

OFFICE OF PLANNING STAFF PRESENT:

KAREN THOMAS
JENNIFER STEINGASSER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

MARY NAGELHOUT, ESQ.

The transcript constitutes the minutes
from the Public Hearing held on July 27, 2006.

<u>AGENDA ITEM</u>	<u>PAGE</u>
<u>CALL TO ORDER</u> - Carol Mitten	4
 <u>PRESENTATION OF APPLICANT'S CASE</u>	
Norman, J. Glasgow, ESQ, Holland Knight	7
Bill Bonstra, architect	8
Osborne George, traffic consultant	26
Joe Mamo, applicant	46
 <u>OFFICE OF PLANNING</u>	
Karen Thomas	66
 <u>PERSONS IN SUPPORT</u>	
Steve Reineke, Eckington Civic Association	69
Kellee Baker	71
Commissioner Tom Fulton, ANC 5C-03	73
Commissioner Debbie Smith, ANC 5C	75
Nicole Cober, Soul Day Spa and Salon	77
Eartha Isaac, President of the Eckington Civic Association	81
Commissioner James Barry, ANC 5C-01	83
Commissioner Marshall Phillips, 5C-08, Vice Chairman of 5C	86
Art Slater, Chair, Fifth District Citizen's Advisory Council	89
 <u>PERSONS IN OPPOSITION</u>	
Michael Clark, President Edgewood Civic Association	94
Milton Dorsey	98
 <u>ADJOURN</u> - Carol Mitten	 118

NEAL R. GROSS

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

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

6:45 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Thursday, January 12, 2006. My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioners John Parsons, and Greg Jeffries.

The subject of this evening's hearing is Zoning Commission Case No. 06-04. This is a request by Florida & Q Street LLC for approval of a consolidated Planned Unit Development and related map amendment for property located at 1600 North Capitol Street, Northwest, which is known as Lot 48 in Square 3100.

Notice of today's hearing was published in the *D.C. Register* on June 16, 2006, and copies of that hearing announcement are available to you and they're in the wall bin by the door.

This hearing will be conducted in accordance with the provisions of 11 DCMR Section 3022 and the order of procedure will be as follows: We'll take up any preliminary matters. Then we'll have the presentation of the applicant's case, the report by the Office of Planning, report by any other Government agencies that are, the report of the affected Advisory

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 Commission, in this case it's 5C,
2 organizations and persons in support and
3 organizations and persons in opposition.

4 I think in terms of the presentation by
5 the applicant, we're just going to ask for the
6 presentation by the architect abbreviated. And then
7 organizations will have five minutes and individuals
8 will have three minutes.

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

15 All persons appearing before the
16 Commission are to fill out two witness cards. Those
17 cards are also on the table by the door. Please, upon
18 coming forward to speak to the Commission please give
19 the cards to the reporter who is sitting to our right.

20 Please be advised that the proceeding is
21 being recorded by the court recorder and is also being
22 webcast live. Accordingly, we ask you to reframe from
23 making any disruptive noises in the hearing room.

24 When presenting information to the
25 Commission we ask you to take a seat at the table, as

NEAL R. GROSS

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

1 the gentlemen in front of us have done, and then when
2 you're ready to present information, please turn on
3 and speak into the microphone first stating your name
4 and address. When you are finished speaking please
5 turn off the microphone because they pick up
6 background noise.

7 The decision of the Commission in this
8 case must be based exclusively on the public record.
9 To avoid any appearance to the contrary, the
10 Commission requests that persons present not engage
11 the members of the Commission in conversation during
12 a recess or at any other time. And Schellin will be
13 available throughout the hearing to answer any
14 procedural questions that you might have.

15 I would ask everyone to turn off all
16 beepers and cell phones so as not to disrupt the
17 hearing.

18 At this point we'll take up any
19 preliminary matters.

20 Mrs. Schellin, anything?

21 MS. SCHELLIN: (No audible response).

22 CHAIRPERSON MITTEN: Mr. Glasgow, any
23 preliminary matters?

24 MR. GLASGOW: No.

25 CHAIRPERSON MITTEN: Okay. Then I'd ask

NEAL R. GROSS

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

1 anyone who is planning on testifying this evening if
2 you would rise now, raise your right hand and turn
3 your attention to Ms. Schellin who will administer the
4 oath.

5 (Whereupon, the witnesses were sworn).

6 CHAIRPERSON MITTEN: Mr. Glasgow, why
7 don't you go ahead?

8 MR. GLASGOW: Sure. As stated by the
9 Chair, what we'll do is we'll have the presentation by
10 the architects. The rest of the witnesses will be
11 available or questions. What I'll do is I'll just
12 identify everybody.

13 CHAIRPERSON MITTEN: That'd be great.

14 MR. GLASGOW: Seated to my immediate right
15 is Mr. Joe Mamo, the applicant for this project.

16 Then seated to my far right is Mr. Bill
17 Bonstra and Jennifer Marca are both here from Bonstra
18 | Haresign ARCHITECTS.

19 Mr. Osborne George, a traffic consultant
20 are here from Osborne George Associates.

21 Mr. Fred Greene from his company as a land
22 planner.

23 Mr. Eric Smart from Bolin Smart Associates
24 land economic consultants.

25 So Mr. Bonstra, Mr. George, Mr. Greene and

NEAL R. GROSS

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

1 Mr. Smart are all submitted as expert witnesses for
2 this presentation for any questions that the
3 Commission may have at any point.

4 CHAIRPERSON MITTEN: Okay. Let me just
5 establish, is there any objection to accepting these
6 gentlemen as experts in the fields in which they're
7 proffered? Okay. Without objection then.

8 MR. GLASGOW: Right. With that, Madam
9 Chair, if you'd like we are prepared just to go to the
10 testimony of the architects.

11 CHAIRPERSON MITTEN: That would be great.

12 MR. GLASGOW: All right. Mr. Bonstra,
13 please identify yourself for the record and proceed
14 with your testimony?

15 MR. BONSTRA: Yes. Thank you, Mr. Glasgow.
16 My name is Bill Bonstra, I'm a partner with Bonstra |
17 Haresign ARCHITECTS. We've been providing
18 architectural services to development community for
19 well over 15 years.

20 I have special experience in historic
21 preservation and zoning before the BZA.

22 I want to mention first that Jennifer
23 Marca is the project architect and designer and may
24 call on Jennifer for certain questions and what have
25 you. She's with me here today.

NEAL R. GROSS

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

1 We have approached this project much like
2 we approach other important projects that are involved
3 and presented for the Historic Preservation Review
4 Board and the Board of Zoning Adjustment and in that
5 we have a certain philosophy that we follow in our
6 work. And our philosophy really hinges on
7 understanding the context of a building, the context
8 what it's within and also we have more inclusive
9 process where we work with community activists, with
10 neighborhood groups, with the Office of Planning and
11 come up with a design that reaches consensus and
12 solves as many of the issues that are brought before
13 us as possible.

14 This project really is no different. The
15 project is located, as everyone knows, on the corner
16 of Florida and North Capitol Street, Northwest. It is
17 a prominent site. It bounds on what was known as
18 Truxton Circle, which in the L'Enfant plan
19 demonstrates that this was a major crossroad. That
20 this site was not your average corner site, that in
21 fact it was a very prominent site. And with that
22 notion we believe that we have developed a building
23 that is about that prominence. It has rich materials.
24 It is a quality building that is worthy of this
25 important site.

NEAL R. GROSS

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

1 Do I have a microphone to --

2 CHAIRPERSON MITTEN: We do have one.

3 MR. BONSTRA: -- move a little bit.

4 CHAIRPERSON MITTEN: Got to click the
5 buttons on.

6 MR. BONSTRA: What I'd like to do first is
7 just talk a little bit about the context, about the
8 building itself, how the building functions, where the
9 uses are located. And then I'd like to get into the
10 architecture, the massing, the proportion, some of the
11 ideas that we believe are shown in the design of the
12 building.

13 The existing site, as I mentioned, was on
14 an area once known as Truxton Circle. I believe that
15 Truxton Circle existed until 1946. Mr. Osborne can
16 talk a little bit more about that. But these are some
17 original photographs of the circle.

18 The remnants of the property lines are
19 there, but the circle has long disappeared.

20 This is a site plan, a drawing marked 2
21 here. A site plan of the building.

22 This is North Capitol Street to the north,
23 looking north here. This is Florida Avenue.

24 This shows the landscape plan or
25 essentially the ground floor plan.

NEAL R. GROSS

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

1 In terms of the building itself, like any
2 project we visit the site, we sit there for a number
3 of hours, days; whatever it takes to try to understand
4 what are the considerations that we need to follow.
5 Once we do that, we determine appropriate locations of
6 the main building entry, retail entry, the loading
7 entry. And in that regard we have located our retail
8 under this area of the site. Much of it is buried
9 below the entry. The access is along Florida Avenue.
10 And we believe that that's an appropriate location for
11 the retail component of the building.

12 Likewise, we determined and through
13 careful study that the access to the loading and the
14 access to the two levels of underground parking was
15 best suited as far off the corner of Florida and North
16 Capitol as possible. What you see here is the loading
17 area and then the ramp down below.

18 The main entry is at the corner
19 prominently situated and marked by a very strong
20 cylinder, and the cylinder being metaphorically
21 related to the circle itself, the Truxton Circle. And
22 we feel that that's an appropriate way to turn the
23 corner. Open up the corner to the entry. And I think
24 you can see from this drawing 3 the perspective
25 showing the corner there.

NEAL R. GROSS

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

1 We feel very strongly that we also have
2 individual entries along this sidewalk along North
3 Capitol Street, much like the townhouses that are
4 fronted by yards along North Capitol Street to the
5 north. And what we've tried to do is bring that green
6 space down through the corner. It gets pinched where
7 it hits the Florida Avenue exposure, which is very
8 urban. And that is something that we encourage the
9 green coming through there.

10 The building itself has an ultimate height
11 81 feet at the cylinder stepping down to 76 -- is that
12 right? 76 I have. 76 -- 65 here. And overall what
13 we've tried to instil in the project is a lively
14 massing, a lively play of bays which are vertical,
15 much like the bays of the existing buildings. We're
16 looking for a vocabulary that is suitable and
17 compatible with the environment.

18 We use devices like Mansart roofs to set
19 scale down. And overall our double bays are actually
20 taken from some of the double bay architecture here
21 that is prevalent along Florida Avenue. So we're
22 looking for vocabulary. We're looking for the details
23 of the area; punched windows and rich quality
24 materials.

25 One of the things that we do in our

NEAL R. GROSS

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

1 architecture as well is we sort of weave a tapestry,
2 if you will, of materials. We are very conscious
3 about bringing lines through the building in order for
4 the building to be grounded and grow out of the ground
5 and in this case also to lighten as it goes to the
6 sky. And in this fashion a chimney image at the top
7 of the building so that this building has those
8 residential elements that you come to expect a project
9 of this nature in this location. So that's some of
10 the strong features that we've put into this building.

11 One of the things we've learned from our
12 work in historic districts in that buildings in
13 historic districts are very vertical. And that is not
14 something that we fight. That's something that we
15 actually put into our architecture creating vertical
16 elements which, in fact, enhance and relate to the
17 existing components.

18 The building itself at the rear has a
19 courtyard which is accessed through the lobby. This
20 cylinder, in fact, comes out at the back of the
21 building. The courtyard itself because of some small
22 more pedestrian alleys is a place where we have a lot
23 relief for the occupants of the building. We have 77
24 units, 84 parking spaces in the building.

25 We also have some special features. The

NEAL R. GROSS

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

1 building, besides the amenities of our residential
2 components, our affordable components, we have green
3 roof areas. We've been doing that quite often now in
4 some of our projects. And we have green roof areas
5 in a few different locations starting here at the
6 courtyard, but then also having other areas higher up
7 in the building on the roof with planters, for
8 instance, here at the seventh floor and then extensive
9 areas here on the roof of this mass here on both
10 sides. So we've been doing more and more of that. We
11 feel like that's an amenity and it's also very
12 conscious of the environment and something that we
13 ought to be doing.

14 Some other areas I can just briefly talk
15 about. The retail area, I guess. We have an area of
16 4,000 square feet that's set aside for retail. It's
17 flexible in that it could be a single retail space or
18 it could in fact be a few smaller retail spaces. That
19 is located along Florida, as I said, I think for good
20 reason as the Florida Avenue exposure is a bit more
21 commercial. And that seems to be the appropriate
22 place. But we see that as being neighborhood retail,
23 not retail that people are destination that they drive
24 to. But retail where the community comes. And I
25 think that's an important element here that should be

NEAL R. GROSS

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

1 embraced, and I believe is embraced by the Office of
2 Planning.

3 In terms of the specific materials of the
4 building, we have a material board here that has a
5 legend. The materials that we're showing is a range of
6 brick here from number 8 to number 11 for the major
7 planes of the building, the main faces.

8 This is an Iron Spot brick. It has a lot
9 of character. And we feel that that is best suited
10 for this location. Somewhat of a mix of the reddish
11 Victorian brick with some of the other bricks in the
12 area.

13 We also feel strongly that the vertical
14 elements of this building are bright and sparkling.
15 And that's something that we've clearly brought
16 through the building.

17 There are other areas of precast concrete.
18 In number 1 we have stone at the base, the feet of
19 this building at the ground are articulated
20 prominently in quality stone. And the rest of the
21 building then is a nice mix of brick colors. 9 and 10
22 here show the stripping that is happening here at the
23 base of the building as well with this concrete block.

24 So we feel like the richness is there, the
25 verticality. We're really excited about how the

NEAL R. GROSS

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

1 building meets the sky. And we think this is a real
2 class A building and we hope you embrace it for this
3 exercise.

4 CHAIRPERSON MITTEN: Thank you.

5 MR. GLASGOW: And we're ready for
6 questions for the team if the Commission is ready.

7 CHAIRPERSON MITTEN: That sounds good. I
8 think we are. Questions from the Commission? Mr.
9 Hood?

10 VICE-CHAIRPERSON HOOD: And I'm sure Mr.
11 Glasgow who can answer this question, but the package
12 that was presented to, I guess, all the various ANC
13 and community, there must have been about 12 of them
14 or 13 on the sheet, how is that going to work?

15 MR. GLASGOW: We have a sheet and we have
16 discussed with the ANC Commissioners, because their
17 motion was that the amenities would be divided among
18 those particular groups. And we have a list.

19 And Mr. Freeman, would you submit that for
20 the record as to the amenity groups and to the
21 programs that will be covered by those amenities.

22 VICE-CHAIRPERSON HOOD: If it's the same
23 list that I saw, I am not in support of that function
24 in the way that it is being presented. Because I saw
25 a list of about 12 organizations and we need I think

NEAL R. GROSS

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

1 some more specificity of this whole piece.

2 It's fine with the different
3 organizations. But that amount of money and who is
4 going to make the decisions of who gets what.

5 MR. GLASGOW: Well, we have a proposal
6 that the --

7 VICE-CHAIRPERSON HOOD: Okay. Is this it?

8 MR. GLASGOW: That is the list of the
9 groups and the programs that will be supported by the
10 dollars. Then we have --

11 VICE-CHAIRPERSON HOOD: Okay. So what we
12 have in our package to look at, there was a dollar
13 amount and there was this long laundry list of civic
14 organizations and ANCs.

15 MR. GLASGOW: That's right. That's --

16 VICE-CHAIRPERSON HOOD: And that's what I
17 was looking for --

18 MR. GLASGOW: Yes. That's what we had at
19 that point in time. Since then --

20 VICE-CHAIRPERSON HOOD: Okay.

21 MR. GLASGOW: -- what we have is we have
22 these particular groups. All right. And then the
23 dollar amounts we are going to be giving here this
24 evening. And that is, for instance, like the North
25 Capitol Bid Incubator Fund, that is \$35,000. And then

NEAL R. GROSS

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

1 that's the largest single contribution.

2 VICE-CHAIRPERSON HOOD: Is that already in
3 the record?

4 MR. GLASGOW: No, we're putting that in
5 the record. Because we have continued our discussions
6 with the ANC and the community groups.

7 VICE-CHAIRPERSON HOOD: Okay.

8 MR. GLASGOW: Consistent with their motion
9 was that it was to be divided among; it didn't say
10 equally divided or whatever. It was to be divided
11 among these groups.

12 VICE-CHAIRPERSON HOOD: Okay. That's
13 fine. I'll look forward to seeing it. Because from
14 what we have to look at, I just saw major confusion
15 and major problems.

16 MR. GLASGOW: No.

17 VICE-CHAIRPERSON HOOD: And the way that
18 was presented, at least from my perspective, that was
19 unacceptable.

20 MR. GLASGOW: Right.

21 VICE-CHAIRPERSON HOOD: But I'm glad you
22 all have fine tuned that.

23 MR. GLASGOW: Yes.

24 VICE-CHAIRPERSON HOOD: And to the
25 architect, Mr. Bonstra. I don't usually ask these

NEAL R. GROSS

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

1 questions, but explain to me what's going on up at the
2 roof level. What is all of the embellishment? What is
3 all that's going on? It's very busy. It's a lot
4 that's happening up there?

5 I can tell you this: I understand the
6 circular area, and I think you're trying to coincide
7 that with the circular. I understand that. But the
8 other stuff, and forgive me for calling it stuff, but
9 the rails; what's going on?

10 MR. BONSTRA: Well, the other areas at the
11 top of the building since we do have some roof decks
12 and what have you, we have some decorative railings
13 here. Again, these vertical elements are as if
14 chimneys of tops of buildings architecturally. This
15 is the top level of the building.

16 These areas are set back. You can see some
17 balconies here.

18 This site has very prominent vistas to the
19 Capitol to the south. And we'd like to advantage of
20 that with some set back balconies here that will allow
21 residents to step out and enliven the building and
22 make it really part of the whole urban scene.

23 And so balconies for us are very important
24 elements, and that's what you see along the top here
25 of the building.

NEAL R. GROSS

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

1 Some of the other areas, this ring is an
2 ornamental metal that is intended to create a shadow
3 and texture on the building to give it some life. And
4 that is a sort of crowning element that we've used
5 here.

6 VICE-CHAIRPERSON HOOD: So --

7 MR. BONSTRA: I don't know if I've
8 answered all of your --

9 VICE-CHAIRPERSON HOOD: So where the
10 railing are, you're making that so people, I guess,
11 can stand out and view. You're proposing to have
12 gatherings up on top of the roof or something or
13 what's happening up there?

14 MR. BONSTRA: Right here. This is at the
15 seventh floor level. And this is on top of this area
16 here.

17 VICE-CHAIRPERSON HOOD: And you have
18 those--

19 MR. BONSTRA: And this area here.

20 VICE-CHAIRPERSON HOOD: And let me make
21 sure I understand. You have those designed in your
22 plans are high railings. What is the purpose of the
23 high railing?

24 VICE-CHAIRPERSON HOOD: It's really just
25 a decorative, it's an ornamental rail.

NEAL R. GROSS

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

1 VICE-CHAIRPERSON HOOD: Decorative?

2 MR. BONSTRA: It's much like you see in
3 historic residential buildings as some crowning
4 features on the top of the building. They're very
5 light and they dissolve to the sky, but they're
6 functional. We have public roof decks here at this
7 level. We have private roof decks as well here and
8 here.

9 And then in this area we've treated that
10 as the same, even though this is not a roof deck area.

11 VICE-CHAIRPERSON HOOD: Let me ask you,
12 I'm looking at your rendering, I guess it's titled
13 number board 3. If I remember, there's an island at
14 North Capitol Street and Florida. Is this little -- I
15 don't know, I can remember which way it goes. I'm
16 over there all the time, but there's little ways that
17 go off into Florida Avenue; is this behind that little
18 island or is this going to take up that island also?

19 MR. BONSTRA: Oh, no, no, no. This area
20 of what is called Truxton Circle is that lane that you
21 see now. We're not changing any of that.

22 This area is that island that you are
23 talking about --

24 VICE-CHAIRPERSON HOOD: Okay.

25 MR. BONSTRA: -- which has seats, I think

NEAL R. GROSS

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

1 a bus shelter or something. But that's ahead of it.
2 We're not changing the edge of the sidewalk at all.

3 VICE-CHAIRPERSON HOOD: Okay. I'm not
4 sure who can answer this or maybe it's still to the
5 architect, the C-2-A, which is you get a height of 50
6 feet and you're asking us to go C-2-B under the PUD
7 which takes up to 90 feet. The homes surrounding that
8 area what are blocking there? And especially those
9 homes, I think there is some behind there when I look
10 A-1.3, which is in your submittal. It doesn't have a
11 date on it. But I'm looking here at one of your
12 pictures. And I'm pointing to A-1.3 and I'm looking
13 at the home in the back behind there. What's
14 happening with those windows?

15 MR. BONSTRA: Actually, part of the
16 uniqueness of the site is the topography. And the
17 topography here is actually slopping up quite steeply
18 through this area here. Those houses, in fact, set up
19 quite high. They're at least this height and even
20 higher. Those are the back porches or the back
21 windows of the existing houses.

22 Jennifer, what's that street, the street
23 to the north? Quincy Street. So that's really the
24 backs of the Quincy Street house.

25 VICE-CHAIRPERSON HOOD: The picture I'm

NEAL R. GROSS

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

1 looking at, again on A-1.3, is a window. And that
2 window obviously will be either covered, closed -- it
3 obviously will be closed. You won't be able to see
4 anything and I'm just concerned of whoever owns that
5 or if it's even owned. I believe it is. It's a house,
6 it's on --

7 MR. BONSTRA: Are you talking about this
8 exposure right here?

9 VICE-CHAIRPERSON HOOD: No. Your picture
10 to the bottom left on the left hand side.

11 MR. BONSTRA: The bottom left.

12 VICE-CHAIRPERSON HOOD: Yes.

13 MR. BONSTRA: Okay.

14 VICE-CHAIRPERSON HOOD: If you look
15 closely you'll see a home with a window, well at least
16 put it like this: It shows up on this.

17 MR. BONSTRA: Yes.

18 VICE-CHAIRPERSON HOOD: And let the record
19 reflect, Madam Chair, that I'm pointing to A-1.3.

20 MR. BONSTRA: Well, I don't recall the
21 specifics of that window. If that window is a window
22 on the property line, then that window --

23 VICE-CHAIRPERSON HOOD: Will be covered?

24 MR. BONSTRA: -- you know, it may by law
25 need to be closed up. If it is a window that's set

NEAL R. GROSS

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

1 back a number of feet off the property line, that
2 exposure somewhere in here, I suppose. And that court
3 would be maintained.

4 VICE-CHAIRPERSON HOOD: Madam Chair, I
5 would like to --

6 MR. BONSTRA: My house has a similar
7 configuration.

8 VICE-CHAIRPERSON HOOD: Well, I'd like to
9 have some more work to be done on that, Madam Chair,
10 with that window. Maybe my colleagues may have more
11 formal training than I do with this.

12 COMMISSIONER JEFFRIES:

13 That use right to the north, what's that
14 building used for right to the north. It's zoned C-2-
15 A?

16 MR. BONSTRA: I believe that's the
17 commercial use.

18 COMMISSIONER JEFFRIES: Right.

19 MR. BONSTRA: We're actually surrounded by
20 commercial use on both sides.

21 COMMISSIONER JEFFRIES: I have no idea
22 what you're pointing to. I don't --

23 MR. BONSTRA: This house here is a
24 commercial use.

25 COMMISSIONER JEFFRIES: Correct.

NEAL R. GROSS

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

1 MR. BONSTRA: I believe this is part of
2 that same use, but I know for a fact that this --

3 COMMISSIONER JEFFRIES: Is it like an art
4 gallery or --well, okay.

5 MR. BONSTRA: I don't recall.

6 VICE-CHAIRPERSON HOOD: Okay. Anyway, I
7 will --

8 MR. GLASGOW: I think that's the offices
9 of -- so others may, Commissioner Hood, is just
10 directly to the north. That's a C-2-A piece of
11 property and it's used for commercial purposes. And
12 I don't recall whether they have a window right on the
13 property line. But if you have a window right on the
14 property line in a commercial zone in particular, you
15 know it's an at risk window.

16 VICE-CHAIRPERSON HOOD: Okay. Well, I'm
17 just looking at what was provided. And I guess maybe
18 we can look into that a little more.

19 Another thing is, Mr. George, let's talk
20 a little bit about traffic. I'm glad to know things
21 have improved on North Capitol Street. Maybe I'll
22 start back using it again.

23 North Capitol Street and Florida Avenue,
24 level of service at that corner I think in your
25 report, I'm not sure if you specifically said North

NEAL R. GROSS

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

1 Capitol Street and Florida Avenue.

2 MR. GEORGE: Yes, sir.

3 VICE-CHAIRPERSON HOOD: The level of
4 service I think is acceptable. I thought we said
5 acceptable and I wasn't sure whether it was a D or C.

6 MR. GEORGE: What our analysis shows that
7 it's borderline between C and D. As you know, Mr.
8 Hood, we've had this discussion very often. The limit
9 is based on the average waiting time. And the limit
10 for level of service C is 35 seconds. So it's right at
11 the border between C and D.

12 VICE-CHAIRPERSON HOOD: And the curb cut
13 and the entrance into the parking area for the loading
14 area which is being proposed to be scaled back, you
15 don't see that as being a keen problem for the traffic
16 going westbound on Florida Avenue?

17 MR. GEORGE: If I may, I'd like to just
18 use an exhibit to supplement Mr. Bonstra's
19 illustration.

20 VICE-CHAIRPERSON HOOD: Okay.

21 MR. GEORGE: I'd like to, first of all,
22 recognize --

23 CHAIRPERSON MITTEN: Just make sure you're
24 on the record.

25 MR. GEORGE: Yes, ma'am. I'm sorry.

NEAL R. GROSS

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

1 I'd like to first of all recognize E.M.
2 Banks one of our associates who has worked extensively
3 on this project and who may assist me in some aspects
4 of your answers.

5 I think you were referring to this. We'd
6 call it a wrap or a free flow right turn lane here,
7 which I think was part of your question to --

8 VICE-CHAIRPERSON HOOD: Actually, I was
9 referring to Florida Avenue. But I'm glad, you raised
10 another question. I'd glad you did show that to me.
11 Because I have another questions added to that. But
12 my issue was, and I think -- let me see on the
13 orientation, I think Florida Avenue is running east
14 and west, is that right? More or less, okay, plus or
15 minus. Going west on Florida Avenue when we get to
16 the opening for the parking ramp and that entrance
17 there. Show me about where that entrance is going to
18 be on the corner.

19 MR. GEORGE: It's just about just
20 bordering on that crosswalk, right around this point.

21 VICE-CHAIRPERSON HOOD: Now there will
22 still be traffic going through the circle. I'm not
23 sure what that's called, the street's called. The old
24 Truxton Circle. There's still traffic that's going to
25 be going through the little horseshoe, right?

NEAL R. GROSS

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

1 MR. GEORGE: Right.

2 VICE-CHAIRPERSON HOOD: Along with traffic
3 that's going westbound on Florida Avenue, right?

4 MR. GEORGE: Yes.

5 VICE-CHAIRPERSON HOOD: How is that going
6 to work?

7 MR. GEORGE: Right. Mr. Hood, we looked
8 at that very carefully. And in fact, in our report
9 which is part of the applicant's statement, you would
10 see in our appendix that we address this issue
11 specifically with DDOT. We had special meetings to
12 look at that.

13 One of the things we considered first of
14 all as it exists today, this is around -- it's very
15 lightly used. Again, based on the roadway network we
16 did special studies of the volumes of traffic that use
17 that off ramp from North Capitol Street turning
18 westbound onto Florida Avenue. The volumes are very
19 light, generally approximately 50 vehicles per hour
20 studied on several different days. So that's an
21 average one vehicle per minute.

22 Secondly, typically on a ramp like that
23 you have vehicles slowing with a yield sign. DDOT
24 addressed this issue by providing a bold stop sign at
25 this location. So you don't have vehicles flowing

NEAL R. GROSS

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

1 into here. They stop. They come to a discreet stop
2 before making that movement. So that's how it would
3 operate.

4 The only other thing I would add as far as
5 that is concerned, I think we have the advantage of
6 DDOT having examined this intersection very carefully.
7 I think their report was published in November 2005.
8 And it was actually the Truxton Circle Element of the
9 North Capitol Street Study. And they looked at this
10 and they found that it was currently operating
11 successfully.

12 And, of course, they proposed in their
13 study that certain things be done recognizing that
14 this is a significant crossing of two major bus
15 routes, they recognized some measures that would
16 protect pedestrian traffic. And we have highlighted
17 that in the report. I think we even included copies of
18 DDOT's recommendations.

19 VICE-CHAIRPERSON HOOD: I would still say
20 -- and I appreciate that, Mr. George. My concern
21 though is westbound traffic and you say 50 trips or
22 cars per hour --

23 MR. GEORGE: Yes.

24 VICE-CHAIRPERSON HOOD: -- people coming
25 of that circle --

NEAL R. GROSS

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

1 MR. GEORGE: Yes.

2 VICE-CHAIRPERSON HOOD: -- traffic going
3 westbound and people trying to get in the lot, I just
4 see that as mass confusion.

5 MR. GEORGE: Yes.

6 VICE-CHAIRPERSON HOOD: I know the experts
7 have looked at it.

8 MR. GEORGE: Yes.

9 VICE-CHAIRPERSON HOOD: But I'm being
10 realistic. I'm not going by what the book says and
11 the law of the transportation and what's acceptable.
12 I'm going by the real situation, reality, what's
13 really going to happen with that corner.

14 MR. GEORGE: Yes, sir.

15 VICE-CHAIRPERSON HOOD: And I think as the
16 Zoning Commission that is our job to make sure that we
17 look at that because our job is to protect the
18 residents of the District of Columbia, and that's what
19 I intend on doing. Not that I disagree with your
20 professional analysis, but I'm being real. I just see
21 a problem there.

22 MR. GEORGE: Yes. I'd like to take it
23 away from any theoretical or professional, but just
24 from a practical standpoint. The applicant's
25 statement points out and Bonstra noted that these are

NEAL R. GROSS

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

1 two major corridors. This is a major traffic signal
2 here. So in effect what you have is the movement along
3 North Capitol Street going during one sequence and
4 westbound during sequence. So if you just worked with
5 me, Mr. Hood, typically then while traffic is heading
6 southbound whereby this movement would be made,
7 there's no conflicting movement going westbound. See,
8 while this movement is going because of the storage
9 here, you would have very little traffic turning right
10 while this is going. While this movement is going,
11 pretty much -- and again since this is a busy
12 corridor, you would typically have four or five
13 vehicles blocking this route. So while this movement
14 is taking place westbound, you would have this
15 movement being sparse.

16 So I think fortunately, and I can't say
17 specifically that DDOT looked at those operational
18 details, but this is how practically it works.

19 A third factor is that we had the
20 opportunity to look at the occurrence of accidents at
21 the location at the intersection of Florida Avenue and
22 Q Street. And I think this would be included as part
23 of this intersection. Because, again, tying into Mr.
24 Bonstra, the location here is approximately 400 feet
25 from the center line of this section. So again the

NEAL R. GROSS

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

1 design, and I don't want to speak for him, but it
2 pushed this to the furthest extent possible to make
3 sure that there is that type of separation.

4 So I think there are multiple factors
5 which contribute to this situation being safe.

6 COMMISSIONER JEFFRIES: Mr. George, let me
7 cut you off. I like your analysis. You've convinced
8 me.

9 MR. GEORGE: Good.

10 VICE-CHAIRPERSON HOOD: So you might want
11 to cut it off while you're ahead.

12 CHAIRPERSON MITTEN: Well, before we're
13 all convinced completely, one of the things that is
14 sometimes provided to us because the thing that's more
15 troubling to me is the movement of trucks that would
16 be backing, either backing in --

17 MR. GEORGE: Yes, ma'am.

18 CHAIRPERSON MITTEN: -- so they could pull
19 straight out or backing out because they've pulled
20 straight in. And I know you discussed this at length
21 with DDOT and I'll ask on the design side what you
22 talked about. I mean I will follow up Mr. Bonstra and
23 I don't want to step on Mr. Hood's turn, but what I
24 want to ask you to provide to us is we often get
25 little diagrams that show how a truck would move?

NEAL R. GROSS

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

1 MR. GEORGE: Oh, yes. Yes.

2 CHAIRPERSON MITTEN: Because I'm not at
3 the moment confident that the only thing that would be
4 involved in that movement is the little horseshoe
5 piece, but that trucks would actually be out in
6 Florida Avenue right of way.

7 MR. GEORGE: Yes. Yes. That was another
8 aspect of our analysis and I was trying to point
9 specifically to Mr. Hood's question.

10 We look at all the options that were
11 available. And I would say to the Board that no
12 design -- I'm sure Mr. Bonstra isn't perfect. And if
13 I were to ask was the access situation perfect, I
14 would say no. If we were back to prior to this Truxton
15 Circle, we probably would have come up with a
16 different design.

17 I would say, Ms. Mitten, it was raised
18 with DDOT whether they had considered eliminating this
19 because the volumes are so small. So whether they had
20 considered eliminating this so that all the right
21 turns would be made here at this location. There were
22 some potential benefits where this plaza area could be
23 expanded. They felt that it perhaps had some merit,
24 but that was not something that they wanted to
25 consider as part of this application.

NEAL R. GROSS

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

1 As far as the trucks entering, yes, it is
2 an issue. We considered a couple of things.

3 First of all, what was the previous use of
4 the site. I think OP's report pointed out, and DDOT's
5 as well, that this was used as a gas station with a
6 lot more traffic including those tankers, service
7 tankers backing in and out into the site. And it
8 operated I can't say well. We do not have the
9 statistics, but we know that I think for many years it
10 operated as a major gas station.

11 This curb cut exists so it's not that the
12 applicant is providing a new curb cut. They're also
13 closing, I think there are currently two curb cuts
14 along North Capitol Street. Those are being
15 eliminated.

16 And again, you can't separate the access
17 from the land use. So I don't mean to digress but I
18 would point out that considering the zoning of the
19 site, the types of uses that could be developed, this
20 is perhaps as favorable as it could get it in terms of
21 the mix of residential versus commercial and the
22 accesses. So, yes, there will be the issue of trucks
23 accessing the site. The applicant made every effort
24 to determine whether trucks could actually go in and
25 maneuver inside and come out. It was totally

NEAL R. GROSS

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

1 impractical. I mean, the site would perhaps be
2 useless just on that if that were a specific
3 requirement. And so we've agreed with DDOT that they
4 would restrict, should it be the Board's pleasure,
5 trucks accessing the site during the peak hour.
6 During the off peak, weekends and on weekends, we
7 believe that this movement can be made where trucks
8 would move forward.

9 The applicant has requested a waiver from
10 the 55 foot loading berth. We don't think that that is
11 necessary, and I can address that if it is the Board's
12 pleasure. But that 30 foot trucks would be able to
13 move forward and back into the site safely.

14 We did not prepare the tracking diagrams,
15 but if it's the Board's pleasure, we would be happy to
16 do that if the record is left open.

17 CHAIRPERSON MITTEN: Is there any curbside
18 parking on Florida Avenue or North Capitol Street in
19 the vicinity of the site?

20 MR. GEORGE: There's some debate of that.
21 The signs say no parking. It's somewhat confusing.
22 DDOT's Truxton Circle report says that parking is
23 allowed. But if I had to say based on the signs, I
24 would say currently parking is prohibited in the curb
25 lane.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: Okay. But DDOT says
2 -- in saying that it's allowed, I guess one could
3 infer that they are saying that they would be open to
4 it even if that's not what the signs say?

5 MR. GEORGE: And we --

6 CHAIRPERSON MITTEN: Would you agree that
7 that's the inference that one could make?

8 MR. GEORGE: Possibly. I would say that
9 we tried not to be presumptuous, but we tried to
10 clarify with DDOT and we made several efforts. It's an
11 issue that came up within the last couple of days.
12 The Ward Planner, Transportation Planner was not
13 available. We made several efforts to clarify that.
14 If it's the Board's pleasure, we would be happy. We
15 think we should be able to get that specific answer
16 within the next day or two. But again, based on the
17 signage that is there I would say no parking is
18 allowed.

19 I am aware that along Florida Avenue and
20 DDOT recently conducted a further study of Florida
21 Avenue all the way to beyond the Ream Center 18th
22 Street. And there are some sections of Florida Avenue
23 where parking is allowed. But I would say based on
24 the signage and what we've observed in the field,
25 currently no parking is allowed.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: Well, what I'd be
2 interested in knowing is between North Capitol Street
3 and Quincy, just that little section, what is DDOT's
4 intent --

5 MR. GEORGE: Yes, ma'am.

6 CHAIRPERSON MITTEN: -- about curbside
7 parking regardless of what the signs say at the
8 moment.

9 MR. GEORGE: Yes. I'd be happy to provide
10 that for you.

11 CHAIRPERSON MITTEN: Okay.

12 MR. GEORGE: Yes, ma'am.

13 CHAIRPERSON MITTEN: Thank you.

14 Mr. Hood, I'm sorry, did you have other
15 questions?

16 VICE-CHAIRPERSON HOOD: I may have some
17 later, but I'm done.

18 CHAIRPERSON MITTEN: Thank you.

19 All right. Anyone else, questions? Mr.
20 Jeffries?

21 COMMISSIONER JEFFRIES: One observation
22 and then there's a couple of questions. A-1.3, it was
23 difficult to make heads or tails of some of these. I
24 mean you were trying to show shots of the site, but in
25 the future it might be helpful if you could sort of

NEAL R. GROSS

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

1 have it accompany like a site plan that shows arrows
2 in terms of where these elevations are and what I'm
3 looking at. Because it was just difficult to follow.
4 So that was A-1.3

5 So I just have questions about the
6 architecture. Mr. Bonstra, what makes this look like
7 a residential project? Because I'm having difficulty
8 seeing a straight up residential project. It looks
9 like an educational facility, like a center for
10 continuing learning or something or a university. I'm
11 having difficulty. You know and it's probably the
12 middle portion. And I understand this whole notion of
13 it's a prominent site and you're trying to create this
14 monumental building, but in doing that it seems to
15 take on a different look. Can you comment?

16 MR. BONSTRA: Well, I think it's always an
17 appropriate question to ask of a building does it look
18 like its use. And for us, and we do a lot of
19 multifamily residential work, there are elements of
20 residential design that are important to express on a
21 building so that you can see the difference between an
22 office building and a hotel. And I think there are a
23 lot of those kind of clues that we always look for in
24 the architecture.

25 As I've mentioned before, bay windows.

NEAL R. GROSS

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

1 You know, projecting bays I think are a very
2 residential element. It's something that's found in
3 Victorian architecture in this area and throughout the
4 city. The verticality of buildings

5 Other elements that we look to to put on
6 our buildings express our balconies and places where
7 people come out to the street, which is very different
8 than how you might do an office building which is
9 probably not about areas where people congregate
10 outdoors as much.

11 I think that our use of punched windows in
12 the main portions of the facades, they're double hung
13 windows, they're a divided window. They're very much
14 like the double hung windows that are along the
15 street. That's a very residential element that you
16 wouldn't normally see in an institutional building.

17 And, you know, I think that the palette,
18 the rich palette of materials, it's warm and it's soft
19 and to us is much different than we might use on a
20 more institutional building.

21 You know, I think going along with the
22 balconies, the railing, the ornamental metal. You
23 know, to an extent we do want to limit that because I
24 think everybody -- and our work in our historic
25 districts the balconies themselves are frowned upon in

NEAL R. GROSS

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

1 general because they represent to people places where
2 folks are going to put, you know, tables, chairs,
3 bicycles and that kind of thing. So we use it in a
4 limited fashion, but it is an element that this
5 building has.

6 The Mansart roof I think is certainly a
7 very residential form and the dormer windows that
8 we're using along both North Capitol Street and
9 Florida Avenue and the cornice lines there. I think
10 that's very residential.

11 COMMISSIONER JEFFRIES: You know, I think
12 the North Capitol Street and the Florida Avenue
13 elevations and facades I think do take on a more
14 residential character. I think it's that plaza area
15 that's doing it for me that's, you know, making me
16 think of something more commercial, more office like.
17 And because this a prominent site, I would hope that
18 the Commission could have a little bit of discussion
19 around this. Because I'm just not certain about how
20 successful that is. Again, the other elevations
21 they're fine. I'm just wondering about the middle
22 portion. And what can we call that, by the way? That
23 middle portion, the comb --

24 MR. GLASGOW: The cylinder.

25 COMMISSIONER JEFFRIES: Yes. The

NEAL R. GROSS

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

1 cylinder.

2 CHAIRPERSON MITTEN: You need to put your
3 mike on when you respond.

4 MR. GLASGOW: The cylinder or hinge.

5 COMMISSIONER JEFFRIES: The hinge.
6 Actually I like that. The hinge.

7 MR. GLASGOW: That's kind of what we see.

8 COMMISSIONER JEFFRIES: Yes. The hinge is
9 something that just doesn't to me seem quite warm and
10 it looks somewhat detached from the other two. And I
11 understand, and I like the layering of the facades and
12 so forth. But it's something in that middle is not
13 quite comforting.

14 I also wanted to know was there a
15 volumetric, just a bird's eye view volumetric of this
16 project in the context of this overall neighborhood?
17 Was that submitted? Do we have that?

18 MR. BONSTRA: No, I don't believe we have
19 a -- you mean a bird's eyes perspective?

20 COMMISSIONER JEFFRIES: Yes, the bird's
21 eye. Absolutely.

22 MR. BONSTRA: No. It's not something that
23 we typically feel is all that productive to use
24 because it's the least noticeable to anybody, the
25 least --

NEAL R. GROSS

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

1 MR. GLASGOW: And we're not going to be
2 flying around.

3 MR. BONSTRA: -- distinctive of what the
4 area --

5 COMMISSIONER JEFFRIES: I'm interested in
6 that mainly, and probably more of a shadow study,
7 because you know while this is going to be southeast,
8 you know the winter months -- I mean I'm wondering
9 about the level of shadow that's going to be created
10 on some of the smaller rowhouses to the north,
11 northwest of it. And also while it's true, you know,
12 we're not going to be in a helicopter flying around
13 this, it does give a sense of scale and how this
14 development imposes itself on the overall area. So I
15 am concerned about how it sits alongside some of the
16 smaller rowhouses to the north.

17 You know I would with Madam Chair I would
18 hope that if the applicant could somehow get a
19 volumetric -- I don't need to see any level of detail,
20 but just a real block study looking at a bird's eye
21 view just to get a sense of just how this building
22 complex sits on this corner. Because it's a very
23 prominent corner, I'll use your words against you. So
24 because of that I really need to understand how that
25 looks.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: Do you understand
2 what Mr. Jeffries is looking for?

3 MR. BONSTRA: Yes, I understand.

4 CHAIRPERSON MITTEN: Okay. Thank you.

5 MR. BONSTRA: Maybe something -- you're
6 saying shadows as well or --

7 COMMISSIONER JEFFRIES: Yes. And with
8 that if you can just walk us through what kind of
9 shadows will be cast. I mean, obviously, most of it
10 will be in the wintertime, but I'd just like to know
11 when that will -- did any of the community discuss --
12 was there any discussions around that?

13 MR. BONSTRA: No, and that's what I was
14 going to say is, you know, we went to many groups and
15 that really wasn't an issue for any of the immediate
16 neighbors who might be individually affected by that.

17 COMMISSIONER JEFFRIES: Okay.

18 MR. GLASGOW: I think also, Commission, we
19 stepped the building down.

20 COMMISSIONER JEFFRIES: Yes.

21 MR. GLASGOW: And with the 65 height is a
22 PUD height for the existing zoning.

23 COMMISSIONER JEFFRIES: Right. Right.

24 MR. GLASGOW: And we were very mindful of
25 that and had earlier discussions with OP on that. And

NEAL R. GROSS

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

1 also with the community as we talked about how the
2 building massed up.

3 And then also in creating the courtyards
4 and the change of elevation that also impacted.
5 Because we have some setbacks in the back of the
6 building.

7 COMMISSIONER JEFFRIES: Yes. Right.

8 MR. GLASGOW: and there is the change of
9 elevation. So I think that when we do the shadow study
10 and we need to make sure to take into account the
11 change in the topography of the --

12 COMMISSIONER JEFFRIES: Yes. You know, I'm
13 very -- I think as it relates to how you've sort of
14 sculptured the building in setbacks and the layering,
15 I think all that's very good. I mean you've tried to
16 break it down so that it does not look to monolithic.

17 MR. GLASGOW: Yes.

18 COMMISSIONER JEFFRIES: But I'm still
19 concerned about this very centered plaza area with
20 that hinge. It just makes it seem a little cooler
21 than it needs to for residential in that location.

22 And my other question is the retail. It's
23 neighborhood serving retail. Is there considerable
24 retail as you move north or west on Florida Avenue
25 just adjacent? Is that just all residential or is

NEAL R. GROSS

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

1 those like ground floor retail that's in these
2 rowhomes? Is that's what's going on there?

3 MR. BONSTRA: Well, directly adjacent to
4 the building, the sole --

5 COMMISSIONER JEFFRIES: A1-6.

6 MR. BONSTRA: I'll use the Board number 4
7 here of this building.

8 COMMISSIONER JEFFRIES: Yes, okay.

9 MR. BONSTRA: That's occupied as a spa,
10 like a day spa.

11 COMMISSIONER JEFFRIES: A day spa?

12 MR. BONSTRA: And along Florida I think
13 there's pockets of retail possibly at corners.

14 COMMISSIONER JEFFRIES: Right.

15 MR. BONSTRA: Along that row for a number
16 of blocks there's some cell phone places and what have
17 you. So I think -- do we have that?

18 MR. GEORGE: I'd just like to --

19 CHAIRPERSON MITTEN: You need to be on a
20 microphone, Mr. George.

21 MR. GEORGE: I'm sorry.

22 Osborne George for the record. Right at the
23 corner, the apex of the Q Street and Florida Avenue
24 intersection there is a substantial retail; a gas
25 station I think with some limited convenience like

NEAL R. GROSS

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

1 most gas stations include today.

2 COMMISSIONER JEFFRIES: Okay. I've just
3 in driving west, I mean I take that route quite often
4 and I do know the character of some of the retail
5 there is ground floor retail in some places and
6 rowhouses. And that seems to be, you know, what I
7 remember. But I was just really -- I mean, 4,000
8 square feet, I mean it's rather small and I just was
9 wondering about really just overall feasibility of
10 even including retail given that size. Yes, I've seen
11 though that the District is always looking to push
12 retail where it can. Maybe the developer could speak
13 to that. Do you have someone in mind for that retail?

14 MR. MAMO: No. But we've gotten a list in
15 some of the community meetings what they want to see
16 there, such as Starbucks or a gymnasium, I mean a
17 small workout space. So we're still taking some --

18 COMMISSIONER JEFFRIES: Okay.

19 MR. MAMO: That's not a major focus of the
20 project, obviously.

21 COMMISSIONER JEFFRIES: Okay.

22 MR. MAMO: But we're working with the
23 community to put something in there that most of them
24 will be happy with.

25 COMMISSIONER JEFFRIES: Okay.

NEAL R. GROSS

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

1 MR. MAMO: The walking, not a driving
2 target.

3 COMMISSIONER JEFFRIES: Okay. I just see
4 a lot of applications come in, mixes ground floor
5 retail, housing above as is it's just sort of an easy
6 thing to do. And there's the handful of developers
7 across the country who really do it successfully. And
8 so I just wanted to, you know question sort of the
9 feasibility and the viability of it. But if you have
10 a list of people itching to get into this space,
11 that's fine.

12 Thank you.

13 CHAIRPERSON MITTEN: Mr. Parsons?

14 COMMISSIONER PARSONS: Well, I want to
15 follow up on Mr. Jeffries' comments because I agree
16 with him. And I think that the two facades that are
17 expressing residential, the bay windows and so forth,
18 are fine. And then the industrial character or
19 warehouse like cubes, if you will, that are on the
20 corners and then the hinge is the problem. And my
21 instinct is it's the change in materials and it's the
22 vertical columns that give it an office building look.
23 And then the two story unit at the top, what is
24 happening in there? I mean it almost feels like a
25 ballroom quality.

NEAL R. GROSS

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

1 MR. BONSTRA: Well, that's really a single
2 level. It has a higher ceiling at that knuckle and
3 that is a penthouse unit that we've developed along
4 with some flanks --

5 COMMISSIONER PARSONS: That must be what?
6 A 15 foot ceiling? I mean it's enormous.

7 MR. BONSTRA: No, I don't believe.
8 Jennifer?

9 COMMISSIONER PARSONS: No?

10 MR. BONSTRA: No, it's 11 feet. It's not
11 an unusual ceiling height.

12 COMMISSIONER PARSONS: Wow?

13 MR. BONSTRA: Yes.

14 COMMISSIONER PARSONS: It just seems to
15 look twice as high as the other units.

16 MR. BONSTRA: This you may notice as an
17 iteration of an earlier submission. WE've actually
18 worked quite hard. We've lowered that piece down and
19 we've done a lot of other things to try to bring the
20 building lower. So, you know, I think we're conscious
21 of that.

22 Since the first go around on the third
23 floor of the hinge, we set the windows back. We
24 created a balcony.

25 COMMISSIONER PARSONS: Yes.

NEAL R. GROSS

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

1 MR. BONSTRA: To sort of piano nobile
2 there as a residential feature to soften that piece.
3 And we do the same at the top, setting that back,
4 giving it some depth, some shadow so it has depth.
5 It's not a slick rendition as you might find in an
6 office building. It has depth and shadow and allows
7 people to come out from the inside. So we feel that's
8 positive and we feel that that helps to bring that as
9 a residential element. But I certainly, you know, can
10 think more about your point and --

11 COMMISSIONER PARSONS: And what is
12 actually happening on the roof where the railings are?
13 Is there a roof plan I haven't found yet?

14 MR. BONSTRA: If you look again behind Mr.
15 Osborne here in the seventh floor main roof plan,
16 public roof deck along this side of the building. Let
17 me show you here in plan. It also comes on top of
18 these cubic towers. And it's here along this
19 elevation. So that's roof deck.

20 Public roof deck. There's private roof
21 deck here. There's private roof deck here. Some
22 planters along the back.

23 This area then as in a building of this
24 nature has some condenser units that we'll have on
25 that roof.

NEAL R. GROSS

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

1 MR. GLASGOW: It's sheet A3-9.

2 MR. BONSTRA: A3.9. Sorry.

3 COMMISSIONER PARSONS: So these railings
4 that are so prominent at the top of the chimneys
5 actually look like they're held up by the chimneys,
6 but those are private roof decks?

7 MR. BONSTRA: They're private at the front
8 edges at the tops here?

9 COMMISSIONER PARSONS: Yes.

10 MR. BONSTRA: Yes, here at the tops of the
11 tower. As well these are setback balconies that are
12 occupied privately. The public roof deck is along the
13 Florida Avenue exposure.

14 COMMISSIONER PARSONS: So how does one get
15 from the penthouse to the private roof deck? I assume
16 it's an access from the penthouse, right?

17 MR. BONSTRA: We have an elevator. One of
18 the elevators comes up.

19 COMMISSIONER PARSONS: So this penthouse
20 is one unit?

21 MR. GLASGOW: The penthouse, does it have
22 the sixth floor? Is under?

23 MR. BONSTRA: This here.

24 MR. GLASGOW: Oh here, I'm sorry. This is
25 in fact a private unit, yes.

NEAL R. GROSS

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

1 MR. BONSTRA: And this is the private --

2 COMMISSIONER PARSONS: Two private
3 balconies.

4 MR. BONSTRA: These are balconies here and
5 here. Yes. Have a single unit at the top. That was
6 part of our program. It could certainly be two units,
7 you know, in that area, but that's a conscious
8 decision to create a really special unit there which
9 has incredible views of the Capitol Building.

10 COMMISSIONER PARSONS: Okay. Well, what
11 are we going to do here to solve our problem? We need
12 to ask them to do something.

13 COMMISSIONER JEFFRIES: I still want to
14 make certain I'm clear about how -- so I'm looking at
15 A-3.9. Come off the elevator and I'm trying to get to
16 the public roof deck.

17 MR. BONSTRA: Right here.

18 COMMISSIONER PARSONS: Yes.

19 MR. BONSTRA: Well, there's access.
20 There's a door here.

21 COMMISSIONER JEFFRIES: Oh, that's not
22 shown?

23 MR. BONSTRA: It's not shown.

24 COMMISSIONER JEFFRIES: Okay.

25 MR. BONSTRA: You have access, private

NEAL R. GROSS

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

1 access.

2 COMMISSIONER JEFFRIES: And then you go
3 around the cylinder one house --

4 MR. BONSTRA: They could come through here
5 and go to this corridor and come out. One can also
6 come from the floor below and walk up a flight on the
7 other banks of elevators.

8 COMMISSIONER JEFFRIES: So I'm getting all
9 of this embellishment is for one unit, penthouse, in
10 terms of the railing and the -- I mean, the top --
11 yes.

12 MR. BONSTRA: Along the front edge --

13 COMMISSIONER JEFFRIES: Right. Right.

14 MR. BONSTRA: -- here along this corner.

15 COMMISSIONER JEFFRIES: Right.

16 MR. BONSTRA: That is correct. That is a
17 private area. It's a roof, whether it's balcony or
18 not, it's there. Whether it has a rail or not, it is
19 a surface that can be occupied.

20 We lowered those chimney piers down. We
21 set the railing back. I think we have to recognize
22 that that rail can push back and is not as prominent
23 as it shows in elevation. That's where we die by the
24 sword of showing elevations because the railings are
25 as if you were standing right at them, and that's not

NEAL R. GROSS

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

1 the case.

2 MR. GLASGOW: Right. Because the railings
3 have to be set back a certain distance from the edge
4 by code.

5 CHAIRPERSON MITTEN: Did you design this
6 unit for the owner, the unit up top?

7 MR. BONSTRA: I don't think there's been
8 any determination on this building would be a for sale
9 building and it's not necessarily for the owner,
10 although that could be the decision that's made in the
11 future. But that was not the intent.

12 CHAIRPERSON MITTEN: Mr. Mamo, is that
13 your intent?

14 MR. MAMO: No. I have a house on Wisconsin
15 Avenue. I don't intend to occupy that.

16 The reason one of -- my involvement in the
17 design was that there was space there. Either you can
18 make it two unit or one unit, a lot could be
19 determined later on. But the space because it's
20 prominent, has great views, we could probably if we're
21 successful in building this, sell that unit for much
22 higher than the rest of the units. So it's not --

23 CHAIRPERSON MITTEN: I guess the thing
24 that we're struggling with a little bit is you have a
25 great unit without the private roof decks. And you're

NEAL R. GROSS

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

1 asking for relief from residential recreation space
2 requirements, and that's space that you could
3 otherwise make available for -- it might not qualify
4 because of the width of the space, but if it were
5 publicly available, it's a better compromise than
6 making it privately available.

7 MR. GLASGOW: I think on part of it
8 because we looked at that, Madam Chair, and I think
9 that the private roof deck on the north side on North
10 Capitol Street --

11 CHAIRPERSON MITTEN: Yes.

12 MR. GLASGOW: -- it leads up to there's no
13 good way to get to that because of where the
14 condensers are.

15 CHAIRPERSON MITTEN: Right.

16 MR. GLASGOW: So that's going to go with
17 one unit, let's say.

18 CHAIRPERSON MITTEN: Yes.

19 MR. GLASGOW: On the other side certainly
20 there is a dimension and it doesn't meet the
21 dimensional requirements and that's partly what we
22 were thinking of, but we can shift the line where the
23 planter is along the floor -- I'll call it roughly the
24 floor, the avenue Truxton Circle side, somewhat to the
25 east to gain some residential recreation space. But we

NEAL R. GROSS

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

1 don't want to get it to close to where the windows are
2 of the other units.

3 CHAIRPERSON MITTEN: Yes.

4 MR. GLASGOW: So there's a certain
5 dimension there where this residential recreation
6 space that's open to the public can grow by some
7 dimension before you start impinging upon the windows
8 and the privacy here.

9 CHAIRPERSON MITTEN: Right.

10 MR. GLASGOW: But I think this one is
11 just--

12 CHAIRPERSON MITTEN: I understand that.

13 MR. GLASGOW: Yes.

14 CHAIRPERSON MITTEN: I understand that.
15 So maybe you could give that some further thought.

16 MR. GLASGOW: Right.

17 CHAIRPERSON MITTEN: I just want to ask
18 sort of a variety of additional questions to follow up
19 on what my colleagues have asked about.

20 Did you say, Mr. Glasgow, that you were
21 going to be submitting something further for the
22 record in terms of detailing the dollar amounts for
23 the amenities? Is that what you said in the beginning?
24 I'm sorry.

25 MR. GLASGOW: Yes. Yes. That go with

NEAL R. GROSS

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

1 those specific programs.

2 CHAIRPERSON MITTEN: Okay.

3 VICE-CHAIRPERSON HOOD: Madam Chair, can
4 I just add? What is so important, I had a chance to
5 sit here and look at the letter from Councilman of
6 Ward 5. And he states in his last paragraph, and I'm
7 sure that you all have met with him, it says "that the
8 total amount of the package is \$170,000 to be divided
9 equally among community groups." And that's what it
10 says here in his letter dated July 24th. So that's
11 why we want to make sure we have clarification.

12 MR. GLASGOW: Okay. Because the ANC
13 motion says that it is divided. It's among those
14 groups. And I think the ANC will be here and be able
15 to address that. We have several of the commissioners
16 here.

17 VICE-CHAIRPERSON HOOD: Again, my own
18 concern was I just didn't want to create a problems.

19 MR. GLASGOW: That's where we want to be
20 on that, too, and that's why we spend time with the
21 community as to how this amenities package is dealt
22 with with the groups and the ANC sees that.

23 VICE-CHAIRPERSON HOOD: Thank you.

24 Thank you, Madam Chair.

25 CHAIRPERSON MITTEN: Thank you. And I

NEAL R. GROSS

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

1 would just like to stress as we often have to that
2 some of these are for discreet items that one could
3 say instead of making a contribution to buy band and
4 cheerleading uniforms and band instruments, that one
5 could say that by the time certificate of occupancy is
6 issued that there would be evidence that the things
7 had in fact been purchased. But some of these are
8 quite open ended, and that's not what we favor. So to
9 the extent that if you can, nail these down with
10 greater specificity. And it's not the act of making
11 the contribution, but the act of producing whatever it
12 is the good thing that is being sought; that's the
13 kind of amenity that we favor. I just want to
14 emphasize that, as we often do.

15 One of the things that just strikes me as
16 strange, and I don't know what explanation you might
17 be able to offer, is you can pick anyone of many
18 drawings to look at this on, but I'm just looking at
19 A-3.4, there is a public alley in the square that
20 looks like somehow it got marooned in there in the
21 middle of the square.

22 MR. GLASGOW: Yes.

23 CHAIRPERSON MITTEN: Can you explain how
24 that happened? Do you know?

25 MR. GLASGOW: We do not know the history

NEAL R. GROSS

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

1 of how that happened. You don't see that often in the
2 city, but it does occur. I've run into it, you know a
3 few times.

4 For instance, when I first started
5 practicing law about 30 years ago, DDOT and other
6 agencies didn't look at alley systems and the totality
7 and how they functioned the way they do now. And you
8 would see some strange things that would occur with
9 alley systems and other things.

10 CHAIRPERSON MITTEN: Well, if you could do
11 some research and report to the Commission how this
12 happened. Because I would just like to assure myself
13 that there isn't some easement lurking out there that
14 would give access to that section of alley.

15 MR. GLASGOW: It's not over this piece of
16 property, we know that. But we can --

17 CHAIRPERSON MITTEN: I don't mean to do
18 some dramatic --

19 MR. GLASGOW: Right. Did you want a title
20 report on our piece?

21 CHAIRPERSON MITTEN: If you represent to
22 us that there's no easement over the subject property,
23 then I assume that that's an accurate representation.

24 MR. GLASGOW: Right. Okay. And so I want
25 to make sure that we're responding to what it is that

NEAL R. GROSS

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

1 you're looking for. It's just what the --

2 CHAIRPERSON MITTEN: I understand that
3 there is in fact no access to that section of alley
4 from any public right of way.

5 MR. GLASGOW: Right. We'll confirm that,
6 but that's our understanding.

7 CHAIRPERSON MITTEN: Okay. Okay. And
8 then you may have said this earlier when you were
9 talking to Mr. Hood about amenities, I'm sorry to skip
10 around, what's the applicant's position on the public
11 art at the moment?

12 MR. GLASGOW: When we went to the
13 community and talked to them about amenities and the
14 public art, the community said public art is not
15 something that we desire here at this location. We
16 have a lot of other needs and a lot of other issues to
17 address in the community, and we would like for you to
18 take that funding and use it for other purposes. And
19 I asked Mr. Mamo about that, and he said of course,
20 that's fine.

21 CHAIRPERSON MITTEN: So that those dollars
22 will become part of the list that you will provide to
23 us?

24 MR. GLASGOW: Yes. That's what allowed us
25 to get to the \$110,000 is we took away the public art

NEAL R. GROSS

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

1 and we said okay, we'll devote those resources to the
2 amenity package.

3 CHAIRPERSON MITTEN: Okay. And then the
4 last thing I wanted to talk about is, and I can't tell
5 from looking at a site plan, how wide is the sidewalk
6 adjacent to the subject property post-development?

7 MR. BONSTRA: Is it something maybe Mr.
8 George can answer?

9 CHAIRPERSON MITTEN: I don't know. You
10 guys have to decide.

11 MR. BONSTRA: Okay.

12 MR. GEORGE: I read his drawing.

13 CHAIRPERSON MITTEN: You need to have a
14 microphone if you're going to speak.

15 MR. GEORGE: Right. I think I saw from
16 your drawings along North Capitol Street it's 8 feet.

17 MR. GLASGOW: Yes, we'll scale the
18 drawing. I think along North Capitol Street we
19 followed the sidewalk width of the properties to the
20 north.

21 CHAIRPERSON MITTEN: Right. I saw what was
22 done. I'm interested in the width of the sidewalk.

23 MR. GLASGOW: Right. Right.

24 MR. BONSTRA: I would say I think the --

25 CHAIRPERSON MITTEN: I need you on a

NEAL R. GROSS

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

1 microphone. I'm being like a terrible disciplinarian
2 this evening, but --

3 MR. BONSTRA: I'd be happy to confirm that
4 for you, but typically the tree boxes are 4 feet and
5 from the looks of it that the sidewalk is 8 feet.
6 Eight feet and 4 feet, a total of 12 feet from
7 sidewalk at the tree box to the curb.

8 CHAIRPERSON MITTEN: Well, I hope you will
9 confirm that because it doesn't look that way. And I
10 say that by taking a little just -- you know, holding
11 my fingers out for a measurement that's showing as 11
12 feet.

13 MR. BONSTRA: Yes.

14 CHAIRPERSON MITTEN: And putting that
15 against the entire sidewalk including the tree box.

16 MR. GLASGOW: I see what she's doing, yes.

17 CHAIRPERSON MITTEN: and it doesn't look
18 that way.

19 MR. BONSTRA: I'm actually getting -- it's
20 ten feet. It looks like ten feet. I apologize.
21 Again, I don't have the right scale and these --

22 MR. GLASGOW: We will submit that for the
23 record, Madam Chair.

24 CHAIRPERSON MITTEN: Okay.

25 MR. GLASGOW: At least from what I'm

NEAL R. GROSS

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

1 understanding from the architect he thinks that it's
2 10 feet from the base of curb to the area known as
3 parking along North Capitol Street. And then for
4 those areas where the tree box, normally a tree box is
5 4 feet. And we'll confirm that the tree box on this is
6 4 feet. And so that would be 6 feet clear around the
7 tree box and then it goes out to 10.

8 CHAIRPERSON MITTEN: Okay. Let me just
9 make sure that I'm expressing what I'm interested in.

10 MR. GLASGOW: Right.

11 CHAIRPERSON MITTEN: And I don't
12 miscommunicate because I'm not using the right
13 terminology. But when I look on A-3.4, which is what
14 you were measuring, the area that's white, so that's
15 where someone would actually be able to walk, is what
16 I'm interested in.

17 MR. GLASGOW: Yes.

18 CHAIRPERSON MITTEN: Okay. And the reason
19 why I raise this is because I understand why you took
20 the approach that you did in terms of putting quite a
21 lot of stuff, I mean stairs and planters and so on, in
22 the public right of way because that's what's done
23 adjacent, but it's a very narrow sidewalk. And it's
24 at a spot where I would think part of what we would be
25 striving to do is to give people -- you know, it's a

NEAL R. GROSS

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

1 very narrow sidewalk on Florida Avenue, a narrow
2 sidewalk on North Capitol Street. Almost too narrow.
3 And when you get to the circle you should have the
4 sense that it opens up so that if we have a sidewalk
5 that's already contained, we shouldn't say well it's
6 the same as it is everywhere else. We should really
7 try and ease it up there. So I'm concerned about that
8 as you come around the corner.

9 So if you could measure that and then also
10 if you could report to us what DDOT standards are for
11 sidewalks when people, for instance, make requests for
12 sidewalk cafes. I know they have certain widths that
13 must be maintained.

14 MR. GLASGOW: Yes.

15 CHAIRPERSON MITTEN: And maybe, not to
16 belabor it, but I do want to just say that I
17 appreciate the discussion that my colleagues,
18 Commissioner Parsons and Commissioner Jeffries, had
19 with you about the design. And just so you don't
20 think it's just a couple of folks, I share the
21 concern. I'm glad you guys were able to articulate
22 it. Mr. Hood mentioned some things, too, in asking
23 questions about what's going on on the roof. So I
24 hope you give the comments serious consideration.

25 Anyone else on follow up? Anything?

NEAL R. GROSS

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

1 VICE-CHAIRPERSON HOOD: Madam Chair, I
2 just have one quick. I was looking at the submittal
3 also from the single member district, ANC Commissioner
4 Mr. James Barry and he mentioned that you all have --
5 I don't know if you had entered into an agreement or
6 proposal about the development and construction
7 management plan. Is that still up for discussion or --
8 because I didn't see it nowhere but in his letter,
9 unless I missed it in your package.

10 MR. GLASGOW: No. No, it is not been in
11 the package because that was something that we were
12 going to discuss in more detail with him later. But--

13 VICE-CHAIRPERSON HOOD: So that's still on
14 the table?

15 MR. GLASGOW: Yes.

16 VICE-CHAIRPERSON HOOD: I'm encouraged.
17 Hopefully, that will come to fruition.

18 Thank you, Madam Chair.

19 MR. BONSTRA: Yes. We didn't get a copy of
20 that letter, I guess.

21 VICE-CHAIRPERSON HOOD: You didn't get it?

22 MR. GLASGOW: We didn't get a copy of that
23 letter.

24 MS. SCHELLIN: It just came by fax about
25 5:00 this afternoon.

NEAL R. GROSS

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

1 MR. GLASGOW: All right. We'll need to see
2 a copy of the letter. But we have not had any
3 objection to a construction management agreement per
4 se. I mean, we've done them in other cases. So we can
5 submit something for the record on that.

6 VICE-CHAIRPERSON HOOD: Okay. Good. Thank
7 you.

8 Thank you, Madam Chair.

9 CHAIRPERSON MITTEN: Thank you, Mr. Hood.

10 Is there anyone here representing ANC 5C?
11 Who is representing the ANC? Okay. I'm going to
12 trust whoever --

13 PARTICIPANT: It's his single member
14 district.

15 CHAIRPERSON MITTEN: Okay. Who is
16 Commissioner -- well I know neither of you is
17 Commissioner Branham. There's nobody designated to
18 represent the ANC, so is the Chair present? Okay.
19 Well then I'll just withdraw my question. It's going
20 to open for cross examination, but I doubt that we
21 have to go there.

22 Okay. Thank you.

23 I think we're good. Thank you, Mr.
24 Glasgow.

25 MR. GLASGOW: Fine.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: Now we're for the
2 report by the Office of Planning.

3 MS. THOMAS: Good evening, Madam Chairman,
4 members of the Commission.

5 On the proposal before us the Office of
6 Planning concluded that it confirms to the generalized
7 nonuse map and comprehensive plan objectives for the
8 area and believe this project would help stimulate the
9 revitalization of the North Capitol Street corridor.

10 Our recommendation of approval is based on
11 the applicant's applications satisfaction of the
12 standards of allowing for a PUD in the zone
13 regulations. And this is detailed in our report.

14 We believe the project's design and
15 architecture represents a respectable transition
16 between potential development to the east of the site
17 and the residential neighborhood to the north and
18 west.

19 Overall, OP is satisfied with the context
20 and design the proposed structure. The area near the
21 New York Avenue Metro Station is under transition and
22 there are a number of projects in the vicinity of the
23 subject site.

24 As an infill development it will provide
25 a strong physical identity at this neglected

NEAL R. GROSS

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

1 intersection and would, in fact, further the
2 neighborhood and commercial and residential
3 redevelopment along both corridors. Therefore, we
4 support the proposed PUD as not inconsistent with the
5 elements of the comp plan and OP recommends the
6 application be approved with the conditions of relying
7 on DDOT with respect to the restriction of deliveries
8 of nonpeak period.

9 Thank you.

10 CHAIRPERSON MITTEN: Thank you, Ms.
11 Thomas.

12 Questions for Ms. Thomas? Anybody have any
13 questions?

14 Mr. Glasgow, any questions?

15 MR. GLASGOW: No questions.

16 CHAIRPERSON MITTEN: Okay. Just want to
17 perhaps follow up. Do you have any concerns about the
18 width of the sidewalk that I was inquiring about?

19 MS. THOMAS: We did not see any concerns
20 with it. We believe DDOT would have raised those
21 concerns if it didn't conform to their standards.

22 CHAIRPERSON MITTEN: Okay. I don't think
23 there's anyone here from DDOT, but if there is raise
24 your hand and we want to hear from DDOT. Okay.

25 Then I would just note that we have their

NEAL R. GROSS

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

1 report in the record as an attachment to the Office of
2 Planning report.

3 Now normally at this time I would call for
4 the designated representative from the ANC to come
5 forward, but there is no designated representative
6 from the ANC. And I would also say, and we'll leave
7 the record open, is that the resolution that was
8 submitted doesn't meet the requirements to get great
9 weight. So we would like if the ANC would craft a
10 letter that would confirm to the requirements to meet
11 great weight, we would be happy to receive that into
12 the record.

13 I do know that we have a couple of folks
14 here that are on the ANC and could represent
15 themselves as single member district commissioners.
16 And so we would invite you to come forward when
17 individuals are called forward to testify.

18 But I would note that we do have a
19 resolution from the ANC in support. It's just not
20 composed in a way to meet great weight at the moment.

21 So now I will move to organizations and
22 persons in support, and I'll use my witness list. And
23 then anyone who didn't sign up, we'll pick you up on
24 the back end.

25 Mr. Reineke from Eckington Civic

NEAL R. GROSS

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

1 Association?

2 I'll call Kellee Baker, who is two lines
3 forward on the proponent's side.

4 Mr. Fulton?

5 Could you guys have a seat back and we can
6 fill out the table?

7 And Debbie Smith?

8 Mr. Reineke, why don't you go first?

9 MR. REINEKE: Good evening. My name is
10 Steve Reineke and I represent the Eckington Civic
11 Association. I'm a co-chairman of our economic
12 development committee and I'm the former manager of
13 the North Capitol Main Street program. So I've spent
14 a lot of time in and around here. I live a block from
15 the site. I've spent a good deal of time with the
16 community and with neighbors, small businesses in the
17 area over the last about four years discussing what
18 the future of the site would be. So I'm very pleased
19 so that we're actually getting to a point where it
20 will be developed.

21 When we looked at as a community at the
22 Eckington Civic Association when they first presented
23 the plans to us there were some issues we had with the
24 design. We did ask the developer to go ahead and take
25 our views into consideration. They did go back to the

NEAL R. GROSS

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

1 drawing board, so to speak, and came back with this
2 plan. You know, frankly speaking it is relatively
3 large compared to the buildings around it, but you're
4 also looking at a vacant lot that's been such for many
5 years and blight in the community and has attracted a
6 number of pretty, let's say, inappropriate uses for
7 the site.

8 What we are seeing around the area is a
9 major increase in sort of office space, that kind of
10 use, which is a 9:00 to 5:00 use. We'd like to see
11 residential and what is being presented as residential
12 and some commercial is acceptable to our civic
13 association. It's consistent with sort of our
14 commercial goals for the corridor and North Capitol
15 Street and Florida Avenue.

16 Having said that, we would have probably
17 liked to see a little more retail space and get a good
18 definition of what would actually be going in there.
19 Right now we have a preponderance of liquor stores and
20 fast food restaurants, and that's the kind of thing
21 that we would like to move away from in the future.

22 Looking at the amenities package, what we
23 think was a generous offer, we feel that it would have
24 probably been better if we had an amenities package
25 that was going to be dedicated to the North Capitol

NEAL R. GROSS

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

1 Street/Florida Avenue corridor, something like what
2 we're calling a green patrol or a green team where we
3 work with area homeless to clean up the street to try
4 and make it presentable, trying to engage some of the
5 community residents in sort of taking the corridor to
6 improve it. So I'm happy to see that there's going to
7 be a good deal of money going to the North Capitol
8 Street BID. I'm not sure about the sustainability of
9 the BID. This is a new concept and would require a
10 number of retailers to pitch in on a regular basis to
11 maintain and sustain such an entity. But having said
12 that, we are pleased, like I said, to have it coming
13 to North Capitol Street and Florida.

14 And that concludes my testimony.

15 CHAIRPERSON MITTEN: Thank you.

16 We'll have testimony from the entire panel
17 and then we'll do questions.

18 Ms. Baker?

19 MS. BAKER: Good evening.

20 I have the 12 copies of my -- I have an
21 exhibit, and do I need to give that to you?

22 CHAIRPERSON MITTEN: Yes. If you hand
23 that up to Ms. Schellin and she'll pass it out.

24 MS. BAKER: Okay. I would like to read
25 from my exhibit.

NEAL R. GROSS

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

1 I do support the zoning --

2 CHAIRPERSON MITTEN: Could you just
3 identify yourself for the record?

4 MS. BAKER: Okay. I am Kellee Baker. I
5 own 29 Florida Avenue, which is three lots away from
6 the proposed project.

7 And I support the zoning map amendment
8 from C-2-A to C-2-B. And the mixed use development
9 and the retail. The reasoning is because the
10 development will added a much needed anchor or gateway
11 to the Bloomingdale Truxton Circle community.

12 I do oppose the 84 parking spaces. And my
13 reasoning is with 65 to 85 apartment units and retail,
14 84 parking spaces is not sufficient. Failing to supply
15 sufficient parking for the project will result in an
16 extreme overflow of parking onto the streets where
17 parking is already sparse.

18 Two major businesses, CityDwellers LLC,
19 which is my real estate brokerage located three lots
20 away and Soul Day Spa Salon located one block away are
21 one lot away will be severely affected by the lack of
22 parking. There is no parking on the main roadway,
23 Florida Avenue, and there is no close parking on North
24 Capitol Street which is extremely limited during
25 business hours anyway.

NEAL R. GROSS

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

1 Q Street and Quincy Place being one way
2 streets are very awkward to access. These two streets
3 will likely be the overflow streets from the
4 development which are often full for residents and
5 very limited during business hours, especially during
6 street cleaning days.

7 Properties on Florida Avenue are
8 landlocked with no parking in the back. So owners of
9 businesses who need to park for more than two hours
10 may find it hard to park.

11 Finally, with the Metro train station
12 three blocks away, more residents and nonresidents are
13 leaving their cars parked on the streets during the
14 day resulting in diminished parking.

15 I request 125 to 150 spaces with 40 to 50
16 spaces available to the public.

17 Thank you.

18 CHAIRPERSON MITTEN: Thank you.

19 Mr. Fulton?

20 COMMISSIONER FULTON: Good evening. My
21 name is Tom Fulton. I am the ANC representative single
22 member district 5-C-03. And thank you so much for
23 hearing our testimony this evening.

24 I am, of course, giving full support on
25 behalf of the proposal that's before you. The

NEAL R. GROSS

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

1 proposal that's planned, the owner occupied
2 residential as well as the retail proposal, we are
3 very pleased with the design, the size, the scope,
4 location of this project. This area has been
5 particularly distressed and neglected for many, many
6 years. The project will help revitalize my
7 neighborhood. My neighbors both long time as well as
8 new time residents which I ran on a campaign to bridge
9 that sometimes difficult gap, are very, very
10 supportive of this. This area has been particularly
11 neglected and blighted. In fact, it's very much near
12 a hot spot in terms of illegal activity. This is
13 incredibly exciting to the neighborhood,
14 overwhelmingly supported by many, many people.
15 Certainly not unanimously, but overwhelmingly
16 supported by the constituents that I've talked with.

17 I've had at least two community meetings
18 where the representative/owner as well as his staff
19 have come out and talked with the community, made
20 presentations, made specific changes that are more
21 responsive to the things that came up within the
22 community meetings. And I'm pleased with where we're
23 at this point. I particularly on a personal level
24 liked the design as it is, but what do I know? I'm
25 from California originally.

NEAL R. GROSS

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

1 Just a little bit of a joke.

2 Particularly we're pleased with this
3 development because it will help with the
4 strengthening of the city tax base, demonstrate good
5 citizenship and provide a ready made customer base for
6 EC12, a planned restaurant that was recently -- is
7 recently moving forward without creating any
8 residential displacement, which we all know within the
9 city is a great concern.

10 So, therefore, I would ask for your
11 support in please approving this proposal before you.

12 CHAIRPERSON MITTEN: Thank you,
13 Commissioner Fulton.

14 Ms. Smith?

15 COMMISSIONER. SMITH: Good evening. My
16 name is Commissioner Debbie Smith. I am the co-chair
17 of economic development for ANC 5C. And the sentiments
18 within the community has basically been what Tom
19 Fulton has stated clearly, that the community is
20 embracing this type of a project only because that
21 that particular part of the Ward has been totally
22 neglected and everything that has been happening in
23 that particular part of the Ward, this type of project
24 will definitely give it a jump start that it needs.

25 Currently as Mr. Steve Reineke had

NEAL R. GROSS

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

1 articulated, that since that used to be a gasoline
2 station and across the street there are retail
3 outlets, I believe that the sentiment in the community
4 is that the existing retail that is there, with a
5 project like this it will cause them to try to
6 maximize their current situation that will have their
7 facades changed to let them know that there is a
8 change coming in their community and it's a positive
9 change. Right now what is happening is that it's just
10 a complacency that the community has grown tired of
11 and that they actually realize that something like
12 this including EC12 is needed in order for us to have
13 a middle class coacher and mindset that says that we
14 are inviting and we want an open community that is
15 going to have retail as well as homes for middle
16 fluent people.

17 Now on the other side is that a lot of
18 community residents are very apprehensive about the
19 project because of the change. And it's a change
20 that's not being somewhat embraced because of their
21 complacency and wanting to live in the past as far as,
22 I don't want to say downtrodden, but living in the
23 past of not having or not being used to a different
24 quality of life. However, we need to be mindful that
25 if we're moving forward in our communities, that we

NEAL R. GROSS

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

1 have to assist people with a mindset change to let
2 them know that a community that wants quality is going
3 to have to accept change. And something like this
4 including EC12 will assist us in that direction.

5 Thank you.

6 CHAIRPERSON MITTEN: Thank you,
7 Commissioner Smith.

8 Questions from the Commission for the
9 panel? Any questions?

10 VICE-CHAIRPERSON HOOD: Just a quick
11 question for Ms. Baker.

12 CHAIRPERSON MITTEN: Yes.

13 VICE-CHAIRPERSON HOOD: Ms. Baker, on
14 Quincy Place/Q Street just a quick question. Quincy
15 Place/Q Street, is there zoned parking at this point?

16 MS. BAKER: No.

17 VICE-CHAIRPERSON HOOD: Okay. Thank you.
18 Thank you, Madam Chair.

19 CHAIRPERSON MITTEN: Thank you, Mr. Hood.
20 Thanks to the panel for coming down this
21 evening.

22 I have Nicole Cober.

23 And I'd ask anyone else who would like to
24 testify in support to come forward at this time.

25 Okay. Ms. Cober, go ahead.

NEAL R. GROSS

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

1 MS. COBER: Good evening, everyone. My
2 name is Nicole Cober.

3 CHAIRPERSON MITTEN: Use the one on the
4 table. Just pull it close. Oh, you want to get up?

5 MS. COBER: Yes.

6 CHAIRPERSON MITTEN: Oh, okay. There's
7 two buttons. Make sure they're both in the on
8 position.

9 MS. COBER: Yes. They are.

10 My name is Nicole Cober. And I just
11 wanted to point out for a point of reference that the
12 building that everyone has been referencing, this is
13 my business. I am the owner of 25 Florida Avenue,
14 Northwest. And it currently occupies a business,
15 retail business, a very strong retail business called
16 Soul Day Spa and Salon.

17 And I am here in support of Mr. Mamo. He
18 and I have been very friendly throughout the process.
19 Currently it is used for parking, and I think that
20 that is one of, if not my single most pressing concern
21 this evening is that we have -- my business has been
22 in this area. We made a conscious decision, my
23 partners and I, to come into an area that has been
24 under served in the community and put in an upscale.
25 retail business. We are charter members in that

NEAL R. GROSS

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

1 regard. Soul Day Spa has been in business nearly four
2 years. We have brought a wealth of different clientele
3 who would never have come to that area in the first
4 place because of our commitment to service.

5 We have been featured on national news
6 stations such as CBS Morning News for our work in the
7 community with Rachel's Womens Center. We have been
8 placed on different programs for our quality of
9 services.

10 And we have worked very hard in that
11 regard. My concern is that we just would like to
12 coexist. We are a small business. We would like to
13 coexist and we are definitely in support of change.
14 We are on the front lines everyday as a small
15 business, women predominantly facing the issues of
16 crime, facing the issues of loitering, trash and the
17 like. And we do so single handedly. And I do believe
18 in partnership with Mr. Mamo, I am very supportive of
19 the property. But I would like to just address the
20 concerns that Ms. Baker said, which is parking.

21 I would request that there be attention
22 paid to expanded parking. I would also like to see
23 what the response with the DDOT is about their intent
24 on curbside parking because that would alleviate, I'm
25 sure, some of the residents and commercial tenants'

NEAL R. GROSS

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

1 concerns about parking and the viability of their
2 businesses.

3 Also the size of the business, again, I
4 would piggyback on some of the members who talked
5 about the upper most level. It's nearly triple the
6 size of the space and just is that a necessity or is
7 there something that can be modified about that.
8 Because currently my business, there is nothing that
9 occupies that. So I'm going to be substantially
10 impacted if not, I use the word "eclipsed" by the use
11 of this property. And I do think that I would like
12 some of the resources just to be paid attention to in
13 that regard.

14 I can also attest to the fact that the
15 curve is a very narrow curve. I would error on the
16 side of saying that it's closer to 8 feet because we
17 do have a large walkway where my staircase is, but
18 there is only enough passing lane for one person on
19 the side of that. So I would also like just to
20 emphasis that that is something that I believe should
21 be paid attention to.

22 So in short, I am definitely in support of
23 change coming. I really feel that we were one of the
24 trailblazers to bring other businesses into the
25 community. But I would like just for the panel to

NEAL R. GROSS

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

1 support coexistent with the existing businesses and
2 residents, not eclipsing the current businesses.

3 Thank you.

4 CHAIRPERSON MITTEN: Thank you, Ms. Cober.

5 Ms. Isaac, you want to go next?

6 MS. ISAAC: Thank you, Madam Chair and
7 members of the Commission. I will be very brief
8 because my voice will not hold out very long.

9 I'm Eartha Isaac, President of the
10 Eckington Civic Association. And you heard from my
11 colleague, Steven Reineke, who co-chairs our economic
12 development committee.

13 Although we haven't taken a vote as an
14 association, we're generally in support of the
15 concept. And this is something that we have been
16 wanting to happen on one of those corners at North
17 Capitol Street and Florida Avenue for at least the
18 last five years that I can attest to and longer for
19 other residents.

20 We have a problem there because we have,
21 as Ms. Cober indicated, what we might call quality of
22 life crimes that occur continuously all day every day
23 in the adjacent pocket part and also some people make
24 use of Mr. Mamo's property for various things.

25 We think that having a primarily

NEAL R. GROSS

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

1 residential but of course it is a mixed use of
2 facility there will change the character of what
3 happens, not just at that corner, but combined with
4 EC12, the restaurant that we're hoping will come on
5 board pretty soon at the old fire station. We see
6 those two as being really sort of the linchpins that
7 will help to spur some neighborhood friendly
8 development along North Capitol Street. We don't have
9 a great street program. We don't have anything. We
10 really have in the west end of the Ward been left out
11 of development.

12 We are about to embark on a planning
13 process for a small area development plan. And that
14 building, that residential building in addition to
15 EC12 will greatly help us in that process. Because
16 having retail there at such an important corner and
17 then having a restaurant, a sit down restaurant just
18 a few doors away, will allow us to be able to look at
19 what are the other services that could be filled in in
20 order to provide the kind of neighborhood friendly
21 retail and perhaps other residential use that would
22 change the character of -- and I'll just speak for the
23 Eckington part -- of that part of the corridor.

24 We do have a special interest, as Mr.
25 Reineke said, in mirroring what has happened along the

NEAL R. GROSS

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

1 14th and new corridor with the green team. And we
2 understand that the amenities package will be reshaped
3 in order to address that. Because we think that will
4 also help as far as cleanliness, safety and so forth,
5 and that will be also a bonus in helping to change the
6 character or of that corner.

7 Thank you for listening to my comments.

8 CHAIRPERSON MITTEN: Thank you.

9 Mr. Barry?

10 MR. BARRY: Good evening.

11 CHAIRPERSON MITTEN: Hello. Good to see
12 you.

13 COMMISSIONER BARRY: Members of the Board.
14 My name is James Barry. I represent a single member
15 district 5C-01 on ANC 5C.

16 I wanted to begin by thanking Mr. Mamo for
17 his interest in this project in our area and also
18 associating myself with the remarks of nearly everyone
19 who've spoken in support of the project.

20 I wanted to say parenthetically that ANC
21 5C met on June 20th at Catholic University to
22 formally consider this issue. A core of us present
23 and voting at the time of the decision was made and
24 timely and appropriate notice was given to the public
25 as to the time, location and the date of the meeting,

NEAL R. GROSS

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

1 Mr. Mamo's proposal received a unanimous support from
2 our Commission at that time.

3 I mention that also to indicate that at
4 that meeting I asked Mr. Mamo's representative, I
5 believe, to submit to us a draft construction
6 management/development or management plan. And the
7 reason I submitted a draft of my own today was because
8 I didn't see one -- I didn't receive one in advance of
9 this meeting. In fact, I sent a copy of this proposal
10 last night to Mr. Mamo's agent. I'm unclear as to why
11 they didn't receive it.

12 Let me also say that I want to express my
13 unqualified support for Ms. Cober and Ms. Baker and
14 the concerns that they raised with respect to parking.
15 I'm sure that some of it can be worked out through the
16 Department of Transportation's analysis. But I do so
17 because they invest in our community during lean years
18 when a lot of folks would not come. And I think that
19 when developments of this size and scope come into a
20 community like this, there should be a certain amount
21 of protection afforded to those that preexist so that
22 they can survive and flourish. And I think it is
23 entirely reasonable and appropriate for her to
24 suggest, you know, sort of a peaceful coexistence.

25 I also want to comment briefly on the so

NEAL R. GROSS

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

1 called, what is it, the green team? It's called by
2 several names, Community Investment, it was Community
3 BID, Community Investment Improvement District,
4 however you want to call it. I want to support that
5 concept. And Mr. Reineke indicated he didn't know how
6 that project would be sustained. Well, the proposal
7 that we made to -- or the projects that we made to Mr.
8 Mamo was that if he made a contribution to that fund,
9 that the community would accept the challenge of
10 finding funds to sustain it. It seemed to us that if
11 that project is going to work, it's something that
12 we're all going to have to pitch in to help work along
13 with the merchants who helped to encourage to
14 participate along the way.

15 So we're going to be actively and
16 diligently supporting.

17 I want to kind of, if I may, draw your
18 attention briefly to this --

19 CHAIRPERSON MITTEN: As long as it's your
20 closing thought.

21 COMMISSIONER BARRY: Yes. Okay.

22 In closing, in terms of development and
23 construction plan, I just want to say that more often
24 than not where these developments take place in
25 communities, the kinds of jobs that are talked about

NEAL R. GROSS

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

1 are construction and labor jobs. And, you know, one
2 of the things that we want to include in this project
3 was that the developer purchase services from
4 indigenous businesses both in our area and work five
5 days, a pool of professional talent in our community
6 that has to go to Fairfax and other places to find
7 work. We don't see any reason why they can't work in
8 the neighborhood on projects that are in the city.

9 And so that's just, you know, another
10 plum, without any disrespect to those electricians,
11 but we want architects and lawyers and others to be a
12 part of this process as well.

13 Thank you.

14 CHAIRPERSON MITTEN: Thank you,
15 Commissioner Barry.

16 Commissioner Phillips?

17 COMMISSIONER PHILLIPS: Yes, ma'am.

18 CHAIRPERSON MITTEN: Would you turn on
19 your microphone for me?

20 COMMISSIONER PHILLIPS: Thank you very
21 much to the illustrious panel and Madam Chair.

22 Marshall Phillips, ANC Commissioner 5C-08,
23 Vice Chairman of 5C.

24 I could say for the past 16 years that
25 I've been a Commissioner I never ever seen a

NEAL R. GROSS

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

1 development come before us that we didn't find
2 something wrong with it. But I applaud Mr. Mamo and
3 the Mamo project and my illustrious colleagues here.
4 And I'm in agreement with everybody on this,
5 favorably, that we voted with the presentation of the
6 Mamo project. I haven't seen any project that has
7 been perfect other than the pyramid that was
8 constructed. But this site that we're talking about
9 right now I am also in the wintertime, I am a
10 hyperthermia supervisor. We have lots of calls over
11 the years from that corner, police calls outrageously
12 that we pick up, ambulance calls, drugs and so forth
13 are inhabited, it's infested in that area. This
14 project would be an asset to that area. It would be
15 -- there has been a lot of murders and so forth that
16 have taken place.

17 Now as far as the amenities project with
18 the -- I think it's the green project or whatever that
19 is, as you can see that with the schools that Mr. Mamo
20 and his developers have said that they're going to
21 deal with, surely I would think to keep those schools
22 in mind for their libraries. Because we can see and
23 know that the schools now are in desperate need. We
24 have projects that are facing our ANC right now that's
25 coming behind this Mamo project. We should not put it

NEAL R. GROSS

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

1 all on this Mamo project to say to keep that corridor
2 clean. Because we have FAirfield and another
3 projects.

4 We have the city that when Mr. Barry said
5 about jobs, that can come from downtown and expend
6 those jobs to projects such on North Capitol Street as
7 that is a gateway. But as one Senator that I so
8 happened to be -- a Congressman that I so happened to
9 be one of the host at his funeral, Arthur Fletcher
10 said, when you're dealing with these children a mind
11 is a terrible thing to waste. That little money that
12 is proposed can go into schools for libraries, for
13 projects going outside of the school. Not just for
14 someone said uniforms, but something that can relish
15 the thought; music, that music is no longer in there.
16 School projects of them going to the museums, you
17 know, buses cost. They have to pay for buses now. So
18 with that right there I would say in my closing
19 argument, if not this Mamo project, if not this, then
20 what other? Because the city is thinking of a whole
21 lot of things that they can put in, and now you know
22 that they're looking for some place to put a jail.
23 Could you imagine an annex right there for the jail?

24 So if we've got something like this going,
25 please, I would ask you and consider this project, and

NEAL R. GROSS

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

1 I'll pass it.

2 Thank you very much.

3 CHAIRPERSON MITTEN: Thank you,
4 Commissioner Phillips?

5 Questions from the panel? Any questions?

6 Thank you all. I do have to comment that
7 I don't remember another case where we've had four
8 single member district representatives come down and
9 testify and agree with each other. So this is good.
10 Thank you.

11 Anyone else who would like to testify in
12 support?

13 MR. SLATER: Hi. My name is Art Slater,
14 and I'm Chair of the Fifth District Citizen's Advisory
15 Council. And I'm here just to speak briefly.

16 The Fifth District Citizen's Advisory
17 Council is under the co-leadership of the Commander
18 Jennifer Green and myself as Chair, along with the
19 Council. As with the other six police district
20 councils, 5 DCAC is a confederation of police service
21 areas. In the fifth district there are five PSAs.

22 The CAC inasmuch as it is concerned with
23 public safety and that perspective of all proposed
24 development projects, supports this development seeing
25 that its current design and height is more in keeping

NEAL R. GROSS

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

1 with the wishes of the surrounding community and that
2 the economic benefits that it can generate are
3 expected to have an overall improvement on the
4 character of this intersection. However, the
5 development does have future public safety
6 implications.

7 The development, of course, is at North
8 Capitol Street and Florida Avenue. And as Commissioner
9 Phillips and other people have alluded to, the area
10 does have particular social and public safety
11 challenges. It has one of the densest daytime
12 populations, not in terms of businessmen and women in
13 three piece suits, but of clients of service providers
14 in businesses that cater to lower income residents, as
15 well as motorists who use the two main arterials as
16 gateway routes in and out of the city.

17 Among the institutions and establishments
18 that are in that area are APRA, which is the Addiction
19 Prevention and Recovery Administration, SOME So Others
20 Might Eat, Emery Shelter, liquor stores, gas stations,
21 fast food establishments and curbside food providers
22 that provide food for the homeless.

23 This area has also been home to persistent
24 drug activity and is a strategic location in the area
25 hot spots around the vicinity.

NEAL R. GROSS

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

1 Add to the mix middle and upper middle
2 class residents, the advent of the sitdown restaurant,
3 the impending construction of the ATF building and
4 other development in Eckington as was alluded to by
5 Ms. Isaac, and you have a recipe for a haphazard
6 experiment in social integration.

7 The point here is that just because a
8 development takes place in a traditionally
9 underutilized area does not mean that the vision of
10 the local community groups and the future residents of
11 the development will simply fall into place. All of
12 these factors have serious public safety implication,
13 which is why the CAC needs to be involved in the
14 process.

15 PASA 501, which is the local part of the
16 police district that handles this area has police and
17 civilian facilitators that meet every month to try to
18 address problems that may crop up in a particular
19 area. However, the PSA structure doesn't have a
20 rigorous organizational structure or a means for
21 handling funds or a committee structure that is
22 capable of organizing people's time and expertise int
23 he community.

24 Should this PUD and application be
25 approved, it is incumbent upon future residents and

NEAL R. GROSS

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

1 current stakeholders to look at the public safety
2 ramifications of increased population density to
3 anticipate potential issues that may arise and to
4 determine how police, fire and other resources can be
5 best deployed to meet the future needs.

6 What the CAC envisions is commissioning a
7 study of that area and immediate vicinity to examine
8 the public safety impact of increased development in
9 the area and to propose suggestions about how the
10 additional density can be accommodated. Such a study
11 doesn't have to be limited to, but should include the
12 concentration of service providers in the area and how
13 they may effect and interact with increased density,
14 the geographic configuration of the area, lighting
15 patterns as they relate to public safety,
16 infrastructure issues, the kind and quality of public
17 transportation and the safety to and from using those
18 services, and the police staffing and deployment
19 requirements around that area that are going to be
20 needed when there's new development, new residents and
21 new businesses.

22 So the work product from such a study
23 would be recommendations about how having a new
24 development in that area is going to affect the use of
25 police services. So I hope the Commission would just

NEAL R. GROSS

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

1 keep that mind that there will be some public safety
2 ramifications of a new development.

3 Thank you.

4 CHAIRPERSON MITTEN: Thank you, Mr.
5 Slater.

6 When do you expect a study to be
7 completed?

8 MR. SLATER: Well, we'd like to look at it
9 as soon as or at the time at which this Commission,
10 this Board approves that study, approves this project.
11 Then we would take a look at what would be required.

12 If I may say this, just one other program
13 that we're looking at, and that was establishing a
14 block captain program in and around that area that
15 would help disseminate information among area
16 residents, make sure that they're working with
17 businesses, the police and community groups to
18 streamline public safety and make sure that there's a
19 coordinated effort to keep people safe, and especially
20 new residents as they come into the area and
21 businesses.

22 CHAIRPERSON MITTEN: Sounds like you're
23 being very thoughtful and we look forward to you
24 visiting with us again as we have more developments
25 coming to us.

NEAL R. GROSS

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

1 MR. SLATER: Thank you.

2 CHAIRPERSON MITTEN: Thank you.

3 Anyone else have any other question?

4 Thanks.

5 Okay. Last call. Anyone who would like
6 to testify in support? Okay. Then I have one person
7 on the list who would like to testify in opposition.
8 Mr. Clark. And anyone else who would like to testify
9 can come forward now in opposition.

10 Don't forget to turn your cards in when
11 you done there, Mr. Clark.

12 We're keeping you busy lately. Please go
13 ahead.

14 MR. CLARK: My name is Michael Clark. I'm
15 the President of the Edgewood Civic Association. And
16 I'm here, and thank you for this meeting, this hearing
17 tonight, Madam Chair and all the members here.

18 I'm here in opposition in part. I see that
19 this area is much needed for an improvement. I live in
20 the area. I travel there everyday. My children go to
21 school in the area. So I'm very well aware of the
22 area. My concern is a few concerns.

23 One is the amenity package that's being
24 offered.

25 Two is parking and three is traffic.

NEAL R. GROSS

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

1 And I guess the fourth one would be public
2 safety. Because that is a major route for buses
3 traveling on North Capitol Street and Florida Avenue.
4 The bus stands were torn down. The seats were taken
5 away so that people have to stand there.

6 The amenities package, number one. My
7 concerns with the amenity package, as President of the
8 Edgewood Civic Association I just received an email
9 and a call last night concerning participating in the
10 amenities package. I had no idea, scope of the
11 project, what was being offered. But somehow I was
12 supposed to come up with what my civic association
13 would like to have from the amenities package. And,
14 you know, this is the second project I've seen that
15 that amenities is just thrown out to the community and
16 we're supposed to jump at it and go for it.

17 So my concern is, is we talk about
18 community here. Is the whole community involved in
19 this? The constituents that we represent, maybe some
20 of them would like to move into this apartment
21 project, but I have no word or no testimony about
22 affordable housing. Is there going to be any
23 affordable housing at all offered in this project
24 since we're asking the Board to make a change in the
25 zoning law, but what are we asking as far as the

NEAL R. GROSS

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

1 people that live in the community have an opportunity
2 to partake in this project.

3 Traffic. See from Fairfield to Florida
4 Avenue and now we're looking at North Capitol Street
5 and Florida Avenue. With this project traffic is
6 horrendous. And is it -- you know, from me from
7 listening to the traffic study here is greatly flawed.
8 Trucks backing in, trucks getting in there, moving
9 vans, delivery trucks. And the people who are waiting
10 there at that bus station, are they going to trickle
11 over? Is there going to be a fenced in security so
12 they don't come up on on the lane and wait on their
13 property while they're waiting for the bus? Since
14 there is, are we going to move the bus stop? These
15 are things that the constituents of my community are
16 concerned about and worried about and wondering what
17 is really going to happen at this intersection here.

18 We want to see businesses. I want to see
19 North Capitol Street be revived. I think the change
20 is great. But I think that we got to encompass all
21 the members of the community to get involved and be a
22 part of this so they all can see that it's a benefit
23 for everyone in the community not just a select few in
24 the community.

25 The traffic, the parking. Again, 84

NEAL R. GROSS

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

1 spaces seemed to be way low than what's really needed
2 for that community since there's really no parking on
3 North Capitol Street. We're seeing a new restaurant,
4 EC12 coming in. And, you know, there's not going to
5 be any parking for that. So we see the increase in
6 traffic in our community. We see the increase of
7 commuters coming to-and-fro and everybody's not taking
8 the subway. That's be realistic about it. If you're
9 planning 84 parking spaces, everybody's not going to
10 catch the subway. Fairfield's planning 635 units all
11 these parking spaces. Everybody's not going to take
12 the subway.

13 So we see an increase in traffic, truck
14 traffic, delivery traffic and, you know, how are we
15 going to handle this? And I think that the Department
16 of Planning to take a very serious hard look at it and
17 Department of Transportation. If we're plotting all
18 these complexes in these communities now, but how are
19 they affecting the community, the life of the
20 residents who have been there for 15, 20, 30, 40
21 years? We decided they may just move out because they
22 can't put up with the traffic and the congestion any
23 longer.

24 So I just -- for us in our community, my
25 constituents, these are the areas that we have a great

NEAL R. GROSS

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

1 concern about. And that's my opposition. I'm not
2 against change and moving forward with this project.
3 I do think that it is -- the height of it may be a
4 little bit too high and the institutional look on the
5 front, some design problem. But as far as moving
6 forward with changing North Capitol Street, we're all
7 for it. But we think we should take a serious look at
8 it that it benefits all the members of the community.

9 Thank you.

10 CHAIRPERSON MITTEN: Thank you, Mr. Clark.

11 Sir?

12 MR. DORSEY: Excuse me.

13 CHAIRPERSON MITTEN: You need to turn on
14 your microphone and introduce yourself.

15 MR. DORSEY: Oh.

16 CHAIRPERSON MITTEN: There you go. Yes.
17 Okay.

18 MR. DORSEY: Is it on?

19 CHAIRPERSON MITTEN: Yes.

20 MR. DORSEY: Okay. First of all, my name
21 is Milton Dorsey. Okay. And I go through there pretty
22 much every day. And I'm going to be honest with you,
23 in my view it is like putting an elephant in a
24 Volkswagen. I'm against it. The reason is -- can I
25 have that mike right there, please. How do you turn

NEAL R. GROSS

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

1 this thing on? Okay.

2 First of all --

3 CHAIRPERSON MITTEN: Would you put that up
4 on the higher easel so we can see it better when you
5 point to it. There you go.

6 MR. DORSEY: Yes. Thank you.

7 First of all, this area of residents right
8 here, let's say for example that this does come at
9 this site. Okay. First of all, the people, this
10 corridor that is right here, which is Quincy Place
11 Northwest, the traffic they're talking about all these
12 things coming in, they're coming up on here.
13 Remember, they will want to go ahead and move out. In
14 order for them to do what they really want to do,
15 they're going to have to move all of these people out.
16 That's in the first place.

17 They're going to have to try to expand
18 their project at least pretty much for, I would say,
19 from this house onto North Capitol Street. That's
20 number one.

21 Number two, this project which is a drug
22 rehab center, a nonprofit organization, they're also
23 going to move.

24 Let's say for example that their site does
25 come, does come here. It's going to cater to the low

NEAL R. GROSS

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

1 income in the first place. You're talking about a
2 penthouse, which probably would be about a million
3 dollars. That means maybe like congressional staffers
4 or congressmen, senators who like to be right here.

5 And as a result of this sitting at this
6 site, this right here, their lease, the cost of living
7 is going to go higher as far as -- yes, the property
8 value will go up, but also their lease as well. As a
9 result of the site going right here, it's going to end
10 up their sales are going to go down and their property
11 value and their lease is going to go up as far as the
12 cost. When that happens --

13 CHAIRPERSON MITTEN: I need your closing
14 thought, Mr. Dorsey, because you're out of time.

15 MR. DORSEY: Okay. I'm sorry.

16 Basically, I'm against it because -- aside
17 from all of that I'm looking at problems as far as
18 public safety as well. Because I do have -- go through
19 there and what happens is this. You're talking about
20 trucks going back and everything, and what I'm saying
21 is it's going to be not only confusion, it's going to
22 be mass hysteria there. And I'm against it.

23 CHAIRPERSON MITTEN: Thank you. Thank you.

24 Let me see if the Commission has any
25 questions.

NEAL R. GROSS

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

1 Any questions for the panel?

2 VICE-CHAIRPERSON HOOD: Madam Chair, one
3 question for Mr. Clark, Edgewood Civic Association.

4 You mentioned that you didn't know
5 anything about the community amenities package until
6 last night. But I have here in front of me a list,
7 and it mentions your civic association, which you're
8 the President of. And it talks about scholarships and
9 school supplies. That has never been discussed.

10 MR. CLARK: Never.

11 CHAIRPERSON MITTEN: Would you turn on
12 your mike before you respond.

13 MR. CLARK: All right. That was never
14 discussed with the developers. That was an email that
15 I received from the Chair of the --

16 VICE-CHAIRPERSON HOOD: So this was
17 assigned to you, this is what you would --

18 MR. CLARK: Right. To come up with
19 something. We have a scholarship fund within our
20 civic association and we do support with the school
21 supplies, back to school supplies for the local
22 schools. So we would -- if any amenities, we would
23 like to see it go into those areas. But it wasn't
24 something that they came to us and discussed it. We
25 hem and hawed about it, but it was something that --

NEAL R. GROSS

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

1 VICE-CHAIRPERSON HOOD: But you didn't
2 present that in your email back?

3 MR. CLARK: Yes, I did.

4 VICE-CHAIRPERSON HOOD: Okay. All right.
5 Thank you.

6 CHAIRPERSON MITTEN: Anyone else?

7 Thank you, Mr. Clark.

8 Anyone else who would like to testify in
9 opposition?

10 Okay. Mr. Glasgow? One thing as you're
11 coming up, I am grateful for Ms. Baker and Ms. Cober
12 coming to testify because they reminded me of
13 something that DDOT had suggested and that Office of
14 Planning had urged, which is to explore the
15 possibility for some kind of shared parking to
16 maximize the amount of parking that available to
17 businesses in the neighborhood. So we would look
18 forward to you examining that further.

19 MR. GLASGOW: We will examine it further
20 by, I'll just tell you, how these parking garages
21 operate, at least for all the high rise projects that
22 I've dealt with in urban areas. I think that DDOT,
23 with all due respect to how they normally look at
24 these things, have got how the parking spaces are used
25 almost backwards.

NEAL R. GROSS

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

1 What happens is, and this comes from our
2 experience in the parking garages at 400 Massachusetts
3 Avenue, 450 Massachusetts Avenue, 555 Mass Avenue and
4 a number of the other new buildings that are up and
5 operating now. The cars are there during the day.
6 The people have come in and they're not using their
7 car during the day. They want to get out of the
8 commuting rat race. And so the cars sit there during
9 the day. There's no parking to share. They have the
10 cars because at least in the District, it's not like
11 New York City and everything, people generally own
12 cars and they use them on nights and weekends.

13 So I don't think that there's -- when you
14 get into what's really happening, there's going to be
15 an opportunity for shared use. I think Mr. George can
16 attest to that. And we have had further conversations
17 with the Office of Planning on that also.

18 What we think is most significant with
19 respect to the parking is to make sure to provide one-
20 to-one parking for the residential units. Because we
21 do have a range of units and we've got about 84
22 parking spaces down there. And we want to make sure
23 that we've got one parking space for each residential
24 unit.

25 CHAIRPERSON MITTEN: Well, I'm sure we'll

NEAL R. GROSS

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

1 all be giving it some more thought between now and the
2 decision.

3 COMMISSIONER JEFFRIES: Although any
4 comment. I mean those are two very different
5 locations. Some of the condo developments that you
6 listed on Massachusetts Avenue, it's very different
7 than this location. So just in terms of inventorying
8 and leaving cars during the day --

9 MR. GLASGOW: Well, there are a couple of
10 different things. One is security in condominium
11 garages is a huge issue. And the ability to control
12 the access. What you'll find where we have the retail
13 uses on part of a building, it's not the general
14 public that goes into that garage for those retail
15 spaces. It's the manager, it's the assistant manager.
16 Because they get a card key like everybody else gets
17 a card key. It's not that there are spaces available
18 for the general public to come in and use those
19 spaces. You would have a huge uproar within the
20 condominium associations if just anybody can get in
21 and out of that garage. So there's an issue there.

22 There can be a limited number of spaces
23 available that would be -- all right, you have a card
24 because you've got that business next door and we know
25 it's you going in and out of there. That's how that

NEAL R. GROSS

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

1 shared type of parking arrangement would work. We
2 have seen that people are very, very sensitive about
3 who can get in and out of the parking garages.

4 CHAIRPERSON MITTEN: Thank you.

5 Anything you would like to say in closing?

6 MR. GLASGOW: I think that we believe that
7 we have met our burden of proof, but there are a
8 number of things that the record is open for. So I
9 won't spend a lot of time on closing at this point in
10 time. I think I can submit that in writing.

11 CHAIRPERSON MITTEN: Okay.

12 MR. GLASGOW: I think if it's all right
13 with the Chair, I just want to make sure that we have
14 straight in our minds what it is that we need to
15 submit.

16 CHAIRPERSON MITTEN: Okay. Do you want to
17 run it down or do you want -- why don't you run it
18 down?

19 MR. GLASGOW: Yes. Okay. First of all,
20 I've got -- and I'll take any assistance that Sharon
21 or Esther has on this.

22 That we were to provide a shadow study.
23 That we're to provide a volumetric study of the
24 project. And our shadow study is going to take into
25 account the change in the topography also with respect

NEAL R. GROSS

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

1 to the project. So it may not look exactly like one
2 that you would normally see when you got a raise in
3 the elevation.

4 COMMISSIONER JEFFRIES: I think Ms. Baker
5 and her exhibit, the second page, just had a --

6 MR. GLASGOW: An aerial?

7 COMMISSIONER JEFFRIES: Yes, an aerial
8 that could somehow could be created to some time of
9 volumetric. But I just wanted to make certain that
10 that volumetric is sort of a bird's eye view.

11 MR. GLASGOW: All right. Okay.

12 Then we've got the alley that we are to
13 find out how that alley configuration evolved. Do I
14 have that right, Madam Chair?

15 CHAIRPERSON MITTEN: Yes.

16 MR. GLASGOW: Okay. So in doing that, we
17 would intend on using the records of the D.C. Surveyor
18 as to --

19 CHAIRPERSON MITTEN: That's fine.

20 MR. GLASGOW: We'll take some point in
21 time and then bring it forward and see how that alley
22 came to where it is.

23 CHAIRPERSON MITTEN: Okay.

24 MR. GLASGOW: Then we also are to confirm
25 that the width of the sidewalks, and I assume you want

NEAL R. GROSS

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

1 that with the tree planter boxes and without. Because
2 I normally give two dimensions; you know with the
3 clear spaces the whole way and then what is it once
4 you've gone around the planter box.

5 CHAIRPERSON MITTEN: That's great. And if
6 you could just make sure, just do it North Cap on
7 Florida.

8 MR. GLASGOW: Okay. North Capitol Street
9 and Florida Avenue. And do you want us to confirm the
10 DDOT standards?

11 CHAIRPERSON MITTEN: Yes, please.

12 MR. GLASGOW: In that area?

13 Next, I guess, the record was being kept
14 open for a letter from the ANC. When I was reading
15 the last page of the ANC letter, I thought they had
16 met their criteria, but maybe they haven't.

17 CHAIRPERSON MITTEN: You mean the
18 resolution?

19 MR. GLASGOW: Yes. Because it says: "Now
20 therefore be it resolved Advisory Neighborhood
21 Commission 5C has properly noticed a meeting at which
22 a quorum of the Commissioners were present voted to
23 support the PUD." That's on page 3. I know that you
24 may be use to seeing that right at the outset.

25 CHAIRPERSON MITTEN: I guess -- I mean, I

NEAL R. GROSS

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

1 don't want to be like super stickler, but I believe
2 that you're supposed to state how many Commissioners
3 it takes to form a quorum and what the vote was. And
4 I know Mr. Barry when he testified --

5 MR. GLASGOW: Right.

6 CHAIRPERSON MITTEN: -- put all that in
7 the record.

8 MR. GLASGOW: Yes.

9 CHAIRPERSON MITTEN: But I just want to
10 make sure that -- they're entitled to great weight,
11 and I want to make sure that they get it. So whatever
12 you -- whatever needs to be done, perhaps you could
13 guide them if there's more that needs to be done.

14 MR. GLASGOW: All right. We can have a
15 discussion on that. All right.

16 Then -- did you have anything else?

17 CHAIRPERSON MITTEN: The amenities.

18 MR. GLASGOW: Yes. I'm sorry.

19 CHAIRPERSON MITTEN: Okay. The list the
20 amenities and the dollar amounts and the greater
21 specificity about actually delivering a finished
22 product, whatever it's going to be, as opposed to a
23 general contribution.

24 Mr. George was going to provide us a
25 diagram showing truck movements on Florida Avenue as

NEAL R. GROSS

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

1 they would use the loading area. And he was going to
2 provide information from DDOT regarding DDOT's
3 intention for curbside parking along Florida Avenue
4 between North Capitol Street and Quincy.

5 And I believe there is going to be
6 additional information regarding a construction
7 management plan?

8 MR. GLASGOW: Yes. And we can use the one
9 that Mr. Barry sent. We did receive that from him.
10 What I didn't have a copy of was the letter. We got it
11 the day before.

12 CHAIRPERSON MITTEN: Okay.

13 MR. GLASGOW: We got it the day before. I
14 got confused because I didn't have it with the letter,
15 and I see it was pasted into the letter.

16 CHAIRPERSON MITTEN: Okay. Anything else
17 that anybody was interested in getting?

18 COMMISSIONER JEFFRIES: I'll speak for
19 myself. Perhaps I'll have some others. But I really
20 would like the architect to revisit this institutional
21 quality of the building at the corner here. So I don't
22 know whether it's other materials or -- but because of
23 the prominent location and that some ways this
24 building will belong not just to your community, but
25 to the District. And so I think it's very important

NEAL R. GROSS

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

1 that it has the right statement at the corner. So I
2 really strong urge that you take a look at it. Because
3 I think it's fairly serious.

4 MR. GLASGOW: So we have an opportunity to
5 submit a revised plan with respect to the corner?

6 CHAIRPERSON MITTEN: Right. And I guess
7 I want to say it goes without saying that if you want
8 to change the design to address comments you've heard,
9 like we've talked about, to the extent that you
10 measure the sidewalk and find that any of the concerns
11 that I raised were compelling, to the extent that you
12 heard the concerns raised about the design and want to
13 change that, we talked about the roof top to some
14 degree. So, you know, we'd certainly welcome responses
15 to concerns that we've raised. So the record's wide
16 open.

17 MR. GLASGOW: Right.

18 CHAIRPERSON MITTEN: Okay.

19 COMMISSIONER JEFFRIES: I just would be a
20 little disappointed if we came back and --

21 CHAIRPERSON MITTEN: Certainly.

22 COMMISSIONER JEFFRIES: -- it looked just
23 like that again. So --

24 CHAIRPERSON MITTEN: I think you've made
25 that clear, Mr. Jeffries.

NEAL R. GROSS

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

1 About how much time do you need to
2 prepare, how much time would you like to have? It's
3 up to you to decide.

4 MR. GLASGOW: Okay. What I'm thinking is
5 when would this come up for decision? What are our
6 options for when this would come up for decision?

7 CHAIRPERSON MITTEN: September/October.
8 What's the date in September? the 12th.

9 MS. SCHELLIN: The 11th.

10 CHAIRPERSON MITTEN: The 11th.

11 MR. GLASGOW: September 11th.

12 CHAIRPERSON MITTEN: Which I think would
13 be getting a little tight for you, perhaps. But I
14 don't know, maybe all the folks like to work in
15 August.

16 MR. GLASGOW: What's the latest date that
17 we would have to submit:

18 MS. SCHELLIN: August 17th.

19 MR. GLASGOW: August 17th. Well, it's a
20 revised plan.

21 Madam Chair, we could do this in plan, we
22 don't need to submit another rendering?

23 CHAIRPERSON MITTEN: I think it would
24 help.

25 MR. GLASGOW: Can I have your indulgence

NEAL R. GROSS

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

1 for about two minutes.

2 CHAIRPERSON MITTEN: Sure. No problem.

3 (Whereupon, at 9:04 p.m. off the record
4 until 9:05 p.m.)

5 MR. GLASGOW: We believe that if we had
6 until August 24th to file, because we have no parties
7 in opposition, we've got support of the ANC --

8 CHAIRPERSON MITTEN: Okay. So --

9 MS. SCHELLIN: So it doesn't allow the ANC
10 or anyone -- or the ANC to respond to anything filed.
11 I mean, we usually give them a week and this doesn't
12 give us enough time to include it in the package.

13 CHAIRPERSON MITTEN: Okay. Just bear with
14 me. Why would we like to give them --

15 MS. SCHELLIN: Because the packages go out
16 and go out the 29th and 30th. I mean, if we don't
17 allow the ANC --

18 CHAIRPERSON MITTEN: The meeting is on the
19 11th, right?

20 MS. SCHELLIN: Right. If we don't allow
21 them the normal one week to respond, that's the only
22 difference.

23 CHAIRPERSON MITTEN: Mr. Barry, are you
24 interested in having an opportunity to have your ANC--
25 giving your ANC an opportunity to respond to any of

NEAL R. GROSS

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

1 the additional submissions from -- oh, I'm sorry.
2 That's the vice chair. Would you come forward and
3 answer on the record to that. What the applicant's
4 trying to do is give themselves sufficient amount of
5 time to be responsive and still have a chance of
6 getting on our September agenda.

7 COMMISSIONER PHILLIPS: Can you hear me
8 now?

9 CHAIRPERSON MITTEN: Yes.

10 COMMISSIONER PHILLIPS: We have been in
11 recess in the past month. And so I have talked to the
12 Chair and the Chair did say she was going to call a
13 special meeting dealing with certain issues that we
14 have. And I think that's going to be August the 8th.

15 CHAIRPERSON MITTEN: And then when would
16 your -- well, I guess the main question is given that
17 the ANC is in support and the ANC hasn't raised any of
18 the issues that concern us, if the applicant responds
19 to us for concerns that we have as opposed to concerns
20 that the ANC has raised, would you be willing to waive
21 your opportunity to comment on those changes?

22 COMMISSIONER PHILLIPS: Well, I'm not sure
23 what the position was that was taken or the language
24 that you didn't understand. Now is it that you want us
25 to rectify that language differently so that it--

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: No. This is a
2 different matter. This is different from comments that
3 I made earlier.

4 COMMISSIONER PHILLIPS: Okay.

5 CHAIRPERSON MITTEN: It's that typically
6 if an applicant submits something into the record
7 following when the hearing is over, the record is
8 still open, they serve that on the ANC.

9 COMMISSIONER PHILLIPS: Yes.

10 CHAIRPERSON MITTEN: And then the ANC has
11 an opportunity to comment further should they choose
12 to. But given that the ANC is in support, would you --

13 COMMISSIONER PHILLIPS: We would waive it.

14 CHAIRPERSON MITTEN: You would waive it?

15 COMMISSIONER PHILLIPS: Yes.

16 CHAIRPERSON MITTEN: You're willing to
17 waive it?

18 COMMISSIONER PHILLIPS: Yes.

19 VICE-CHAIRPERSON HOOD: Madam Chair, I
20 understand what Mr. Phillips has said, but I think we
21 also have to look at it again, as I said before, ANCs
22 -- if you want to get anything over on this, you do it
23 in August, July and August. That ANC does not meet
24 again until -- what you all meet the second Tuesday,
25 the second or third Tuesday?

NEAL R. GROSS

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

1 COMMISSIONER PHILLIPS: Second, yes.

2 VICE-CHAIRPERSON HOOD: OF the month? We
3 have special meetings or meetings that we may be able
4 to take that up.

5 CHAIRPERSON MITTEN: Okay.

6 VICE-CHAIRPERSON HOOD: We want to afford
7 them the opportunity because --

8 CHAIRPERSON MITTEN: That's fine.

9 VICE-CHAIRPERSON HOOD: -- we have asked
10 for some changes and we want to make sure that they
11 weigh in from exactly what's being presented.

12 CHAIRPERSON MITTEN: Okay. That's fair.

13 So, Mr. Glasgow, why don't we stick with
14 the 24th. I believe that's you -- did you say August
15 24th?

16 MR. GLASGOW: Yes, August 24th if we're
17 going to have a decision in September.

18 CHAIRPERSON MITTEN: I think we will do as
19 Mr. Hood suggests, which is we'll give -- we won't put
20 you on the September agenda for the regular public
21 meeting, but we'll figure out a night that we could
22 have a special public meeting at 6:00 or something
23 like that. And I just won't be able to tell you what
24 that is right now.

25 MR. GLASGOW: Fine.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: But Ms. Schellin will
2 take note of that and she'll make certain.

3 MR. GLASGOW: All right. Okay.

4 CHAIRPERSON MITTEN: Okay.

5 MR. GLASGOW: I understand.

6 CHAIRPERSON MITTEN: Okay. Thank you.

7 Mr. Hood just reminded me of something,
8 which is that the meeting that we would schedule in
9 September should be after the third Tuesday to give
10 the ANC a chance to meet. So you can maybe work with
11 Commissioner Phillips on that.

12 So would you run down the dates for us,
13 please?

14 MS. SCHELLIN: Yes. We would leave the
15 record open until August 24th for the applicant to
16 file the additional filing. And then we would allow
17 the ANC until September 26th because their meeting
18 would be September 19th.

19 CHAIRPERSON MITTEN: Okay. And then just
20 you have to keep in mind to put -- we'll take relative
21 to other things that we will receive as long as they
22 can get it in. Don't hold a package or something. So
23 we'll just take it a day or two ahead.

24 MS. SCHELLIN: Okay. We do have a hearing
25 actually on the 28th.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: Okay. So we'll just
2 probably work that in?

3 MS. SCHELLIN: Yes.

4 CHAIRPERSON MITTEN: Okay. You clear
5 about the dates I think? Would you just turn on the
6 your microphone.

7 MR. GLASGOW: ANC is going to be meeting
8 the 26th.

9 CHAIRPERSON MITTEN: Yes.

10 MR. GLASGOW: And then --

11 MS. SCHELLIN: The 19th. They would
12 actually meeting the third Tuesday.

13 MR. GLASGOW: Meet the 19th. I'm sorry.

14 CHAIRPERSON MITTEN: On the meeting on the
15 19th. Okay.

16 MS. SCHELLIN: But they would have until
17 the 26th which would be one week to respond.

18 MR. GLASGOW: Yes.

19 MS. SCHELLIN: If they get it in sooner,
20 then so be it.

21 CHAIRPERSON MITTEN: Well, the week that
22 they will have to respond will have been well eclipsed
23 by the amount of time. Because the week is a week
24 from when they received the submission from the
25 applicant.

NEAL R. GROSS

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

1 MS. SCHELLIN: Okay. So it'll just be
2 additional time for them to --

3 CHAIRPERSON MITTEN: Yes. Let's give them
4 two days after the day of their meeting to submit
5 something to us.

6 MS. SCHELLIN: Okay. So in that case then
7 the ANC would have until August 31st to respond --

8 CHAIRPERSON MITTEN: No, you're
9 misunderstanding me.

10 MS. SCHELLIN: Okay.

11 CHAIRPERSON MITTEN: Mr. Glasgow would
12 take until the 24th.

13 MS. SCHELLIN: Right.

14 CHAIRPERSON MITTEN: And then ANC would
15 have until their meeting, plus two days, which would
16 just give them a little leeway to --

17 MS. SCHELLIN: I'm sorry. So that would
18 make it September 21st for the ANC to respond?

19 CHAIRPERSON MITTEN: Yes.

20 MS. SCHELLIN: Sorry.

21 CHAIRPERSON MITTEN: Yes. That's great.
22 Thanks. And then sometime in the latter part of
23 September we'll figure out what hearing date would
24 work.

25 MS. SCHELLIN: Okay.

NEAL R. GROSS

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

1 CHAIRPERSON MITTEN: Okay. That's
2 terrific. Thank you.

3 Would like to thank everybody for coming
4 out this evening and participating in our hearing.
5 And as you heard, we'll be scheduling this for a
6 special meeting late in September to begin our
7 deliberation. And you can find out what that date is
8 by checking out our website or calling Ms. Schellin.

9 And we're adjourned.

10 (Whereupon, at 9:12 p.m. the meeting was
11 adjourned.)

12

13

14

15

16

17

18

19

20

21

22

23

24

25