MR. BELT: I think there is an
11 unfortunate, in this case, unfortunate, an
12 extraordinary underutilization of the Thornton
13 Athletic Center with respect to use by the
14 neighborhood, by the community, by Boys and Girls
15 Club, by other youth leagues and things like that
16 where we've got a wonderful facility. Let's take full
17 advantage of that.

18 I just think it would be unfortunate if
19 the same thing happened with respect to the St. Albans
20 facilities. I don't want to impose on them a
21 requirement. I mean, that's something that St. Albans
22 would work out. I would just hope that we not get to
23 a point where we say, you know, hands off all the time
24 other than the school's own sanctioned events.

25 Again, these are wonderful facilities. A

NEAL R. GROSS

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

1 lot of money is being spent on these facilities. I
2 think aesthetically they're going to be an
3 extraordinary enhancement over the status quo.

4 To the extent that the school thinks that
5 makes sense to be part of the overall community, to
6 invite in the Boys and Girls Club, start a soccer
7 league or something like that, I certainly would have
8 no objection to that. I would think that that would
9 be a good thing.

10 Moderation in everything, and let's not
11 having used 24 by seven or obviously not just every
12 hour by every weekend day or after hours. There needs
13 to be a balance. I hope that we do strive to strike
14 a balance and not tip too far on the side of saying
15 because we don't like usage, we don't like noise or
16 some people make that view that we not go too far, the
17 pendulum swing too far the other way.

18 CHAIRPERSON MILLER: I just want to
19 respond to you also in that you don't probably tune in
20 and hear all of our deliberations, that this Board has
21 also commented when we have been examining
22 restrictions for other schools. The unfortunate
23 situation, I think, that you're referring to, for
24 instance, when Washington, D.C. experienced the sniper
25 situation and all of the kids had to stay indoors, the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 facilities like the NCS athletic facility was not
2 available, for instance, to public school kids, such
3 as johnny, you know, or whatever. I don't want to get
4 into the specifics.

5 But the Board is aware of that concern,
6 and so what we strive to do is impose conditions that
7 really are logically related to an adverse impact,
8 that really will prevent an adverse impact, and that
9 will not go overboard so that we end up preventing
10 what might be a good deed.

11 But I will say further that, you know, a
12 usage agreement is between parties.

13 Okay. Is there anything else you want to
14 add?

15 MR. BELT: No. Thank you.

16 CHAIRPERSON MILLER: thank you very much.

17 MR. BELT: Thank you, Madam Chair and
18 members of the Board, for your time. I appreciate it.

19 MR. QUIN: Just for the record, I just
20 wanted Ms. Mackwood has an opportunity to ask a
21 question, I think, as she's the only party. I'm not
22 suggesting that she ask any. I just want to make
23 sure.

24 CHAIRPERSON MILLER: Is he leaving?

25 Ms. Mackwood, did you have questions for

NEAL R. GROSS

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

1 him?

2 MS. MACKWOOD: I have no questions.

3 CHAIRPERSON MILLER: Okay. That solves
4 that question then.

5 MR. QUIN: Thank you.

6 CHAIRPERSON MILLER: Okay.

7 MR. QUIN: Our last witness is Mr. Lou
8 Slade, traffic consultant.

9 Lou, will you proceed in your own way?

10 MR. SLADE: Yes, Wayne.

11 Good afternoon, good evening, Madam Chair,
12 Mr. Etherly, Mr. Mann. My name is Louis Slade. I
13 reside at 3500 Casada Street, N.W., D.C.

14 I was principal in charge in the traffic
15 and parking studies for the St. Albans application and
16 also for other work that I'm going to talk about that
17 we did on behalf of the foundation.

18 I'm going to talk about parking supply and
19 demand first and then traffic implications of these
20 three modifications to the school.

21 CHAIRPERSON MILLER: Mr. Slade.

22 MR. SLADE: Yes.

23 CHAIRPERSON MILLER: I'm not sure if we've
24 qualified you as an expert witness yet. Have we?

25 MR. SLADE: No, you have not. Sorry.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: Okay. You've
2 appeared before us many times.

3 MR. SLADE: Yes.

4 CHAIRPERSON MILLER: So I don't think that
5 the Board has any questions or concerns. Ms.
6 Mackwood, do you?

7 MS. MACKWOOD: No, I've already said that
8 I have no objection to any of them.

9 CHAIRPERSON MILLER: Okay. Then we will
10 accept Mr. Slade as an expert witness.

11 MR. QUIN: Thank you.

12 What you're saying then is you're first
13 going to deal with the overall context of the Close.

14 MR. SLADE: Yes.

15 MR. QUIN: And then go into the St.
16 Albans.

17 MR. SLADE: Yes. And there's really three
18 parking pictures I want to lay out for you, and we
19 need to talk about the Close as a total entity and its
20 parking supply and demand first because that's the
21 context that the St. Albans changes are going to be
22 taking place within.

23 As General Rippe testified, construction
24 will be underway this year on the parking garages that
25 the Cathedral Foundation is constructing. So we're

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 going to talk about parking first, and then we'll talk
2 about traffic.

3 And I'm going to run through numbers here,
4 and these can be very confusing and, you know, maybe
5 rounding these numbers will be helpful, but the entire
6 Close has seven entities on it: the schools, the
7 Cathedral itself, and so forth, and they all have
8 parking. They have employees; they have students, and
9 so forth; and they all have parking needs.

10 Over the last few years as part of a team,
11 we developed detailed estimates of the parking on the
12 entire Close through what we called an average daily
13 peak condition, and what that represents is during the
14 school year, the eight months of the year that the
15 schools are all in session and there's all sorts of
16 other activity happening on the Close, we estimated
17 what the peak condition was, and that included
18 visitors as well as students, faculty, staff, and so
19 forth, volunteers at the Cathedral and everybody.

20 And on that day, that design day as we
21 call it in engineering, there is a demand of 826 cars
22 parked simultaneously at, let's say, 11:00 a.m., you
23 know, probably from 10:00 a.m. until at least people
24 leave to go to lunch or something like that and then
25 come back in the afternoon, but some time midmorning

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 and mid-afternoon. That's the best estimate we were
2 able to make of the total amount of parking, parked
3 cards of people with business on the Close. That's
4 for the entire Close. St. Albans is a part of that
5 number. I'm going to come to that later.

6 There are 532 parking places on the Close.
7 So the difference there is 294 cars that wish to park
8 on the Close but can't today on the average peak day.
9 Now, that's, as I said, during the school year. Four
10 months of the year, the summertime, the number of --
11 the demand is much lower. We don't know what it is,
12 but the schools aren't in session.

13 Tourism peaks in April and again in
14 August. So there are these ebbing periods where the
15 demand is much lower.

16 The Cathedral Foundation will build this
17 414 car garage. It will require eliminating some
18 existing spaces. So the net increase will be 307
19 spaces, and as I think I said a moment ago or meant
20 to, the shortfall today is 294 spaces.

21 So there will be abundant parking
22 available for everyone who wants to park on that
23 average peak day, average day peak period.

24 Now, let me mention a couple of things
25 about that. That doesn't cover a day in April when

NEAL R. GROSS

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

1 the cherry blossoms are in bloom and there are a lot
2 of people wanting to visit the Close and school is in
3 session and there's parent meetings and so forth.
4 There were probably a handful of days a year when
5 there's more than 826 cars that want to park on the
6 Close and we simply couldn't build a garage big enough
7 to handle every single day of the year. So this is
8 going to cover most of the days of the year and many
9 of those days of the year there's going to be more
10 than enough parking.

11 And of course, through the day the parking
12 builds up in the morning and it begins to dissipate at
13 three in the afternoon when the schools are out. So
14 in early afternoon, even during the peak season, there
15 is a lot of parking so that when these athletic events
16 take place there is parking today and there will be
17 more parking in the future to accommodate those. So
18 that's the Close picture.

19 During the period of time when we were
20 doing this planning work on the garage, we also looked
21 at parking in the neighborhood, and we did two
22 surveys. The first was using aerial photography and
23 measurements in the field. We went out one or two
24 blocks. Some of the blocks are very short, and some
25 of them are longer. We went out in easy walking

NEAL R. GROSS

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

1 distance from the edge of the Close on the north,
2 west, and south sides, neighborhoods that abut the
3 Close area, and we determined the total number of
4 parking places, legal and illegal. Some of those
5 legal spaces are restricted by residential parking
6 permit systems. Some are restricted by meters and
7 peak hour restrictions.

8 There in that area there are a total of
9 1,016 parking places. On the blocks where the parking
10 is unmarked, where the spaces aren't designated with
11 paint striping, we measured the linear distance that
12 was available and we divided by the amount of space
13 required to park an automobile typically if you did
14 mark those spaces. Sometimes people park closer;
15 sometimes they don't. So there's 1,016 spaces
16 available.

17 Then during the school year in '03 --

18 CHAIRPERSON MILLER: Excuse me. How many
19 were legal and how many were illegal? Did you --

20 MR. SLADE: I have the inventory in my
21 briefcase. I don't have the illegal number. The
22 1,016 was all legal.

23 CHAIRPERSON MILLER: The 1,016 was legal?

24 MR. SLADE: Was all legal.

25 We picked a day in September of '03.

NEAL R. GROSS

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

1 School was in session, not necessarily average peak
2 day when we had 826. I don't know that for a fact,
3 but we thought it was a day that was representative of
4 everything going on on the Close.

5 And we went into the neighborhood and we
6 simply counted the cars on each block face on every
7 street within this area where there's 1,016 spaces.
8 We didn't know if they were St. Albans or NCS or
9 Cathedral Foundation cars. They were just cars. They
10 have been my car. They could have been someone who
11 lives in the neighborhood's car, and there were 612
12 cars occupying 1,016 spaces. So slightly over 400
13 vacant spaces.

14 Now, we literally mapped them. We know
15 where they were, and the closer you got to the Close,
16 the more filled up the blocks were obviously. If you
17 go to 34th Street where the prior testimony came from,
18 there probably wasn't anyone parking there because
19 it's not very convenient to park there and walk to the
20 destinations on the Close. So it depends on where you
21 live, and of course some are more impacted than
22 others.

23 But there were 400 spaces vacant on what
24 we thought was a typical weekday.

25 MR. QUIN: Could I just ask you? When you

NEAL R. GROSS

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

1 say "available," I mean if someone lived on Garfield,
2 how far would they have to walk to get a parking
3 space? I mean was it a long distance, short distance,
4 a block, two blocks? I mean, can you try to quantify
5 it?

6 MR. SLADE: I could do that. I haven't
7 done that. I could do that, and I could come back if
8 you needed testimony on this.

9 This was mapped. So it would depend on
10 the location.

11 MR. QUIN: But there were spaces
12 available?

13 MR. SLADE: There were spaces available.
14 On a street like Garfield, which is close to St.
15 Albans, there were probably very few spaces available.
16 If you went a block or two into that neighborhood,
17 there were probably many more spaces available. You
18 know, it just depended on where you were. It was very
19 location dependent and fairly random, but the one
20 trend is obvious. The closer you are to the Close, of
21 the 294 cars who can't park on the Close because
22 there's not space now are parking in the neighborhood
23 within close walking distance.

24 And we did that for one reason and one
25 reason alone. At the time we simply wanted to see how

NEAL R. GROSS

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

1 filled up the neighborhood was with cars and what
2 would happen if you took away 294 cars because once
3 you build a garage, you'll be able to park on the
4 Close, and when you do that, the difference is, of
5 course, dramatic.

6 There's 600 cars now. We're taking away
7 300. So there's only 300 left. So you go from 400
8 vacant spaces to 700 vacant space out of 1,000. Now,
9 it doesn't mean that other people are not going to
10 come into the neighborhood and park in the
11 neighborhood who take the bus down Wisconsin Avenue or
12 something, but if you just take the steps we went
13 through, we simply wanted to get an order of magnitude
14 of the problem and an order of magnitude of the
15 solution, which is building the garage, and the impact
16 of the solution is enormous.

17 CHAIRPERSON MILLER: I'm sorry. Will the
18 garage be built before these facilities are built?

19 MR. QUIN: The garage will be almost
20 simultaneous as I understand it. The completion of
21 the garage, General Rippe?

22 GEN. RIPPE: November '06.

23 MR. QUIN: November '06, and of course,
24 the Performing Arts will not be built then. The
25 athletic facility, which does not increase, and the

NEAL R. GROSS

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

1 connecting wing, that would be those expected to be
2 completed in 2007.

3 CHAIRPERSON MILLER: Thank you.

4 And I gather that it's the Performing Arts
5 Center, well, I guess the athletic fields maybe -- I
6 don't know -- but the Performing Arts Center is going
7 to be drawing some cars, but that will definitely not
8 be built until after the garage.

9 MR. QUIN: That's correct, and that's also
10 in the evening main functions, as indicated in the DOT
11 report.

12 MR. SLADE: And remember today without the
13 garage there's 532 spaces now. If the garage were
14 never built, well, we can get to the Performing Arts
15 Center and its parking needs in a moment.

16 Now I'm ready to talk about St. Albans
17 School. I think I wanted to simply set the context of
18 things that will be in place as --

19 MR. QUIN: Can I just ask you one
20 question?

21 MR. SLADE: Sure.

22 MR. QUIN: It seems to me frequently
23 people seize on numbers a precise numbers. You're a
24 traffic consultant, transportation consultant. Would
25 you say that the numbers vary from day to day and that

NEAL R. GROSS

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

1 you have to, for purposes of giving advice, you have
2 to pick a typical day, but even that day is not one
3 that's going to be static and continuous?

4 MR. SLADE: Absolutely true, yeah.

5 MR. QUIN: Thank you.

6 MR. SLADE: We use that term average daily
7 peak demand, to represent the day or the capacity
8 requirement that the garage will fulfill that will
9 handle almost all of the days of the year except a
10 small handful, but there's a tremendous amount of
11 variation as I just mentioned.

12 Now, I'm going to talk about St. Albans
13 parking which is within the context of all this.
14 These numbers are part of the numbers I just talked
15 about.

16 Today St. Albans Has 154 spaces that are
17 designated as St. Albans spaces on the Close that's
18 part of that 532 total capacity on the Close. And
19 what happens today though is that because
20 approximately 295 people can't find a parking place,
21 there's a lot of competition for parking.

22 And so if you arrive at St. Albans at
23 eight o'clock in the morning on a school day and you
24 try to find one of those designated spaces, it may
25 already be filled either by one of your colleagues or

NEAL R. GROSS

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

1 someone else from one of the other schools or one of
2 the other entities on the Close, and I believe that
3 it's unfair to enforce when you have that kind of
4 condition.

5 A lot of institutions do have that kind of
6 condition. They have more demand than they can
7 supply. We will have, however, enough supply to
8 satisfy all of the demands so that when, with a
9 reallocation of parking after the garage is built St.
10 Albans will have 163 designated spaces instead of 154,
11 and they, we expect, will be available and enforceable
12 because there's adequate parking for everyone who
13 wants to park on the Close once the garage is built.

14 MR. QUIN: On the typical day.

15 MR. SLADE: On the average daily peak day.

16 Now, this sounds like mumbo-jumbo, but I'm
17 trying to do this piece by piece.

18 We've estimated the demand generated by
19 St. Albans to be in the range of 210 to 230 cars on
20 that design day, more than the 163 that will be
21 available, more than the 154 that is available today.
22 That's just a fact of the current conditions at the
23 school.

24 So today there are a number of people who
25 come to St. Albans, students, faculty, and staff,

NEAL R. GROSS

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

1 visitors, parents, and so forth, who wish to park, who
2 can't park there because the 154 isn't enough, and
3 often the 154 is already occupied. So there is a
4 spillover into the neighborhood, and that's a big part
5 of the work that's being done.

6 The use agreement is to be able to manage
7 that spillover problem that is today. Of course, the
8 first piece of this will be that the garage will be
9 built. The second piece will be that there will be
10 designated spaces that will be enforceable now and in
11 the future because people shouldn't park there because
12 they have their own space that's designated for them
13 elsewhere.

14 And then there are conditions that will be
15 part of the agreement that we'll talk about in a
16 moment about how people will be given incentives to
17 park where they should be parking.

18 CHAIRPERSON MILLER: Mr. Slade, I didn't
19 follow you. I thought that you said there was going
20 to be enough spaces for all those who couldn't park
21 there currently when you were talking about the 294
22 cars that wanted to park there that couldn't, and now
23 you're saying that everybody who's associated with St.
24 Albans who wants to park there won't be able to.

25 MR. SLADE: Right. Let me explain that.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: Okay.

2 MR. SLADE: Those are the only designated
3 spaces for St. Albans people, but there will be 100,
4 almost 200 vacant spaces or undesignated spaces in the
5 garage available for anyone who wants to park there,
6 including St. Albans people.

7 And in addition to that, that is part
8 of --

9 CHAIRPERSON MILLER: Can I interrupt you
10 for a second?

11 MR. SLADE: Sure.

12 CHAIRPERSON MILLER: Let's just go there.
13 Okay. So there are 163 cars for St. Albans that need
14 spaces, and they go into the garage, say, and that
15 leaves 37.

16 MR. SLADE: No, no, no, no. The
17 designated spaces aren't in the garage.

18 CHAIRPERSON MILLER: Are not for them. I
19 know they're not for --

20 MR. SLADE: The designated spaces --

21 CHAIRPERSON MILLER: No, the undesignated
22 spaces.

23 MR. SLADE: Okay. Well, you said the
24 number one spaces.

25 CHAIRPERSON MILLER: I'm sorry. Okay.

NEAL R. GROSS

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

1 I'm sorry. There are 200 undesignated spaces are
2 going to be in this underground garage, correct?

3 MR. SLADE: I rounded up. I think that
4 number -- I don't have it in front of me -- I think
5 it's actually 187.

6 CHAIRPERSON MILLER: Okay. One, eighty-
7 seven. There are 163 cars affiliated with St. Albans
8 that need a place to park, right? Let's say they all
9 go into the garage.

10 MR. SLADE: Let me interrupt --

11 CHAIRPERSON MILLER: Okay.

12 MR. SLADE: -- and just take you through
13 real quick.

14 CHAIRPERSON MILLER: Okay.

15 MR. SLADE: On a typical day at St.
16 Albans, the range of demand is 210 to 230, but there's
17 only 163 designated spaces on surface, surfaces spaces
18 on the roads on the Close, Pilgrim Drive primarily.
19 So the shortfall there, which is 47 to 67 cars --
20 that's between 163 and 210 to 230 -- have got to park
21 someplace else and now have choices.

22 CHAIRPERSON MILLER: So you're saying the
23 shortfall is 47 to something?

24 MR. SLADE: The difference between 210 and
25 162 is 47.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: Okay.

2 MR. SLADE: And 230 and 163 is 67.

3 CHAIRPERSON MILLER: Okay. So those
4 amount of cars are ones that don't have designated
5 spots at St. Albans.

6 MR. SLADE: Correct.

7 CHAIRPERSON MILLER: Okay. So it 's not
8 100 and something. It's 47 to 67 --

9 MR. SLADE: Right.

10 CHAIRPERSON MILLER: -- or some amount.

11 MR. SLADE: Right.

12 CHAIRPERSON MILLER: So they can go into
13 the garage, right? And how many other cars are going
14 to be fighting for spots in the garage? Is everybody
15 who has a need on the Close going to have a spot in
16 the garage?

17 MR. SLADE: If everybody wants to park on
18 the Close, there is a space for them.

19 CHAIRPERSON MILLER: There is a space on
20 the Close for everyone --

21 MR. SLADE: Yes.

22 CHAIRPERSON MILLER: -- be it in their
23 designated spot and then the overflow from all the
24 other ones will have room in the garage. Is that what
25 you're saying?

NEAL R. GROSS

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

1 MR. SLADE: Yes.

2 MR. QUIN: For the average daily --

3 MR. SLADE: And this is for that --

4 CHAIRPERSON MILLER: That's right. For
5 the average day.

6 MR. SLADE: On a day when the demand
7 exceeds that, we'll push the limits of the garage, and
8 some people will either have to park off the Close or
9 we'll make accommodations for them by stacking cars or
10 other means.

11 MR. QUIN: Are you going to deal with the
12 north side of the property?

13 MR. SLADE: Yeah, yeah. Can I make
14 reference to the usage agreement, that this is a
15 factor?

16 MR. QUIN: Well, just talk about the --

17 MR. SLADE: Okay.

18 MR. QUIN: If you could talk about the
19 actual usage today and the concepts that have been
20 expressed.

21 MR. SLADE: Right.

22 MR. ETHERLY: Well, if you could before we
23 go there, let's come back to where Ms. Miller was
24 because I want to be sure I'm not hearing numbers that
25 were different from the traffic analysis that was

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 done, and given the lateness of the hour, we're
2 probably starting to slow down.

3 So just walk through that number again
4 because as I look at page 5 of the traffic report or
5 the traffic study, I want to make sure I'm not hearing
6 different numbers from what you just shared in the
7 exchange with Ms. Miller.

8 Now, at page 5, it identifies the existing
9 parking supply on the Cathedral Close as accommodating
10 532 vehicles. Is that number still a hard number or
11 is that number different?

12 MR. SLADE: Hard number.

13 MR. ETHERLY: Okay. So 532. You
14 identified that the parking demand on a typical day is
15 826 vehicles.

16 MR. SLADE: Correct.

17 MR. ETHERLY: Okay, and that is still a
18 number that you are confident in.

19 MR. SLADE: We use "typical peak" in here,
20 but it's the same peak day that I've been talking
21 about today.

22 MR. ETHERLY: Okay. So with those two
23 numbers, and once again, reading from page 5 of the
24 exhibit behind Tab E, that gets us to a shortfall of
25 294 spaces.

NEAL R. GROSS

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

1 Okay. Now, within the Close, you've
2 identified 154 spaces that are attributable to the
3 school, correct?

4 MR. SLADE: Today.

5 MR. ETHERLY: Today. Okay. I just wanted
6 to make sure those numbers are solid. Okay. Keep
7 going.

8 MR. SLADE: Okay. There we go.

9 MR. QUIN: I would ask you not to talk
10 about the usage agreement proposed, but you can talk
11 about existing conditions on the north side of
12 Garfield, but only existing conditions.

13 MR. SLADE: I spoke a few moments ago
14 about the inventory of parking spaces in the
15 neighborhood, and I want to come back to that for a
16 moment to talk about a particular block face. This is
17 the north side of Garfield Street adjacent to the St.
18 Albans portion of the Close where there are today
19 50 -- thank you. It's this section, from here to here
20 on the north side.

21 Today, given the estimating technique I've
22 mentioned, which is measuring the linear distance and
23 assuming people will park spaced normally as you would
24 if there's paint on the pavement, you could park 50
25 cars along there legally at all times. There's no

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 restrictions on parking of automobiles in that section
2 of the street.

3 That happens to be very convenient to St.
4 Albans School and is used extensively by people who
5 are parking at the school all day because they work
6 there or they're a student or they're people who are
7 visiting the school. And that remains a resource in
8 this inventory that we expect the school will -- that
9 people who want to park to go to the school will use.

10 So when we talked about the difference
11 between the 163, the future designated spaces and the
12 demand that's 47 to 67, depending on what's happening
13 on the school on a particular day, many of those
14 people will simply park at that location because it's
15 so convenient. Much of it is closer to the school
16 than even parking on the Close is and certainly than
17 parking in the garage.

18 So if I were a student or if I worked at
19 the school and I was coming a little late and I
20 couldn't get one of the 163 spaces, I would have a
21 choice. I could park on Garfield or I could go to the
22 garage, and many people will probably drive down
23 Garfield first to see if there's a space available and
24 take it and then walk to the school or go around to
25 the garage.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: Did you say Garfield
2 has a lot of empty spaces during the day? Is that one
3 of the streets or not? Or that fills up because it's
4 so close?

5 MR. SLADE: It fill sup because St. Albans
6 people are using it primarily.

7 CHAIRPERSON MILLER: And you can park
8 there all day long. There are no restrictions?

9 MR. SLADE: Yes.

10 CHAIRPERSON MILLER: And is that the
11 street that you were referring to that has 50 spaces
12 or were you referring to --

13 MR. SLADE: Yes, 50, correct.

14 CHAIRPERSON MILLER: Okay. Thank you.

15 MR. SLADE: I'm finished with talking
16 about the parking numbers at this point. I'm going to
17 talk about the application pieces and their
18 implications for parking in traffic now, but this is
19 a good time to ask questions about those general
20 numbers that I just went through.

21 MR. ETHERLY: So just to be sure I'm
22 clear, the 163 number that you reference, that's the
23 number of designated spaces on the Close that are
24 currently set aside for STA.

25 MR. SLADE: That will be set aside with

NEAL R. GROSS

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

1 the real allocation when the garage is finished.

2 MR. ETHERLY: Okay. Now, presently in
3 terms of there was a comment on page 5 that notes that
4 even though 154 parking places are presently
5 designated on the Close for STA students, faculty,
6 staff and visitors, many STA parkers arrive in the
7 morning to find that all of the STA designated parking
8 places on the Close are occupied.

9 What do you attribute that occupancy to or
10 who do you attribute it to?

11 MR. SLADE: The current condition where
12 there is a demand well in excess of 800 cars on the
13 total Close and the supply of only 532. So the Close
14 parking fills up quite early, and so anyone arriving
15 at eight o'clock will find, you know, unless they're
16 very lucky and someone has come to drop off someone
17 and left, will find the Close parking filled quite
18 early in the day.

19 MR. ETHERLY: But is that shortfall that
20 you identified, that's a general shortfall. That 294
21 parking supply shortfall is attributable to everybody
22 who wants to park on the Close, not just STA

23 MR. SLADE: Correct.

24 MR. ETHERLY: So what's happening is even
25 though you have 154 spaces presently designated on the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Close for STA, those are being occupied by others,
2 maybe a combination of STA and other visitors to the
3 Close.

4 MR. SLADE: I would say yes, in
5 combination.

6 MR. ETHERLY: Okay. Got you. And you
7 were identifying that you count 50 spaces as being
8 available on Garfield.

9 MR. SLADE: Correct, on the north side of
10 the street.

11 MR. ETHERLY: Okay. Thank you.

12 Thank you, Madam Chair.

13 MR. SLADE: And just to emphasize a point,
14 that that problem with the designated spaces being
15 filled, we expect to be fully rectified when the
16 garage is built because there will no longer be a
17 shortfall of supply.

18 MR. ETHERLY: But is there a policy
19 currently in place to ideally avoid to mitigate what's
20 happening presently? Because I guess the concern is
21 if you have presently designated spaces but you're
22 still not getting the benefit of using all of them, is
23 there a break down there in the parking enforcement or
24 is it just simply a supply is severely being
25 constrained by the demand and is going to happen no

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 matter what you do?

2 MR. SLADE: I think there are several
3 parts to the answer to that. One is that all of the
4 entities on the Close are making steps, taking steps,
5 and have implemented states to get fewer people to
6 drive by encouraging public transportation use and
7 ride sharing and so forth. So that whatever in the
8 future kinds of numbers we're talking about everyone
9 is hopeful will be smaller. There will be more supply
10 available.

11 Yes, I think there are others here today
12 who could talk more about the policies that would be
13 put in place, but I know what the goals are. They are
14 to encourage people to park on the Close. There will
15 be abundant parking. There will be ample parking on
16 the Close for everyone, for all the parking that's
17 generated, demand that's generated on the close, and
18 there is likely to be a sticker system that's required
19 that if you're a student or you're on the payroll,
20 that you have a sticker on the automobile that you use
21 to come there, so enforcement will be possible both on
22 the Close so that my 163 spaces are not used by other
23 people, including outsiders who park on the Close.

24 MR. ETHERLY: Is that to suggest that
25 enforcement isn't happening now? Because I guess what

NEAL R. GROSS

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

1 I'm getting at is you note at page 6 of the report,
2 and this is perhaps the important piece, is that the
3 first goal of the new parking policy would involve the
4 designation of specific parking locations for St.
5 Albans School on the Close, but you presently have
6 that.

7 The second sentence reads, "Thus, SCA
8 parkers would find SCA designated parking spaces free
9 and available." And the problem is, of course, right
10 now that isn't happening.

11 MR. SLADE: Yes.

12 MR. ETHERLY: So, you know, part of this
13 plan, a big piece of it will be getting a level of
14 comfort that it will happen in the future.

15 And I understand part of your concern very
16 well is, well, there is a convenience factor that
17 perhaps human nature is just going to fight against in
18 terms of parking elsewhere because it just is a little
19 more convenient, and if there's a spot in the general
20 neighborhood supply, somebody is going to go after it
21 because it's there.

22 So part of it, of course, is speaking to
23 how you deal with that, but I guess I'm just trying to
24 reconcile. If you have designated spaces now, but
25 they're getting filled up by someone else, why is that

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 breakdown happening now and helping us be sure that
2 we're at a comfort level that it won't happen with the
3 new policy?

4 MR. QUIN: One of the things that may not
5 be clear is that if you look at all the orders that
6 pertain, BZA orders, that pertain to all of the
7 school, the NCS case is the only one where a specific
8 space and allocation is shown because most of the
9 orders say that the Close has X number of spaces that
10 are available, but the policy has been that there are
11 154 for the school, but they're not specifically
12 allocated, and I think that may be part of the issue.

13 And what I think Lou is saying, and please
14 correct me; I don't want to testify, but I'm going to
15 ask you if it's right, that if there were -- when the
16 garage is built, then the competition is different
17 than it is today, and, therefore, the designation is
18 more meaningful in terms of the availability of
19 spaces.

20 MR. SLADE: That's correct, and if I can
21 just elaborate, we work with a lo of different
22 institutions, and the circumstances today will be so
23 different from what they'll be in the future. There's
24 sort of an excuse today. I had to take that space
25 because I had a meeting and it was the only one

NEAL R. GROSS

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

1 available.

2 In the future, it will be that there is
3 space for everyone and everyone will be expected to
4 part in the space that it's designated for, not them
5 as an individual, but in their entity, whether it's
6 NCS or STA. There will be designated spaces.

7 MR. ETHERLY: Do you have a sense of --
8 what's that number of persons who, regardless of
9 what's available on the Close, they would still opt to
10 take one of those residential spots that you've
11 identified along Garfield. Can you tell us what the
12 number is?

13 MR. SLADE: I think that's being addressed
14 also in the regulations that will be imposed once the
15 garage is in place to discourage anyone from doing --
16 to make it easier and make it a little bit difficult
17 to do what you just described, you --

18 MR. ETHERLY: I guess a little bit of it
19 is kind of a carrot and a stick, but if you had to, is
20 there a way of quantifying the number of vehicles
21 right now that still opt to park within the
22 residential community?

23 MR. SLADE: I think that all of the
24 parking that's in the residential community is totally
25 out of necessity because I'm told that no St. Albans

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 faculty, staff, or students are scofflaws.

2 MR. ETHERLY: Okay.

3 MR. SLADE: I meant that with a tongue-in-
4 cheek, you know.

5 MR. ETHERLY: Okay.

6 MR. SLADE: But people are parking in the
7 neighborhood today because there's a shortfall of 294
8 spaces, and that's an enormous amount of parking.
9 That's a three acres parking lot if it were all in one
10 place.

11 MR. ETHERLY: Okay. I think I've got it.
12 Thank you, Madam Chair.

13 CHAIRPERSON MILLER: I've got a few
14 questions. What's the number of spaces -- I think you
15 make two categories, the number of spaces needed for
16 St. Albans or wanted or whatever, and then the number
17 designated. What's the number needed tied to? I
18 mean, what's that determined by, the demand or is
19 it --

20 MR. SLADE: Yes, yes.

21 CHAIRPERSON MILLER: -- determined by
22 regulations or --

23 MR. SLADE: The lower end was based on a
24 survey done about two years ago, the lower end of that
25 range which was 210. The higher end of the range is

NEAL R. GROSS

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

1 based on experience at the school by administrators at
2 the school that there are days when we probably have
3 20 people more than that.

4 At the beginning of the school year, I
5 guess it's the sophomores haven't reached the age of
6 16 yet. So the number is significantly lower. At the
7 end of the school year more and more people have
8 reached the age of 16, and they're driving a car once
9 in a while or every day.

10 So it's highly variable, and we think that
11 the 210 represents that average peak day, and the 230
12 is days when there maybe a couple of meetings at the
13 school and parents are attending or board meetings at
14 the school and more people are there.

15 CHAIRPERSON MILLER: Okay. So it's
16 basically a demand number.

17 MR. SLADE: It is a demand number.

18 CHAIRPERSON MILLER: Okay.

19 MR. QUIN: Maybe for the record I should
20 just state what the legal requirement is.

21 CHAIRPERSON MILLER: Sure.

22 MR. QUIN: So that it's on the record.

23 CHAIRPERSON MILLER: Right.

24 MR. QUIN: The legal requirement is 154
25 based upon in terms of there's nothing that deals with

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 students in the regulations for this. It deals with
2 the largest assembly, and that's one for ten, and 650
3 is the number divided by ten, is 65, and then you take
4 134 for the -- it's two-thirds of that to compute the
5 parking for the faculty and staff, and you add them
6 together and you get 154.

7 The regulations also say that if you're a
8 landmark, even if you increase you are not required to
9 provide, which would be six more because under 2000.5
10 if you're a landmark you don't have to provide more.
11 So the legal requirement if it's a landmark will
12 remain at 154, although if it were not a landmark it
13 would go to 160. So that's just for the legal
14 requirement.

15 CHAIRPERSON MILLER: Right. That's good
16 to get on the record. Thank you.

17 Mr. Slade, with respect to Garfield
18 Street, are those spaces filled up early, like at
19 eight o'clock?

20 We were saying that certain spaces, you
21 get there at eight o'clock on the Close, that they get
22 filled up. Do they also get filled up on Garfield at
23 that hour? Can you tell even?

24 MR. SLADE: I'm sorry, Ms. Miller. I
25 don't know exactly when they do fill up. I would

NEAL R. GROSS

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

1 suspect that they do fill up quite early.

2 CHAIRPERSON MILLER: Do cars park there
3 the evening before? Do you know?

4 MR. SLADE: In the evening?

5 CHAIRPERSON MILLER: Well, the evening
6 before the morning because I'm wondering whether is
7 this an area where households have their cars parked
8 on the street and then they go to work and spaces open
9 up or is this an area --

10 MR. SLADE: I have made casual
11 observations at times that were outside of any
12 activity happening on the Close, and you know,
13 literally saw no or only a few cars on the north side
14 of the street. I don't think the neighbors depend on
15 the north side of Garfield Street except perhaps when
16 they're having a party.

17 CHAIRPERSON MILLER: Okay, and we haven't
18 heard from the community yet.

19 MR. SLADE: Right.

20 CHAIRPERSON MILLER: And I don't know,
21 although it sounds like there may be an issue about
22 parking on Garfield. Maybe there isn't, but I think
23 we've discussed in other cases that people prefer to
24 park on the street than go into a garage, that that's
25 human nature. I'm not testifying. I'm just asking

NEAL R. GROSS

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

1 you.

2 MR. SLADE: It certainly is walking
3 distance, and this will be a new garage, well lit,
4 safe, secure, and so forth. So some of the things
5 that inhibit people from wanting to use garages won't
6 be a problem here, but in general --

7 CHAIRPERSON MILLER: In some ways it may
8 be more convenient because it's closer. Is that --

9 MR. SLADE: In general, I think if you're
10 heading to the school and you know that convenient
11 parking, surface parking may not be available on the
12 Close and you see a space on Garfield, human nature
13 would be to grab that space unless you're restricted
14 from doing so legally or by some other means.

15 The garage is there. Your car will be out
16 of the heat. Your car will be out of the rain, and
17 it's a pleasant walk across the Close to the school.
18 So that's a nice option, too.

19 CHAIRPERSON MILLER: So will students be
20 parking in the garage as well?

21 MR. SLADE: Students may park in the
22 garage. It would be their choice because there will
23 be this reserve of spaces available that aren't
24 designated, this 187.

25 CHAIRPERSON MILLER: Does that reserve

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 include students or is that just faculty?

2 When you have said that the garage will
3 accommodate all of the needs on the Close for parking
4 spaces, does that include the students?

5 MR. SLADE: It include all of the demand.

6 CHAIRPERSON MILLER: All of the demand.

7 So --

8 MR. SLADE: Visitors, students, vehicles
9 that are part of the Close police fleet. I mean every
10 vehicle.

11 CHAIRPERSON MILLER: Does it include
12 visitors to the Close?

13 MR. SLADE: Yes.

14 CHAIRPERSON MILLER: Okay.

15 MR. SLADE: Yeah, that average peak day
16 included every category that we could imagine.

17 CHAIRPERSON MILLER: Okay. May other
18 question is -- and maybe, Mr. Quin, you might want to
19 answer this. I'm not sure -- but a lot of this
20 discussion has hinged on the garage, and so I'm
21 wondering if you might put on the record, you know,
22 the status of what's happening with the garage and
23 what process that has to go through because, you know,
24 is there any chance there won't be a garage?

25 MR. QUIN: I have been asked that question

NEAL R. GROSS

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

1 by the Cathedral representatives several times. The
2 precise status is that in order to complete the
3 allocation of space for the parking garage, the
4 parking garage is a matter of right.

5 There is also a bond issue that supports
6 both the parking garage and the bus facility. The
7 constructions would be at the same time, and the bus
8 facility has gone through the legislation or is going
9 through the legislation now to allow the street
10 allocation of a portion of the below grade space of
11 Wisconsin Avenue to be used for the bus facility.

12 That has gone to first reading, and we
13 expect the emergency and the final reading to be on
14 the 21st of June or the 6th of July. This has been
15 supported by the community. So we do not see any
16 political means or reality of its not being achieved.

17 CHAIRPERSON MILLER: Thank you.

18 MR. SLADE: We're finally ready to talk
19 about the academic facility modification, the
20 Performing Arts facility and the athletic facility
21 modifications and their traffic and parking
22 implications, but I need to talk about this garage one
23 more time, just to remind all of us that today on one
24 of these average peak days not only do 294 cars park
25 in the neighborhood, but they have to drive into

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 neighborhood streets, drive around the block, search
2 for a parking place, walk through the neighborhood, go
3 back and leave.

4 And the relief to traffic on the
5 neighborhood streets by building the garage will be
6 tremendous. You know, it's a lot of demand, and
7 there's a lot of circulation around those streets. So
8 it was, again, kind of contextual.

9 Now, I'll talk about the academic facility
10 addition. As others testified before me, the only
11 change in personnel is an anticipated potential
12 increase of nine FTE faculty and staff over the next
13 ten years. The parking that those individuals would
14 require are in these demand numbers that I've been
15 talking about. So they would be accommodated within
16 the demand figures for St. Albans, the 210 to 230.
17 They would presumably come to the Close and park on
18 the Close.

19 We can't even do a traffic study for only
20 five or six cars because it's so small. There's no
21 way to measure the impact. It's really negligible,
22 and then when you consider that 294 cars are being
23 taken out of the neighborhood because of the garage,
24 you know, there's no impact to traffic and parking of
25 the academic facility addition.

NEAL R. GROSS

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

1 MR. QUIN: Well, could we be more specific
2 on that? You're speaking of their three areas of
3 relief here. One is the physical plant that's a
4 connecting wing with no increase in students, but with
5 a phased increase of nine FTE staff and faculty.

6 MR. SLADE: Yes.

7 MR. QUIN: And then the second one is the
8 athletic facility, again, no significant change.

9 MR. SLADE: I'm coming to those.

10 MR. QUIN: I'm sorry.

11 And then the third --

12 MR. SLADE: Is it dinner time, Wayne?
13 Sorry.

14 Athletic facility. Again, as was
15 testified before me, these modifications are to bring
16 these facilities to standards. We discussed this at
17 length with the Athletic Department about whether any
18 of the activities would change as a result of the
19 reconfiguration of the fields. Yes, there will be
20 more seats; no, we don't expect there will be more
21 spectators. People stand today, and they'll be able
22 to sit in the future.

23 There will be more flexibility in the way
24 things are scheduled in the future. So on rare
25 occasions there could be a make-up game due to rain

NEAL R. GROSS

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

1 put on a different date that would coincide with
2 another game. There could be two games at the same
3 time which can't happen now, but it would never be two
4 varsity games. It would always be a varsity game and
5 a junior varsity game, and the junior varsity game
6 does not generate a lot of spectator activity.

7 And then as someone before me testified,
8 because the track will be a regulation track, there
9 will be an all conference meet once every six years,
10 and a couple of meets which can't take place now which
11 are one school against another school that will take
12 place here, and those activities generate primarily
13 bus parking for the visiting teams, and the
14 architectural plan and the landscape plan include more
15 space for parking buses on the Close than is available
16 now.

17 So the one impact that we do see is this
18 occasional need to park more buses than we have now
19 because we can host more events, two more events a
20 year, and they'll be able to park those buses on the
21 Close.

22 CHAIRPERSON MILLER: Just to clarify that,
23 parking the buses on the Close for the athletic
24 events, is that something that's in this application
25 or is that something that's related to building the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 Cathedral underground gym -- I mean underground
2 parking?

3 MR. SLADE: No, no. It's part of this
4 application.

5 CHAIRPERSON MILLER: It's in this
6 application?

7 MR. SLADE: Yes.

8 CHAIRPERSON MILLER: I just don't remember
9 seeing where that is. Pilgrim? Okay.

10 Did you say it's going to be more hidden
11 than the buses are now or there's going to be more
12 space allocated?

13 MR. SLADE: Well, buses park on the Close
14 now. It's just that they park in a helter-skelter
15 way, and it will be designed to accommodate bus
16 parking on the Close, on Pilgrim.

17 Today buses are encouraged to park on the
18 Close. In fact, the gentleman who testified ahead of
19 me often goes out on the Garfield Street to bring
20 those buses in to literally pilot them to the parking
21 places. So this will just be more accommodation for
22 buses on the Close during the athletic events.

23 CHAIRPERSON MILLER: I'm sorry. Will
24 there be a larger space designated for the buses under
25 the proposed plan than currently exists?

NEAL R. GROSS

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

1 MR. SLADE: I think it's kind of multi-use
2 space that can park cars during the daytime and then
3 as the schools leave and the athletic events build up
4 their space for parking buses.

5 MR. QUIN: We actually have, and we would
6 file for the record a plan that shows where the buses
7 with this plan would start bus parking. In other
8 words, it would be a designated area on Pilgrim Road
9 for bus parking of ten spaces as I recall, and then
10 buses may also later be permitted in the garage as
11 well.

12 CHAIRPERSON MILLER: Is that just for St.
13 Albans' buses or, I mean, not St. Albans; I mean for
14 St. Albans athletic events, or is that for the whole?

15 MR. QUIN: The ten spaces were spaces that
16 were just designated for bus parking area, assuming
17 that they would be allocated to the playing field and
18 visiting teams. Now, subject to -- it's broader than
19 that I've just been told.

20 CHAIRPERSON MILLER: Is it tourist buses
21 for the Close?

22 MS. MEEHAN: No.

23 MR. QUIN: No.

24 CHAIRPERSON MILLER: Is it NCS buses,
25 Beauvoir buses?

NEAL R. GROSS

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

1 MS. MEEHAN: It's designated for school
2 buses. There's a designation --

3 CHAIRPERSON MILLER: Would you identify
4 yourself for the record?

5 MS. MEEHAN: I'm Colleen Meehan. I'm
6 Director of Planning at St. Albans School.

7 And there is currently space designated on
8 Pilgrim Road for two school buses, and what we do
9 today is sometimes put a St. Albans bus in one of
10 those spaces so that when the visiting team bus
11 arrives, and usually there's only one, that they can
12 park in that space on Pilgrim Road.

13 The new plan for surface parking spaces
14 after construction of the garage enlarges the area of
15 Pilgrim Road designated for bus parking, and there's
16 a map of surface parking spaces that's more recent
17 than the one in your materials, and it shows ten
18 spaces reserved and, hence, creating the opportunity
19 to reserve some of those spaces for the one and I
20 think usually a maximum of two visiting team buses,
21 depending on the event.

22 That doesn't include tournaments, I would
23 add, which are not frequent, and Mr. Baad, our
24 Director of Athletics could address that better than
25 I could. But typically it's one bus for a varsity

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 event or for a JV event.

1 E-V-E-N-I-N-G S-E-S-S-I-O-N

2 (6:00 p.m.)

3 CHAIRPERSON MILLER: Is there anticipated
4 ever a conflict with respect to buses coming for NCS,
5 athletic events, and St. Albans athletic events?

6 It seems to me if you're going to have ten
7 spaces, you're probably not going to have a problem.

8 MS. MEEHAN: Well, I don't anticipate a
9 space -- I'm getting the nod from General Rippe that
10 he doesn't anticipate that there's going to be a
11 conflict for those spaces.

12 I would just point out that athletic
13 events begin after the academic school day, and so
14 already there's a reduction of parking demand on the
15 Close, which also makes this more feasible.

16 We have a system in place today to try to
17 bring these buses onto the Close so that they're not
18 parking off Close, and we are planning to enhance
19 that. The challenge there is to direct them through
20 the streets, and we have some plans as to how to do
21 that.

22 CHAIRPERSON MILLER: Great. Thank you.

23 MR. SLADE: I was going to go on to the
24 last item, which is the Performing Arts facility, and
25 the Performing Arts facility that's proposed will have

NEAL R. GROSS

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

1 650 seats. It will replace the existing Performing
2 Arts facility which has 325 seats. So it's a doubling
3 of the capacity.

4 We reviewed, the school provided us with
5 detailed information on performances, number of people
6 attending those performances, number of people on the
7 stage and behind the stage for all of the performances
8 for a full year, and what we determined from that is
9 that most performance reach the existing capacity,
10 300, 325. Some have a few standees. So we're talking
11 about the range of about 325 people today.

12 And the biggest cast and crew was 90
13 people, students, of course, perhaps some faculty and
14 stuff helping those students on the stage and behind
15 the stage. So we had 325 plus 90, about 415 people in
16 total.

17 For most events, the following
18 characteristics are the case. We assume that everyone
19 would come by automobile because, of course, these
20 ended late in the event and people are going home, and
21 what we found is that the cast and crew arrive about
22 two hours before the show or they're already there if
23 it's on a Friday evening. So the cast and crew are
24 all in place and doing their thing.

25 The audience begins to arrive about one

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 hour before the show, and it's spread out pretty
2 evenly through that hour, with a few people arriving
3 late. These are based on surveys and observations.

4 And then on average, we've got about three
5 people per car, and we just got this by knowing how
6 many cars were there and how many people were there.

7 So using that we forecast additional
8 traffic. If we had a capacity event, 650 people, and
9 the cast and crew probably would grow a little bit
10 just because there would be more facilities and so
11 forth, to 100 people.

12 And today when there's an event, the
13 choice parking is Pilgrim Road on the Close, and when
14 that fills up, Garfield Street and perhaps beyond
15 Garfield Street into the neighborhood.

16 With the garage in place and with the
17 incentives that the parking policy will provide, most
18 people would choose to park in the garage. It will be
19 nighttime. It will be a convenient, well lit, secure
20 place. You'll have a convenient walk to the new
21 Performing Arts facility, and it will be a lovely
22 evening.

23 So we assume the worst case from a traffic
24 standpoint, that all of that traffic would want to
25 come to the garage. The garage will have two

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 entrances, one where the existing North Drive is
2 located and the intersection with Wisconsin Avenue,
3 which is an unsignalized driveway today and has buses
4 in the way, although in the evening the buses aren't
5 there.

6 And then another drive that accesses the
7 garage from Woodley. The Wisconsin Avenue access
8 point to the garage will have a traffic signal. It's
9 designed and it's part of this contract that General
10 Rippe referred to. It's going to be in place within
11 six months. So that when you arrive and depart, you
12 will be allowed to do so at that signalized access
13 point on Wisconsin Avenue.

14 Here's the issue someone mentioned
15 earlier. Some of these performances today start as
16 early as I believe it was 6:00 p.m. So all of the
17 people are arriving in that hour before 6:00 p.m., and
18 they're coinciding with weekday evening traffic, and
19 so we looked at that as the worst case, a full
20 capacity event, the kind of traffic I'm talking about.

21 We brought them all to this Wisconsin
22 Avenue entrance, which of course is the most congested
23 point around the Close where all the traffic is. And
24 because this entrance is going to just serve that
25 garage and people coming to that event, that new

NEAL R. GROSS

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

1 signalized intersection will operate at a very good
2 level of services. That signal will be coordinated
3 with the signals up and down Wisconsin Avenue, and
4 they'll be synchronized. It will be a safe place to
5 come in and go out because today you don't have the
6 safety of a signal stopping Wisconsin Avenue traffic.

7 So even though we'll have much more
8 traffic at this location using the garage, it will be
9 a better situation than we have today from a safety
10 standpoint, and it will work in coordination with the
11 other signals and traffic will move in and out when
12 the other signals along Wisconsin Avenue are allowing
13 cross-street traffic to move.

14 So we from a traffic operational
15 standpoint -- this will not have a negative impact on
16 Wisconsin Avenue traffic conditions. If the events
17 are started later in the evening, so much the better
18 because we won't have this additional traffic on
19 Wisconsin, but you know, if it all were to arrive
20 simultaneous with the commuter peak period, the level
21 of service at this intersection would be fine.

22 MR. ETHERLY: Mr. Slade, if I could, let's
23 kind of pause there for a moment because (I noted that
24 reference in the Department of Transportation's
25 report, and I want to kind of perhaps use that as a

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 segue into talking a little bit about kind of traffic
2 movements because I think that's kind of the other
3 piece of this.

4 We've talked, of course, a lot about
5 capacity and what the garage does in terms of what
6 cars get onto the Close property, where do they go, but
7 I think another piece of this very much is how cars
8 are getting onto the Close property now with the new
9 addition and the new garage and how they're moving
10 through the property.

11 And of course, the report also references
12 some of the current traffic patterns as they relate to
13 pick-up and drop-offs for NCS. But one kind of
14 immediate question is as you talk about signaling
15 Wisconsin and north, so what we're talking about is
16 signaling essentially that little intersection here,
17 correct?

18 MR. SLADE: Yes, yes.

19 MR. ETHERLY: Was there any discussion or
20 would you have any comment regarding based on the
21 proximity of what would be a new signaled
22 intersection now, albeit coordinated and integrated
23 with the other signals along Wisconsin; is that enough
24 space there or should someone be concerned based on
25 the distance from Woodley and Wisconsin Intersection

NEAL R. GROSS

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

1 to North Road?

2 Let's say you have traffic coming for an
3 event. I've heard the expression used before "storage
4 space." If you have a number of vehicles that are
5 attempting to how make a turn at a signalized
6 intersection, is there enough space there to store all
7 of that traffic?

8 If so, then perhaps it answers my next
9 question, which is: what does that then do to
10 congestion along Wisconsin Avenue if you have a number
11 of people waiting to make that turn, and not just for
12 the benefit of going into the new Garage, but for
13 performance, but just general traffic impact.

14 Now that you would have a signalized
15 intersection there, if I'm a motorist looking to come
16 to STA for volunteer business or for business at the
17 school, does this intersection now create further
18 congestion along Wisconsin?

19 MR. SLADE: We took this proposed signal
20 at this location through a very lengthy and deliberate
21 process with DDOT as part of the garage package, and
22 that was a year or two ago. We actually simulated
23 traffic in the computer on Wisconsin Avenue and the
24 Traffic Signal Division of DDOT agreed that this
25 signal would not only not cause the kind of problems

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 that we all wanted to make sure it wouldn't cause, but
2 is an asset from a safety standpoint for the sake of
3 pedestrians.

4 There's 750 feet between Woodley and
5 Massachusetts Avenue. So it's a very long block.
6 Most of the blocks in the city probably average about
7 300. So the spaces of the signal is actually similar
8 to the spacing of other signals on arterial streets in
9 the city and not a shorter block than usual.

10 And turning in and out of this driveway is
11 a challenge without a traffic signal today.

12 MR. ETHERLY: under current conditions.

13 MR. SLADE: Yes.

14 MR. ETHERLY: Okay.

15 MR. SLADE: And pedestrians take risks in
16 this section of Wisconsin Avenue because it is a long
17 block. Again, human nature: you're walking along the
18 street. You want to get across the street. You
19 glance over your shoulder and you'll see that the
20 signals are already on Wisconsin, and you dash across
21 the street mid-block. This at least will give another
22 safe location where pedestrians can cross at a light
23 within this long block.

24 MR. ETHERLY: So, one, a cross-walk would
25 be installed at that location as well.

NEAL R. GROSS

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

1 MR. SLADE: Yes.

2 MR. ETHERLY: Okay. Retarding that turn,
3 I wasn't certain from the reading if that would be
4 a --there won't be any change to the lane, correct?
5 So we're not talking about the addition of a left turn
6 only lane.

7 MR. SLADE: Correct. It will remain with
8 the lanes as they are today.

9 MR. ETHERLY: Okay, and in terms of the
10 signal there, will that be simply a green light signal
11 or will that be a left turn arrow signal.

12 MR. SLADE: Simply a green light.

13 MR. ETHERLY: Okay. So conceivably you're
14 still going to have a little bit of queuing at that
15 intersection which people are hopefully waiting to get
16 that green to make that turn.

17 MR. SLADE: Yes.

18 MR. ETHERLY: But based on your
19 discussions with DDOT at this point, are we to take
20 the synchronization of those signals to mean that if
21 I'm northbound on Wisconsin Avenue, will I have a red
22 light conceivably -- and this might be getting into a
23 great level of detail operationally, but I think it's
24 a valid question.

25 If I'm heading northbound on Wisconsin,

NEAL R. GROSS

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

1 will I have under this proposal a red light facing me
2 while there's still a green for traffic traveling
3 south such that there is an opening?

4 Because it sounds like you might still
5 have the same condition apply as you have currently,
6 just with traffic lights there.

7 MR. SLADE: At present and once the signal
8 is installed there remains tremendous flexibility in
9 how it can be operated. At present, as a result of
10 the studies we and DDOT did, it's intended to be a
11 simple, two-phase signal, green on Wisconsin Avenue
12 northbound and southbound at the same time, and then
13 green for the existing traffic for north, and not that
14 kind of advanced green that would allow a couple of
15 cars to turn left into the driveway.

16 MR. ETHERLY: Okay, but based on your
17 simulations at this point, it's your testimony that
18 you haven't seen anything which would create a worse
19 level of service than what we have. It would
20 definitely be an improvement over what you see now.

21 MR. SLADE: Yes.

22 MR. ETHERLY: Okay. A final question on
23 this and then I'm fairly done here, but I just want to
24 also kind of tweak in terms of overall there was a
25 discussion in the report, of course, regarding the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 traffic that currently flows along that north road in
2 terms of dropoffs at NCS that will use North Road and
3 then curve back around Woodley.

4 Did you also take a look at impacts as it
5 kind of relates to that kind of continuing kind of
6 traffic flow now? Under the proposal in front of us
7 now, you would have parking garage traffic enter on
8 North Road and enter the garage somewhere, somewhere
9 in here, or you could also opt to enter from Woodley
10 Road, and that would be if you're heading either
11 direction on Woodley, east or west, correct?

12 MR. SLADE: Yes.

13 MR. ETHERLY: Okay. So if I'm coming
14 either way on Woodley, I can turn in and head to the
15 parking garage. Based on your assessment, that
16 overall traffic flow itself also doesn't create any
17 additional pressure on Wisconsin Avenue.

18 MR. SLADE: We appended -- yes. My answer
19 is yes.

20 MR. ETHERLY: Okay.

21 MR. SLADE: We appended the traffic study
22 we did for the garage to the study that we just did
23 for the St. Albans application. So it's in your
24 package, and I'm hoping there's a diagram in here, Mr.
25 Etherly.

NEAL R. GROSS

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

1 MR. ETHERLY: Yes, and that's what has
2 kind of broached my question, because you identify
3 essentially kind of three factors which kind of, you
4 know, as part of your discussion around future traffic
5 conditions would help to redistribute kind of
6 automobile parking, and to an extent it was kind of
7 factor one that prompted me to raise the question
8 around kind of what the parking traffic would be now
9 with the introduction of the garage.

10 And you essentially kind of note at page
11 15 of that appendix that the other two factors would
12 essentially offset an increase of traffic on Woodley
13 Road.

14 MR. SLADE: yes.

15 MR. ETHERLY: There's a little bit of
16 familiarity on my part with this area and kind of
17 making this route somewhat frequently, but from
18 looking at this and looking at the DDOT report, what
19 I'm kind of just exploring a little bit is, you know,
20 in redistributing traffic for parking purposes and
21 perhaps just for overall circulation purposes, are we
22 still creating, you know -- rerouting some of the same
23 traffic problems. Let's put it like that.

24 And by virtue of introducing now a garage
25 entry at both points, which I'm not opposed to, I

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 think it makes sense instead of routing it all through
2 one choke point, but be that as it may, Woodley Road,
3 of course, is a fairly narrow thoroughfare as you head
4 east and west from Wisconsin going back down to 34th,
5 and then, of course, Wisconsin itself which, you know,
6 we can spend hours talking about the fun that we all
7 have as commuters on that artery. I just want to make
8 sure that the introduction of a new signalized
9 intersection isn't creating new problems that haven't
10 been contemplated.

11 And I'm getting a sense that it's your
12 strong testimony that, yes, we've contemplated that in
13 all of our simulations and analyses which suggest that
14 we're not creating new problems here.

15 MR. SLADE: Yeah, and if I can just take
16 another second on this with you, on page 21 there's a
17 diagram that I think you began to talk about another
18 aspect of this, and that is the pick-up and dropoff at
19 Hearst Hall, which is the NCS upper school. That will
20 all be redesigned, and this diagram is very obsolete.
21 It has been worked on, reworked many, many times, as
22 you can imagine as we get to the bid point on this
23 contract, but there is a large capacity facility there
24 for all of the pick-up and drop-off activity that
25 takes place in front of the school and in front of the

NEAL R. GROSS

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

1 Cathedral, as well as access into and out of the
2 garage.

3 So you can drop your family off or an
4 elderly person or a handicapped person, and then get
5 around and go back down into the garage without
6 interfering with any activity that's happening at the
7 front door of the school with that design.

8 So we tried to make this as efficient as
9 possible on the Close so that nothing backs up out
10 onto the street, and that with that signal, that all
11 of the traffic, once it is departing, departs in a
12 safe way at a signalized intersection.

13 MR. ETHERLY: Okay, and then my last
14 question and then I will be quiet because I've been
15 talking primarily about just kind of traditional
16 automobile traffic; could you also speak a little bit
17 to movements of tour buses in terms of ingress and
18 egress as well?

19 MR. SLADE: Sure.

20 We don't have a diagram showing the tour
21 bus facility, but you're familiar with the existing
22 parallel lane on the east side of Wisconsin Avenue,
23 and as you know, you enter -- a tour bus driver enters
24 that at the south end of that lane and pulls up and
25 parks parallel within that lane. It's just wide

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 enough for one row of parked buses and a lane for the
2 buses to enter and leave.

3 And it brings the traffic out to Woodley
4 Road and the current configuration of the driveway
5 where it enters Woodley Road causes buses to have to
6 turn right onto Woodley Road.

7 Over the period of about the last three
8 years that has been completely redesigned in multiple
9 ways. First of all, you'll enter at approximately the
10 same location with your bus, and you'll immediately go
11 down a ramp to an 18 space parking facility for buses
12 alone, totally separate from the automobile garage.

13 MR. ETHERLY: Okay.

14 MR. SLADE: You'll pull into one of these
15 saw-toothed arrangements at the curb so that your
16 passengers can unload safely onto a sidewalk where
17 they'll be greeted by Cathedral docents and they'll
18 either take the staircase or elevators up to the
19 surface and enter the Cathedral.

20 And when you leave, you'll go back to the
21 bus in that location. The bus will back out and back
22 into the driveway. The bus will then climb up a ramp
23 immediately adjacent to Hearst Hall and reach the
24 surface before they get to Woodley Road, where the
25 entrance onto Woodley Road will be reconfigured so

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 that the buses will be forced to turn left back out
2 onto Wisconsin Avenue through Woodley.

3 That existing signal at Woodley and
4 Wisconsin is going to be modified so that when a bus
5 is dwelling at the end of that driveway, he will be on
6 an actuation device that will tell the signal
7 controller that there's a bus here, and for that phase
8 and that phase alone, it will stop traffic on both
9 Woodley and Wisconsin, and the bus will be able to
10 come out and make a U turn and go back down to the
11 Mall or go north on Wisconsin and back to the Beltway.

12 That was worked through in a lot of detail
13 with the community and DDOT. It's all approved and
14 it's part of the big package the General Rippe talked
15 about.

16 MR. ETHERLY: Okay. Thanks a lot.

17 Thank you very much, Madam Chair. I
18 appreciate all of that walking through. It was
19 perhaps tedious, to say the least, but clearly there's
20 a lot of work that's gone into taking a look at these
21 traffic patterns and the ingress and egress, and I
22 think it is work that has been solidly done.

23 I think the devil will be in the details
24 here, and really parsing out whether it will, indeed,
25 work or not because Wisconsin Avenue sometimes defies

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 reality and perhaps can befuddle the most well thought
2 out plans.

3 So I appreciate your time in walking
4 through that with me.

5 MR. SLADE: Thanks, Mr. Etherly.

6 MR. ETHERLY: Thank you, Madam Chair.

7 MR. SLADE: Madam Chair, I'm just going to
8 close by saying it is my professional opinion that
9 this application will have no significant impact on
10 traffic and parking conditions.

11 Thank you.

12 CHAIRPERSON MILLER: Thank you, and I
13 think we'll have a few more questions if that's okay.

14 MR. SLADE: Oh, sure.

15 CHAIRPERSON MILLER: I mean, it looks like
16 you want to rush off or something. We don't have that
17 many more.

18 MR. MANN: The existing 325-seat
19 Performing Arts facility that the Performing Arts
20 Center is going to replace, where is that located?

21 MR. SLADE: I think the architect should
22 answer that. I think it's in the same location as the
23 new facility. It will be removed and replaced, I
24 believe.

25 No? I shouldn't answer that.

NEAL R. GROSS

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

1 MS. MEEHAN: The current theater, 325-seat
2 theater is called Trapier Theater (phonetic), and it
3 is in an existing building that fronts senior
4 circle. This building right here is on the top level a
5 library for the upper school and on the bottom level
6 Trapier Theater, and that building stays and that
7 facility stays, but it will be converted for use as a
8 large classroom, as testing facility, a place for
9 lectures, faculty meetings, et cetera.

10 It also will serve as a continuative
11 function as a performing arts space for lower school
12 functions, but it's in essence shifting its emphasis,
13 its function to academic use rather than the arts.

14 MR. MANN: But there will be some
15 performing arts center function that remains?

16 M S . M E E H A N :

17 Well, there are times when there may be a lower
18 school event that calls for a much small audience.

19 MR. MANN: How many seats will be in this
20 reconfigured center?

21 MS. MEEHAN: The existing Trapier
22 Theater (phonetic) will not be modified in any way
23 other than renovated in terms of the seating and paint
24 and the stage area.

25 MR. MANN: Will it continue to seat 325?

NEAL R. GROSS

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

1 MS. MEEHAN: It stays the same, yes, 325.

2 MR. MANN: Okay. So, in fact, it sounds
3 like this new Performing Arts Center is not replacing
4 or just doubling the number of seats. It sounds like
5 it's going from 325 to 975.

6 MS. MEEHAN: No. The primary purpose of
7 Trapier Theater is as an academic facility. It is an
8 oversized classroom, a lecture hall. It is a place
9 where two classrooms, where two teachers want to bring
10 two classes together for something, a place where one
11 can see a film. It's a place where one can do testing
12 where you have to seat the boys in every other seat
13 and stagger them.

14 It is meant to be a meeting facility when
15 one wants to convene the entire faculty and the entire
16 staff together. It is a place that the school can use
17 for its students and faculty when they want to gather
18 in one room, and currently the only place on the Close
19 other than Trapier Theater where 300 people can gather
20 is the nave of the Cathedral.

21 So there's a great demand for that mid-
22 sized room for non-performance related purposes.

23 MR. MANN: So it would never occur then
24 that you're saying there would be a performance in the
25 325 seat --

NEAL R. GROSS

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

1 MS. MEEHAN: No.

2 MR. MANN: -- theater simultaneous with
3 the 650-seat Performing Arts Center?

4 MS. MEEHAN: Oh. No, I can't imagine that
5 they would occur simultaneously.

6 MR. MANN: Okay. Thank you.

7 CHAIRPERSON MILLER: I just have a couple
8 of questions. The new Performing Arts, I don't think
9 we need the architect for this, but where is it in
10 relationship to neighboring streets? Which street is
11 it closest to?

12 MS. MEEHAN: Once again, you can see the
13 Senior Circle, which is the drive in front of the Lane
14 Johnston Building. That is the site of the Performing
15 Arts Center. It is underneath that Senior Circle,
16 that front plaza drive area at the front door of the
17 school, in essence, which is an interior location on
18 the campus.

19 So to answer your question, it's closest
20 to another interior road, Pilgrim Road, and in terms
21 of access to it, what we anticipated are that the
22 patrons would park in the garage where there will be
23 sidewalks that are well lit and roughly at the same
24 grade such that it's not the difficult, uphill climb
25 that one might experience -- that one does experience

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 today if they park on Pilgrim Road or if they park on
2 Garfield.

3 The distance, which we've measured, is
4 actually shorter from where the garage would let a
5 pedestrian out -- I mean, the garage would let its
6 patrons out, and come across to the theater, and like
7 I said, it's an easy walk.

8 CHAIRPERSON MILLER: thank you.

9 Mr. Slade, what's the level of service on
10 Wisconsin Avenue?

11 MR. SLADE: Well, it varies up and down
12 Wisconsin Avenue from --

13 CHAIRPERSON MILLER: Oh, I don't mean all
14 of Wisconsin Avenue. I mean in front of the Close
15 because you were saying -- my point goes to you were
16 saying that it wouldn't be impacted by the performance
17 traffic, performance-related traffic.

18 MR. SLADE: We analyzed level of service
19 at intersections, and at the signalized intersection
20 of North Drive with Wisconsin, with this full capacity
21 performance activity, I think we calculated a level of
22 service B, B or C.

23 CHAIRPERSON MILLER: B?

24 MR. SLADE: Yeah, it's in our report.

25 CHAIRPERSON MILLER: Okay, and what is it

NEAL R. GROSS

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

1 without the performance-related traffic?

2 MR. SLADE: Oh, without it, just on a
3 regular day during the five to 6:00 p.m. hour when we
4 have traffic going in and out?

5 CHAIRPERSON MILLER: Let's take rush hour,
6 6:30. What's the level of service with and without
7 the performance-related traffic?

8 MR. SLADE: Well, today if you're on
9 Wisconsin Avenue, you simply drive right by, if you're
10 not backed up from a nearby intersections, you drive
11 right by it. So the level of service is very good.
12 There's no delay to Wisconsin Avenue traffic at North
13 Drive. The delay is to the North Drive traffic trying
14 to get out on the street.

15 So North Drive people have level of
16 service F. Wisconsin Avenue people have level of
17 service A at North Drive.

18 When they get to Woodley, you're delayed.
19 Level of service is measured by measuring delay. So
20 I don't have the delay figures for that intersection,
21 but we analyzed all of those intersections when we
22 were doing the garage studies, and I guess I could
23 look it up in this report.

24 CHAIRPERSON MILLER: Okay. Let me just be
25 to the point, and maybe I'm not expressing myself

NEAL R. GROSS

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

1 well. I thought you basically said that the level of
2 service wouldn't change by the introduction of
3 performance related traffic at rush hour.

4 MR. SLADE: I don't know if I said that
5 exactly.

6 CHAIRPERSON MILLER: If you didn't say
7 that, then that would be my question. Is that your
8 position?

9 MR. SLADE: No.

10 CHAIRPERSON MILLER: No. Okay.

11 MR. SLADE: If there weren't a
12 performance, if the traffic signal was operating, the
13 traffic signal will be actuated by traffic coming out
14 of the garage. So if there's no traffic coming out of
15 the garage, it will stay green most of the time on
16 Wisconsin Avenue and only will go red in coordination
17 with the Woodley signal and the Mass. Avenue signal.

18 CHAIRPERSON MILLER: But people will be
19 going into the garage, will they not, for a
20 performance?

21 MR. SLADE: Yeah, I'm saying if there's no
22 performance, you'll have a very good level of service.
23 If there is a performance, then there's more delay
24 because the traffic turning in and out of North Drive
25 will take away green time from Wisconsin Avenue

NEAL R. GROSS

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

1 Traffic. The signal controller is responsive to the
2 demand using North Drive. It varies the amount of
3 time that it gives to the different movements in the
4 intersection.

5 CHAIRPERSON MILLER: It seems like common
6 sense if there would be somewhat of a back-up during
7 rush hour or if there was a performance at the same
8 time.

9 MR. SLADE: Yes. When the light turns
10 red, cars will stop at the red light and back up.

11 CHAIRPERSON MILLER: And so what's your
12 position with respect to DDOT's recommendation that
13 performances don't start before 7:30 p.m.?

14 MR. SLADE: I don't think it's absolutely
15 necessary, but it would be better if they started a
16 little later.

17 CHAIRPERSON MILLER: What would make it
18 absolutely necessary?

19 MR. SLADE: I just can't even imagine the
20 circumstance that it would be necessary. You
21 encounter so much delay on Wisconsin Avenue at other
22 cross-streets. This will be a minor, momentary delay
23 in your trip up Wisconsin Avenue relative to --

24 MR. QUIN: I think that there's another
25 explanation which we're skirting over, and that's the

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 timing of the events, and Ms. Meehan could address
2 that.

3 CHAIRPERSON MILLER: Okay. Thank you.

4 MS. MEEHAN: Mr. Slade referred to the
5 worst case scenario, which he had identified in this
6 past year as being a lower school spring musical that
7 happened to be scheduled at 5:00 p.m., putting it in
8 the rush hour period. That lower school spring
9 musical typically takes place at 7:00 or 7:30 p.m.,
10 and we anticipate it will in the future.

11 To be honest, we're not sure among us here
12 why it took place at 5:00 p.m., but it's certainly an
13 anomaly, and we don't anticipate having events that
14 would begin that early.

15 CHAIRPERSON MILLER: I don't know if this
16 question is for the headmaster or not, but basically
17 what I would say is this is the type of condition that
18 we would consider, and I guess I want to know is there
19 some problem that the school would have with, you
20 know, that kind of condition: events that would
21 attract a certain amount of cars don't start before
22 the end of rush hour.

23 MR. SLADE: In the appendix to our report
24 is events at Trapier Theater in 2004-2005 school year.
25 They started at -- and I think there's ten of them

NEAL R. GROSS

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

1 here -- 8:00 p.m., 7:30, one at 6:00 p.m., 8:00 p.m.,
2 8:00 p.m., another one at 6:00 p.m., 7:00 p.m., 8:00
3 p.m., 8:00 p.m., 8:00 p.m., and then there were some
4 matinees on Saturdays.

5 So most of them are late, later.

6 CHAIRPERSON MILLER: Okay, and the other
7 thing I want to say is, I mean, the reason I'm asking
8 this is because maybe there's some situation where,
9 you know, it really should start at six or something,
10 and the Board should be aware of that

11 MR. WILSON: Yeah, I would not like a
12 condition on that because of the younger kids, the
13 fourth and fifth graders, and I think that in the
14 upper school it's almost always eight o'clock, 7:30 or
15 eight, and a Sunday matinee at two.

16 I suspect the five and the six o'clock
17 start was a musical that was mainly made up of fourth
18 and fifth graders, and their parents and we like them
19 to have their performance and get home at a reasonable
20 hour, and that happens though. I mean, fourth and
21 fifth grade player musical at most is three times a
22 year, fall, winter and spring. So you're not talking
23 about a regular kind of event that would be happening
24 at that time a lot.

25 But if we had an absolute rule, then that

NEAL R. GROSS

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

1 means you'd have to put fourth graders on the stage at
2 7:30 or eight o'clock at night, and I think as a
3 parent of a fourth grader, I'd prefer it to be earlier
4 if possible.

5 CHAIRPERSON MILLER: Do you have an idea
6 as to how many people come to watch fourth and fifth
7 graders in a play?

8 MR. WILSON: All of their parents and --

9 CHAIRPERSON MILLER: I mean, it's not 650
10 people I wouldn't think.

11 MR. WILSON: No. Our fourth grade has got
12 38 boys in it. So you know, that's probably -- if you
13 add the -- if the NCS girls, I mean, you're not
14 talking about more than 100 people.

15 I would also reemphasize that we do not
16 anticipate any increase in the number of events in
17 performing arts, even though we have this new
18 facility. We don't want to schedule any more for the
19 kids than we already have. It's just, as I said, with
20 the athletic fields a much better facility, not a
21 question of increasing the program.

22 CHAIRPERSON MILLER: So basically you're
23 saying it's rare that you would schedule an event
24 during rush hour.

25 MR. WILSON: Rare.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: And if you did, it
2 would be for good cause, such as the age of the
3 children.

4 MR. WILSON: I think that would be the
5 only reason. Certainly the high school kids don't
6 want to get anywhere near the stage at six o'clock.
7 I mean, it's just too early.

8 CHAIRPERSON MILLER: Thank you.

9 MR. MANN: If I could follow up on that
10 though, just to clarify, on page 9 of the applicant's
11 statement, it says the Performing Arts Center will
12 mainly serve existing programs, but will also be a
13 venue for some of the Cathedral's programs.

14 And can you maybe expand on that and
15 explain if these are going to be additional Cathedral
16 programs that are not occurring now, if they're going
17 to replace the Cathedral programs or what the
18 intensity of use might be for some of these Cathedral
19 programs in the Performing Arts Center.

20 MR. WILSON: In our conversations with the
21 Cathedral, and I am only speaking about conversations
22 about this program from our perspective, it would be
23 a different venue for a Cathedral program, not an
24 additional venue.

25 If you are a musician and you are in the

NEAL R. GROSS

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

1 Cathedral nave, strangely enough that beautiful space
2 is not always the best place for a concert, but a 650-
3 seat event that might have been for the Cathedral
4 choral society in the nave could possibly be moved to
5 this event on a Sunday afternoon. So it wouldn't be
6 an additional event, but just a switch of venue.

7 MR. MANN: So, Mr. Slade, was there any
8 reason to take those venue changes into consideration
9 in any of your traffic calculations?

10 MR. SLADE: Well, I think what we were
11 trying to do is isolate the event that this new
12 performing facility would accommodate that would have
13 maximum impact. We defined it in the report as the
14 maximum impact event.

15 I think what we should have also noted was
16 the frequency because it can be alarming when you hear
17 we're doubling the capacity of the facility, but when
18 you realize that it only happens so many times a year
19 and of those times most of them are 8:00 p.m. or 7:30
20 p.m. and there's only one or two or three that are
21 earlier and those tend to be the smaller ones, it
22 really puts it in perspective.

23 So we've focused on that one so that we
24 could look at how that intersection would operate, and
25 that was what our objective was. So if there were

NEAL R. GROSS

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

1 more or less of them each year, it would still fall
2 within the envelope that we thought we covered by this
3 worst case condition.

4 MR. MANN: Thank you.

5 MR. ETHERLY: Madam Chair, if I could come
6 back, the one thing I'm struggling with, Mr. Slade,
7 and perhaps I'm struggling because I haven't found a
8 good graphical representation that kind of speaks to
9 it, and we haven't spent a lot of time talking about
10 it, but I just want to be sure I'm clear. One of the
11 things that you reference as you talk about future
12 traffic conditions, three factors you identified. One
13 essentially noted that you probably, with the
14 introduction of the new parking garage, you will see
15 increased traffic on Woodley.

16 But then you know that there are two
17 additional factors that would help to kind of offset
18 that and result really in a net reduction, one being
19 a reduction of some of the traffic movements for drop-
20 off at the Hearst Building location.

21 So my first question is -- and then I'll
22 go to the second one -- my first question is: what
23 will be the traffic movement; if I'm doing a pick-up
24 or drop-off at NCS, what are you suggesting will now
25 be my movement as a parent or someone related to NCS

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 going through the Close property now?

2 Presently, if I'm entering North Road as
3 far as the Hearst Building is concerned, can I go
4 north-south on this street here or if I'm doing a
5 drop-off under current conditions, my kid jumps out
6 somewhere here and I continue down North Road?

7 MR. SLADE: Yes. This is not a choice.
8 There's surface parking here that will be gone with
9 the garage. So that's just a little cul-de-sac with
10 some number of spaces, probably 25.

11 You can come in and loop in front of the
12 school and go back out onto --

13 MR. ETHERLY: Under the new condition.
14 That would be my only option.

15 MR. SLADE: Today and tomorrow.

16 MR. ETHERLY: Okay. Today you can do that
17 and tomorrow you'll be able to do that. With the new
18 facility, that has much more elbow room, if you will.

19 MR. ETHERLY: Okay.

20 MR. SLADE: Today you can go onto North
21 Drive, which is one way after you get past this point,
22 one way out to Woodley, and drop a student off and
23 continue out onto Woodley and turn left or right onto
24 Woodley. You won't be able to do that in the future.

25 MR. ETHERLY: Okay. Excellent. So that's

NEAL R. GROSS

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

1 one way in which Woodley Road would be able to receive
2 some relief because you won't be able to do that
3 movement.

4 And then with respect to I believe it was
5 the third factor. Similarly, if I'm entering -- but
6 as far as garage traffic goes, garage traffic will
7 still be able to exit onto Woodley, correct?

8 MR. SLADE: Correct.

9 MR. ETHERLY: Okay. But it's your
10 argument that because there will not be as much of a
11 need to park on North Road going forward, that's going
12 to lessen the traffic impact that might be introduced
13 to Woodley because the ingress and egress.

14 MR. SLADE: Yes. In the discussion about
15 the garage design and that Woodley entrance, we felt
16 that there was an advantage to it not only to the
17 people who wanted to come and park in the garage, but
18 to the neighborhood because without it, you would
19 continue to arrive on Woodley as you do today, but
20 then you'd have to go to the signal at Wisconsin, turn
21 left to go south on Wisconsin, and then turn left
22 again into the garage.

23 So you're intercepting that traffic before
24 it has to go through all of those left turns, and it
25 would go back as efficiently to go home at the end of

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 the day.

2 MR. ETHERLY: Okay, and then once again,
3 as you noted with respect to tour buses, tour buses,
4 will they still be able to exit out onto Woodley or
5 are they also doing a loop as well, so to speak?

6 MR. SLADE: They will not be able to turn
7 right onto Woodley. They will enter approximately
8 here, go down in a ramping section here into that
9 garage, and when they come back up between Wisconsin
10 and Hearst, where the existing driveway is today, but
11 it will be ramping up. The geometry of their driveway
12 entrance onto Woodley will force them to turn left out
13 into the Woodley-Wisconsin intersection on their own
14 phase of the signal, and there's room for them to make
15 a U turn to go south or go turn right and go north on
16 Wisconsin.

17 MR. ETHERLY: Now, am I also to understand
18 that as part of the proposal, the application, you are
19 introducing some type of signal in front of Hearst
20 Hall; is that correct?

21 MR. SLADE: There's a new signal at North
22 and Wisconsin, which we talked about, and there's a
23 modification to the existing signal at the
24 intersection of Woodley and Wisconsin. Just before
25 that, the 55 buses a day during the peak season that

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 will want to come out and get back out onto Wisconsin,
2 and I think the other point to be made or to be
3 reinforced is that the bus garage and the automobile
4 garage are two completely separate garages so that the
5 buses cannot use Woodley whatsoever.

6 MR. ETHERLY: Okay. The reason why I
7 inquired about the Hearst Hall piece is reading at
8 page 17 under Factor 3, you note that with the
9 construction of the parking garage, North Road will no
10 longer pass through the Close. I understand that.

11 Also, the NCS passenger loading area on
12 the south side of Hearst Hall will be enlarged and
13 improved, and a traffic signal will be installed, but
14 that traffic signal reference is to the new signal at
15 North and Wisconsin.

16 MR. SLADE: Yes.

17 MR. ETHERLY: Okay. Excellent. Thank
18 you.

19 Thank you, Madam Chair.

20 MR. QUIN: Madam Chairperson, that
21 completes our direct presentation.

22 I did want to make one statement that I
23 think is important, and that is we've had a lot of
24 discussion about a lot of different things, many of
25 which have absolutely nothing to do with the relief

NEAL R. GROSS

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

1 that we are seeking today, but it's important to
2 realize that legally speaking we have an existing
3 situation, and all the things that the foundation and
4 St. Albans are proposing to do are really pluses
5 because the only changes, there's no change in number
6 of students, no changes in activity for two of the
7 areas, and except for the nine modest increase in
8 faculty and staff, and then the Performing Arts one
9 which you have focused on more recently, and I'm sure
10 that we can fashion some type of condition that would
11 be okay that would respond to DDOT's request.

12 So having said that, I just wanted to sort
13 of make the playing field -- that's probably not a
14 good thing to say at this time -- but to set the case
15 in the context of where we really are today.

16 We actually have an operating school
17 that's doing well. It has a relationship with the
18 community. They're trying to make it better.

19 CHAIRPERSON MILLER: Thank you.

20 With respect to DDOT's request, I mean, we
21 haven't heard from DDOT yet. I'm not sure if we will
22 or if we'll just hear from Office of Planning, but --

23 MR. QUIN: There is a report from DDOT.

24 CHAIRPERSON MILLER: I have the report
25 where they make the recommendation. I guess my point

NEAL R. GROSS

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

1 is I'm not sure whether they were aware of what we
2 heard today as to why it would not be a good idea in
3 your view or why it might not be necessary. So I
4 don't think we're there yet.

5 Ms. Mackwood, would you like to come to
6 the table and we can discuss the next step?

7 With respect to your cross examination,
8 how long do you think it will be? How much time do
9 you anticipate?

10 MS. MACKWOOD: I probably have about ten
11 or 11 pages of questions, maybe more. The only
12 individuals who have testified that I don't plan on
13 asking any questions of would be Ms. Cuff and I
14 already said Mr. Belt, but I'd like to preserve my
15 right to cross examine all the other witnesses.

16 CHAIRPERSON MILLER: Do you have an
17 estimate of what that converts to time-wise?

18 MS. MACKWOOD: You know, I wish I could,
19 but so much of it depends on the answers. So I
20 really -- it wouldn't be a reliable guess.

21 MR. QUIN: I assume that if there were an
22 agreement reached you would not need to do the cross
23 examination.

24 MS. MACKWOOD: I think certainly that
25 would reduce the cross examination, but I think there

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 have been issues that have been broached here that are
2 going beyond the usage agreement that we're talking
3 about. So I think it would be important to get some
4 responses on the record, but certainly would reduce
5 the amount of cross.

6 You've covered a lot of issues this
7 afternoon.

8 CHAIRPERSON MILLER: Well, that's good
9 since it took so long. The date that we have been
10 talking about continuing the case to is the morning of
11 July 26th, where we do have two other cases scheduled,
12 and my question to you, Mr. Quin, though is: are any
13 of your witnesses not available to come back that day?

14 MR. QUIN: Not a chance.

15 CHAIRPERSON MILLER: Okay.

16 MR. QUIN: They're all coming back.

17 CHAIRPERSON MILLER: Okay. Well, that
18 would go to if we needed to have them crossed today.

19 MR. QUIN: Yes, I understand.

20 (Pause in proceedings; the Board
21 conferred.)

22 CHAIRPERSON MILLER: Okay. Given that
23 it's quarter to seven at night, we don't see any
24 reason to start your cross examination today, and also
25 given your position that you might be able to work

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 much of it out.

2 Is there any person who is here that
3 wanted to testify today and won't be able to come back
4 on the 26th?

5 MR. QUIN: Could I just mention that I
6 don't know whether there would be questions of the
7 athletic director or the headmaster, both of whom have
8 right now potential conflicts, but may be able to deal
9 with that in some other way. Maybe someone on their
10 behalf could be here to answer any questions. They're
11 the only two people from our team who may have a
12 conflict on that date.

13 CHAIRPERSON MILLER: Oh, so there are some
14 witnesses who might --

15 MR. QUIN: I didn't realize that until
16 now. I'm sorry.

17 CHAIRPERSON MILLER: Okay. Let's go back
18 to that.

19 Okay, Ms. Mackwood.

20 MR. QUIN: I can have someone from the
21 school that could answer the question.

22 MS. MACKWOOD: I would like Mr. Wilson to
23 be here. I have quite a few questions for Mr. Wilson.
24 Mr. Baad, I only had a couple of questions and perhaps
25 Mr. Wilson could answer those.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 MR. QUIN: Mr. Wilson?

2 MR. WILSON: No.

3 CHAIRPERSON MILLER: Okay. In which case,
4 I think we should have that cross examination now
5 since you're saying he may not be able to come back.

6 MR. QUIN: No, he's saying he will be
7 here.

8 CHAIRPERSON MILLER: Oh, you will be able
9 to come back on the 26th. Okay. Is there anybody who
10 won't be able to come back on the 26th?

11 MR. QUIN: Only Mr. Baad.

12 MR. ETHERLY: And you feel that perhaps
13 somebody else could be here for Mr. Baad?

14 MR. QUIN: Can come answer his questions,
15 yes.

16 MS. MACKWOOD: Did you have a time, Madam
17 Chair, for the hearing on the 26th?

18 CHAIRPERSON MILLER: Mr. Moy, as I
19 understand it, a public hearing starts at 9:30, and we
20 have two cases before this one. They're not as big as
21 this one. So I can't -- this would be third, would it
22 not?

23 MR. MOY: That's correct. The staff is
24 anticipating that this case would pick up as the third
25 case in the morning.

NEAL R. GROSS

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

1 CHAIRPERSON MILLER: So the first one
2 would start no earlier than 9:30.

3 MS. MACKWOOD: Madam Chair, do you have a
4 full schedule then in the afternoon? So is it likely
5 that we would be allocated a certain amount of time
6 and if we went over, that then we would have to
7 schedule another hearing? I'm just wondering if it
8 makes any sense to go ahead and schedule that third
9 hearing now so that the school doesn't get even
10 further backed up.

11 MR. QUIN: I think we should try to finish
12 that hearing, and also I think your questions, there's
13 no reason that you could not give us the list of
14 questions now, and if we can adequately answer those
15 questions, we can either furnish them for the record
16 or to you directly. So you could give us, like, for
17 example, Mr. Baad's questions by E-mailing it to us
18 and then we can respond.

19 MS. MACKWOOD: I appreciate Mr. Quin's
20 suggestion, but I would really prefer to do it in the
21 normal way so that the Board can hear the questions
22 and the responses.

23 CHAIRPERSON MILLER: We're not going to
24 order you to give your questions ahead of time. I
25 would just say that whatever you can do to be

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 efficient would be a good idea.

2 We have in the afternoon another school
3 special exception case in your ANC. It's the Aidan
4 Montessori School. So you may have a better idea as
5 to how long that case will take.

6 MS. MACKWOOD: We're working on agreement
7 on that one.

8 CHAIRPERSON MILLER: Oh, okay. So if you
9 could be efficient in both case, we should be able to
10 hopefully complete the hearing at that time.

11 Ms. Bailey, I have a list of a few
12 documents that we wanted to be submitted in the
13 record. Do you have a list as well?

14 MS. BAILEY: Yes, I do. Should I start?

15 CHAIRPERSON MILLER: Well, why don't I
16 start and then you can fill in? How's that?

17 MS. BAILEY: Sure.

18 CHAIRPERSON MILLER: I think, Mr. Quin, we
19 talked about the landscaping plan that's going to be
20 submitted to HPRB would be submitted to the Board and
21 to the ANC as well.

22 MR. QUIN: Yes. I think what you are
23 requesting is that we make certain that we give to you
24 a plan that shows the detail, like the species options
25 for different areas, which was not included in 102.

NEAL R. GROSS

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

(202) 234-4433

www.nealrgross.com

1 We had the tree one, I think, adequately dealt with
2 it, but the other plantings I don't think were dealt
3 with, and we can give that to you, yes.

4 CHAIRPERSON MILLER: Okay, and then
5 PowerPoint presentation?

6 MR. QUIN: Yes, we have a copy of that
7 which we will give to you.

8 CHAIRPERSON MILLER: Okay, and then the
9 map of surface parking spaces.

10 MR. QUIN: Yes, right.

11 CHAIRPERSON MILLER: That's all I have
12 written down, Ms. Bailey. Do you have more?

13 MS. BAILEY: Mr. Board Member Etherly had
14 spoken about a lighting plan. He indicated that the
15 arcade as seen from Garfield and 34th Street.

16 Mr. Etherly, you have your light on. Are
17 you going to --

18 MR. ETHERLY: What we were referencing was
19 there was some discussion about whether or not there
20 was going to be any lighting as part of the arcade
21 portion. If there's an additional submission that you
22 can provide there, that would be helpful.

23 MR. QUIN: We also said we would submit
24 the parking plan that shows the ten buses. So we will
25 do it, and we will file something that details the

NEAL R. GROSS

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

1 nature of the lighting in the arcade.

2 CHAIRPERSON MILLER: Anything else?

3 Do the parties have any other matters
4 about this case they want to ask before we adjourn?

5 In which case --

6 MS. BAILEY: Madam --

7 CHAIRPERSON MILLER: Yes.

8 MS. BAILEY: Sorry, sorry. I just wanted
9 to suggest that the documents obviously are going to
10 be served on each other, but that they be filed by
11 July 10th by the Applicant if that's appropriate.

12 MR. QUIN: Yes.

13 CHAIRPERSON MILLER: Thank you, Ms.
14 Bailey.

15 And I think on the 26th Chairman Griffis
16 will be joining us. So thank you very much. We'll
17 see you then.

18 (Whereupon, at 6:52 p.m., the hearing in
19 the above-entitled matter was adjourned.)

20

21

22

23

24

25

NEAL R. GROSS

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