

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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	5	
IN THE MATTER OF:	5	
	5	Case No.
CESC 1229-1231 TRS Inc.	5	06-35
and CESC 1227 LLC	5	
Consolidated Planned	5	
Unit Development	5	
	5	

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Monday, March 26, 2007

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

The Public Hearing of Case No. 06-35 by the District of Columbia Zoning Commission convened at 6:39 p.m., in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Vice-Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Vice-Chairperson
GREGORY JEFFRIES	Commissioner
JOHN PARSONS	Commissioner (NPS)
MICHAEL G. TURNBULL	Commissioner (AOC)

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary
DONNA HANOUSEK Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
TRAVIS BARKER

This transcript constitutes the minutes from the Public Hearing held on March 26, 2007.

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

2 (6:49 p.m.)

3 VICE-CHAIRPERSON HOOD: Good
4 evening, ladies and gentlemen. This is a
5 Public Hearing of the Zoning Commission of the
6 District of Columbia, Monday, March 26, 2007.

7 My name is Anthony J. Hood, Vice-
8 Chairman of the Commission. Joining me are
9 Commissioners Jeffries, Parsons, and Turnbull.

10 The subject of this evening's
11 hearing is Zoning Commission Case Number 06-
12 35. This is a request for CESC TRS inc, et
13 al., for approval of a consolidated planned
14 until development for property located at 1229
15 through 1231 25th Street, N.W., and known as
16 Lots 109 and 883 in Square 24.

17 Notice of today's hearing was
18 published in D.C. Register on December 15,
19 2006. Copies of today's hearing announcement
20 are available to you and are located to my
21 left in the wall bin near the door. The
22 hearing will be conducted in accordance with

1 provisions of 11 DCMR 3022.

2 The order of procedure will be as
3 follows: preliminary matters, applicant's
4 case, report of the Office of Planning, report
5 of other government agencies, report of
6 Advisory Neighborhood Commission 2A,
7 organizations and persons in support,
8 organizations and persons in opposition.

9 The following time constraints
10 will be maintained in this meeting: the
11 applicant, 30 minutes, as requested;
12 organizations, five minutes; individuals,
13 three minutes.

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

21 All persons appearing before the
22 Commission are to fill out two witness cards.

1 These cards are located to my left on the
2 table near the door. Upon coming forward to
3 speak to the Commission, please give both
4 cards to the Reporter sitting to my right
5 before taking a seat at the table.

6 Please be advised that these
7 proceedings are being recorded by a Court
8 Reporter and is also webcast live.
9 Accordingly, we must ask you to refrain from
10 any disruptive noises and actions in the
11 hearing room.

12 When presenting information to the
13 Commission, please turn on and speak into the
14 microphone, first stating your name and home
15 address. When you are finished speaking,
16 please turn your microphone off, so that your
17 microphone is no longer picking up sound and
18 background noise.

19 The decision of the Commission in
20 this case must be based exclusively on the
21 public record. To avoid any appearance to the
22 contrary, the Commission requests that persons

1 present not engage the members of the
2 Commission in conversation during any recess
3 or at any time. The staff will be available
4 throughout the hearing to discuss procedural
5 questions.

6 Please turn off all beepers and
7 cell phones at this time, so as not to disrupt
8 the proceedings.

9 Would all individuals wishing to
10 testify please rise to take the oath? Ms.
11 Schellin, would you please administer the
12 oath?

13 (Whereupon, an oath was
14 administered to those persons
15 planning to testify.)

16 SECRETARY SCHELLIN: Thank you.

17 VICE-CHAIRPERSON HOOD: Thank you.

18 At this time, the Commission will
19 consider any preliminary matters. Does the
20 staff have any preliminary matters?

21 SECRETARY SCHELLIN: We do have
22 two requests for party status. I have been

1 advised that the Friends of Francis Field has
2 switched to in support now. Yes.

3 VICE-CHAIRPERSON HOOD: Let me
4 also acknowledge we have Ms. Schellin,
5 Secretary of the Zoning Commission, and also
6 Ms. Hanousek, and to my right we are joined by
7 the staff of the Office of Planning.

8 So, first, let's take up the party
9 status. We have one party, I understand, that
10 has now switched, and that is the Friends of
11 Francis Field. At first they were in
12 opposition. I guess some issues have been
13 resolved. Did they submit something?

14 SECRETARY SCHELLIN: Not in
15 writing, but we've just got an acknowledgment
16 from them in the audience that they have
17 switched to support.

18 VICE-CHAIRPERSON HOOD: Okay.
19 Colleagues, we have their -- well, we have
20 their --

21 SECRETARY SCHELLIN: They did have
22 an earlier submittal at Exhibit 24, yes.

1 VICE-CHAIRPERSON HOOD: Right.
2 But I think that -- doesn't that speak to in
3 opposition?

4 SECRETARY SCHELLIN: Opposition,
5 yes.

6 VICE-CHAIRPERSON HOOD: Yes. So
7 anyway, they are now in support. I don't
8 think it's such a big deal, but any issues or
9 concerns?

10 COMMISSIONER JEFFRIES: Well, if
11 they're asking -- well, I know they're in
12 support, but are they still -- they're still
13 requesting party status.

14 VICE-CHAIRPERSON HOOD: They're
15 still requesting party status in support.

16 COMMISSIONER JEFFRIES: I'm still
17 trying to get my arms around number 6 as it
18 relates to explain how the person's interest
19 will be significantly, distinctively, uniquely
20 affected in character or kind. You know, I
21 can hear from my fellow Commissioners, but I'm
22 having some difficulty around that one.

1 COMMISSIONER PARSONS: Well, it's
2 a unique circumstance. It's a park across the
3 street, and whereas it's managed by the
4 Department of Parks and Recreation. This
5 Friends group is I think affected as a
6 representative of that park. So I -- maybe
7 they haven't articulated it well, but --

8 PARTICIPANT: May I?

9 VICE-CHAIRPERSON HOOD: No. We
10 haven't denied you yet, so -- and, plus, we're
11 going to have some order. We're not going to
12 speak from the audience like that. When
13 you're acknowledged, please come to the mike
14 and you'll give your name and your
15 affiliation, and we'll deal with it from that
16 point. But we're going to deliberate on this
17 for the time being.

18 Thank you.

19 COMMISSIONER JEFFRIES: So,
20 Commissioner Parsons, you're saying that, you
21 know, it's a unique situation, it's a public
22 space that's across from the park, and so

1 obviously they are uniquely impacted.

2 COMMISSIONER PARSONS: Yes.

3 COMMISSIONER JEFFRIES: Because
4 they are presenting the park and the
5 maintenance and the -- okay.

6 COMMISSIONER PARSONS: Correct.

7 VICE-CHAIRPERSON HOOD: Let me
8 just say this, Commissioner Jeffries. Most of
9 the time you have friends of different parks
10 who are like representative I want to say
11 spokespersons, but they have an interest. In
12 some cases, and I'm not sure in this case, Mr.
13 Parsons, but in some cases they get funding to
14 do certain things, and they do have a
15 particular interest.

16 And, basically, protecting the --
17 I guess, Mr. Parsons, you are more familiar
18 with this -- protecting the park, and the
19 things that are affiliated and the things that
20 are surrounded with it. So they have moved
21 from opposition from support, so, I mean --

22 COMMISSIONER JEFFRIES: Okay. I'm

1 convinced.

2 VICE-CHAIRPERSON HOOD: It's just
3 unfortunate we don't have anything in writing.
4 But if need be, I will ask the gentleman to
5 come to the microphone.

6 COMMISSIONER JEFFRIES: Well, I
7 mean, they do -- they have something here
8 under 6, under the party status application.
9 I mean, unless you're looking for more. It's
10 just that -- but I'm so convinced, and so I'm
11 willing to vote in favor.

12 VICE-CHAIRPERSON HOOD: Okay. So
13 without further ado, I will move that we grant
14 Friends of Francis Field party status in
15 support, and ask for a second.

16 COMMISSIONER JEFFRIES: Second.

17 VICE-CHAIRPERSON HOOD: It has
18 been moved and seconded. All those in favor?

19 (Chorus of ayes.)

20 Staff, would you record the vote?

21 SECRETARY SCHELLIN: Staff will
22 record the vote four to zero to one to grant

1 party status to Friends of Francis Field in
2 support, Commissioner Hood moving,
3 Commissioner Jeffries seconding, Commissioners
4 Parsons and Turnbull in favor, Commissioner
5 Mitten not present, not voting.

6 VICE-CHAIRPERSON HOOD: Okay.
7 Next, we have a party request, Whitman Place
8 Resident Owners Association, who have
9 requested party status as a party in
10 opposition. They are the -- immediately the
11 association that is I think directly -- I
12 think it's to the north -- to the north of the
13 projected site.

14 And I think they definitely
15 qualify for party status, and I would move
16 that we give Whitman Place Condominium
17 Residential Owners Association party status in
18 this case, and ask for a second.

19 COMMISSIONER PARSONS: Second.

20 VICE-CHAIRPERSON HOOD: It has
21 been moved and seconded. Any discussion? Any
22 discussion?

1 (No response.)

2 All those in favor?

3 (Chorus of ayes.)

4 Any opposition?

5 (No response.)

6 So ordered. Staff, would you
7 record the vote?

8 SECRETARY SCHELLIN: Staff will
9 record the vote four to zero to one to grant
10 party status in opposition to Whitman Place
11 Condominium Residential Owners Association,
12 Commissioner Hood moving, Commissioner Parsons
13 seconded, Commissioners Turnbull and Jeffries
14 in favor, Commissioner Mitten not present, not
15 voting.

16 VICE-CHAIRPERSON HOOD: Okay. We
17 have -- so the way I see it, we have three
18 parties -- the ANC, which is automatically a
19 party, and we have Friends -- actually, in
20 this case, the ANC is a party in opposition,
21 Friends of Francis Field are a party in
22 support, and the Whitman Place Residential

1 Owners Association is a party in opposition.

2 They have asked for 60 minutes,
3 and that will be fine-tuned, because the
4 applicant is only asking for 30. And as we
5 get into the hearing, we will readjust that
6 time. Just letting them know that up front.

7 SECRETARY SCHELLIN: If I may,
8 Chairman Hood, I've just been advised by the
9 ANC that they are not in opposition. They
10 have not submitted anything further in
11 writing, but they have switched to support.

12 VICE-CHAIRPERSON HOOD: Oh, they
13 have switched to support.

14 SECRETARY SCHELLIN: To support
15 now, yes.

16 VICE-CHAIRPERSON HOOD: Oh.

17 SECRETARY SCHELLIN: They just
18 haven't had an opportunity to file anything.

19 VICE-CHAIRPERSON HOOD: Anybody
20 else want to switch before I --

21 (Laughter.)

22 -- before I move on? Okay. So

1 the ANC is now in support. Okay.

2 Okay. Bear with us as we make
3 those changes.

4 Okay. Anything else, Ms.
5 Schellin?

6 SECRETARY SCHELLIN: We were going
7 to revisit the time --

8 VICE-CHAIRPERSON HOOD: Oh, yes, I
9 had mentioned I think we need to fine-tune
10 that. The applicant is only asking for 30
11 minutes, and to the Whitman Place Residents
12 Owners Association -- okay, so they would get
13 30 minutes. And if the applicant takes --
14 whatever the applicant does, we will give them
15 the same amount of time. Let's do it like
16 that. That's why I say we'll revisit that at
17 that time. Okay?

18 SECRETARY SCHELLIN: And Francis
19 Field?

20 VICE-CHAIRPERSON HOOD: Oh, okay.
21 Francis Field, 15, and the ANC in support,
22 they are limited, but I'm sure it won't be

1 that long now that they're in support.

2 (Pause.)

3 Mr. Hitchcock, can you do me a
4 favor, please? Can you come -- we're having
5 a little dialogue. We're trying to figure
6 out, where is the party representing the
7 application of Whitman Place Condominiums?

8 MR. HITCHCOCK: Yes, sir.

9 VICE-CHAIRPERSON HOOD: Where are
10 they located?

11 MR. HITCHCOCK: They are located
12 immediately to the north of the building at
13 2475, and -- 1275, I'm sorry. It is directly
14 across the alley from the north side. I could
15 illustrate on the -- if that would be helpful.

16 VICE-CHAIRPERSON HOOD: If you
17 could show us where they are, and that will be
18 good. Thank you. Okay. To the north. Okay.

19 MR. HITCHCOCK: Yes, sir.

20 VICE-CHAIRPERSON HOOD: Okay.
21 Before we go into -- we have some applications
22 for -- thank you. Thank you. That's fine.

1 We have some requests for expert
2 witnesses. We have the resumes for witnesses
3 -- Richard Smith representative of the
4 application. Well, he's not being proffered
5 as an expert, right? Okay. We have Mr.
6 Patrick Burkhardt, Architect, Shalom Baranes
7 and Associates, and Mr. Louis Slade, Traffic
8 Engineer. I though, Mr. Epting, you had
9 three.

10 MR. EPTING: I also have Shalom
11 Baranes.

12 VICE-CHAIRPERSON HOOD: Oh. So
13 that's where you get your third one. Okay.

14 MR. EPTING: Yes.

15 VICE-CHAIRPERSON HOOD: Okay. All
16 right. We have Mr. Burkhardt and Mr. Baranes,
17 and also Mr. Slade. I think we've seen all of
18 them, haven't we? Okay. So we don't need to
19 have a long debate, unless we want to make
20 one.

21 Okay. All right. No debate.
22 They will be accepted, Mr. Epting.

1 MR. EPTING: Thank you.

2 VICE-CHAIRPERSON HOOD: And with
3 that, you can begin your presentation.

4 MR. EPTING: Terrific. Good
5 evening. I'm John Epting with Pillsbury
6 Winthrop Shaw Pittman. Dave Avital and
7 Allison Prince are also here with me today,
8 and we are going to be brief.

9 We're proud to present this
10 application. The subject property is in the
11 West End, is zoned CR. It includes one office
12 building at 1227 25th Street and two 68-foot
13 sort of twin towers at 1229 through 1231 25th
14 Street, that are connected at the ground level
15 to create one building.

16 The architects will discuss the
17 proposed project, which includes the
18 conversion of two office buildings, the two
19 northern office buildings, to residential use,
20 and the expansion of the office building at
21 1227 25th Street. This conversion also
22 triggers certain technical zoning relief,

1 which the architect will also describe.

2 With that, I'd like to go ahead
3 and turn it over to Mr. Richard Smith from the
4 applicant. He will talk about the project's
5 history, our amenity package, and our proposed
6 construction management plans, and our contact
7 with the community. And with that, I would
8 like to go ahead and turn it over to Richard.

9 MR. SMITH: Good evening. My name
10 is Richard Smith. I'm representing and work
11 for the applicant for native Charles E. Smith.
12 We're very pleased to be able to present this
13 PUD project to you today.

14 We're pleased because the
15 opportunity for an adaptive reuse project to
16 transform a wonderful block into a more
17 balanced residential mixed use environment,
18 and we're pleased because the team that we've
19 got working on the project -- Shalom Baranes,
20 the landscape architect, Oculus, among others.

21 We've worked with the property
22 owner, the Bureau of National Affairs, BNA,

1 for over one and a half years on the property.

2 VICE-CHAIRPERSON HOOD: Can
3 everybody hear, or is it just me? Maybe I
4 have a cold or something, I don't know, but if
5 you can speak a little louder.

6 MR. SMITH: I'll get a little
7 closer.

8 VICE-CHAIRPERSON HOOD: Okay.

9 MR. SMITH: How's that? BNA first
10 made the decision that they were going to move
11 and seek a new headquarters facility more in
12 line with their corporate goals, and that they
13 would sell their three buildings which are
14 located at 1227, 1229, and 1231 25th Street.

15 Two of the three existing
16 buildings at 1229 and 1231 we felt were
17 nearing the end of their useful life. They
18 are somewhat tired, dated office buildings.
19 After careful analysis, we felt that the best
20 long-term plan for the site was a more
21 balanced mix of residential as well as
22 commercial development.

1 I'll talk briefly about the
2 program, and then talk about the amenities for
3 the project. Our objective here was to take
4 two of the buildings located at 1229 and 1231
5 25th Street, join them together, and create a
6 little residential enclave fronting Francis
7 Field and the park.

8 Onsite amenities include a roof-
9 top pool, a fitness center, a business center,
10 lounge and guest suite available for use by
11 residents' guests and families. A program
12 involved the adaptive reuse of the existing
13 structure, and the two-story below-grade
14 parking garage underneath those two buildings.

15 After removing the architectural
16 skin of the building, we'll plan to add four
17 stories to the top of the existing structure
18 and to connect the two buildings and reskin
19 the new building with a new elegant sculptural
20 facade. More on that later.

21 In contrast, after analysis we
22 felt that the newer office building located at

1 1227 25th Street could in fact be enhanced and
2 should remain an office use. We have provided
3 in our program for the addition of two floors
4 on top of the existing office buildings.

5 Beginning early in 2006, we have
6 embarked on a series of meetings and
7 presentations with the community, including
8 both commercial and residential neighbors. We
9 met on a number of occasions to brief them on
10 the project as it evolved, to seek their
11 reactions and input.

12 We have met with the ANC-2A, with
13 the residential and office neighbors at
14 Whitman Place immediately adjacent to the
15 north, with the residential neighbors from
16 2501 M Street, a mixed use condominium and
17 office building to the south, immediately
18 adjacent to Francis Field.

19 In addition, we have met with
20 neighbors from office buildings to the south
21 and to the east, and with the representatives
22 from Francis Junior High School to the north.

1 After lots of work, I believe we
2 have achieved a level of support from most if
3 not all of these neighbors. We have received
4 the endorsement of ANC-2A, the Friends of
5 Francis Field, and of the Francis Junior High
6 School. You'll hear more about that support
7 later.

8 At this point, I'd like to just
9 briefly summarize the project and community
10 amenities and turn this over to Shalom Baranes
11 for a presentation on the architecture.

12 The first amenity is the simple
13 fact of the conversion from office to
14 residential. This will serve to further
15 enliven the neighborhood with more pedestrian
16 activity and more life outside the traditional
17 working hours of 9:00 to 5:00.

18 The second amenity is the
19 agreement to fund \$200,000 in streetscape
20 improvements for both sides of 25th Street,
21 including a new fence for Francis Field.
22 These improvements will better tie our

1 buildings into the existing fabric of the
2 street and better tie them to the park.

3 The third amenity is the agreement
4 to fund the design and implementation of
5 \$150,000 in improvements for Francis Field.
6 The timing is fortuitous, because D.C. Parks
7 and Recreation has plans for some additional
8 renovations. Our funds will leverage
9 additional improvements desired by the
10 neighbors. We have committed our landscape
11 architect, Oculus, to work on these plans with
12 the neighbors' thought and input.

13 The fourth amenity is a commitment
14 of \$150,000 to Francis Junior High School.
15 We've worked with the school to identify a
16 list of items necessary for the school to
17 continue to improve its services, including,
18 among others, computers for teachers for
19 classrooms, new library and book resources,
20 among others.

21 The fifth benefit is lead or
22 sustainable development. In addition to the

1 mere fact of the adaptive reuse of the
2 project, we have committed to pursue some
3 sustainable development goals, incorporating
4 some green design features. These will result
5 in a commitment to achieve at least 20 lead
6 points for the residential and 16 lead points
7 for the office building.

8 The sixth amenity will be the
9 transportation management plan, including
10 bicycle parking and car-sharing reserved
11 parking spaces within the garage and carpool
12 incentives. And, finally, we have agreed to
13 enter into a construction management agreement
14 with both commercial and residential
15 neighbors.

16 We have worked on that, exchanged
17 drafts back and forth. It is not quite
18 finalized at this point, as I understand it,
19 but I believe we are close.

20 And with that, I'd like to turn
21 this over to Shalom Baranes.

22 MR. BARANES: Thank you. My name

1 is Shalom Baranes, Shalom Baranes Associates,
2 Architects.

3 Can I point to the screen to your
4 left? I'm not sure which one you're looking
5 at. Okay. Good. Thank you.

6 As you can see, the site is
7 outlined in red. It includes -- and we're
8 just above the intersection of M Street and
9 25th Street, with Rock Creek Park running
10 along the left-hand side of the screen. And
11 the project includes this free-standing office
12 building, and then these two office buildings
13 which are linked in the back with a one-story
14 connection.

15 This is a view looking to the
16 east. Again, here you see the office
17 building, the two residential -- the two
18 buildings we'll be converting and expanding,
19 with their one-story link. And what I'd like
20 to do now is just walk you around this
21 neighborhood, just within a block to see what
22 the -- so you can see what the other buildings

1 look like, starting with a view into this
2 corner here.

3 So here is our office building,
4 two adjacent buildings facing M Street, and
5 you can see all of the buildings here -- shown
6 here have a very similar architectural
7 quality. They're all very much a result of
8 the zoning that went into place, I believe it
9 was in the mid '70s, late '70s, and many of
10 them are a combination of residential above
11 office.

12 And here is one of those right
13 here. This is a view looking down M Street
14 towards Georgetown. And our site would be
15 directly behind this building, off to the
16 right.

17 Here is another view of a couple
18 of other buildings in our -- within a block of
19 us. Again, I would just ask you to note the
20 fairly block equality of most of these
21 buildings. And then, recently, of course,
22 this hospital which used to be part of

1 Columbia Hospital has been expanded with the
2 residential building to the south.

3 And I think the most distinguished
4 building in the neighborhood is one by Don
5 Hasaka, done I think in the late '80s. And
6 this building here backs onto the backs of our
7 buildings, and I will show you that here in a
8 second. It's an office building. So here's
9 the back of that building I just showed you,
10 here's the back of our building, the back of
11 one of our other buildings, and this is a very
12 wide alley. It's a private alley between us
13 and our neighbors.

14 I believe it's about 55 feet
15 roughly from face to face. It's almost -- or
16 is it 55, 60 feet from face to face, which is,
17 you know, the width of some of the narrower
18 streets in Washington, D.C.

19 Here is the alley between -- on
20 the south side of our property. This is the
21 office building we're proposing to add two
22 floors to. This is the other office building

1 directly to the north of it. And you can see
2 that even in this direction here we have a
3 fairly wide alley looking to the east here.

4 And then, parallel to this alley
5 on the north -- and here we are looking
6 towards Georgetown -- here is our building,
7 there's another wide private alley here, and
8 this is the building that, Mr. Hood, you were
9 asking about the location of at the beginning
10 of the hearing. It's directly to our north.

11 And I would ask you to note here
12 that this is an office use up to this break
13 here where it then changes to residential, I
14 believe.

15 Again, I would just ask you to
16 note the relative difference in heights
17 between the buildings that we are going to be
18 expanding here, the building to our north, and
19 then other buildings to our south here. There
20 is a dip, so it's a bit of a curve. And with
21 the expansion of these floors that we're
22 proposing, these buildings will be much more

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1 similar in height than they currently are.

2 Our two buildings to the north
3 that we'll be combining into a residential
4 building are shown here. You can see fairly
5 typical 1960s pre-cast construction. We're
6 going to be taking all of the skin off, and
7 we're going to be demolishing a portion of
8 this building here, so that we can widen the
9 courtyard to bring more light and air between
10 the two buildings for the new apartments that
11 we're proposing.

12 On the office building directly to
13 the south, we're going to be leaving most of
14 the skin in place, and then making some
15 changes along here, and then adding two floors
16 to the top. I'd ask you to note here that
17 this is the only street frontage this building
18 has, and the entrance is actually not on the
19 street but it's down this arcade, down the
20 alley, halfway down the building, and then
21 into the side of it. So it does not have much
22 of a street presence.

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1 This is what the three buildings
2 look like in plan on a typical floor. You can
3 see they are regular blocks, about, you know,
4 roughly 80 to 95 feet wide in this direction
5 each. And our challenge with these two
6 buildings is to try to take these floor plates
7 with two separate cores and make them work for
8 residential unit layouts. And in order to do
9 that, as I mentioned, we're proposing
10 demolishing a portion of this building here to
11 enlarge the courtyard.

12 So here is a roof plan that starts
13 to give you a sense for that demolition. The
14 courtyard I just showed you is only as wide as
15 its dimension across the back here, and then
16 by demolishing 22 feet of the existing
17 concrete structure all the way up and down the
18 building there we're able to widen the opening
19 facing west fairly considerably, and enough to
20 get some light and air back into these units
21 at the back.

22 The alleys all stay exactly as

1 they are. All we're doing is building on the
2 existing footprints of the existing buildings,
3 and that is also the case for the office
4 building to the south here, where, as I said,
5 we'll be adding two floors.

6 Here is a typical floor of one of
7 the two combined office buildings into a
8 single residential building. We're utilizing
9 the two cores. They're existing. We're
10 connecting them with a new corridor. This
11 portion of the project is new, and, again,
12 here this diagonal shows the line of the
13 demolition of that middle office building.

14 So by cutting it back on the south
15 side, not only are we enlarging the courtyard
16 but we're also allowing more light to come in,
17 more direct sunlight to come in from the south
18 into that space.

19 And then, as we move up the
20 building, we -- in the new construction of it,
21 the upper four floors that we're proposing, we
22 start to slant those back, again, in order to

1 widen the mouth of the courtyard as it rises
2 towards the sky. And then, on this side, we
3 step everything back so that the upper floors
4 are considerably narrower than the floors
5 below -- again, allowing light to come in.

6 We are doing the same thing on the
7 north side. This red line, this red dashed
8 line indicates where the footprint was of the
9 top floor when we initially filed it with you.
10 After a series of meetings and discussions
11 with our neighbors to the north, we increased
12 the setback that we had here from five feet to
13 15 feet, and the red line, again, shows the
14 five feet.

15 And I want you -- I'd like you
16 also to note that the property line here jogs,
17 so that we're actually much further from our
18 property line along here than we are along
19 here. The loading for the building takes
20 place in this area down at the alley level.

21 So here is a view, an overall view
22 of the composition. And we've -- from an

1 architectural standpoint, we've really made a
2 very serious effort to break down the monotony
3 of the block. Rather than having three
4 staccato repetitive pieces that are very, very
5 similar in width and height and bulk, we've
6 tried to make these two very different from
7 each other.

8 We've introduced the penthouse as
9 -- in an L-shaped configuration in order to
10 give a little more emphasis to -- visual
11 emphasis to this block versus this block. We
12 have introduced more setbacks on the south
13 side than we did on the north side, both for
14 light and to make this look more slender than
15 this one.

16 And then, we've treated the
17 elevations with balconies a little bit
18 differently in each one, with the setbacks on
19 the lower floors also different on each one,
20 in order to distinguish -- to have a major and
21 a minor essentially. That's really our goal
22 here.

1 Here is a view looking towards the
2 southeast. And, again, here are the two
3 floors on top of the office building, and then
4 here we have the extended two masses going up
5 to a height of 10 stories and 110 feet.

6 We have residential all the way
7 down to the base, and we have tried to
8 articulate these facades which face west with
9 a lot of depth, with balconies, with the glass
10 you can see is recessed fairly deeply into
11 there. So these will be seen from a long
12 distance, and we have made a real effort,
13 again, to make sure that they are very
14 sculpted and are not flat, as an office
15 building would typically be.

16 And here is a view looking in the
17 opposite direction. And here I would just
18 note, you can get a better look at the upper
19 two floors that we're adding, and we are
20 making some changes to the facade, just in
21 this one bay.

22 So rather than having a completely

1 symmetrical facade, which would normally
2 suggest an entrance in the middle, we're
3 trying to add a little more emphasis to this
4 corner by jutting the bay out, by adding some
5 additional decorative elements to the face of
6 the building around the corner here, and
7 trying basically to call a little bit of more
8 visual attention to this entrance arcade,
9 which will still lead to the main building at
10 the middle -- halfway down the alley.

11 These are some of the materials
12 that we're proposing. The primary facades of
13 the residential building will be primarily
14 glass and metal. We're looking at several --
15 at two different kinds of silver metals. The
16 glass will be very clear, so the building will
17 be as transparent as possible. We are
18 proposing using two different stones -- one is
19 an accent, and one more is a base -- at the
20 base of the building on the primary facades.

21 And then, once you turn into the
22 alley elevations about 20 feet off of 25th

1 Street, this fairly elaborate metal and glass
2 facade changes to a masonry brick facade,
3 which is similar to the -- some of the other
4 buildings near us.

5 We have been working with Don
6 Hoover from Oculus on the landscaping, on the
7 courtyards, on the roofscape, the streetscape.
8 And we can certainly address this in more
9 detail, but we're essentially right now taking
10 a space that is all heartscaped and
11 introducing some green areas with some
12 plantings. This is all over structured
13 parking, so we're building it up a little bit,
14 and then keeping the plants at a reasonable
15 size, as you can see here.

16 We are also proposing the
17 introduction of this trellis, which will
18 connect the two wings of the residential
19 building. It will not be gated across there.
20 It will simply be open, but it starts to
21 create a little bit of a separation between
22 the public domain and the quasi-public/quasi-

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1 private domain, as you approach the front
2 door.

3 Again, we have some details on
4 that which I'm sure if you would like during
5 the Q&A Don Hoover would be happy to go into.
6 Again, these are some of the materials for the
7 courtyard, for the sidewalk, fairly standard
8 for what you see in Washington, in the West
9 End in Washington, D.C.

10 And then, on the roof, we are
11 proposing a green roof. This is all seedum.
12 We do have a swimming pool at the back of the
13 building here, and then we have a sunning deck
14 for the -- all of the residents along here.
15 And everything that you see in green here,
16 both on top of the mechanical penthouse, as
17 well as down lower here, is a seedum roof.

18 One of the variances or special
19 exceptions we are asking for as part of our
20 PUD submittal is this idea of having multiple
21 roof structures, instead of a single roof
22 structure of a single height. Because we are

1 taking existing elevators and extending them
2 straight up, we're taking existing stairwells,
3 in some cases extending them straight up, and
4 we're also trying to minimize the size of the
5 penthouse, we felt rather than connecting
6 everything into one big structure that would
7 be 18 feet, six inches high, it made more
8 sense to break it down into smaller pieces.

9 This one, by the way, is -- our
10 highest one, we have reduced the height of
11 that. It's only about 15'6", and then we
12 stepped it down again here down to 12'6". And
13 I have to say, I'm a little perplexed why the
14 zoning doesn't allow that as a matter of
15 right. We always have to ask for special
16 permission to step down a penthouse.

17 But anyway, by stepping it down,
18 we actually enable a little more sunlight to
19 get to the building to the north.

20 And, again, here is some detail
21 about the plantings on the roofscape, which
22 Don Hoover can discuss later if you would

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1 like.

2 And one final issue I'd like to
3 discuss, which is just the relationship of our
4 building to the building to our north. Now,
5 what you see in the darker yellow here is the
6 existing building, and the lighter yellow, of
7 course, is the -- represents the four floors
8 that we're adding.

9 I think one of the most critical
10 elements of this drawing is that dot right
11 there, which shows what the matter of right
12 building height would be for this project were
13 we not seeking zoning relief. This goes up to
14 100 feet, so that's where we could build as a
15 matter of right. And we are asking
16 essentially to go up an additional 10 feet
17 with this one floor that we've set back.

18 And these are a couple of diagrams
19 I'll be showing you, starting with this one,
20 that show the angle of the sun and its impact
21 during different times of the year on the
22 building to the north.

1 So this is, of course, in the
2 summer, in June, when the sun is at its
3 highest point. Again, you can see that this
4 additional 10 feet we're asking for and the
5 penthouse that we're asking for really have no
6 impact at all on the sun that would be
7 reaching either the office floors on the alley
8 or the residential floors above -- at the top
9 of the neighboring building.

10 Now, as we move into -- sorry, I
11 can't read that. This is -- oh, I'm sorry,
12 this is the spring and fall. Okay. Sorry
13 about that. Spring and fall, the sun is a
14 little bit lower, and, again, I would ask you
15 to note that it's the 100-foot parapet, the
16 matter of right parapet that becomes the
17 controlling factor, again, in terms of how
18 much sun reaches the residential and not the
19 additional floors we're -- the additional
20 floor that we're asking for.

21 And that was one of the reasons we
22 increased the setback from five feet to 15

1 feet was to get it way back there behind the
2 summer and fall sun conditions.

3 And then, finally, in the winter
4 when the sun is at its lowest point, it will
5 actually come across as shown here. This
6 diagram is a little more complicated than the
7 last two I showed you, in that what we're
8 showing here is not only the 100-foot matter
9 of right, which would come to this point, but
10 what we would also be allowed to do as a
11 matter of right with the 18'6" penthouse,
12 which you see in purple, and the penthouse
13 that we're proposing, because it's set back
14 differently and because it's only 15'6", it's
15 lower than a matter of right penthouse would
16 be, essentially creates the exact same effect
17 in terms of solar obstruction on these
18 residential units as a matter of right
19 penthouse would be.

20 We actually checked it very
21 carefully, and we are blocking an additional
22 nine inches of sunlight on that facade from

1 what a matter of right 100-foot building with
2 an 18'6" matter of right penthouse would do.
3 So it's virtually the same.

4 And again, finally, this is the
5 last slide I have. I just want to note that
6 we're making a real effort to make this
7 building feel very light, very transparent.
8 We're trying to model it very significantly,
9 so it will have very deep shadowing, and so
10 that it will really have a very nice
11 relationship to the park and to Georgetown as
12 it is seen from a distance.

13 Thank you.

14 Oh, I'm sorry. Yes. We have been
15 to the Commission of Fine Arts, I was just
16 reminded, and they have approved what we are
17 showing you here today.

18 Thank you.

19 MR. EPTING: And I'd like to
20 briefly call the traffic consultant, just to
21 summarize his report.

22 VICE-CHAIRPERSON HOOD: Let me

1 ask, we approved Mr. Slade, and I think I --
2 I know I've seen this gentleman, but we
3 approved him as an expert witness, so you'd
4 rather proffer this gentleman as an expert as
5 opposed to Mr. Slade.

6 MR. EPTING: That's correct.

7 VICE-CHAIRPERSON HOOD: Okay. And
8 your name again is?

9 MR. SCHIESEL: My name is Robert
10 Schiesel. I'm from Grove Slade Associates,
11 and I --

12 VICE-CHAIRPERSON HOOD: Spell your
13 last name for me.

14 MR. SCHIESEL: S-C-H-I-E-S-E-L.

15 VICE-CHAIRPERSON HOOD: Schiesel.

16 MR. SCHIESEL: Yes.

17 VICE-CHAIRPERSON HOOD: Okay.
18 See, I usually don't have to keep up with --
19 Carol usually takes care of this, and I have
20 to keep up with this now.

21 Mr. Schiesel has been in front of
22 us, colleagues, and I just want to make sure,

1 because we approved Mr. Slade as an expert.

2 Any objection?

3 (No response.)

4 Okay. Thank you.

5 MR. SCHIESEL: Thank you.

6 VICE-CHAIRPERSON HOOD: You can
7 proceed.

8 Thank you, Mr. Epting.

9 MR. SCHIESEL: Okay. Like I said,
10 my name is Robert Schiesel. Our work for this
11 project mostly, in addition to preparing a
12 traditional traffic impact study, focused on
13 taking observations of the current buildings
14 and working with the District Department of
15 Transportation on the transportation demand
16 management amenities of the site.

17 The existing site, when we
18 observed it, actually produces a very little
19 amount of automobile trips, much less than you
20 would expect from a traditional office
21 building, even in other areas of the city.
22 This is a very low auto use area of the city

1 as we observed, approximately only 20 percent
2 of what you would normally find for an office
3 building with no alternative mode use is
4 what's generated by these buildings.

5 And we would expect that with the
6 proposed changes we'd find similar
7 transportation characteristics. We look at
8 focusing not as much on, you know, building
9 parking and accommodating the traffic as much
10 as we did accommodating that high reduction of
11 theoretical traffic, which is why we looked
12 into the demand management measures,
13 encouraging pedestrian traffic -- pedestrian
14 transit and bicycle use.

15 We did do an impact analysis. We
16 actually took some of our conservative
17 assumptions, and we concluded that there was
18 not a detrimental impact to nearby
19 intersections. And we just did meet with DDOT
20 and they submitted a report, and, in fact,
21 actually commented and helped us revise some
22 of the demand management measures we proposed.

1 So in short, in summary, the
2 impacts are very slight transportation-wise,
3 and with the proposed aspects of the site,
4 including pretty much keeping very similar
5 parking as it is existing, the impact of the
6 proposed changes would be negligible.

7 MR. EPTING: And that concludes
8 our testimony. We did receive a final
9 supplemental DDOT report tonight or this
10 afternoon, which I think is in the record.
11 And we do have copies of the slide show, and
12 our lead scorecards, which we have also
13 submitted for you.

14 And with that, I conclude our
15 presentation. We are ready for questions.

16 VICE-CHAIRPERSON HOOD: Thank you.

17 Ms. Schellin, did we get that in
18 our packets?

19 SECRETARY SCHELLIN: No, you did
20 not. We'll have to look and see. Maybe they
21 faxed it over later.

22 VICE-CHAIRPERSON HOOD: Okay.

1 That's fine.

2 Okay. Well, we don't have the
3 supplemental report as of yet, so -- anyway,
4 let's open it up for questions. Commissioner
5 Jeffries.

6 COMMISSIONER JEFFRIES: Yes. I
7 remember this application during setdown, and,
8 again, I mean, this is fairly typical with the
9 architect, because, you know, Shalom Baranes,
10 you know, a highly evolved and thoughtful
11 architecture. I particularly like how he has
12 -- or the firm has sort of meshed the adaptive
13 reuse of the office buildings into
14 residential, and then tied it into the office,
15 so it's very nice.

16 And, you know, I always have
17 concerns about sort of residential looking a
18 little bit too cool with the materials that
19 you've used here, but I think that it's --
20 it's, you know, to me a highly evolved design.

21 I think my colleagues might have a
22 question or two about the trellis at the top,

1 but I'll leave it -- I'll leave them to
2 discuss that.

3 I did questions, though, about the
4 courtyard and the trellis. Are there going to
5 be vines that go up and along this trellis?
6 And, if so, what kind of vines? Or I don't
7 know, is that --

8 MR. BARANES: I'm not qualified to
9 answer the kind of vines.

10 COMMISSIONER JEFFRIES: Oh, okay.

11 (Laughter.)

12 MR. EPTING: We'd like to ask Don
13 Hoover to address that, the landscape
14 architect.

15 MR. HOOVER: Again, my name is Don
16 Hoover with Oculus. And, actually, you're
17 talking about the trellis in the front.

18 COMMISSIONER JEFFRIES: Yes.

19 MR. HOOVER: Yes, there are no
20 vines on that.

21 COMMISSIONER JEFFRIES: And there
22 will never be vines on that.

1 MR. HOOVER: There is no plans to
2 do that. That's correct.

3 COMMISSIONER JEFFRIES: Okay. The
4 only concern -- you know, looking at the
5 elevation, it just -- there's something --
6 there's some sort of disconnect. That trellis
7 seems foreign to me in the -- in that yard in
8 relation to the buildings. And I don't know,
9 perhaps it's just the elevation.

10 Could you go back to the -- yes,
11 right there. It just -- can you just talk a
12 little bit about, you know, why that
13 particular -- I mean, in terms of entrance
14 into this residential -- I don't know, it just
15 seems somewhat meager. I don't -- something
16 seems foreign to me about it as it sits in the
17 court between these two towers.

18 MR. BARANES: Is it the materials
19 that you're referring to or just --

20 COMMISSIONER JEFFRIES: Perhaps
21 it's the --

22 MR. BARANES: Okay.

1 COMMISSIONER JEFFRIES: Perhaps
2 it's even the form. It seems that -- it just
3 seems low. There is just something that just
4 looks foreign about it, I think. I can't --

5 MR. BARANES: Well, I'm wondering
6 how much of it is the drawing versus the
7 design. It's a little hard to tell sometimes
8 at this stage.

9 COMMISSIONER JEFFRIES: Yes.

10 MR. BARANES: But what we did is
11 we --

12 COMMISSIONER JEFFRIES: You can
13 see it back there more clearly behind you.

14 MR. BARANES: We did align it.
15 This building does not have a particularly
16 tall first floor, and we did align it with the
17 first floor. We didn't want it moving up into
18 the second floor. And, basically, it really
19 is I think serving a very important function
20 of separating the sidewalk.

21 It's a little bit like in many
22 European buildings they have courtyards where

1 you're able to look through a gate --

2 COMMISSIONER JEFFRIES: Right,
3 right, right.

4 MR. BARANES: -- into a space
5 beyond.

6 COMMISSIONER JEFFRIES: Right.

7 MR. BARANES: You can sense it
8 from the public space, but you can't really go
9 into it. And here, of course, you can go into
10 it. So, I mean, as a concept I think it's
11 very important to have. You know, in terms of
12 the design itself, to some degree it does
13 reflect the layering that we're proposing on
14 the two primary facades of the building.

15 You can see as you -- and you get
16 a little bit of a sense looking up into that
17 trellis how it has some of the same qualities
18 that the metal does on the two primary
19 facades.

20 COMMISSIONER JEFFRIES: Can we see
21 another slide looking at -- right. Right
22 there. So you see that as, you know, sort of

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1 almost like a -- sort of separating from --
2 your activity from the sidewalk from the
3 court?

4 MR. BARANES: Yes.

5 COMMISSIONER JEFFRIES: Okay.

6 MR. BARANES: It's suggestive,
7 because obviously anyone can walk through
8 there.

9 COMMISSIONER JEFFRIES: Yes.

10 MR. BARANES: And I think from an
11 elevational standpoint it helps tie the two
12 wings together.

13 COMMISSIONER JEFFRIES: And in
14 terms of the use of the red brick, I mean,
15 you're just trying to warm up. I mean, what's
16 --

17 MR. BARANES: The red brick is
18 really what's in the neighborhood.

19 COMMISSIONER JEFFRIES: Okay.

20 MR. BARANES: And we're extending
21 it.

22 COMMISSIONER JEFFRIES: Okay. And

1 then, the other question which is very removed
2 from this is, was there any discussion about
3 the affordability in terms of the level of
4 affordability? What was -- was it 50 to 80
5 percent of area median income or --

6 MR. BARANES: It's 80 percent.

7 COMMISSIONER JEFFRIES: It's 80
8 percent.

9 MR. BARANES: Yes.

10 COMMISSIONER JEFFRIES: Okay. And
11 I think there was discussions that it would be
12 on the first, what, three or four floors?

13 MR. BARANES: It's in the lower
14 half of the building.

15 COMMISSIONER JEFFRIES: The lower
16 half of the building?

17 MR. BARANES: Yes.

18 COMMISSIONER JEFFRIES: Okay. And
19 there was also discussion about the -- you
20 know, the mix. It would just reflect the
21 overall mix?

22 MR. BARANES: Exactly.

1 COMMISSIONER JEFFRIES: Okay. And
2 the three percent really reflects sort of the
3 affordability, the increased density from what
4 you've got here. It represents a certain
5 percentage of that. What is that percentage?

6 MR. EPTING: It's 80 percent of
7 the increase, and we had that in our initial
8 application.

9 COMMISSIONER JEFFRIES: Okay.

10 MR. EPTING: The background.

11 COMMISSIONER JEFFRIES: Okay.

12 Thank you.

13 VICE-CHAIRPERSON HOOD: Okay.

14 COMMISSIONER JEFFRIES: That's all
15 I have.

16 VICE-CHAIRPERSON HOOD: Thank you.
17 Commissioner Turnbull.

18 COMMISSIONER TURNBULL: Thank you,
19 Mr. Chair.

20 I wonder if I could -- I just want
21 to go back over -- we didn't touch upon it
22 here, but it's in the older drawings from the

1 earlier submission on the access into the
2 garages and travel around the alleys.

3 MR. EPTING: Yes.

4 COMMISSIONER TURNBULL: 1229-1231
5 is coming off of 25th Street? There is only
6 the one garage entrance, right?

7 MR. BARANES: That's correct.
8 That's the entrance right there that I'm
9 pointing to.

10 COMMISSIONER TURNBULL: And then,
11 the entrance to the office is right down the
12 alley right next to it.

13 MR. BARANES: That's correct.

14 COMMISSIONER TURNBULL: Okay. And
15 you're basically not changing any of the
16 parking structure.

17 MR. BARANES: That's correct.

18 COMMISSIONER TURNBULL: But you're
19 providing bicycle storage in the apartment?

20 MR. BARANES: Yes, we are.

21 COMMISSIONER TURNBULL: In the
22 residential area. Okay.

1 MR. BARANES: And the office as
2 well, in both buildings.

3 COMMISSIONER TURNBULL: In both
4 buildings.

5 MR. BARANES: Yes.

6 COMMISSIONER TURNBULL: Okay. I
7 find -- just looking at it, I think it's an
8 incredible transformation of those existing
9 concrete structures. I think it's really
10 something that is needed, getting rid of those
11 things.

12 I guess -- and I think the only
13 thing is the extent of the trellis, and I'm
14 sure --

15 MR. BARANES: At the ground level?

16 COMMISSIONER TURNBULL: No, the
17 trellis up on the --

18 MR. BARANES: Oh, that trellis.

19 (Laughter.)

20 COMMISSIONER TURNBULL: It's
21 rather substantial. I mean, I think the whole
22 complex kind of works. I like the -- I

1 actually like the -- sort of the skeleton look
2 of it in the glass. I think it really -- it
3 lightens up the park, and, I mean, I think it
4 will be a nice feel. But I guess the trellis
5 is really a dominating element. Does it have
6 to be that extensive, or is it --

7 MR. BARANES: We really worked a
8 long time to try to develop a means for
9 creating a -- what I talked about earlier, a
10 major and a minor move between these two
11 wings.

12 COMMISSIONER TURNBULL: Yes.

13 MR. BARANES: And of course, you
14 know, both wings do have to go up to the full
15 height limit, and we're fighting this FAR
16 issue with existing footprint. And using a
17 decorative element like that on the edge of
18 the roof is really one of the few devices we
19 have as architects here in Washington to try
20 to create some interest in the skyline.

21 Cornices obviously are possible,
22 but typically they don't work on buildings

1 like this, because our floor-to-floors are so
2 low. That's why you often don't see cornices
3 on modern buildings in Washington. But a
4 trellis above the roof provides an opportunity
5 for us, as well as somewhat of an amenity for
6 the residents, although in all honesty I have
7 to tell you that's not the main reason we did
8 it.

9 COMMISSIONER TURNBULL: No. I
10 think what I like about it there is you sort
11 of filigree this kind of lightness and
12 elegance to the structure, which the whole
13 elevation of the street didn't have, and I
14 think it really adds some character along it.

15 Those are my comments, Mr. Chair.

16 VICE-CHAIRPERSON HOOD: Okay.
17 Thank you, Mr. Turnbull.

18 Anyone else? Mr. Parsons?

19 COMMISSIONER PARSONS: Well, I
20 need to pick up on Mr. Turnbull, because I
21 think your facades are fabulous. I just --

22 MR. EPTING: Thank you.

1 COMMISSIONER PARSONS: They're
2 beautiful. And I'm looking at this rendering,
3 which is probably right next to the one on the
4 screen. I mean --

5 MR. EPTING: Which sheet?

6 COMMISSIONER PARSONS: That one
7 there. And I'm looking at the second building
8 and how it is topped off by these glass cubes,
9 and so forth. It's so much cleaner and seems
10 to be much more in keeping with what you're
11 doing on the front facade. And I don't --
12 getting to the roof itself, I don't see what
13 the purpose of the trellis is from the
14 standpoint of providing shade to a swimming
15 pool or a sitting area, or whatever.

16 There's another perspective from
17 the roof that shows the green roof, not that
18 anybody will see it from that perspective, but
19 it helps me make the point. This one here.

20 It doesn't seem as though this
21 trellis is something that is an amenity to
22 people who are on the roof, is it?

1 MR. BARANES: Only a portion of it
2 is. This portion -- there is a sundeck right
3 here, so I would say that just this portion of
4 it here is really an amenity. The rest of it
5 is there for -- more for architectural reasons
6 than -- rather than being an amenity.

7 Mr. Parsons, you mentioned -- just
8 let me go back -- the setbacks along this
9 pavilion here. And, I mean, I think within
10 this composition that works quite well. You
11 know, when I think about all the buildings
12 along Massachusetts Avenue, especially under
13 the old HR zoning, where they were all
14 required to do that, and you get a series of
15 these buildings stepping back like that,
16 pyramiding back along the street, to me it has
17 never been a very successful way to cap out a
18 street cornice.

19 And I feel the contrast between
20 the two here adds a real richness, and, in
21 addition to that, the fact that you have such
22 long, distant views of this building from

1 across Rock Creek Park, I think to see
2 something that is a little special on top of
3 a building like this from 2,000 feet away
4 really adds something a little unusual to the
5 Washington skyline, which I think works quite
6 well in this particular context.

7 COMMISSIONER PARSONS: Thank you.

8 MR. BARANES: Okay.

9 COMMISSIONER PARSONS: I wanted to
10 go back to Mr. Jeffries' concern. I think
11 this is -- can you go back to those
12 perspectives of the trellis? I'm looking
13 through the Powerpoint -- the other one. And
14 I think -- this just doesn't feel residential
15 to me, and I think it's a victim of the
16 perspective and the computer, and so forth.
17 It isn't enriched with plant materials.

18 Ask your landscape architect not
19 to testify, but to think more about -- this
20 feels to me like a suburban office park
21 entrance, and it shouldn't, you know? It
22 should be very, very special and warm and rich

1 with plants, and it's not. It has a very
2 sterile look to it. And it may be all the
3 brick and the mortar joints in the brick,
4 which are a little sloppy, but maybe you could
5 rework that.

6 MR. BARANES: Why don't we work on
7 --

8 COMMISSIONER PARSONS: Do you have
9 any feeling about it?

10 MR. BARANES: We'll come back --
11 we'll develop this further.

12 COMMISSIONER PARSONS: That's all
13 I have, Mr. Chairman.

14 VICE-CHAIRPERSON HOOD: Okay.

15 COMMISSIONER TURNBULL: Mr. Chair,
16 I would just like to sort of back up or sort
17 of tag on to what Commissioner Parsons said.
18 I think that if I look at that one elevation,
19 your one rendering, it looks down the street.
20 You know, that's -- there's just something
21 about it that is really exciting and nice, and
22 I think when you look at that, that elevation

1 -- and as you look at it, there is an
2 excitement to it.

3 And then, looking the other way,
4 too, there is a richness in the elevation, and
5 it sort of falls down a bit once you get into
6 that entrance. It's like I want to see some
7 more of that excitement that I see up on the
8 upper elevation that leads you into it. It's
9 --

10 COMMISSIONER JEFFRIES: Yes.
11 You've set a stage.

12 COMMISSIONER TURNBULL: Yes.

13 COMMISSIONER JEFFRIES: You really
14 -- you've set a stage, and then you get right
15 to the door and it's, like, whoa. I mean,
16 you've set the stage like that. So it -- here
17 we are with this, you know, very simple
18 trellis that doesn't seem to be as, you know,
19 evolved as everything else. And so, I mean,
20 you've created a context that, you know, you
21 just -- it just seems -- it just sort of falls
22 short right at the entrance there.

1 So I just think you need to -- I
2 think it's even more -- I think the
3 landscaping -- I think it was Square 54 had
4 very nice landscaping in that interior court.
5 But you might want to also think about some
6 hardscape, too. Just some variety, just --
7 something that just sort of warms it up a
8 little bit, so --

9 VICE-CHAIRPERSON HOOD: Any other
10 comments?

11 (No response.)

12 I just have a few. Can we go back
13 to the roof plan? And Mr. -- is that -- it
14 was a bigger one, a larger one than that.
15 That's it. Is that the roof plan?

16 MR. BARANES: Yes.

17 COMMISSIONER JEFFRIES: That's the
18 lot, okay. That's the one I need. I want to
19 make sure I'm calling it the right thing.

20 Now, you mentioned, Mr. Baranes,
21 the sundeck, I guess where people are going to
22 do tanning and whatever. You said sundeck.

1 MR. BARANES: Yes.

2 VICE-CHAIRPERSON HOOD: Can you
3 show me where that is?

4 MR. BARANES: It is right there.

5 VICE-CHAIRPERSON HOOD: Now, and
6 that is -- now, what's to the north of that?
7 I guess that's north?

8 MR. BARANES: This would be to the
9 east, this here.

10 VICE-CHAIRPERSON HOOD: Okay. Let
11 me ask it this way. Again, the -- and I'm
12 trying to get my orientation again. The
13 Whitman Place Owners Association Building is
14 where?

15 MR. BARANES: Right there.

16 VICE-CHAIRPERSON HOOD: Right.
17 Okay. I'm on target so far. Now, how tall is
18 that building, the Whitman --

19 MR. BARANES: It's 90 feet.

20 VICE-CHAIRPERSON HOOD: Ninety
21 feet.

22 MR. BARANES: Plus their

1 penthouse, which is I think about 18 feet
2 roughly.

3 VICE-CHAIRPERSON HOOD: So there
4 are no issues with me being -- if I lived in
5 that development, to look out my window and
6 see a bunch of tanning going on. Okay.

7 (Laughter.)

8 No, I'm --

9 MR. BARANES: That's a fair
10 question. You would not be able to see it,
11 unless you climbed onto the roof of the --

12 VICE-CHAIRPERSON HOOD: Okay.

13 MR. BARANES: -- of the adjoining
14 building.

15 VICE-CHAIRPERSON HOOD: Okay. I'm
16 just asking. I'm really trying to get to the
17 crux of some of the questions -- I mean, some
18 of the issues that they have, but I'm sure
19 they will present it when they get here. I
20 thought maybe that may have been one.

21 And the pool -- the pool is in the
22 back.

1 Okay. Let me ask you -- the
2 access, and we also received a letter from Mr.
3 Monez. I hope I am pronouncing his name --
4 Adam Monez. I hope I'm pronouncing it correct
5 -- about safety issues in the park, and his
6 concern is that we are starting to bring more
7 residential and more people and more
8 pedestrian traffic, more people are going to
9 be coming to the neighborhood. And the
10 lighting issue.

11 When we're going into the -- I
12 guess into the open area, which I think is
13 designed very well, what type of lighting do
14 we have in that open area in there?

15 MR. BARANES: Most of the lighting
16 will be down in the ground. And it -- it will
17 be within no more than roughly four feet off
18 the ground.

19 VICE-CHAIRPERSON HOOD: Okay. Do
20 we have something showing that, how it's going
21 to be on the inside there?

22 MR. BARANES: Yes. No, we have

1 not developed that, included it in the
2 drawings.

3 VICE-CHAIRPERSON HOOD: Okay. But
4 we will get that before final.

5 MR. BARANES: Okay. We can do
6 that.

7 VICE-CHAIRPERSON HOOD: Okay.

8 MR. BARANES: Yes. One of the
9 reasons I say it has to be low is because
10 there are residential units on both sides of
11 the courtyard, so it has to be low level.

12 VICE-CHAIRPERSON HOOD: I realize
13 you're trying to balance keeping people up at
14 night, and also making sure you have a safety
15 factor in there.

16 MR. BARANES: Yes.

17 VICE-CHAIRPERSON HOOD: Now, the
18 access, I don't live -- I don't live in the
19 area. If I'm over there and I just want to
20 walk up in there, how much access do I have?
21 Will I be able to -- I know I'll be able to go
22 into that open area, but what will stop me

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1 from going even into the building? Is it a
2 key card, or is it a -- how is that going to
3 work?

4 MR. BARANES: Right. Typically,
5 in all of our buildings that we do that are
6 like this, there is electronic access to get
7 you in, but there is also a front desk that
8 will be manned 24 hours, and there will be a
9 concierge there.

10 VICE-CHAIRPERSON HOOD: Okay. I
11 guess one of the other concerns I saw is on
12 25th Street, going off the top of my head.
13 We're now making this -- I don't even want to
14 get into level of service, because I will tell
15 you I have not figured -- I probably will
16 never figure out level of service, because I
17 sit in traffic, and I think about you guys
18 constantly.

19 (Laughter.)

20 But I will tell you that 25th
21 Street, it was mentioned that now we're making
22 that like more of a main thoroughfare. I

1 think that was how they -- someone alluded to
2 it. In your analysis, was that taken into
3 consideration, the increased traffic? I'm
4 sure it was. I'm sure you're going to tell me
5 yes.

6 MR. SCHIESEL: We did not assume
7 any changes in the nature of traffic on 25th
8 Street other than the change of the garage
9 patterns changing from more office style to
10 residential style, as far as when cars arrive
11 to park.

12 VICE-CHAIRPERSON HOOD: And why
13 didn't we do that on 25th Street? As far
14 as --

15 MR. SCHIESEL: I'm not sure if I
16 understand what changes you're talking about
17 on 25th Street.

18 VICE-CHAIRPERSON HOOD: Well, did
19 we analyze the traffic pattern? Because the
20 entrance is on 25th Street.

21 MR. SCHIESEL: Yes.

22 VICE-CHAIRPERSON HOOD: Right. So

1 right now, what do we have there now? What's
2 on 25th Street now? Do we have an entrance
3 for residential?

4 MR. SCHIESEL: Yes. The garage
5 entrances are staying in the same location.

6 VICE-CHAIRPERSON HOOD: Okay.

7 MR. SCHIESEL: So the only change
8 would be when cars would be arriving and
9 entering compared to existing. They just have
10 a different pattern.

11 VICE-CHAIRPERSON HOOD: So you
12 don't see no significant change. What you
13 have existing now to what's going to be
14 proposed once -- if this is developed the way
15 it is.

16 MR. SCHIESEL: No. The overall
17 level of traffic, theoretically you expect it
18 to go down, because when you're looking at a
19 similar number of parking spaces, residential
20 parking spaces are used less frequently than
21 office parking spaces.

22 But because of the nature of our

1 observations at the site showing it already
2 proves there is a low level of traffic, we
3 went ahead and made some conservative
4 assumptions in our analysis, and that's the
5 extent of the analysis of the changes in
6 access that we performed.

7 VICE-CHAIRPERSON HOOD: And right
8 now we're at a level of service of B, and
9 that's both a.m. and p.m.

10 MR. SCHIESEL: Yes.

11 VICE-CHAIRPERSON HOOD: Okay. And
12 when you say "go down," we're going to
13 increase it to an A.

14 MR. SCHIESEL: No, I'm talking the
15 actual trips generated by the site. Like per
16 hour, how many vehicles use the garage
17 entrances. Residential trips, residential
18 parking tends to, on a per space basis,
19 generate fewer trips. Just like -- because
20 people are storing their cars. Like if you're
21 taking transit, you're leaving your car there,
22 whereas every office space tends to turn over,

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1 because --

2 VICE-CHAIRPERSON HOOD: Okay. I
3 think I follow you. When you say -- you're
4 saying the trips are going to go down. So if
5 the trips are going to go down, would our
6 level of service increase?

7 MR. SCHIESEL: Oh, I see. We
8 can't say for sure that the trips will go
9 down, just because we saw that the existing
10 office buildings are generating a low amount
11 of trips, more than you would traditionally
12 see. Theoretically, they most likely would go
13 down.

14 We assume that it would go up, and
15 we show that the level of service grade did
16 not change. The delay increased by a small
17 amount, and the delay is what gives you your
18 grade.

19 VICE-CHAIRPERSON HOOD: Okay.
20 Thank you, Mr. Schiesel, for that education.

21 Mr. Epting?

22 MR. EPTING: Yes, sir.

1 VICE-CHAIRPERSON HOOD: The
2 construction management plan, do we have that?

3 MR. EPTING: You have our original
4 draft, which was provided in our supplemental
5 submission. And we have circulated to our
6 neighbors a revised draft, which we have
7 copies we can submit tonight, but --

8 VICE-CHAIRPERSON HOOD: The
9 revised draft.

10 MR. EPTING: Right. But we
11 haven't gotten total consensus on it from --

12 VICE-CHAIRPERSON HOOD: Okay.
13 Well, let's wait until we --

14 MR. EPTING: Okay.

15 VICE-CHAIRPERSON HOOD: -- until
16 we have enough to really --

17 MR. EPTING: That was our
18 druthers, yes. Thank you.

19 VICE-CHAIRPERSON HOOD: Okay. And
20 the TMP also. Okay.

21 MR. EPTING: Our TMP is in the
22 traffic study, yes.

1 VICE-CHAIRPERSON HOOD: Right.
2 All right. Just trying to field some of the
3 concerns that I read, even though some of them
4 now have changed to support.

5 Okay. Any other questions,
6 colleagues?

7 COMMISSIONER TURNBULL: Yes. Mr.
8 Chair?

9 VICE-CHAIRPERSON HOOD: Mr.
10 Turnbull?

11 COMMISSIONER TURNBULL: I would
12 just like to ask Mr. Baranes -- on the roof
13 plan with the trellis, is that an open
14 trellis, or is there glass, or how do you see
15 that?

16 MR. BARANES: It's an open
17 trellis.

18 COMMISSIONER TURNBULL: It's an
19 open trellis.

20 MR. BARANES: Yes.

21 COMMISSIONER TURNBULL: Lighting?
22 What kind of lighting are we looking at?

1 MR. BARANES: We haven't designed
2 the lighting yet, but typically we will put
3 some very small can fixtures in each one of
4 the verticals and shine them down directly
5 onto the deck.

6 COMMISSIONER TURNBULL: Okay. I'm
7 concerned -- I guess one thing is obviously
8 the lighting at the north end toward the other
9 residential building and trying to finish that
10 as a --

11 MR. BARANES: We will do a very,
12 very minimal amount of lighting there to make
13 sure it has no impact at all.

14 COMMISSIONER TURNBULL: Okay.
15 Thank you.

16 MR. BARANES: Yes.

17 VICE-CHAIRPERSON HOOD: Thank you.
18 We're going to now go to cross examination.
19 Mr. Thomas, do you have any cross?

20 MR. THOMAS: We would like to ask
21 one or two questions. And this just has
22 something to do with an issue that as raised

1 --

2 VICE-CHAIRPERSON HOOD: Mr.
3 Thomas, just identify yourself.

4 MR. THOMAS: Yes, I'm sorry.
5 Michael Thomas, and I'm here as chair of ANC-
6 2A.

7 At our ANC meeting last week, we
8 took this matter up again, just because we had
9 the opportunity, although we had had to make
10 our submission earlier. And one of the things
11 that was raised then was a concern about the
12 hours of the operation of the loading dock.
13 And I haven't had an opportunity to determine
14 whether there has been an agreement or if that
15 has been addressed in documents with the
16 neighbors.

17 MR. EPTING: It has been discussed
18 with the neighbors. We don't have an
19 agreement with them yet.

20 MR. THOMAS: Do you anticipate
21 that you will reach an agreement as to the
22 hours of operation?

1 MR. EPTING: Yes, that's our hope.

2 MR. THOMAS: Okay. I will address
3 that again in my testimony. Thank you.

4 VICE-CHAIRPERSON HOOD: Okay.
5 Thank you. Thank you, Mr. Thomas. Mr.
6 Thomas, are you -- Mr. Turnbull, as the
7 question.

8 COMMISSIONER TURNBULL: Mr.
9 Thomas, you're talking mainly about the
10 loading dock on the residential area
11 primarily.

12 VICE-CHAIRPERSON HOOD: Can you
13 come to the mike?

14 COMMISSIONER TURNBULL: Facing
15 north, yes. Mainly that dock over there.

16 MR. THOMAS: Right. And the
17 concern was that, given that you've got, you
18 know, larger buildings, you've got people
19 moving in and out, that you want to have some
20 control on when that loading dock is being
21 used, because right across that alley are both
22 AAMC's offices and these condominiums.

1 COMMISSIONER TURNBULL: Okay.

2 Thank you.

3 MR. EPTING: And if you want more
4 clarification on that, we could submit it.
5 But basically, Mr. Smith has a plan for how to
6 control when people would move in, and the
7 timing of that.

8 VICE-CHAIRPERSON HOOD: Yes. We
9 would like to see that also.

10 MR. EPTING: Okay. We can do
11 that.

12 VICE-CHAIRPERSON HOOD: Okay.
13 Next, Mr. Griffith? Okay. Well, let me ask,
14 I thought this was -- okay. Who is going to
15 be speaking?

16 MR. GRIFFITH: I am the lawyer.

17 VICE-CHAIRPERSON HOOD: Come to
18 the mike and tell me who is speaking for
19 Friends of Francis Field. If you can just
20 come to your mike and turn your mike on and
21 introduce yourself, because I have Mr.
22 Griffith as --

1 MR. WILNER: Hi. My name is Tom
2 Wilner, and we will have four people speaking
3 briefly for Francis Field.

4 VICE-CHAIRPERSON HOOD: Okay. But
5 right now we're doing cross examination. I
6 just --

7 MR. WILNER: Okay. We have no
8 cross examination.

9 VICE-CHAIRPERSON HOOD: And let me
10 say, if you're going to -- okay. No cross
11 examination?

12 MR. WILNER: Yes.

13 VICE-CHAIRPERSON HOOD: Okay.
14 That's very easy. I didn't even have to -- I
15 can save that for the next case.

16 Okay. Mr. Hitchcock, Whitman
17 Place Owners Association, any cross?

18 MR. HITCHCOCK: Thank you, Mr.
19 Chairman. I have a couple of questions, an
20 also for Mr. Schiesel when we get to him.

21 With respect to the amenities, you
22 indicated that you're not seeking formal lead

1 certification. Why is that?

2 MR. SMITH: Well, I think we're
3 actually making a pretty good effort to get to
4 20 points. We're not convinced that we can
5 get to certification at this time.

6 MR. HITCHCOCK: I see. Some of
7 the elements that you listed would certainly
8 be true or would be present in the matter of
9 right building, and I was wondering, shouldn't
10 the Commission take that into consideration in
11 deciding the value of the amenities package?

12 I'm thinking of things like you
13 had in Exhibit C, location in close proximity
14 to public transportation, or increasing the
15 density of the residential use on an urban
16 site. I mean, that would be true no matter
17 what, isn't that true?

18 MR. EPTING: I think it still
19 stands on its face.

20 MR. HITCHCOCK: My question is
21 directed to the witness.

22 MR. SMITH: I kind of like John's

1 answer, though. I think it does stand on its
2 face as well.

3 MR. HITCHCOCK: All right. Mr.
4 Schiesel, I have a couple of questions. We
5 may have to share the microphone here.

6 I noted that your p.m. system peak
7 hour was only a 15-minute segment from 6:00 to
8 6:15. Could you explain why that is?

9 MR. SCHIESEL: It should be for
10 the duration of an hour.

11 MR. HITCHCOCK: What hour is that?
12 There was just the 15 minutes that was
13 mentioned.

14 MR. SCHIESEL: If we incorrectly
15 recorded it in our report that way, I would
16 have to -- I don't have that information in
17 front of me.

18 MR. HITCHCOCK: Well, I would
19 direct your attention to page 11 of your
20 report in the opening paragraph.

21 VICE-CHAIRPERSON HOOD: Which
22 paragraph are we in?

1 MR. HITCHCOCK: The very first
2 paragraph --

3 VICE-CHAIRPERSON HOOD: Okay.

4 MR. HITCHCOCK: -- Mr. Chairman,
5 where it says the p.m. system peak hour
6 occurred between 6:00 and 6:15 p.m. And I'm
7 trying to figure out if the numbers on the
8 following page and elsewhere reflect a 15-
9 minute segment, an hour segment, what this --
10 please.

11 MR. SCHIESEL: Yes. The statement
12 that the peak hour occurred between 6:00 p.m.
13 and 6:15 is a typo. The analyses were based
14 on 60 minutes worth of traffic.

15 MR. HITCHCOCK: But you never
16 identify what 60 minutes.

17 MR. SCHIESEL: No, that would be
18 -- yes.

19 MR. HITCHCOCK: Mr. Chairman,
20 rather than prolong it, could we perhaps ask
21 the applicant to submit revised figures? I
22 mean, I'm not sure what hour he has, whether

1 it's 6:00 to 7:00, 5:15 to 6:15.

2 VICE-CHAIRPERSON HOOD: Mr.
3 Schiesel, can you fine-tune that and make sure
4 it's coordinated with the data you have here
5 in front of us?

6 MR. SCHIESEL: Yes.

7 VICE-CHAIRPERSON HOOD: Okay.

8 MR. HITCHCOCK: Mr. Schiesel, did
9 you, in the course of your analysis, do any
10 examination of the traffic characteristics at
11 the corner of 25th and N Streets, where
12 there's a fairly narrow turn?

13 MR. SCHIESEL: No.

14 MR. HITCHCOCK: So you didn't
15 observe and cannot testify about any
16 characteristics that may exist at that
17 intersection?

18 MR. SCHIESEL: No. That
19 intersection was not part of our scope with
20 DDOT.

21 MR. HITCHCOCK: Okay. Let me ask
22 you this. You're proposing to add residential

1 buildings here. Did any of the analysis that
2 you did consider weekend traffic?

3 MR. SCHIESEL: No.

4 MR. HITCHCOCK: Thank you.

5 I have nothing further, Mr.
6 Chairman.

7 VICE-CHAIRPERSON HOOD: Thank you.
8 Mr. Hitchcock, thank you.

9 All right. Okay. Now, we will
10 go -- no other questions, colleagues?

11 (No response.)

12 Now, we'll go to the report of the
13 Office of Planning, Mr. Lawson and/or Mr.
14 Parker.

15 MR. PARKER: Good evening, Mr.
16 Chairman. My name is Travis Parker with the
17 Office of Planning.

18 For the most part, I'll keep it
19 brief and stand on the record tonight. We
20 have a fairly straightforward case with
21 basically minor requests for density from 6 to
22 6.1, height up to 110 from 90 feet, so not a

1 lot of relief. And it's several minor areas
2 of relief -- core roof structure, size of
3 parking spaces, loading, all resulting from
4 the existing conditions of the buildings
5 rather than anything new that is happening on
6 the site.

7 In general, we found that the
8 amenity package being offered is commensurate
9 with the density being requested. We find
10 that the conversion of these buildings to
11 residential and the revitalization of these
12 buildings are very supportive of comprehensive
13 plan policies for this area, and for the West
14 End plans as well, and we are supportive --
15 very supportive of the application, and, you
16 know, the applicant has worked closely with
17 OP, with the ANC, and with the community all
18 around, and you'll probably hear a lot more
19 about that from them later tonight.

20 So we recommend in favor of the
21 application, and I'm happy to answer any
22 questions you have.

1 VICE-CHAIRPERSON HOOD: Any
2 questions of the Office of Planning?

3 Mr. Parker, let me just ask -- we
4 received -- and I have not had a chance to
5 read this supplement. I guess we got it from
6 Africa, but -- I don't know how we got it, but
7 anyway, DDOT is --

8 SECRETARY SCHELLIN: Actually,
9 DDOT did file it. It just didn't make it in
10 the file. They faxed it in.

11 VICE-CHAIRPERSON HOOD: Oh, okay.
12 DDOT faxed it in. Thank you.

13 Are you familiar with it? It's
14 dated March 26th. What's today's date?

15 MR. PARKER: I've just received
16 it.

17 VICE-CHAIRPERSON HOOD: Oh, okay.
18 Well, I won't ask you. I'll just take my time
19 and read it. But let me just say this. It
20 looks like it says, "Implementing the TMP is
21 a proactive method of addressing traffic
22 demand, and DDOT supports private efforts to

1 reduce automobile ownership and encourage
2 alternative commuting options, which the
3 applicant has already agreed to. Accordingly,
4 DDOT has no objections to revised project
5 proposal."

6 Okay. Any other government
7 reports that I may have missed?

8 (No response.)

9 Okay. Seeing none, now we have
10 the report of Advisory Neighborhood Commission
11 2A. Mr. Thomas.

12 Sometimes we get real busy, but it
13 would be good some time if we could get
14 something -- and I know sometimes those
15 negotiations go until the last minute, but we
16 work hard, we don't look at the Georgetown
17 game so we can do this kind of stuff, and it
18 would be real nice if we can get this stuff so
19 we could be -- you know, we don't have to do
20 what I just did, read it out loud.

21 (Laughter.)

22 Mr. Thomas, thank you.

1 MR. EPTING: Excuse me. Do you
2 want to allow cross examination of OP? I
3 don't have any, but perhaps other parties --

4 VICE-CHAIRPERSON HOOD: I'm sorry.
5 I haven't been the chair since 2000, so I --
6 it has been a few years. Forgive me. Forgive
7 me. We're going to do cross examination.

8 Mr. Thomas, just hold your seat.
9 Do you have any cross examination of Office of
10 Planning?

11 MR. THOMAS: I do not.

12 VICE-CHAIRPERSON HOOD: Turn your
13 mike on and tell me.

14 MR. THOMAS: I do not.

15 VICE-CHAIRPERSON HOOD: Thank you.

16 Friends, you get me confused, but
17 anyway, Friends of Francis Field, do you have
18 any -- Mr. -- are you going to be the
19 spokesperson, or is Mr. Griffith? I mean,
20 when I'm asking for cross examination -- come
21 to the mike, and let's get this clear right
22 now.

1 Whoever the -- who is going to --

2 MR. WILNER: I don't mean to
3 offend you, but if you're offended by me, tell
4 me.

5 VICE-CHAIRPERSON HOOD: I am not
6 offended.

7 MR. WILNER: Okay.

8 VICE-CHAIRPERSON HOOD: I'm just
9 trying to get some order, so I can know who to
10 call on.

11 MR. WILNER: On this, you can call
12 on me. We have no cross examination.

13 VICE-CHAIRPERSON HOOD: And your
14 name is?

15 MR. WILNER: Mr. Wilner.

16 VICE-CHAIRPERSON HOOD: Mr.
17 Wilner. Can you spell that for me, please?

18 MR. WILNER: W-I-L-N-E-R.

19 VICE-CHAIRPERSON HOOD: E-R.
20 Believe me, I'm not offended.

21 MR. WILNER: Good.

22 V I C E - C H A I R P E R S O N H O O D :

1 Whatsoever. Okay. Mr. Wilner, thank you.

2 Okay. Mr. Hitchcock, any --

3 MR. HITCHCOCK: No questions.

4 VICE-CHAIRPERSON HOOD: No
5 questions. Okay.

6 Okay. Now, Mr. Thomas? Sorry.
7 It worked out.

8 MR. THOMAS: Vice-Chair Hood, and
9 members of the Commission, for the record
10 again, I am Michael Thomas. I'm here this
11 evening as chair of ANC-2A.

12 ANC-2A now supports this
13 application conditioned upon certain
14 understandings, which I'll get to. The ANC
15 originally had several areas of concern.
16 First among them was the height of the
17 buildings that would be converted to
18 residential use.

19 Adding four floors to the northern
20 two buildings would negatively affect the view
21 and the sun exposure of the units in Whitman
22 Place that face south. You have to have been

1 in some of these units to understand how much.

2 The units have substantial windows
3 and large balconies and terraces, all full of
4 plantings, designed for maximum use of the
5 southern exposure. Blocking the exposures
6 would have major impacts on quality of life
7 and the value of the units. However, when the
8 inclusionary zoning regulation became
9 effective, it meant that the MOR height of
10 these buildings permitted nine stories. So
11 it's only the tenth story that was at issue,
12 as we understand.

13 The developers agree to cut down
14 the penthouse by six feet, at least in the
15 east-west part of it, so that only the tenth
16 -- I mean, I'm sorry -- and also to set back
17 the tenth floor by an additional 10 feet. So
18 the resulting studies show relatively little
19 difference now in the impacts between MOR
20 height and the tenth floor as redesigned.

21 We, frankly, wish -- and this was
22 expressed by I think all members of the ANC --

1 that there were more we could recommend to be
2 done to ameliorate the impact on Whitman Place
3 Owners, but we couldn't identify what that
4 would be.

5 The ANC didn't believe the
6 original amenity package that was proffered
7 was adequate. The IZ regulation reduced the
8 relief that they were requesting, but it also
9 removed the affordable housing as an amenity.
10 The remaining height requested would produce
11 the most desirable floor space for both
12 residential and commercial buildings, and it
13 represented more square feet of added space
14 than was asked in the PUD application at 1143
15 New Hampshire, which this Commission heard
16 just this last Thursday.

17 That applicant was offering, in
18 addition to the in-kind amenities, including
19 landscaping along the street, \$462,000 in --
20 essentially in cash.

21 At the ANC's request, the
22 applicant added \$50,000 to what was being

1 proffered for Francis Field. That made the
2 total proffer nearly equivalent to that of the
3 1143 New Hampshire case. Some part of the
4 landscaping along 25th Street is so directly
5 improving the owned property as to not justify
6 full credit as an amenity as we think about
7 these things, but the ANC is now satisfied
8 that the proffer is at an adequate level.

9 The money allocated for Francis
10 Field would jumpstart efforts to improve that
11 facility considerably. And if you've looked
12 at the photographs that were handed out, the
13 second and third page of those photographs
14 show a field that is pretty bare bones. It's
15 either mud or it's dust. It's chain link,
16 industrial-type fence. It's light poles that
17 come from a far distant decade.

18 A list of specific items -- it has
19 been agreed among the developer, the
20 Department of Parks and Rec, Friends of
21 Francis Field, and the ANCs. We had some real
22 consultation on this. And later this spring

1 DPR intends to hold public meetings in the
2 West End as part of a process of planning
3 larger changes to the facilities and usages of
4 the field.

5 A real bonus brought about by this
6 PUD application, in fact, is the revival of
7 the Friends of Francis Field, a group that was
8 formed several years ago, has been more
9 recently dormant. But it is now an impressive
10 group of interested and engaged neighbors and
11 promises to add to the neighborhood for many
12 years to come.

13 It is engaged in ongoing
14 discussions with DPR. I think it will become
15 a partner in their partnership program for
16 this field.

17 The \$200,000 allocated for
18 streetscape improvements will greatly enhance
19 25th Street, and particularly the Francis
20 Field side. That chain link fence, which now
21 looks like industrial site, will be replaced
22 by decorative fencing, and tree boxes and

1 plantings will make a big difference for those
2 using the field and for those residing in the
3 neighborhood.

4 And by the way, I live in that
5 building at 2501, the one that's in one of the
6 photographs, 2501 M.

7 The ANC is also very pleased to
8 support the amenity package for Francis Junior
9 High School. That school is led by a
10 remarkable principal, Stephanie Crutchfield.
11 She has done a great deal with inadequate
12 facilities and a huge and ever-changing
13 mission. She has pulled together tutoring
14 programs with the help of local law firms and
15 companies. She has trained other principals,
16 and she is called on for input by the school
17 district for a wide range of missions outside
18 her school.

19 Tonight she would be here. She
20 had set aside this time, but she is -- she has
21 been called on again to help in the process of
22 selecting administrators for the school

1 district. this summer she and her staff begin
2 the process of qualifying the school as an
3 international baccalaureate middle school.

4 I want to also note the presence
5 of Mike Silverstein, who is an ANC
6 Commissioner from the Dupont ANC, and in whose
7 SMD this school actually is. It's 10 feet
8 outside my single member district. And Mike
9 has spent a lot of time and effort working
10 with the school and with Dr. Crutchfield.

11 The list of items agreed to
12 between the applicant and Dr. Crutchfield
13 represents a small fraction of what she has
14 identified as real needs, but it will be a
15 great help.

16 There remains a concern which
17 represents a condition on the ANC's support.
18 There is a need for a construction management
19 agreement satisfactory to the immediate
20 neighbors, particularly Whitman Place and its
21 building partner, the Association of American
22 Medical Colleges.

1 We understand that drafts of such
2 an agreement have been exchanged. The recent
3 history of major renovations conducted in the
4 same block in a manner that was
5 extraordinarily disruptive, noisy, and
6 thoughtless, has underlined the need in the
7 mind of these neighbors that provisions need
8 to be specific and enforceable.

9 In addition, as you heard my
10 questioning earlier, at our ANC meeting last
11 week, a concern was raised about hours of
12 operation of the loading dock, given its
13 proximity to Whitman Place and the fact it
14 would now serve considerably larger buildings.
15 The ANC would like to see an agreement reached
16 as to hours of operation with the Whitman
17 Place board and AAMC.

18 As the applicant has said to us in
19 various meetings, in a way the most important
20 amenity inherent in this proposal is the
21 conversion of two fairly ugly office buildings
22 into attractive residential buildings. No

1 project can please everyone, and the impacts
2 that are negative fall unevenly within the
3 neighborhood. There is no question about
4 that. But this project offers a lot to the
5 neighborhood, and we welcome it.

6 Thank you for giving me the
7 opportunity to present the views of ANC-2A.

8 VICE-CHAIRPERSON HOOD: Okay.
9 Thank you, Chairman Thomas. If you'd just
10 hold one second -- colleagues, any questions?
11 Any questions of Mr. Thomas?

12 (No response.)

13 Mr. Epting, any questions?

14 (No response.)

15 Mr. Wilner?

16 MR. WILNER: No.

17 VICE-CHAIRPERSON HOOD: Any
18 questions? No questions?

19 (No response.)

20 Thank you. Thank you for all of
21 your hard work.

22 Okay. Now, we will do parties in

1 support. I'm going to ask Mr. Wilner, the
2 Friends of Francis Field, to come forward
3 first.

4 MR. WILNER: Thank you.

5 VICE-CHAIRPERSON HOOD: Okay. We
6 only have one -- well, anyway. Okay. And,
7 Mr. Wilner, your group will have 15 minutes.

8 MR. WILNER: Thank you very much.

9 VICE-CHAIRPERSON HOOD: And, no,
10 you did not offend me whatsoever.

11 MR. WILNER: I'm sorry.

12 VICE-CHAIRPERSON HOOD: I just
13 wanted to know who to call on.

14 MR. WILNER: Let me -- thank you.
15 I'm sorry if -- I'm here with my wife,
16 Commissioner Hood, so if I didn't offend you,
17 I'm sure I offended her.

18 (Laughter.)

19 VICE-CHAIRPERSON HOOD: Well, you
20 have more -- no, let me be quiet.

21 (Laughter.)

22 MR. WILNER: Let me say, we --

1 Friends of Francis Field now has, you know,
2 several dozen members. We all live within 200
3 feet of the development, and we're very
4 concerned about the development. But let me
5 just say a few words first. I thought I was
6 actually going last.

7 I am a lifelong D.C. resident. I
8 went to nursery -- I don't think I went to
9 nursery school actually, but kindergarten,
10 elementary school, all the way through high
11 school. I came back here after college and
12 law school, and my wife and I have always
13 lived in the District.

14 We have never moved out of it
15 because we're committed to it. We lived in
16 Chevy Chase, D.C., then we lived in the AU
17 Park area, then we lived in Georgetown, for
18 about 10 years each, and about three years ago
19 we moved to the West End.

20 And it has been an area of -- and
21 we live, as I say, right on Francis Field and
22 on the south side there at 2501 M Street.

1 This area is an incredible area.
2 I remember growing up I used to go to
3 Blackie's House of Beef occasionally, and I
4 would have my car fixed right over here. You
5 know, the body shop was right over here. But
6 it really was not at all a residential area on
7 that side. And in the last few years, it has
8 really been just -- undergone a dramatic
9 incredible change.

10 It is now a residential area. And
11 I think in the last few years you have really
12 approved 1,000 new residential units in this
13 area. So it really has become residential,
14 and Francis Field itself, which was really
15 sort of a commercial field now -- and we want
16 to work with the Park Service to make it more
17 residential -- is -- this is the first step we
18 think in making this a great residential area.
19 We think it can be one of the great areas in
20 the city.

21 And I just want to say, you know,
22 the last time I was before the Zoning

1 Commission was 35 years ago. I came with a
2 friend of Mr. Baranes. His name -- well, it
3 was Board of Zoning Adjustment or something --

4 VICE-CHAIRPERSON HOOD: Oh, I was
5 just looking at Mr. Parsons to see if he was
6 here.

7 (Laughter.)

8 MR. WILNER: Well, you know, I'm
9 the oldest person here, there's no doubt. But
10 I -- and, actually, I came in -- we tried to
11 stop the destruction of the Willard Hotel, and
12 I and another person and the people who really
13 enjoined the destruction of the Willard Hotel.

14 But I always said I remember at
15 that time when we do things well in an area,
16 we can redo this city and make it the great
17 city internationally that it should be, the
18 most beautiful city. I think the Willard
19 Hotel had that sort of dynamic effect, and I
20 think in this area, this residential area, we
21 can make it a very special place. So I'm just
22 introducing the others.

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1 MS. WILNER: Very well done,
2 Counselor Wilner. Very well. My name is Jane
3 Wilner, and I am the current President of the
4 Friends of Francis Field, so I am here to
5 state our support for this project.

6 I must say that I concur with the
7 excellent presentation that Mr. Thomas gave
8 with some of his conditions that will later be
9 expressed by Whitman Place, and also some of
10 the concerns that the ANC has for the
11 construction process and how to regulate
12 traffic and noise during that period.

13 But I must say that I do live at
14 2501 M Street. I think later our secretary
15 will give you a more precise indication of how
16 it relates to Francis Field and how it relates
17 to the project.

18 But to the extent that the
19 developer is increasing the residential
20 character of the neighborhood, we do support
21 the project. To the extent that as part of
22 his development he is providing substantial

1 streetscape improvements to both sides of 25th
2 Street, including a new fence along the
3 field's perimeter, we support the project.

4 Now, we know that if this project
5 is approved, the project will provide a public
6 benefit to the community by way of the
7 specific items that it has agreed to provide
8 Francis Field. And specifically they are --
9 and these have all been agreed on with the
10 Department of Recreation.

11 In addition to the fence
12 replacement and streetscape improvements, we
13 have agreed on the following: mature trees
14 and landscape plantings, non-sports lighting
15 fixtures, fences, benches, and other
16 furniture, trash receptacles, a drinking
17 fountain.

18 I must say that the photos and the
19 other slides here do not do justice to the
20 present nature of Francis Field, with its
21 chain link fence, and, as Mr. Thomas
22 mentioned, its lack of grass, its lighting,

1 its padlocks, it really resembles -- all I can
2 think of is a prison field.

3 And it might be consistent with
4 D.C. and this neighborhood, as my husband
5 described it was several years ago, many years
6 ago when it was an industrial neighborhood.
7 But it is not consistent with the ever-
8 changing character as it is now.

9 To the extent that it offers us
10 this wonderful opportunity to work in
11 coordination with the Department of Parks and
12 Recreation, who in their 2007 budget are
13 proposing to fix the irrigation and to work
14 with a plan, and to the extent that the
15 developer has offered his landscape architect
16 to design a plan for Francis Field -- to that
17 extent, we welcome this development and, on
18 balance, support it.

19 I wanted to introduce Gary
20 Griffith, who is our Secretary, who will
21 indicate from the slides and other materials
22 how it really will benefit the community.

1 MR. GRIFFITH: Thank you, Jane.
2 Can we get lights off? We're going to use the
3 developer's slides for a couple of -- I'm
4 sorry. Can we get the lights off?

5 VICE-CHAIRPERSON HOOD: Pull it
6 up. Yes.

7 MR. GRIFFITH: This is where --
8 sorry. I'm sorry. Oh, I see, I have to hold
9 it. This is where we live here, most of us.
10 This is 2501 M Street, and our windows look
11 out on this -- this is Francis Field. Here is
12 the project, here is the site with the red
13 lines, and you can see we are this close.
14 Okay?

15 So here is the Whitman Place
16 people, their residents. We're the only
17 residents on Square 13. And this is -- I want
18 to go to the -- oh, I'm sorry. Down here,
19 this -- where you see parking lots, this is
20 now an apartment building. This is the Sabben
21 Apartments.

22 When this was taken, this was a

1 parking lot. This is now the Atlas
2 Apartments. If you went down here, you have
3 Columbia Hospital, so you've put -- the Zoning
4 Commission and developers have put 750 units
5 of housing right here. You're about to put
6 another 280 here. Mr. Baranes is building an
7 apartment building or a residence over here,
8 and this is the Ritz-Carlton residences, which
9 opened in 2002.

10 So part of what we want to talk
11 about now is what are proper amenities for
12 this neighborhood when you're about to change
13 it with your zoning case -- with this zoning
14 case.

15 Now, this is a wonderful slide in
16 terms of zoning. Here is Georgetown down
17 here. Look at the scale of the buildings.
18 There is a house in Georgetown, and you can
19 see we are at the edge of the L'Enfant plan
20 here. This is Square 13. L'Enfant didn't
21 design Georgetown, but he did this area. This
22 is the edge of it.

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1 This is Rose Park in Georgetown,
2 this is Rock Creek Parkway, which used to be
3 a river, this is national parkland I believe,
4 this is now an embassy, this is the Embassy of
5 Qatar. This is where we live here, right
6 there is our rooftop garden. So we like the
7 idea of green roofs along here.

8 Here is the closest building that
9 they are going to develop. You can see this
10 is dirt. This is the swimming pool. This is
11 Francis Pool. This is Francis Junior High
12 School. This bridge over here historically is
13 the first place there was ever built a bridge
14 in Washington, D.C.

15 This used to be at one time --
16 well, let me talk about the history here.
17 These two facilities were built in 1929 as
18 part of the District of Columbia's segregated
19 school system. This was an African-American
20 school. This was a colored school for colored
21 only.

22 This was the swimming pool for

1 African-Americans. So there were other
2 facilities, but these were built for African-
3 American children. This -- where the Embassy
4 is now used to be the Blue Mouse Movie
5 Theater, which was where -- which was an
6 African-American theater.

7 Our square has allowed people to
8 come into it. And we have -- we really do
9 have a history. Over here, this used to be
10 Gitchner Iron Works, where the gates to the
11 White House were built. This was Callcals,
12 this was a place -- an automotive service.

13 But I also want to show you how
14 different the architecture changes as you hit
15 the West End. These buildings really have
16 sight lines to and from them. You can see
17 these from a long way off. You can see these
18 from the cathedral, from Heely Hall, but more
19 importantly we see them from right here. And
20 when you change the architecture of these
21 three buildings, you change this whole area.

22 Now, this is -- the field is

1 usually dirt. Here's one of the buildings
2 they're going to change right here. And I
3 want you to see, this is where we live.
4 Here's where our rooftop garden is. These are
5 our apartments with the open balconies. We
6 not only see the park and these buildings, we
7 feel them and smell them and hear them. We're
8 really out there.

9 We're going to hear -- we have --
10 we have construction noise problems as well.
11 We support the opponents on the construction
12 issues. You know, we want this to be solved.
13 This is the field here. People used to live
14 in these alleys. These were some of the --
15 where the notorious alley dwellers in the
16 District lived.

17 Now, this is what Jane was saying
18 about -- this is the office building they are
19 going to convert, and this is an excellent
20 example of the architectural fabric of the
21 neighborhood. Here is chain link fence here.
22 This is a backdrop. Here on this side,

1 although you can't see it, is graffiti. Here
2 is an overflowing garage pail.

3 Remember, this is their slide.
4 Here is garbage down here. This is what we
5 would like to see changed in our neighborhood.
6 And if this project will change this kind of
7 architectural fabric, we're for this project.

8 This is -- this used to be
9 Callcals. I don't want to go into this, but
10 here is another -- this is one of our
11 recreational facilities. You can see we have
12 pickup truck parking over here. This is right
13 in front of Whitman Place. We'd like to
14 landscape this. This is -- yes, I see we're
15 almost out of time.

16 This is where that pickup truck
17 is. We like this vision, but this vision of
18 the architecture doesn't show fences and
19 grandstands, and so on and so forth. We'd
20 like the architectural plan to really sort of
21 take this vision. You know, the architects
22 have started working on this. I'm not sure we

1 need a pool next to a pool, but that's a whole
2 other issue. But we like the green roof.

3 And here, if we're going to do
4 streetscape, we want it to be the same all
5 over. This is going to be a good standard,
6 because it's going to be Commission of Fine
7 Arts that chooses this.

8 And, finally, this is -- you can
9 see this is government, this is government,
10 this isn't going to be an easy thing to do,
11 but we're asking for your support and your
12 help.

13 Thank you.

14 And I want to introduce another
15 member of our team, Rebecca Coder, who is one
16 of our Vice Presidents and lives in the
17 building.

18 MS. CODER: I'm Rebecca Coder. I
19 live at 2501 M Street. We moved in I think
20 around the time of the Wilners, although it's
21 five years ago, my husband and I. And I've
22 been a resident since I was four years old,

1 and my husband was born at Columbia Women's
2 Hospital. So we are also D.C. snobs and
3 committed to Washington.

4 And I love the fact that where we
5 live I can walk to work, although we're soon
6 moving to Crystal City, which I'm not happy
7 about -- for work.

8 And, obviously, a lot of us have
9 made a major investment in these beautiful
10 duplex condos that look out on really what is
11 the gateway from the West End to Rock Creek
12 Park. And for our new residents -- and we
13 applied kind of the architectural design of
14 it, for them their front yard, and I think the
15 architect stated it right that the balance is
16 changing from a commercial to much more of a
17 residential, with just a touch of commercial
18 in this area.

19 And what we want to see is much
20 more of green space that the neighbors are
21 spending their time in and feel comfortable
22 in, and it doesn't feel like a prison yard.

1 And it's reflective of a park that we all feel
2 that we can go relax in, and hopefully some
3 will sunbathe there as well.

4 But it's something that we can all
5 enjoy, and it's really representative of I
6 think what makes D.C. a very special place in
7 terms of the green nature of the city and
8 something that we need to revitalize in the
9 West End.

10 So thank you.

11 MR. GRIFFITH: Thank you very
12 much, Mr. Chairman.

13 VICE-CHAIRPERSON HOOD: Thank you.
14 And your last name was Coder?

15 MS. CODER: Coder, C-O-D-E-R.

16 VICE-CHAIRPERSON HOOD: Oh, I
17 spelled that right. Okay. Good.

18 Okay. Colleagues, any questions?

19 (No response.)

20 Let me ask a question about that.
21 What's going on in the field now, on Francis
22 Field? What's happening over there right now?

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1 I know it's fenced -- is it fenced in? You
2 can't -- no access to it?

3 MS. WILNER: It is fenced in. It
4 is used primarily as a sports field. Its use
5 is regulated by a permit. So under its
6 present use, we as residents really do not
7 even have access to it, in a very legal way,
8 although we do walk dogs there and we do jog
9 and people do use it.

10 VICE-CHAIRPERSON HOOD: So it is
11 open. It's not fenced in all the way around.

12 MS. WILNER: It is fenced in. It
13 is fenced in all around, yes.

14 VICE-CHAIRPERSON HOOD: Well, how
15 do you all get --

16 MS. WILNER: But there is an
17 opening. There is an opening.

18 VICE-CHAIRPERSON HOOD: Oh, okay.

19 MS. WILNER: There is an opening.

20 VICE-CHAIRPERSON HOOD: There's
21 always an opening somewhere.

22 MS. WILNER: I should say, though,

1 and I think we omitted this, the Department of
2 Parks and Recreation have told us that they
3 will be having a meeting in the spring,
4 perhaps on the field, to assess how the
5 neighbors feel that they would like it to be
6 used going forward.

7 VICE-CHAIRPERSON HOOD: Okay.

8 MS. WILNER: And all of this would
9 be incorporated into the plan that will be
10 drawn up with the use of the developer's
11 architect, landscape architect.

12 VICE-CHAIRPERSON HOOD: Okay. And
13 let me just say this. Mr. Wilner, you
14 mentioned how the neighborhood was changing.
15 In the comprehensive plan, both the existing
16 -- and I'm taking this straight from the OP
17 report. I'm sure you probably are familiar --
18 you probably worked on it, I'm not sure.

19 But it says that the existing and
20 new draft generalized land use maps recommend
21 the subject site for a mix of high density
22 residential and medium density commercial uses

1 in that area. So you're right, there is a
2 transformation that is taking place in that
3 area, and I think what Office of Planning --
4 and when they did the new comprehensive plan,
5 hopefully you all had input into that, because
6 that is definitely getting ready to happen.

7 And, Mr. Griffith, I really
8 appreciate your presentation. I appreciate
9 all of you all's presentation.

10 MR. GRIFFITH: Thank you.

11 VICE-CHAIRPERSON HOOD: Any
12 questions?

13 COMMISSIONER TURNBULL: I just had
14 one question. You are hoping, then, that the
15 use of the park will change from strictly a
16 sports use.

17 MR. WILNER: Yes. We are planning
18 to work with the Department of Parks on that.
19 We want people to be able to use it for
20 sports, but we want it to be more residential.
21 We do. There are big lights up there now that
22 shine at night.

1 It's interesting, because it's
2 going to be a challenge for all of us to work
3 it in that way, but we want it to be more
4 residential and to try to change the use.
5 Yes, sir.

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

8 No questions? No other questions?
9 (No response.)

10 ANC, do you have any questions?
11 Any questions?

12 (No response.)

13 Okay. All right. Thank you.
14 Thank you, all.

15 Okay. Next, we are going to do
16 the persons and organizations in support. And
17 I have a list here in front of me. Walter --
18 these are people in support. Walter Albano.

19 MR. ALBANO: I changed to
20 opponent.

21 VICE-CHAIRPERSON HOOD: Okay.
22 Come to the mike and tell me, because you're

1 not -- you signed up to testify. We don't
2 want to deprive you of that opportunity.

3 MR. ALBANO: I switched to
4 opponent. I mean, I'm not terribly opposed,
5 but I do have some points I want to make.

6 VICE-CHAIRPERSON HOOD: A lot of
7 switching going on here.

8 MR. ALBANO: Sorry.

9 (Laughter.)

10 VICE-CHAIRPERSON HOOD: You're an
11 opponent now.

12 MR. ALBANO: Right. This is all
13 new to me.

14 VICE-CHAIRPERSON HOOD: Okay. I
15 got you, I got you. Okay. So we'll call you
16 shortly, Mr. Albano.

17 Okay. Now, so we have Mike
18 Silverstein, ANC-2B-06. And let me ask, do we
19 have anyone else, person or organizations, in
20 support? Any other persons or organizations
21 in support?

22 (No response.)

1 Okay. Thank you. We'll go with
2 you, Mr. Silverstein.

3 MR. SILVERSTEIN: Thank you, Mr.
4 Vice-Chairman.

5 VICE-CHAIRPERSON HOOD: Turn your
6 mike on for me.

7 MR. SILVERSTEIN: That's better.
8 I want to thank you for this invitation. I am
9 single member district 2B-06, which is
10 directly across the street from Mr. Thomas'
11 district. Francis School is in our district.

12 This is an amenity package, which
13 I would like to talk to -- talk about, that is
14 remarkable in its generosity and breaks new
15 ground. It not only crosses ANC borders, but
16 it crosses the borders of the city and borders
17 of race and everything else. We're dealing
18 with a school here that was a Division 2 Negro
19 school that has always been a minority school
20 and is in a minority school predominantly
21 today in a predominantly white area.

22 It is a school that we are seeking

1 to make more a part of our neighborhood. It
2 has a remarkable staff. It has children who
3 come from all over the city; 85 percent of the
4 kids are from out of boundary. And these are
5 kids who want to come halfway across the city
6 to get a better education or to be in a better
7 neighborhood or to see additional
8 opportunities.

9 And to have a developer helping
10 these children in a school that, like so many
11 schools in this city, the kids have to wait
12 years for improvements and things that are
13 requested by their principal.

14 The Mayor and the School Board may
15 fight all they want about who will control the
16 schools. The children's lives go on, and
17 their education goes on. The question of who
18 will control, these are things that will be
19 decided later. But what the kids need right
20 now are things like air conditioners on the
21 second floor, because this school is used in
22 the summer as summer school, and it is

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1 stifling hot up there.

2 They need lockers. They need
3 computers. They need ESL books in their
4 library, because there are children from
5 embassies who go there who don't speak
6 English. These are things that the community
7 is providing.

8 I've set up a group called Friends
9 of Francis School, so that we in the community
10 can help with these things. And the fact that
11 an ANC that actually technically does not
12 include this school would fight to have this
13 in a package, and the fact that the developers
14 would approve this, and that a neighborhood
15 that is not parent to these children, but
16 these children are part of the community,
17 would envelope something like this, is to me
18 a very, very encouraging thing.

19 We are just beginning on this
20 process of moving the school to becoming an
21 international baccalaureate program, and this
22 will be an enormous first step to show that we

1 can provide things directly to the children,
2 directly to the school, going around the
3 bureaucracy, and providing these is a
4 wonderful, wonderful start.

5 Thank you.

6 VICE-CHAIRPERSON HOOD: Thank you,
7 Mr. Silverstein.

8 Colleagues, any questions?

9 (No response.)

10 Let me just -- Mr. Epting, any
11 questions? Any questions?

12 (No response.)

13 Okay. I'm just going to look at
14 your -- it's quicker.

15 Okay. Thank you very much for
16 your testimony. And we do have, actually, a
17 letter from the principal, which definitely
18 itemizes what the amenity will be going
19 towards. So that was good. Thank you.

20 Okay. Now, our party in
21 opposition, you have 28 minutes, Mr.
22 Hitchcock.

1 MR. HITCHCOCK: Thank you, Vice-
2 Chair Hood, members of the Commission. For
3 the record, Con Hitchcock for the Whitman
4 Place Residential Condominium Owners
5 Association.

6 We only have one witness, Jim
7 O'Connell, who is the President of the Owners
8 Association. We have -- in some of the
9 presentations you have heard previously, from
10 Mr. Baranes and others, some photographs that
11 I think illustrate the proximity of Whitman
12 Place to the proposed development, and the
13 impact that this is going to have. But I will
14 stop there and let Mr. O'Connell make the
15 presentation for his association.

16 VICE-CHAIRPERSON HOOD: Is it --
17 I'm sorry -- O'Connell or O'Connor?

18 MR. O'CONNELL: I'll spell it for
19 you.

20 VICE-CHAIRPERSON HOOD: Okay.
21 Thank you.

22 MR. O'CONNELL: My name is Jim

1 O'Connell, which is O, apostrophe, C-O-N-N-E-
2 L-L. I am the President of the Whitman Place
3 Owners Association, or the Residential Owners
4 Association. I should clarify. And I'll
5 explain in a second what that means.

6 I live at 1275 25th Street, which
7 is the building that is closest to the -- I
8 suppose the northern edge of the proposed
9 project. I guess I've lived at that spot
10 since 1999. I haven't lived in the District
11 as long as some of my friends who are here,
12 although I've lived here most of my life and
13 went actually to high school at Gonzaga, which
14 is just a couple of blocks away from here. So
15 I know this neighborhood pretty well, too.

16 Whitman Place is the residential
17 portion of the building that sits at 1275 25th
18 Street. Our entrance is on 25th Street at
19 that address. We share the building with the
20 American Association of Medical Colleges,
21 which controls the commercial part of the
22 building and actually owns the larger chunk

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1 of it. Their entrance is on N Street.

2 Ours is -- the condo part is an
3 L-shaped building where the short part of the
4 L is on 25th and the longer part runs parallel
5 to N Street.

6 I am speaking tonight on behalf of
7 the residents of our building. We are the
8 closest residents to the portion of the
9 project I suppose that is going to have the
10 most significant transformation, although we
11 do recognize that our friends at 2501 M are
12 also very close to the project as well.

13 I think I can go through our
14 association's views in fairly short order. I
15 recognize I've got a significant chunk of
16 time. I don't know how much of it I'll
17 actually need.

18 We come -- our association comes
19 to you tonight as parties in opposition to the
20 PUD, although I do want to state at the outset
21 that I and my neighbors have been very
22 gratified by the extent to which the applicant

1 and his attorneys and architect have been
2 willing to meet with us and discuss issues
3 with us, including one meeting with some
4 rather upset neighbors of mine that I think
5 was constructive, although probably not
6 terrifically pleasant.

7 I think the general design of the
8 building, generally speaking, I think is --
9 and I suppose here I'm speaking more
10 personally, is this is an improvement on the
11 buildings that are there now. And the idea of
12 the neighborhood becoming more and more
13 residential I think is also, on balance, a
14 good thing.

15 As I said, I have lived there
16 since 1999. Even in this relatively short
17 period of time, which isn't as long a period
18 of observation as Mr. Wilner may have
19 experienced, I've seen remarkable
20 transformations for the better, and everything
21 my real estate agent told me when I moved into
22 the neighborhood that I didn't believe at the

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1 time has turned out to come true.

2 So our concerns about the project
3 I think fall into -- or our concerns and areas
4 of comment fall into four general categories
5 that I'll go through. The first is the height
6 of the proposed residential buildings, which
7 will be going up directly across an alley from
8 Whitman Place.

9 The second issue is the impact of
10 these buildings, once they're completed, on
11 parking and traffic in the area. The third
12 area -- issue of concern are the more short-
13 term construction issues that touch on the
14 construction agreement, which you've heard
15 some reference to, and I'll mention a few
16 things about that.

17 And then, finally, I'll just have
18 a couple of brief comments on the amenities
19 package.

20 Regarding the height concerns, our
21 first area of concern, I think it's safe to
22 say that our association has profound concerns

1 about the height of the proposed buildings,
2 which will completely block, when finished,
3 not only the views that everyone on the south
4 side of our building currently enjoys, but
5 also quite a bit of the sunlight and sky,
6 which they currently see when they look out of
7 the buildings.

8 Nearly half of our owners and
9 residents live on the south side of the
10 building, and they do enjoy a lot of sky and
11 sunlight when they look out. Currently, they
12 look out over the roof of -- beyond the roof,
13 above the roof of the buildings -- the BNA
14 buildings that exist now. And it's not a
15 terribly attractive view in the sense that
16 it's the roof of a commercial building.

17 But what they see when they look
18 out their windows is a tremendous amount of
19 sky, almost completely unobstructed. I mean,
20 we can even see the fireworks from some of
21 those units and from our roof on the 4th of
22 July.

1 The new buildings will be over 40
2 feet taller than the current buildings, and
3 about four stories taller. We understand that
4 under recent changes in some of the zoning
5 regulations that the applicant can go up to
6 100 feet as a matter of right, and that that
7 100-foot line will essentially eliminate the
8 views and trade what was now -- what is now a
9 view of skyline and sky into the view of
10 essentially the side of a building.

11 It sounds to us, looking at these
12 changes in the zoning regs, and looking at the
13 presentations that the developer has given us,
14 that that's something that is likely to happen
15 regardless of what we might prefer or even
16 perhaps what this Commission might want to do.

17 But I would emphasize that the
18 impact of the additional floor, the additional
19 10 feet, beyond the 100 feet that they can go
20 up to as a matter of right, although it won't
21 have a significant additional impact on the
22 view, because, as I said, that's going anyway.

1 It will have a significant
2 additional impact on the light and sun that
3 the folks on the south side of our building
4 get. As Mr. Thomas explained, the south side
5 of our building, all of those units have large
6 terraces, which I think is sort of meant to
7 compensate for the fact that unlike the north
8 facing units, which face the park, they face
9 buildings. But they do have an enormous
10 terrace on which almost all of them have
11 significant plantings and trees.

12 A lot of that will be cast into
13 shadow for a not insignificant portion of the
14 year. I notice the shadow studies that have
15 been done indicate that on the winter solstice
16 it will be at its darkest, and on the summer
17 solstice there won't be an impact.

18 But what's important to remember,
19 for those of you who remember your astronomy
20 lessons, is from the fall equinox in late
21 September to the winter solstice, that shadow
22 will creep up and up until it reaches its

1 height at the winter solstice, and then it
2 will proceed to come down again.

3 And it's not really until after
4 the spring equinox in March that the shadow
5 will be gone, so it's not just that one day in
6 December that will be shadow. It will
7 actually be a growing problem and then a
8 receding problem.

9 Those units that face south, in
10 addition to the sunlight they get on their
11 terraces, they get an enormous amount of
12 light, as Mr. Albano I think will be able to
13 indicate, in their units themselves. I've
14 learned through this process that some of my
15 neighbors across the hall hardly ever have to
16 turn on their heat during the wintertime
17 during the day because of the significant
18 sunlight that they get, and a lot of that will
19 go as well.

20 As I've said, we do understand the
21 matter of right issue, and that there may not
22 -- there may just simply be not much that we

1 can do about this. You know, change is always
2 difficult.

3 We have had meetings with the
4 applicant and his architect, and they have
5 taken the step of introducing a setback along
6 the northern part of the building, of 10 feet,
7 which although it doesn't eliminate the issue
8 it does ameliorate it somewhat and we are
9 appreciative of that.

10 I would note -- and this is
11 something that just occurred to me this
12 evening looking at the pictures, and the
13 conversation about the trellis that's up on
14 the roof, that does -- that trellis does
15 appear to run all of the way along the side of
16 the alley that we share with that building.

17 And I don't know what -- I don't
18 know what impact that will have on the
19 shadows, if th people in our units looking up
20 at the sky from their terraces and their
21 windows will have to look at it through a
22 trellis, which it appears to defeat at least

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1 some of the purpose of that setback. But I
2 haven't seen those drawings, so -- but I just
3 offer that as a comment.

4 But as I said, on the height issue
5 -- and this is where I'll end it -- we do
6 recognize that most of the bad part of this is
7 something that's outside of our control, and
8 perhaps even outside the Commission's -- this
9 Commission's control, because of the matter of
10 right issue. And I do recognize that, and I
11 am appreciative of the effort that the
12 applicant has made to do what he can to
13 ameliorate that.

14 But the fact remains that I do
15 have a number of members, a number of
16 residents and owners, who are about to
17 experience a significant change for the worst,
18 and a significant hit on their property values
19 and they're, understandably I think, upset and
20 it is for them that I'm speaking tonight. So
21 I did want to emphasize that point.

22 The second issue I wanted to touch

1 on is the parking and traffic issue. I do
2 have to defer with the applicant's expert, or
3 at least what I heard to be the applicant's
4 expert's conclusion about the impact of the
5 project on parking and traffic, although I
6 qualified that statement by saying I haven't
7 had a chance to read that report in great
8 detail. So he may simply have not asked the
9 questions that I would have asked.

10 25th Street and N, the corner on
11 which I live, is a somewhat unique corner.
12 It's a two-way -- N Street is two ways, 25th
13 Street is two ways. But we're surrounded by
14 a number of streets that are one way in
15 various directions, such as M Street, which is
16 one way against those of us who need to get
17 downtown as opposed to Georgetown.

18 We also have the issue of the fact
19 that the streets dead end at that corner
20 because of the presence of the park, and what
21 that all adds up to is there are very few ways
22 in and out of that particular neck of the

1 woods. There are issues that have to do with
2 the use of the field and parking at odd hours,
3 on the weekends people who park there to go to
4 Dupont Circle restaurants or Georgetown
5 restaurants, and so that corner can very
6 easily become completely backed up at the
7 oddest times of the day.

8 If there's a truck or a dumpster
9 or something that's just a little bit askew in
10 one of the parking lanes, it can make it
11 difficult for cars to pass each other, which
12 is a significant problem, which can also lead
13 to things getting bottled up.

14 I do -- I mean, I note there have
15 been proposals to limit parking on that
16 street, to change it to one way. I won't
17 comment on those, because I haven't really
18 thought those through. But I would hope that
19 this Commission would look very closely at the
20 questions that are -- that come up when you
21 consider the change on what is already a
22 situation that is often just a hair away from

1 chaos to what impact the changing nature of
2 these buildings will have.

3 We'll have a lot of additional
4 residents, which in and of itself I think is
5 great. But they will all have cars, or at
6 least many of them will. Will there be enough
7 parking in the building for the people who
8 will be living there? I know that when this
9 started out the plan was that it would be
10 condominiums.

11 Now it looks like it's trending
12 towards rental apartments. I don't know what
13 impact that has on the number of cars or the
14 number of parking that's needed or required,
15 but that is a concern that I have.

16 I wonder -- I do note that if
17 there are no longer offices, at least two of
18 those three buildings, there will be fewer
19 cars coming and going during the work day. So
20 that will lessen traffic, and that's a great
21 thing I suppose. But those of us who live
22 there aren't there during the work day, we're

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1 there in the mornings and in the evenings and
2 on the weekends.

3 And if we're going to have several
4 hundred additional cars on that street, parked
5 in the garage and parked on the street
6 presumably, and also coming and going, what
7 will that do to traffic, for example, on the
8 weekends when the park is busy, when right now
9 we have situations just -- just yesterday when
10 I was walking down the sidewalk on my way to
11 M Street to go to Georgetown, I actually had
12 to cross back over to my side of the street
13 because of the SUVs and cars that were
14 illegally parked in the driveway and double-
15 parked, and all the folks who were trying to
16 find a space to park so they could use the
17 field.

18 What impact will all of these cars
19 -- these residential cars have coming and
20 going? I think the up side is fewer -- less
21 traffic during the work day. The down side is
22 more traffic at night and on the weekends.

1 Those don't really cancel each other out.
2 They are actually two different things. And
3 so I would just hope that that would be
4 something that the Commission would consider.

5 The third issue I'd like to
6 discuss briefly is the construction agreement.
7 We have had horrible experiences on our block
8 with construction in recent years, not just
9 with things that have been done as far as we
10 can tell by the book, such as the Columbia
11 Hospital site, which just inevitably is going
12 to create issues, but we had a situation where
13 the College of Cardiologists -- I think
14 they're called -- at Heart House, which is
15 right next door to us on N, they're in the
16 process of renovating their building.

17 And we had jackhammering at all
18 hours of the night, we had debris being thrown
19 down chutes from the roof to the alley at all
20 hours of the night. And when we complained to
21 the police and to our City Council, we found
22 out that apparently, according to the

1 developer there -- and I stress it's not the
2 developer you have in front of you, it is a
3 different company -- that they had some sort
4 of a magical 24-hour work permit that let them
5 do whatever they wanted whenever they wanted,
6 because apparently either people had forgotten
7 that there are people living and sleeping on
8 that block, or perhaps they had just
9 conveniently chose to ignore that.

10 And I don't know what part of the
11 city government was involved. I don't know if
12 those folks were just selling us a bill of
13 goods. Eventually, the problem went away, I
14 think because the work basically finished.
15 But for a period there, we couldn't get
16 straight answers from anyone.

17 And so because of that experience,
18 and others that we have had, we are very
19 committed to making sure that, to the extent
20 that we can, this project is done in a way
21 that, to the extent possible, recognizing that
22 a certain amount of inconvenience when you

1 live in the city is inevitable, that the
2 impact on the neighbors, those of us who
3 actually have beds that are just above this
4 site, is minimized to the extent possible.

5 So we and the American Association
6 of Medical Colleges, which has its own
7 concerns because their office workers are
8 right below us, and also below 2501 M Street
9 -- they're in both buildings -- and the World
10 Wildlife Fund, which is the building that
11 backs onto -- the very attractive building
12 that is around the corner, we have been
13 working on working out a construction
14 management plan. And we have a number of
15 issues that we're still discussing.

16 I do think it's important to state
17 that we believe that the submission of a
18 satisfactory management plan should be a
19 condition for approval of any PUD. And by
20 "satisfactory," I think it's one that
21 addresses issues like cleanliness of the site.

22 You know, all of our air

1 conditioning and heating intake units are on
2 the part of our roof that is directly above
3 this project, which until now hasn't been a
4 problem because there's nothing else back
5 there. But if there is dust and things like
6 that coming over, what impact will that have
7 on us there?

8 Work hours -- when are people
9 going to be making noise? The loading dock
10 issues. The closure of the sidewalk in front
11 of the buildings completely -- the entire
12 width of the site means that our residents and
13 the people who work at the AAMC are going to
14 have to use the sidewalk that's across the
15 street, which in order to get up and down the
16 street, the one that is right by the park, a
17 much narrower sidewalk that no one appears to
18 have any responsibility for keeping clear of
19 snow and ice and trash, except the city
20 generally does.

21 It can sometimes be darker over
22 there. It's a little scary, because you're

1 walking along that fence by that park as
2 opposed to the well-lit part on our side of
3 the street. And so the idea of just shunting
4 all of those pedestrians over there full stop
5 doesn't get us where we want to go, but we're
6 talking about that with the applicant, and I
7 hope we'll be able to work that out.

8 But there are some significant
9 other issues that we are still working
10 through, and I would hope that the elements of
11 an acceptable plan would be, for example, you
12 know, liaisons with the neighborhood, which
13 we're talking about, you know, who is best for
14 that, what organizations should be
15 represented.

16 An effective method of resolving
17 any disputes under the agreement -- we started
18 out with an agreement that was sort of an
19 agreement to talk and work something out, but
20 there was no mechanism in there for resolving
21 the inevitable disputes that will arise. And
22 we've made some progress on that. We're not

1 there yet, but that's another important thing
2 that we want to make sure we have.

3 Some sort of schedule of fines or
4 consequences of some type -- monetary or
5 otherwise -- for violations of the agreement,
6 if it's determined that there are some, so
7 that there is actually some teeth in this, is
8 something that we would like to see. And
9 also, the posting of some sort of a bond to
10 cover those kinds of fines.

11 My understanding is that these are
12 provisions that have been put forward in other
13 construction management agreements for other
14 PUDs, and I would hope that we could have
15 something similar here, particularly since
16 there is only an alley separating our building
17 from the actual construction site.

18 That's all I have to say on the
19 construction management plan at this point.
20 I'll just wrap up briefly with a few comments
21 on the amenities package.

22 All I will say here is that I

1 think that our association is pleased with the
2 direction that the amenities package has
3 headed towards. I think improvements to 25th
4 Street, obviously we live on 25th Street, we
5 front the same property, I think that will be
6 great.

7 Our corner -- the AAMC, I don't
8 believe they have anybody here representing
9 them, but they are great neighbors of ours,
10 and they recently redid all of the landscaping
11 on their commercial side, on N Street, and
12 their president decided, you know what, I'm
13 just going to -- if it's okay with you guys --
14 extend that around to your end, and we'll pay
15 for it, don't worry about it.

16 So the whole -- they do a
17 fantastic job of keeping the flowers there and
18 the trees there, but that sort of ends at our
19 driveway. And then, what's beyond that is
20 sort of hit or miss, so the idea of extending
21 that thoughtful landscaping I think will be a
22 great thing.

1 Improvements to Francis Field,
2 which is a prison yard the way it looks right
3 now, I think will also be great, because we --
4 not as many of our units I think look directly
5 out onto it as some of the other buildings,
6 but it is literally across from our front
7 door.

8 I think the pickup truck parking
9 and all of those issues that have been well
10 put before this Commission, I concur with a
11 lot of that, and I think improvements to that
12 space and making it a safer space, not only
13 for people to play sports and use, but also,
14 you know, we occasionally have issues with
15 illicit conduct that goes on within Rock Creek
16 Park, which is the path that is just on the
17 other side of the fence, and I think improving
18 that area, paying more attention to the
19 residential -- increasingly residential nature
20 of the neighborhood I think is a good thing.

21 And then, finally, I think
22 spending money on the school, provided that

1 it's spent carefully, and just -- we all know
2 what I mean by that, I think is also a great
3 thing. It's true that the school is not in
4 our ANC zone, but it is literally across the
5 street from Whitman Place. And by way of full
6 disclosure, I look right out onto it from my
7 unit.

8 And, for example, on the odd
9 weekend when their school bell is stuck in a
10 ring mode, I actually hear it all day long.
11 I have to close my windows. And it's not a
12 criticism of the school; these accidents
13 happen. But that's how close we are to it,
14 and I think anything that we can do, real
15 things that we can do, to make that a better
16 school for the students who go there who come
17 through our neighborhood, who are not in our
18 ANC but they are our neighbors, I think is
19 also a great thing.

20 And I'll close by saying on the
21 amenities -- I mean, we recognize that
22 amenities are not meant to compensate the

1 people who are most directly affected by the
2 bad side of these developments. Instead, it's
3 meant to benefit the neighborhood.

4 And my experience has been that
5 amenities don't always have the intent -- have
6 the impact that they're intended to have in
7 terms of actually benefitting the neighborhood
8 and the people who live there, and to help
9 take a little bit of perhaps the sting out of
10 the bad side of developments. I think these
11 amenities are not like that.

12 I think these are good things and
13 they are things that our building, despite its
14 opposition to the PUD and our views about the
15 impact of the height, and all of those other
16 things that I've gone through, we do think the
17 amenities are a good thing, and we do
18 appreciate how those conversations have
19 evolved.

20 So thank you.

21 VICE-CHAIRPERSON HOOD: Thank you,
22 Mr. O'Connell.

1 Colleagues, who wants to -- Mr.
2 Turnbull.

3 COMMISSIONER TURNBULL: Thank you,
4 Mr. Chair.

5 It sounds like, Mr. O'Connell,
6 that your opposition is a little tempered.
7 You're not totally in opposition, but you have
8 some strong concerns about how the project
9 goes forward, primarily the construction
10 issues is one thing.

11 You're right, the height is an
12 issue that, as a matter of right, they could
13 -- as was explained earlier, but it sounds
14 like if the applicant, in meeting with you,
15 your opposition could be tempered considerably
16 by at least their construction management
17 package.

18 MR. O'CONNELL: I think that's --
19 I would agree with that up to an extent. I
20 think if we can resolve the construction
21 management issues, a lot of our --

22 COMMISSIONER TURNBULL: The

1 loading dock.

2 MR. O'CONNELL: Yes, and a lot of
3 the issues that affect us will -- the short-
4 term issues will be resolved, and, I mean --
5 well, let me put it this way. If we can't
6 resolve that, we will vociferously oppose the
7 PUD. If those things can be resolved -- some
8 of our opposition is tempered, but I have to
9 qualify that by saying that, again, the thing
10 that our association is most upset by, whether
11 it's something that this Commission can do
12 anything about it or not, is the height issue.

13 And, I mean, I had a neighbor who
14 said, "Well, I understand they can go to 100
15 feet as a matter of right. Why do they have
16 to go to 110 feet, with a penthouse on top of
17 that?" And we've tried to work through how
18 much of that is inevitable and how much of
19 that is something we can really impact, and
20 that's where we started and how we got to the
21 position of the setback, which, you know,
22 helps a little.

1 And that's why I have those
2 concerns I do about the trellis, the
3 positioning of the penthouse, does it have to
4 be where it is, does it have to be as tall as
5 it is, recognizing that if there's so much
6 that can be done as a matter of right, there
7 might not be much that can be done about that
8 part of it.

9 But what's going beyond matter of
10 right to our -- to my members, our
11 association's members, sort of -- I don't mean
12 this to sound as judgmental as it does, but
13 sort of adds insult to an unavoidable injury.

14 So I wouldn't want to say on the
15 record that if the construction agreement is
16 worked out to our 100 percent satisfaction
17 we'll think everything is hunkydory. I can't
18 say that.

19 COMMISSIONER TURNBULL: All right.
20 Okay. Thank you.

21 VICE-CHAIRPERSON HOOD:
22 Commissioner Jeffries.

1 COMMISSIONER JEFFRIES: Mr.
2 O'Connell, I'm trying to get my arms around
3 just how many units on the south side of your
4 building are being impacted by the increased
5 height?

6 MR. O'CONNELL: We have -- I don't
7 have an exact number, but I can estimate it
8 for you. We have -- oh, sorry, Walter lives
9 on that side -- 15. We have 30 -- I believe
10 -- is it 36 units in the whole building, so
11 it's not quite half of them. Maybe 40
12 percent.

13 COMMISSIONER JEFFRIES: So 15 are
14 being impacted?

15 MR. O'CONNELL: Yes.

16 COMMISSIONER JEFFRIES: And you
17 say you have issues with the height, although
18 we discussed the matter of right, but you also
19 feel that the amenities package has moved
20 along quite nicely.

21 MR. O'CONNELL: Absolutely.

22 COMMISSIONER JEFFRIES: And one

1 might say some of that height is -- some of
2 the amenities package is actually tied to, you
3 know, increased height, and so forth. So, I
4 mean, would you -- I mean, if they pulled back
5 and brought the height down, I mean, could you
6 stand to just do away with much of the
7 amenities package?

8 MR. O'CONNELL: One might say
9 that. I think if I went back to my
10 association members and said, "Well, the good
11 news is it's only going up to 100 feet; the
12 bad news is all those great amenities are
13 going away," I think they'd say, "Fantastic."
14 I mean, that's sort of where the priorities
15 have to lie.

16 We like the amenities. They're
17 great. But they -- and I'll -- again, in the
18 interest of full disclosure, I face north, so
19 my view is not going to be affected. So I
20 think the amenities are fantastic. But those
21 of us on the south side, as Walter will
22 explain, who face the project, you know, I

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1 don't think would quite see it as a tradeoff.

2 COMMISSIONER JEFFRIES: And how do
3 you feel about just increased residential
4 population in this area?

5 MR. O'CONNELL: I think with the
6 qualifier of my concerns about the traffic
7 issues, and I just don't have answers there.
8 I just would like that to be worked through.
9 And if there's something that could be done to
10 ameliorate a negative impact, if there is one,
11 like make sure there's more parking or
12 something in the building, I think that would
13 be great.

14 But the idea of having more people
15 living on the block, I can't -- I suppose I
16 can't speak for my association there, because
17 we haven't really talked about that as an
18 issue. I personally think it's a great thing.
19 I think when I walk from 25th and M up to the
20 corner of 25th and N, once I leave the
21 increased pedestrian traffic of M that we see
22 these days, even at night, and head up 25th

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1 Street, I'm entering into a lonely ghost town
2 world where there is just no one else on that
3 street, and I have to, you know, look over my
4 shoulder.

5 And I think having more people
6 living on the block will be a great thing. I
7 know I have some neighbors who feel a little
8 bit differently on that front, so that's why
9 I don't know what the association thinks. But
10 I think, on balance, that will be an
11 improvement certainly to the neighborhood, as
12 it becomes more residential.

13 COMMISSIONER JEFFRIES: And you
14 did state in your testimony that the applicant
15 has, you know, been rather gracious. I don't
16 know what your word was exactly, but in terms
17 of meeting with you and your group, and been
18 responsive, and, in fact, even the setback at
19 the top of their building to the north, you
20 know, some sort of, you know, accommodation to
21 this whole notion of, you know, light being
22 sort of taken away -- I mean, you're

1 appreciative of that.

2 MR. O'CONNELL: Absolutely.

3 COMMISSIONER JEFFRIES: Okay.

4 MR. O'CONNELL: Absolutely.

5 COMMISSIONER JEFFRIES: Thank you
6 very much.

7 VICE-CHAIRPERSON HOOD: Thank you.

8 Commissioners Parsons? No
9 questions.

10 Mr. O'Connell, you mentioned about
11 the -- let me see exactly. I wrote down a few
12 of your issues. I think my colleagues have
13 spoken about the trellis. I'm not sure -- and
14 I'm sure Ms. Schellin knows exactly what we
15 requested. We requested additional
16 information, or was there concern about the
17 trellis, or something about the --

18 COMMISSIONER JEFFRIES: Which
19 trellis? I mean, the whole project is trellis
20 challenged.

21 (Laughter.)

22 From the bottom to the top.

1 VICE-CHAIRPERSON HOOD: The way I
2 remember -- not the one close to the ground,
3 the one on the top. I think -- didn't we ask
4 them to look at that trellis that's closer to
5 his complex? To Mr. O'Connell's complex? I
6 think we did. Okay. Okay. We did do that,
7 right? Okay. Thank you. Just making sure.

8 I'm just trying to see where we
9 are. Now, the height issue, we've been
10 through that. I'm not going to beat that
11 again. The impact on the parking. And I'm
12 not sitting here trying to argue the
13 applicant's case, but I'm just trying to make
14 sure we get all of your concerns flushed out
15 and see how we can hopefully mitigate.

16 You mentioned about the CMP. Are
17 you involved with those -- were you involved
18 with your ANCs? Is Mr. Thomas your
19 chairperson of your ANC?

20 MR. O'CONNELL: He is.

21 VICE-CHAIRPERSON HOOD: Okay. So
22 you are involved -- you're talking to them

1 because -- I do know that the applicant is --
2 when we do the CMP, I do know that they are
3 going to be working with that ANC.

4 MR. O'CONNELL: I have not been --
5 our association has not been tremendously
6 active, although I have exchanged -- I seem to
7 recall a few e-mails about the odd idea, the
8 occasional idea of should we switch this or
9 that street to one way, or put some parking,
10 what our views might be on that. We have
11 started to have those kinds of conversations,
12 generally speaking.

13 VICE-CHAIRPERSON HOOD: I would
14 suggest that when the applicant starts working
15 with the ANC -- I'm just making a suggestion
16 here, I can't make anybody do anything.

17 MR. O'CONNELL: Sure.

18 VICE-CHAIRPERSON HOOD: I sure
19 can't make anybody do anything, but I think it
20 would be good -- you mentioned about crossing
21 the street. Some of those things could
22 probably be in the construction management

1 plan. From what I'm seeing here, it goes
2 along with the comments of Commissioner
3 Jeffries. It seems like the applicant is
4 willing.

5 And, again, I'm not pleading their
6 case, but it seems like they're willing. So
7 you want to make sure you bring that up,
8 hopefully when they're doing discussions about
9 the construction management plan, about how
10 we're going to maneuver across the street.

11 MR. O'CONNELL: Sure.

12 VICE-CHAIRPERSON HOOD: Are we
13 going to put some scaffolds up so you can walk
14 through, and what kind of disadvantages you
15 guys may have in entering your complex. I'm
16 just throwing that out as --

17 MR. O'CONNELL: We certainly will
18 do that.

19 VICE-CHAIRPERSON HOOD: Mr.
20 Hitchcock, you're shaking your head. Are you
21 disagreeing with me?

22 MR. HITCHCOCK: No.

1 VICE-CHAIRPERSON HOOD: Oh, okay.

2 Okay. So am I on point?

3 MR. O'CONNELL: Absolutely.

4 VICE-CHAIRPERSON HOOD: Okay. All
5 right. Let me see here. And these things are
6 not -- and you mentioned the liaison group.
7 I thought that was a good idea. The only
8 problem is it has to be proffered. That may
9 be -- for the short term, that may be a good
10 idea, and I'm just mentioning that to the --
11 Mr. Epting, I'm sure he's listening to me --
12 if we see it -- typically, we won't see it
13 come back.

14 But if we see it, then maybe that
15 may be something that it will be good to have
16 also in place. And I'm just throwing that out
17 for the applicant, just in case they wanted to
18 -- maybe they can comment on it when they come
19 back.

20 And you mentioned the parking and
21 the traffic. What is the closest Metro?

22 MR. O'CONNELL: We are -- I

1 actually timed this to try to figure out the
2 best way to get to work, because I work
3 downtown. We are roughly a 12-minute walk to
4 either the Dupont Circle Metro or the Foggy
5 Bottom Metro. We're not -- we're -- I'll
6 speak again just for myself. It's not --
7 we're not tremendously convenient walking
8 distance to either, but we're not so far that
9 you've got to take a bus or a cab. It's like
10 sort of halfway between the two.

11 So we're -- I think, if you were
12 to measure it as the crow flies, we're about
13 equidistant between Dupont and the Foggy
14 Bottom Metro.

15 VICE-CHAIRPERSON HOOD: Because
16 when I look at the parking spaces, they are
17 offering I believe 222 for the residential and
18 112 commercial. At least that's what I have
19 here in front of me.

20 So you would -- with those amount
21 of parking spaces, you don't think that's
22 sufficient?

1 MR. O'CONNELL: I don't -- well,
2 it would depend to me on how many units are
3 ultimately in the building. When this started
4 out, because I -- and I do recognize that the
5 applicant is trying to minimize the size of
6 the remodeling project by not having to make
7 significant changes to the subterranean -- the
8 below-grade parking garage, and so I do -- I
9 get that.

10 When this all started out and it
11 was explained as it would probably be a
12 condominium or a co-op project with larger --
13 fewer units that would be larger, the ratio of
14 units and residents to the parking spaces in
15 the garage, it wasn't one to one, but it
16 seemed to be okay.

17 As the building becomes smaller,
18 units that are rental units, potentially
19 rental units where you've got, you know, two
20 roommates sharing the apartment, they each
21 have their own car, it raises concerns -- I
22 don't draw a conclusion from it, but it raises

1 concerns in my mind about the impact that that
2 building, is currently proposed, would have on
3 parking because there simply isn't space in
4 the street for people to park their cars.
5 There might be a few spaces when this is all
6 done for overflow, but not many.

7 And then, the second -- that's the
8 parking concern, and then the traffic concern
9 was more the impact on the neighborhood of
10 having several hundred residents taking the
11 place of a couple hundred office workers, and
12 the different drive times and traffic flows
13 and that sort of thing, but sort of two
14 separate issues under sort of one -- one being
15 parking, one being traffic.

16 VICE-CHAIRPERSON HOOD: And like
17 you said, weekend versus -- I mean, weekend
18 versus --

19 MR. O'CONNELL: Right. I mean, I
20 can -- right now, when I pull out of my
21 driveway on a Saturday morning, although I may
22 have some people trying to find a place to

1 park for the girls' soccer teams that play in
2 Francis Field, the street is pretty quiet.

3 When I -- the idea of pulling out
4 onto that street with 200, 300 additional cars
5 -- I know, obviously, they wouldn't all be
6 coming out at the same time, but people coming
7 out on similar kinds of weekend hours, you
8 know, I could see that having a significant
9 impact on the traffic flow.

10 I mean, I don't know what can be
11 done about that, and I'm not sitting here
12 trying to argue that the entire project should
13 be blocked because we can't have those extra
14 cars on a Saturday morning. It's just a
15 concern that I have that I haven't seen
16 addressed thus far, and I'd like to just know
17 what the impact will be.

18 VICE-CHAIRPERSON HOOD: Okay.
19 Again, I would encourage you to work with the
20 ANCs on that CMP.

21 MR. O'CONNELL: We definitely
22 will.

1 VICE-CHAIRPERSON HOOD: Any --
2 Commissioner Jeffries.

3 COMMISSIONER JEFFRIES: I just
4 have a quick question. Mr. O'Connell, you
5 brought up this whole notion of continuing the
6 streetscape, the landscape, along 25th Street
7 to in front of your -- Whitman Place. Did you
8 bring that up or discuss that with the
9 applicant at any time as part of the amenities
10 package?

11 MR. O'CONNELL: No, not exactly.
12 And I should -- I should perhaps make sure
13 that I was being clear. I don't -- it's not
14 my understanding that the amenities package is
15 going to include relandscaping both sides of
16 25th Street from N to M. But, instead, it's
17 going to be focused on both sides of 25th
18 Street in front of the three buildings that
19 the applicant will be redeveloping.

20 Right now, as far as I -- as far
21 as I'm concerned, what we have right in front
22 of Whitman Place right on that rounded corner,

1 at least on our side of 25th Street, is pretty
2 nice. I don't know that we're talking about
3 changing it so that it's all taken up by --

4 COMMISSIONER JEFFRIES: Oh, okay.
5 You're not -- okay. I thought you were
6 looking to get some consistency --

7 MR. O'CONNELL: No.

8 COMMISSIONER JEFFRIES: -- or --

9 MR. O'CONNELL: No, no, no. I
10 just mean consistent in the sense of it will
11 all be nice.

12 COMMISSIONER JEFFRIES: Oh.

13 MR. O'CONNELL: As opposed to what
14 we have now, which is nice on our end and it
15 sort of falls apart as you go down 25th toward
16 M, because nobody is really paying attention
17 to it. And my neighbors at the AAMC would
18 probably skewer me if I did something that
19 resulted in their flowers being ripped up. I
20 don't mean to swap them out so much.

21 (Laughter.)

22 Although I will say it would be

1 nice if there was a little bit of maybe
2 consultation to make sure that things flow
3 nicely, and it all kind of matches just
4 aesthetically, but no, I'm not looking for
5 them to plant a tree in front of my door.

6 COMMISSIONER JEFFRIES: I would
7 just urge you -- I mean, you know, from all
8 I've heard and from all I've read, I mean, I
9 think this is a fairly superior PUD package,
10 and it would really be I think a very good
11 thing, you know, if, you know, you continue to
12 have your conversations with the -- and I'm
13 just speaking for myself, not for the entire
14 Commission -- that, you know, you continue
15 your conversations and places where you think
16 that you can, you know, make this a better,
17 more palatable development for Whitman Place,
18 I think it would be a good thing just to
19 continue those discussions. So anyway --

20 MR. O'CONNELL: Thank you. I
21 appreciate that.

22 COMMISSIONER JEFFRIES: -- you

1 seem like a very reasonable, thoughtful
2 person. I mean, I have to tell you, you know,
3 you -- and I would agree with Commissioner
4 Turnbull. You know, you -- you didn't -- you
5 seem very thoughtful and very balanced.

6 And as much as you were sort of
7 making the case against the project, you were
8 sometimes making the case for the project in
9 some ways. And I don't know whether that's
10 just your way of speaking, but --

11 MR. O'CONNELL: I am attorney by
12 trade, and can --

13 COMMISSIONER JEFFRIES: Yes, I
14 caught that.

15 MR. O'CONNELL: -- I can throw
16 fire bombs with the best of them. It may also
17 be a factor -- a partial factor that I am
18 currently serving jury duty, and I've been in
19 deliberations for four days, and I've learned
20 to modify my tone to get what I want.

21 (Laughter.)

22 COMMISSIONER JEFFRIES: Okay.

1 MR. O'CONNELL: Which might also
2 be part of it, and that's all I'll say about
3 that.

4 COMMISSIONER JEFFRIES: Yes. I'll
5 tell you, I was just mentioning to
6 Commissioner Parsons, I'm like, okay, Mr.
7 O'Connell is an attorney. I'm clear on that.
8 But anyway, thank you very much.

9 MR. HITCHCOCK: If I may add a
10 word to that, I would want to echo what Mr.
11 O'Connell has said. There have been a number
12 of good dialogues back and forth with the
13 applicant and their representatives, and there
14 has been a good conversation, better than I've
15 seen in some other cases. So I think that has
16 helped the conversation move forward, just for
17 whatever perspective that adds. So --

18 COMMISSIONER TURNBULL: I'm just
19 amazed. Every time I've gone for jury duty,
20 every lawyer gets thrown out. How did you get
21 picked?

22 VICE-CHAIRPERSON HOOD: You might

1 not want to turn your microphone on for this.

2 (Laughter.)

3 MR. O'CONNELL: Well, I should say
4 I have my -- this is -- I've been called for
5 jury duty many times. This is the first time
6 I've actually been placed on a jury, and I
7 won't speculate as to why that might be.

8 VICE-CHAIRPERSON HOOD: Maybe it's
9 because it's -- it's nice for you to speak.
10 I don't know, I don't want to speculate.

11 Any other questions?

12 (No response.)

13 Okay. Mr. Epting, any cross
14 examination?

15 MR. EPTING: No.

16 VICE-CHAIRPERSON HOOD: Mr.
17 Thomas, any cross examination?

18 (No response.)

19 Mr. or Mrs. Wilner, any cross
20 examination?

21 MR. WILNER: No, thank you.

22 VICE-CHAIRPERSON HOOD: Okay.

1 Thank you.

2 All right. Thank you.

3 MR. O'CONNELL: Thank you.

4 VICE-CHAIRPERSON HOOD: Now, we
5 have persons and organizations in opposition.
6 And I have -- Ms. Miller, have you switched?

7 MS. MILLER: No. I just come and
8 watch because --

9 VICE-CHAIRPERSON HOOD: Well, I
10 have -- are you --

11 MS. MILLER: No. I put my name
12 down because I was here, but I --

13 VICE-CHAIRPERSON HOOD: Okay.
14 Well, let it be noted Ms. Miller is present.

15 (Laughter.)

16 Okay. Mr. Albano? Anyone else?
17 Any other persons or organizations in
18 opposition?

19 (No response.)

20 I had your name here, Ms. Miller,
21 and I didn't know. I know you're ANC.

22 MS. MILLER: I just wanted -- I

1 thought you were supposed to sign in.

2 VICE-CHAIRPERSON HOOD: Sign in?

3 Okay. It's always good to know you're here.

4 Okay.

5 Okay. Mr. Albano.

6 Well, let me ask, any other
7 organizations or persons in opposition that
8 want to come and testify?

9 (No response.)

10 Seeing none, Mr. Albano.

11 MR. ALBANO: Thank you very much.
12 My name is Walter Albano. I live in Whitman
13 Place Condominiums, Unit 706. And I do look
14 directly over where the development is going
15 to happen.

16 And I think you've gotten a very
17 good picture of what is going on, but I think
18 it's important that you connect a face -- a
19 person who is going to have this immediate --
20 these immediate impacts that people are
21 talking about, just so that you get the
22 feeling of what that person is experiencing

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1 and thinks about the project.

2 I've followed it since it was
3 announced last summer. I immediately knew it
4 was going to have an impact on me, so I've
5 followed it quite closely and have attended a
6 number of the meetings with the attorneys and
7 the other groups that are involved in it.

8 My unit is one of 15 that faces
9 where the development is going to be. My unit
10 now has four either very large windows or
11 sliding glass doors. When I sit in my rooms,
12 I can look out and I can see the sky. Of
13 course, that's going to be gone when the
14 building goes up. I realize that.

15 Also, from my balcony, which is a
16 30 by 6 size balcony, it's quite large, I can
17 look over and I can see Georgetown and
18 Arlington, Virginia. So it's quite a nice
19 view. That is going to be pushed from this to
20 this, because of the development.

21 I agree also that the
22 conversations with the developer and the

1 attorneys have been very cordial, and I
2 appreciated that very much. I felt that they
3 allowed us to give input that we could. And
4 some of the minor compromises like the
5 additional setbacks and things that I -- I'm
6 very grateful for as well.

7 I know there is the matter of
8 right in terms of heights, and other zoning
9 regulations that the developer is working
10 with, and that they can do. I'm aware of
11 that, so I'm not going to say, you know, I
12 don't want this building done at all. I know
13 that's ridiculous.

14 But I did want to just mention
15 some of the impacts that will be felt and hope
16 that you will consider these sorts of things
17 when you decide and deliberate. I will lose
18 the views of the sky, the views of the grounds
19 that I have. I will lose most of the light.
20 Instead of now looking out and seeing sky, I
21 will be looking into someone else's living
22 space. I know you can't calculate the values

1 of those sorts of things, but they are
2 important.

3 In terms of the Shade study, the
4 winter one showed my unit would be in shadow
5 in the wintertime. And, again, as someone
6 mentioned, the passive solar heating is
7 something that I -- really is good for me in
8 the winter, it keeps my place nice and toasty
9 -- oops, should I stop?

10 VICE-CHAIRPERSON HOOD: I'll give
11 you one more minute. You can --

12 MR. ALBANO: Okay. I don't have
13 -- just one -- and then, that can be
14 calculated I suppose to energy savings at some
15 point. And also, in terms of the resale value
16 of the unit, you all probably know that when
17 you enter a house which has a lot of light,
18 you can usually command a larger asking price
19 for that sort of place.

20 If I could wave a magic wand, I
21 would move the penthouse, because that's going
22 to be the main item that is going to block my

1 winter sunlight. I don't have that magic
2 wand. I don't -- you know, if -- you have
3 that magic wand.

4 So, again, I just wanted to ask
5 that -- and I also agree with the idea of
6 limiting the noise during construction and
7 getting a loading dock agreement, and things
8 like that, because, again, those will directly
9 impact us.

10 But, again, I just wanted to ask
11 you to have the sorts of things in mind that
12 is going to happen to people who live there
13 now that this project will have.

14 Thank you.

15 VICE-CHAIRPERSON HOOD: Okay.

16 Thank you, Mr. Albano.

17 Colleagues, any questions?

18 (No response.)

19 Any questions, Mr. Epting, on
20 cross?

21 MR. EPTING: No.

22 VICE-CHAIRPERSON HOOD: Okay.

1 Good. All right. Thank you. Thank you very
2 much for your testimony.

3 Okay. Mr. Epting? You know what?
4 I have to say this all the time. Ms. Schellin
5 really looks out for me. But I'll get it
6 maybe by -- in three or four months.

7 Mr. Epting, if you can come up for
8 closing.

9 MR. EPTING: Thank you. I'm going
10 to be brief with this also. As evidenced by
11 tonight's testimony, we believe we meet the
12 standards for PUD approval. The project
13 converts two existing grandfathered office
14 buildings that were built 3CR back into the
15 vision of CR which is more of a mixed use
16 vision. And we think that's terrific.

17 It also converts another office
18 building, and it has an additional top, and
19 does dramatic design improvements to all three
20 buildings.

21 The applicant has worked hard with
22 the ANC and the adjacent property owners to

1 address construction and other issues. And we
2 appreciate particularly the efforts of the ANC
3 in coming up with the amenity package.

4 There were things right away that
5 sort of reached out to us like the school and
6 the park, but through their efforts and
7 through Friends of Francis and the school, we
8 were able to turn those things that seemed so
9 easy into sort of tangible benefits. And we
10 appreciate everybody's support with that.

11 We believe this is an exciting
12 project for the District, and we ask for your
13 approval.

14 And if you want me to, I can
15 address real quick -- you asked about the
16 Liaison Committee.

17 VICE-CHAIRPERSON HOOD: Yes, if
18 you can.

19 MR. EPTING: We do have in our
20 construction management plan a penalty
21 provision right now, which it was suggested by
22 Whitman Place. And the Liaison Committee

1 would be the committee -- and we haven't
2 finalized this -- but would decide whether
3 there was an actual violation and how much,
4 and whether it was a major or minor violation.
5 And the penalties would be assessed based upon
6 that determination, so that --

7 VICE-CHAIRPERSON HOOD: Well,
8 we'll wait to see that when --

9 MR. EPTING: Yes, exactly.

10 VICE-CHAIRPERSON HOOD: Okay.
11 We'll wait on that. That's good to know.

12 MR. EPTING: So that concludes our
13 testimony tonight. Appreciate your time.

14 VICE-CHAIRPERSON HOOD: Okay.
15 Thank you.

16 Any followup questions, final
17 questions for Mr. Epting?

18 (No response.)

19 Okay. We have -- Ms. Schellin is
20 so good she has already given me the dates for
21 additional documents. April 9th, what I'd
22 like to do is to review what additional

1 information we've asked for.

2 Mr. Epting, if you want to come
3 back to the table, we -- let's go over what we
4 have that we are expecting. The construction
5 management plan I know is one.

6 MR. EPTING: Yes. The lower
7 trellis, to submit additional study on that,
8 and lighting in the open area.

9 VICE-CHAIRPERSON HOOD: We also
10 have -- I forgot who asked for it. I think it
11 was the party in opposition -- traffic data,
12 we need to see if it's synchronized.

13 MR. EPTING: Right. Right. The
14 traffic report about the six --

15 VICE-CHAIRPERSON HOOD: Mr.
16 Hitchcock I think asked for it.

17 MR. EPTING: Right. The 6:00 to
18 6:15.

19 VICE-CHAIRPERSON HOOD: Right.

20 MR. EPTING: That one-hour peak
21 period, we're going to clarify when those
22 numbers were taken.

1 VICE-CHAIRPERSON HOOD: Okay.

2 MR. HITCHCOCK: Right. Whether
3 they're one-hour figures --

4 MR. EPTING: Right.

5 MR. HITCHCOCK: -- 15-minute
6 figures, or whatever, yes.

7 MR. EPTING: Then, the loading
8 agreement would be the next thing, and then
9 the construction management plan, the
10 finalized --

11 VICE-CHAIRPERSON HOOD: Okay.

12 MR. EPTING: I think we agreed to
13 look at 25th and N.

14 VICE-CHAIRPERSON HOOD: Well, 25th
15 and -- what are we looking at 25th --

16 MR. EPTING: No. Okay.

17 VICE-CHAIRPERSON HOOD: I don't
18 remember 25th and N.

19 SECRETARY SCHELLIN: I think that
20 was brought up by opposition, but I believe
21 the traffic expert said that it was not part
22 of the scope that they were given by DDOT.

1 VICE-CHAIRPERSON HOOD: Okay.

2 MR. EPTING: That's correct. And
3 I believe that's all we have in our notes.
4 Oh, excuse me. I glossed over the upper
5 trellis. We're going to look at that again
6 also.

7 COMMISSIONER JEFFRIES: I think we
8 also maybe -- I stepped away for a second, but
9 landscaping in that court, did we -- did you
10 bring that up?

11 MR. EPTING: I think we'd look at
12 -- let me talk to -- we would also look at the
13 landscaping in the lower courtyard.

14 And Shalom is telling me that we
15 were not asked to look at the upper trellis.

16 VICE-CHAIRPERSON HOOD: Upper
17 trellis? I think we want clarification on
18 both.

19 MR. EPTING: Okay.

20 VICE-CHAIRPERSON HOOD: Okay.

21 MR. HITCHCOCK: Mr. Chairman?

22 COMMISSIONER PARSONS: Mr. Baranes

1 is right. We had a discussion, a debate, a
2 disagreement if you will --

3 MR. EPTING: Right.

4 COMMISSIONER PARSONS: -- and I
5 didn't follow it up.

6 MR. EPTING: Right.

7 COMMISSIONER PARSONS: The
8 Chairman is.

9 MR. EPTING: Right. Okay.

10 COMMISSIONER PARSONS: Yes.

11 MR. HITCHCOCK: Mr. Chairman, may
12 I -- a point for clarification.

13 VICE-CHAIRPERSON HOOD: It's
14 scary, Mr. Parsons. You and I are on the same
15 --

16 (Laughter.)

17 MR. HITCHCOCK: When they show the
18 shadow studies, I mean, one of the points was
19 about how it comes down and how they had moved
20 the penthouse back. The question from Whitman
21 Place's standpoint is: is any of that being
22 lost by the fact you now have the trellis that

1 is closer to the edge, closer to Whitman
2 Place?

3 VICE-CHAIRPERSON HOOD: And I
4 think that's where we're going.

5 MR. HITCHCOCK: Okay. I just
6 wanted to clarify.

7 VICE-CHAIRPERSON HOOD: Right.
8 And what was the whole intent about the
9 clarification.

10 MR. HITCHCOCK: Yes. Right.

11 VICE-CHAIRPERSON HOOD: Okay. Are
12 we on the same page, Mr. Epting?

13 MR. EPTING: Yes, we are.

14 VICE-CHAIRPERSON HOOD: Okay. All
15 right. That's it? Again, all of this is due
16 -- hold on. Anybody that wants to add
17 anything?

18 COMMISSIONER JEFFRIES: Okay. But
19 we're clear on the courtyard landscaping and
20 trellis. I mean, you're going to review that
21 and revisit that.

22 MR. EPTING: Yes.

1 COMMISSIONER JEFFRIES: Okay.

2 thank you.

3 VICE-CHAIRPERSON HOOD: Okay. All
4 additional documents need to be in by April
5 9th. Is there a time, Ms. --

6 SECRETARY SCHELLIN: 3:00 p.m.

7 VICE-CHAIRPERSON HOOD: 3:00 p.m.

8 And the responses and draft orders -- and this
9 is only for the parties -- draft orders by
10 April 17th, 3:00. Okay?

11 All right. We're all on the same
12 page. Good. And I want to --

13 SECRETARY SCHELLIN: Just a
14 reminder that all the parties need to serve
15 all the other parties with anything that they
16 file.

17 VICE-CHAIRPERSON HOOD: Okay.
18 Bear with me. Let me read this last statement
19 here.

20 Any party to this case may file a
21 written response to any information or report
22 filed after the closing of the hearing. Such

1 responses should be filed no later than
2 3:00 p.m., as indicated previously. The
3 parties in this case are invited to submit
4 proposed findings of fact and conclusions of
5 law no later than 3:00 p.m., as previously
6 indicated.

7 The Commission will make a
8 decision in this case at one of its regular
9 monthly meetings following the closing of the
10 record. These meetings are held at 6:30 p.m.
11 on the second Monday of each month, with some
12 exceptions, and are open to the public.

13 If any individual is interested in
14 following this case further, please contact
15 staff to determine whether this case is on the
16 agenda of a public meeting.

17 I now declare this hearing closed.
18 Thank you for your participation. Good night.

19 (Whereupon, at 9:22 p.m., the
20 proceedings in the foregoing
21 matter were adjourned.)
22