

APPEARANCES :On Behalf of the Applicant :

of: NORMAN M. GLASGOW, JR.
Holland & Knight, LLP
2099 Pennsylvania Ave., N.W.
Suite 100
Washington, D.C. 20006-6801
norman.glasgowjr@hklaw.com
(202) 419-2460
(202) 955-5564 (Fax)
(301) 580-1301 (Cell)

TABLE OF CONTENTS

WELCOME:

Anthony Hood 5

ZONING COMMISSION CASE NO. 07-02

COLUMBIA HEIGHTS VENTURES: 5

WITNESSES:

Norman Glasgow 11

Chris Donatelli 33

Laurence Caudle 38

OFFICE OF PLANNING:

Steven Cochran 73

OTHER GOVERNMENT REPORTS:

DDOT 30

Deputy Mayor Neil Albert Letter 105

Council Member Graham Letter 105

ANC-1A Report 106

CLOSING REMARKS:

Norman Glasgow 107

SPECIFICALLY REQUESTED MATERIAL: 125

SET FOR MARCH 2008 DECISION: 139

ADJOURN:

Anthony Hood 139

NEAL R. GROSS

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

6:36 p.m.

CHAIRMAN HOOD: Good evening, ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia for Monday, February 4, 2008. My name is Anthony J. Hood. Joining me this evening are Vice Chairman Jeffries, Commissioner Etherly and Commissioner Turnbull. We are also joined by the Office of Zoning staff, Ms. Schellin and Ms. Hanousek, and the Office of Planning, Ms. Steingasser.

This proceeding is being recorded by a Court Reporter and is also webcast live. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

The subject of this evening's hearing is Zoning Commission Case No. 07-02. This is a request by Columbia Heights Ventures for approval of a consolidated PUD and Related Map Amendment for property located 1444 Irving

1 Street, N.W.

2 Notice of today's hearing was
3 published in the DC Register on December 7,
4 2007 and copies of the announcement are
5 available to my left on the wall bin near the
6 door.

7 This hearing will be conducted in
8 accordance with the provisions of 11 DCMR 3022
9 as follows: Preliminary matters, applicant's
10 case, report of the Office of Planning, report
11 of other Government agencies, report from the
12 ANC, in this case 1A, organizations and
13 persons in support, organizations and persons
14 in opposition, rebuttal and closing by the
15 applicant.

16 The following time constraints
17 will be maintained in this meeting: The
18 applicant 40 minutes, organizations 5 minutes,
19 individuals 3 minutes.

20 The Commission intends to adhere
21 to the time limits as strictly as possible in
22 order to hear the case in a reasonable period

1 of time. The Commission reserves the right to
2 change the time limits for presentations, if
3 necessary, and notes that no time shall be
4 ceded.

5 All persons appearing before the
6 Commission are to fill out two witness cards.
7 These cards are located to my left on the
8 table near the door. Upon coming forward to
9 speak to the Commission, please, give both
10 cards to the reporter sitting to my right
11 before taking a seat at the table.

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 or
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 not to disrupt
8 these proceedings.

9 Would all individuals wishing to
10 testify, please, rise to take the oath?

11 Ms. Schellin, would you, please,
12 administer the oath?

13 MS. SCHELLIN: Please, raise your
14 right hand.

15 (Whereupon, the witnesses were
16 sworn.)

17 MS. SCHELLIN: Thank you.

18 CHAIRMAN HOOD: Okay. At this
19 time, the Commission will consider any
20 preliminary matters. Does the staff have any
21 preliminary matters?

22 MS. SCHELLIN: Staff has nothing

1 further to add, other than to advise that we
2 have received a report from DDOT this evening
3 and there is also a letter in support from
4 Council Member Graham and a letter in support
5 from the Deputy Mayor's Office, Neil Albert,
6 and other than the expert witnesses, that's
7 the only thing.

8 CHAIRMAN HOOD: Okay. So we do
9 have a letter from DDOT?

10 MS. SCHELLIN: Yes. It was just
11 handed out this evening.

12 CHAIRMAN HOOD: Was that in a
13 package? Okay. Okay. I see it. Thank you.
14 Okay. We can have -- Vice Chair?

15 VICE CHAIR JEFFRIES: Yes. Mr.
16 Chair, I just wanted to make certain that it
17 was on the record that I recuse myself during
18 the set down at this particular application,
19 because, at the time, I was working as a
20 consultant to the RLARC. I am no longer
21 working for RLARC. It's no longer in
22 existence and so I will be participating in

1 this case.

2 And I want to also make certain
3 that the transcript is -- reflects that it
4 says here that I did consulting work for the
5 LLC and that's not correct. So I just wanted
6 to make certain that that was on the record.

7 CHAIRMAN HOOD: Okay. Thank you,
8 Vice Chair. Does anyone have any problems
9 with the Vice Chairman's comments? Applicant?
10 Anyone?

11 MR. GLASGOW: No, sir.

12 CHAIRMAN HOOD: Okay. Good. All
13 right. We'll move forward. Okay. Where was
14 I? Okay. We have -- let me let you begin,
15 first, Mr. Glasgow, but I know you have some
16 witnesses you want to proffer.

17 MR. GLASGOW: Yes, sir. Also, I
18 do believe that there -- an ANC -- a letter
19 from the ANC has been submitted for the
20 record. They voted unanimously in support of
21 the application.

22 CHAIRMAN HOOD: All right.

1 MR. GLASGOW: The people that I
2 would like to have proffered as expert
3 witnesses are: Mr. Chris Donatelli of
4 Donatelli Development, Mr. Laurence Caudle,
5 Holly Lennihan and Eric Inman of Hickok Cole.
6 They are going to have different aspects of
7 the project that they will be talking about.

8 CHAIRMAN HOOD: We have their
9 resumes?

10 MR. GLASGOW: Yes, sir.

11 CHAIRMAN HOOD: Okay. Yes, I
12 think it came in tonight. Now, Mr. Donatelli
13 you are proffering him as a retail -- what are
14 you proffering?

15 MR. GLASGOW: No. He is an expert
16 in urban residential development. He has
17 developed several major projects in the
18 District of Columbia. Principally residential
19 projects, they also have retail.

20 CHAIRMAN HOOD: Let me just ask,
21 do any of my colleagues have any problems with
22 what is being proffered? Hickok Cole

NEAL R. GROSS

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

1 Architects has been proffered before in front
2 of this Commission, I believe.

3 MR. GLASGOW: That is correct.

4 CHAIRMAN HOOD: Okay. Any
5 objections to anybody, any of them? Okay.
6 Okay. They will be proffered as expert
7 witnesses.

8 MR. GLASGOW: All right.

9 CHAIRMAN HOOD: And thank you, Mr.
10 Glasgow, for the resumes.

11 MR. GLASGOW: All right. And then
12 also we have the resumes of Mr. Iain Banks of
13 O.R. George Associates, Mr. Lindsley Williams
14 of Holland and Knight, the Land Planner.

15 CHAIRMAN HOOD: Okay, that's fine.
16 I'm sure I can go out on a limb and say that
17 those are fine.

18 MR. GLASGOW: All right. Thank
19 you. All right. With that, Mr. Chairman, for
20 the record, my name is Norman M. Glasgow, Jr.
21 with the Law Firm of Holland and Knight
22 representing the applicant, which at one point

NEAL R. GROSS

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

1 was RLARC and as the Vice Chair said, they are
2 no longer in existence. So technically, we
3 have Donatelli Development as part of Columbia
4 Heights Ventures Parcel, LLC and the District
5 of Columbia Government through the Deputy
6 Mayor for Economic Development, who now has
7 control of all the old RLARC properties and
8 the Deputy Mayor has written a letter in
9 support of this application.

10 Here with me today are Mr. Chris
11 Donatelli of Donatelli Development seated to
12 my immediate right, Mr. Larry Clark and Brian
13 Rogers also of Donatelli Development are in
14 the audience, Mr. Laurence Caudle, Holly
15 Lennihan and Mr. Inman of Hickok Cole are
16 present. Mr. Caudle and Mr. Inman are seated
17 at the witness table. Then in the audience we
18 have Mr. Iain Banks of O.R. George Associates
19 and Mr. Lindsley Williams and also Jeff
20 Johnson of Holland and Knight is here with me.

21 By way of background and as a
22 result of consultation with the Office of

1 Planning, the Office of Planning has requested
2 that the subject property, the Planned Unit
3 Development involve the entirety of Parcel 26,
4 which is right now what you see mainly up on
5 the far left hand board is the most -- is the
6 proposed addition.

7 But in the center board post-shade
8 in gray and if you could outline, Eric, the
9 Highland Park, which is also part of Parcel
10 26, so as a technical matter the Office of
11 Planning, after their consultations with OAG,
12 had asked that we include that existing
13 apartment building as part of the subject
14 property. It is part of Parcel 26 as it was
15 originally issued or awarded to Donatelli
16 Development. It was the entire parcel.

17 Part of it was built first. We
18 built -- we went to the Board of Zoning
19 Adjustment in that case and the reason that
20 that occurred is partly some technical legal
21 matters on advice of counsel, at the time.
22 When Parcel 26 was going to be transferred,

NEAL R. GROSS

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

1 the -- as they still are today, the homeless
2 trailers are on the site, on the west end of
3 the site.

4 And I had advised Chris and others
5 that I did not think that they wanted to be
6 actually owning the fee-simple to that
7 property while those trailers were on the
8 site. When the trailers were moved, then that
9 part of the transfer would occur. And then
10 there would be a transfer back to the District
11 for the square that's in the darker blue in
12 the middle plan, that's where the CBRF is
13 going. Mr. Inman is pointing that out.

14 So there has already been a
15 transfer and the construction of the building
16 for the Highland Park on the eastern most
17 portion of Parcel 26. The rest of that
18 property will be transferred over to Donatelli
19 Development or to the partnership as soon as
20 the trailers are removed. And then the piece
21 that the District wants for the CBRF will be
22 transferred back to the District.

NEAL R. GROSS

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

1 VICE CHAIR JEFFRIES: So can you
2 just outline Parcel 26?

3 MR. GLASGOW: No. Parcel 26 also
4 goes to the --

5 VICE CHAIR JEFFRIES: This?

6 MR. GLASGOW: That's it.

7 VICE CHAIR JEFFRIES: Right.

8 MR. GLASGOW: That's right.

9 VICE CHAIR JEFFRIES: Okay. But
10 the western end of Parcel 26 was originally --
11 it was originally owned by RLARC, but then it
12 transferred out, because of concern about
13 liability with the shelters. And so then now
14 it's going back to Mr. Donatelli?

15 MR. GLASGOW: That is correct.

16 VICE CHAIR JEFFRIES: Okay. Okay.

17 MR. GLASGOW: Right. Yes, it
18 would have -- that probably would have
19 happened two years ago, but I was at a meeting
20 and advised Chris not to take the fee-title at
21 that time, as long as the homeless trailers
22 were on it.

1 VICE CHAIR JEFFRIES: Um-hum.

2 MR. GLASGOW: Because you know, if
3 something happens, then anybody that has
4 anything to do with anything.

5 VICE CHAIR JEFFRIES: So the case
6 that's the subject case tonight includes what
7 is currently the Highland Park building?

8 MR. GLASGOW: That's right. As a
9 technical matter, yes, that's correct. And
10 when you go out there on the site, that
11 building is there.

12 VICE CHAIR JEFFRIES: Okay.

13 COMMISSIONER TURNBULL: But the
14 documents we have don't really reflect that.

15 MR. GLASGOW: I think there were
16 documents that were requested by the Office of
17 Planning that, at least from a computation
18 standpoint, show all of that.

19 COMMISSIONER TURNBULL: Okay.
20 Because we do not have a final report from the
21 Office of Planning on this.

22 MR. GLASGOW: I understand that

1 their testimony will cover that this evening.

2 COMMISSIONER TURNBULL: Okay.

3 Then we will wait and see.

4 MR. GLASGOW: Okay. All right.

5 Then proceeding forward with that, and I did
6 want to take just a minute to make sure that
7 we all were -- understood why that that was
8 occurring.

9 And with respect to how these
10 portions of the project are connected, there
11 is an above-grade connection between the lobby
12 and the community room in the Highland and
13 then also below-grade there is a knockout
14 panel that already has been constructed where
15 you go through the garage at the first level
16 below-grade and there is the knockout panel.

17 And so when this portion of the
18 project is constructed, the panel will be
19 knocked out and the garages joined together.

20 VICE CHAIR JEFFRIES: So these
21 appendages make just one building?

22 MR. GLASGOW: That is correct.

1 CHAIRMAN HOOD: What's the
2 purpose? I mean, what are we making this one
3 building? Explain that to me.

4 MR. GLASGOW: There was a couple
5 of different reasons why we had one building.
6 One is with respect to the operation of the
7 garage, because it was a very thin site, we
8 wanted to make sure to have one garage and not
9 have two sets of ramps, which would be very
10 inefficient for that.

11 Secondly, it had always been
12 Chris' intention to develop this as one
13 project. And then there was the complexity
14 with respect to the trailers that made that.
15 We couldn't build it all at one time. And it
16 also allows for the use by the residents in
17 the, what we call, market rate building, but
18 that market rate building also has 20 percent
19 affordable in it, in the new construction, to
20 use the community room that -- which is a
21 fairly generous community room that's in the
22 Highland Park. Because it's a bigger building

NEAL R. GROSS

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

1 with more units.

2 CHAIRMAN HOOD: Okay. I may have
3 some of the same questions as we move forward.
4 Okay.

5 MR. GLASGOW: Now, with respect to
6 the development itself.

7 VICE CHAIR JEFFRIES: Excuse me,
8 Mr. Glasgow?

9 MR. GLASGOW: Yes?

10 VICE CHAIR JEFFRIES: I'm sorry.
11 So this is a PUD modification application?

12 MR. GLASGOW: No.

13 VICE CHAIR JEFFRIES: No?

14 MR. GLASGOW: Because the first
15 building, Highland Park we built with BZA
16 approvals.

17 VICE CHAIR JEFFRIES: Okay.

18 MR. GLASGOW: And so the PUD is
19 now the application that you have before you.
20 There is no prior PUD on this site.

21 VICE CHAIR JEFFRIES: Okay. But
22 you are modifying. I understand what you are

NEAL R. GROSS

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

1 saying. I just -- I'm trying to understand
2 why this would not be a modification of a
3 former PUD, since it's now one building. You
4 are making a case that it's one building.

5 MR. GLASGOW: Yes, because the
6 prior building was not a PUD building. It
7 went to BZA.

8 VICE CHAIR JEFFRIES: Right. Oh,
9 okay.

10 MR. GLASGOW: So there was no --

11 VICE CHAIR JEFFRIES: Okay.

12 MR. GLASGOW: -- PUD to modify.

13 VICE CHAIR JEFFRIES: Okay. Okay.

14 MR. GLASGOW: Okay?

15 VICE CHAIR JEFFRIES: Okay.

16 That's great. Okay. So -- okay. So it's --
17 okay, that's fine.

18 MR. GLASGOW: We're taking the BZA
19 building now and --

20 VICE CHAIR JEFFRIES: Right.

21 MR. GLASGOW: -- incorporating it
22 as part of the PUD.

1 VICE CHAIR JEFFRIES: PUD, okay.

2 MR. GLASGOW: We're almost doing
3 sort of the mirror image of what you were
4 talking about.

5 VICE CHAIR JEFFRIES: Okay. Okay.
6 Okay. Thank you.

7 CHAIRMAN HOOD: You know, I think
8 the way we're going to move on this case,
9 normally, we don't do this, but I think as
10 questions come up, we're going to ask them
11 then, because we may forget and get all
12 confused at the end. So we're going to move
13 in that fashion, I think, tonight.

14 MR. GLASGOW: That's -- yes, sir,
15 that's fine. All right. With respect to the
16 new portion of the building to be constructed,
17 which is more the tan portion on the drawings
18 there, that has 69 unit apartment building of
19 which 20 percent will be affordable, which is
20 2.5 times the requirement under IZ. And then
21 the blue portion is the CBRF, which will have
22 104 units within the CBRF.

NEAL R. GROSS

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

1 And part of what had been
2 discussed and agreed to was that the CBRF
3 would have a street presence. It would not be
4 hidden within the depths of the site, because
5 this is a fairly deep site. So it would have
6 street frontage and then we have a much
7 narrower street frontage for the market rate
8 unit, but we have come up with an
9 architectural feature to mark that. And that
10 architectural feature is of some expense and
11 was -- we have considered it that that is a
12 design amenity as we move forward.

13 But our amenities with respect to
14 affordable housing within the, what we call,
15 market rate structure of 20 percent and the
16 CBRF, we think, are very significant
17 amenities.

18 Now, what we have agreed with the
19 District to do with respect to the CBRF is
20 take it through this process. And we have in
21 our prehearing statement monetized the value
22 of taking it through the process. And then,

1 of course, we will give the land back to the
2 city to build that on.

3 CHAIRMAN HOOD: Is going to be
4 responsible for building the CBRF?

5 MR. GLASGOW: That is correct. We
6 are providing the land for it.

7 CHAIRMAN HOOD: You're providing
8 the land, so they are ready to go with the
9 building of the CBRF. Do we know that, at
10 this point?

11 MR. GLASGOW: Chris?

12 CHAIRMAN HOOD: I know you are not
13 responsible for that.

14 MR. GLASGOW: Right.

15 CHAIRMAN HOOD: But I'm just
16 asking. I think it's set down, that was one
17 of the questions that was asked. But do we
18 know if that's even going to happen
19 potentially?

20 MR. GLASGOW: Chris, do you know
21 where they are on that, on the CBRF?

22 VICE CHAIR JEFFRIES: And who in

1 the District is actually doing that?

2 MR. GLASGOW: Mr. Donatelli, would
3 you, please, identify yourself?

4 MR. DONATELLI: Yeah. I'm Chris
5 Donatelli with Donatelli Development. The
6 understanding is that OPM is responsible for
7 implementing the construction of the
8 facilities for DHS. And that there is a
9 budget line and there has been for a number of
10 years allocated for the construction of this
11 facility.

12 CHAIRMAN HOOD: And that CBRF, the
13 way I understand it, is being proffered as an
14 amenity, right?

15 MR. GLASGOW: Our part of that is
16 that we were going to give the land for it to
17 the District and take it through the process
18 with the design and engineering and all of
19 those things, which we have done, which is I
20 think about \$340,000 worth of expense as set
21 forth in the --

22 CHAIRMAN HOOD: You gave me a

1 dollar value, but it was proffered as an
2 amenity, right?

3 MR. GLASGOW: That is correct,
4 yes. Yes, the proffering of the amenity is to
5 give land to the District and to take it
6 through this process.

7 CHAIRMAN HOOD: Okay.

8 MR. GLASGOW: That is correct.

9 CHAIRMAN HOOD: I know there are
10 some other things. I just want to say on that
11 I have never seen nothing like that proffered
12 since I have been here. And I thought it was
13 great, but I know there are some other issues,
14 so I don't want to put too many accolades.
15 Let's move forward and see if we can get
16 through that.

17 MR. GLASGOW: Right, right, sure.
18 With respect to the FAR of the entire site,
19 just so that we have some basis on that part,
20 we are about 4.5 FAR on the portion where the
21 new addition is going to be, but not over 4 on
22 the existing part of the site. And the site

NEAL R. GROSS

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

1 is in the components, there is a 25,000 square
2 foot parcel that is to be built upon.

3 The Highland Park is at about
4 75,000 square feet. The site is just slightly
5 about 101,000 square feet in total. So you,
6 essentially, have 80 percent of the site, 75
7 or 80 percent of the site.

8 VICE CHAIR JEFFRIES: The
9 footprint, the footprint.

10 MR. GLASGOW: Of the footprint.

11 VICE CHAIR JEFFRIES: Yes.

12 MR. GLASGOW: That is correct.

13 And so we are within the FAR limitations.

14 With respect to height, the building is about
15 -- sections of the building are 83, 84 feet in
16 height, so they are under the 90 foot height.

17 VICE CHAIR JEFFRIES: Have you
18 done calculations, this is really unusual,
19 because as the Chair said, because now this is
20 one project, one building, you have done
21 calculations that take into consideration the
22 Highland Park building in terms of everything.

NEAL R. GROSS

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

1 MR. GLASGOW: That is correct.

2 VICE CHAIR JEFFRIES: Okay. Okay.

3 MR. GLASGOW: We have a sheet for
4 the record that does that. I don't know
5 whether that has been submitted yet or not.
6 But there is a -- yes, but we have this.
7 Okay. In the plans is a sheet similar to what
8 I have, which talks about the allowed required
9 for the site areas. It's a Sheet 06. And you
10 will note because the site area has a 20,000
11 square foot component, a 5,400 square foot
12 component and a 75,000 square foot component.

13 VICE CHAIR JEFFRIES: Okay. And
14 the Phase 1 is -- yes, okay.

15 MR. GLASGOW: The 75,000 square
16 feet --

17 VICE CHAIR JEFFRIES: Right,
18 right.

19 MR. GLASGOW: -- component.

20 VICE CHAIR JEFFRIES: The actual
21 Highlands.

22 MR. GLASGOW: Right.

1 VICE CHAIR JEFFRIES: Yes, okay.

2 MR. GLASGOW: And the bottom of
3 the sheet it's dated February 4, 2008, Sheet
4 06.

5 VICE CHAIR JEFFRIES: Um-hum, um-
6 hum, okay.

7 MR. GLASGOW: And those are the
8 composite computations for the development.
9 All right. And I note that at least in
10 reading the DDOT report, I know normally I ask
11 the Chair or Vice Chair and say I would like
12 to go through the following six points right
13 now or whatever. I didn't -- I am -- I have
14 read it quickly one and a half times and I
15 don't think that we have an issue.

16 The bicycle parking we can do. A
17 nearby curbside space for car-share.

18 CHAIRMAN HOOD: Mr. Glasgow, what
19 are you looking at?

20 MR. GLASGOW: I'm looking at the
21 DDOT report that came in.

22 CHAIRMAN HOOD: Oh, something that

NEAL R. GROSS

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

1 we got again tonight. Okay. Not that I would
2 have read it yesterday while the superbowl was
3 on, but still where is that at? Okay. Thank
4 you. If you can go through it.

5 MR. GLASGOW: All right. I'm at
6 the bottom of page 2. And it talks about a
7 couple of things that they are thinking about
8 with respect to the Transportation Management
9 Plan. Reserving a minimum of five bicycle
10 parking spaces in the garage. We don't have
11 any problem with that. A nearby curbside
12 space for car-sharing service, that we would--
13 because they also say and reserving a garage
14 parking space.

15 I think the Commission Members --
16 I think we have had a number of these
17 residential projects and we always object to
18 Zipcar/Flexcar being in the residential
19 parking garage, that's a security issue. So
20 the nearby curbside space, that's fine.

21 TDM measures including providing
22 complimentary Smart Trip cards with a \$20

1 Metro fare media. I would say per unit. And
2 that's upon the initial move-in is what we
3 have normally done on that, a \$20 Smart card
4 when the initial move-ins come in.

5 A website, hot links to
6 godcgo.com, that's fine, and
7 commuterconnections.com, that's fine. And
8 then keeping alternative transportation
9 information and brochures via a lobby kiosk
10 and welcome packets, yes, we can do all of
11 that at the top of page 3. And I think that's
12 all that they had.

13 CHAIRMAN HOOD: So you only have
14 two issues. And I do think that we don't put
15 it inside of the parking garage, because of
16 the security issues. I have learned that from
17 the past. The \$20, you are saying you would
18 like to do it per unit instead of per person.

19 MR. GLASGOW: Right. Per unit for
20 the initial move-in.

21 CHAIRMAN HOOD: Okay.

22 MR. GLASGOW: I think that is what

1 we have agreed to.

2 CHAIRMAN HOOD: Everything else
3 you were in agreement with, I believe.

4 MR. GLASGOW: That is correct.

5 CHAIRMAN HOOD: Okay. Okay. We
6 will look at that at the appropriate time.

7 MR. GLASGOW: Okay.

8 CHAIRMAN HOOD: Continue.

9 MR. GLASGOW: All right. Then I
10 think that probably the most efficient thing
11 to do here is get some of the witnesses on and
12 let them explain the project and then we can
13 respond to questions. If there is anything
14 preliminary from the Commission standpoint, I
15 would be happy to answer that, at this time.

16 CHAIRMAN HOOD: I think we hit a
17 few things that are preliminary, but if we can
18 get the witnesses where the problems may or
19 the departure, an agreement made, exists or
20 where the problems are.

21 MR. GLASGOW: Right.

22 CHAIRMAN HOOD: The other ones can

NEAL R. GROSS

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

1 still speak, but let's make sure we hit those
2 highlights.

3 MR. GLASGOW: All right.

4 CHAIRMAN HOOD: Thank you.

5 MR. GLASGOW: Chris, would you,
6 please, identify yourself for the record and
7 proceed with your testimony?

8 MR. DONATELLI: Good evening. I'm
9 Chris Donatelli, President of Donatelli
10 Development, and the managing member of
11 Columbia Heights Ventures Parcel 26, the co-
12 applicant originally with RLARC and now the
13 co-applicant with the District Office of
14 Property Management for Economic Development.

15 As a bit of background, Donatelli
16 Development has been active in Ward 1 for many
17 years, including the U Street corridor with
18 the Ellington and most recently in the
19 Columbia Heights neighborhood beginning with
20 the development of Parcel 15 across the
21 street, Kenyon Square Condominium.

22 The Parcel 26, the subject

1 tonight, wraps around the southwest Metro
2 entrance to the Columbia Heights Metro
3 Station. And a project which Donatelli
4 Development has nearly completed the Highland
5 Park Apartment building.

6 Highland Park is the first phase
7 in the overall development and construction of
8 a significant number of residential units and
9 retail on Parcel 26. As a brief history of
10 the development of Parcel 26, it was initiated
11 by the District with a request for a proposal
12 in July 2001. The RFP for Parcel 26 describes
13 it as a 2.69 acre site and specifically
14 includes the western portion currently
15 occupied the La Casa structure and adjacent
16 trailers.

17 The RFP was explicit that the
18 entire Parcel 26 area was to be developed as
19 predominantly residential use as specifically
20 described in the RFP. Consistent with the RFP
21 and in response to its requirements, our team
22 submitted a proposal on November 5, 2001 and

NEAL R. GROSS

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

1 was awarded the parcel and signed an ERA
2 November of 2002.

3 The development plan attached to
4 the ERA and the same plan included in the RFP
5 would include a new residential on the entire
6 west side of the site. The ERA was the first
7 mention of the La Casa shelter and included
8 language in section 20 that the continued
9 presence of the La Casa shelter remains
10 unresolved.

11 In the event that La Casa was not
12 relocated to another site, the developer shall
13 negotiate diligently to accommodate the
14 continued presence of La Casa until relocated.
15 This language was to accommodate the
16 District's timing of the relocation of La Casa
17 and with respect to the relocation if not
18 accomplished by the District in a timely
19 fashion to delay the developers redevelopment
20 of that portion of Parcel 26 until the La Casa
21 relocation.

22 Following the execution of the MOU

1 in 2004, over the course of the past two
2 years, a series of meetings were held between
3 us and various development agencies, including
4 OPM, DHS, Council Member Graham's Office,
5 RLARC staff, La Casa itself and the Office of
6 Planning Director and staff.

7 With the assistance and guidance
8 of OPM and DHS, we have been able to
9 consolidate multi-agency requirements for the
10 CBRF and develop consensus for its design and
11 program requirements. After gaining this
12 consensus, our team expended its resources to
13 manage a design process and secure the
14 approval of the Office of Planning to submit
15 a PUD application for both the market rate
16 multi-family and CBRF components on the
17 western part of the site currently occupied by
18 La Casa.

19 The PUD application was completed
20 by the team and the PUD application submitted
21 January of this year. I'm sorry, January of
22 '07. As ascribed in the ERA, our portion --

1 our development of that site was delayed until
2 the La Casa relocation to Spring Road and has
3 been heretofore focused primarily on the
4 development of the first phase of the Highland
5 Park building.

6 Although Parcel 26 will study as
7 one, awarded by the District as one and
8 designed that way, the circumstance related to
9 the uncertainty of La Casa has now required us
10 to be flexible in the construction of the
11 building in two stages.

12 Since the development of Parcel 26
13 was to consist of one building to be connected
14 above and below-grade in order to facilitate
15 the construction in two stages, the Highland
16 Park plans on which the building permit was
17 issued in July '05 include the necessary
18 garage level knockout panel to allow the
19 underground connection between the two
20 building phases.

21 This has already been constructed
22 in anticipation of the second phase of the

1 building. With respect to the District's
2 relocation of La Casa, the timing is now
3 appropriate for us to complete the
4 construction of the entire Parcel 26 building
5 and we respectfully request the Commission's
6 consideration and approval to allow the
7 completion of this important project. Thank
8 you.

9 MR. GLASGOW: Are you ready for us
10 to proceed to the next witness?

11 CHAIRMAN HOOD: If we have
12 questions, we'll just key up.

13 MR. GLASGOW: All right. Okay.
14 All right. Thanks. Mr. Caudle, would you,
15 please, identify yourself for the record and
16 proceed with your testimony?

17 MR. CAUDLE: This is working.
18 Good evening. My name is Laurence Caudle.
19 I'm an associate principal with Hickok Cole
20 Architects and with me are my colleagues Holly
21 Lennihan and Eric Inman, who have worked on
22 this project.

1 And I'm going to, I guess, take
2 you through a brief orientation again, because
3 I know we talked about it in bits and pieces
4 along the way, and then walk you through the
5 architecture of the building and then try to
6 answer any specific questions from there.

7 So starting with these three
8 boards here, of course, is a vicinity map of
9 all of Columbia Heights. The subject property
10 is at the intersection of Irving and 14th
11 Street and it's this green and this black bit
12 right here is the piece that we're talking
13 about today.

14 Moving over to this drawing here,
15 a blowup of that, again, this is 14th Street,
16 Irving Street, the new DC USA retail project
17 across the street here. This is the Highland
18 Park which has been mentioned. It's nearing
19 completion. And here is the pieces that we
20 are talking about today.

21 In blue is the CBRF. The tan
22 color is the market rate residential portion.

1 The site for the vehicles as accessed, there
2 is a curbcut here actually to access the
3 below-grade parking garage. And as was just
4 mentioned, there is a knockout panel right at
5 the end of the entry to the garage, so you
6 will either go directly into the parking for
7 this building or loop around for parking of
8 that building. Internally, they ramp by
9 themselves.

10 Over here you can see that
11 connection. This is just the first level of
12 parking garage, knockout panel here and then
13 you begin to circulate for the residential
14 building here. There is a green space in
15 between the two buildings here, designed as
16 one by the landscape architect off of which
17 residential units access.

18 You can see here that part of the
19 design constraints given that it was long ago
20 decided that CBRF would have street frontage
21 on Irving Street and not to shove it to the
22 back. It was important to give this facility

1 presence on the street. The market rate piece
2 ended up with a -- you know, 60 feet of
3 presence. And also, quite frankly, the front
4 door was located way back here.

5 So it really required an unusual
6 design approach for this piece. Therefore, it
7 didn't necessarily carry the architecture of
8 the first phase. That was a little tricky to
9 do. So I think I'm going to just jump right
10 into the building elevations.

11 You can see here is just a piece
12 of the Highland Park building. It goes on for
13 a little bit more to the intersection of 14th
14 and Irving. Here is the space that separates
15 the phases. And this is the piece that we are
16 talking about this evening.

17 Compositionally, we had to do
18 something to bring these two disparate
19 problematic pieces together. And Donatelli
20 had asked us to really develop something
21 iconic that would make this work and hopefully
22 we achieved that.

1 There basically, it's a comp -- we
2 like to call it as a composition of three
3 elements. We have the brick SRO building here
4 right along the sidewalk. We have this stone
5 archway which is -- leads you to glass
6 corridor that leads you back to the lobby
7 proper of the market rate piece. And way back
8 here, 60 feet back off the street, you can see
9 we have developed a very organic glass form
10 that we like to refer to as a pallet lily. So
11 basically, we have those three elements that
12 make one composition, as in classic
13 composition, you often do that.

14 There is sort of a theme in the
15 window pattern that ties them all together as
16 well. Probably a little difficult to see from
17 there, but each of the window openings and the
18 CBRF are patterned vertically and that kind of
19 language runs across into the stone piece of
20 the market rate in the back and even into the
21 rear elevations of the back of the building.

22 VICE CHAIR JEFFRIES: So excuse

1 me, so the design of the CBRF, are we
2 reviewing that now? Is that just a
3 placeholder?

4 MR. CAUDLE: No, no, it's not a
5 placeholder.

6 VICE CHAIR JEFFRIES: That's it.
7 That's how it looks?

8 MR. CAUDLE: This is how it is
9 going to be.

10 VICE CHAIR JEFFRIES: Okay.

11 COMMISSIONER TURNBULL: So you are
12 the architect of record for the CBRF?

13 MR. CAUDLE: Yes.

14 COMMISSIONER TURNBULL: Okay.

15 Great.

16 CHAIRMAN HOOD: Let me understand.
17 The piece that's setback, that's not part of
18 the CBRF? The glass, I forget what you called
19 it.

20 MR. CAUDLE: Correct. This --

21 CHAIRMAN HOOD: That part of the--

22 MR. CAUDLE: You can see the

1 circular form here in the plan.

2 CHAIRMAN HOOD: -- residential?

3 MR. CAUDLE: It's that far back
4 off the street. That's part of the market
5 rate building.

6 CHAIRMAN HOOD: Okay.

7 MR. CAUDLE: And this is a section
8 taken through here, looking back this way at
9 the side. You can see that this is Irving
10 Street right here. The CBRF is basically on
11 the sidewalk, but there is a 60 foot deep
12 corridor to get you back to the market rate
13 building in the back. And this glass form
14 actually goes down into a sunken open
15 courtyard space, which is accessed off the
16 lower club room level here, which is, of
17 course, at the same P1 level.

18 This is actually open to the sky
19 and we really needed to do something dynamic
20 to help lead residents back and make sure
21 there was a clear path for them as well as
22 create a distinguished separate entrance for

1 the CBRF here. So this is the entrance to the
2 CBRF, the entrance to the market rate and the
3 separation between the two phases.

4 This is the alley in the back.
5 There are some ground floor outdoor spaces for
6 all the units. You can see as we step up from
7 the building, we did a lot to relieve and sort
8 of wedding cake the design of the building of
9 the back, changed materials on the upper two
10 floors of metal to help relieve some of the
11 masking of the building at the height.

12 It's interesting, of course, as
13 you note, that there are about 11 actual
14 courtyards here in the back, because of the
15 wedding caking of the building. Six of which
16 meet requirements. Five of which need, I
17 think, minor relief. Another issue we had, of
18 course, was with the penthouse here, right
19 here. There is a little bit of a setback
20 relief.

21 We have an L-shaped building for
22 the CBRF from the upper floors to get windows,

1 light and air for the rooms in the CBRF, so
2 technically our penthouse comes right to that
3 corner. We are well off the property lines,
4 but nonetheless, it comes right to the corner
5 there for upper penthouse.

6 Any questions so far?

7 VICE CHAIR JEFFRIES: What's to
8 the west of the market rate building?

9 MR. CAUDLE: This side?

10 VICE CHAIR JEFFRIES: Yes.

11 MR. CAUDLE: Off our property?

12 VICE CHAIR JEFFRIES: Yes, yes.

13 MR. CAUDLE: Right now, this is
14 pretty much an open back alley area,
15 undeveloped. This is an older four or five
16 story apartment building, a similar building,
17 and I really don't recall what this building
18 looks like here, but it's also an older
19 apartment building.

20 VICE CHAIR JEFFRIES: So --

21 MR. CAUDLE: It's physically an
22 undeveloped site so far.

1 VICE CHAIR JEFFRIES: Okay. So
2 those people that are looking west from the
3 market rate building, they see alley. They
4 see backyards.

5 MR. CAUDLE: They see alley.

6 VICE CHAIR JEFFRIES: Okay.

7 MR. CAUDLE: If I recall, there
8 are a lot of trees back here right now and you
9 will see the backs of the buildings that
10 actually front 16th Street, I think it is.

11 VICE CHAIR JEFFRIES: Is there any
12 chance that that could be developed?

13 MR. CAUDLE: Back in here? The
14 back part is a -- there was an alley
15 configuration, sort of an island back there
16 that is -- they are alley lots.

17 VICE CHAIR JEFFRIES: Okay. Okay.

18 MR. CAUDLE: In fact, we -- as
19 part of the Parcel 26 development, we were
20 directed to close, you know, a series of those
21 alleys.

22 VICE CHAIR JEFFRIES: Um-hum.

1 MR. CAUDLE: Which we did. So
2 that I don't know how they get developed other
3 than someone trying to seek relief from the
4 Board for development on an alley lot.

5 VICE CHAIR JEFFRIES: Um-hum,
6 okay.

7 MR. CAUDLE: This drawing may help
8 a little bit. This is 14th, right?

9 VICE CHAIR JEFFRIES: Um-hum.

10 MR. CAUDLE: 14th Street right
11 here. This is Irving. This is the Highland
12 Park, which as we were saying is nearing
13 completion. The open space in between our
14 phases here and this is the CBRF and this is
15 the market rate piece, which is 60 feet back.
16 So you can see that the adjacent existing
17 older apartment house, there is a rather
18 unusual sort of 60-ish brick three story
19 building here.

20 VICE CHAIR JEFFRIES: Um-hum.

21 MR. CAUDLE: And then back to your
22 typical D.C. residential building here.

1 VICE CHAIR JEFFRIES: Um-hum.

2 MR. CAUDLE: We have a board with
3 some materials. I think Eric is going to walk
4 you thought.

5 CHAIRMAN HOOD: This is board is
6 just -- I'm looking at Eric. Okay. I'm
7 looking at Irving Street now?

8 MR. INMAN: Yeah, you're on Irving
9 Street.

10 MR. CAUDLE: Yes, this is Irving
11 Street. This is -- you are looking here back
12 down. Right across the way for this whole
13 depth is the new DC USA building.

14 MR. INMAN: My name is Eric Inman.
15 I'm with the Hickok Cole Architects. Because
16 this board is so heavy, we're going to leave
17 it up here. Hopefully everyone can see. With
18 the CBRF, the design concept for the materials
19 that we're looking at is something that sort
20 of brings more richness to the neighborhood.
21 The brick that we have chosen for the upper
22 stories is a darker brick to sort of give a

NEAL R. GROSS

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

1 little bit more established look to the
2 building.

3 The base though we wanted to be
4 sort of light and airy to the residents that
5 are coming in and going from the building, so
6 we chose a lighter stone material that goes
7 the entire first floor to the cornice and then
8 above we have the darker brick.

9 Now, within the windows it's a
10 very simple pattern, but we wanted to create
11 a little bit more activity in the window
12 openings. And so what we have done, let me go
13 back over here, we have little metal panels
14 that sort of are laid at sort of a random
15 pattern to sort of give a little bit of
16 interest in the facade.

17 Now, we don't want those colors to
18 be very -- you know, too bright or too
19 overbearing, so we chose a sort of soft yellow
20 and sort of a light sort of a grayish-blue
21 color. These two colors will be metal panel
22 that will be in the facade and then as far as

NEAL R. GROSS

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

1 the frame, the window frames around those two
2 metal panels and the glass will be sort of a
3 creme color. So like a warm creme color.

4 VICE CHAIR JEFFRIES: Do we have a
5 detail, a large blowup of this section of what
6 that looks like?

7 MR. INMAN: I don't think we do,
8 no.

9 VICE CHAIR JEFFRIES: Okay. I
10 would like to, you know, see that going
11 forward.

12 MR. INMAN: Okay.

13 VICE CHAIR JEFFRIES: Can you?

14 COMMISSIONER TURNBULL: I think we
15 asked last time for some better drawings, some
16 more color renderings, some better inputs of
17 a lot of the parts of the building and I think
18 that was noted in our last hearing.

19 MR. INMAN: I was not aware that
20 we needed larger than what we have shown
21 today.

22 MR. GLASGOW: Commission Members,

1 we do have some renderings that we can submit
2 that you can take a look at and they may give
3 you a feel for what is being discussed.

4 CHAIRMAN HOOD: Do we have enough
5 copies?

6 MR. GLASGOW: How many copies do
7 we have? 20?

8 VICE CHAIR JEFFRIES: I mean,
9 because, you know, obviously, you are, and I
10 appreciate it, I mean, departing from some
11 more conventional design elements and so forth
12 and that's great, but, you know, obviously, we
13 just need to make certain we're clear about
14 how some of these various materials are
15 connecting and all that.

16 MR. GLASGOW: We will get the
17 Commission Members, we have sets --

18 VICE CHAIR JEFFRIES: Okay.

19 MR. GLASGOW: -- of some rendered
20 elevations that may be helpful.

21 VICE CHAIR JEFFRIES: Okay. And
22 see, that would be a lot more helpful. Yes,

1 okay.

2 MR. GLASGOW: Okay.

3 MR. INMAN: The glass system that
4 we will be using for the CBRF is more in a
5 brown tone to sort of go better with the brick
6 and to also, I think, give a little more
7 privacy from -- for the residency and for
8 those on the street.

9 Now, the market rate portion that
10 we are calling, we sort of have a front and a
11 back. And they are all within the same
12 pallet, but we ended up using two different
13 types of glass. So on the front, the entry
14 piece that we spoke of that was sort of right
15 here, this entry portal, that is of a dark
16 stone nature and it has a little bit of
17 texture to it, so it feels a little more.
18 Maybe we should pick it up just a tad.

19 MR. GLASGOW: We have two sets of
20 the drawings. We thought we had 20, but we
21 have ended up with two.

22 CHAIRMAN HOOD: That's good.

1 MR. INMAN: And then but the
2 majority of the facade is a light colored
3 stone that has a little bit of a relationship.
4 In fact, it's the same stone that we are using
5 on the CBRF base, so that there is a
6 relationship between the two, the two fronts.

7 Now, the large glass element will
8 have more of a reflective glass. It has a
9 light mirrored finish to it. So that -- it's
10 for a couple of reasons. It's on the north
11 facade, so it's not going to get a lot of
12 sunlight and a lot of reflection, so we wanted
13 to add the mirrored effect again to also give
14 a little more privacy to those outside and
15 inside, that sense of privacy.

16 The window frame system that we
17 will be using is just sort of a simple silvery
18 color. And then that will also be the window
19 frame system that is used on the rear of the
20 building. On the rear of the building, we
21 sort of depart a little bit from that real
22 clean crisp look, give a little more texture

NEAL R. GROSS

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

1 to the back.

2 The window system that we chose is
3 a little bit more transparent. It's sort of
4 a bluish-green glass and it has -- does not
5 have the same mirrored reflective finish,
6 because that will be getting light from
7 different -- more direct light. We don't want
8 to bounce it up to the neighbors of the
9 Highland Park Project as well.

10 The veneer that we will be using
11 is sort of a large masonry ground face
12 material. The upper portions and the base
13 will have a more rusticated -- same material,
14 more rusticated stone CMU. The top floors
15 will have sort of a metal panel. And the
16 metal panel is of a lighter tone to sort of
17 reflect more of the sky back to it, to also
18 make it feel less massive.

19 And then we have the sort of
20 screen elements that are off on the balconies
21 and they will be sort of this decorative
22 metal. Are there any questions?

1 CHAIRMAN HOOD: If I'm looking at
2 this right, this is southbound, right? I'm
3 looking southbound?

4 MR. INMAN: Yes, you are.

5 CHAIRMAN HOOD: Okay.

6 MR. INMAN: That is correct.

7 MR. GLASGOW: We are awaiting
8 whether there are any questions on this part.

9 CHAIRMAN HOOD: The old portion
10 that is connected to the -- well, let me back
11 up. Phase 1, the already existing structure.
12 That little piece, that link --

13 VICE CHAIR JEFFRIES: The
14 appendage.

15 CHAIRMAN HOOD: Okay.

16 VICE CHAIR JEFFRIES: That's what
17 I called it.

18 CHAIRMAN HOOD: The appendage of
19 whatever. You may have already asked this
20 question. To me, that link seems kind of
21 weak. I don't know. What is that that's
22 making them link up? The garage, I think at

NEAL R. GROSS

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

1 some point, but what is that that I'm looking
2 at? And if you could use this one that's
3 already up, that helps me better than -- to my
4 left. Right.

5 MR. CAUDLE: I just want to put
6 the plan over here to tell you what happens in
7 the plan. This is -- with the market rate
8 piece, this is the corridor bridge, glass
9 bridge that brings you back to the lobby
10 proper. This is the mail room here. This is
11 now existing of amenity space for Highland
12 Park.

13 What is hard to define here is the
14 fact that there is a wall around this piece.
15 It's a little hard to see in the rendering.
16 The wall around that encloses a courtyard
17 space. There is also a gate here. This is a
18 loading space for the Highland Park back in
19 this area here, but the connection connects to
20 another amenity space in the Highland Park and
21 all of these spaces here open up onto this
22 shared outdoor space here.

NEAL R. GROSS

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

1 CHAIRMAN HOOD: I guess what I'm
2 on is I was trying to figure out what was the
3 need and why was that done? I guess I don't
4 understand. Because here is my issue. As we
5 get into the -- off of 14th Street, it appears
6 that we are getting to what 85 feet? What is
7 the height of the building?

8 MR. CAUDLE: It does vary. It's
9 under the 90 feet of the PUD.

10 CHAIRMAN HOOD: Right.

11 MR. CAUDLE: It varies from -- on
12 the -- the CBRF is at 85 feet 4 inches.

13 CHAIRMAN HOOD: Okay.

14 MR. CAUDLE: The market rate piece
15 is at 84 feet 8 inches.

16 CHAIRMAN HOOD: And that's on
17 Irving Street. I guess maybe I can ask Office
18 of Planning. I was just wondering. Do we
19 have some Height Act issues here? I don't
20 understand.

21 VICE CHAIR JEFFRIES: You are
22 dealing with the width of Irving versus 14th

1 Street where they are taking the measurement.
2 This looks like the Dorchester case a lot to
3 me.

4 CHAIRMAN HOOD: And it goes back
5 to my saying, what I have always said about
6 14th Street and the height, and this is now
7 we're starting encroaching to the
8 neighborhood. But anyway --

9 VICE CHAIR JEFFRIES: I'm just
10 trying to get my arms around the fact that
11 this represents two buildings -- represents
12 one building, that's what you are telling us.
13 This, this and this.

14 MR. GLASGOW: Yes.

15 VICE CHAIR JEFFRIES: We should
16 look at this as one building.

17 MR. GLASGOW: That is correct.
18 And there are a number of examples of that,
19 including Columbia Plaza, that are linked in
20 that fashion. The what's it called now, the
21 Wardman Park Hotel? And we can get some
22 aerial photographs of those structures.

1 CHAIRMAN HOOD: I mean, maybe it
2 would be helpful.

3 MR. GLASGOW: Right.

4 VICE CHAIR JEFFRIES: Yeah,
5 because I'm remembering, I think it was, Paul
6 Tummonds, I don't know what firm he is with,
7 but it was the Dorchester Apartments on 16th
8 Street and we had a very similar situation
9 where they were measuring off of 16th Street,
10 rather than -- which had an obviously wider
11 thoroughfare, because they could -- so that's
12 sort of what I'm talking about.

13 MR. GLASGOW: Right. And I have
14 read the order of the Commission. The
15 Commission ultimately determined in that case
16 that they had a problem with the height of the
17 building on 17th Street.

18 VICE CHAIR JEFFRIES: Um-hum.

19 MR. GLASGOW: But they did agree
20 that there was not a 1910 Height Act
21 violation.

22 VICE CHAIR JEFFRIES: You didn't--

1 you rejected that PUD.

2 MR. GLASGOW: That's correct.

3 VICE CHAIR JEFFRIES: Yes.

4 MR. GLASGOW: That's correct. The
5 PUD -- and I think that the situation along
6 Irving Street and facing DC USA, which is a
7 500,000 square foot retail establishment, and
8 being right on top of a Metro Station, which
9 we are, and being right next to 14th Street,
10 we have a lot of things that are a lot
11 different than the community.

12 VICE CHAIR JEFFRIES: It's a
13 different context. I got you. What's the
14 height of the USA building?

15 MR. GLASGOW: The USA building is
16 65 feet in height.

17 VICE CHAIR JEFFRIES: And it goes
18 all the way back? It's one?

19 MR. GLASGOW: It's very large.
20 It's very large. I represent GRID and I've
21 handled their BZA case and all of that. I
22 think we had a drawing that showed a little

NEAL R. GROSS

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

1 bit.

2 VICE CHAIR JEFFRIES: Yeah.

3 MR. GLASGOW: So you can get a
4 feel for it, because it goes from -- it's over
5 a 3 acre floor plate, as I recall.

6 VICE CHAIR JEFFRIES: Right,
7 right, yeah.

8 MR. GLASGOW: In fact, if that's
9 2, then it's more than that, because our site
10 is what 2.69 total? Yes, because it's over
11 100,000 square feet, that's over 2.5 acres.
12 So that's probably 4 or 5 acres, the DC USA
13 site as a single project right across the
14 street.

15 CHAIRMAN HOOD: Okay.

16 VICE CHAIR JEFFRIES: But you know
17 the point that I'm trying to make here?

18 MR. GLASGOW: Yes.

19 VICE CHAIR JEFFRIES: I mean, and
20 I know, you know, in terms of, you know, case
21 law and -- I mean, it's designed -- I mean,
22 any person that's walking along here will look

NEAL R. GROSS

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

1 at this as a separate building from Phase 1.
2 I mean, but, you know, technical reasons and
3 understanding, you know, that you had to split
4 this up into a Phase 2, because of liability
5 tied to what was going on here for the
6 shelter, you are making the case that we are
7 to look at this as one building.

8 And I actually appreciate some of
9 your commentary about a different context than
10 the Dorchester case and transit oriented
11 development and the DC USA. I'm just more
12 dealing with the configuration of how you got
13 to the envelope you have, yes.

14 MR. GLASGOW: Right. And that
15 configuration was in a situation where we made
16 a determination to do a setback on the -- and
17 create separation between those buildings in
18 that manner, just because part of it was just
19 the way that the trailers were laid out and
20 they historically have been there along that
21 long part of the site.

22 So in that sense, there weren't a

1 lot of choices and we already were giving up
2 a lot of frontage along Irving Street when we
3 agreed to -- I guess you could have said well,
4 if you all had been more clever, maybe you
5 would have turned that site this way and I
6 think that would -- may have exacerbated some
7 of the other issues that we had if we had done
8 that.

9 CHAIRMAN HOOD: I'll say this, Mr.
10 Glasgow. I think you all -- and I'm not
11 talking the project down, because actually I
12 like to see the CBRF piece. I like the
13 spiral. I thought that was great. But for me
14 to, as my colleagues say, wrap my hands around
15 this being one building has really, to me,
16 shown some creativity. Not that I necessarily
17 agree with it or trying to -- it's creativity.

18 I don't know if these architects--
19 I'm not an architect, so I'm -- I'll use my
20 words. But I just -- that remains to be seen.
21 I need to talk to the Office of Planning also,
22 because I understand this one building

NEAL R. GROSS

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

1 concept.

2 Now, where is the entrance, the
3 main entrance? And I know the Height Act, I
4 believe, talks about, and I don't want to get
5 too much into that, but, from the street where
6 your entrance is or to that effect. Something
7 similar.

8 MR. GLASGOW: Well, I think --

9 CHAIRMAN HOOD: Where is your
10 entrance?

11 MR. GLASGOW: -- the Height Act --
12 there are a couple of entrances to the
13 different portions of the building. The main,
14 I guess, entrance to Highland Park is off of
15 Highland Street. I mean, off of Irving
16 Street. It's off of Irving about the middle
17 of the building here. Right, right.

18 CHAIRMAN HOOD: So that's where
19 you measured?

20 MR. GLASGOW: No, no, that's not.
21 You take your measuring -- when a building
22 fronts on more than one street, and this was

1 the debate that we had with the, who was it,
2 NCPC on the property -- on the project that
3 was New York and Florida Avenues. They
4 essentially were reading that part out of the
5 Height Act.

6 Because when a building fronts on
7 more than one street, you can select the front
8 that you want, that frontage that you want.

9 CHAIRMAN HOOD: Okay.

10 MR. GLASGOW: And so you can
11 select 14th Street, even if the entrance is
12 off of Irving Street. That was what that
13 whole case was about. They were telling us
14 that we couldn't use New York Avenue for a
15 point of measurement under the Height Act,
16 because they said the building didn't front on
17 New York Avenue.

18 We said well, the building in a
19 sense didn't front on Florida Avenue either,
20 because you drove up into the entryway that we
21 worked on the design so much, and you came up
22 into the site and the main entrances to the

NEAL R. GROSS

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

1 building faced each other on neither street.
2 But the building clearly fronted on both New
3 York and Florida Avenues.

4 CHAIRMAN HOOD: Okay.

5 MR. GLASGOW: It was a --

6 CHAIRMAN HOOD: Let me come back
7 across town now, because I want to make sure
8 I don't get confused.

9 MR. GLASGOW: Okay.

10 CHAIRMAN HOOD: Now, where do we
11 take this measurement from?

12 MR. GLASGOW: The measuring point
13 would come from the -- the measuring for the
14 1910 Height Act purposes, the frontage is 14th
15 Street, because you've got a corner lot.

16 VICE CHAIR JEFFRIES: It's 14th
17 Street because they connected the buildings.

18 CHAIRMAN HOOD: That's very
19 creative, that's my point. It's getting to be
20 very creative. Anyway, we'll --

21 MR. GLASGOW: Well, if we didn't
22 have the trailers, we wouldn't have all of

NEAL R. GROSS

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

1 that debate.

2 CHAIRMAN HOOD: I'm just saying
3 that, you know, you heard my comments.

4 MR. GLASGOW: Right.

5 CHAIRMAN HOOD: On that CBRF
6 piece. Anyway, all right. Do you all have
7 anything else?

8 MR. GLASGOW: With respect to the
9 architectural portion, have you all completed
10 your testimony?

11 MR. CAUDLE: I think we have
12 unless you have any other specific questions.

13 CHAIRMAN HOOD: Okay. Who did you
14 have next?

15 MR. GLASGOW: We had two other
16 witnesses. One is the traffic consultant.

17 CHAIRMAN HOOD: Let me ask, does
18 anybody -- this is sitting over top of the
19 Metro Station. Does anybody need to talk
20 about the level of service? I mean, if you
21 can, we can bring him up. We can -- once we
22 finish wrapping it all up, we can ask

NEAL R. GROSS

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

1 questions if need be, because we kind of went
2 through DDOT's letter.

3 MR. GLASGOW: Okay.

4 VICE CHAIR JEFFRIES: Well, what
5 is the parking, by the way?

6 MR. GLASGOW: The parking that we
7 have provided and we're going to ask for some
8 flexibility, Members of the Commission, we
9 have 82 parking spaces, I think, was our last
10 count for 69 units. We're going to want to
11 have flexibility to reduce that to 64 spaces.

12 VICE CHAIR JEFFRIES: What was the
13 ratio? I guess that was what I was getting
14 at.

15 MR. GLASGOW: It's about 1.15.

16 VICE CHAIR JEFFRIES: It was 1
17 point something. Okay.

18 MR. GLASGOW: 1.15 per unit.

19 VICE CHAIR JEFFRIES: Okay. I
20 mean, you know that we typically up here, you
21 know, obviously don't like to over-park sites
22 and all that.

1 MR. GLASGOW: Right.

2 VICE CHAIR JEFFRIES: I mean, when
3 you are making a case of a TLD, but -- so but
4 you're trying to -- you want to take it --

5 MR. GLASGOW: We want flexibility
6 to go down to 64 spaces.

7 VICE CHAIR JEFFRIES: If that
8 would be easy. Okay. Thank you.

9 MR. GLASGOW: All right.

10 CHAIRMAN HOOD: Who was your other
11 witness?

12 MR. GLASGOW: The -- well, we have
13 the report of Mr. Sher and as you can see, Mr.
14 Sher is not here today. He is out of town.

15 CHAIRMAN HOOD: Okay.

16 MR. GLASGOW: But we do have Mr.
17 Williams to answer anything with respect to
18 land planning.

19 CHAIRMAN HOOD: Okay.

20 MR. GLASGOW: Because of the
21 nature of the DDOT report, I wasn't planning
22 on -- I was -- we were going to have DDOT --

NEAL R. GROSS

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

1 our traffic consultant available for questions
2 if the Commission had any.

3 CHAIRMAN HOOD: Okay.

4 MR. GLASGOW: I had no idea what
5 they would, you know, say in their report.

6 CHAIRMAN HOOD: Right.

7 MR. GLASGOW: So we wanted to be
8 prepared.

9 CHAIRMAN HOOD: Well, from what we
10 have, I think we resolve that we have many one
11 or two more issues we need to look at.

12 MR. GLASGOW: All right.

13 CHAIRMAN HOOD: That you disagree
14 with. The \$20, I don't think that's a show
15 stopper or will break any of us up here. And
16 I forgot what the other one was, but I don't
17 think it was a show stopper.

18 MR. GLASGOW: The other one was
19 the Flexcar that they wanted in the garage.

20 CHAIRMAN HOOD: Yes, we don't --

21 MR. GLASGOW: And we said no.

22 CHAIRMAN HOOD: Past -- I'm not a

NEAL R. GROSS

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

1 historian, but past practices, we don't
2 usually do that.

3 MR. GLASGOW: Right.

4 CHAIRMAN HOOD: So okay. Any
5 other questions of the applicant? Okay. We
6 may have some at the end, towards the end.

7 MR. GLASGOW: All right. I think
8 unless the Commission has any questions on the
9 planning report, we can conclude our direct
10 presentation now and be available for any
11 further questions on that. If you do need to
12 get more copies of the -- do they have copies
13 of the sign? Oh, great. Okay. Thank you.

14 CHAIRMAN HOOD: Let me ask. Is
15 there anyone here in opposition? Okay. I
16 always ask that question early.

17 MR. GLASGOW: And we appreciate
18 that, Mr. Chairman. Yes, because we thought
19 to have this mix of uses in the middle of the
20 residential community with the CBRF and the 20
21 percent of the affordable and whatever and
22 work that through with the community and the

NEAL R. GROSS

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

1 Council Member and the developer to --
2 everybody came to agreement along that, we
3 thought was very positive.

4 CHAIRMAN HOOD: Okay. Any other
5 questions of the applicant? We don't have
6 any. ANC, anyone here representing the ANC-
7 1A? They do have a letter, but I was going to
8 give them cross examination. Okay. Now,
9 we'll go to the Office of Planning report.
10 Mr. Cochran and Ms. Steingasser.

11 MR. COCHRAN: Thank you, Mr.
12 Chair. For the record, my name is Steve
13 Cochran with the D.C. Office of Planning. You
14 have seen our final report and you know that
15 OP supports the development of the requested
16 condominiums and community-based residential
17 facility on this site.

18 We support the development of the
19 overall site. The proposed PUD would be
20 consistent with the Comprehensive Plan and it
21 would be of considerable benefit to the
22 District and to the Columbia Heights

NEAL R. GROSS

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

1 neighborhood.

2 The proposal is consistent with
3 the goals and objectives of the Comp Plan. It
4 would redevelop an under-utilized property
5 near a Metro Station with a mix of uses. This
6 property has been lying vacant pretty much
7 since the Martin Luther King disturbances in
8 1968.

9 The development would provide 55
10 of market rate condominiums, 16,000 square
11 feet or, approximately, 14 units for sale
12 housing that's affordable to households making
13 up to 80 percent of the AMI, of the area
14 median income. It would also further the
15 provision of housing for the homeless through
16 a 104 bed community-based residential
17 facility.

18 Everyone using the development
19 will have access to mass transit and to
20 neighborhood-serving retail. The site is
21 split zoned. The eastern portion is C-3-A and
22 the western portion is R-5-B. That's of the

NEAL R. GROSS

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

1 area where there would be the addition to the
2 Highland Park Apartments.

3 The requested Zoning Map Amendment
4 associated with the project would not pose any
5 negative impacts on the community nor would it
6 compromise the integrity or intent of the
7 Zoning Regulations. We had addressed this
8 both in the set down report and in our final
9 report.

10 I would like tonight just to
11 review what our final report had noted as
12 remaining issues in light of some of the plan
13 changes and the additional information that
14 the applicant has provided since our final
15 report was submitted to you all on January
16 25th.

17 There is a question of the
18 adequacy of the connections among the
19 different components of this site and that has
20 raised questions about whether the project
21 constitutes one building that could draw
22 height off of 14th Street for all of its

NEAL R. GROSS

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

1 components. You have heard considerable
2 discussion about that tonight.

3 To some extent, the applicant has
4 already stated the 2003 Land Development
5 Agreement for the site clearly indicated that
6 the site would include the Highland Park
7 Apartments, the condominiums and the CBRF.
8 They were all offered as one site. And the
9 plans accompanying the Land Development
10 Agreement showed the location of all three
11 components.

12 The applicant has described why
13 the parcel disposition was separated into an
14 east and a west section after that original
15 LDA. Since OP's report was filed, the
16 applicant has revised projects -- let me try
17 that again.

18 Since OP's report was filed, the
19 applicant has revised its project plans to
20 unite the three components: The apartments,
21 the condominiums and the CBRF, so that it will
22 be possible to walk through enclosed above-

1 grade space from the lobby of the apartment
2 building that fronts on 14th Street through
3 the apartment buildings ground floor to its
4 community room, that is to the lobby of the
5 condominiums and from that lobby through a
6 gallery into the CBRF's ground floor.

7 The applicant has stated that it
8 intends the condominium residents to be able
9 to use the apartment's community room and
10 other community facilities. Functionally, as
11 the applicants described tonight, no one of
12 these components stands alone without an
13 interconnection to another.

14 However, OP recommends that the
15 applicant be asked to provide, prior to your
16 decision, a letter guaranteeing access among
17 the components and further describing the
18 cross-usage of the community facilities by the
19 apartment and the condominium residents.

20 The second point is if the
21 components are considered as one building,
22 there is no building height issue.

NEAL R. GROSS

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

1 The third point, the applicant has
2 submitted a revised development sheet tonight
3 to reflect the inclusion of the Highland Park
4 Apartments in the PUD. OP received this sheet
5 today. We haven't yet had an opportunity to
6 review it in thorough detail, but it does
7 appear consistent with the relief that the BZA
8 granted to the Highland Park Apartments
9 previously and consistent with the relief that
10 the applicant had previously requested for the
11 western portion of the site.

12 Now, the applicant still needs to
13 address a fourth point, which is to provide
14 information about the unit type and
15 distribution for the affordable dwelling units
16 that would comprise 20 percent of both the
17 apartment and the condominium components. The
18 applicant has guaranteed that they will be
19 there, but, typically, we need to see how the
20 distribution will be placed among the
21 buildings.

22 The units would be retained as

1 affordable units for at least 20 years and the
2 entire CBRF would be affordable.

3 With respect to the rear yard
4 depth, OP had recommended that this be
5 approved, provided the applicant provided
6 additional screening for the rear units. The
7 applicant has done this through the provision
8 of glass block on the rear of the condominium
9 units.

10 The applicant had requested relief
11 for five open courts and for the size of one
12 closed court. OP had recommended approval
13 contingent on additional shadow studies. The
14 applicant has provided these and it is
15 indicated that the courts on the east side of
16 the condominium building appears to have
17 adequate light. I believe that the shadow
18 studies indicate that.

19 The courts on the west side of the
20 building would have about three hours of
21 direct light every day and more indirect light
22 throughout the day. Since the alternative to

1 this west court would be to construct the
2 condominiums right up to the property line, OP
3 feels that it is preferable to provide some
4 outdoor space with limited light, rather than
5 no outdoor space at all. And OP, therefore,
6 recommends approval of this relief.

7 For parking. Section 2100 of the
8 Zoning Regulations requires that the CBRF
9 provide 10 parking spaces for the proposed 104
10 beds. Since set down, as you know, the
11 applicant has revised its plans. It now would
12 allocate three of the condominium parking
13 spaces to parking for the CBRF staff. That
14 had been three of the spaces for the 82 units.
15 I'm not sure how that works with the suggested
16 relief to 69 spaces.

17 OP recommends approval of the
18 requested parking relief, since the
19 applicant's site is adjacent to the Metro and,
20 of course, contingent upon clarification of
21 how those spaces would work with the newly
22 requested relief.

1 For the loading berth size of the
2 residential condominium and the loading
3 platform, the applicant has already stated
4 that after the initial move-in, the number of
5 times per year that a 55 foot truck would make
6 deliveries to the site would be minimal. OP
7 is -- certainly recommends that the applicant
8 consider restricting deliveries to 35 foot
9 trucks, but we recommend, regardless, that the
10 overall relief be approved for the loading
11 berth and the loading platform.

12 There were issues as of our final
13 report relating to the parking, loading and
14 delivery spaces for the CBRF. The applicant's
15 revised drawings reflect that they are now
16 going to provide relief for the CBRF off of
17 the condominium's rear loaded -- loading berth
18 and delivery platform.

19 The CBRF would access these
20 delivery spaces and the berth via an elevator
21 that connects to the underground garage that
22 would be underneath the market rate and CBRF

1 components or via a walkway connecting the
2 loading spaces behind the market rate units to
3 the CBRF.

4 The applicant would also permit
5 the CBRF to use the loading docks the
6 apartment building has off of Irving Street if
7 this were approved by DDOT, which it has not
8 been. So the other scenario would prevail
9 using the loading berths off the back of the
10 market rate unit.

11 OP recommends approval of this
12 relief, especially since DDOT, in its letter
13 dated the 25th, has approved this. These
14 loading provisions should be adequate for the
15 daily food and linen deliveries for the CBRF.

16 The single enclosure and the
17 uniform height of the roof structures had
18 remained an issue. The applicant has
19 demonstrated the need for and the
20 appropriateness of the requested relief for
21 uniform roof structure enclosure heights. And
22 since the applicant considers the components

NEAL R. GROSS

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

1 to be one building, it needed to reinstate its
2 request for relief for multiple roof structure
3 heights.

4 And I believe that it has done so
5 tonight. If it hasn't, I'm sure the applicant
6 will be. OP recommends that such relief from
7 section 411 be approved. Now, relief is also
8 needed for the multiple roof structures.
9 Again, the applicant has requested these
10 tonight, so not just the multiple roof
11 structures, but also the relief from different
12 heights for the roof structures. OP
13 recommends approval for both of those. The
14 applicant has clarified this tonight.

15 With respect to materials and the
16 temporary appearance of the CBRF facade, the
17 applicant submitted material samples tonight.
18 And the plans show that the symbolic
19 fenestration that the applicant would provide
20 on the north side of the market rate units
21 until the CBRF is completed, that this
22 decoration, fenestration, art piece, whatever

NEAL R. GROSS

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

1 you might want to call it would certainly be
2 more substantial than had been previously
3 shown and OP recommends that this be approved
4 also.

5 We do have an Agency comment. As
6 you know, DDOT submitted its memorandum dated
7 the 25th of January. The applicants agreed to
8 all of the conditions in the DDOT memorandum
9 with -- except with respect to two components.
10 The applicant has said that it would be able
11 to supply a Zipcar space through an off space
12 -- off-street space, rather than through the
13 garage.

14 And with respect to Metro Fast
15 Pass, the applicant has offered to provide
16 such a card to each unit on initial move-in,
17 rather than to each tenant upon their moving
18 into a unit as DDOT prefers.

19 ANC-1A has voted to support the
20 project, 9-0-1. So all in all, OP recommends
21 this project for approval. It would be very
22 beneficial for both the neighborhood and the

NEAL R. GROSS

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

1 city at large. It provides market rate units,
2 affordable units and facilitates the provision
3 of facilities for the homeless.

4 The design is excellent. We
5 recommend that the Commission approve the
6 project, subject to a determination that the
7 project's components are one building and to
8 DDOT's reaction to the applicant's offer with
9 respect to Metro cards. And of course, I
10 would be happy to answer any questions.

11 CHAIRMAN HOOD: Thank you, Mr.
12 Cochran. Ms. Steingasser, are you going to
13 say anything?

14 MS. STEINGASSER: No.

15 CHAIRMAN HOOD: Okay. Mr.
16 Cochran, let me just ask you one question.
17 And I realize that you approved a lot of the
18 issues that were outstanding. In a planning
19 perspective, is this one building?

20 MR. COCHRAN: Planning doesn't
21 determine whether it's one building or not.

22 CHAIRMAN HOOD: I know the

1 regulations. Let me just ask you like this.

2 MR. COCHRAN: Okay.

3 CHAIRMAN HOOD: Forget about
4 throwing in plans. I was trying to give it to
5 you, but I'm just going to ask you. Is this
6 one building?

7 MR. COCHRAN: It's not -- it's
8 either -- it's up to the Zoning Commission to
9 determine whether it is satisfied that there--
10 the connections are adequate to make it into
11 one building. The Zoning Administrator will
12 also, of course, have to look at it when the
13 building permit request is filed.

14 CHAIRMAN HOOD: Okay.

15 MR. COCHRAN: And determine
16 whether it meets the one building standards
17 and all of it can pull the height off of 14th
18 Street. I don't --

19 CHAIRMAN HOOD: Okay.

20 MR. COCHRAN: -- feel --

21 CHAIRMAN HOOD: Okay. You
22 answered my question.

1 MR. COCHRAN: Yes.

2 CHAIRMAN HOOD: That's good. The
3 other issue is the set down report. The last
4 sentence that you have says "OP will also work
5 with community and applicant to address any
6 community issues and to assure that the public
7 benefit package is commensurate with the
8 requested flexibility." Is that -- is it your
9 testimony that has now been taken care of
10 overall?

11 MR. COCHRAN: OP has not been in
12 direct contact with the community. However,
13 we do view the unanimous vote of the ANC to
14 indicate that the community benefits package
15 is more than satisfactory. We point out that
16 20 percent of the project is going to
17 affordable housing. In addition to the
18 affordable housing, you also have at least the
19 donation of the land and the design of the
20 CBRF to the level that is necessary to get
21 this approved. That's pretty substantial.

22 CHAIRMAN HOOD: Okay. And you

1 commented on the parking, the newly parking
2 request to 64. And is it Office of Planning's
3 position it is not a big issue, since it's
4 sitting on top of the Metro?

5 MR. COCHRAN: Well, it's also what
6 Mr. Glasgow indicated. They may be asking for
7 relief, even the lower level is still above
8 what would be required by the parking
9 regulations. So no, we would certainly not
10 view it as, like you said, a big deal.

11 CHAIRMAN HOOD: Because I think
12 you asked for 64, not 69, right?

13 MR. GLASGOW: That's correct.

14 CHAIRMAN HOOD: All right. Let me
15 open it up.

16 COMMISSIONER TURNBULL: Mr. Chair?

17 CHAIRMAN HOOD: Mr. Turnbull.

18 COMMISSIONER TURNBULL: Thank you.
19 Mr. Cochran, I think we all recognize that
20 this is an exciting project and a very
21 important project. I guess what troubles me
22 about this is the process that the applicant

NEAL R. GROSS

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

1 is going through right now. You commented
2 earlier that this was always to be considered
3 one site.

4 But if I go back to our November
5 hearing, and I didn't go into the applicant's
6 book from the November hearing, the big issue
7 that we had was trying to -- and I'll read you
8 from it. That the Zoning Regulations provide
9 that "when two portions of a structure
10 separated from the ground up or from the lower
11 floor, each portion shall be deemed a separate
12 building. Because there will be no meaningful
13 above-grade communication between the
14 condominium and the CBRF, the applicants agree
15 that these two portions of the PUD are
16 properly treated as separate buildings for
17 zoning purposes."

18 So our whole thrust of that
19 conversation back in November was whether we
20 had two buildings on that one little site. No
21 talk about an addition, which is now the
22 thrust of what we're doing. It's like a baby

NEAL R. GROSS

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

1 looking for a mother and I find that awkward.
2 I find that troubling that at this point we're
3 now coming back and saying by putting on this
4 little glass addition, this little glass
5 connection at the ground floor, you have made
6 an addition.

7 The other thing that I'm upset
8 about is you said it's an excellent design.
9 And I have no doubt that there are probably a
10 lot of features of this to make it an
11 excellent design, if we could actually tell
12 what the design is. We asked for better
13 drawings, not only myself, but Mr. Parsons, to
14 clearly define what the elevations and
15 everything is.

16 The only things we got tonight
17 that really give us a good view are these
18 little sketches that start to really -- rather
19 than the 8th inch elevations that are up
20 there. How can we really tell? How can this
21 Zoning Commission really tell what each
22 elevation is going to look like?

NEAL R. GROSS

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

1 There's a lot of features of it
2 that we can tell that are very excellent. But
3 I think for us to really look at it from a
4 standpoint of design, we need better drawings.
5 We didn't talk about the sustainable features.
6 And I wasn't going to bring it up. I'm tired
7 of it. You should bring that up and tell us
8 where we're going with it.

9 We didn't get that tonight and I
10 think it's important for us to know that. I'm
11 just concerned that all of a sudden we have
12 got an addition with this little tiny link
13 that says this building, by the way, is an
14 addition on to that building. And I would
15 agree with Chairman Hood. It's, at this
16 point, very difficult for us to buy that.

17 It's like we've got to find a
18 solution. Let's call it an addition. We can
19 get extra height. And that is troubling.
20 This is an excellent project that this
21 applicant is, I think, treating a little
22 sloppily tonight.

1 We don't have the evidence that --
2 I mean, this is an excellent project from what
3 it's trying to do. I just think process wise
4 it's not being handled right. And I don't
5 mean to get upset, but I'm just -- we come
6 here tonight to try to look at these things
7 carefully and deliberate on them and when we
8 don't have the information, it's upsetting.

9 MR. COCHRAN: Excuse me, OP would
10 -- will certainly work with the applicant to
11 make sure that they submit the additional
12 information that you have requested.

13 COMMISSIONER TURNBULL: Thank you.

14 CHAIRMAN HOOD: Okay. Thank you.
15 And very well said, Commissioner Turnbull,
16 very well said. Anyway, I better keep my
17 comments.

18 MR. GLASGOW: Mr. Chairman, if I
19 could, I did want to state one thing. We had
20 anticipated going forward with the building
21 addition ourselves for years. Now, the -- how
22 that translated in the PUD process that was

NEAL R. GROSS

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

1 dealt with recently with the Office of the
2 Attorney General and that's fine with us. We
3 understand that those types of rulings and
4 decisions can be made.

5 It was not our position when it
6 was first brought to our attention that we had
7 to add the Highland in to this, because it was
8 approved by the Board of Zoning Adjustment.
9 It had already been constructed. We didn't
10 think that we had to add it into the PUD.

11 We were told that the Office of
12 the Attorney General viewed that we did have
13 to add it into the PUD and we said fine. It's
14 easy enough for us and I understand it's easy
15 for us to say, because we had already been
16 through a BZA process. We knew what all the
17 computations were. We knew what the building
18 looked like. It's there. It's permitted.

19 So it was relatively easy from our
20 standpoint and I can understand why from the
21 Commission's standpoint it's a different
22 situation not having all of those years of

NEAL R. GROSS

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

1 knowledge and intimate involvement with
2 respect to the phasing of the project.

3 But we did just -- we were just
4 advised of that recently. And it was not
5 anything other than that. And then it was
6 brought to OAG's attention that that's how
7 they would rule, rather than provide documents
8 and an argument here and say well, this is why
9 we don't think we have to do it, because there
10 is no specific prohibition in Chapter 24 from
11 that. And their view was that it only refers
12 to a building in Chapter 24.

13 And so it was okay with us. We
14 said okay, we'll just go with that and we will
15 add that in to the presentation and into the
16 documentation, as a point, and we get to the
17 hearing. Part of the other issue with respect
18 to that is the Commission's own rules. And
19 that is that you can't file anything.
20 Whatever you file 20 days in advance, that's
21 what it is until you get to the day of the
22 hearing.

NEAL R. GROSS

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

1 And that, I've always thought,
2 really works to the disadvantage of everybody.
3 Because if there's something like this that is
4 coming up, if it comes up within the 20 days
5 and at 10 days we could have gotten new sets
6 of documents or whatever, just by example, I'm
7 not saying we would have had everything in
8 there, but you can't file anything until you
9 walk into the hearing room.

10 So that when you are doing some
11 back and forth with the Office of Planning and
12 we appreciate how they have cooperated in this
13 in resolving issues and going through plans
14 and all of that, we can't get that to the
15 Commission until the night of the hearing.
16 And I think as you are going through your
17 regulations, you may want to think about doing
18 something with respect to that 20 day rule,
19 because that does exacerbate a situation, such
20 as what you have here this evening.

21 And if there are any questions
22 with respect to these types of --

1 CHAIRMAN HOOD: Mr. Glasgow, let
2 me interrupt.

3 MR. GLASGOW: Yes, sir.

4 CHAIRMAN HOOD: I was going to let
5 you go, because I thought you were getting
6 ready to finish.

7 MR. GLASGOW: Yes.

8 CHAIRMAN HOOD: As you know in our
9 rules, since you brought them up, we have a
10 procedure.

11 MR. GLASGOW: Yes.

12 CHAIRMAN HOOD: And our procedure
13 is we were dealing with the Office of
14 Planning.

15 MR. GLASGOW: Right.

16 CHAIRMAN HOOD: Unless you
17 interject --

18 MR. GLASGOW: That's right.

19 CHAIRMAN HOOD: -- and we're not
20 going to do this often, we only doing it this
21 way tonight, because of where we are. I
22 wanted to make sure, first, let me ask my

NEAL R. GROSS

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

1 colleagues is that helpful to you what he is
2 saying? If not, we're going to go back to our
3 process.

4 COMMISSIONER TURNBULL: No, no, I
5 -- and I understand where you are coming from.
6 I just think that from our standpoint it's,
7 again, frustrating. And I mean, I'm not going
8 to beat up on the architect for not providing
9 the drawings that we asked for the last time.
10 But, I mean, this is the first time that we
11 get to see something that shows some
12 definition as to what the project is.

13 You have no idea and I'll tell you
14 right now. Right now, if I look at that, this
15 rendering, it's difficult to say it's an
16 addition onto the project next door. I have
17 grave doubts of looking at it, even though
18 you've got this little link on the first
19 floor.

20 MR. GLASGOW: Right.

21 COMMISSIONER TURNBULL: I struggle
22 with that connection.

1 MR. GLASGOW: We have some
2 examples of that and we can get those into the
3 record at the appropriate time. I would like
4 to have some time to discuss this this evening
5 though.

6 CHAIRMAN HOOD: Okay. We can do
7 that in rebuttal.

8 MR. GLASGOW: Yes.

9 CHAIRMAN HOOD: That will be key.
10 Let's do this. Let's finish with our
11 questions to the Office of Planning. We're
12 not going to start going out of line. The
13 applicant interferes with the Office of
14 Planning. We're going to go -- let's deal
15 with the Office of Planning first. Nothing
16 disparaging to you, but I'm just saying
17 tonight, we were kind of doing that.

18 Any other further questions?

19 VICE CHAIR JEFFRIES: Yes. Mr.
20 Cochran, so originally when this -- when
21 Parcel 26 was, I guess, an RFP from RLARC that
22 went out, it was for the entire 26 to be

NEAL R. GROSS

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

1 redeveloped, correct?

2 MR. COCHRAN: That's correct.

3 VICE CHAIR JEFFRIES: Okay. And
4 then -- I'm just trying to make certain I'm
5 clear. And at the time, there were still
6 these shelters or warming centers or whatever
7 it was that was on the western side of this
8 Parcel 26?

9 MR. COCHRAN: I'm sorry, would you
10 mind repeating the question?

11 VICE CHAIR JEFFRIES: I don't know
12 what exactly was on there. Was it -- was
13 there like trailers? There were trailers on
14 the western side at the time that RLA put out
15 the RFP, there were trailers that were on the
16 western end of Parcel 26?

17 MR. COCHRAN: I can't guarantee
18 that they were there then. That's my
19 understanding.

20 VICE CHAIR JEFFRIES: Well, okay,
21 but eventually. And so Mr. Glasgow's
22 testimony was that, you know, listen to Mr.

NEAL R. GROSS

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

1 Donatelli, who actually, you know, won the
2 solicitation, you know, you really don't want
3 to have fee simple interest in this, because
4 there's a lot of liability tied, so let's just
5 bifurcate Parcel 26 temporarily and -- or
6 treat this as a Phase 1 and Phase 2. Is that
7 your understanding about that?

8 MR. COCHRAN: I have reviewed the
9 LDA and amendments to it. There was clearly
10 a point when the LDA was amended so that the
11 eastern portion would be transferred before
12 the western portion.

13 VICE CHAIR JEFFRIES: Okay. Okay.
14 But obviously, my point is, and I think it
15 helps me considerably here warm up to this, is
16 that this was initially intentioned to be one
17 consolidated development.

18 MR. COCHRAN: Yes, it was one
19 offering. It was awarded to --

20 MS. STEINGASSER: Commissioner, if
21 I could be helpful, the Office of Planning was
22 not part of those negotiations on any level,

NEAL R. GROSS

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

1 so I'm very uncomfortable with us giving
2 testimony to those. The applicant has made
3 their case and we would be happy to ask them
4 to put it in writing under oath as to what the
5 conditions of that were.

6 VICE CHAIR JEFFRIES: Okay.

7 MS. STEINGASSER: But we weren't
8 part of that.

9 VICE CHAIR JEFFRIES: Okay. Okay.
10 That's fine. And I just -- I was just trying
11 to get a sense of just history and so forth
12 here, because I think it really sort of
13 matters, because -- and I appreciate Ms.
14 Steingasser's response. And perhaps when we
15 get to that point, you know, I'll ask you a
16 little bit more questions about time line and
17 so forth.

18 MR. GLASGOW: Sure. I think
19 that's why we have Mr. Donatelli go through
20 this one. I entered this agreement, that
21 agreement.

22 VICE CHAIR JEFFRIES: Um-hum.

1 MR. GLASGOW: And all of that type
2 of thing.

3 VICE CHAIR JEFFRIES: Okay. Okay.
4 Thank you.

5 CHAIRMAN HOOD: All right. Any
6 other questions of the Office of Planning or
7 Mr. Glasgow? Okay.

8 COMMISSIONER ETHERLY: Very
9 quickly if I could, Mr. Chair, for the Office
10 of Planning. On the issue of height, not
11 necessarily speaking to the Height Act, but
12 one of the comments that was provided by
13 counsel for the applicant was the issue of
14 context.

15 Could the Office of Planning speak
16 a little bit to your sense of the context, the
17 surrounding neighborhood context for this
18 subject, for the property as it is currently
19 proposed? By that question, I mean, putting
20 this building into the context of other
21 properties around it, be it the D.C. USA site
22 or others, is there any sense that it is out

NEAL R. GROSS

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

1 of step or out of scope, if you will, with the
2 height of other buildings around it?

3 MR. COCHRAN: Had we thought that,
4 we certainly would have said something. It's
5 a whole new ballgame up there. With some
6 taller buildings, excellent architecture, two
7 separate entrances to Metro, no, I think this
8 is -- the height that had been envisioned by
9 the community-based plan for this area, no, we
10 don't view it as being out of context.

11 COMMISSIONER ETHERLY: Thank you.
12 Thank you, Mr. Chair.

13 CHAIRMAN HOOD: I'm just going to
14 say about the amenity package and I'm not
15 endorsing the project or say which way I'm
16 going to move on it, but I will tell you that
17 in the past I have talked about existing
18 amenities to the neighborhood. And when I
19 look at this project and I look at the CBRF,
20 it's going to be there for life. That's what
21 I was concerned earlier about whether it was
22 going to be built or not.

NEAL R. GROSS

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

1 These are the kind of amenities
2 that I'm starting to look for. And I'm saying
3 that to Office of Planning. I mentioned a
4 couple of weeks ago amenities that last more
5 than just \$2,500 to an organization and then
6 or \$2,000 or something like that and then it's
7 over with.

8 But this CBRF, and when I read it,
9 I got excited, I got happy, but it's how we
10 get there. You know, is it one building, you
11 know? But the amenity, as far as the CBRF,
12 for me, is a good way to go and it's going to
13 last throughout the project. And that's not
14 an endorsement, Mr. Donatelli, saying which
15 way I'm going to vote, but I'm just saying
16 that that's the way I feel.

17 And I'm hoping that Office of
18 Planning will help more projects to have those
19 long -- life long lasting amenities. Well,
20 not life long, but at least last as long as
21 the project. So anyway, that's an example.
22 I'll be using that example quite a bit, trust

NEAL R. GROSS

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

1 me, for the next two year.

2 Okay. Any other questions of
3 Office of Planning? Okay. All right. As
4 soon as I find my -- okay. We do have other
5 Government reports. We have already went
6 through the DDOT report. Also, we have a
7 letter from the Deputy Mayor, Neil Albert. I
8 haven't read it. Is he in support? Okay. I
9 guess he's in support.

10 The proposed CBRF, which is to be
11 constructed by the District, will provide the
12 proposed project. Okay. "For all the
13 foregoing reasons, I support the above
14 referenced application." And that's from
15 Deputy Mayor Neil Albert.

16 Also, the Honorable Council Member
17 of Ward 1, and I'll just read the last "The
18 proposed PUD is a truly exceptional project.
19 I strongly encourage the Commission to take
20 favorable action on this application."

21 Okay. Next, we will do
22 organizations or persons in support. Do we

1 have anyone here who would like to testify,

2 organizations or persons, in support?

3 Organizations or persons in opposition?

4 Organizations or persons in opposition?

5 Also, anyone here from ANC-1A?

6 Okay. They also have a letter in support.

7 They have a resolution and I'll just read the

8 last part, mostly for the record. Be it

9 further resolved that Commissioner -- okay.

10 "By unanimous vote," it doesn't say what the

11 vote is, "ANC-1A recognizes that the

12 stakeholder including La Casa Shelter have

13 worked tirelessly to secure all necessary

14 funding and technical assistance."

15 But anyway, "ANC Neighborhood

16 Commission 1A supports the efforts to obtain

17 variances for the" -- is this -- where is

18 this? I assume that they are talking about

19 this case. They are talking about variances.

20 Okay. Consolidated PUD development and Zoning

21 Map Amendment to the La Casa Shelter.

22 But anyway, be as it may, they got

NEAL R. GROSS

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

1 support and it's signed by Ms. Dotty Love
2 Wade, Chair, and Commissioner Lenwood Johnson,
3 Secretary. And that's for the record.

4 Okay. Mr. Glasgow, you can do
5 closing remarks and rebuttal.

6 MR. GLASGOW: One thing that I did
7 want to do, Mr. Chairman, with respect to
8 links between buildings, one story links being
9 additions. We did spend some time to look at
10 precedents on that. We have the Wardman Park
11 Hotel, and I will enter this into the record,
12 that has several links between pieces of the
13 buildings that are one -- if you have been up
14 there and you have gone to any of the function
15 rooms between the main part of the hotel and
16 the Wardman, you go through a one story above-
17 grade connection, which is, I guess it seems
18 like, a couple hundred feet long when you are
19 walking it. And ours is 20 feet long.

20 And then also you have the same
21 with respect to the Omni-Shorham Hotel across
22 the street. You also have a link between the

NEAL R. GROSS

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

1 Oyster School and the condominium building
2 that was developed by, gosh I --

3 CHAIRMAN HOOD: LCOR.

4 MR. GLASGOW: LCOR. Thank you. I
5 represented them and I blanked on the name for
6 a second. I handled that case. So you have
7 got three right in that one area. You also
8 have -- and part of the reason why this was --
9 got a little bit complicated, at one point in
10 time, we did look at potentially having retail
11 on the ground floor of the west building.

12 And when you have retail, and now
13 I'm going to use the example of Market Square,
14 because it's commercial, you don't have to
15 have a connection above-grade under the
16 regulations if you have commercial entities
17 separated by their entirety.

18 So at one point, we didn't have to
19 have the connection. I know this has been
20 fluid over a period of time. And then there
21 was the question well, if it's just -- it can
22 be just commercial, but remember Market Square

NEAL R. GROSS

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

1 has residential above. So I don't know
2 whether there is some break point as to a
3 50/50. I've never gotten a ruling on that.

4 But there were some things that we
5 were thinking about it, just wasn't -- that
6 this was just an issue that didn't have some
7 consideration over a period of time. But
8 Market Square is completely separated and is
9 considered one building. Now, that's because
10 of the commercial occupancies, but it is
11 commercial and residential.

12 Now, we don't have any commercial
13 on the west end of the site now, so you
14 couldn't use this as a precedent. But at one
15 point in time, we did have consideration of
16 putting commercial on the ground floor. So
17 it's not quite as random as may otherwise
18 seem.

19 Columbia Plaza also has some one
20 story connections between different pieces of
21 it. My father handled that project and that
22 was one building with one point of measurement

NEAL R. GROSS

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

1 for as many pieces of it as it is.

2 Then the Watergate Hotel has some
3 pieces that are like maybe two stories
4 between. Some of them are enclosed or they
5 have a roof over them, but some of them, I
6 think, are more like -- almost like a garage
7 space that go between. And those have several
8 links on that fashion.

9 VICE CHAIR JEFFRIES: But does the
10 architecture look the same?

11 MR. GLASGOW: On those they do. I
12 think that there was a determination that we
13 wanted to have different architecture here and
14 that that was appropriate because of the
15 nature of the building, particularly when it
16 was determined that the CBRF was going to
17 have, in effect, the prominent street frontage
18 on Irving Street.

19 VICE CHAIR JEFFRIES: Um-hum.

20 MR. GLASGOW: I mean, that just
21 causes a whole different architectural
22 solution.

NEAL R. GROSS

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

1 VICE CHAIR JEFFRIES: Right.

2 MR. GLASGOW: Or at least that's
3 what I was told. And it made sense that you
4 needed to have a marker and it was going to be
5 a different building in look and feel from the
6 part that it was connected to. And then we
7 have had buildings that are clearly one
8 building when you get to the floor plates
9 inside.

10 The first one of those I worked on
11 was the one with Kaempfer & Pei and Shalom
12 Baranes, the building between 12th -- 13th and
13 E Street, there is a theater there. Not the
14 National. What's the other one?

15 CHAIRMAN HOOD: The Warner
16 Theatre.

17 MR. GLASGOW: The Warner Theatre
18 Project.

19 CHAIRMAN HOOD: You worked on
20 that?

21 MR. GLASGOW: Yes, sir.

22 CHAIRMAN HOOD: I'll inspect it

NEAL R. GROSS

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

1 tomorrow when I walk by.

2 MR. GLASGOW: Okay. What you will
3 see is that if you get into that building, you
4 walk -- it was made to look like three
5 different buildings, because it's the entire
6 block and it's a long block. One part was
7 designed by Pei, one part, the historic part,
8 Shalom Baranes did. And they -- and what they
9 did is, even though it's flat and all the
10 floor plates line up straight through, you
11 don't know it looking at the outside of it.
12 It was meant to look like three different
13 buildings, even though the floors go right
14 through.

15 So this is almost, in some sense,
16 similar to that. You know, we don't connect
17 on every floor. We understand that. We --
18 because we have a residential building, it's
19 different than doing an office. If it was an
20 office, we would have slammed them right up,
21 you know, against each other and made it easy.

22 CHAIRMAN HOOD: Let me retract

1 that statement that I just made. I was joking
2 and I should not have made that. No, I will
3 not be going by and inspect that.

4 MR. GLASGOW: All right. So we do
5 have some precedents for all of this. And
6 there are a number of them with some major,
7 major buildings in the city. We think that
8 what it is that we are doing is appropriate
9 from a number of different standpoints.

10 So, one, how residential buildings
11 abut each other, because what are you going to
12 do? Put them up against each other and block
13 people's windows? That didn't seem to make
14 sense. And we understand that we have to be
15 mindful and cognizant of how we handle
16 structures like this. And I think we have got
17 a copy of this, for the record, but I've got
18 the mylar for when we got our first building
19 plat.

20 And for those of you that do much
21 work with the City Government, we can -- what
22 I would like to do is enter a copy of it into

NEAL R. GROSS

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

1 the record. But this is our mylar from April
2 of 2003. It has got the sites, because these
3 are the sites to the east, because they are
4 part of our site.

5 And we had been told, at that
6 point in time, and this is even before the
7 alleys were closed, that we were going to have
8 the Highland Park building on the west side of
9 the site and to move forward on that. And
10 then this other part of the site, we would
11 deal with later.

12 So that was -- I guess that's back
13 on April 28th of 2003. And this is -- but
14 this is the building plat for the development
15 of the site and it includes all those
16 properties, even before the alleys were closed
17 or anything else. So that was the intent from
18 day one.

19 VICE CHAIR JEFFRIES: Mr. Glasgow,
20 I mean, you know, I appreciate the examples
21 that you have given and so forth and, you
22 know, showing various spines and satellite

NEAL R. GROSS

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

1 buildings and make up one building. And I
2 think and just sort of echoing Mr. Turnbull's
3 issues, when designs occur like that to
4 achieve a certain purpose and, you know,
5 zoning purpose and so forth, I think that's
6 the troubling part of this.

7 And I think, you know, there are
8 probably instances where, you know, you really
9 are trying to be creative, because you're
10 trying to achieve a certain objective, more
11 housing, more affordable housing, SRO or
12 whatever. And it might make sense. It's
13 just, you know, I just don't like to see a lot
14 of these cases come through, you know, at
15 least from where I sit, because it seems to --
16 you get on a slippery slope and then everyone
17 is coming in here, you know, connecting
18 buildings and measuring and so forth.

19 And it just looks like somewhat
20 gerrymandering. But again, it might be the
21 case, and I haven't decided how I'm going, in
22 some cases you might want to do that to

NEAL R. GROSS

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

1 achieve a certain end. You know, all the
2 benefits that enure to the District because of
3 a design like this and so forth, sometimes it
4 might make sense to do that.

5 And so that's how I somewhat
6 separate out the Dorchester case with this
7 one. But again, I think the piece of this,
8 for me, is just, you know, making certain
9 that, you know, we don't see -- this is not
10 precedent setting and that we're seeing, you
11 know, a lot of instances like, you know, this.

12 MR. GLASGOW: Yes, sir, we
13 considered that. We understood that that was
14 going to be a discussion this evening and
15 that's why we spent some time going through
16 the Dorchester case and then saw ultimately
17 what the Commission had done. And then we
18 thought all right, well, then, obviously,
19 we're going to need to be able to have a
20 discussion that distinguishes ourselves.

21 And I think a lot of it is the
22 context of the site and where we are located

1 and why it is that we are doing this given the
2 hand that we were dealt. And then the depth
3 of the site in order to maximize the windows
4 and provide the court, you don't have a lot of
5 good choices from that standpoint, if you
6 will.

7 You have to orient those rows of
8 windows facing each other and have enough
9 separation that the -- that you produce good
10 units. And so that pushes things apart. Like
11 I said, if this was office development, we
12 would have just slammed everything together
13 and it would have been fine.

14 COMMISSIONER TURNBULL: Well, and
15 I appreciate that. And I think we understand
16 where you're coming from. And I think, at
17 least from my standpoint, it's nice to have
18 that in the record, have that information for
19 us that we can look at, because, otherwise, I
20 think it's like a piece of history that's not
21 there and we're looking at this cold.

22 And I think when we look at

1 context, too, we look at enough -- we have an
2 R-5-B area next to it. We often -- you have
3 been through enough PUDs up here with us that
4 normally we start stepping down. We start
5 going well, if we're coming up to buildings
6 next to us, we try to make the transition
7 down.

8 And so we see this and it's like
9 extra height and we're ignoring the context of
10 the building next to it and we begin to
11 question what's that doing on the impact, the
12 overall impact on the neighborhood.

13 MR. GLASGOW: Um-hum.

14 COMMISSIONER TURNBULL: I mean, I
15 can -- I know where you are coming from, but
16 then I look at from a neighborhood standpoint
17 and I think, as Mr. Hood was starting to
18 watch, where do we end this as we march down
19 the street? If you bought the next two lots
20 next to it and you wanted to add on, before
21 you know it, all of Irving will be up at the
22 same height that you were measuring off of

NEAL R. GROSS

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

1 14th Street.

2 MR. GLASGOW: Um-hum.

3 COMMISSIONER TURNBULL: And I
4 guess there is just a concern as to how long
5 you carry that scenario on before you can take
6 up a whole block and make it -- there is a
7 concern. That's all.

8 MR. GLASGOW: Right.

9 COMMISSIONER TURNBULL: It's how
10 far we interpret that and carry that on.

11 MR. GLASGOW: No, I -- we
12 understand. We have tried to be cognizant and
13 address that. In some fashion, I guess, we
14 are in one way fortunate that you have 14th
15 Street and 15th Street which are both very
16 wide streets on either side.

17 COMMISSIONER TURNBULL: Um-hum.

18 MR. GLASGOW: I know it can get a
19 lot more problematic if you have one wide
20 street and then the other three streets around
21 the square are very narrow streets. But we
22 don't have that in this case.

NEAL R. GROSS

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

1 COMMISSIONER TURNBULL: Do your
2 calculations, now that you have got in, are
3 they based upon the whole lot then?

4 MR. GLASGOW: Yes. And we tried
5 to make sure that you could see it both ways.
6 Because then I didn't want to have a situation
7 saying well, you are using the 75,000 square
8 foot footprint of a building that is already
9 there to make your comps, you know, go down on
10 average.

11 COMMISSIONER TURNBULL: Okay.

12 MR. GLASGOW: All right. So we
13 wanted to make sure, because I didn't want to
14 be in a position where we had an issue that
15 way, too.

16 COMMISSIONER TURNBULL: Okay.

17 MR. GLASGOW: So we have given it
18 so that you see it as a whole and then you can
19 see the side areas broken out. We broke out
20 the side area for what we are calling the
21 market rate portion, even though it's got 20
22 percent affordable. The CBRF portion of 5,400

NEAL R. GROSS

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

1 square feet, everything combined and the Phase
2 1 at 75,000 square feet and then the total of
3 101,000 square feet. That's at the top of
4 Sheet A06 -- Sheet 06.

5 Okay. That's how we tried to do
6 that, so that you could read it. If you
7 wanted to break out what was -- what is
8 Highland Park, you can see that. And if you
9 want to put the whole thing together, then you
10 can look at it that way or if you just want to
11 see what the new construction is, you can look
12 at that.

13 CHAIRMAN HOOD: Commissioner
14 Etherly?

15 COMMISSIONER ETHERLY: Thank you
16 very much, Mr. Chair. I most certainly feel
17 that we are coming to what I hope is a climax
18 here. I wanted to just kind of add my two
19 cents into this conversation, because I think
20 it's an important one that we have had. I
21 perhaps bring a somewhat different perspective
22 being the rookie on the football team here and

NEAL R. GROSS

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

1 keeping with the superbowl analogy. And I'm
2 not a Giants fan, by the way.

3 But that being said -- that's
4 true, we have one up here. But that being
5 said, I think most certainly, again, the
6 comments of both my colleagues, Mr. Jeffries
7 and Mr. Turnbull, are definitely very well-
8 taken.

9 During my time with the BZA, most
10 recently, we have definitely dealt with this
11 issue of meaningful connection and it is,
12 indeed, a challenging thicket, if you will, if
13 you don't necessarily navigate carefully and
14 thoughtfully from the start in terms of
15 looking at this project. I have, however,
16 felt that the applicant has, indeed, done
17 that.

18 Again, I recognize that I am
19 perhaps not bringing as much of the developed
20 history as my colleagues have on the project,
21 but with respect to the issue of the
22 connection and I think as I explored a little

NEAL R. GROSS

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

1 bit in terms of my question to the Office of
2 Planning, with respect to the context of the
3 surrounding community, and I think Mr. Cochran
4 hit it right on the head when he talked about
5 how the game is changing in this community.

6 And I think the key word there is
7 change. As we come to the end of this
8 conversation, the best analogy I can give is
9 perhaps when you look at a diamond. For those
10 of us who have had gone down that line of
11 looking at engagement rings, you think about
12 the three Cs. You think about what is the
13 color, clarity and carat? Did I get it right?

14 Four Cs. I forgot one of the Cs,
15 my goodness. But the issue here -- oh, yeah,
16 that shows you how good I did with it. But
17 the issue here that I'm trying to work with
18 this metaphor is the issue of context. It's
19 the issue of creativity and the change that we
20 talked about with respect to the surrounding
21 community.

22 And I think the project as it has

1 been presented has tried to grapple with those
2 three Cs in, I think, a very interesting way.
3 Again, I want to be certain to acknowledge
4 some of the complicating questions that arise
5 when you get into this issue of connection.
6 But I don't think we're in a situation here
7 where, at least from my perspective, it is as
8 troubling as perhaps it might have seemed at
9 the outset.

10 I think it's just important to
11 offer that. Again, I'm bringing a different
12 perspective to the table perhaps as contrasted
13 to the wonderful experience that my colleagues
14 bring. But I think it's something that when
15 done in a thoughtful and very deliberate
16 manner can, indeed, result in precisely the
17 kind of project that my Chair has been, I
18 think, correctly, in many respects,
19 highlighting for its visionary approach.
20 Thank you, Mr. Chair. I'm ready to move
21 forward.

22 CHAIRMAN HOOD: Thank you very

1 much. Okay. So have you finished your
2 closing remarks?

3 MR. GLASGOW: Yes. I think that
4 what we need to get is I want to make sure
5 that we clearly understand what it is that the
6 Commission needs for the record, at this point
7 in time.

8 CHAIRMAN HOOD: One of the things
9 that I have had, too, and then I'm going to go
10 to Ms. Schellin and I guess you for the rest,
11 the Office of Planning wants a letter stating
12 that -- granting access. I'm not sure how you
13 worded that. Go ahead.

14 MS. STEINGASSER: Well, most of
15 the details will be covered in the covenant
16 guaranteeing permanent --

17 CHAIRMAN HOOD: Okay.

18 MS. STEINGASSER: -- access
19 between the three structures.

20 CHAIRMAN HOOD: Okay.

21 MS. STEINGASSER: So we would like
22 a letter kind of just laying that out early as

NEAL R. GROSS

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

1 we move forward.

2 CHAIRMAN HOOD: All right. Thank
3 you, Ms. Steingasser. And also the unit mix
4 of affordable housing, I think, was also
5 mentioned, and that's all I have. With that
6 long discussion, I'm sure it was much more.
7 Ms. Schellin?

8 MS. SCHELLIN: I had better
9 drawings, something showing some sustainable
10 features and context of the neighborhood. I
11 thought Mr. Turnbull asked for. And also, I
12 believe, Mr. Glasgow actually volunteered to
13 provide some aerial photos showing other
14 buildings that have a connection where it
15 looked like more than one building.

16 MR. GLASGOW: Yes.

17 CHAIRMAN HOOD: You have that
18 tonight, don't you?

19 MR. GLASGOW: Yes, we've got that
20 this evening. We can submit that.

21 CHAIRMAN HOOD: You can submit
22 that then. Okay. All right.

NEAL R. GROSS

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

1 COMMISSIONER TURNBULL: I have a
2 question, Mr. Chair. I would just like to add
3 one thing.

4 CHAIRMAN HOOD: Sure.

5 COMMISSIONER TURNBULL: I didn't
6 mean to interrupt you, but we all recognize
7 that Hickok Cole is an excellent firm within
8 D.C. and we're just looking for some better
9 elevations of the rear elevation, the other
10 side that we didn't see tonight, maybe at a
11 little bit different scale and actually to see
12 some of the textures. We would just like to
13 have as for our record up here what the
14 building is really going to look like.
15 Thanks.

16 MR. GLASGOW: And we can get a
17 number of those in fairly -- because they have
18 some of those. When we truncated the
19 presentation, some of that was -- you know, in
20 case there was a question, then we would go
21 into that elevation. But we have that, we'll
22 get those in.

1 COMMISSIONER TURNBULL: There are
2 some of us on the panel that get into the
3 details of the design, so thank you.

4 MR. GLASGOW: Yes, sir.

5 VICE CHAIR JEFFRIES: And those
6 people sure will remain nameless. A question
7 for the Office of Planning. Are you going to
8 file a supplemental report or the January 25th
9 report is as it is?

10 MS. STEINGASSER: I think it is as
11 it is, since we are -- I think prior to the
12 hearing --

13 VICE CHAIR JEFFRIES: Because the
14 -- this report says that you are not making a
15 recommendation, but I get a sense that you
16 have made a recommendation.

17 MS. STEINGASSER: Well, we did
18 make a recommendation. Some of the -- if we
19 did file a supplemental report what it would
20 say is we would like to see a set of plans
21 that detailed all the connections. The doors
22 aren't shown on all the pages.

NEAL R. GROSS

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

1 VICE CHAIR JEFFRIES: Um-hum, um-
2 hum.

3 MS. STEINGASSER: And we had
4 talked to the applicant before the hearing
5 about providing a revised set that was given
6 tonight. Like the north elevation doesn't
7 show the connection.

8 VICE CHAIR JEFFRIES: Okay.

9 MS. STEINGASSER: You know, just
10 making sure all the drawings show all those
11 connections.

12 VICE CHAIR JEFFRIES: Okay.

13 MS. STEINGASSER: So we can really
14 understand and when it gets to the Zoning
15 Commission, they will also be able to
16 understand.

17 VICE CHAIR JEFFRIES: Yes, I'm
18 only dealing with the fact that it says "Due
19 to outstanding information, the Office of
20 Planning is not able to make an overall
21 recommendation on this application." Now, you
22 have said on the record that today that you

NEAL R. GROSS

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

1 are and I just wanted to just make certain.

2 I mean, I don't -- however you
3 want to do it.

4 MS. STEINGASSER: We are subject
5 to getting this revised set of drawings.

6 VICE CHAIR JEFFRIES: Okay. Okay.
7 Great.

8 MS. STEINGASSER: Right.

9 COMMISSIONER TURNBULL: I guess
10 the other thing, Mr. Chair, is that although
11 I don't think the applicant has ever said they
12 were going for LEED certification or anything,
13 they have mentioned sustainable design in the
14 previous hearing.

15 MR. GLASGOW: Yes, we will get
16 that information into the record on that. Mr.
17 Turnbull, as far as I'm aware, there is no
18 LEED certification for --

19 COMMISSIONER TURNBULL: Right.

20 MR. GLASGOW: -- residential
21 buildings. So you go through and you start
22 talking --

NEAL R. GROSS

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

1 COMMISSIONER TURNBULL: I know.

2 MR. GLASGOW: -- about --

3 COMMISSIONER TURNBULL: We just
4 wanted somebody -- what you were trying to
5 achieve.

6 MR. GLASGOW: Yes. We can submit
7 that for the record or we can present it
8 tonight, either way.

9 MS. STEINGASSER: In the --

10 CHAIRMAN HOOD: You need to be on
11 the record.

12 MS. STEINGASSER: In the past what
13 we requested is a checklist, the LEED ND or
14 the LEED checklist with the detail outline, so
15 that that's in the record and part of the
16 PUD --

17 MR. GLASGOW: Okay.

18 MS. STEINGASSER: -- application.

19 MR. GLASGOW: With residential
20 buildings, it's not the same.

21 MS. STEINGASSER: Right. But
22 there are still some standards that can be

1 checked off on that --

2 MR. GLASGOW: Yes, we can --

3 MS. STEINGASSER: -- that your --

4 MR. GLASGOW: -- deal with the
5 Green Building Initiative.

6 MS. STEINGASSER: Communities.

7 MR. GLASGOW: Yes, Green
8 Communities. We can do that for residential.

9 MS. LENNIHAN: My name is Holly
10 Lennihan. I'm with Hickok Cole Architects.
11 And we do certainly have a list for the market
12 rate building of all of the aspects that are
13 sustainable.

14 The other thing that I wanted to
15 bring to your attention is that while Carol
16 Mitten was still head of the Office of
17 Property Management, we did take a look at the
18 CBRF and thought that we could probably get
19 about 27 points. 26 would be certified. So
20 certainly, we would be very pleased if the
21 District wanted to move forward and try to see
22 if, in fact, that piece of the project could

NEAL R. GROSS

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

1 be certified.

2 And we did it. In fact, we used a
3 regular LEED checklist and I'm -- I believe
4 that you are not aware that we had gone to
5 that effort. And as a LEED accredited
6 professional, I was pleased that you mentioned
7 it. But we can provide both the memo that we
8 gave her about cost for those, that would be
9 part of the construction documents, so not
10 something, I believe, we were contracted to
11 do, unless we continue with the project. But
12 it's something we're very interested in as
13 well.

14 COMMISSIONER TURNBULL: Well,
15 sure, that will be nice. That would be great.

16 CHAIRMAN HOOD: And who is Carol
17 Mitten? Just a joke. Just a joke. Believe
18 me, that was just a joke. Okay.

19 COMMISSIONER TURNBULL: She might
20 be watching tonight.

21 CHAIRMAN HOOD: That's all right.
22 I'm sure. I hope she is. Hi, Carol. Anyway,

NEAL R. GROSS

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

1 Ms. Schellin, have we gotten everything we
2 need?

3 MS. SCHELLIN: I think so. And to
4 give the --

5 CHAIRMAN HOOD: Some dates.

6 MS. SCHELLIN: -- applicant as
7 much time as possible, since we won't bring
8 this up until our March meeting, if we could
9 have the additional filings by February 25th,
10 3:00 p.m., that would allow the ANC, the only
11 part to respond thereto by March 3rd, 3:00
12 p.m., and if the applicant would like to
13 provide us with draft findings of fact and
14 conclusions of law on that date, also.

15 CHAIRMAN HOOD: If everybody is on
16 the -- Mr. Glasgow?

17 MR. GLASGOW: Yes, sir. Mr.
18 Chairman, with respect to the designation of
19 the units, Mr. Donatelli did want to address
20 something very quickly there.

21 CHAIRMAN HOOD: Okay. Mr.
22 Donatelli?

1 MR. DONATELLI: Yes. As we did in
2 the Highland Park Apartments and in Kenyon
3 Square Apartments, condos across the street,
4 the affordable units, the 20 percent, we will
5 spread those across the building evenly and
6 submit a plan to the Deputy Mayor's office for
7 approval. That will be the number of units,
8 location, floor, that sort of thing for their
9 review and approval.

10 CHAIRMAN HOOD: I think you need
11 to submit it to us.

12 MR. GLASGOW: And a copy to the
13 Zoning Commission.

14 MR. DONATELLI: Yes, okay.

15 CHAIRMAN HOOD: You send him a
16 copy and send it to us.

17 MR. DONATELLI: Okay. And then I
18 also wanted to address the parking spaces, if
19 we do go with the fewer number of spaces.

20 CHAIRMAN HOOD: Well, hold on.
21 Let me back up.

22 MR. DONATELLI: Yes.

1 CHAIRMAN HOOD: You said the
2 Deputy Mayor's office. I mean, do you all
3 typically send it to him?

4 MR. GLASGOW: Well, because they
5 took over everything from RLARC.

6 CHAIRMAN HOOD: Oh, okay. Well,
7 forgive me. I just -- I know we need it for
8 our records.

9 MR. GLASGOW: Yes.

10 CHAIRMAN HOOD: I don't know how
11 that works now.

12 MR. GLASGOW: We have both of you
13 all to satisfy.

14 CHAIRMAN HOOD: Oh, okay. Okay.
15 Well, send it to both.

16 MR. GLASGOW: Technically right
17 now, they still own the property and they are
18 involved in the process.

19 CHAIRMAN HOOD: Okay. Because
20 when he said send it to the Deputy Mayor's
21 office --

22 MR. GLASGOW: Right.

1 CHAIRMAN HOOD: -- they have to
2 approve it before he can send it to us?

3 MR. GLASGOW: No, no, no.

4 CHAIRMAN HOOD: I'm not
5 understanding, that's why --

6 MR. GLASGOW: No. We're going to
7 send it to both. We need to send it to both.

8 CHAIRMAN HOOD: I guess that's why
9 I'm just a citizen. I don't get into all
10 that. Okay. Okay. Whatever you need to do,
11 but we need a copy, too.

12 MR. DONATELLI: Okay. Very good.

13 CHAIRMAN HOOD: For our approval.
14 Whatever, well, I have other questions. I
15 have -- if the Deputy Mayor though -- if we
16 don't approve of it, then -- well, anyway,
17 maybe that's something I need to learn later.
18 Okay. Anything else?

19 MR. DONATELLI: And with respect
20 to the parking spaces, if we do go with the
21 fewer number of spaces in the building, the 64
22 spaces, I think it was --

NEAL R. GROSS

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

1 CHAIRMAN HOOD: 64.

2 MR. DONATELLI: -- we would still
3 provide the three spaces for the SRO.

4 MR. GLASGOW: So that would be 67
5 total then.

6 CHAIRMAN HOOD: Okay.

7 MR. DONATELLI: Yeah.

8 CHAIRMAN HOOD: Good. Okay.

9 VICE CHAIR JEFFRIES: So are you
10 calling this SRO or CBRF?

11 MR. DONATELLI: CBRF.

12 VICE CHAIR JEFFRIES: Okay. Is
13 the --

14 MR. DONATELLI: Yeah, I still
15 refer to it as the historical name that we
16 have been working on for a number of years.

17 VICE CHAIR JEFFRIES: There's no
18 term for that. There's no term for that,
19 yeah, right, right.

20 CHAIRMAN HOOD: Okay. All right.
21 Okay. I think we have hashed that out enough.

22 We had a date, so we did the

NEAL R. GROSS

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

1 dates, right?

2 MS. SCHELLIN: Yes, we did.

3 CHAIRMAN HOOD: Okay.

4 MR. GLASGOW: February 25th?

5 MS. SCHELLIN: And March 3rd for
6 draft findings of facts and conclusions of
7 law.

8 CHAIRMAN HOOD: Right. I'm
9 thanking everyone for their participation in
10 this hearing tonight. And this hearing is
11 adjourned.

12 MR. GLASGOW: Thank you.

13 MR. DONATELLI: Thank you.

14 (Whereupon, the Public Hearing was
15 concluded at 8:32 p.m.)

16

17

18

19

20

21

22