

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary
DONNA HANOUSEK Zoning Specialist
ESTHER BUSHMAN General Counsel

OFFICE OF PLANNING STAFF PRESENT:

ELLEN McCARTHY Director
JOEL LAWSON
TRAVIS PARKER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

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

The transcript constitutes the minutes from the Public Hearing held on November 20, 2006.

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

MS. MITTEN: Good evening, ladies and gentlemen. This is a public hearing of the Zoning Commission of the District of Columbia for Monday, November 20th, 2006. My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioners Mike Turnbull, Greg Jeffries and John Parsons. The subject of this evening's hearings is Zoning Commission Case Number 06-27. This is a request by Boston Properties, KSI Services, and the George Washington University for approval of a consolidated planned unit development and related map amendment for property located in the Foggy Bottom West End neighborhood of Ward II. And it -- the site encompasses the entire city block known as Square 54. Notice of today's hearing was published in the DC Register on August 11th, 2006 and copies that hearing announcement are available to you in they're in the wall bin by the door.

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1 This hearing will be conducted in
2 accordance with provisions 11DCMR Section 3022
3 and the order of procedure will be as follows.
4 We'll take up any preliminary matters. Then
5 we'll have the presentation of the applicant's
6 case, the report by the Office of Planning,
7 report of other government agencies and I
8 believe DDOT will be - or DDOT is represented.
9 Great. Good to see you, Mr. Laden. The
10 report of the affected advisory neighborhood
11 commission in this case is 2A, organizations
12 and persons in support, organizations and
13 persons in opposition, and that will include
14 parties in opposition. The following time
15 constraints will be maintained in the hearing:
16 the applicant will have 60 minutes, parties
17 will have 15 minutes, unless otherwise decided
18 by the commission, organizations will have
19 five minutes, and individuals will have three
20 minutes. The commission intends to adhere to
21 the time limits as strictly as possible in
22 order to hear the case in a reasonable period

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1 of time. The commission reserves the right to
2 change the time limits for presentations, if
3 necessary, and notes that no time shall be
4 seeded. All persons appearing before the
5 commission are to fill out two witness cards.
6 These cards look like this. They're on the
7 table by the door. Upon coming forward to
8 speak to the commission, please give both
9 cards to the reporter who is sitting on our
10 right. So that should be on your way to the
11 table, drop off the cards. Please be advised
12 that this proceeding is being reported by the
13 court reporter and is also being webcast live.
14 Accordingly, we ask you to refrain from using
15 any disruptive noises in the hearing room.
16 When presenting information to the commission,
17 we ask you to take a seat at the table and
18 then turn on and speak into the microphone,
19 first stating your name and home address.
20 When you're finished speaking please turn the
21 microphone off because they tend to pick up
22 background noise.

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1 The decision of the commission in
2 this case must be based exclusively on the
3 public record. To avoid any appearance to the
4 contrary, the commission requests that persons
5 present not engage the members of the
6 commission during -- in conversation during a
7 recess or at any other time, and Ms.Schellin
8 will be available during the hearing should
9 you have any procedural questions. We ask you
10 to turn off all beepers and cell phones at
11 this time so as not to disrupt the hearing.
12 And I'd ask anyone who's planning on
13 testifying this evening to stand now, raise
14 your right hand and direct your attention to
15 Ms. Schellin and she will administer the oath.

16 (Whereupon the parties testifying
17 were sworn in under oath)

18 MS. SCHELLIN: Administers oath.

19 MS. MITTEN: Thank you. So now
20 we'll take up the preliminary matters that I
21 know about and then if there are any others --

22 MS. SCHELLIN: Just to advise that

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1 the applicants did file their affidavit
2 of maintenance and it's in order.

3 MS. MITTEN: Thank you very much.
4 We have two requests for party status and as
5 the commission knows we've had a number of
6 cases lately that have involved the Foggy
7 Bottom Association and the West End Citizens
8 Association, and so without further discussion
9 , I would like to move that we grant party
10 status to both of those organizations.

11 MR. HOOD: Second.

12 MS. MITTEN: Any discussion? All
13 those in favor please say I. I. Ms.
14 Schellin, it's unanimous.

15 MS. SCHELLIN: Yes, staff will
16 record the vote five to zero to zero to
17 approve party status to the two parties
18 requesting. Commissioner Mitten moving.
19 Commissioner Hood seconding. Commissioners
20 Turnbull, Parsons, and Jeffries in favor.

21 MS. MITTEN: Thank you. And we
22 also have a motion to postpone pending a --

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1 receiving an environmental review. We have
2 the opposition from the applicant in the
3 record. I'm not going to belabor that issue
4 either. We've dealt with that recently in the
5 Campus Plan case and we -- I would recommend
6 to my colleagues that we rely on the reasoning
7 that we used then, and I move to deny the
8 motion to postpone from Foggy Bottom
9 Association.

10 MR. PARSONS: Second.

11 MS. MITTEN: Any discussion? All
12 those in favor say I. I. Those opposed
13 please say no. Ms. Schellin, it's unanimous.

14 MS. SCHELLIN: Yes. Staff will
15 record the vote five to zero to zero to deny
16 the motion for postponement. Commissioner
17 Mitten moving. Commissioner Parsons
18 seconding. Commissioners Hood, Turnbull, and
19 Jeffries in favor.

20 MS. MITTEN: Thank you. Did you
21 have any other preliminary matters? Mr.
22 Feola, any preliminary matters?

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1 MR. FEOLA: Thank you, Madam
2 Chair, members of the commission. Phil Feola
3 for the applicant. The only thing I would as
4 is that we do the qualifications of experts,
5 both for us and for Boggy Bottom Association.

6 MS. MITTEN: Okay.

7 MR. FEOLA: With regards to ours -
8 -

9 MS. MITTEN: Yes, please run them
10 down for us.

11 MR. FEOLA: Sure. In our October
12 31st file -- supplemental filing we provided
13 resumes for Raphael Pelli and David Hess in
14 the area of architecture and urban design with
15 Pelli Clark -- Pelli Architects. Alan Ward, a
16 landscape architect and urban designer with
17 Sasaki and Associates, in the area of
18 landscape architecture and urban design.
19 Richard Heapes, co-founding partner of
20 Streetworks, in the area of retail urban
21 design. And Jami Milanovich, a senior
22 associate with Wells and Associates, in the

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1 area of traffic engineering and
2 transportation. I believe Ms. Milanovich has
3 testified before this commission, and Mr. Ward
4 has testified as an expert before the BZA.

5 MS. MITTEN: Okay.

6 MR. FEOLA: Mr. Pelli, Mr. Heapes,
7 and Mr. Hess have not.

8 MS. MITTEN: Okay. We have the
9 resumes in Exhibit C of the submission that
10 Mr. Feola referenced, and I assume the
11 commissioners have reviewed their
12 qualifications. Is there any objection to any
13 of these folks being designated as experts in
14 their proper fields? Okay. Thank you. We'll
15 deal with the other -- the other -- the other
16 experts for the parties as they come forward.
17 Did you have anything else before -

18 MR. FEOLA: No, ma'am.

19 MS. MITTEN: Anyone else -- I just
20 want to be clear. Mr. Hitchcock, are you
21 representing the ANC this evening as well?

22 MR. HITCHCOCK: Yes.

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1 MS. MITTEN: Okay. Great. So
2 just for cross examination purposes I want to
3 make sure I -- did you have any preliminary
4 matters?

5 MR. HITCHCOCK: Inaudible.

6 MS. MITTEN: We'll get to that.
7 And Ms. Kallow, did you have any preliminary
8 --? Okay. We're ready to go.

9 MR. FEOLA: Thank you. We're
10 going to try to squeeze all in here.

11 MS. MITTEN: Please go ahead.

12 MR. FEOLA: Thank you, Madam
13 Chair. My name is Phil Feola with the law
14 firm of Pillsbury Winthrop Shaw Pittman.
15 We're here on behalf of a venture of Boston
16 Properties, KSI Services, and George
17 Washington University, seeking review and
18 approval of a rezoning within the context of
19 a planned unit development for Square 54. As
20 the notice indicated, the city block which was
21 the site of the former GW University Hospital.
22 The site is a 2.6 acre site bounded by

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1 Pennsylvania Avenue and Washington Circle on
2 the north, I Street Northwest on the south,
3 22nd and 23rd Streets on the east and west
4 respectively. It's currently vacant and it's
5 adjacent to the entrance to the Foggy Bottom
6 George Washington University Metro Rail
7 Station. The property is currently zoned RFID
8 and we're requesting a rezoning to the C3C
9 zone in order to create a vibrant mixed use
10 transit oriented development of world class
11 design.

12 The project will include
13 residential uses, retail uses, and office
14 uses, and will total approximately 870,000
15 square feet at an FAR of 7.5. And we will
16 show tonight the public benefits and amenities
17 that will accrue as a result of this planned
18 unit development. Because of the site's size
19 and it's location and it's prominence, we
20 believe its future is -- has a critical -- is
21 of critical importance, not only to the
22 applicants, but to the local community, the

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1 District, and a variety of stakeholders. And
2 as we're going to explain tonight the results
3 you'll see here this evening are -- are a
4 compilation of about a year's worth of
5 planning, collaborative analysis and outreach
6 and discussion with many of those
7 stakeholders. We will present six direct
8 witnesses in our - in our presentation: Mr.
9 Louis Katz, Executive Vice President and
10 Treasurer of the George Washington University,
11 Peter Johnston, a senior vice president and
12 regional manager for Boston Properties,
13 Raphael Pelli, Pelli Clark and Pelli, excuse
14 me, Architects, and Alan Ward of Sasaki
15 Associates, Richard Heapes of Streetworks, and
16 Jami Milanovich of Wells and Associates. With
17 that I'd like to call Mr. Katz to explain GW's
18 position in this case.

19 MS. MITTEN: Sure. And as you
20 know we -- we'll hear the entire presentation
21 and then ask questions.

22 MR. FEOLA: Thank you.

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1 MS. MITTEN: Thank you.

2 MR. KATZ: Thank you. Good
3 evening. I'm Louis Katz. I'm Executive Vice
4 President of the George Washington University.
5 At the University I'm responsible for the
6 management of the business operations, which
7 include financial, physical, and information
8 systems resources. I have approximately 25
9 years experience in higher education
10 management, and have been at GW since 1990.
11 The University is pleased to be back before
12 you tonight to specifically discuss Square 54.
13 It's a key element of our integrated
14 development strategy that you have heard about
15 during numerous evenings that we've spent
16 together over the past two months. As we
17 discussed in depth during the campus planning
18 hearings, this integrated development strategy
19 reflects the University's strategic planning
20 initiatives aimed at creating a world class
21 university within the nation's capitol. The
22 strategy is comprised of three key elements:

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1 the proposed campus plan which sets forth a
2 carefully balanced development plan and
3 proposed conditions premised on the grow up
4 not out philosophy to accommodate our
5 forecasted academic and student housing needs
6 on campus, the school without walls public
7 private partnership which provides for the
8 modernization in addition to the grant school
9 and a new GW undergraduate residence hall
10 which was approved by this very commission
11 last week, and finally, by accommodating our
12 academic and student housing needs on our
13 campus, the campus plan allows for the
14 redevelopment of Square 54 as a mixed use town
15 center. Square 54 is a fundamental element of
16 the university's integrated strategy for two
17 key reasons. First, a vibrant town center
18 envisioned for Square 54 will enhance the
19 urban campus experience for our students,
20 faculty and staff who study, work, and live in
21 Foggy Bottom, as well as for members of the
22 Foggy Bottom West End Community. Furthermore,

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1 the project will provide a key source of non-
2 enrollment driven revenue to support the
3 University's core academic mission. The
4 University is very proud of the world class
5 team of professionals that has been assembled
6 to work on this project. The BP KSI
7 development team was selected by GW in 2004
8 after an extensive RFI and RFP process based
9 up several factors, including the experience
10 in mixed use development in the District of
11 Columbia, a vision for the potential of this
12 site, the outstanding project and designs
13 team, many of whom you will hear from this
14 evening, as well as the strong financial
15 returns for the University. We have had a
16 very close working relationship with Boston
17 Properties and KSI and the project team
18 throughout the planning process, and that
19 relationship will continue well into the
20 future. Given the importance of this site to
21 a wide variety of stakeholders, the vision for
22 the future Square 54 has been the subject of

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1 well over a year of planning and discussion.
2 As discussed at length in the campus plan
3 hearings, GW worked closely with the Office of
4 Planning to develop a comprehensive planning
5 effort to evaluate the future of our campus,
6 including Square 54, in the context of the
7 surrounding neighborhoods. The Square 54 team
8 took an active part in this open inclusive
9 planning process, which included many planning
10 tools, and continuous opportunities for
11 community input and feedback, including a
12 series of open community meetings cosponsored
13 by ANC2A, Office of Planning, and GW, which
14 were moderated by an independent facilitator
15 and documented by a comprehensive issues
16 exhibit. A ULI panel focused specifically on
17 the unique opportunity presented by this site
18 in the context of the overall campus plan, and
19 we've also continued to hold many additional
20 meetings with numerous members of the GW and
21 Foggy Bottom West End communities, and we've
22 worked -- we continue to work closely with

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1 various district agencies. The process has
2 also been supported by two website, which have
3 served as a public record and a resource for
4 all planning related materials. First, the
5 neighborhood website, which includes
6 information on all campus planning and
7 development initiatives, and second, the
8 Square 54 site, which is dedicated
9 specifically to this project.

10 This comprehensive planning effort
11 has resulted in a vision for this campus and
12 this site that will result in shared and
13 lasting benefits for a wide range of
14 stakeholders. In summary, the integrated
15 development strategy establishes a framework
16 for a predictable planned growth guided by
17 smart growth and transit oriented development
18 principals, creates new business
19 opportunities, and enhances the District's tax
20 base, provides neighborhood serving retail
21 services on the site as well as along the
22 proposed I Street retail corridor, enhances

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1 the public environment through landscaping and
2 street scape improvements, allows the
3 university to make substantial new commitments
4 to the community and to the District, and
5 sustains and promotes a world class university
6 in the District of Columbia. And now, Peter
7 Johnston from Boston Properties will provide
8 an overview of this project. Thank you.

9 MR. JOHNSTON: Thank you, Lou. My
10 name is Peter Johnston, Senior Vice President
11 and Regional Manager for the Washington office
12 of Boston Properties. Boston Properties is a
13 publicly held full service real estate
14 development and property management company
15 with offices in Boston, New York, Princeton,
16 San Francisco, and Washington D.C.. We are
17 one of the largest owners, managers, and
18 developers of first class office space and
19 mixed use developments in the United States.
20 With 27 years of experience in the Washington
21 D.C. market we've become and continue to be
22 one of the area's leading full service

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1 development companies both in terms of
2 capability and corporate reputation, having
3 developed approximately 10 million square feet
4 of new projects. Boston Properties was
5 instrumental in the redevelopment of the West
6 End through a series of PUDs in the 1980s. In
7 addition, Boston Properties also developed the
8 Sumner McGruder School PUD in the 1600 block
9 of M Street to permit the reconstruction of
10 the Sumner and McGruder Schools as well as the
11 development of a nine story office building.
12 Our long-term real estate commitment is
13 reflected in the quality of the architecture
14 of our buildings and in our emphasis on
15 effective and efficient management.

16 I sit before you this evening on
17 behalf of Boston Properties and KSI Services,
18 our residential partner in the development of
19 Square 54. KSI Services is ranked among the
20 top 15 multifamily housing developers in the
21 nation and is the largest private land
22 developer in metropolitan Washington. KSI has

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1 developed more than 5 million square feet of
2 commercial space and more than 30 million
3 housing units in its 30 years of history. KSI
4 has partnered with world renowned architects
5 and has won hundreds of awards for housing
6 design, land planning, and urban design. Like
7 Boston Properties, KSI has a well earned
8 reputation as a result of the qualities they
9 develop. We're requesting approval of this
10 planned unit development in order to create a
11 transit oriented mixed use project of world
12 class design at Square 54 that will provide
13 housing, employment and neighborhood serving
14 retail opportunities.

15 We recognize how unique a site
16 this is and for that reason we've assembled a
17 first class team of design professionals, whom
18 you'll hear from this evening, in order to
19 ensure that this project serves as a model of
20 outstanding transit oriented development for
21 the city. As Lou Katz described, beginning in
22 the spring of 2005, our team participated in

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1 a comprehensive community based planning
2 effort to fully explore and evaluate the
3 future development of Square 54 in the context
4 of the Foggy Bottom campus and the surrounding
5 neighborhoods. Additionally, in May of 2005,
6 the University and the Office of Planning
7 convened a three day urban land institute
8 panel to evaluate the redevelopment potential
9 of Square 54, and recommend appropriate uses
10 and densities for this site. The panel
11 conducted interviews with key stakeholder
12 groups, including members of the Foggy Bottom
13 and West End Communities, evaluated research
14 materials and demographic data, and conducted
15 tours of the site, campus, and city.

16 The ULI panel recommended a mixed
17 use commercial development of Square 54 at a
18 density between 7.0 and 8.0 FAR, under the
19 assumption that the University could
20 accommodate its forecasted academic and
21 student housing space needs on the balance of
22 its Foggy Bottom campus. The panel also

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1 concluded that the office component of this
2 mixed use development be sited on Pennsylvania
3 Avenue and the residential component along I
4 Street. Additionally, it was recommended that
5 the project consist of multiple structures and
6 that open space be a major theme in the design
7 concept for the site. The full ULI report is
8 included in our application. The project we
9 present tonight is responsive to input
10 gathered from members of the community and the
11 Office of Planning throughout this open and
12 inclusive process. It is consistent with
13 recommendations of the ULI panel and best
14 meets the goals and objectives of all
15 interested stakeholders. This result is a
16 project that the city can look to as a model
17 for successful mixed use, transit oriented
18 development. Numerous design elements have
19 been included in our concept as a result of
20 the issues raised throughout the collaborative
21 planning process. The height of the office
22 building at the Washington Circle property

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1 line is set at 90 feet. The top floors of the
2 office building are set back at Washington
3 Circle to provide articulation to the facade
4 and break down the massing.

5 The project has been designed so
6 that it reads as separate and distinct
7 structures. The project includes a 26,000
8 square foot open space courtyard. All loading
9 facilities for the project are located
10 underground to avoid traffic congestion on
11 neighboring city streets. The design
12 accommodates a 60 foot wide retail oriented
13 plaza along I Street. The proposed uses and
14 design of the ground floor will activate the
15 public spaces and create a pedestrian friendly
16 environment on the sidewalks. The texture of
17 the facades of the building have been detailed
18 to provide visual and architectural
19 importance. The amount and focus of
20 neighborhood serving retail of the project has
21 been increased. We've created a space to
22 accommodate up to 42,000 neighborhood grocery

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1 store with appropriate parking and loading
2 facilities.

3 An important item to note is the
4 magnitude of economic importance that this
5 project will have for the District of
6 Columbia. Bowlin Smart Associates, an
7 economic consulting firm, quantified the
8 impact of 100 percent completed project Square
9 54 as follows: nearly \$12 million in direct
10 annual District tax revenue, in which 4.6
11 million represents real estate taxes, the
12 addition of over 400 new District residents,
13 over 2,000 full-time equivalent jobs, over 500
14 construction related jobs spanning each month
15 of the project's 30 month construction
16 schedule, over 75 million in additional
17 economic activity from the visitors vendors
18 affiliated with the office, retail, and
19 residential components of Square 54, over \$4
20 million in direct District of Columbia revenue
21 from recordation and development processing
22 and permitting fees. In addition to the

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1 economic impact, the PUD provides significant
2 benefits and amenities. These include the
3 following: provision of workforce and
4 affordable housing units at 13 percent of the
5 project's total residential units, a
6 commitment to include a grocery store use of
7 not less than 25,000 square feet in size with
8 dedicated grocery related parking spaces in
9 the garage, an internal below grade loading
10 dock facility which will serve the loading
11 needs of the entire project, a 26,000 square
12 foot courtyard, sustainable design components
13 to a minimum of 16 lead certifiable points,
14 plus a green roof component of approximately
15 8,000 square feet and a green roof within the
16 courtyard of a minimum of 18,000 square feet,
17 provision of \$100,000 in funding for WMATA's
18 study related to the potential second metro
19 entrance to the Foggy Bottom George Washington
20 University Station, the cost of a new traffic
21 signal at the intersection of 22nd and I
22 Street, and finally, a commitment to superior

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1 architecture as evidence by the first class
2 team of design professionals that we have
3 attained for this project. Thank you Madam
4 Chair and members of the commission. We're
5 excited about this opportunity and appreciate
6 being able to present Square 54 to you this
7 evening.

8 MR. FEOLA: Madam Chair, if it
9 pleases the commission we'd like to submit in
10 to the record a memorandum that details the
11 proposed benefits and amenities that Mr.
12 Johnston just talked through.

13 MS. MITTEN: That would be great.
14 Thank you.

15 MR. FEOLA: Our next actually
16 group of witnesses are our design
17 professionals and I'll start with Raphael
18 Pelli, who along with Alan Ward and Richard
19 Heapes, will walk us through how we got to
20 this particular design, Mr. Pelli.

21 MR. PELLI: Good evening, Madam
22 Chair, members of the commission. We are very

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1 excited to help realize the potential for a
2 world class mixed use project on this very
3 sensitive site, next to the metro station and
4 as a hinge point to various different very
5 active communities which surround it. I am a
6 partner at Pelli Clark Pelli Architects,
7 formerly known as Caesar Pelli and Associates.
8 You know us for buildings we have done here in
9 the past in Washington such as 1900 K Street
10 and, of course, the north terminal at Reagan
11 Washington National Airport. With me is Alan
12 Ward of Sasaki, with whom we collaborated
13 quite closely on both on a site planning and
14 urban design standpoint and also for the
15 landscape design. And the image there is
16 presented for work that Alan has done for the
17 landscape related to the visitors center at
18 the -- at the capitol.

19 This is just to reorient us to the
20 site. This in blue is the proposed project
21 with Washington Circle shown there. And these
22 rings show a five minute walking radius from

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1 the site. It is adjacent to both a dense
2 commercial corridor along Pennsylvania Avenue,
3 the neighborhoods of Foggy Bottom going down
4 to the Kennedy Center and the -- and the
5 District to the north. Next. This is an
6 image taken actually from the hotel across the
7 circle so it's looking above the circle and
8 here is the site that you see here, which is
9 adjoined by the George Washington University
10 Hospital. Next.

11 And now a site from the circle
12 itself, looking down 23rd street. Again, with
13 the hospital to your right. Our site is to
14 the left. Next. Here our slide is to the
15 right. It is a view taken, coming around the
16 circle and with a view towards the beginning
17 of the Pennsylvania Avenue corridor, the IFC
18 building of 130 feet in height, and a
19 residential building of 124 feet in height.
20 Next. When we were originally asked by Boston
21 Properties to look at the site we did a number
22 of studies trying to imagine the kinds of

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1 projects that could be developed on this site
2 and I wanted to show you some of the genesis
3 of the ideas that led to the final proposal
4 that we'll see and because it evolved quite a
5 bit from these early studies. We begin with
6 the most prototypical commercial building type
7 for Washington, which is an atrium building.
8 A very large block building, rather monolithic
9 with a portion of it, which would be
10 residential, a portion of open space, a U
11 facing around, a bit of open space there.
12 Next.

13 And those studies led us to study
14 the idea of an exterior space being a bit
15 larger which could perhaps be shared instead
16 of an enclosed atrium that has an exterior
17 space between the office and the residential.
18 Next. We further, then, looked at trying to
19 vary the scale and the heights of the
20 buildings to make a transition from what we
21 believed should be the -- should be the
22 largest scale, which is on Washington Circle.

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1 We have since amended that belief, and I'll
2 show you that in a moment, with the entrance
3 to the office building off of the circle and
4 then the residential wrapping around the
5 courtyard behind. Next. And then a view
6 towards coming in the courtyard from a
7 different vantage point, how to orient the
8 open space to the street and where the flow of
9 pedestrians were coming from. And it was at
10 this point -- next -- that we began working
11 with Sasaki and with Richard Heapes for the
12 retail to really imagine the use patterns and
13 how to develop the site from a pedestrian
14 standpoint better. And for that I'll turn it
15 over to Alan Ward.

16 MR. WARD: My name is Alan Ward.
17 I'm a planner and landscape architect with
18 Sasaki Associates. We're based in Boston.
19 Our recent work includes the landscape at the
20 Visitor's Center at the US Capitol as well as
21 the redesign of Franklin Circle along
22 Pennsylvania Avenue, 12th Street adjacent to

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1 the old post office. As good planners and
2 landscape architects, we step back from the
3 first impressions for the site and looked at
4 some of the outside influences that would
5 shape this key parcel in the city, and that
6 includes the kind of fundamentally different
7 conditions on each side of this block. As you
8 look to the north on Pennsylvania Avenue and
9 Washington Circle, you have the kind of civic
10 monumental scale of Washington which suggests
11 one kind of approach, one kind of treatment of
12 the sidewalks. Then as you go to the south
13 along 22nd and 23rd and I Street it's quite a
14 different scale where you have the urban
15 blocks, narrower streets of Washington, a
16 potentially pedestrian friendly environment.
17 And then the other significant influence was,
18 of course, the transit station. We felt that
19 the project should be shaped and influenced by
20 the significance of the pedestrian flows to
21 this transit station. So we took those
22 influences and prepared a series of diagrams

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1 working collaboratively, that's the architect,
2 the landscape architect with Richard Heapes,
3 the retail consultant to kind of make these
4 streets come alive, and prepared a series of
5 diagrams. And we'll share this evolution with
6 you of these kind of simple diagrams that led
7 to the scheme that we're proposing tonight.
8 In each of these schemes 20 -- I Street will
9 be on the right, Washington Circle,
10 Pennsylvania Avenue's on the left, 22nd is at
11 the top, 23rd is at the bottom. In this kind
12 of very first sketch it shows pushing back a
13 residential building from I Street to open up
14 views and pedestrian circulation to the metro
15 station. This was an important idea to start
16 to kind of express those flows to the -- to
17 the transit station.

18 Also, the idea emerged that the
19 courtyard should become a significant new open
20 space in this part of the district. The
21 second scheme in the kind of testing of ideas
22 looked at perhaps making an architectural

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1 expression, an arcade under a building, which
2 would lead to the transit station. We didn't
3 adopt this idea, but it shows one of the
4 options. This next scheme shows the
5 beginnings of the idea of this rectangular
6 open space on I Street, perhaps kind of a
7 fairly sizable kiosk which would provide
8 vending on the way to the transit station.
9 This scheme had a smaller courtyard which
10 really didn't quite give enough light so we
11 needed kind of a more spacious central space
12 to kind of make that more inviting.

13 And then in this scheme which was
14 chosen to be advanced further, you see the
15 idea of opening up I Street, kind of
16 inflecting it towards the metro station here,
17 making quite a sizable courtyard with an entry
18 on 23rd Street, and then kind of hugging the
19 edge of Washington Circle, Pennsylvania Avenue
20 to define this important civic space, the
21 circle and the avenue. Then in that scheme
22 further developed, in the site plan here, you

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1 can see how the central courtyard has taken
2 shape here as an inviting public space. About
3 half of the space is public. Half of it is
4 for residential use, but a wide opening on
5 23rd invites pedestrians in to this kind of
6 green oasis. It leads to the entry to the
7 office lobby here. The office lobby's also
8 entered on Pennsylvania so there's, you know,
9 kind of implied connection through. And then
10 the rectangular space at I Street which
11 extends the pedestrian zone of I Street to the
12 west with a sizable zone here that allows for
13 those pedestrian flows, but also allows for
14 retail to extend out into this plaza space,
15 south facing where it gets the sun, but -- you
16 know -- it aims to be an important new space
17 in this part of the District related to the
18 transit station.

19 This is a diagram of kind of how
20 those flows work related to the I Street
21 plaza. The primary flows are between a double
22 row of trees, here, with the crosswalk

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1 extending across 23rd. Then there's a
2 secondary zone, sort of gathering spaces,
3 adjacent to the building where retail or
4 potential cafes might extend out into the
5 public space where it has quite good
6 orientation. It has good scale in that this
7 a fairly narrow dimension as compared to the
8 more civic monumental spaces on the Circle and
9 on Pennsylvania Avenue. The other important
10 flow is along 23rd. You can see that today as
11 pedestrians move down that street toward the
12 transit station. This has retail along the
13 edge, an inviting and generous opening into
14 the public space of the courtyard. That's
15 somewhat more important than the pedestrian
16 flows on 22nd Street. This is a view on that
17 I Street plaza. We're looking east towards
18 the residential here and above the retail
19 here. So this a zone that pedestrians -- a
20 clear zone of about 20 feet that they can move
21 through. It'll improve the situation from
22 what exists today. And then there's gathering

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1 space at the edge of the building on the other
2 side of the row of trees, shaded in summer.
3 Some space at curbside so you can open your
4 car door at the parking spaces, but a more
5 generous I Street corridor is what's created
6 here in a vision.

7 This also, by the way, shows the
8 view to grocery store which is planned on this
9 corner at this key location. So this plaza
10 leads right to the grocery store. Then
11 looking west on that I Street plaza towards
12 the metro station, here's the entry to the
13 residential, a low building, retail at the
14 lower level, the double row of trees, the
15 spaces in front of the retail, and then the
16 pedestrian circulation at this zone here.

17 So that shows our thinking on the
18 creation and framing of these spaces. Now
19 Raphael will return to the architecture which
20 reinforces this idea about public spaces.

21 MR. PELLI: These ideas about the
22 movement into and through the site, which were

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1 very much developed with a view towards the
2 metro and a flow to the metro and from the
3 metro so that it most advantages that
4 relationship to the most pedestrian of
5 experiences, and form then the development of
6 the architecture and compare it to the earlier
7 studies you saw. One of the key decisions was
8 to not think of this as an atrium building, as
9 a very solid monolithic building, but rather
10 the antitheses, is to break down this single
11 building into four wings, which each would
12 have the character and the presence of a
13 single building unto itself so that we can
14 break down the scale of this into four
15 separate masses, each of which has its own
16 scale and its own height.

17 We have -- we have created the
18 highest elements along the Pennsylvania Avenue
19 and 22nd Street. All of the heights are taken
20 as measured from Pennsylvania Avenue. We have
21 the buildings along 22nd Street at 130 foot in
22 height. The building on Washington Circle is

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1 90 foot in height with a substantial 20 foot
2 setback and then above that it goes to 120
3 feet in height, and the residential wing along
4 the corner of 23rd Street and I Street goes to
5 110 feet in height. So we've also moved the
6 density. Rather than placing it on the Circle
7 we've moved the density more towards 23rd
8 Street, more towards the corridor that's being
9 developed constant with the GW master plan.
10 The -- this model here all the buildings in
11 white are showing you the proposed development
12 over time of buildings on the GW campus.
13 There is a current building, the IFC building,
14 at 130 feet height already there. This is
15 proposed to be at 130 foot in height. The
16 residential building at the corner is 124 feet
17 in height. And, of course, as you go down
18 Pennsylvania Avenue you have further offices,
19 buildings, including the International
20 Monetary Fund and the World Bank at 130 feet
21 in height.

22 We've also moved the entrance off

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1 of the Circle and really let the Circle be a
2 softer edge and let the grand entrance to the
3 commercial building be off of Pennsylvania
4 Avenue where it naturally would have its
5 address. Next. Now this is a view now looking
6 from -- looking down on the corner of 23rd and
7 I Street. You can see it from this vantage
8 point. Next. And looking at it really from
9 above K Street towards the front entrance to
10 the building where we have a very glassy
11 element, which is setback between the two
12 wings of the office building there. Next.

13 This is now a larger scale model.
14 It's a rather crude study model, but we --
15 which we papered with a facade in order to
16 show - to show more clearly the idea about
17 materials and the sense of space that's being
18 created both within the building and at the
19 edge of the building. It also shows you the
20 mechanical bulk heads which are proposed for
21 each of the four wings of the complex. The
22 office building will be a building of glass

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1 with a lattice work of white painted metal,
2 which, you know, we are still developing some
3 of the refinements of with a much greater
4 articulation towards the base of the building.
5 The wing -- the low element along the Circle
6 and along 23rd Street will have bands of light
7 masonry which also wrap the spindles of it so
8 we integrate a light amount of masonry into
9 the office buildings, whereas the residential
10 buildings are predominantly masonry with
11 accents of glass. Next.

12 So this is now a view of again of
13 the office building with the set back element
14 at the entrance, a three story -- a three
15 story lobby entrance element with views out
16 into the courtyard. Next. And a view looking
17 down on the corner of 23rd and I. There the
18 residential building is shown as primarily a
19 brick building, two different colors of brick
20 with darker brick at the recesses where the
21 windows are to accent the opening, with bays
22 of glass where the living rooms are located.

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1 The brick comes to a 90 foot line so it
2 creates a batum line or a water line that
3 references back to the 90 foot line which is
4 also in the office building along 23rd street,
5 wrapping around to the Washington Circle
6 element. And the setback, which we have
7 setback from the property line 33 feet to
8 create an overall width there of close to 60
9 feet for the -- for the public and the more
10 urban plaza development along I Street.

11 And then the lobby which is the
12 common entrance for the two wings of the
13 residential building from which you'll go off
14 down corridors to get to the elevators which
15 come up into each of those elements. But that
16 opening is critical because that is what faces
17 south and brings sunlight into that courtyard,
18 which is -- which is essential to the success
19 of that courtyard as a -- as a proper space.
20 Next. I'm going to walk you through the plans
21 for the building. This is a way to look at
22 the plans that I think is most telling,

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1 because we'll use a stacking model to build up
2 the plans one at a time in relationship to one
3 and other. We will have four and a half
4 levels of parking below grade. Next. At the
5 very top level of parking it is also shared
6 with two elements which each take a
7 significant amount of space at the top of the
8 garage. At the center is a two story central
9 loading operation for the entire building,
10 both the residential and the commercial, and
11 actually, the retail components as well will
12 all be serviced off of this centralized
13 loading operation, which will have seven
14 loading birds. We also have, in orange here,
15 the large footprint for a grocery store below
16 grade. That is shown there, 28,000 square
17 feet, which will be accessible from parking
18 directly within the garage, but also
19 accessible from escalators from the garage
20 below and accessible from street grade where
21 you can enter a smaller footprint of the
22 grocery store as it sits above grade. Next.

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1 Here you can see now the opening -
2 - the two story opening for the loading dock,
3 which serves all of the various functions in
4 the building. The orange here is now actually
5 at the sidewalk level along I Street. And the
6 entrance to the grocery store is at this
7 corner, the corner of I Street and 22nd
8 Street, a footprint of about 14,000 square
9 feet, which would allow you to go down to the
10 major bulk of the footprint down below, with
11 retail also at the corner which I'll let
12 Richard Heapes speak about in a moment. Next.

13 Going up further in height on the
14 site then we get to the floors that are
15 directly adjacent to the Circle, Pennsylvania
16 Avenue, 22nd Street with retail lining all of
17 that, and Richard, again, will speak to the
18 particular ideas for what those uses might be
19 in the future. And then a central courtyard
20 which is surrounded by these uses. Next. And
21 as you go up from there you get into the
22 floors which are treated as separate floors.

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1 For the lower floors these will be leased out
2 separately for the office building, and the
3 footprints for the two wings of the
4 residential -- of the residential portion of
5 the project. Next.

6 Going up from there. And we have
7 been looking at the environmental design
8 possibilities inherent within this project.
9 And that, as you all know, is a full project
10 commitment and many of the issues are not yet
11 addressed in terms of final material selection
12 or construction waste management. But we have
13 already identified a number of things that we
14 can do. We are looking at this in both
15 quantitative ways and qualitative ways. As to
16 the quantitative strategies, using the lead
17 scorecard, which is of course, the new
18 standard by the US Green Building Counsel, the
19 developers have committed already to a minimum
20 of 16 points for both the residential and the
21 commercial building. I think there are many
22 opportunities still to be explored beyond

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1 that. So far we are focusing on the site
2 issues, on some of the main system strategies.
3 We're looking at central systems for the
4 office building that will be efficiencies
5 beyond minimum or below minimum -- below code,
6 30 to 40 percent improvements.

7 We are looking at water management
8 strategies within the courtyard which Alan
9 will outline in a minute, and we're looking at
10 green roofs. The courtyard itself is, of
11 course, a roof over the loading operation and
12 the parking garage. We'll have a minimum of
13 18,000 square feet of planted area within it,
14 and we will have another 4,000 square feet on
15 each of the roofs, one roof for the
16 residential tower and one of the roofs for the
17 -- for the commercial buildings, for a total
18 of 24,000 square feet -- 26,000 square feet
19 rather. We are looking still at alternative
20 configurations because what this slide shows
21 here, compared to the last one, of how we
22 organize the green roofs on the site to

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1 maximize their benefit and use them as
2 amenities for the buildings that they adjoin.
3 Next.

4 But much of -- much of the grace
5 of the site is still in this sequence and this
6 variety of exterior spaces that has been
7 created. Working with Alan within the site
8 and around the site -- surrounding the site we
9 have actually situated the building so that
10 the lobbies -- the lobbies take advantage of
11 that courtyard view -- the residential lobby.
12 We've created a portion of the courtyard which
13 sits down lower so you see through the lobby
14 into planted green space. The commercial
15 lobby is actually quite small by the standards
16 of class A office buildings so that along
17 Pennsylvania Avenue you will have this very
18 beautiful borrowed view into the central
19 courtyard and the space within. And, of
20 course, it's directly accessible from 23rd
21 Street itself. And with that I'm going to
22 turn it back to Alan so he can go into more

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1 detail about the landscape design.

2 MR. WARD: So starting with
3 Washington Circle and Pennsylvania Avenue,
4 each of the sidewalks has a slightly different
5 treatment because each is in slightly
6 different context and suggests a different
7 design expression. On the Circle and
8 Pennsylvania Avenue are wide sidewalks. There
9 is continuous planning along the edge of the
10 street here, nearly continuous. This was
11 suggested by the Office of Planning to
12 discourage drop offs and pedestrian activity
13 along those streets. It happens to also then
14 make quite a good growing zone to get sizable
15 trees along this important location. Twenty-
16 second Street has street trees, you know,
17 typical Washington downtown spacing of street
18 trees, planting alongside the building with a
19 walk between it. So it's a greener softer
20 street than 23rd which has retail along this
21 edge and then street trees along it, but
22 nonetheless a clear walking zone of --

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1 somewhat in the range of 15 or 16 feet so it
2 still is an important pedestrian corridor.
3 And then, as I mentioned earlier, on I Street
4 the double row of trees that defines both the
5 circulation zone and these gathering spaces
6 along the building edge.

7 Now the courtyard, let me turn to
8 this important new space in the center of the
9 block. And I might say that there are very
10 few great courtyard spaces in Washington. I
11 think this has a chance to be a real kind of
12 important and popular space that is kind of an
13 escape from the city streets and sort of a
14 green garden in the middle of the block. It's
15 visible and opening almost 60 feet on 23rd
16 Street. It invites you in with the planting,
17 water in the middle, a water feature with
18 movable chairs. There is the option for a
19 retail restaurant use to extend out into the
20 space in the better months of the year, and
21 then a more private residential zone on the
22 southern half of the block. The idea here is

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1 that the runoff -- storm water runoff will be
2 directed to the planting areas, that we would
3 use native plant materials so that, in fact,
4 this will function as part of the
5 sustainability and green roof concept for the
6 - for the site.

7 This is a section looking through
8 that courtyard space with the office building
9 on one side, we're looking toward the
10 southwest, office building on one side, the
11 other office wing here, the green space with
12 a slight change of level, water feature, and
13 then the entry passage from 23rd Street here
14 on the right with a range of plant materials
15 and the architects have provided sufficient
16 space for these trees to get quite large with
17 a soil zone of about four feet in this deck
18 area so we stand a good chance of making a
19 really good green landscape on this deck
20 environment.

21 This is a view looking from 23rd
22 Street into that opening with planting on one

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1 side, this is a walk, it's about half the
2 width, which curves along the side of the
3 office building with retail at this corner,
4 retail at this corner. And here's a view in
5 the space looking out, once again, to the
6 southwest. Here's the office building on the
7 right. The residential piece of the building
8 here beyond. So this is the connection to the
9 lobby, and then this more passive and quiet
10 green space on one side with a water feature
11 and in the residential zone beyond the water
12 actually steps down into this pool that you
13 see amidst the trees here.

14 This is a section of 23rd Street
15 with the retail, the sidewalk clear zone, and
16 then the street tree planting of five feet
17 along the edge. It's a typical downtown
18 standard. Okay. And then a section at I
19 Street, which I've described several times.
20 This would be the view from the metro station,
21 it'd be right to this landmark here and to the
22 grocery store beyond. This is the clear

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1 pedestrian zone on the south side.

2 This is a section through the I
3 Street Plaza, through the residential lobby.
4 Another sustainability green strategy is to
5 take the roof water here, make a rain garden.
6 So as Raphael mentioned, you see green space
7 as you look through this lobby of the
8 residential as well as through the lobby of
9 the office building as well into that garden
10 space. So here's the courtyard space beyond.
11 So with that I'll let Richard talk about how
12 the retail now amplifies these sidewalks and
13 public spaces.

14 MR. HEAPES: Well thank you, Alan.
15 My name is Richard Heapes. I am a founding
16 partner of Streetworks. For those of you that
17 don't know my company, we are developers and
18 planners who specialize completely on retail
19 based fixtures organized around great
20 sidewalks and great public places. Here in
21 the District we were responsible for the bids,
22 retail strategy, for downtown several years

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1 ago. Probably most well known for our work at
2 Bethesda Row and I've worked with Boston
3 Properties at Reston Town Center.

4 One of the most interesting things
5 about this site is that although it's a simple
6 square site with four sides it actually has
7 quite a distinguished different characteristic
8 between each side of the site in terms of who
9 the customer is, what the character of the
10 architecture is, and how you might approach
11 the side walk and the retail. When we look at
12 retail we ask four questions. What's the
13 market position of the building it sits in?
14 In this case we have everything from a
15 regional class A downtown corporate address,
16 if you would, on the Circle and Pennsylvania
17 Avenue, all the way to a local neighborhood
18 oriented, residentially driven small scale
19 local address on the other side of the site.
20 That's quite extraordinary. We asked
21 ourselves about critical mass, because retail
22 really is about connecting. Are there any

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1 larger patterns that we want to connect to or
2 be the connection to? In the case of the
3 Circle and Pennsylvania Avenue not really.
4 It's not really a retail corridor, certainly
5 at the circle. While on the other extreme the
6 I Street corridor is part of the campus plan,
7 it's very important in terms of critical mass.

8 We ask our self something that
9 every retail asks me first, visibility. How
10 can I be seen and by whom? Is my customer
11 coming by car or taxi or coming by the metro
12 or walking in this case? Very different
13 conditions. And finally, probably my most
14 important goal here is to make sure that all
15 of the retail is viable in terms of its
16 height, its depth, its loading, its access to
17 parking long-term, because retail changes and
18 has its cycles. We want to make sure that
19 this is great retail space for the life of the
20 building and the block.

21 So when you think about these
22 three areas really start thinking about the

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1 Pennsylvania Avenue Washington Circle piece
2 which is really divided into two pieces: the
3 piece I have circled here, split by the office
4 lobby. The piece I have circled here is
5 adjacent to the loading, very important. It's
6 on the corner of 22nd and Pennsylvania --
7 actually is on Pennsylvania, and is likely
8 location for retail that is associated with
9 the office. It is a likely place for a
10 significant restaurant that will have a
11 significant entrance on Pennsylvania Avenue
12 and have the ability, in this case, to go all
13 the way through and perhaps have some activity
14 into the courtyard in the case of café tables
15 that edge that courtyard design.

16 On the other hand the retail along
17 the circle itself, remembering that this sits
18 in the first floor of an office space, is
19 driven by probably the most remarkable
20 visibility, from a regional perspective.
21 There are a lot of cars going around that
22 circle. It is the gateway to both downtown

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1 and to the campus. And so I think we will
2 have the opportunity there to attract tenants
3 that are not just neighborhood service, but
4 that would rely on that visibility. They may
5 be some hard goods tenants. They may be the
6 type of tenants that cross over to the
7 university. This, for example, is an Apple
8 store, but combine the visibility with the
9 access and character of the neighborhood. As
10 we walk around the project we also think this
11 is a very important retail piece here on this
12 corner, which is really part of the gateway
13 into that courtyard and help define that
14 courtyard edge as being something that's quite
15 active.

16 On the other corner you have
17 really the possibility to anchor the I Street
18 corridor and anchor the neighborhood goods and
19 services through a grocery store. As Raphael
20 showed you on the model, we are showing at
21 this entrance the entrance to the grocery
22 store, which is probably the most important

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1 piece of the retail here, because most
2 retailers are going to want to know where that
3 corner is, how you see that corner from the
4 metro, and where do they stand in relationship
5 to everyone going from their dailies to that
6 -- to that entrance, but that's not the only
7 entrance. I think it's important, and this
8 was shown in a sketch to you, what's most
9 important is the relationship to that grocery
10 store below grade. It is completely below
11 grade and it is accessed by its own parking
12 which sits in this field and its own loading
13 below grade. And what is important -- we've
14 done probably 100 below grade supermarkets, is
15 that the experience not feel like it's, you
16 know, down in the bowels of the earth, that
17 there is a good entrance from the parking, the
18 parking is clear and safe and tall colognes,
19 and the loading is clear and safe so that when
20 you're down there you don't feel like you're
21 in the bowels of the planet. And there are
22 ways to do that. And the grocery store can

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1 have its own character at this size and have
2 its own distinguishing characteristics.

3 Why is this important? Because
4 the bulk of the retail is really here along
5 this face and along that face, including this.
6 And it's the right depth, it's the right
7 height and designed to create the collection
8 of small stores that are -- that will be what
9 makes this neighborhood place, particularly
10 along this plaza. We would expect along this
11 face to see 15 to 20 foot type storefronts
12 with enough depth and you would have all the
13 neighborhood goods and services that you would
14 expect to have in a healthy neighborhood from
15 the hardware to the quick bites to the small
16 restaurant, services to cross over tenants
17 that service both the university students and
18 the neighborhood population, really any kind
19 of neighborhood service convenience you would
20 see.

21 And it is there for two reasons.
22 It's there because the grocery store's there

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1 and because the metro traffic's there, the
2 foot traffic. And it is relying on that
3 traffic in the neighborhood to have happened.
4 Finally, of course, there is the opportunity
5 related to the public space in front of that
6 retail. It just allows some things to happen,
7 doesn't require them, be they cafes in the
8 front or the merchandising of that space
9 either temporarily or seasonally or on the
10 condition of the market that, I think, will
11 make that space quite attractive to tenants in
12 the market. So at the end of the day you
13 really have four distinct characteristics and
14 experiences, but you are -- they are all
15 driven by being in a neighborhood with a
16 highly pedestrian population that has a
17 grocery store.

18 MR. FEOLA: Our next witness is
19 Jami Milanovich of Wells and Associates. Ms.
20 Milanovich, were you responsible for the
21 transportation impact studies that were
22 submitted to the commission both in October

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1 `06 and May `06?

2 MS. MILANOVICH: Yes.

3 MR. FEOLA: And do they represent
4 your professional judgement --

5 MS. MILANOVICH: Yes.

6 MR. FEOLA: -- with regard to
7 traffic and transportation?

8 MS. MILANOVICH: Yes, they do.

9 MR. FEOLA: Could you briefly
10 summarize those reports for the commission?

11 MS. MILANOVICH: Sure. We first
12 begin the transportation impact study back in
13 May of 2005, since that time we've had
14 numerous discussions and meetings with DDoT
15 regarding the scope of the studies, the
16 methodologies, the findings and
17 recommendations of the study. The study took
18 a comprehensive look at the transportation
19 components evaluating vehicles, pedestrians,
20 parking, transit, loading, and transportation
21 demand management strategies. The study
22 evaluated existing conditions, 2010 conditions

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1 with the proposed development and 2010
2 condition without the proposed development.

3 In order to assess the impact of
4 the proposed development on the surrounding
5 area the 17 intersections shown here in yellow
6 were selected for further detailed analysis.
7 The site is situated in an area that is
8 currently well served by a grid network of
9 arterials, collectors, and local streets. The
10 site also is in an area of significant public
11 transportation service. The Foggy Bottom GW
12 U Metro Station is located in close proximity
13 at the intersection of 23rd and I Streets. In
14 addition, six metro bus routes, a DC
15 circulator, the Maryland connector, and other
16 private shuttles all operate within the study
17 area.

18 Based on existing traffic counts
19 conducted in October of this year, the
20 existing lane configurations, and the traffic
21 controls present in the study area, most of
22 the intersections currently operate at an

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1 overall level of service D or better, with the
2 exception of the 24th Street/Pennsylvania
3 Avenue intersection and the K Street eastbound
4 Washington Circle intersection, which are
5 shown on this diagram. Due to the close
6 proximity of the site to metro an estimated 60
7 percent of office and retail trips and an
8 estimated 63 percent of residential trips are
9 anticipated to be made via some mode other
10 than a single occupant vehicle. As a result
11 the proposed development is expected to
12 generate 450 a.m. peak hour vehicle trips and
13 689 p.m. peak hour vehicle trips. The
14 breakdown of the trips by component is shown
15 here in this graph.

16 In order to illustrate the impact
17 of the proposed development on the study area
18 this slide shows the projected overall levels
19 of service in 2010 without the proposed
20 development and also in 2010 with the proposed
21 development and the recommended transportation
22 improvements. As shown here the overall

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1 levels of service under conditions with the
2 proposed development and the recommended
3 improvements would remain unchanged from
4 conditions without the proposed development.

5 Now in order to accommodate the
6 site generated -- in order to accommodate the
7 site generated traffic volumes signal times at
8 the 23rd Street, F Street, Virginia Avenue
9 intersection should be optimized. And a
10 traffic signal should also be installed at the
11 22nd Street/I Street intersection, shown here.
12 And finally, traffic signals should be
13 optimized at the Pennsylvania Avenue/24th
14 Street intersection shown there. These
15 mitigation measures were developed by looking
16 not just at the projected overall levels of
17 service, but by also looking at the levels of
18 service for each lane group at each
19 intersection. In cases where lane groups are
20 projected to operate at a level of service D
21 or better without the proposed development it
22 would be projected to operate at a level of

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1 service D or better with the proposed
2 development and the recommended improvement.
3 In cases where a lane group is projected to
4 operate at a level of service E or a level of
5 service F without the proposed development
6 those lane groups would be projected to
7 operate at no worse a level of service with
8 the proposed development.

9 In an effort to decrease the
10 number of vehicles generated by the proposed
11 site the applicant is proposing a
12 comprehensive transportation demand management
13 program. The goal of the program is to limit
14 the use of single occupant vehicles by
15 encouraging the use of transit, ride sharing,
16 bicycling, and walking. To that end the
17 following transportation demand management
18 components would be implemented with the
19 development: transit incentives such as
20 including fair media to residents at initial
21 lease packages, information dissemination
22 through the use of property management

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1 websites, and printed materials available at
2 the concierge desk. Telecommuting incentives
3 including prewiring all residential units for
4 high speed internet and an onsite business
5 center. Car pooling incentives including
6 participation in the district's ride share
7 program, designated parking spaces for car
8 sharing vehicles such as flex car and zip car,
9 and onsite bicycle storage facilities.

10 Additionally, in an effort to
11 reduce the impact to the public street system
12 surrounding the site, the applicant is
13 proposing a truck management plan. This plan
14 would include onsite loading, all loading
15 functions would occur internal to the site
16 below grade, and has been designed to allow
17 trucks to enter the site front first and to
18 exit the site front first thereby eliminating
19 impacts to the public street system. An
20 onsite dock manager would coordinate all
21 loading activities, and retail tenants would
22 be provided with preferred truck circulation

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1 routes to the site.

2 In summary the impact of the
3 proposed development can be offset by
4 implementing the proposed transportation
5 demand management plan and the transportation
6 improvements. The availability of the public
7 transportation would assist in implementing
8 the TDM program and would significantly reduce
9 the amount of single occupant vehicles
10 traveling to and from the site. And, finally,
11 the proposed truck management plan would
12 minimize the impact of deliveries on the
13 surrounding public street system.

14 MR. FEOLA: Ms. Milanovich, are
15 you familiar with the Department of
16 Transportation's report in this -- in this
17 case?

18 MS. MILANOVICH: Yes I am.

19 MR. FEOLA: And the critique
20 contained therein, has the applicant responded
21 to that critique to the department?

22 MS. MILANOVICH: Yes, a memo was

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1 submitted to the department last Friday,
2 November 17th, responding to several of the
3 items in their report.

4 MR. FEOLA: Did it inc-

5 MS. MILANOVICH: It included the
6 transportation demand management plan details
7 and also details of the truck management
8 program.

9 MR. FEOLA: If it please the
10 commission we'd like to submit that memorandum
11 to the record.

12 MS. MITTEN: Yes, please.

13 MR. FEOLA: And, finally, Mr.
14 Pelli, who is going to wrap up our
15 presentation.

16 MR. PELLI: Thank you. We have
17 sought to create the best kind of urban mixed
18 use project. Mixed use is a term that's often
19 used to mean primarily a single use with some
20 token retail at the base, but here we have
21 really looked hard at creating, not only a
22 mixture of uses between residential and

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1 commercial, but a real robust critical mass of
2 retail and mixture of kinds of uses within
3 that retail that are the kinds of things that
4 support neighborhoods and make for active
5 pedestrian environments.

6 Beyond mixed I think the other
7 word is diversity and variety. We have sought
8 an architectural expression which is
9 consistent with more of a neighborhood
10 environment and more of a mixture of uses in
11 that diversity of expression to the buildings,
12 the breaking down the scale fo the buildings,
13 and in creating a suite of exterior spaces
14 which are complementary to Washington Circle,
15 but really much more in the spirit of campus
16 design, where you have the kind of diversity
17 of spaces, where you have intimate spaces, you
18 have café spaces, you have larger spaces that
19 all are a great opportunity to take advantage
20 of the 40,000 people that come out of the
21 metro. Most of the pedestrian spaces are
22 oriented to face the metro and to be

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1 immediately visible from the metro to draw
2 people into them. And beyond that existing
3 use what this project proposes and hopes is
4 that this will encourage future use. That the
5 office uses the residents who would actually
6 use their metros, their natural most
7 convenient use of transportation within the
8 city, which is really the highest goal of
9 transit oriented development is to make this,
10 not only take advantage of what's there now,
11 but for this to be an avenue for growth for
12 the city. And we believe that this project
13 takes advantage of this situation very well,
14 and we're very excited about the possibility
15 of it going forward. Thank you very much.

16 MR. FEOLA: Madam Chair, to
17 reinforce the last couple of sentences of Mr.
18 Pelli's statement we're pleased to report that
19 the Smart Growth Alliance of has chosen to
20 endorse this project and we'd like to submit
21 the letter from that alliance to the record,
22 if I might.

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1 MS. MITTEN: All right.

2 MR. FEOLA: And that concludes our
3 direct presentation. We'd obviously like to
4 save a little bit for conclusion at the end of
5 the proceeding and possibly rebuttal.

6 MS. MITTEN: Sure. Great. Thank
7 you. Questions from the commission. Do you
8 happen to have a copy of the PowerPoint
9 presentation for us tonight, the hard copies?

10 MR. FEOLA: And we do have hard
11 copies we'll pass them out right now.

12 MS. MITTEN: That'd be great.
13 Thank you. Yes, that's always tough lugging
14 them home. Questions from the commission?
15 The lights haven't been back up long enough.

16 MR. JEFFRIES: I've got my own
17 share. I have a question around -- just one
18 question around architecture and then a couple
19 of questions around retail strategy. The
20 architecture -- I'm curious about sort of the
21 curtain wall that faces onto -- glass curtain
22 wall that faces onto the Circle and whether --

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1 I mean I know it's 90 feet, but whether
2 there's enough articulation, whether terms of
3 how that would look as you're driving or
4 walking along the Circle, whether it would
5 look some what monolithic. If you could just
6 comment on that.

7 MR. JOHNSTON: There are many
8 different kinds of glass buildings, of course,
9 and we believe that you can get a great
10 richness in the articulation of glass with the
11 lattice work of metal that you place in front
12 of it. And I use by reference our project at
13 1900 K Street, this will in the end look quite
14 different, but how you articulate the metal
15 work and having it sit forward of the glass
16 plan can give the kind of depth and
17 articulation to contemporary buildings that
18 the older buildings used to have. It's hard
19 to show at this scale. This was, by nature,
20 the technique rendered very flat, but it is
21 our intention to get some real depth in the
22 wall through the articulation of the metal or

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1 - and to create shadows of the metal work onto
2 the masonry bands, which are those that sit --
3 which are -- which are what wrap the
4 Washington Circle itself.

5 MR. JEFFRIES: I'm really - I
6 understand that that you could play with
7 articulation of the surfaces, but I'm really
8 just dealing with the volume -

9 MR. JOHNSTON: Right.

10 MR. JEFFRIES: -- and that's sort
11 of what I'm dealing with. I mean and that was
12 just really my comment. Again, from the --
13 from how it sits and when you're looking at
14 this thing and the context of your overall
15 site, it doesn't look for, you know, so
16 foreboding, but I'm just wondering if you're
17 walking along, if you're driving along whether
18 that somewhat look like a bit of a wall of
19 sorts.

20 MR. JOHNSTON: I think that there
21 the -- the answer to that is we firmly believe
22 that it can be a very handsome building and

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1 it's all in the articulation and the detail.
2 We would be happy, if you would like, to
3 supply more detail to you and to submit it to
4 you, but we have done glass buildings in many
5 places around the country and around the
6 world, and are very sensitive to creating
7 proper pedestrian oriented facades to
8 buildings. We thought that by moving the main
9 lobby entrance around to Pennsylvania Avenue
10 it actually makes it more of a kind of a
11 spatial container building in a way like good
12 campus buildings. Campus buildings are
13 usually designed to be walls to spaces that
14 just define the spaces, the central spaces and
15 in a way they're almost trying to be
16 background buildings. This rendered in glass
17 is trying to do something of the same, to be
18 -- to be a very beautiful and a very elegant
19 building, but to not draw so much attention to
20 itself and just be an elegant wall, but I
21 think the final answer to that is going to be
22 in the detailed articulation of the wall,

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1 which we have done some work on but it is not
2 represented in the models here.

3 MR. JEFFRIES: Yes. It might be -
4 - that might be a good idea in terms of
5 examples of other work that -- where you sort
6 of captured sort of the likeness of the
7 curtain wall. That could be helpful.

8 MR. JOHNSTON: Be happy to supply
9 that.

10 MR. JEFFRIES: The other questions
11 I had were for Mr. Heapes. And perhaps if we
12 could -- was there slides that -- I think
13 there were slides that you were using. I'm
14 trying to get my arms around this retail on
15 Washington Circle. I'm just curious as to who
16 the user would be. I know it's office. Would
17 it be a highend elegant restaurant? I'm just
18 -- I don't fully understand what the retail
19 use will be, you know, that's on the ground
20 floor --

21 MR. HEAPES: Right.

22 MR. JEFFRIES: - there on

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1 Washington Circle for the office building.

2 MR. HEAPES: Well we're talking
3 about this, which is the likely candidate for
4 restaurant.

5 MR. JEFFRIES: Okay.

6 MR. HEAPES: And why is that? It's
7 on Pennsylvania Avenue. The truck loading
8 facilities and access to those are over here,
9 they're not over there.

10 MR. JEFFRIES: Okay.

11 MR. HEAPES: So you're going to
12 tend to put the restaurant there. You have
13 the ability -- you're not going to have the
14 ability to drop off or valet or any of that
15 stuff on the circle, but you will have the
16 ability to perhaps do that on 22nd.

17 MR. JEFFRIES: Okay.

18 MR. HEAPES: And it's the right
19 kind of address associated with an office
20 lobby because you're right really adjacent to
21 the lobby so that's Part A if you would. And
22 I'll -- I'd rather call that the beginning of

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1 Pennsylvania Avenue than Washington Circle.

2 MR. JEFFRIES: Than Washington
3 Circle.

4 MR. HEAPES: Just as a way of
5 nomenclature. The rest of the retail is there
6 because of the demand from the neighborhood,
7 both the people in the buildings, the people
8 at the hospital, the people on campus,
9 etcetera, but it has two characteristics. The
10 characteristic of this retail is that it's
11 visible directly from the metro, you're going
12 to go by it as you go to the grocery store
13 etcetera, and I would say the same is true
14 going up 23rd. You know a lot of foot traffic
15 there, etcetera. So what is the
16 characteristic on the Circle?

17 MR. JEFFRIES: Right.

18 MR. HEAPES: It would be the same
19 types of tenants, but there are some tenants
20 that can benefit from some visibility. For
21 example, a bookstore would be a kind of tenant
22 that you would expect to see in a university

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1 oriented retail setting, but that also has
2 appeal and attraction beyond just that.
3 Frankly you don't need to really see the
4 bookstore when you're going to the grocery
5 store. It's got a bigger population. Kramer
6 Books is a great example that benefits from
7 that neighborhood, but also its visibility
8 from Connecticut. Perhaps a music store. We
9 don't do record stores anymore. But there are
10 a number of tenants that can capitalize by
11 both being neighborhood and having that
12 visibility.

13 The trick will be the architecture
14 of that retail. And I think you'll look for
15 the tenants that want the visibility, that can
16 be simple and would have glass that don't need
17 the little cute storefronts and all of that
18 kind of pedestrian environment, because that's
19 not what's going on there. It is a bigger
20 scaled environment.

21 MR. JEFFRIES: So what will the
22 square footage -

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1 MR. HEAPES: It could be a
2 furniture store.

3 MR. JEFFRIES: -- excuse me?

4 MR. HEAPES: I'm sorry. I didn't
5 mean to interrupt, but it could be a furniture
6 store. Could be -

7 MR. JEFFRIES: A furniture store?

8 MR. HEAPES: Yes. The kind of
9 store - I'm not going - I hate to throw tenant
10 names out. Let me throw one out, Wal-Mart.
11 Okay. Now we're over that. I'm just - I'm
12 just - whenever you throw tenant names out
13 people conjure up all things. If you've ever
14 seen a Crate and Barrel store, that's quite
15 modern, quite glassy, it's interested in
16 displaying their wears and yet it's retail.
17 That's the kind of visual thing. The amount
18 of tenant identify is really going to be up to
19 the tenant, etcetera. But there are tenants
20 that are interested in that kind of
21 visibility. This is not a shopping district
22 so it's not going to be what you would see

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1 down the street in Georgetown.

2 MR. JEFFRIES: Absolutely. I mean
3 this is an office building.

4 MR. HEAPES: Absolutely.

5 MR. JEFFRIES: Okay. And so ground
6 floor you've listed a bookstore. You've
7 listed a furniture store, Pottery Barn -

8 MR. HEAPES: Lighting.

9 MR. JEFFRIES: -- and this would
10 be along Washington Circle?

11 MR. HEAPES: Yes.

12 MR. JEFFRIES: Okay.

13 MS. MITTEN: Before you go off of
14 that subject. I'm glad you -

15 MR. JEFFRIES: I wasn't about to
16 go off it but -

17 MS. MITTEN: Oh, okay. Keep
18 going. Don't -- tell me when you're going off
19 of it and if I have anything to add I'll -

20 MR. JEFFRIES: Okay. Listen I
21 mean I understand the I Street. I understand
22 -

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1 MR. HEAPES: Right.

2 MR. JEFFRIES: The challenges as
3 it relates to neighborhood serving retails
4 versus sort of the larger scale.

5 MR. HEAPES: Right.

6 MR. JEFFRIES: I'm really just --
7 I'm concerned about viability of some of this,
8 particularly the amount of retail that's here.
9 In fact, I thought I read something -- a
10 couple of the -- there was concern about just
11 how some of the other retail was struggling in
12 the overall area. Now clearly I understand
13 you're creating more rooftops here and the
14 world's going to be wonderful, but, you know,
15 I just find that being on that Washington
16 Circle and you're driving, you know, we're not
17 trying to necessarily promote a lot of
18 pedestrian, at least that's what I thought I
19 heard, along the Circle and I'm just -- I just
20 don't know how the users of the retail, how
21 they're going to negotiate getting to it, you
22 know, just -- I just have some -- I'm just

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1 really struggling around just that piece.

2 MR. HEAPES: Right.

3 MR. JEFFRIES: I got I Street. I
4 got Pennsylvania. Got it, got it, got it.
5 But I don't quite fully understand how that
6 meshes with the office above. And, again, the
7 site what we've been told it's transitional,
8 you know, it's the transitional site from the
9 neighborhood to the campus and so I think you
10 got your hands full.

11 MR. HEAPES: I would just -- I
12 would just make one really short comment as a
13 way to think about this relative to other
14 retail in the area, which you mentioned. It
15 really has to do with critical mass and if you
16 look at ICSC, which is the counsel shopping
17 centers -

18 MR. JEFFRIES: Right.

19 MR. HEAPES: -- they would name -
20 they would tell you that a neighborhood retail
21 center that's anchored by a grocery store
22 would tend to have about 50,000 to 100,000 of

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1 the kinds of small shops that happen in that
2 daily trip. And can you cut that in a forth
3 and make that work? No. There's some synergy
4 between those users, between going to the
5 grocery, getting a bite to eat, having a copy
6 made, and that collection of uses. That's
7 probably the most significant thing about this
8 site is that collectively there's about 84,000
9 square feet of retail. If you cut that down
10 to 30 I would be very nervous about it, but as
11 a collection and this is very normal on - in
12 campus environments where you have those
13 collection of services that are needed there
14 as a collection is really how they work,
15 anchored by that grocery store.

16 MR. JEFFRIES: Madam Chair, I was
17 about to veer so did you want to -

18 MS. MITTEN: Okay. I guess I share
19 the concern that Commissioner Jeffries is
20 trying to express. I mean this -- there's not
21 any good retail on Washington Circle now,
22 there's not any good retail on like Thomas

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1 Circle or anything. There is on Dupont, but
2 Dupont's a different environment and I guess
3 my main concern is what happens if retail
4 doesn't work. What's this -- what is -- I
5 mean this is in part an amenity that's being
6 offered and what will we get instead?

7 MR. JOHNSTON: Well we're
8 convinced it's going to work and I think for
9 the reasons Richard outlined. The nature and
10 our experience in other environments, be it
11 Prudential Center in Boston, Reston Town
12 Center in Northern Virginia, the critical mass
13 of retail what we've found is that at this
14 scale you can attract retailers that are going
15 to want to be here. You can attract it
16 through the fact that you can develop co-
17 tenancies among different retailers who want
18 to be there. Richard mentioned and showed the
19 image of the Apple store, for instance, which
20 we're trying to do business actually right now
21 in Reston. Our sense is that at 80 plus
22 thousand square feet anchored with a true

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1 grocery store, a full service grocery store,
2 we're going to be able to create the kind of
3 dynamic and vibrant retail with those co-
4 tenancies that circle this block based on, as
5 you had indicated, the number of additional
6 roofs we're putting here, but also the market
7 as it exists today.

8 The other thing is right now with
9 this particular site, as you know, it's been
10 vacant for a number of years, but the
11 pedestrian traffic up Pennsylvania going
12 towards Georgetown, there is no connection
13 now. We think this site, and in particular,
14 this part of this circle contribute to that.

15 MS. MITTEN: Okay. Just humor me.
16 What will happen? You'll come back to the
17 commission if it doesn't lease up? I mean
18 there isn't any good retail of the kind you're
19 describing. I mean Red Lion Row is Red Line
20 Row and, you know, everybody can have their
21 own opinion about that, but if you start going
22 down Pennsylvania Avenue until you get to

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1 Georgetown there isn't any good retail. So,
2 unless, you know tell me if I'm wrong, but
3 what's going to happen if this doesn't lease
4 up?

5 MR. HEAPES: There's no
6 storefronts really from the - for quite a few
7 blocks. None of the office buildings -
8 shouldn't say none, most of the office
9 buildings weren't built and constructed with
10 the notion that there would be retail.
11 Certainly at the World Bank and a number of
12 the residential buildings. I have to step
13 back to - let's just be really simple about
14 what's in a neighborhood service center. That
15 might help. In a typical neighborhood service
16 center there's a bank, a financial
17 institution. Is that more appropriate in the
18 first floor of an office building or adjacent
19 to the grocery store? It fits very well in
20 the first floor of an office building. It's
21 not exciting, vibrant high-end retail, but it
22 is consumer oriented serving a customer there.

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1 So there are the kinds of retailers that make
2 sense to be in this configuration in this
3 neighborhood at these kinds of numbers. Other
4 than that I don't really know what to tell you
5 other than it's about the most predictable
6 standard collection of retail. The question
7 should be if you don't get the grocery store
8 then what is the collection of retail there
9 and that would be a different configuration.

10 MR. JEFFRIES: But -- but I got --
11 I'm clear about I got to ICSC every year. I
12 understand what they're pedaling.

13 MR. HEAPES: Right.

14 MR. JEFFRIES: I mean I clearly
15 understand sort of the complementary uses.

16 MR. HEAPES: Right.

17 MR. JEFFRIES: You know, a grocery
18 store anchor and so much inline retail comes
19 along. I got it. I'm -- the concern is that
20 this is a bit of a more of a unique situation
21 and it's just, from where I sit, there's just
22 some concern about the viability of

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1 particularly certain types of retail. Like,
2 for example, you talk about a bookstore, you
3 know, I'm curious as to what percentage of
4 those customers going to that bookstore are
5 not going to be from this area, and if that's
6 a fairly sizable sector then how are they
7 negotiating getting to that location? And you
8 have all the answers. That's fine. I just
9 think, you know, it would be very helpful, at
10 least for me and perhaps, Madam Chair, that we
11 just get a clear understanding of exactly how
12 this is going to be successful so -

13 MS. MITTEN: I think that would be
14 helpful, thanks.

15 MR. JEFFRIES: -- yes. The other
16 question I just -- in terms of will there be
17 any entrances to the retail within the court
18 or will those be secondary? Will there be any
19 -- okay those would just be -

20 MR. HEAPES: The only retail that
21 we anticipated in the court would be the
22 possibility of some interaction with the

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1 restaurants to the courtyard seasonally. But
2 the notion is not that you would -

3 MR. JEFFRIES: Like a kiosk or -

4 MR. HEAPES: Well a cafe's coming
5 out of a restaurant, out in back of a
6 restaurant.

7 MR. JEFFRIES: Okay.

8 MR. HEAPES: You wouldn't have
9 that on Pennsylvania Avenue or 22nd. So I
10 think Raphael showed you how restaurants can
11 spill along this edge seasonally as part of
12 the restaurants that are in there and that
13 would be it.

14 MR. JEFFRIES: Okay. And then I
15 have one last question, Madam Chair, and this
16 is for Ms. Milanovich. Could you go back to
17 that slide that had side by side the existing
18 traffic forecast versus what is projected or
19 future, I think it was future.

20 MS. MILANOVICH: Yes.

21 MR. JEFFRIES: Do you remember
22 that slide.

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1 MS. MILANOVICH: Yes, I think
2 you're referring to the one that showed the
3 future without the proposed development -

4 MR. JEFFRIES: Yes. Yes.

5 MS. MILANOVICH: -- and the future
6 with.

7 MR. JEFFRIES: And I thought you
8 made a statement that I got somewhat alarmed
9 with. Did you say that if I went from without
10 proposed development to with proposed
11 development that really the difference would
12 be somewhat minor provided those mitigants
13 were put in place, those traffic mitigants? Is
14 that -- was that your statement?

15 MS. MILANOVICH: Yes.

16 MR. JEFFRIES: Okay. And it just
17 seems very counterintuitive. I don't even
18 need to read the traffic report or anything.
19 I mean how could that be?

20 MS. MILANOVICH: Well I'm not
21 saying that there would not be any impact, but
22 what our analysis shows is that -- I mean

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1 generally speaking a level of service D is
2 considered acceptable, D or better. So it,
3 you know, we are mitigating our impact
4 anywhere where the level of service would drop
5 to an unacceptable level. We are bringing
6 that back up to what it would be otherwise.
7 And, again, the Transportation Demand
8 Management program is a critical part,
9 component, of this development, you know? The
10 site's being situated right next to the metro
11 station is critical in reducing the number of
12 vehicles that will be generated by the site.

13 MR. JEFFRIES: Okay. I'll take
14 that up later.

15 MS. SCHELLIN: Just to that point,
16 what are you projecting in terms of if --
17 let's just say no Transportation Demand
18 Management program and what impact would we
19 see if there were no such program, because
20 you're talking about how integral to the --
21 your projections that is. How reliant are we
22 on the success of the program?

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1 MS. MILANOVICH: Well our analysis
2 was done assuming a certain mode split. As I
3 had mentioned it's 60 percent for the office
4 and retail component. Meaning 60 percent of
5 the trips generated by the site would be made
6 by some mode other than a single occupant
7 vehicle and 63 percent for residential, and
8 that's what our analysis was based on. We
9 have not done an analysis that looks at the
10 number of trips that would be generated if
11 something less than the 60 or 63 percent mode
12 split was achieved.

13 MS. MITTEN: Do you have something
14 specific that you could point to in, you know,
15 other office buildings in the area or other
16 office buildings that are similarly situated
17 with, you know, relative to a metro station
18 that are experiencing those kind of --

19 MS. MILANOVICH: Yes. Our - those
20 percentages were actually derived from WMATA's
21 Ridership Survey, which actually has recently
22 been updated, I believe in 2005, and was just

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1 released a few months ago. And that study
2 looked at various metro stations and actually
3 developed equations based on the distance from
4 the site to the metro station and we actually
5 calculated those percentages based on the
6 distance of our site from the Foggy Bottom GWU
7 Metro Station so, yes there is other
8 experience in the area that lends itself to
9 those percentages.

10 MS. MITTEN: Okay. Two things.
11 If you could submit whatever you relied on in
12 the metro study to the record, would be point
13 number one. And then point number two is I
14 think the experience with Class A buildings
15 that may be attracting say law firms and so on
16 might be different than a typical office
17 building downtown, you know, there's many
18 office buildings downtown that don't have
19 parking garages at all. And, you know,
20 they're not all Class A so I'd be interested
21 in the subset that this will -- that this
22 development will fall into, particularly on

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1 the office side is where the numbers just are
2 -- they sound kind of optimistic, but, you
3 know, we're -- we want to be educated so --

4 MR. FEOLA: Madam Chair, we will
5 submit the Ridership Survey because it's
6 fairly thick. We will point to the portions
7 that talk about the Class A versus other
8 buildings.

9 MS. MITTEN: Oh, okay. Okay. If
10 they broke it down already that's be great.
11 Okay. Other questions, Mr. Hood.

12 MR. HOOD: Madam Chair, if we can
13 let's look at this slide again and I guess
14 that's why there's five of us and we have a
15 transcript, because we all interpret and hear
16 things differently. Ms. Milanovich, you --
17 the way I interpret the slide that you said
18 that without the proposed development and with
19 the proposed develop mitigations there's no
20 change, am I correct? And I know you just
21 went over it with Commissioner Jeffries, but
22 I have to understand it.

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1 MS. MILANOVICH: There's a
2 distinction there. The areas shown in green
3 on that slide represent a level of service D
4 or better, which is generally considered
5 acceptable. So there are locations where we
6 could be dropping from a level of service C to
7 a level of service D, but what we are not
8 doing is allowing any level of service to drop
9 to an unacceptable level of service without
10 mitigating it.

11 MR. HOOD: So there is a change?
12 Because my next question was why are we even
13 doing any mitigations?

14 MS. MILANOVICH: Well the
15 mitigation is necessary. There are locations
16 without the mitigations improvements where the
17 levels of service would drop to unacceptable
18 levels. Those mitigation strategies are
19 necessary to mitigate the impact back to
20 acceptable levels of service.

21 MR. HOOD: So I either heard you
22 incorrectly when you said there's no change --

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1 MS. MILANOVICH: No, in situations
2 where it will be a level of service E or a
3 level of service F without the development,
4 there would be no worse a level of service
5 with the proposed development and the
6 mitigation.

7 MR. HOOD: Okay. So we won't be
8 dropping below D to E and F or -

9 MS. MILANOVICH: Correct. Unless
10 it would be otherwise without the development.

11 MR. HOOD: Okay. Because it seems
12 as though -- it looks to me that the level of
13 service in the area, every case that we have
14 seems to be improving. I mean that's the way
15 I see it because -- well I don't want to bring
16 other cases into this case, but -

17 MS. MILANOVICH: Yes, well keep in
18 mind that the levels of service shown here are
19 overall levels of service and, I mean it's
20 probably best to think of that as a weighted
21 average. There are particular movements at
22 these intersections that are operating perhaps

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1 at a level of service E, for example. But
2 it's possible for a particular movement at an
3 intersection to be operating at a level of
4 service E or F, but still be operating at an
5 overall level of service D.

6 MR. HOOD: Okay. That's okay. In
7 the traffic - in DDoT's report, and I can ask
8 Mr. Laden when we get to it, he mentioned --
9 we're talking about the signal at 22nd and I
10 Streets and it goes on to say DDoT traffic
11 services signal engineers would need
12 additional time to provide a more thorough
13 review of the noted intersection. Do you know
14 what that's about or I can wait and ask him.

15 MS. MILANOVICH: Well we have had
16 follow-up conversations with them and my
17 understanding was that they were looking for
18 some additional information to support
19 justification of a traffic signal at that
20 location, which we provided in our memo on
21 Friday.

22 MR. HOOD: The one we just

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1 received tonight?

2 MS. MILANOVICH: Yes.

3 MR. HOOD: Okay. Thank you, Ms.
4 Milanovich. Mr. Feola, I'm looking at the ANC
5 letter, and this goes back to the discussion
6 that the chairman and Mr. Jeffries had about
7 the retail. Apparently the ANC, which is very
8 familiar with the area, has said certain
9 grocery stores -- and I don't want to get into
10 specific tenant, but grocery stores have not
11 worked in this area, at least that's what I'm
12 reading -- understanding here. Is there any
13 way in this PUD you can tie into -- and I
14 think they've asked that we tie into specifics
15 saying that use will be for grocery and
16 grocery store only? And I think this goes
17 back what the chairperson said about you guys
18 having to come back to us, some kind of way we
19 can tie into it. I don't know if it's legal,
20 but I'm just asking would you all be in
21 agreement to doing that in the conditions?

22 MR. FEOLA: Absolutely. We would

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1 make that a -- we would propose that as a
2 condition to an order here that that space
3 would be for a grocery store.

4 MR. HOOD: A condition that can be
5 changed later on.

6 MS. MITTEN: Just to refer to the
7 submission that you gave us tonight that the
8 commitment is to reserve a minimum of 25,000
9 square feet, right?

10 MR. FEOLA: That's correct.

11 MS. MITTEN: So that's the
12 commitment although they -

13 MR. HOOD: Okay.

14 MS. MITTEN: -- they're projecting
15 that it's going to be much larger than that,
16 but that's their offer as the minimum.

17 MR. HOOD: The 25,000 square feet.

18 MS. MITTEN: Yes.

19 MR. HOOD: And that was what
20 originally was -- all right. Okay. Good.
21 Thank you.

22 MS. MITTEN: Anyone else? Mr.

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1 Turnbull.

2 MR. TURNBULL: Thank you Madam
3 Chair. I just wanted to go back to the transit
4 incentive for a minute. I just want to make
5 sure I understood this. In the response to
6 DDoT you talked about pretax transportation
7 benefits and I'm just -- for metro, metrorail
8 , metrobus, and mark in V or E. But is that
9 -- how is -- who's handling that? Is that as
10 the landlord going with the tenants? Is there
11 an agreement? Or how are those pretax
12 benefits then being -- I mean I have a feeling
13 this is still a voluntary thing. There's no
14 real - there's no real way to control that,
15 whether a tenant's going to offer that to
16 their employees or not.

17 MR. HEAPES: Well first of all,
18 both Boston Properties and KSI work in terms
19 of our onsite staff, we're committing to do
20 that. So all of the BP employees, all of the
21 KSI employees would. To your - to your point
22 about can we require that of a tenant in the

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1 lease --

2 MR. TURNBULL: Yes.

3 MR. HEAPES: Typically no. I will
4 tell you -- and we have about 4 million square
5 feet that we own and lease in the district,
6 that this is something that we're finding our
7 tenants are doing voluntarily, because it's
8 part of the package in terms of, you know,
9 what they're doing to attract employees these
10 days. It's not something that we typically
11 have ever required in a lease to get to your
12 question.

13 MR. TURNBULL: There's no
14 incentive
15 that you offer to tenants to have that
16 incentive?

17 MR. LAWSON: There isn't an
18 economic incentive.

19 MR. TURNBULL: Okay. I guess my
20 next question going back to Mr. Heapes and
21 the question that Mr. Jeffries, getting back
22 to the Circle with the tenant on the Circle.

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1 Did you -- maybe I misunderstood -- was one of
2 the options a restaurant on that circle?

3 MR. HEAPES: I'm not sure whether
4 I mentioned that or not, but that would seem
5 to be a logical option relative to retail.

6 MR. TURNBULL: Well I guess in
7 your discussion for planning for different
8 types --

9 MR. HEAPES: Right.

10 MR. TURNBULL: And the one option
11 that was mentioned was a Crate and Barrel
12 which was a very visible type of a store and
13 they track people and they walk from blocks
14 and they go do it. But if I had a Clyde's
15 there and we're trying to avoid traffic
16 stopping on the - on that circle I'm going to
17 have the taxi stop at the circle and get out
18 and go in if there if was an entrance on that
19 circle.

20 MR. HEAPES: Yes.

21 MR. TURNBULL: So I'm just curious
22 from a planning standpoint and pedestrians

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1 getting in and out and our concern about
2 traffic management on that circle.

3 MR. PELLI: Can I make a comment
4 related to that?

5 MR. TURNBULL: Yeah.

6 MR. PELLI: We've actually
7 deliberately, and this is something that come
8 out of discussions with OP, made elongated
9 planters along the length of the frontage to
10 Washington Circle to discourage any drop off
11 there. It's really intended as a pedestrian
12 zone for people who are walking along the
13 sidewalks or coming up from the metro.

14 MR. TURNBULL: Okay.

15 MR. PELLI: So we are taking
16 physical steps to discourage drop offs, which
17 doesn't mean that a cab can't, you know,
18 wouldn't, although it's so busy I can't
19 imagine they would try to do it very often.

20 MR. TURNBULL: All right. Thank
21 you. The other thing is on the -- on the
22 grocery store, what's the ceiling height in

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1 the basement for the lowest level of that
2 grocery store?

3 MR. PELLI: Fifteen feet.

4 MR. TURNBULL: Fifteen feet. Are
5 you -- is the idea to try to incorporate the
6 first level with the basement, open it up,
7 atrium type of a space?

8 MR. PELLI: Yes. That -- it
9 depends, obviously on the tenant, so we
10 haven't been able to -

11 MR. TURNBULL: Right. Yeah.

12 MR. PELLI: -- define that, but
13 all of the stores that are doing that 10 to 1,
14 a large opening below so you really see down
15 and you're invited down.

16 MR. TURNBULL: Right. So you have
17 good visibility.

18 MR. PELLI: Right. That's
19 correct.

20 MR. TURNBULL: Okay. On your roof
21 plan you showed an alternate option or trying
22 to increase the green roof area, on that

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1 second -- I think you had a second plan roof
2 plan that you showed.

3 MR. PELLI: The alternate did not
4 show a greater quantity, it just showed a
5 different location.

6 MR. TURNBULL: Oh, so that was not
7 in addition to what you showed previously.

8 MR. PELLI: No, no, no. Those are
9 two different locations for where the green
10 roof might be, because that's -- in both cases
11 for the commercial uses and for the
12 residential uses one of those roofs is lower
13 than the other so we are looking how to create
14 a portion of that roof that might be used as
15 an amenity to the -- to the users on that
16 upper story so we're looking at different
17 alternatives, but we haven't settled - defined
18 exactly where that'll go yet. And these are
19 still numbers which are minimums. We can
20 study further when we get down to it and study
21 it and by out the job we may find it to be
22 cost effective to do larger portions, but

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1 these are -- these are what we're committing
2 to as minimums right now.

3 MR. TURNBULL: I was just think
4 that that's such a visible part of the circle
5 there, that the green roofs up on that one
6 whole -- that whole section is a very visible
7 amenity, very very attractive part of that
8 building, but -- and there's none then on the
9 -- there's a little piece on the other
10 building across from it, the other curved or
11 am I not reading that? Is that just a walkout
12 area, a terrace.

13 MR. PELLI: There is -- that's a
14 terrace area. That's correct. There is -

15 MR. TURNBULL: Is that a cooling
16 tower up there or --

17 MR. PELLI: There is a - there are
18 two bulk heads for the commercial portion of
19 the project we have tried to concentrate most
20 of the cooling tower and mechanical equipment
21 on the 22nd Street side.

22 MR. TURNBULL: Okay.

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1 MR. PELLI: As you can see with
2 the outline here we've really tried to get th
3 bulk of that equipment on the 22nd Street side
4 so we can minimize the impact of the bulk head
5 on the circle. So this portion will include
6 elevator overrides, obviously, and stair
7 access and a small amount for some air
8 handlers, a cooling tower, but we've really
9 tried to disproportionally locate most of it
10 on the 22nd Street side which is also the
11 higher roof and keep the lower roof clear for
12 a green roof. Obviously the lower roof at 90
13 feet, we think that that would be a great
14 amenity for the users there, but less as a
15 green roof than as a patio space or a terrace
16 space.

17 MR. TURNBULL: So some of the
18 mechanical in the roof on the other building
19 is serving -- it serves the other building as
20 well?

21 MR. PELLI: That's correct.
22 That's correct. Yes, a lot of the mechanical

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1 equipment here will help to serve the whole
2 complex.

3 MR. TURNBULL: Okay. Thank you.

4 MS. MITTEN: Mr. Parsons?

5 MR. PARSONS: I wonder if we could
6 go to slides 24 and 25. I'm just following up
7 on Mr. Jeffries' concern. I'm trying to
8 understand how glass is going to look. These
9 are the two neighboring buildings. This is 24
10 and then 25 is the Michael Graves building up
11 the street, but everybody has their preference
12 and it's a subjective discussion. Those
13 buildings appeal to me so then if we could go
14 to Slide 42. I'm trying to understand. You
15 mentioned metal. The horizontal doesn't play
16 to well with the lights on, but it doesn't
17 make any difference, you know what's there.
18 The horizontal elements in this facade appear
19 to be stone, are they?

20 MR. PELLI: They are masonry. We
21 don't -- we haven't determined yet whether
22 they're stone or precast concrete or

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1 architectural grade.

2 MR. PARSONS: So your response to
3 Mr. Jeffries was the metalwork.

4 MR. PELLI: Yes.

5 MR. PARSONS: And that's in the
6 upper levels, is that correct?

7 MR. PELLI: The metalwork will be
8 throughout. It is -- it is -- there will be
9 a lattice work of metal, which is continuous
10 throughout the building and the portions of
11 the facade which also incorporate masonry, the
12 metalwork will stand forward of the masonry to
13 cast shadows on the masonry.

14 MR. PARSONS: Maybe our problem is
15 we're used to a little more detail at this
16 point.

17 MR. PELLI: Okay.

18 MR. PARSONS: And I guess when you
19 bring that back to us that'll be helpful.

20 MS. MITTEN: Yes. I do want to
21 just maybe take a moment while Mr. Parsons has
22 raised the point, which is, you know, before

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1 we can take final action we're going to need
2 to see the materials and we're going to need
3 to see samples of the materials. So -

4 MR. PELLI: All right.

5 MS. MITTEN: You do.

6 MR. PELLI: We have samples, yes,
7 but we don't have necessarily the kind of
8 details Mr. Parsons is looking for. We'd be
9 happy to show you the materials.

10 MS. MITTEN: Okay.

11 MR. PARSONS: I think it would be
12 good to see some more three dimensional
13 representation of the detailing of the -- of
14 the facade.

15 MR. PELLI: These are the
16 materials that are proposed on the office
17 building, relatively clear glass. What you
18 see as green here is the low emotivity coating
19 and, of course, the iron that is inherent
20 naturally glass. This is the masonry. Right
21 now we're showing an architectural grade
22 precast concrete, but we are going to be

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1 studying what the final masonry material is.
2 We will have a light painted metal work,
3 probably painted aluminum and we will have
4 stainless steel as accents on the storefront
5 and on the entrances. And -

6 MR. PARSONS: Well that's helpful.

7 MR. JEFFRIES: But just -- but if
8 you go to just -- I'm sorry, I don't -- but -

9 MR. PELLI: Please.

10 MR. JEFFRIES: Slide 43, can you
11 keep that there? Slide 43, the horizontal
12 bands right there. Those are -

13 MR. PELLI: Those are the masonry.
14 The horizontal bands that you see there.

15 MR. PARSONS: And why wouldn't
16 they continue onto the rest of the building?

17 MR. PELLI: We were
18 differentiating that element from other
19 portions of the building. We felt that it
20 helped actually break down the scale of the
21 project, that different portions of the facade
22 have some variation within them.

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1 MR. PARSONS: Okay.

2 MR. PELLI: Would you like to see
3 material samples, board, for the residential
4 portion of the project, or not?

5 MR. PARSONS: That looks pretty
6 good -

7 MR. PELLI: Okay. All right.

8 MR. PARSONS: -- to me. Slide 34,
9 please. Now Mr. Pelli, you teased me. Oh
10 you're putting back exhibits. No, no, no, no.
11 We're on another issue here. You teased me
12 with this slide, where you -- where you canted
13 back the I Street facade of the residential to
14 respond to metro -

15 MR. PELLI: Yes.

16 MR. PARSONS: -- and then
17 obviously determined to go a different
18 direction and you said that this was the slide
19 you decided to move forward with and then we
20 left to Mr. Ward who said, "Well, that didn't
21 work." So could you help us with why that
22 didn't work?

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1 MR. PELLI: No, not that it didn't
2 work, but there we had a great setback right
3 at the opening of I Street and we came nearly
4 to the property line as you came up I Street
5 and we chose to actually give the depth
6 throughout and kept the face of the building
7 back for the whole length along I Street. We
8 actually thought it made a better condition
9 for the retail there in discussing with
10 Richard the opportunities for some of these
11 retail tenants to be able to have café seating
12 and chairs out there. Otherwise we squeeze
13 down to a much more normal sidewalk depth
14 there. So we took that idea, but we kept that
15 opening the entire length of the length along
16 I, and also by doing that we also made a much
17 more visible end here, which we thought was
18 very important to the visibility for the
19 grocery store as you come out of metro.

20 MR. PARSONS: Thank you. Now I
21 wanted to -- we shifted exhibits, if we could
22 go back to 42. My colleagues would be

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1 disappointed if I didn't bring this up so I'm
2 going -- I'm going to be talking about the
3 whatever it is on top of the residential tower
4 that I'll loosely call a trellis. What is
5 that and why is that?

6 MR. PELLI: That is an extended
7 parapet line, which is containing the rooftop
8 pool as an amenity for the residential area.
9 We essentially carried the roof line out and
10 over the project, generally on both wings of
11 the residential tower, and then we carved an
12 opening into this portion of the residential
13 tower here to bring sunlight and daylight into
14 the pool area so that it's open to the sky.
15 But to continue that, in effect that cornice
16 line of the roof line for the residential.

17 MR. PARSONS: But its purpose is
18 to provide shade around the pool.

19 MR. PELLI: Its purpose is really
20 to continue that roof line architecturally for
21 the building, and secondarily, by having the -
22 some slender columns which support it around

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1 it create a kind of screen around the pool
2 area itself.

3 MR. PARSONS: But over on 22nd
4 Street or have I got the right street?

5 MR. PELLI: 22nd is the second
6 street.

7 MR. PARSONS: What have we got
8 there? An extension of that -- of that
9 apparent parapet of the office building -

10 MR. PELLI: We do not -- no, we
11 don't extend out horizontally the roof of the
12 commercial building there. We have a more
13 typical parapet condition. We have in several
14 cases tried to differentiate somewhat the
15 detailing of the residential building and the
16 commercial buildings. But that -- but that
17 height line is the same. It continues that
18 height line.

19 MR. PARSONS: So you're taking 130
20 feet on Pennsylvania Avenue down a grade. How
21 high is that trellis or whatever then when it
22 gets -

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1 MR. PELLI: That continues that
2 same height of 130 feet.

3 MR. PARSONS: But because of the
4 grade change it's probably 140-145, right?

5 MR. PELLI: It -- from the
6 sidewalk at that corner it is 140 feet.

7 MR. PARSONS: To the top of that
8 trellis.

9 MR. PELLI: To the top of that
10 element, yes.

11 MR. PARSONS: Why not step the
12 building down as seen from the street instead
13 of have this parapet extension, I think.
14 We're groping for terms for these and you've
15 come up with a new one tonight some people -

16 MR. PELLI: Extended parapet.

17 MR. PARSONS: -- call it terrace,
18 trellis, whatever. I just don't see the need
19 to -

20 MR. PELLI: Continue that line.

21 MR. PARSONS: -- extend that much
22 shadow down on to the 22nd Street when it's

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1 simply there for - I don't know what purpose.
2 Enough of that. Give it some thought, please.

3 MR. PELLI: All right.

4 MR. PARSONS: Mr. Ward, could we
5 go to Number 35? All right. Talk about
6 accessibility here. I'm a little confused
7 with the ramps and so forth. But maybe you
8 could take us in from 22nd -- 23rd Street up
9 the yellow brick road I'll call it. I
10 shouldn't do that. That's not - but the
11 yellow pavement.

12 MR. WARD: So you're speaking of
13 the opening from 23rd here?

14 MR. PARSONS: Yes.

15 MR. WARD: Yes.

16 MR. PARSONS: Go up that
17 accessible ramp, which is labeled at 4.7
18 percent.

19 MR. WARD: Right. This space here
20 is about 7 feet higher - the courtyard space
21 is about 7 feet higher in grade than the
22 sidewalk at this point in 23rd so this walk

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1 slopes under 5 percent. So it's simply a
2 stepping walk.

3 MR. PARSONS: Yes, all right. Go
4 up to the top. Take a right. Go through the
5 trees and you're now above the pool below,
6 correct? They're about the same grade, are
7 they?

8 MR. WARD: This pool is -- yes
9 well the level of the water is -- you know --
10 is a few inches below the level of the paving.
11 So this - all of this zone here is elevated.

12 MR. PARSONS: All right now. Can
13 you walk or, excuse me, could you take a
14 wheelchair around that large pool?

15 MR. WARD: Yes. You can go here
16 and here. And then there's also a ramp here
17 as well should you wish to connect the private
18 area with the public area.

19 MR. PARSONS: So there are no
20 stairs on the south side of the pool, would
21 appear to be there right?

22 MR. WARD: There are -- from this

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1 walk the slope, there's stairs. It doesn't
2 show up well, but there are -

3 MR. PARSONS: I see those.

4 MR. WARD: -- there are some
5 stairs here that do make the connection as
6 this slopes up to this level area higher, but
7 if you're - you need to avoid the stairs then
8 you come around along that path and reach
9 grade there.

10 MR. PARSONS: And on the south
11 side of the pool those are not stairs shown?
12 That's where the runoff meets the -

13 MR. WARD: That's right. This is
14 all at the level of the plaza here. The water
15 drops here and the paving just goes
16 continuously level. The water drops at that
17 point between the pavers.

18 MR. PARSONS: So there appears to
19 be a grate there over that runoff. Some -

20 MR. WARD: Some stones grate. The
21 water goes through while the paving remains at
22 level.

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1 MR. PARSONS: Okay. Now there's
2 very limited seating here. I counted about 20
3 benches in the entire project.

4 MR. WARD: Yes. And since this
5 area, you know, is managed, is visible from
6 the lobbies the thought would be that there
7 would be significant movable seating that they
8 , you know, would manage and provide
9 additional seating which gives the flexibility
10 to move in and out of the trees for sun
11 depending on the time of year.

12 MR. PARSONS: Okay. So I see some
13 yellow tables, which I guess Mr. Heapes was
14 talking about as possibly having some
15 ancillary outdoor dining in addition to the
16 retail, but this is just a concept idea. You
17 don't know whether there's going to be a food
18 service -

19 MR. WARD: Right. I mean it
20 depends on that tenant, if it is a restaurant
21 use, and if that tenant wants to serve
22 outside, but it is quite an interesting space

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1 if there were a tenant there and they were
2 willing to serve outside as it does get pretty
3 good midday sun most of the year.

4 ??UNKNOWN: But we really don't
5 know whether there's going to be any retail in
6 here because of the lack of visibility that
7 Mr. Heapes mentioned earlier.

8 MR. PARSONS: Is this a potential
9 Starbucks location, who don't seem to need
10 visibility. I mean we're not supposed to
11 mention names, but that kind of a special
12 service.

13 MR. HEAPES: Well the thought is
14 in this bank of retail right here, which is
15 contiguous retail, you have the possibility
16 for a door here and a second door here, which
17 is really the thought that -- it's only in a
18 restaurant that you can really open the back
19 of the retail up because it can be organized
20 that way. So it was really the thought that
21 this restaurant -- food service here would be
22 able to open up its backup and do service here

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1 because it can organize itself that way. It
2 wasn't the notion that you would have a front
3 door from the courtyard that you would then go
4 and come out. I would be concerned that that
5 doesn't have the visibility or the foot
6 traffic.

7 MR. PARSONS: But it would seem to
8 me the worst case would be there's no food
9 service in this courtyard. Would you agree
10 with that?

11 MR. HEAPES: Correct. Correct.

12 MR. PARSONS: I mean it would
13 become a private enclave. It would become
14 something else. It would not be attractive to
15 the community, except maybe Sunday morning to
16 read the paper if you brought your own coffee.

17 MR. WARD: Well, however, if you
18 look at the pedestrians coming from the
19 transit station that still is -- excuse me
20 Jake -- that connection through the courtyard
21 crossing I Street up 23rd this is still the
22 shortest route so I think you'll have

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1 significant pedestrian flows through the space
2 morning, afternoon to and from the office
3 building.

4 MR. PARSONS: Oh, sure.

5 MR. WARD: And then use of that
6 space at midday as just a place to sit and
7 have a brown bag lunch or a place to just, you
8 know, enjoy the weather outdoors many times of
9 the year.

10 MR. PARSONS: Right. Now
11 switching subjects, have you done any shadow
12 studies to determine how often this area will
13 be hospitable?

14 MR. WARD: Yes, we have and the,
15 you know the key times are in March and
16 September. I mean you get full sun here in
17 summer -

18 MR. PARSONS: Right.

19 MR. WARD: -- midday and that's
20 when you need the trees. In March and
21 September the shadow about 12 to 1 starts to
22 reach about this point here. We're also aided

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1 by this slot here which allows light in, but
2 the shadow from this building reaches well
3 into the space, but it still leaves this
4 portion of the space sunny when you need the
5 sun in March and September. So at midday we
6 have sun there when we need it.

7 MR. PARSONS: Except for the
8 winter, of course.

9 MR. WARD: Yes, when you wouldn't
10 expect to be sitting outside. Yes, there is
11 no sun.

12 MR. PARSONS: Okay. Ms.
13 Milanovich, I many misunderstand Mr. Laden's
14 report and, of course, we haven't given him a
15 chance to speak, but anyway I thought his
16 question went to -- or forget his question, I
17 don't want to interpret his. My question is
18 on I Street where the retail will exist on the
19 north side how can we control or you control
20 or the owner control the quick delivery? I'm
21 just here to deliver whatever, pizza tins or
22 whatever. How can -- how can these quick

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1 deliveries be forced into the basement?

2 MS. MILANOVICH: Well I think the
3 best thing that we can do is provide easy
4 access and convenient access on site, which is
5 exactly what we're doing, you know, if there's
6 a FedEx delivery -- I mean - really that's an
7 enforcement issue as it is anywhere else in
8 the city, but, you know, to provide enough
9 loading bays and easy access in and out of the
10 site is really the best way that we can -- we
11 can encourage people and force people to use
12 the interior loading.

13 MR. PARSONS: So, excuse me, what
14 would you recommend for parking regulations on
15 I Street on the north side? Parking meters?
16 No parking?

17 MS. MILANOVICH: There's currently
18 parking meters there -

19 MR. PARSONS: Right.

20 MS. MILANOVICH: -- and we would
21 recommend that that continue.

22 MR. PARSONS: So those would

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1 continue. So this van less Federal Express
2 delivery wanted to get in there, there's no
3 loading zone. He's going to have to double
4 park.

5 MS. MILANOVICH: Yes, you know, if
6 it was an issue I mean we could certainly look
7 at perhaps providing an area where there's no
8 parking for those short-term type deliveries.
9 But, again, you know, the loading that's being
10 provided on site frankly, I don't think can be
11 any simpler or any more convenient for the
12 majority of the loading functions.

13 MR. PARSONS: So you're persuaded
14 or convinced that the fellow who has to make
15 a quick delivery will use the basement
16 facility?

17 MS. MILANOVICH: We've made it as
18 convenient as we can, you know? We can't --
19 I think that yes, from time to time there will
20 be, you know, a quick delivery that is not
21 going to opt to use that loading area that's
22 provided onsite.

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1 MR. PARSONS: Well certainly in my
2 experience that's the most aggravating, not to
3 me personally, but to traffic, is the double
4 parker. I mean try it in Georgetown on M
5 Street, nobody enforces it. They haven't got
6 time.

7 MR. FEOLA: Okay. Well in
8 response, Mr. Parsons, I think as part of the
9 truck management plan I think we -- the
10 applicant intends to do what it can to
11 mitigate or to minimize the scafflaws, if you
12 will, because it's illegal to do that. But --
13 and unlike Georgetown, we are -- this project
14 does provide that kind of easy way to service
15 from the loading docks. There's no narrow
16 alley that you can't get down. I mean it's
17 pretty easy, and if we can get our tenants to
18 not let the delivery come in the front door
19 which happens in my office building, which is
20 managed by Boston Properties, they just don't
21 allow -- the concierge just says, "You can't
22 come in here. Go around the back." So we

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1 think we can manage it. I think the thing
2 that Mr. -- the Department of Transportation
3 has suggested, which I think's a good idea,
4 not only for this case but for others, is
5 obligating us, the applicant, to provide an
6 annual report to DDoT and the Zoning
7 Commission and the ANC about how all of these
8 things are working: the transportation
9 management program, how many ride shares are
10 going, how many tenants in the building are
11 taking advantage of metro check and I think we
12 have checks then along the way to see whether
13 they're working or not working. And if we
14 find that there are more scofflaws than there
15 are not then I think it's incumbent on the
16 applicant to fix it.

17 MR. PARSONS: Okay. Mr. Johnston.
18 Excuse me. I'm not doing too well tonight.
19 Is there any possibility this building could
20 be leased out -- the office building could be
21 leased out to somebody affiliated with the
22 World Bank or other international

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1 organizations or maybe even the federal
2 government that would need some kind of
3 security protection or who's your target
4 tenant here?

5 MR. JOHNSTON: I think our target
6 tenant would be the typical Class A tenants in
7 the District. The nature of this site, its
8 location, and the cost of this project with
9 the things that we've shown tonight in terms
10 of its architecture, its loading, its public
11 spaces, where we've set it back etcetera are
12 going to require basically that we get a
13 fairly high rental rate, and given those
14 economics it would preclude the federal
15 government in our experience and we over the
16 years have built the headquarters for NASA,
17 the office of Comptroller of Currency, the
18 International Trade Commission, etcetera, the
19 Thurgood Marshall Building. We have a lot of
20 experience in leasing to the federal
21 government and I doubt highly they would ever
22 put out a procurement where they pay the

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1 rental rates that we're going to be looking to
2 achieve here. But we haven't contemplated
3 anything relative to the World Bank or any
4 other of those agencies in that area.

5 We have, as you can probably
6 imagine, and again as Mr. Katz said, there was
7 a competition among the development community
8 for this site. The legal community is highly
9 interested in finding out what happens here.
10 This is a very attractive site to them, and I
11 suspect that that -- if I had to pick an
12 industry that was our target market that would
13 be it.

14 MR. PARSONS: So I'm trying to
15 figure out how -- there's nothing the Zoning
16 Commission could do about that, but if a
17 tenant did arrive or occasion arised that they
18 said this courtyard cannot be open to the
19 public, I mean we can't do that. We're going
20 to put guard houses in here or we're going to
21 restructure this in some way to keep the riff
22 raff out of here, because they're dangerous.

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1 I'll stop.

2 MS. MITTEN: I just have a
3 couple things. The traffic signal at 22nd and
4 I came up in the campus plan case and I just
5 want clarification as to for which PUD is the
6 proffer being applied? We have a PUD in the
7 campus plan and we have a PUD here.

8 MR. FEOLA: It's this one.

9 MS. MITTEN: Okay.

10 MR. FEOLA: Square 54.

11 MS. MITTEN: All right. To
12 followup on the discussion that Mr. Parsons
13 was having I think what would be helpful for
14 me as it relates to the heights of the
15 buildings is -- I'm not questioning the
16 ability to measure from Pennsylvania Avenue,
17 but I would like to have first of all the
18 heights articulated to the commission,
19 relative to the streets that are adjacent. So
20 Mr. Pelli, you said that at 22nd and I the
21 height is really, you know, measured from
22 there, 140 feet and so on around if you could.

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1 And then put it in context for us, and then
2 explain to us why it's appropriate to go to
3 those heights in that context. And I'm not --
4 and again, I'm not questioning the legal
5 ability to measure from Pennsylvania Avenue,
6 but I, excuse me, I want to be convinced about
7 why those heights are appropriate where they
8 -- where they're being proposed, if you could
9 make an additional submission on that.

10 Is there going to be dedicated
11 parking for the grocery store or is it just
12 going to be part of parking overall for
13 retail?

14 MR. JOHNSTON: No, it would be our
15 intent and from the preliminary conversations
16 and our experience, again at the Wisconsin
17 Place development we have going on with Whole
18 Foods, who's going to be the grocer tenant
19 there, that they're going to require dedicated
20 parking.

21 MS. MITTEN: And then can you just
22 help me understand how, given that you don't

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1 know what size it is, how are you going to --
2 how is that going to expand or contract in
3 the building if you need to have -- if you're
4 going to have a bigger store and then more
5 dedicated parking or smaller store and less.
6 How's that -- what's that going to look like?

7 MR. JOHNSTON: Well, obviously,
8 the number of parking spaces we're building
9 would be fixed based on the drawings that we
10 have and then we'd have to adjust what we
11 could offer. The parking ratio that we're
12 providing for the office we believe creates
13 some flexibility relative to the grocery store
14 such that it would be our intent to try and,
15 you know, pending approval of this
16 application, begin immediately to go out and
17 secure that grocery user, and then provide
18 definition as to how many parking spaces that
19 user would require and then as we move forward
20 with the additional leasing apply that
21 flexibility in terms of the overall spaces,
22 such that with a ratio for the office, you

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1 know, one per 1500 or one per 1300 depending
2 on where the bar of what that size of that
3 grocery store was.

4 MS. MITTEN: Well we've had a
5 couple grocery stores recently and one of them
6 gave enough of a pause in terms of the number
7 of spaces that were being allocated that we
8 sent an applicant back. So if you could give
9 us some more information about how the number
10 of spaces in the grocery store relative to the
11 size of the store and then, Ms. Milanovich, I
12 think it was your firm that gave us a chart
13 and I'm speaking of the 3rd and H Street case
14 northeast, then typical ratios and other
15 stores that are newly built in the district so
16 that we could compare. I think that would be
17 helpful so that we could understand that a
18 little bit better. The annual report that
19 would be made regarding all these traffic
20 measures what -- other than just general
21 information and knowing whether we struck the
22 right balance and so on, what good would that

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1 do? What teeth would be associated with the
2 annual report, would you suggest, Mr. Feola?
3 I mean, okay guess what it's not working.
4 Then what? Because annual reports, unless
5 there's a condition that okay you're not
6 meeting your modal split so, you know, what
7 would happen next?

8 MR. FEOLA: Well I think as the
9 BZA does in private schools, I think it would
10 be incumbent then on the applicant, the owner
11 to make the adjustments necessary to bring
12 them in line with the modal split or whatever
13 the issue is, and with a reasonable amount of
14 time report back to the commission what that
15 result is.

16 MS. MITTEN: Well I guess that's
17 what I'm asking is so in - and you've
18 mentioned -

19 MR. FEOLA: And a violation would
20 be a violation of the zoning order.

21 MS. MITTEN: Right. And that's
22 the part that was missing for me is okay what

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1 are those benchmarks going to be that if
2 they're not being met and I toss the modal
3 split out, but if they're not being met then
4 something will happen and so there has to be
5 action on the part of the applicant, that's
6 what I need help with.

7 MR. FEOLA: We can put something
8 together. We haven't had a chance to do that
9 since we got the DDoT report.

10 MS. MITTEN: Okay. There was
11 another -- there was a recommendation that
12 DDoT made regarding scheduling deliveries of
13 trucks off peak hours and I didn't see in the
14 truck management plan that that was
15 specifically dealt with. Is that something
16 that -- oh, wait, I take it back. Applicant
17 will distribute detailed information to
18 tenants that restricts -- okay, sorry. The
19 last thing, DDoT had asked for some kind of,
20 I guess, design effort towards not enticing
21 people to a midblock crossing on 23rd Street.
22 Did you all take a look at that at all?

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1 Because there's a lot of - right now there's
2 a lot of just people walking back and forth,
3 and then if you put something in the middle of
4 the block to attract them, how are we going to
5 make sure they get to the corners? Has that
6 been addressed?

7 MR. WARD: The idea was with the
8 attractiveness of the plaza space on I Street
9 that you're -- it's a kind of a sequence of
10 spaces. You're attracted to that space where
11 the crosswalk is and then there's a sidewalk
12 along 23rd then to enter. So we've done --
13 we've provided significant cues to draw people
14 to the other side of the street and then
15 enter.

16 MS. MITTEN: Okay. What I was
17 think is, you know, people get impatient when
18 they're at the corner and they know - if they
19 know they want to go to the north then they
20 start walking and then they see oh, I want to
21 go over there at the first opportunity, which
22 maybe they don't want to stand at the corner

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1 and wait. So I was just wondering if you had
2 done anything more specific?

3 MR. WARD: If that were a problem
4 there could be additional planting at curbside
5 like we've done on Washington Circle, but
6 right now we're showing it, you know, fairly
7 consistent with a typical downtown street.

8 MS. MITTEN: Okay.

9 MR. FEOLA: We could provide a
10 design, Madame Chair, that addresses that
11 issue whether it's a ball or planter or some
12 combination thereof to discourage that, but
13 obviously that -

14 MS. MITTEN: I'd like to see if
15 it's still an issue for DDoT --

16 MR. FEOLA: Okay.

17 MS. MITTEN: -- you know, after
18 they've seen there -- you're presentation.

19 MR. FEOLA: Just to answer,
20 because we haven't done any design work on it.

21 MS. MITTEN: Okay. Anyone else
22 have any follow up questions? Mr. Jeffries.

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1 MR. JEFFRIES: Quick question for
2 Mr. Heapes. What's the universe of grocery
3 stores that would require 25,000 square feet?

4 MR. HEAPES: As you know, because
5 you see them come through here, the universe
6 of grocery stores changes rapidly, and what
7 we're seeing just generally speaking let's go
8 back to P Street Whole Foods. Whole Foods has
9 been getting increasingly larger and larger
10 and larger. I think that store was 40,000
11 plus or minus, and Whole Foods' desire is to
12 be 60. In response to that you're seeing --
13 that would be Harris Teeter, that would be the
14 junior gourmet folks -- in response to that we
15 are seeing underneath that, demonstrated by
16 Trader Joe's, someplace which is now Beluccis,
17 that they're coming in underneath that 15, 20,
18 25. Trader Joe's now typically, site
19 specific, is around 20 -- 15-20 and growing.
20 It is a really dynamic situation. Now those
21 are -- 15,000 is not a full service grocery so
22 that's really the dynamic that we're in.

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1 Four years ago 25 to 30 was the
2 typical Whole Foods. So I think the question
3 is we can accommodate here up to 42,000 which
4 is dead in the middle of what it takes to get
5 a full service grocery store, and then you
6 have to work on the other side of that and it
7 is grocer specific. I know Mr. Johnston has
8 been in discussions with grocery stores and I
9 don't know if you have any feedback on that.
10 I will also tell you that almost every grocery
11 store chain is working on an alternative store
12 in response -- we do a lot of work with Stop
13 & Shop/Giant and they're working on an urban
14 version. So to be quite honest, and this is
15 the frustrating thing about retail, it is so
16 dynamic that it's probably two years out that
17 you could really start to hone in on the
18 realities of those situations. I think we
19 have the ability to do a full service grocery
20 store at 42,000 and we have to get out in the
21 market and have those conversations. It's
22 not a very good answer, but that's kind of

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1 reality.

2 MR. JEFFRIES: Yes, I was just
3 trying to just tie down to this 25,000 square
4 foot minimum because Harris Teeter and
5 Safeway, Giant, Stop and Shop, I mean I just
6 hadn't heard that, you know -- that I mean
7 unless the new urban model that they're
8 looking at could accommodate, you know, when
9 I was really getting at what role -

10 MR. HEAPES: I think the number
11 from being larger than your typical Trader
12 Joe's, which I would say is less than full
13 service grocery store, and it's pretty hard to
14 do that at 15,000 square feet and that's
15 really where the number came. Can it be big
16 enough and yet give us the flexibility to be
17 talking to a number of grocers, of which there
18 are probably nine now -

19 MR. JEFFRIES: Yes, because Trader
20 Joe's is where? It's just -

21 MR. HEAPES: -- across the circle.

22 MR. JEFFRIES: Right across --

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1 yes, yes. Okay. Thank you.

2 MS. MITTEN: Okay. Anyone else?
3 All right. I'd ask you to make a little room
4 so that Mr. Hitchcock could come up and ask
5 some questions.

6 MR. HITCHCOCK: Yes, actually my
7 first set of questions was for Mr. Heapes as
8 well as Mr. Johnston. Mr. Heapes, I've been
9 trying to understand the concept that the
10 applicant has put here about neighborhood
11 serving retail and I was wondering if you
12 could define that term?

13 MR. HEAPES: Neighborhood serving
14 retail are the goods and services that are
15 typically generated by a -- I hate to use
16 radius as in an urban destination, but usually
17 within a one or two mile at the most diameter,
18 and consists of that kind of convenience
19 retail based on serving immediate neighbors.

20 MR. HITCHCOCK: Well in a sense
21 that's what I'm trying to drive at. When I
22 think of neighborhood serving in a residential

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1 neighborhood would you agree it might be such
2 things as you mentioned a hardware store, a
3 video store, dry cleaners, those types of
4 retail uses?

5 MR. HEAPES: Those would be some
6 of the categories combined with food and other
7 services.

8 MR. HITCHCOCK: Whereas in a
9 downtown type of area the neighborhood
10 convenience might be nonresidential. You
11 mentioned, I think, a bank, copy center those
12 types of uses. Is that correct?

13 MR. HEAPES: Yes.

14 MR. HITCHCOCK: So I'm having
15 trouble trying to figure out if neighborhood
16 serving means anything here in terms of the
17 types of uses. It sounds like just about
18 anything could go in here and be viewed as
19 neighborhood serving. Is that correct?

20 MR. HEAPES: No, I would not
21 expect to see destination fashion. I would
22 not expect to see, other than the grocery

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1 store, much in the way of what you would call
2 destination retail, and that is currently
3 happening in Georgetown.

4 MR. HITCHCOCK: Could you define
5 destination retail or destination fashion?

6 MS. HANOUSEK: Destination retail
7 typically has a larger retail consumer who is
8 traveling to the site specifically for that
9 retail. We do have a destination retailer
10 here called a grocery store.

11 MR. HITCHCOCK: But the
12 destination retail, for example, could be on
13 the circle.

14 MR. HEAPES: No, I believe I just
15 said we're expecting one destination retailer
16 here which is the grocery store.

17 MR. HITCHCOCK: Okay. Mr.
18 Johnston said that it was likely to be high
19 rental rates given that it's a Class A office
20 building. I take it -- would it be accurate
21 that that would diminish the possibility that
22 you would see a hardware store or other types

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1 of uses that serve residential neighborhoods?

2 MR. JOHNSTON: When I said that I
3 was actually referring to the office tenant.
4 The nature of the retail in our experience,
5 and most recently at our 901 New York Avenue
6 project which was also a PUD is that the
7 retail rental rates are, in fact, lower than
8 the office rental rates. And it depends on
9 who that retailer is.

10 MR. HITCHCOCK: Are there any
11 hardware stores at 901 New York Avenue?

12 MR. JOHNSTON: There are not.

13 MR. HITCHCOCK: Okay. Any video
14 stores?

15 MR. JOHNSTON: No.

16 MR. HITCHCOCK: Dry cleaners?

17 MR. JOHNSTON: No.

18 UNIDENTIFIED: One's coming in,
19 yes. In the lobby shop.

20 MR. JOHNSTON: There's actually
21 there's dry cleaning through the office
22 concierge.

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1 MR. HITCHCOCK: Okay. I guess
2 what I'm trying to figure out is if this is
3 the type of retail development that would be
4 useful for residential neighborhoods such as
5 Foggy Bottom or something that's just serving
6 the office tenants where there will not be
7 much activity after 5:00 p.m.. Which is it?

8 MR. JOHNSTON: Well obviously
9 that's going to depend on the leasing. As we
10 talked about earlier, I think, and Richard
11 touched on that the critical mass of retail
12 that we're looking to create here and the co-
13 tendencies that will come with that would, in
14 fact, be as he's described neighborhood
15 serving retail.

16 MR. HITCHCOCK: Okay. What's a
17 neighborhood serving restaurant in this site?

18 MR. HEAPES: I didn't really give
19 you that definition. Restaurants are really
20 their own category and can be everything from
21 quick bites to white tablecloth.

22 MR. HITCHCOCK: Okay.

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1 MR. HEAPES: And you would expect
2 to see those kind of combination of
3 restaurants in any kind of neighborhood, in
4 any kind of retail environment, a variety and
5 a diversity of restaurants.

6 MR. HITCHCOCK: So it could be
7 fast food or it could be four star cuisine?

8 MR. HEAPES: Yes.

9 MR. HITCHCOCK: Okay. You use the
10 phrase also, critical mass of retail. I was
11 wondering if you could expand by what you mean
12 critical mass in this area, where you're
13 starting from and how you hope to get to that
14 point?

15 MR. HEAPES: There's two ways to
16 think about that. Obviously one way to think
17 about that is when you're involved with a
18 grocery store that is not a profit making
19 venture, there's usually some subsidizing of
20 that effort because of it's size. And in this
21 case a lot, because it's very expensive
22 parking, it's very expensive service,

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1 etcetera. So when we talk about critical mass
2 we're usually talking about enough collection
3 of tenants that can drive around that twice a
4 week grocery experience to both help cover the
5 subsidy and to create a complete shopping
6 experience. If you think of that shopping
7 trip, you may go to the grocery store, you may
8 get your hair done, you may stop by the bank
9 and make a deposit, you may go to the bike
10 store. You may do a number of things in that
11 trip that is based around your weekly
12 convenience. Not a shopping trip that you do
13 once a month, twice a month, but your weekly
14 going about your business everyday and those
15 kinds of consumer interactions. That's really
16 the critical mass.

17 What makes this site unusual,
18 because of its size and locations, is the
19 ability to consolidate that within one site
20 and have somewhat control over that.

21 MR. HITCHCOCK: So when you used
22 the phrase critical mass you're talking just

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1 about one site, not necessarily the I Street
2 corridor?

3 MR. HEAPES: I believe the that
4 the notion here is that collectively the
5 grocery store and this collection of retail
6 can serve as an anchor to help the I Street
7 corridor occur. We're not meant to say that
8 it works stand alone, but we are assured, with
9 this amount of retail, that we'll be a strong
10 sustainable anchor to that corridor and help
11 it retain its sustainability.

12 MR. HITCHCOCK: You're familiar, I
13 take it, with the other retail in the
14 neighborhood, the shops at Pennsylvania Avenue
15 and elsewhere? But that has not created a
16 critical mass yet, has it?

17 MR. HEAPES: If you were to look
18 at the I Street corridor you could think of
19 that as the other anchor at the other end.

20 MR. HITCHCOCK: I'm sorry the
21 which -- I'm sorry, which corridor?

22 MR. HEAPES: If you were to look

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1 at the I Street corridor you could consider
2 that as participating. The real issue here
3 revolves around creating that one place that
4 you're going to do your weekly convenience
5 shopping, doesn't mean to say it's complete in
6 itself, it's everything in itself any more
7 than any particular block in Dupont Circle is.
8 But it has enough mass to be sustainable on
9 its own as the rest of the retail along I
10 Street grows.

11 MR. HITCHCOCK: Let me ask this
12 question in connection with the retail on the
13 circle. You're aware that, you know,
14 Washington Circle is an original L'Enfant
15 circle, a landmark?

16 MR. HEAPES: Yes.

17 MR. HITCHCOCK: Okay.

18 MR. FEOLA: I'm going to object.
19 He testified not to the historic nature of
20 Washington Circle.

21 MR. HITCHCOCK: No, but he
22 testified as to what would be appropriate on

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1 the circle. It therefore opened the door to
2 inquires about the character of the circle.

3 MR. FEOLA: He did not testify
4 anything about the character of the circle.
5 He testified about the location of the retail
6 on this side of the street.

7 MR. HITCHCOCK: And testified as
8 how attractive it would be -

9 MS. MITTEN: Can we -- we're
10 actually not even on the point.

11 MR. HITCHCOCK: All right.

12 MS. MITTEN: You want -- you have
13 a different point.

14 MR. HITCHCOCK: I was leading up
15 to the question is it fair to compare this
16 site to Reston Town Center or Bethesda given
17 the unique siting of this square on the
18 circle?

19 MR. HEAPES: I don't believe I
20 did.

21 MR. HITCHCOCK: You don't believe
22 you did what?

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1 MR. HEAPES: Compared this to
2 Reston or Bethesda. I mentioned Reston and
3 Bethesda as places that we have worked,
4 purely.

5 MR. HITCHCOCK: Okay. That
6 clarifies that. Mr. Johnston, I have some
7 questions for you in connection with the
8 package of amenities that are being put forth
9 here and it also deals with the memorandum
10 that was put in dealing with the economic
11 benefits. You describe certain types of
12 amenities such as new retail, landscaping,
13 street scape, significant architecture,
14 planned growth, etcetera. Isn't it true that
15 the same types of amenities, perhaps not the
16 same size, but the same types of amenities
17 could be put in on a smaller project on this
18 site?

19 MR. JOHNSTON: Well certain of the
20 amenities, and maybe not the ones you actually
21 enumerated, but, for instance, the grocery
22 store and the subsidy associated with that,

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1 what we believe in terms of the quality of the
2 architecture we're looking to provide the
3 below grade loading, the public courtyard, the
4 setback on I Street, those amenities in terms
5 of the benefits that we've submitted, and
6 their cost, would be much more difficult to
7 support the level that we're submitting if you
8 reduce the scale of the project.

9 MR. HITCHCOCK: Okay. But it
10 could be reduced.

11 MR. JOHNSTON: The scale of the
12 project could be reduced?

13 MR. HITCHCOCK: Yes.

14 MR. JOHNSTON: I'd prefer it
15 wasn't, but -

16 MR. HITCHCOCK: Okay. That was my
17 question. Mr. Ward I wanted to pick up on a
18 question that Commissioner Parsons asked.
19 Okay. Okay. Actually, yes and actually Mr.
20 Pelli I don't have any questions for you so if
21 you're -

22 MS. MITTEN: Take the opportunity,

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1 run away.

2 MR. HITCHCOCK: Okay. No comment.
3 Mr. Ward my question -- you were having a
4 conversation with Commissioner Parsons about
5 the interior parts of the courtyard there and
6 I guess my question is what would separate the
7 private open space area from the public open
8 space area?

9 MR. WARD: There's a slight grade
10 change of about 2.5 feet from the courtyard
11 are to the south.

12 MR. HITCHCOCK: Could you show us,
13 perhaps on the -- okay.

14 MR. WARD: So looking at the plan
15 on the screen. There's a line here, this is
16 about 2.5 feet higher and there is a
17 connection here, a gate, which would provide
18 a separation between the private residential
19 zone and the public area, publically
20 accessible area.

21 MR. HITCHCOCK: Okay. Yes, Mr.
22 Johnson back to you. One of the amenities,

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1 which I didn't pick up a moment ago, was the
2 fact that as you put it in your application
3 that this PUD would be, and I'm quoting, "A
4 key source of non-enrollment revenues to
5 support the university," that's GW, "core
6 academic mission." Is that an amenity that
7 we've seen in any other case that you're
8 familiar with?

9 MR. JOHNSTON: It isn't.

10 MR. HITCHCOCK: Okay. Why is it a
11 proper use of the PUD process just to sort of
12 be handing money to a private party for its
13 own use as part of its business plan?

14 MR. FEOLA: I object. First of
15 all, Mr. Johnston didn't talk -- didn't
16 testify as to that particular amenity.

17 MR. HITCHCOCK: All right. Well
18 I'm happy to -

19 MS. MITTEN: Who did? Was that
20 Mr. Katz? Somebody said it. I do -

21 MR. HITCHCOCK: Mr. Katz.

22 MS. MITTEN: Okay. So could you

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1 address your question to Mr. Katz?

2 MR. HITCHCOCK: All right. Mr.
3 Katz, do you have the question?

4 MR. KATZ: Yes.

5 MR. HITCHCOCK: Could you answer
6 the question?

7 MR. KATZ: That allows us to make
8 the commitments that we made as part of the
9 campus plan. There are commitments and
10 conditions and all of this is -- even though
11 these are separate zoning mechanisms between
12 the campus plan and the PUD for Square 54,
13 it's part of the overall integrated strategy.
14 We always talked about it as part of the
15 campus plan about -- that the -

16 MR. HITCHCOCK: I'm sorry. What
17 is the it that is part of the campus plan?

18 MR. KATZ: The need for space and
19 the need for money and it allowed us to make
20 the additional commitments such as the
21 commitments as far as the phasing out of the
22 use for undergraduate purposes from properties

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1 outside of our campus, the commitment not to
2 acquire properties outside of the campus plan
3 for other than investment purposes. Things
4 such as that.

5 MR. HITCHCOCK: Okay. Have you
6 provided a breakdown of how - the gains that
7 you would be getting from this compared to the
8 commitments. I mean in school without walls
9 you say we need 12 million to do that. I mean
10 have you provided the commission with a
11 similar document in either the campus plan
12 case or this case?

13 MR. KATZ: No, we have not.

14 MR. HITCHCOCK: Is that something
15 that you could provide?

16 MR. KATZ: No, we could not.

17 MR. HITCHCOCK: Why is that?

18 MR. KATZ: Because that is our
19 business. We're using it for the academic
20 plan and to make the commitments.

21 MR. HITCHCOCK: So basically this
22 is a matter of faith. The commission has to

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1 hope that the numbers add up.

2 MR. KATZ: No. We have -- we have
3 very specific conditions and commitments that
4 were made as part of the campus plan. We did
5 not put a -- we never put a monetary value on
6 those -- on those conditions. We did put
7 monetary values on other conditions of the
8 campus plan such as the street scape, but as
9 far as the commitments that we made to the
10 District and to the community, these were
11 issues that were very important to the
12 community. We've heard this repeatedly and
13 this -- by looking at this overall it allowed
14 us to make these commitment.

15 MR. HITCHCOCK: So is it your
16 testimony then that GW would never come in for
17 a change in any of the conditions?

18 MR. KATZ: We never said that.

19 MR. HITCHCOCK: I understand that.
20 That's why I'm asking the question.

21 MR. KATZ: We could come in, but
22 it would be up to the Zoning Commission or

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1 whatever the regulatory body at that time to
2 approve it or not.

3 MR. HITCHCOCK: So maybe it'll
4 work and maybe it won't. Let me ask you this.
5 I mean just as a policy matter. Why is it
6 that zoning regulations should be used to
7 confer monetary benefits on private property
8 holders based on unsubstantiated promises that
9 the added revenue will be enough to achieve
10 desired goals?

11 MR. KATZ: We would beg to differ
12 with you about unsubstantiated promises.
13 There are firm commitment within the campus
14 plan.

15 MR. HITCHCOCK: Unless there are
16 condition seeking -- unless amendments are
17 sought, correct?

18 MR. KATZ: That is correct, but it
19 would be up to the regulatory body to grant it
20 or not, and I would assume if there's not good
21 reason to grant it it would be denied.

22 MS. MITTEN: Can I just -- I just

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1 want to clarify something. Is the applicant
2 in this case proffering as an amenity the --
3 these features of the campus plan that you
4 will - that you seek to afford through the --
5 through the approvals on Square 54? Are you
6 proffering that as an amenity or was that just
7 in the general discussion of what will happen?

8 MR. FEOLA: Madam Chair, the
9 amenities in this project are outlined in the
10 memorandum that we submitted to the record.
11 It has nothing to do with George Washington
12 University's future use of moneys that they
13 receive as part of this development.

14 MS. MITTEN: Okay.

15 MR. FEOLA: It is not the -- those
16 commitments were part of the campus plan.
17 Some of these moneys that they receive in
18 ground rent may go to some of those things,
19 but this project is a land use project that
20 stands on its own.

21 MS. MITTEN: Right. I just --
22 okay. Good. I just wanted to clarify that.

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1 MR. HITCHCOCK: Okay. Thank you,
2 Madam Chair. I guess this would be back to
3 Mr. Johnston, although if another witness is
4 appropriate I'll take the answer from that
5 person. The application talks, and I'm
6 looking at Page 22, about how this project is
7 -- will result in stabilizing and improving
8 the District's neighborhoods. And I was
9 wondering how does this project stabilize the
10 Foggy Bottom residential neighborhood?

11 MR. JOHNSTON: Well and I can't
12 give you the exact date, but I believe this
13 site has been vacant now for a period of some
14 three years. And actually, even if we assume
15 that this gets approved in the first quarter
16 of next year, we're looking still a couple of
17 years out prior to getting -- you know -- by
18 the time we could get a permit and actually
19 construct it, and we think that based on the
20 amenity package we've offered, the mix of
21 uses, and the transit oriented nature of this
22 development to take advantage of the location

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1 at the metro station, that it'll create
2 amenities for the community and enliven the
3 street scape and help to, you know, stabilize
4 the community.

5 MR. HITCHCOCK: Well I guess I'm
6 focusing on the word stabilize. Are you
7 suggesting that it's currently an unstable
8 neighborhood because the lot is empty?

9 MR. JOHNSTON: No, I'm not -- I
10 wouldn't characterize it as unstable.

11 MR. HITCHCOCK: All right, but not
12 -- but something in need of stabilization.

13 MR. JOHNSTON: Yes, I think what
14 we're looking to do, again, given its location
15 at the top of the metro and the mixed use
16 nature of the development is add to the fabric
17 of this community. And we think that this
18 package that we're offering and the
19 development we've proposed does that.

20 MR. HITCHCOCK: Okay. Even though
21 it will not have uses of the sort, you know,
22 for neighborhood residents that we talked

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1 about before, the video store or -

2 MR. FEOLA: I object. He didn't
3 testify to this and Mr. Heapes didn't say he
4 would not have a video store here. He just
5 listed some potential uses and Mr. Hitchcock
6 is taking that elimination for his words.

7 MS. MITTEN: I understand.

8 MR. HITCHCOCK: All right. I
9 thought that was called cross examination, Mr.
10 Feola. How far do the witnesses go?

11 MS. MITTEN: I think there's a
12 little too much editorializing -

13 MR. HITCHCOCK: Okay.

14 MS. MITTEN: -- in the context of
15 asking questions and that's really what's
16 bothering Mr. Feola.

17 MR. HITCHCOCK: Okay.

18 MS. MITTEN: So you can save that
19 for the presentation.

20 MR. HITCHCOCK: Okay. I will do
21 so, Madam Chair. Ms. Milanovich, I have a
22 couple of questions for you on the traffic

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1 issues. If I understood you correctly you
2 said that you mitigated every lane group to
3 better than it would be without the site being
4 developed. Could you -- maybe I missed it,
5 what your answer is about Washington Circle
6 and K Street eastbound, that intersection?

7 MS. MILANOVICH: Actually what I
8 said was in cases where the level of service
9 would be an E or an F without the proposed
10 development the level of service with the
11 proposed development would be no worse.

12 MR. HITCHCOCK: Oh, all right.
13 And that -- okay. How about the site
14 driveway, what's your analysis of that?

15 MS. MILANOVICH: In terms of level
16 of service?

17 MR. HITCHCOCK: Um-hmm.

18 MS. MILANOVICH: It is projected
19 to operate a level of service E during the
20 p.m. peak hour and that's the driveway itself.

21 MR. HITCHCOCK: And so therefore
22 you're not doing anything with that?

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1 MS. MILANOVICH: Well we're
2 providing two egress lanes to help facilitate
3 the traffic coming out of the development
4 during the p.m. peak hour.

5 MR. HITCHCOCK: Okay. You talked
6 a lot about the traffic management plan for
7 this neighborhood. Are there some areas of
8 the city that you can identify that you think
9 have traffic management plans that you think
10 have been very successful?

11 MS. MILANOVICH: I don't know
12 that I'll be able to come up with any specific
13 examples.

14 MR. HITCHCOCK: Okay. That's
15 fine. I had a question also and this, I guess
16 just because it falls under the truck
17 management plan part of the memorandum Mr.
18 Feola distributed earlier today, it's to Mr.
19 Laden and to Mr. Jennings from Mr. Feola and
20 Ms. Dwyer (phonetic). Under -- it's the sixth
21 page of my copy, the first bullet point in the
22 middle. Do you have that?

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1 MS. MILANOVICH: Yes, I believe
2 so.

3 MR. HITCHCOCK: Okay. You say in
4 there Boston Properties and KSI Services will
5 encourage all deliveries and trash disposal,
6 services including that of the retail tenants
7 to occur within the internal loading dock
8 facility only. Didn't the applicant
9 previously state that it would do more than
10 simply encourage?

11 MS. MILANOVICH: Well I believe
12 there will be an onsite dock manager that will
13 facilitate and coordinate the loading
14 activities.

15 MR. HITCHCOCK: So all you're --
16 you're not going to -- you wouldn't require
17 the deliveries to take place in the internal
18 loading dock?

19 MS. MILANOVICH: I can't answer
20 that question.

21 MR. HITCHCOCK: Well --

22 MR. JOHNSTON: No, I think as far

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1 as requiring them we would typically in a
2 condition like this put that in our leases
3 with our tenants.

4 MR. HITCHCOCK: Encouragement or
5 requirement.

6 MR. JOHNSTON: Well if it's -- if
7 it's in the lease with the tenant that they're
8 required to use it and -

9 MR. HITCHCOCK: Okay.

10 MR. JOHNSTON: And comply with,
11 you know, basically and I'm looking at the
12 sixth bullet here and maybe I've got a
13 different -

14 MR. HITCHCOCK: No, I'll show you.
15 We're on the same page.

16 MR. JOHNSTON: Okay.

17 MR. HITCHCOCK: Yes, it's the
18 first bullet. I mean I'm asking this was an
19 issue, I know, in the hospital case and other
20 cases and whether there's requirement or
21 simply encouragement for some of the reasons
22 we were talking about before. Ms. Milanovich,

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1 I had another series of questions dealing with
2 the traffic study and the a.m. peak and the
3 p.m. peak. Your figures showed considerably
4 more traffic during the evening p.m. peak than
5 the a.m. peak and I was wondering if you could
6 explain why.

7 MS. MILANOVICH: The volumes that
8 are presented in our study are based on actual
9 traffic counts that were conducted in October
10 of this year.

11 MR. HITCHCOCK: Okay.

12 MS. MILANOVICH: Typically
13 speaking the p.m. peak is generally a higher
14 traffic volume than the a.m. peak hour.

15 MR. HITCHCOCK: Because people
16 would be going back and forth to the grocery
17 store, evening rush hour is that the idea?

18 MS. MILANOVICH: Perhaps.

19 MR. HITCHCOCK: Can you come up
20 with -- provide any other reason?

21 MS. MILANOVICH: Well again
22 generally -

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1 MR. HITCHCOCK: Mr. Feola, could
2 you ask your witness, person sitting behind
3 me, not to be coaching the witness. It's
4 highly unprofessional for that person to be
5 doing so.

6 MR. HOOD: I would ask that
7 whoever that was be respectful. And Mr.
8 Feola, if you can work that out another way as
9 not to disrupt these proceedings. MR. HOOD:

10 MR. HITCHCOCK: It's the second
11 time in the last five minutes. I'm sorry Ms.
12 Milanovich.

13 MR. HOOD: I apologize for them,
14 because it should be right here.

15 MR. HITCHCOCK: Thank you, Mr.
16 Hood.

17 MR. MORRIS: Won't happen again.

18 MS. MILANOVICH: Again, generally
19 speaking the p.m. peak hour is a higher volume
20 -- has a higher volume than the a.m. peak
21 hour, which could be attributable to, you
22 know, people coming home from work in addition

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1 to other people, you know, running errands or
2 doing other types of travel.

3 MR. HITCHCOCK: Well I guess what
4 I'm striving at is you're saying the proposed
5 development would generate significant traffic
6 and significantly more in the p.m. than in the
7 a.m. so you have a lot of the people coming
8 into this site in the p.m. more than are
9 leaving in the a.m., and I was wondering why
10 that would be? I mean the a.m. peak is
11 projected to be 396 people. The p.m. peak is
12 supposed to be 627.

13 MS. MILANOVICH: Right. For
14 example, retail has a higher trip generation
15 during the p.m. peak than it does during the
16 a.m. peak so that would contribute to that as
17 well.

18 MR. HITCHCOCK: Okay. Okay. I
19 have no further questions. Thank you, Madam
20 Chair.

21 MS. MITTEN: Thank you, Mr.
22 Hitchcock. Ms. Kahlow. Mr. Hitchcock's going

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1 to give up his seat.

2 MS. KAHLOW: I have a series of
3 questions, some on the application, some what
4 was stated today. First, about the grocery
5 store amenity, in the October submission,
6 October 31st, the applicant has agreed to make
7 a commitment to include a grocery store. If
8 no perspective tenant agrees what will GW do
9 to meet this commitment? Will the -- what
10 will it do to meet the commitment?

11 MR. JOHNSTON: Well actually I
12 think that's our responsibility as the
13 landlord and as I stated earlier it's our
14 expectation that we're going to be successful
15 in that endeavor. We've had some very
16 preliminary discussions. The feedback we got
17 was they were -- a number of the -- probably
18 half of the people that we contacted were
19 interested. There were 9 different firms, but
20 as I indicated earlier, they basically came
21 back and said that it's too soon in the
22 process for them to make any kind of a firm

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1 commitment.

2 MS. KAHLOW: I understand that and
3 you're application said that. The question is
4 if you never make a deal what will you do?
5 What would GW do? For example, will the space
6 remain vacant the way the IMFP - IMF2 both of
7 its retail spaces have remained vacant for
8 years.

9 MR. JOHNSTON: I can't comment on
10 that, but -

11 MR. FEOLA: Well I think, Madam
12 Chair, if it's a condition of the zoning order
13 it will remain vacant until this zoning
14 commission approves the change in use.

15 MS. MITTEN: Well perhaps as one
16 of the things that you could consider just to
17 give the community some assurance that if a
18 grocery store user weren't identified in a
19 certain time frame that some action would be
20 taken to amend the PUD. Then they would know
21 it wasn't open ended that -

22 MR. JOHNSTON: We would absolutely

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1 be willing to do that. I mean the reality is
2 we're not benefitted by building vacant space.
3 We do think that the grocery store here is an
4 integral part of the whole mixed use concept
5 atop this metro and, you know, it may be that
6 what we can do is come back and speak to that
7 time frame.

8 MS. MITTEN: That would be helpful
9 I think.

10 MS. KAHLOW: That would be
11 helpful. Shadow studies. I'm following up on
12 Mr. Parsons mentioning that. Has GW conducted
13 shadow studies to assess the impact of the
14 lost air and light from the proposed 134 foot
15 residential building with a 140 trellis or
16 whatever you want to call it, directly across
17 26th Street from the President condominium at
18 2141 I? Have you done shadow studies for that
19 low rise apartment building that would be
20 shadowed by the 140 foot building?

21 MR. WARD: I'm sorry but could you
22 repeat which buildings you are -

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1 MS. KAHLOW: The President
2 condominium is 2141 I, basically the corner of
3 22nd and I, right across the street is your
4 130 foot residential building with a 140 foot
5 trellis or whatever we're going to call it.
6 So you would have a building that's 80
7 something across from a building that's 140.
8 Have you done shadow studies for all the
9 residents who currently live there?

10 MR. KATZ: Twenty-one Forty-one is
11 on the south side of I Street, Ms. Kahlow? Is
12 that what you're saying?

13 MS. KAHLOW: It is on the north
14 east corner.

15 MR. KATZ: Northeast.

16 MR. PELLI: My understanding is -
17 this is a medical office building. Directly
18 across from our building is a medical office
19 building.

20 MS. KAHLOW: It's this building.

21 MR. PELLI: Right. Right.

22 MS. KAHLOW: Right.

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1 MR. PELLI: We could certainly do
2 studies to see what the impact of our project
3 would be on that building, but it's separated
4 not only by another street, but another
5 building. I think it would only be late near
6 sunset when long shadows are being cast that
7 it would have any impact whatsoever. The
8 primary impact of the shadows of our - of this
9 development are internal to the site itself.

10 MS. KAHLOW: The question was have
11 you done studies for that building?

12 MR. PELLI: No, we have not.

13 MS. KAHLOW: Thank you. Now I
14 want to turn to the application -- on the May
15 30th application, Mr. Feola, you may want to
16 pull it, Pages 16-17. There's a section
17 called, "Environmental Analysis". Why didn't
18 GW include any mention of blocked air and
19 light in its two page listing of different
20 areas and not just air and light at that
21 building, but also 3 Washington Circle and all
22 of the buildings - Schneider's Triangle, and

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1 all of the other buildings nearby. Why didn't
2 you include any mention of blocked air and
3 light? Do you want to - I mean I'm going to
4 ask quite a number on this document if you
5 want to.

6 MR. FEOLA: I'm sorry what pages?

7 MS. KAHLOW: Pages 16 to 17 is
8 your two - I'm sorry. It's you May 30th, 16-
9 17. Why didn't you include blocked air and
10 light shadow studies for all of the different
11 buildings that would be affected by the Square
12 54 proposal, including everything on
13 Washington Circle, 3 Washington Circle
14 residential, Schneider's Triangle residential,
15 etcetera. Why didn't you mention blocked air
16 and light?

17 MS. MITTEN: Can you -- can you
18 just fill us in. What is this section of the
19 -- this was the set down?

20 MS. KAHLOW: This is the
21 application.

22 MS. MITTEN: This is what we read

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1 for set down?

2 MR. FEOLA: Yes, it's the
3 application.

4 MS. MITTEN: Oh, okay. Okay.

5 MS. KAHLOW: There's a two page,
6 what they call, environmental analysis.

7 MS. MITTEN: Right. I understand.

8 MS. KAHLOW: I'm sorry if I wasn't
9 clear.

10 MS. MITTEN: Well we just don't
11 have the document to turn to the page to
12 follow along. I mean we have it --
13 everybody's got it back in their drawer at
14 home.

15 MS. KAHLOW: All right. I'm going
16 to be asking why certain things weren't
17 included versus were included.

18 MS. MITTEN: Got you.

19 MS. KAHLOW: So let's start with
20 blocked air and light and shadow studies.

21 MR. FEOLA: Well I think the
22 simple answer is what Mr. Pelli said is that

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1 the only impact of light and air that this
2 project will cause will be internal to this
3 project.

4 MS. KAHLOW: I couldn't disagree
5 more. The answer's -

6 MR. FEOLA: You're entitled to
7 disagree, but that's all position.

8 MS. KAHLOW: Okay. All right. Why
9 didn't GW mention in that two page air quality
10 effects especially because of the Department
11 of -- DC Department of Health's December 9th,
12 1999 memo for the other GW project, moving the
13 hospital from one side to the other, where
14 they concluded that -

15 MS. MITTEN: Okay. No testimony,
16 just ask them about the air quality.

17 MS. KAHLOW: Why didn't you
18 mention air quality effects?

19 MR. FEOLA: Again, because we
20 don't believe there will be any.

21 MS. KAHLOW: In the whole project?

22 MR. FEOLA: Correct.

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1 MS. MITTEN: We got the answer.

2 MS. KAHLOW: Okay. What did GW
3 discover about the rock formations in
4 underground water flows below the site?

5 MR. JOHNSTON: Well we did some
6 very preliminary subsurface exploration and
7 I'm going to apologize. I don't have that
8 information, but as we're aware that there is
9 rock below the site. I don't know that we
10 detected any ground water and we actually only
11 did somewhere in order of magnitude of
12 probably six or eight borings.

13 MS. KAHLOW: I won't testify about
14 it now, but I will later about this. But is
15 because of the five levels of parking, if you
16 haven't - your number of borings you haven't
17 gone down the whole five levels to see the
18 water table?

19 MR. JOHNSTON: That's correct.

20 MS. KAHLOW: I see. Why did GW
21 limit its environmental analysis discussion to
22 water demands, sanitary sewer demands, storm

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1 water demands, solid waste services,
2 electrical service, energy conservation, and
3 erosion control?

4 MR. FEOLA: As a legal matter that
5 -- those are the parts of the environmental
6 analysis that we believe the zoning commission
7 has jurisdiction over.

8 MS. KAHLOW: When does GW, Mr.
9 Katz, propose to hold a scoping meeting with
10 the Foggy Bottom West End community to
11 identify the host of potential adverse
12 environmental effects?

13 MS. MITTEN: I think we determined
14 that the whole area of the environmental
15 analysis is not germane to this case.

16 MS. KAHLOW: I understand, but -

17 MS. MITTEN: So it's -- so
18 questions like that to Mr. Katz are not
19 germane.

20 MS. KAHLOW: Okay.

21 MS. MITTEN: Thank you.

22 MS. KAHLOW: Thank you. Moving on

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1 to another part. Traffic. And I'm moving to
2 the October 31st submission, since I just got
3 the others today. Let me first ask about -- I
4 want to step back and excuse me, on amenities.
5 The street light at 22nd and I, Mr. Katz, the
6 streetlight for 1957 E Street PUD at 22nd and
7 F, did it cost \$10,000? And, if so, how could
8 this one cost \$150,000? What's the -- why is
9 there a difference there?

10 MR. KATZ: I don't know the answer
11 to that question.

12 MS. KAHLOW: In the MOU we signed
13 it said \$10,000. I'm just trying to
14 understand the basis for \$150,000 for that
15 valuation in this document we got today.

16 MS. MITTEN: Is that something
17 that you could find out for us since there
18 does seem to be a disparity in the value -

19 MS. KAHLOW: November 15th.

20 MS. MITTEN: -- of an amenity of
21 that kind?

22 MR. KATZ: We can find that out.

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1 MS. MITTEN: Okay.

2 MR. KATZ: I would suggest though,
3 whatever it was it was. What it is today is
4 what Mr. Laden thinks it will cost.

5 MS. KAHLOW: That was just a year
6 or two ago.

7 MS. MITTEN: I think since there's
8 a significant disparity, Mr. Barber just can't
9 keep himself in his seat. Come on. Come on up
10 here.

11 MR. KATZ: On the other case we
12 agreed to make a \$10,000 contribution, not to
13 pay for the whole light. On this one we're
14 proffering to pay for the light.

15 MS. MITTEN: That's an awesome
16 memory, don't you think?

17 MR. KATZ: One that I wouldn't
18 have.

19 MS. KAHLOW: I remember that, but
20 I that was the whole cost. My ignorance.
21 Sorry. And also on this amenity document we
22 just got, the street scape components are

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1 valued at 1.1 million. What is the breakdown
2 of that? Which of those are benches, etcetera?
3 Do you have a breakdown of that 1.1?

4 MR. JOHNSTON: I don't think I
5 have a breakdown.

6 MS. KAHLOW: It's on Page 5.

7 MR. JOHNSTON: Yes, I don't think
8 I have a breakdown to that level of detail.

9 MS. KAHLOW: Can you provide it?
10 The reason why we ask for this in the related
11 campus plan case, and they're going to provide
12 it then what the components are, and here we
13 have a dollar amount and no component, and I
14 don't know how this commission can evaluate
15 it. It's Page 5. It just gives a dollar
16 number.

17 MR. JOHNSTON: My pages are
18 different.

19 MS. KAHLOW: I'm sorry. Do you
20 want to look at mine?

21 MR. JOHNSTON: Yes, we can provide
22 that.

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1 MS. KAHLOW: Thank you. All
2 right. Let's go to the traffic. I'm sorry to
3 have jumped around. My mistake. On the
4 Exhibit B in the October 31st submission you
5 talk about the number of parking spaces
6 that'll be removed. Not that approximately
7 six zone 2 parking spaces would need to be
8 restricted during the a.m. and p.m. peak hours
9 along the south side of I Street, and you
10 would restrict parking on the south side of I
11 during peak ours. Would any meter spaces also
12 be restricted? It's pages 327 and 30. You
13 have it in three different places.

14 MS. MITTEN: Does she need to look
15 at all three to -

16 MS. KAHLOW: No.

17 MS. MITTEN: Oh, just one.

18 MS. KAHLOW: You can look at any
19 of the three. They all say the same thing.

20 MS. MITTEN: Okay.

21 MS. KAHLOW: I was just making it
22 easier for her, a variation of the same thing.

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1 MS. MILANOVICH: Okay. I'm sorry.
2 What is your question?

3 MS. KAHLOW: You talk about six
4 zone two parking spaces would be restricted
5 during rush. Would any meter spaces also be
6 restricted?

7 MS. MILANOVICH: Are you referring
8 to specifically on I Street?

9 MS. KAHLOW: Twenty-second and I
10 is what you talked about.

11 MS. MILANOVICH: I don't see a
12 reference to six zone two spaces on Page 300.

13 MS. KAHLOW: The actual reference
14 to that's on 27, maybe that's easier. It's
15 the same thing. It's more detailed on Page
16 27. I'm sorry. You talk about that there
17 will be restriction and then you talk about
18 the actual number on Page 27.

19 MS. MILANOVICH: Right. No, at
20 that location it would be six zone two spaces,
21 not any meter spaces.

22 MS. KAHLOW: Okay. The next

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1 location is on Page 10, when you talk about I
2 and 23rd and you talk about six metered, and
3 you would then restore five. Has DDoT agreed
4 to restore the five spaces so it'd be a net
5 loss of minus one in that area on 23rd?

6 MS. MILANOVICH: I don't know that
7 they have specifically agreed to it. We have
8 discussed it with them and I believe they
9 agreed that those five parking spaces are
10 currently illegal and post development those
11 curb cuts would go away and, therefore, would
12 be legal spaces again.

13 MS. KAHLOW: Okay. And on Page 14
14 -

15 MR. FEOLA: To clarify, Madam
16 Chair, the spaces that are being added are
17 really curb cuts that had been there for the
18 hospital that will be closed.

19 MS. KAHLOW: The old hospital,
20 right.

21 MS. MITTEN: Thank you.

22 MS. KAHLOW: I -- what I'm leading

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1 you through this then going to ask an ultimate
2 question. On the bike lane discussion on 22nd
3 Street on Page 14 you talk about you need to
4 restripe the eastern most lane. Will there be
5 any loss of metered or zone two spaces because
6 of the bike lanes?

7 MS. MILANOVICH: That is actually
8 a DDoT proposal to stripe the bike lane, and
9 my understanding from DDoT is that the
10 implementation of these bike lanes would
11 actually add peak hour parking spaces in the
12 area.

13 MS. KAHLOW: But you haven't
14 studied that?

15 MS. MILANOVICH: You mean in terms
16 of the loss or added spaces?

17 MS. KAHLOW: Added spacing, right.

18 MS. MILANOVICH: No, we've not
19 independently studied that.

20 MS. KAHLOW: Okay. How many other
21 metered or zone two spaces would be restricted
22 during rush hour or eliminated entirely by

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1 this Square 54 proposal?

2 MS. MILANOVICH: It's the six that
3 would be lost during peak hours -- would be
4 restricted during peak hours at the
5 intersection of 22nd and I, those are zone 2
6 spaces. And then the net loss of one metered
7 space associated with the creation of the curb
8 cuts on 22nd Street.

9 MS. KAHLOW: Okay. So that's it.
10 Thank you. Now moving along to other
11 statements made today in let's call this the
12 handout -- the commissioners called slides on
13 it, slide show. Mr. Johnston, is he at the
14 table? Yes. Let me find your page. Your
15 slide 15 which is -- you talk about -- whoops
16 Page 16, you talk about that the proposal is
17 responsive to the community. Exactly who in
18 the community was it responsive to since the
19 community organizations are opposing this?

20 MR. JOHNSTON: Well as I think you
21 may recall, excuse me, we met during numerous
22 times during the course of the last year and

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1 a half, and while I understand that these --
2 the organizations are opposing it, the
3 development and through the community based
4 planning process and the facilitator that was
5 engaged, a lot of the design elements that
6 we've incorporated here were basically the --
7 what came out of that process. And I think
8 that's what this slide's intended to indicate.

9 MS. KAHLOW: That wasn't
10 responsive to my question, but that's okay.
11 Now you say the height of the office building
12 is 90 feet at Washington Circle, looking at
13 the same slide, the next bullet. Isn't it, in
14 fact, 90 feet for a short distance and then it
15 steps up to 120 feet?

16 MR. JOHNSTON: Well -- and the
17 model's happen to be right here in front of
18 me, but in terms of a short distance I mean
19 that's a relative term. It basically -- the
20 90 foot line is really the whole of what
21 touches Washington Circle with the exception
22 of this very small piece here at the end.

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1 MS. KAHLOW: What is the setback
2 between the 90 -- how many feet is the
3 setback?

4 MR. JOHNSTON: I believe it's 20
5 feet.

6 MS. KAHLOW: So it's 90 feet and
7 then it rises to 120 with a teeny setback of
8 20 feet?

9 MR. JOHNSTON: Well I suppose
10 teeny is in the eye of the beholder.

11 MS. KAHLOW: Am I right? It's 90
12 feet -

13 MR. JOHNSTON: That's correct.

14 MS. KAHLOW: -- 20 -

15 MR. JOHNSTON: It's a 20 -- 90
16 feet high -

17 MS. KAHLOW: -- 90 foot -- 20 foot
18 depth and then it goes up to 120. So for a
19 person -

20 MR. JOHNSTON: That's correct.

21 MS. KAHLOW: -- a person at
22 Washington Circle it looks like 120, is that

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1 right? Somebody who lives at Washington
2 Circle like Schneider Triangle, will they
3 perceive 120 feet?

4 MR. JOHNSTON: Well I think that
5 they'll perceive both parapets so they'll
6 recognize the 90 foot line and they'll
7 recognize the 120 foot line. I mean the 20
8 foot setback is -- I couldn't do the math, but
9 it's not quite a quarter of the height when
10 that setback occurs. So it's not an
11 insignificant setback.

12 MS. KAHLOW: That's not really the
13 question. The people on the circle and I've
14 asked for shadow studies, as you know.
15 Schneider's Triangle low scale, they will
16 perceive a 120 foot building across from them,
17 is that correct?

18 MR. JOHNSTON: Again, I think it's
19 dependant on the individual. From our
20 perspective, with a 90 foot setback there,
21 that edge is going to be a very strong element
22 to the architecture.

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1 MS. KAHLOW: Okay. I think we've
2 answered that to death. Now let me go to Mr.
3 Pelli's statements. And let me see at the
4 table -- Mr. Pelli was at the table. You made
5 two statements about a residential building
6 that was 124 feet, exactly what residential
7 building are you speaking of? I know a
8 medical building.

9 MR. PELLI: Yes. I mispoke. Mr.
10 Katz corrected me.

11 MS. KAHLOW: I see.

12 MR. PELLI: The building on the
13 corner here is a medical office building
14 rather than a residential building.

15 MS. KAHLOW: And what is the
16 highest residential building in this whole
17 thing you have in front of you?

18 MR. PELLI: I don't know the
19 answer to that. I believe it would be the
20 buildings to the south of us which are around
21 90 feet.

22 MS. KAHLOW: Eighty-six, is that

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1 correct? The two dorms are 86 feet.

2 MR. PELLI: I -

3 MS. MITTEN: We're going to get
4 the specific information in an additional
5 submission so rather than debate whether it's
6 90 or 86 we'll get that.

7 MS. KAHLOW: Okay. Well I would
8 like the shadow studies for the 86 foot dorms
9 as well.

10 MS. MITTEN: Well the commission
11 hasn't requested shadow studies yet.

12 MS. KAHLOW: I understand that.
13 I'll be asking for it. So I'm just pointing
14 it out. Okay. That's all I have for this
15 group of witnesses. Most of my questions for
16 the city.

17 MS. MITTEN: Okay. Great. Thank
18 you all very much. What I think we're going
19 to do now, because we're fortunate this
20 evening to have Mr. Laden with us is rather
21 than go to the Office of Planning immediately,
22 we'll have Mr. Laden give DDoT's testimony.

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1 You can do it from up here if you like, Mr.
2 Laden. Okay. All right. And then we'll
3 finish his cross examination and see what time
4 it is. Please go ahead.

5 MR. LADEN: Good evening, members
6 of the commission. My name is Ken Laden. I'm
7 Associate Director for Transportation Policy
8 and Planning. I'm here to testify on behalf
9 of the DC Department of Transportation as part
10 of the government's testimony in this case.
11 We submitted written testimony on November 15
12 and in that we've indicated that while we
13 generally support the planned unit development
14 we do have some concerns about this particular
15 development in what is already a highly
16 congested area. And we do acknowledge that
17 there will be some traffic impacts as a result
18 of, you know, adding 864,000 square feet of
19 total development, a combination of office,
20 residential and retail. And that's why we
21 think the transportation mitigation measures,
22 which have been proposed by the applicant, we

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1 think are critical to the mitigation of the
2 traffic that would be generated by the
3 residential retail and office uses. And we
4 would hope that the commission would
5 incorporate those into the zoning order if, in
6 fact, you do approve this planned unit
7 development.

8 Going through some of the items in
9 our - in our comments we looked at the parking
10 impacts and the proposed levels of parking.
11 We made some suggestions on some additional
12 elements that we would like to see included.
13 In a lot of these large scale developments we
14 are requesting that some spaces for car
15 sharing operations be provided in the
16 buildings, and we've done that in this case
17 also. The applicants' responded that there
18 already were some car sharing spaces that had
19 been provided throughout the university, but
20 we think, again because of the magnitude of
21 the residential, retail, and office uses that
22 they should provide some additional spaces.

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1 We think that the compromise
2 that's been offered by the applicants in their
3 most recent correspondence of the 17th of this
4 month, where they've agreed to provide three
5 spaces, plus consider the possible increase of
6 that if there's adequate demand, is a
7 reasonable compromise. We also had some
8 discussions with them regarding the number of
9 bicycle spaces that we wanted provided. Here,
10 again, we think a university campus area is
11 one that we want to make sure there's adequate
12 bicycle facilities both for the retail uses,
13 the residential uses, and perhaps even for the
14 office uses. We have several people within
15 DDoT who bicycle to work everyday. And we try
16 to provide adequate parking facilities for
17 them.

18 Here again I think the applicant
19 has agreed to increase the original amount of
20 bicycle parking that they first offered to a
21 total of 33 spaces, and here again we think
22 that's a reasonable compromise and a good

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1 starting point. We also took a look at the
2 information provided with respect to the curb
3 cuts on 22nd Street. Let me back up for a
4 second and say, again, with a project this
5 complicated and with a street system as
6 congested and especially around the traffic
7 circle, that 22nd Street probably is the best
8 point for access -- for vehicular access to
9 this project area. We prefer to see that over
10 any of the other blocks that provide access to
11 this particular group of buildings.

12 However in the details of this
13 they're providing -- I think they indicated,
14 again, in their most recent comments, a 27
15 foot, if I remember correctly, wide area
16 accessing their loading docks, and I believe
17 it's 41 feet of access or curb cut, I should
18 say, for the parking garages. And between
19 those two, I think it was, a fourteen foot
20 approximate pedestrian safety area, between
21 those two. We've suggested to the applicant
22 that they consider providing the minimum six

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1 feet pedestrian refuge area within that 41
2 foot curb cut for the parking access. I think
3 the zoning requirements, or I should say our
4 public space requirements, require a six foot
5 wide pedestrian refuge whenever there's at
6 least 25 feet of curb cut for parking access.

7 And here again we think this is a
8 heavily pedestrian area and we would like to
9 see some sort of a spacing configuration so
10 that there's a pedestrian refuge between the
11 ramps going into the parking garage and the
12 ramps coming out of the parking garage. So
13 that's something we would ask that the
14 applicants consider. And I believe over the
15 telephone today they agreed they would take a
16 look at that. With regard to the
17 transportation study in general, we did ask
18 our traffic services administration to take a
19 look at the data collected, the assumptions
20 made and they were generally in agreement with
21 the findings of the transportation analysis.

22 Again, we think the offer of a

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1 traffic signal at 22nd and I Street is
2 important and, again, we would highlight that
3 that would need to be at the applicant's cost.
4 The \$150,000 estimate is one I've also heard
5 from our traffic services administration so
6 that's in the right price range for what a
7 totally integrated traffic signal would cost
8 to install in this particular area.

9 Also there was some
10 recommendations with respect to some traffic
11 signal timing changes at two different
12 locations within the project area. And we
13 would ask that those proposed traffic signal
14 changes be coordinated very closely with our
15 traffic services administration. Again, in
16 the past we've often heard that with traffic
17 signal timing modifications that can mitigate
18 the traffic impacts and then what comes in is
19 a rather outrageous traffic signal timing
20 sequence of 150-180 seconds in one direction
21 and 20 in another. We'd want to make sure
22 that whatever they're suggesting falls within

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1 the range of our normal traffic signal
2 operations.

3 Also, I was taking a look at some
4 of the diagrams and graphics with respect to
5 the plantings around the edges of the project
6 and, while this is not in our testimony, we
7 try to provide a minimal landing zone for
8 those blocks where there would be metered
9 parking or residential permit parking at
10 certain times of the day so that individuals
11 could get out of their automobiles and not
12 step into a hedge or not step into a planting
13 zone. So, again, we would hope that the
14 applicant would work with our urban forestry
15 administration and traffic operations people.

16 I think I did notice on several of
17 the blocks there did appear to be at least a
18 four foot landing zone which would be great,
19 but we want make sure that, again, there's
20 adequate space along the curb line for people
21 to step out of their automobiles. Also, in
22 terms of the plantings within the internal

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1 plaza, would want to make sure, again, that
2 the applicants check with our urban forestry
3 administration to make sure that they're --
4 have adequate tree boxes, adequate depths to
5 make sure that the roots are, you know, have
6 adequate room and that there's adequate
7 drainage for the whatever plantings.

8 I assume they would use, you know,
9 qualified arborists. But, again, it wouldn't
10 hurt to have our urban forestry group take a
11 look at those standards for the internal area.
12 In summary, again I think we believe that this
13 is a project that could work within the site
14 area that's been recommended. We think that
15 the applicant has gone as far as they possibly
16 can to try to mitigate the impacts in terms of
17 traffic and have provided adequate parking and
18 have generally met all of the conditions and
19 requirements that we've talked about over the
20 last several months as we've been discussing
21 this project with them.

22 And so, again, our last comment is

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1 that we would ask that the transportation
2 demand management elements which there
3 offering be made a condition of the Zoning
4 Commission's approval if it's granted. And
5 with respect to the reporting requirements
6 that we inserted in our - in our written
7 testimony. I think there is some advantage to
8 that in that it requires the applicant to
9 analyze how well they are doing with respect
10 to controlling traffic generated to the
11 facility, how well their commuter services are
12 working, and we have hired a transportation
13 demand management staff person in our office
14 to work with building owners with the
15 downtown bids with other commercial groups, to
16 try to find ways of increasing other than
17 automobile travel to work destinations, retail
18 destination, etcetera. So it does provide us
19 with an opportunity to have some information
20 to react to and provide additional
21 recommendations on dampening the amount of
22 travel by automobile.

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1 MS. MITTEN: Okay. Just to that
2 last point, if you -- if you heard me talking
3 to Mr. Feola about, you know, what would be in
4 the report that would trigger a response by
5 the - by the applicant if the plan weren't
6 working effectively so if you could work with
7 the applicant to figure out, you know, I
8 tossed out the modal split, some benchmark or
9 several benchmarks that we would hold them to
10 and then if they weren't making those that
11 there would be additional mitigation measures.
12 I think that would go a long way to making
13 sure that people felt that this was going to
14 be something that had some teeth to it. I'll
15 let my colleagues ask questions and then I
16 have a couple more. Anyone have questions?
17 Mr. Parsons.

18 MR. PARSONS: Well Mr. Laden, you
19 heard my little dialogue, I guess, with Ms.
20 Milanovich about short term deliveries. Do
21 you think that they will use the underground
22 facility?

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1 MR. LADEN: I'm a bit skeptical of
2 that issue as well. I've asked, again, if the
3 applicant really thinks that the short term
4 deliveries would be made through their parking
5 garage system and indicated that it would
6 require a very very high degree of
7 coordination and enforcement to make sure that
8 that happened and that there were adequate
9 loading zones, you know, loading docks
10 available to handle all kinds of deliveries.
11 And I -- especially with a grocery store and
12 with an office building you do get a lot of
13 very short term drop-offs. And my sense is
14 too that they would probably want to use curb
15 space. So I think we would have to access the
16 delivery demand, if you will, for the various
17 uses at this facility and, if necessary, we
18 might need to, after observing operations,
19 designate some drop-off areas adjacent to the
20 building that made sense. So I think we would
21 keep an open mind and take a look at that as
22 the building operated.

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1 MR. PARSONS: But initially you'd
2 start off with parking meters as exist there
3 now?

4 MR. LADEN: That is correct.

5 MR. PARSONS: Thank you.

6 MS. MITTEN: Anyone else? Okay.
7 There were a number of things that you went
8 through that you had in your November 15th
9 submission that had been concerns for DDoT and
10 then the applicant responded and there were
11 some that you were satisfied with in terms of,
12 for instance, the number of car sharing spaces
13 and the number of bike spaces and so on. And
14 then there were some other things like you
15 mentioned the pedestrian refuge for these very
16 wide curb cuts. I think it would be helpful
17 to the commission and also just to kind of
18 make sure we've dealt with everything, if DDoT
19 could give us a written response, not
20 necessarily detailed, but, you know, that goes
21 point by point through the applicant's
22 November 17th submission and just communicate

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1 to us point by point if you're satisfied.

2 And then if there's something
3 additional that we need to get from the
4 applicant then we'll -- we will do that with
5 your -- you know -- if you recommend that we
6 -- that we get some additional commitments
7 from them.

8 MR. LADEN: We'll provide that to
9 the commission.

10 MS. MITTEN: And I had asked
11 specifically about in your memo to the -- to
12 the commission you addressed the midblock
13 crossing on 23rd Street that was causing some
14 concern and you've seen the design that has
15 been presented tonight. Do you have a
16 lingering concern about that?

17 MR. LADEN: I have a lingering
18 concern, but again, it's awfully difficult to
19 regulate pedestrian behavior, especially on a
20 university campus. I'm afraid there's always
21 going to be the chance that when people see an
22 opportunity they'll attempt to cut across the

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1 street where it's perceived to be convenient.
2 Again, I think the applicant has done what
3 they can within their design plans to try to
4 encourage pedestrian crossings at the 23rd and
5 I Street locations with that large pedestrian
6 way coming off of, you know, midblock between
7 20 -- I'm sorry between I Street and
8 Washington Circle is also somewhat inviting.
9 But, again, other than, you know, installing
10 barbed wire or something I'm not sure what you
11 can do to keep pedestrians from trying to get
12 across there. So I just raise that as an
13 issue that it hopefully won't serve as a
14 magnet for midblock crossing.

15 MS. MITTEN: Okay. I mean if you
16 -- if you had specific suggestions I'm sure
17 they'd entertain them, but I don't want to
18 push the point.

19 MR. LADEN: Well again, we could
20 suggest that they put plantings there, but
21 people will tramp across plantings as well,
22 unfortunately.

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1 MS. MITTEN: We've certainly seen
2 that. Yes. You know we have a couple of
3 parties in opposition in this case and one of
4 the parties has engaged a traffic expert, and
5 I'm wondering have you discussed anything with
6 the -- with the Foggy Bottom Association's
7 traffic expert about -- I don't know yet -- or
8 the commission doesn't know yet what his
9 findings are, but have you had any discussions
10 with the party in opposition as it relates to
11 traffic?

12 MR. LADEN: No, I have not.

13 MS. MITTEN: Okay. Mr. Feola, did
14 you have any questions for Mr. Laden?

15 MR. FEOLA: I have no questions.

16 MS. MITTEN: Mr. Hitchcock?

17 MR. HITCHCOCK: Yes. Thank you,
18 Madam Chair. I will give Mr. Laden a copy of
19 Mr. Mera's (phonetic) report now, which we
20 have so he can provide any comments. Mr.
21 Laden, I had a question for you that I asked
22 Ms. Milanovich. Could you give examples -- an

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1 example or examples of any successful
2 transportation management plans similar to
3 ones being -- the one being proposed here?

4 MR. LADEN: Not for this specific
5 type of land use, but I think there have been
6 some transportation demand management plans
7 for large facilities that I think have been
8 highly successful. The first one that comes
9 to mind was the MCI Arena and now Verizon
10 Arena, which estimated because of its
11 configuration and surrounding land uses they
12 would attract a certain percentage of the
13 patrons by transit, and it turns out they've
14 exceeded those expectations.

15 Also I have to admit that the
16 downtown -- the new downtown convention
17 center, which has a transportation demand
18 management component to it, I was a bit
19 skeptical of, but here again, it turns out
20 that it really hasn't been as damaging to the
21 surrounding neighborhood.

22 MR. HITCHCOCK: Okay.

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1 MR. LADEN: But as far as a type
2 of use of this nature I'm not familiar with,
3 but again, I think those are two large traffic
4 generators that have done a reasonably good
5 job of managing vehicular traffic to their
6 facility.

7 MR. HITCHCOCK: But you would
8 agree with me, and I think you've said as much
9 at the beginning, those are both different in
10 character from this type of project.

11 MR. LADEN: Absolutely, yes.

12 MR. HITCHCOCK: Okay.

13 MS. MITTEN: Can I just ask a
14 follow-up question -

15 MR. HITCHCOCK: Please.

16 MS. MITTEN: -- on that? My
17 understanding is that both the Verizon Center
18 and the convention center have very little
19 public parking, is that correct?

20 MR. LADEN: In those buildings
21 absolutely correct. There's adjacent parking
22 in other, you know, private lots surrounding

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1 there. That's true.

2 MS. MITTEN: So it's -- I know
3 it's a different kind of use, but one of the
4 things that we see landlords and I mean we
5 talk to -- we have retail or residential
6 developers come in all of the time and they're
7 to our minds and, we'll wrestle this to the
8 ground one of these days, you know, they're
9 over parking residential projects often, and
10 we really haven't had as much of a discussion
11 about over parking office projects. But is it
12 to some extent a case of if you build the
13 parking people will drive? Is that -- is that
14 a legitimate conclusion to draw for a Class A
15 office?

16 MR. LADEN: I think -- I think
17 that's somewhat of a legitimate conclusion
18 with respect to the office uses, not
19 necessarily the residential uses. In some
20 instances in our downtown residential area
21 people may own an automobile that they want to
22 store for use periodically, but then they'll

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1 use transit for their daily -- or walk for
2 their daily kinds of travel. So, again, their
3 -- the parking, if I remember correctly, is
4 divided up into three components: there's a
5 component for residential, a component for
6 office, and a component for the retail. And
7 they, again, from our traffic operations unit
8 in our office within DDoT, I think we felt
9 those were appropriately sized.

10 MS. MITTEN: Okay. Okay.

11 MR. JEFFRIES: Excuse me. But
12 what about certain types of office. I mean
13 such as a law firm. I mean what -- do you see
14 variations there between certain types of
15 office uses?

16 MR. LADEN: Really haven't studied
17 that to determine whether a law firm would
18 have different driving patterns versus other
19 kinds of downtown office use.

20 MS. MITTEN: They probably come in
21 off peak. But they stay late, right Mr.
22 Feola? Go ahead, Mr. Hitchcock, sorry.

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1 MR. HITCHCOCK: I'm not touching
2 that line. Let me ask, Mr. Laden, I have
3 another question on a similar subject. You're
4 aware the emergency exit at GW Hospital is
5 right off Washington Circle?

6 MR. LADEN: Of the new hospital?

7 MR. HITCHCOCK: Yes.

8 MR. LADEN: Yes.

9 MR. HITCHCOCK: Okay. Did you or
10 your staff examine the possible impact on
11 emergency access to the hospital given the
12 levels of service, F, from 24th and
13 Pennsylvania and then K Street at the circle
14 to the westbound intersections?

15 MR. LADEN: No, we did not make
16 specific -- or make a specific analysis of the
17 impacts on emergency vehicles. Again, our
18 emergency vehicles approaching the hospital
19 would typically have their sirens going and
20 people would move out of the way.

21 MR. HITCHCOCK: If they can move.
22 Correct?

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1 MR. LADEN: Correct.

2 MR. HITCHCOCK: Okay. I was
3 curious, also, if you had looked specifically
4 at questions about access into and out of the
5 loading areas -- loading area?

6 MR. LADEN: Yes, we -

7 MR. HITCHCOCK: If you were
8 satisfied with the functionality of that?

9 MR. LADEN: I think we were
10 satisfied with the functionality of the
11 loading zone and how the traffic would move
12 within the building. Our concern was, again,
13 on providing an adequate pedestrian refuge in
14 the middle of that 21 foot driveway for the
15 parking area, primarily.

16 MR. HITCHCOCK: Okay. Two final
17 areas, there have been a number of studies in
18 this case and in the campus plan case. Did
19 you or someone on your staff look at all of
20 them together to see that the findings were
21 consistent?

22 MR. LADEN: Yes, I believe we have

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1 been looking at the school without walls case,
2 the campus plan, and this case in tandem.
3 And, again, I think anytime you're collecting
4 a significant volume of data and analyzing it,
5 collecting it at different times you'll find
6 slight variations.

7 MR. HITCHCOCK: Okay. Well let me
8 pursue that a step. You're familiar, I take
9 it, with the lower west end traffic study that
10 came out in July of this year?

11 MR. LADEN: Correct.

12 MR. HITCHCOCK: From DDoT. And
13 that study projected a 1 percent growth for
14 background conditions leaving GW out, correct?

15 MR. LADEN: That is correct.

16 MR. HITCHCOCK: And yet, GW in
17 this is projecting, the Wells Report, says
18 only 0.5 percent assumption for background
19 conditions, correct?

20 MR. LADEN: That is correct.

21 MR. HITCHCOCK: So there's a --
22 there's a zero point five and one point zero

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1 yield seem fairly significant differences,
2 don't they?

3 MR. LADEN: Accumulated over time
4 they can, yes.

5 MR. HITCHCOCK: Okay. Why did
6 DDoT not stick with its own study for
7 analyzing the conditions here?

8 MR. LADEN: Well, again, I think
9 with respect to the West End Transportation
10 study, which we had sponsored through other
11 consultants, we wanted to make sure that we
12 were providing an extremely sort of generous
13 assumption on future travel demands. For
14 studies across the city we've seen a range of
15 half of a percent annual increase to a one
16 percent annual increase and we'll typically
17 accept that as a reasonable range depending on
18 the location of the project.

19 If you look at these numbers over
20 the first several years of traffic analysis
21 we're maybe talking about a couple hundred
22 trips per day which don't really have a

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1 significant impact on the actual travel
2 impacts. But, again, I think both are
3 reasonable estimates.

4 MR. HITCHCOCK: Okay. Thank you.
5 No further questions.

6 MR. HOOD: Thank you. Ms. Kahlow.

7 MS. MITTEN: Thank you, Mr. Hood.
8 It's good to have a sharp vice chair.

9 MS. KAHLOW: Mr. Laden, I just
10 have a few questions. I'm concerned about the
11 -- we're concerned about the degradation in
12 the already E and F graded traffic during rush
13 hour around Washington Circle. Has DDoT done
14 any independent estimates, since F is F, what
15 is the percent increase due to this huge
16 project?

17 MR. LADEN: No, we have not.

18 MS. KAHLOW: Okay. What is DDoT's
19 estimate of the number of parking spaces
20 that'll be reduced, meter spaces and zone two
21 spaces because of this project in a.m. and
22 p.m. rush and during non-rush?

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1 MR. LADEN: I'd have to take a
2 look at what they are for the a.m. rush and
3 p.m. rush and get back to you on that. I know
4 that there were some variations in respect to
5 how many metered spaces might be lost or added
6 as a result of curb cuts being provided under
7 the new scenario and curb cuts being closed
8 under the old scenario. How that would be
9 impacted during rush hour I'd have to double
10 check and see.

11 MS. KAHLOW: And if you had this
12 discussion with the commission about drop-off
13 areas that -- for the Mr. Parsons' question
14 about short term deliveries. How many spaces
15 would we lose if we had to add drop-off areas?

16 MR. LADEN: Again, right now it's
17 speculation on our part as to whether or not
18 there would need to be any, but if we were to
19 provide a drop-off area, let's say adjacent to
20 the grocery store, that might require the
21 taking of a couple of spaces. But, again,
22 that might be restricted for loading

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1 operations during only certain hours of the
2 day and be available for parking, perhaps at
3 other times of the day.

4 MS. KAHLOW: I guess I was not
5 just talking about the loading. I'm talking
6 about the FedEx example that Mr. Parsons or
7 one of the commissioners mentioned.

8 MR. LADEN: That's what I was
9 referring to -

10 MS. KAHLOW: Oh, okay.

11 MR. LADEN: -- was designation of
12 a short-term loading zone for use by
13 deliveries and both either for office use or
14 for grocery use or other retail uses. And,
15 again, I'm not exactly sure how many spaces
16 would be required. I think that's something
17 we'd have to evaluate as the building
18 commenced operations.

19 MS. KAHLOW: Has DDoT done its own
20 independent estimate of the traffic impact of
21 the 1,026 parking spaces or have you just
22 relied on the applicant's numbers?

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1 MR. LADEN: We've relied on the
2 applicant's numbers, but felt that they were
3 appropriate.

4 MS. KAHLOW: In your report that I
5 received today, the November 15th report, you
6 said two statements: "We have significant
7 concerns regarding the amount of traffic
8 that'll be generated." And then you -- on
9 Page One. Page Three you say, "However DDoT
10 emphasizes the new traffic generated by this
11 PUD will add to the existing severe traffic
12 strain in the area." If, in fact, DDoT feels
13 there's a severe traffic strain, how come DDoT
14 is supporting such a large project?

15 MR. LADEN: Well, again, I think
16 that because of the different land uses in the
17 Washington Circle area and the roads that feed
18 into that area, there is a lot of traffic
19 congestion, especially during a.m. and p.m.
20 peak times. Some of the advantages of this
21 particular development is the residential
22 component. I think you would find that

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1 traffic would tend to be arriving at different
2 times other than peak. I think also with the
3 number of spaces reserved for university uses,
4 that would tend to be somewhat off peak. I
5 think classes would tend to start later in the
6 day.

7 So I think the types of land uses
8 help mitigate peak hour congestion in the
9 area, and with the different types of
10 transportation demand management elements,
11 which the applicant is offering, I think
12 they've done everything they can to help
13 mitigate that peak traffic. Also, I think by
14 having the entrances to the garage and the
15 entrance to the loading zone on 22nd Street,
16 which is the least traveled of all of the four
17 sides of the property, they've also attempted
18 to not further congest the more heavily
19 traveled arterials and collectors surrounding
20 the building.

21 MS. KAHLOW: How many of the sites
22 around Washington Circle are now at E and F,

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1 and how many will become at E and F? How many
2 of those different sections, sites or however
3 you do it -- corners.

4 MR. LADEN: If I remember
5 correctly, according to their analysis, there
6 would be -- I think there are currently two of
7 those points of the compass at an E and F
8 grade and I believe their estimates were that
9 that would continue to be the case with their
10 traffic mitigation plan.

11 MS. KAHLOW: Actually, their
12 charts, I can get it from my briefcase over
13 there, have many many many -- I think there's
14 17 sites that have Es and Fs. Hold on a
15 second. Let me ask you about the 17 sites.

16 MR. LADEN: Let me grab my records
17 as well.

18 MS. KAHLOW: Thank you. I have
19 the wrong one here, but I think there's 17.
20 The question is have you studied each of these
21 sites since - what the applicant said was if
22 they're E and F they stay E and F, but there's

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1 so many of them. That's what I wondered if
2 you've studied each of the sites that are E
3 and F. I can start listing them.

4 MS. MITTEN: Let me just clarify
5 something -

6 MS. KAHLOW: Yes.

7 MS. MITTEN: -- so that I'm sure
8 that you guys are talking about the same
9 thing. Because Ms. Milanovich reminded us
10 that she was talking about like average level
11 of service and not necessarily peak hour. So
12 there were two that were at E and F average or
13 whatever word she used, and so Ms. Kahlow, you
14 may be looking at peak hour that maybe, you
15 know, that other intersections may be at E and
16 F levels. So just so - you're talking about
17 the same thing. I just want to be clear.

18 MS. KAHLOW: I think we are and
19 what she said is that those will get worse,
20 but there's so many that are E and F now. I
21 can just go through each of them, but my
22 question is not for me to go through each of

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1 them but has DDoT studied each of those,
2 because that's - what they're trying to do is
3 mitigate things that are D or below to get to
4 D. The question is E and F are the ones that
5 really worry our community and you looked at
6 each of them. I think there's 17 sites.

7 MR. LADEN: Yes, correct. I'm
8 with you now on this table and I think
9 Commissioner Mitten has clarified the issue
10 somewhat. Those 17 locations that are
11 currently at E and F during peak hours, again,
12 I think would continue to operate at that
13 level even with the mitigation measures. In
14 other words, I don't think they're going to
15 necessarily improve traffic conditions over
16 where they are currently during peak a.m. and
17 peak p.m., but again I think they've taken all
18 reasonable steps they can to try to dampen the
19 amount of additional increase that would occur
20 at those locations that are currently at
21 levels E and F.

22 MS. KAHLOW: Well what I'm

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1 concerned about are the Fs and the emergency
2 vehicle question Mr. Hitchcock asked was
3 perfect. Right now nothing moves around the
4 circle in rush hour, in p.m. rush. If we add
5 more what is DDoT - what is DDoT's estimate of
6 that and what are we going to do about it? Go
7 from F to F.

8 MR. LADEN: Again, I think - I
9 think you'll have, you know, incremental
10 increases at certain times of the day in the
11 E level and F levels of congestion at those
12 locations.

13 MS. KAHLOW: But you haven't
14 analyzed those. You just -

15 MR. LADEN: Well, again, I think
16 our traffic operations people looked at the
17 data that the consultants provided, they
18 conducted their own independent field
19 investigations and felt that their estimates
20 of current and future levels of service at
21 those locations were accurately described in
22 the report.

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1 MS. KAHLOW: So they did do their
2 own field. Thank you.

3 MS. MITTEN: I just want to ask a
4 followup question which is, you know when you
5 scope a traffic study with an applicant's
6 expert, and I don't know this seems to be a
7 candidate for what I'm describing, you focus
8 on certain intersections, you agree, study
9 these, you know, 10 or 17 or whatever
10 intersections, and if there's a number of
11 intersections that are severely impacted, like
12 we have in this case, in peak do you ever say,
13 okay if many of the intersections are being
14 severely impacted and they're at F and they're
15 just becoming a worse F, do you ever expand to
16 say are we now worsening traffic at
17 intersections outside? Is there sort of like
18 this ripple effect that - so that you're not
19 seeing an impact within the area that you're
20 studying because you can't really perceive it,
21 but it's as that effect is amplified beyond
22 the study area. Do you ever do that kind of

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1 analysis?

2 MR. LADEN: Usually we try to
3 define a large enough study area and spread
4 the intersections far enough away from a
5 proposed host development that we would
6 capture that sort of ripple effect or snowball
7 effect. But I don't think - and in some
8 instances, I don't think we did in this case,
9 but in some instances we have gone back and
10 asked the applicants to go back and collect
11 data at additional intersections as well.
12 But, again, in this case I don't believe we
13 did.

14 MS. MITTEN: Well -- I'm just
15 asking -- just give that some thought if it's
16 appropriate.

17 MR. LADEN: Yes.

18 MS. MITTEN: You know, we can get
19 it at your -- at your request to the
20 applicant.

21 MR. LADEN: Sure.

22 MS. MITTEN: And I did also want

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1 to ask you, did I understand you to say that
2 you have not yet accepted the applicant's,
3 because you haven't studied it, the
4 applicant's mitigation measures as it relates
5 to adjusting signal timing?

6 MR. LADEN: Correct. What I asked
7 was -- or what I suggested is that if possible
8 I would like the applicant's travel
9 consultants to work with our traffic services
10 administration to discuss the specifics of
11 those traffic signal adjustments that they are
12 recommending very generally in their report so
13 that we know that the signal timings they're
14 suggesting fall within the range of what's
15 acceptable to the city.

16 MS. MITTEN: Okay. So we'll need
17 some followup from you -- from DDoT to say
18 whether or not you've reached an agreement and
19 so that the mitigation measures that they're
20 using to establish the or to draw their
21 conclusions are actually going to be ones that
22 can be implemented. I'm sorry, Ms. Kahlow, I

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1 didn't mean to step on your cross examination.

2 MS. KAHLOW: That was very
3 helpful. I notice in this E and F business
4 that there are several sites that are D to go
5 to E, and the question is we're not just
6 looking for the ones that are E to go to F and
7 E that stay at E and F that go to F, but
8 there's many that -- there's several that go
9 D to E. I'm looking at them and the question
10 is -- 17 the number of intersections that are
11 problematic, it's not just the number of total
12 intersections, and the question is some are --
13 have Es to Fs or D to Es and -- and -

14 MR. LADEN: Correct.

15 MS. KAHLOW: So the applicants
16 didn't exactly describe in a quicky what was
17 really in the documents. Thank you. Thank
18 you very much, Mr. Laden.

19 MS. MITTEN: Thank you, Mr. Laden.
20 Okay we're at around 10:15 now and I've taken
21 an informal poll of my colleagues and we'd
22 like to resume with off the planning at our

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1 next session and Ms. Schellin is going to
2 suggest a few dates for us.

3 MS. SCHELLIN: Thursday January
4 4th?

5 MS. MITTEN: First to you, Mr.
6 Feola, can you bring your team back that day?

7 MR. FEOLA: We will be here as
8 soon as you can and we would hope that it
9 would be earlier than the end of the year.

10 MS. MITTEN: We have -- we have a
11 very full schedule and I already have -

12 MS. SCHELLIN: That's the soonest.

13 MS. MITTEN: -- we've actually put
14 on a Wednesday hearing in one case and -

15 MS. SCHELLIN: Five o'clock.

16 MS. MITTEN: -- the fourth, yes,
17 at five o'clock. So the fourth is going to be
18 the earliest that we can offer.

19 MR. FEOLA: We will be here.

20 MS. MITTEN: Mr. Hitchcock, does
21 that work for -- Ms. Kahlow?

22 MS. KAHLOW: I don't have my 2007

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1 calendar here, but let's assume it's okay.

2 MS. MITTEN: Okay. We'll do that.
3 Yes, 6:30 p.m.. That was relatively easy.
4 Okay. So we will reconvene on Thursday,
5 January 4th, 2007 at 6:30. And there's a
6 number of additional submissions that you can
7 coordinate with Ms. Schellin and if we could
8 get those in the record we could make sure if
9 there's additional cross examination on those
10 items we could get all of that taken care of
11 and so everyone's off.

12 MR. FEOLA: One request. Could
13 Mr. Hitchcock -

14 MS. MITTEN: Wait. We're not done
15 yet.

16 MR. FEOLA: We have not received
17 Mr. Mera's (phonetic) report. We would like -

18 MS. MITTEN: Okay. Mr. Hitchcock,
19 you're going to need to give your expert
20 reports to the applicant just so -- okay. He
21 said he's -- okay. He said -- he said you'd
22 receive them this evening.

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1 MR. FEOLA: Oh, okay. Then I'll
2 get them when I get back to the office. I just
3 would like to note that there are a number of
4 GW students that were here that were going to
5 testify. They will be still on winter break
6 so we'll submit their statements in writing.

7 MS. MITTEN: That would be great.

8 (Whereupon the above referenced
9 meeting went off the record at 10:15 p.m.)

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