

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :
: :
: :

CENTER PLACE HOLDINGS, LLC & :
PROPERTY GROUP PARTNERS : Case No.
- PUD MODIFICATION @ SQUARE : 08-34E
564, LOTS 858 AND 859 :
: :

Thursday, May 15, 2014

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

The Public Hearing of Case No.
13-14 by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the Jerrily
R. Kress Memorial Hearing Room at 441 4th
Street, N.W., Washington, D.C., 20001, Anthony
J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
PETER MAY, Commissioner (NPS)

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ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON, Associate Director for
Development Review

PAUL GOLDSTEIN

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

JAMIE HENSON

JONATHAN ROGERS

The transcript constitutes the minutes
from the Public Hearing held on May 15, 2014.

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

2 6:30 p.m.

3 CHAIRMAN HOOD: Okay. Good
4 evening, ladies and gentlemen. This is a
5 public hearing of the Zoning Commission for the
6 District of Columbia for May the 15th, 2014.

7
8 My name is Anthony Hood. Joining
9 me this evening are Commissioner Miller,
10 Commissioner May, and Commissioner Turnbull.
11 We are also joined by the Office of Zoning
12 staff, Ms. Sharon Schellin; Office of Planning
13 staff, expecting them, we should be joined by
14 Ms. Steingasser and Mr. Lawson. And also the
15 District Department of Transportation, Mr.
16 Rogers and Mr. Henson.

17 This proceeding is being recorded
18 by a court reporter, it=s also webcast live.
19 Accordingly, we must ask you to refrain from any
20 disruptive noise or actions in the hearing
21 room, including any display of signs or
22 objects.

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1 Notice of today=s hearing was
2 published in the *D.C. Register* and copies of
3 that announcement are available to my left on
4 the wall near the door.

5 The hearing will be conducted in
6 accordance with provisions of 11 DCMR 3022 as
7 follows: preliminary matters, applicant=s
8 case, report of the Office of Planning, report
9 of other government agencies, report of the
10 ANC, organizations and persons in support,
11 organizations and persons in opposition,
12 rebuttal, and closing by the applicant. The
13 following time constraints will be maintained
14 in this meeting: the applicant, if they need 30
15 minutes -- I don=t believe so, I think the
16 record is complete; organizations, five
17 minutes; individuals three minutes.

18 The staff will be available
19 throughout the hearing to discuss procedural
20 questions.

21 Please turn off all beepers and cell
22 phones at this time so not to disrupt these

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1 proceedings.

2 Would all individuals wishing to
3 testify please rise to take their oath.

4 Ms. Schellin, would you please
5 administer the oath.

6 (Whereupon, witnesses were duly
7 sworn.)

8 CHAIRMAN HOOD: Okay. Ms.
9 Schellin, do we have any preliminary matters?

10 MS. SCHELLIN: The only
11 preliminary matters that I'm aware of are the
12 proffered experts and I believe there's only
13 one that's not been here before, and that's Mr.
14 Garrett.

15 CHAIRMAN HOOD: Okay.

16 MS. SCHELLIN: Or has he been
17 proffered --

18 MS. SHIKER: Yes, Mr. Garrett has
19 been an expert on different matters in this case
20 before.

21 CHAIRMAN HOOD: Okay. So we have
22 already proffered Mr. Garrett as an expert. So

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1 therefore, I don=t think we need to go through
2 that unless anyone objects. I think everyone
3 who=s been proffered as an expert has been
4 proffered. Do we have any other -- okay.

5 Let me ask, is there anyone here who is
6 in opposition of this case? Not seeing anyone
7 present at this time.

8 What I=m going to ask, Ms. Shiker,
9 is that you all can give us your non-opposition
10 presentation and we will ask questions
11 accordingly. We may have some opposition or
12 some questions but if you can give us that
13 presentation, it would be great. And I don=t
14 think 30 minutes is needed, but you all --

15 MS. SHIKER: Absolutely. Thank
16 you, Chairman Hood, members of the Commission.

17 I=m Christy Shiker with the law firm
18 of Holland & Knight representing the applicant
19 in this case. Bob Braunohler is to my right,
20 from Property Group Partners. Rod Garrett,
21 the architect, and Jami Milanovich at the far
22 end of the table, the traffic consultant.

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1 We are here today, yet again, to
2 present the Capitol Crossing Project which is
3 the air rights over the Center Leg Freeway
4 between Mass Avenue and E Street, 2nd and 3rd,
5 and Northwest D.C. This project was approved
6 as a consolidated PUD.

7 We=ve come back for some second
8 stage PUDs and we are here today to present
9 modifications to the North block.

10 We are happy to report to you that
11 this project is under construction, and what
12 everyone had hoped is now becoming a reality.
13 Getting to that point, we realized that there
14 was construction and lease issues for which we
15 needed modifications. Those modifications
16 primarily include the pedestrian entrance and
17 lobby on 3rd street, the pedestrian bridge, the
18 modifications to the pedestrian way,
19 including the kit-of-parts, which we=re going
20 to talk about a little bit tonight, and the
21 relocation of the garage.

22 We are happy to have lots of

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1 support: OP, DDOT, ANC 2C, ANC 6C decided not
2 to hear the case because they=ve supported so
3 many times before and didn=t think they needed
4 to consider the modification.

5 And with that, I am going to go
6 straight to Mr. Garrett and ask him just to give
7 you a highlights of some of the modifications.
8 And then we=re happy to answer any questions
9 that you have.

10 Thank you.

11 MR. GARRETT: Thank you, Christy.

12 I don=t know if we need to turn the
13 lights down or not to see that PowerPoint.
14 Probably, if you could, that would be great.

15 As you know we=ve been walking
16 through -- we=ve been working closely with DDOT
17 through the NIPA Process.

18 The NIPA Process essentially
19 resulted in moving two of the access ramps off
20 of basically the North block area. Ramp one
21 down to Mass Avenue; ramp two into the center
22 block. That enabled us to think about the site

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1 in a slightly different way, making 3rd Street
2 a much more pedestrian accessible street. And
3 our proposal is, in fact, to move the access to
4 the garage onto G Street, off of 3rd Street,
5 basically enabling the block to be contiguous
6 without any ramp interruptions or parking curb
7 cut interruptions.

8 And we have a series of views sort
9 of the original approved PUD in our proposal.
10 And as Christy said, our proposal, once we move
11 the access parking entrance onto G Street, it=s
12 to open up the 3rd Street lobby entry in a much
13 more public and open way. This enables --
14 those two ramp moves enable us to do that.

15 And here you can see before our
16 proposal -- go back for just one second --
17 before we had a garage entry ramp. Essentially
18 this was more or less the back, forcing the
19 lobbies into the pedestrian way. We now can
20 move that back out to 3rd Street. That enables
21 us to make 3rd Street a much more pedestrian and
22 sort of typical Washington, D.C. street

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1 entrance now the ramps have been moved.

2 Here=s a zoom in of that location.
3 Again, previously parking entry much smaller,
4 opening onto 3rd Street, the ramp down to the
5 highway, that=s all gone now. So now we can
6 open that up and create a much more street
7 friendly entry and lobby.

8 Here=s a night view that we=ve
9 included into the packet.

10 Here=s a -- the way we do that in
11 plan, the approved PUD had a much smaller entry
12 because the ramp here, and the access ramp here,
13 those two red bars are now gone allowing us to
14 open up the lobby in a much greater way and allow
15 connections directly across.

16 Up on the second floor, the lobbies
17 were previously on the second floor a double
18 height space with a canopy. Our proposal is
19 actually to create a bridge that connects the
20 two halves of the upper-level and then move the
21 access from service and from parking below
22 across the bridge, and enabling access,

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1 essentially, to the eastern side of the
2 property.

3 Which you can really see in section.
4 In section, the eastern half is essentially
5 bifurcated from parking and from service, with
6 the two lobbies connected. Our proposal is to
7 move the lobby out to 3rd Street, create a ramp
8 and a bridge that brings you up the stairs and
9 across, allowing both parking access,
10 pedestrian access, and service access across to
11 the bridge, enabling access to the eastern side
12 of the property.

13 I'll go through a couple of other
14 views sort of quickly. Previous proposal,
15 approved PUD with the canopy, now with the
16 proposed bridge.

17 And this also allows us, by moving
18 the main lobby entry onto 3rd Street, allows the
19 pedestrian way to be much more of a pedestrian
20 and retail environment. Before it was
21 essentially a corporate office environment
22 because that's where the lobby entries had to

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1 be. Now they can actually be moved to 3rd
2 Street, that's a major entry, allowing that to
3 be a retail zone.

4 Here I'll sort of click through some
5 of those views. We envision retail coming out
6 into the space. We'll talk about the
7 kit-of-parts in a second, the activators to
8 allow that to happen. Much more about retail
9 activity connecting -- the tenants that we've
10 been talking with actually are very interested
11 in the ability to activate that space.

12 Here you can see some views down the
13 pedestrian way. Previous PUD was much more
14 about the office lobby entries. The idea now
15 is to convert that into much more of a retail
16 space and create retail scaled elements at the
17 second floor down, including the bridge, and
18 the eco-chimneys that would bring the scale of
19 that space down to the pedestrian level.

20 And I'll just click through some of
21 these views quickly here. You can see a view
22 -- we see the bridge is not simply a bridge that

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1 connects the two, but actually a scaled object
2 in the pedestrian way that would create the
3 activity. We're proposing a light art
4 installation below the bridge. And the bridge
5 itself to be this very light sculptural
6 delicate element that connects the two halves
7 of the building together.

8 From the south, you can see looking
9 up the pedestrian way, eco-chimney on the left
10 as part of the activity, and then also showing
11 the canopies that open up and allow the
12 retailers to have both an inside and outside
13 space connected, as restaurants and other
14 retailers activate the pedestrian way.

15 We're doing that through a proposed set
16 of kit-of-parts. We need flexibility for the
17 retailers to have their own expression for
18 entries but we also want to do that in a
19 controlled way. So the proposal of a
20 kit-of-parts is a way to control the different
21 types of retail entry portals, both in size,
22 material, could be wood, could be glass, but

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1 we're setting up a series of guidelines and
2 rules to be able to put controls on that that
3 allow flexibility as the retailers come in.

4 And the set of guidelines control
5 everything from the dimension that=s projected
6 as well as the location of the entries. We
7 worked closely with Office of Planning to make
8 sure that we always have a minimum of a 20 foot
9 clear path around the entire length of the
10 pedestrian way so that it would always have an
11 open and inviting component to it.

12 Here=s a view down that. And whether or
13 not the materials down the pedestrian way to the
14 bridge element, the eco-chimneys, and the
15 restaurants coming out into that space.

16 And here you can see if the
17 materiality changes, does it allow simply
18 materials to change, projections to change, but
19 to create that scale and activity along the
20 entire length.

21 The proposal for canopies that
22 would also be in the pedestrian way would be

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1 primarily open and would allow some definition
2 underneath the canopies for the restaurants,
3 again, to have a scale that=s brought down
4 between the two office buildings.

5 We would include benches, trash
6 receptacles, planters, banners, all of that
7 within the pedestrian way but outside of that
8 20 foot clear path from one side to the other.

9 Eco-chimneys would also be
10 incorporated into the pedestrian way with
11 benches. You can see how it works in section.
12 Below here=s the -- that=s the pedestrian way
13 here, there=s the eco-chimney, the highway, the
14 garage, it=s all the way up against the garage
15 edge, and the eco-chimney comes up, the green
16 media filters the air as it comes through the
17 garage, and out through the eco-chimney.

18 This allows the sides, by putting
19 the eco-chimneys down the center, allows the
20 sides to be the retail zones and allow the
21 retailers to come out specifically
22 restaurants, which we know want to have that

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1 activation space along their edge.

2 It was questions that came up
3 previously regarding the size of the
4 penthouses. The penthouses have grown but now
5 that we've developed the project, they're still
6 well within -- we now have cooling towers and
7 other things that have to be in the penthouse
8 areas. It was a question about the size. Even
9 with that, there's still well behind the
10 one-to-one setback that you typically would see
11 in Washington, in all the penthouse areas. And
12 even with the trellis addition, the one-to-one
13 setback is always maintained or typically
14 exceeded.

15 We've also included a rendering to
16 show that a proposal to fill in the corners on
17 the southern piece of the two blocks, we would
18 maintain the re-entrant corners on the north
19 against Mass Avenue, but on the south we would
20 fill those in. And that the facade treatment
21 would mimic the facade of the interior zones of
22 the blocks.

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1 That=s primarily driven by the
2 market. This is what the market is telling us
3 they want. They want large corners where they
4 could put shared spaces, such as large
5 conference rooms, or meeting rooms, or what
6 they call living rooms.

7 And with that, go ahead Christy. Go
8 ahead, Jami.

9 MS. MILANOVICH: In the interest of
10 time, if it=s okay with the Commission I=ll
11 forgo my formal presentation and just be
12 available to answer any specific questions you
13 may have.

14 MS. SHIKER: Okay. So we will
15 conclude with our direct presentation.

16 I will point out two things.
17 First, we, as Mr. Garrett said, we=ve been
18 working very closely with the Office of
19 Planning on the kit-of-parts. We submitted a
20 revised sheet eight of the kit-of-parts to
21 include the canopy guidelines that we worked
22 out with Office of Planning after submitting

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1 that document, and that was referenced in the
2 Office of Planning=s report.

3 I will also tell you that Mr.
4 Braunohler is here to answer any questions
5 about the construction schedule and the leasing
6 efforts.

7 We do have a letter of intent with
8 a world-class retailer that would take
9 approximately 35,000 square feet of retail in
10 the North block. And it is the likes of what
11 we haven=t seen yet in D.C., and so we are
12 excited that with the kit-of-parts that can
13 work with that retailer or other retailers that
14 come forward.

15 At that point, I would offer our
16 witnesses up for any questions that the
17 Commission has.

18 Thank you.

19 CHAIRMAN HOOD: Thank you. I
20 realize everyone is trying to get home before
21 it rains --

22 COMMISSIONER MAY: It=s --

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1 CHAIRMAN HOOD: -- so it=s raining?

2 COMMISSIONER MAY: It rained on my
3 way in.

4 CHAIRMAN HOOD: Oh, okay. Well,
5 anyway. It sounded good.

6 But I do want, Ms. Milanovich, I
7 know that the District Department of
8 Transportation had some issues in their report.
9 Could you do us a favor and comment on that, and
10 maybe the change to the entrance, if you can
11 just comment on those few things, that might
12 help expedite some of the questions we have.

13 MS. MILANOVICH: Sure.
14 Absolutely.

15 So DDOT had raised an issue with the
16 3rd Street/G Street intersection. And so I=ll
17 focus on that. And I think I=ve had some
18 follow-up discussions with Mr. Rogers, and I
19 think we=re comfortable with where were at.
20 And I think that DDOT is also comfortable.

21 The issue at 3rd and G Street, because
22 we=re moving the driveway from 3rd Street to G

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1 Street, we're adding some traffic to the
2 westbound approach of that intersection.

3 We had recommended some phasing
4 changes to that signal. And our approach was
5 to essentially balance the levels of service on
6 all four approaches of that intersection. And
7 in order to do that, we had recommended what we
8 call split phasing operation, which means each
9 approach would go separately. So the
10 northbound approach would get green, the
11 southbound approach would then get green,
12 followed by the eastbound approach, and the
13 westbound approach.

14 While it's a little bit
15 unconventional, it's not unheard of. And
16 there are a number of intersections that
17 function that way.

18 DDOT, when they reviewed it, said,
19 you know what, we would rather give preference
20 to 3rd Street as opposed to providing that
21 balanced approach because 3rd Street is
22 carrying the bulk of the traffic, and they would

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1 rather give priority to 3rd Street. And the
2 trade-off is then that the westbound approach
3 would incur some additional delay.

4 But I think it's important to note that
5 with DDOT's preferred timings, you can see here
6 on the screen, this is the a.m. peak hour level
7 of service at the 3rd Street/G Street
8 intersection. The level of service on the left
9 is the level of service for the intersection
10 that was predicted under the approved access
11 scenario; the level service on the right is
12 under the revised access scenario with DDOT's
13 preferred timing. So we really don't have the
14 issue in the a.m. peak hour. Can you
15 advance two slides?

16 And then this slide shows those same
17 levels of service but for the p.m. peak hour.
18 And you can see here, with DDOT's preferred
19 timings, we're showing a level of service F.
20 Again, it's important to note that the
21 northbound 3rd Street approach, the southbound
22 3rd Street approach, the eastbound G Street

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1 approach, those would all function at levels of
2 service at D or better. It's just the
3 westbound approach that is basically our
4 traffic from our site that is impacted. And so
5 that delay would be absorbed, not on the public
6 street network, but by the people leaving the
7 proposed development. And the resulting
8 queues would be accommodated on-site in the
9 garage.

10 So I've talked with DDOT about their
11 concerns. I think, based on my understanding
12 from our conversation, they're comfortable
13 that as these large infrastructure
14 improvements are made that timing adjustments
15 will be made, not only at this intersection, but
16 at the surrounding intersections, and they're
17 comfortable that the traffic can be
18 accommodated with both the significant
19 infrastructure changes taking place, and then
20 the appropriate timings that are implemented
21 along with those changes.

22 CHAIRMAN HOOD: All right. Thank

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1 you.

2 Let me open it up. Commissioners,
3 any questions? Commissioner May.

4 COMMISSIONER MAY: Thanks. So
5 staying on that, I mean, the DDOT letter was
6 actually very strange because they had a whole
7 list of issues, and then at the end of it, it=s
8 this very happy sounding, you know, with these
9 concerns in mind, we have no objection to the
10 project. So it was a little hard to really
11 appreciate that.

12 But basically, what you=re saying
13 though is that you have addressed all of their
14 concerns that were raised in their bullet
15 points. So they really don=t have an
16 objection.

17 MS. SHIKER: That is my
18 understanding. And like I said, I=ve had a
19 couple of conversations afterward, but yes,
20 that is my understanding.

21 COMMISSIONER MAY: All right. So
22 we=ll asked them about the particulars there.

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1 I forget, is 3rd Street changing at
2 all to become two-way north of G? No? It=s
3 still going to be one-way north of G?

4 MS. SHIKER: North of G, it will
5 continue to be one-way southbound.

6 COMMISSIONER MAY: All right.
7 Okay. All right. So just a few questions
8 about the architecture. What is the height of
9 that trellis?

10 PARTICIPANT: (Off mic comments.)

11 COMMISSIONER MAY: Yes, on the
12 rooftop trellis. Sorry.

13 MR. GARRETT: Oh, the rooftop
14 trellis.

15 COMMISSIONER MAY: Yes.

16 MR. GARRETT: The rooftop trellis I
17 think is at -- let me get the exact --

18 COMMISSIONER MAY: I saw it in a
19 bunch of different sections but I didn=t see a
20 dimension on it. Maybe I just missed it.

21 MR. GARRETT: That=s approximately
22 12 feet.

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1 COMMISSIONER MAY: Okay. So one
2 of the setbacks on the trellis was listed as
3 10 and change.

4 MR. GARRETT: Okay. Let me see.

5 COMMISSIONER MAY: And you just
6 testified that it would be set back one-to-one.

7 MR. GARRETT: And it should be. So
8 let me find the dimension. You=re asking a --

9 COMMISSIONER MAY: Yes. Okay. I
10 mean, does it really matter --

11 MR. GARRETT: It should be the same
12 as the setback.

13 That=s what -- we took the least --
14 the closest dimension and basically set the
15 trellis on that.

16 COMMISSIONER MAY: Okay.

17 MR. GARRETT: And set that trellis
18 on --

19 COMMISSIONER MAY: So the one, I
20 think it was the Northwest building, has the
21 trellis that=s closest to the exterior face of
22 the building.

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1 MR. GARRETT: I think that=s
2 correct.

3 COMMISSIONER MAY: Yes. And maybe
4 I=m just not reading it right --

5 MS. SHIKER: I think we can
6 comfortably say that it will be set back
7 one-to-one based on its height.

8 COMMISSIONER MAY: Okay. So, but
9 I think that it would be most appropriate to
10 have a drawing with a dimension on it, so that
11 that=s in the record, rather than simply having
12 the testimony that it=s going to be setback
13 one-to-one.

14 The kit-of-parts, I mean, I think
15 that=s an interesting system, and I don=t have
16 any real concerns about how that all goes
17 together. But I do -- I mean, my one basic
18 question is everything that we see there that
19 looks like wood, is it actually would?

20 MR. GARRETT: That=s the intention
21 that it would be, yes.

22 COMMISSIONER MAY: That it would be

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1 wood?

2 MR. GARRETT: Right.

3 COMMISSIONER MAY: Okay. And did
4 you bring a materials board by any chance?

5 MR. GARRETT: We did bring
6 representation. We haven=t picked the exact
7 -- yes.

8 COMMISSIONER MAY: Okay. So if
9 you have samples, send those up.

10 MR. GARRETT: Okay.

11 COMMISSIONER MAY: You know, I
12 think in the past we=ve had some experience with
13 PUDs where they propose something initially as
14 wood and then eventually they switch to terra
15 cotta or something like that that can be made
16 to look like wood and wears better. And I=m not
17 recommending one or the other. I mean, the
18 look is good, but I also think that, in the long
19 run, if you have these -- this kit-of-parts that
20 includes wood or wood laminate on the top
21 surface of a covering or something like that,
22 it=s not going to age very well.

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1 MR. GARRETT: We=ve done it in the
2 past but I hear what you=re saying.

3 COMMISSIONER MAY: Yes.

4 MR. GARRETT: Exactly. And we
5 haven=t detailed exactly what the roof part of
6 the board solids are.

7 COMMISSIONER MAY: Right.

8 MR. GARRETT: What we=re proposing
9 and the wood that=s coming around is just an
10 veneer sample.

11 COMMISSIONER MAY: Right.

12 MR. GARRETT: But we=re proposing a
13 wood that would be durable, either ipe or a
14 kebonized wood, or something like that.

15 COMMISSIONER MAY: And so a full
16 dimension of --

17 MR. GARRETT: Right.

18 COMMISSIONER MAY: -- something
19 with some substance to it.

20 Well ipe is like a rock, but it will
21 age --

22 MR. GARRETT: Right.

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1 COMMISSIONER MAY: -- in a variable
2 way depending on how the water hits it and
3 drains.

4 MR. GARRETT: Okay.

5 COMMISSIONER MAY: So you'll just
6 have to be careful about that.

7 MR. GARRETT: And I appreciate
8 that.

9 COMMISSIONER MAY: Yes.

10 MR. GARRETT: Yes.

11 COMMISSIONER MAY: Now, I was
12 really interested in the diagrams of the
13 eco-chimney. And I guess what I'm wondering
14 about is what actually is going to be growing
15 on that? Because it doesn't get much light
16 down there, does it?

17 MR. GARRETT: Well --

18 COMMISSIONER MAY: Or does it?

19 MR. GARRETT: -- the way they work,
20 there's a plant media that it's, it's the plant
21 media but it's actually embedded into a matrix
22 that is really porous. Because the way it

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1 really works is the air comes through that
2 matrix and through the roots, so it=s actually
3 the roots that do most of the filtering --

4 COMMISSIONER MAY: Mm-hmm.

5 MR. GARRETT: -- green component.
6 And it requires artificial light to make it
7 grow.

8 COMMISSIONER MAY: Oh, okay.

9 MR. GARRETT: And that=s not only
10 to make it grow, but also this media requires
11 a certain amount of darkness. So actually, you
12 have to control both.

13 COMMISSIONER MAY: Right.

14 MR. GARRETT: How much light and
15 how much darkness to make it grow.

16 We=re working with a company in
17 Canada that has a product they sell that makes
18 -- that=s developed this exact science.

19 COMMISSIONER MAY: And when you=re
20 in the garage, will you be able to see at?

21 MR. GARRETT: Yes.

22 COMMISSIONER MAY: Oh, excellent.

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1 MR. GARRETT: It=s essentially, a
2 glass container that goes all the way down to
3 the --

4 COMMISSIONER MAY: Okay. I=m
5 going to put it on my list of parking lots to
6 tour. I don=t actually have that list, but
7 I=ll make an effort sometime.

8 And the last thing is that I guess
9 I should comment on the bridge since I said at
10 set down that I really didn=t like the bridge.
11 And it got better, and I guess I=m comfortable
12 with it now. I mean, I was concerned that it
13 was going to be kind of deadening in that space.
14 And you know, just not a big fan of pedestrian
15 bridges generally. But since this is not a
16 street right-of-way, it=s a pedestrian way, I
17 think that=s probably a reasonable compromise.
18 And I understand the challenge that you face
19 with being able to service the building. So I
20 will withdraw my previous objection to it and
21 find that=s going to be okay.

22 Thanks.

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1 CHAIRMAN HOOD: You have 19 minutes
2 left but -- okay, so you cede your time.

3 Any other questions? We can pass
4 --

5 COMMISSIONER TURNBULL: Yes,
6 thanks, Mr. Chair.

7 I'm pretty much okay with the minor
8 changes and I think there have been some
9 significant improvements to it.

10 And so, I guess my biggest concern
11 I think it was, originally, was the trellis.
12 And I was just looking at the perspective on 3rd
13 Street, I think it's 2.21.

14 And there's a certain clean line to
15 these buildings, you know, sort of crisp and
16 defined. And the trellis sort of looked out of
17 place. So it just looks like it's tacked on.
18 And it looks like someone said, we need a
19 trellis up there, we're going to do it.

20 So I think it's really key that at least
21 you got to have at least a one-to-one set back
22 and we got to try to diminish it as much as

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1 possible. Because I think the buildings look
2 fine without the trellis. I think there is a
3 certain elegance to them, they=re clean,
4 they=re crisp, they=re like little prisms on
5 the street. And I think if you can diminish
6 that or set that back, do that, I think it would
7 be better. Because I think the buildings work
8 fine just the way they are. And I think the
9 little enhancement really doesn=t do that much
10 for them.

11 I guess the only other thing, with
12 your changes now, does your LEED category
13 change or where are you going to be at this then?

14 MR. GARRETT: We=re, still at LEED
15 Platinum on all the buildings.

16 COMMISSIONER TURNBULL: Okay.
17 Good. Okay. Good. That=s great.

18 But other than that, I think other
19 than the Department of Transportation=s
20 concerns, and we can talk to them when they come
21 up, but I think I really had no issues with it.
22 So, very good.

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1 CHAIRMAN HOOD: Thank you.
2 Commissioner Miller.

3 COMMISSIONER MILLER: Yes. Thank
4 you, Mr. Chairman.

5 I think I agree. I think all the
6 modifications are an improvement: the lobby
7 entrance, the pedestrian bridge, where the
8 location of the eco-chimneys and their design.
9 And I think it=s very attractive and I think the
10 materials of, the paving materials are great.
11 And as is this wood like, wood like -- this
12 would material for the retail.

13 So I have no questions. I=m very
14 pleased with the project.

15 CHAIRMAN HOOD: I would also echo
16 the comments of my colleagues, some of the
17 objections they=ve even made tonight, and some
18 of the improvements that have been made. It
19 looks like this is evolving; it=s getting a lot
20 better. And I have no questions.

21 Commissioner May.

22 COMMISSIONER MAY: Yes. I did

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1 when the mention one other thing which is the,
2 on the penthouses themselves. I know that
3 they=re probably not, the material and the
4 treatment of those, are probably not different
5 from what we had previously approved. But
6 because they are now more visible from the
7 street and, you know, they show up in some of
8 the views, the long views down Mass Avenue and
9 those sorts of things, that you might want to
10 take another look at that, and how it=s done.

11 I mean, I think the actual treatment
12 looks fine in terms of the horizontality of it
13 and, you know, the thin lines that we=re seeing.
14 I don=t know exactly what it represents.

15 But generally speaking, I=m a much
16 bigger fan of darker colors on penthouses
17 because they recede more. And it=s sort of,
18 you know, it=s contrary to logic sometimes that
19 you think, well, the sky is bright and light and
20 all that sort of stuff, and you want it to be
21 a light color so it blends into the sky. And
22 it doesn=t blend into the sky, and it just up

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1 winds up being this sort of shiny beacon at the
2 top. And I think the dark colors do tend to
3 recede more. And I think that you want put the
4 focus on your building not on the penthouses.
5 So it=s just something to take a look at.

6 CHAIRMAN HOOD: Any other
7 questions?

8 Do we have anyone here from the ANC,
9 ANC 2C? Okay. Not seeing anyone, we=ll go to
10 the Office of Planning and the District
11 Department of Transportation. Mr. Goldstein
12 and Mr. Lawson have joined us a while back.

13 But Mr. Goldstein, you may begin.

14 MR. GOLDSTEIN: Thank you. Good
15 evening, Mr. Chairman, and members of the
16 commission.

17 The Office of Planning is
18 supportive of the modifications. We really
19 don=t have anything that we need to add beyond
20 what the report says that=s in front of you.
21 And we=re available for any questions you may
22 have.

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1 Thank you.

2 CHAIRMAN HOOD: Thank you. Mr.
3 Rogers.

4 MR. ROGERS: Good evening, Mr.
5 Chairman, members of the Board.

6 Through my testimony I hope I can
7 clarify some of the DDOT=s position.

8 DDOT is generally thinking that the
9 site access modification is expected to improve
10 the vehicular travel in the vicinity and also
11 improve the pedestrian environment along 3rd
12 Street.

13 Where there=s some apprehension is
14 related to the specific mitigations that were
15 proposed. It=s important to keep in mind that
16 the modification is just a small piece of a much
17 larger infrastructure project. So any changes
18 to DDOT infrastructure must be, that are
19 associated with this modification, such as
20 signals and signal timing, must be coordinated
21 with DDOT.

22 The mitigations that the applicant

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1 proposed may be appropriate but DDOT does not
2 yet agreed to any of them, because until such
3 time that the final infrastructure plans are in
4 place for the entire area and that the traffic
5 for the entire more macro level can be analyzed
6 together.

7 So when considering changes DDOT
8 will prioritize 3rd Street southbound
9 vehicular movements.

10 CHAIRMAN HOOD: Okay. Are you
11 through, Mr. Rogers?

12 MR. ROGERS: Yes.

13 CHAIRMAN HOOD: Okay. Thank you.

14 Questions of us? Anybody?
15 Commissioners?

16 COMMISSIONER MAY: Yes.

17 CHAIRMAN HOOD: Commissioner May.

18 COMMISSIONER MAY: Okay. So I
19 just, I want to understand a little bit better
20 the position that you're taking. I guess, I
21 mean, I understand that there's further review
22 that will have to occur and it's a complex

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1 environment in terms of the controls in the
2 intersections, and the number of
3 intersections, and you know, you're not only
4 just, you're not only -- people crossing in lots
5 of different directions in that vicinity but
6 also going down into tunnels and, you know, all
7 sorts of interesting variations. So I
8 understand you have to work some things out in
9 the future.

10 The question I have is that, you
11 know, you're basically saying in your report
12 that you don't have any objection, but then
13 again, you haven't agreed to the mitigations.
14 Does that mean that you are confident that at
15 some point you will reach some agreement on the
16 mitigations? Or you know, because this is
17 your, you know, this is a chance to kind of hold
18 their feet to the fire if you think they're
19 things that are really objectionable. But I'm
20 not getting the sense that it's that. So what
21 is it? Is it, I mean, do you think it will work
22 out in the future?

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1 MR. ROGERS: So our position is
2 that the relocated driveway will improve
3 vehicular travel in the area because there are
4 more approaches that vehicles can take to get
5 into and out of the site.

6 Our position on the modifications
7 is that because it=s just such a complicated
8 site and there are still some final details to
9 be worked out with the larger project, with all
10 the underlying infrastructure, that it=s
11 difficult to know what the exact changes are
12 that will be needed. So that will be analyzed
13 downline and we will work with the applicant at
14 that time where we have a better idea to
15 determine what mitigations are appropriate,
16 while still allowing the more macro level
17 traffic to travel southbound to access the
18 freeway and points to the south.

19 COMMISSIONER MAY: Okay. So if I
20 try to bottom line this, you are confident that
21 you=ll reach a point where the mitigations will
22 be, some level of mitigation will be reached and

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1 then you=ll be comfortable with it? Because
2 otherwise, we=re approving something that you
3 might not approve in the future.

4 MR. ROGERS: That=s correct. We
5 do believe that we can determine mitigations
6 that are appropriate. The caveat there or
7 the important point is that any mitigations
8 that we agree to would have to prioritize the
9 southbound traffic.

10 COMMISSIONER MAY: That=s fine.
11 Thank you.

12 And I do appreciate the fact that
13 DDOT got the memo about casual dress. Maybe
14 the Office of Planning needs another copy.

15 CHAIRMAN HOOD: Well, maybe they
16 are casual. Maybe that=s just their -- they
17 are casual.

18 COMMISSIONER MAY: Well, Mr.
19 Lawson, points out that he did not have a jacket
20 on. Right? Is that it? Yes, he took his
21 jacket off.

22 CHAIRMAN HOOD: Yes. Okay. Any

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1 other questions up here? Okay. Again, not
2 seeing anyone from ANC 2C, the other government
3 reports -- we did have something from the
4 Metropolitan Police Department and D.C. Water.

5 D.C. Water, right now, what=s been
6 shown they said that the design and everything
7 is okay for right now but that=s subject to
8 change. I guess, possibly, so we=ll leave that
9 to the expertise, subject matter experts.

10 Metropolitan Police Department did not
11 find any objections, both the commander and the
12 chief of police.

13 And I want to commend the Office of
14 Planning. Whenever I see some -- now most of
15 the time, agencies comment, but whenever I see
16 the Office of Planning get MPD, you guys are
17 doing a great job. So you and Mr. Jesick, and
18 I knew Mr. Jesick was one also, and I=m sure that
19 Mr. Lawson and Ms. Steingasser had a part to do
20 with it. So we appreciate getting those
21 reports from those bodies.

22 The report of the ANC, we did have

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1 a letter that came in today, which was in
2 support from ANC 2C, and it=s signed by Chairman
3 Kevin Wilsey, ANC 2C Chairman. And it goes on
4 to say, on April 14th, at his regular scheduled
5 duty noticed advisory meeting, Commission 2C
6 with three of the three commissioners and
7 public present proposed modifications to the
8 North block of the Capitol Crossings
9 Development came before us and ANC 2C voted
10 2-1-0 to support the request as discussed in
11 this letter. And they go on to describe what
12 was mentioned in the meeting. Do we
13 have any organizations or persons in support?
14 Do we have any organizations or persons in
15 opposition? Okay. Ms. Shiker, do we have
16 -- I don=t think we have any in rebuttal, do you
17 we have any closing? MS. SHIKER:
18 No, we believe that the record is complete and
19 we would ask the Commission to consider
20 proposed action at its earliest convenience.

21 Thank you.

22 CHAIRMAN HOOD: Okay. Thank you.

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1 With that, we will close the record.

2 Commissioners, I think that -- I
3 know there=s some things that were asked for
4 tonight. Again, as we=ve done in the past, I
5 think it is something sufficient that we will
6 use for final action. I will be inclined to
7 move forward with what we proposed, and
8 anything can change, if it doesn=t happen, what
9 we asked for, for a final. But I think this
10 case is pretty straightforward for me. I know
11 my colleagues have asked for a few things, and
12 I will be ready to vote and move this forward
13 tonight.

14 Any objections to that? Not
15 hearing any, I would move that we approve Zoning
16 Commission Case Number 08B34E Center Place
17 Holdings PUD Modification at Square 564 and ask
18 for a second.

19 COMMISSIONER MAY: Second.

20 CHAIRMAN HOOD: It=s been moved and
21 properly seconded.

22 Any further discussion?

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1 COMMISSIONER MAY: I assume, Mr.
2 Chairman, that you're noting that whatever
3 additional materials are needed, which Ms.
4 Schellin will enumerate, will be provided
5 before final action.

6 CHAIRMAN HOOD: Right.
7 Everything that you've asked for, we're going
8 to ask before we take a final vote. And we can
9 go over that after we do the motion.

10 COMMISSIONER MAY: Right.

11 CHAIRMAN HOOD: So moved and
12 properly seconded.

13 COMMISSIONER MAY: Okay.

14 CHAIRMAN HOOD: Any further
15 discussion?

16 COMMISSIONER TURNBULL: I would
17 just add, I mean, one of the things that's come
18 up is that is pending further traffic
19 mitigation review with the Department of
20 Transportation. I don't know how we add that or
21 caveat that but --

22 COMMISSIONER MAY: But I don't

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1 think we=ll see that before we take final.

2 COMMISSIONER TURNBULL: We=re not.
3 But I think something ought to be written in the
4 record.

5 COMMISSIONER MAY: Oh, right.

6 COMMISSIONER TURNBULL: That
7 addresses that. So --

8 COMMISSIONER MAY: Yes, noting
9 that further discussion --

10 COMMISSIONER TURNBULL: It needs
11 to be noted.

12 CHAIRMAN HOOD: Yes, I think that
13 we probably can get OAG to put that in the order.

14 COMMISSIONER TURNBULL: Right.

15 CHAIRMAN HOOD: Yes. That=s my
16 only comment.

17 CHAIRMAN HOOD: Yes. And
18 applicant will note that and we can probably
19 list that in the order if that happens. Okay.
20 Anything else? Okay.

21 All those in favor, aye?

22 (Chorus of ayes.)

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1 Not hearing any opposition, Ms.
2 Schellin, would you record the vote?

3 MS. SCHELLIN: Yes. Staff records
4 the vote 4-0-1 to approve proposed action
5 Zoning Commission Case Number 08B34E.
6 Commissioner Hood moving; Commissioner May
7 seconding, Commissioners Miller and Turnbull
8 in support. Commissioner Cohen not
9 present/not voting.

10 And I made note --

11 CHAIRMAN HOOD: Ms. Schellin,
12 before we go down the list, let me just ask Mr.
13 Henson, did Ms. Henson make it home okay? She
14 came me all the way up and now she=s live, she
15 watches the screen --

16 MR. HENSON: Well, you know, as it
17 turned out, they had some issues. My aunt, who
18 was with her, fell down the steps.

19 CHAIRMAN HOOD: Here?

20 MR. HENSON: At the airport. And
21 they laughed themselves onto the airplane from
22 it.

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1 CHAIRMAN HOOD: Oh, okay.

2 MR. HENSON: So you know, they made
3 it, and they got home with minor incidents, and
4 laughed the whole way.

5 CHAIRMAN HOOD: Okay. Well good.
6 Well, you tell her, if she=s not watching now,
7 you tell her we asked about her.

8 MR. HENSON: I will do that.

9 CHAIRMAN HOOD: Tell her to tune in
10 some more and watch us.

11 MR. HENSON: I will indeed.

12 CHAIRMAN HOOD: Okay. Great.
13 Okay. Ms. Schellin.

14 MS. SCHELLIN: I made note of three
15 items.

16 Commissioner May ask for a drawing
17 with the dimension of the trellis and the
18 setback noted on the drawing. Commissioner
19 May also asked that the penthouse materials,
20 that maybe they take another look at them since
21 they=re more visible now. He --

22 COMMISSIONER MAY: I don=t need to

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1 see anything on that. That=s just an
2 observation --

3 MS. SCHELLIN: You don=t need it.

4 COMMISSIONER MAY: -- for them.

5 MS. SCHELLIN: Okay.

6 COMMISSIONER MAY: I mean, I think
7 they probably have flexibility to be able to
8 tweak that --

9 MS. SCHELLIN: Okay. So I delete
10 that.

11 COMMISSIONER MAY: -- within the
12 existing order.

13 MS. SCHELLIN: And Mr. Turnbull
14 said that they have to have at least a
15 one-to-one setback with the trellis to diminish
16 that as much is possible. I think that=s
17 probably along the same lines that Commissioner
18 May was making note of.

19 Those are the only two items that I
20 made note of.

21 And how long do you think you need
22 for that?

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1 PARTICIPANT: (Off mic comment.)

2 MS. SCHELLIN: A week? Okay. So
3 since we don't really need it until final
4 action, we'll just, with the holiday coming up,
5 if we could have those by the 29th, May 29th.
6 And if the ANC wants to put anything in they
7 would have until June 5th. And if we could have
8 a draft order also by June -- I'm sorry, by --
9 since we're going to take this up for final on
10 the 16th, if we could have a draft order by the
11 29th also, two weeks.

12 And I want to ask the Commission
13 what their preference is since this is a
14 modification and no amenities have changed, so
15 there's no proffers in the conditions, is it
16 necessary for them to go through the amenities
17 and proffers process?

18 CHAIRMAN HOOD: I personally don't
19 think so. Let me see --

20 MS. SCHELLIN: Right. They're not
21 changing. so you're not --

22 CHAIRMAN HOOD: Okay. No.

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1 MS. SCHELLIN: -- changing -- okay.

2 So they don=t --

3 CHAIRMAN HOOD: A general
4 consensus on that.

5 MS. SCHELLIN: Okay. Thank you.

6 CHAIRMAN HOOD: Anything else?

7 MS. SCHELLIN: No.

8 CHAIRMAN HOOD: Okay. I want
9 think everyone for their participation.

10 I had hoped we would beat the rain
11 before it gets too bad.

12 So with that, this hearing is
13 adjourned.

14 (Whereupon, the above-entitled
15 matter was concluded at 7:10 p.m.)
16

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