

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

:

Conference Center : Case No.

Associates I, LLC : 08-33

:

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Wednesday,

July 9, 2009

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No.

08-33 by the District of Columbia Zoning

Commission convened at 6:30 p.m. in the

Office of Zoning Hearing Room at 441 4th

Street, N.W., Washington, D.C., 20001,

Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- KONRAD SCHLATER, Vice Chairperson
- MICHAEL G. TURNBULL, FAIA,

Commissioner (AOC)
- PETER MAY, Commissioner (NPS)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER
KAREN THOMAS

DISTRICT DEPARTMENT OF TRANSPORTATION
PRESENT:

JEFF JENNINGS

The transcript constitutes the
minutes from the Public Hearing held on July
9, 2009.

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

2 6:33 p.m.

3 CHAIRMAN HOOD: Good evening,
4 ladies and gentlemen, my name is Anthony Hood.
5 This is a public meeting for the Zoning
6 Commission of the District of Columbia for
7 July 9, 2009.

8 Joining me short shortly will be
9 Vice Chairman Keating, also Commissioner
10 Schlater, Commissioner May, and Commissioner
11 Turnbull, Office of Zoning staff, Ms.
12 Schellin, Ms. Hanousek, Office of Planning
13 staff, Ms. Steingasser and Ms. Thomas.

14 This proceeding is being recorded
15 by a court reporter, and is also webcast live.

16 Accordingly, we must ask you to refrain from
17 any disruptive noises or actions in the
18 hearing room.

19 The subject of this evening's
20 hearing is Zoning Commission Case No. 08-33.
21 This is a request for Conference Center
22 Associates I, LLC, for approval of a

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1 consolidated PUD and a first stage PUD and
2 related map amendment for property located at
3 Parcel 121/31.

4 Notice of today's hearing was
5 published in the D.C. Register on May 15,
6 2009, and copies of that announcement are
7 available to my left on the wall near the
8 door.

9 The hearing will be conducted in
10 accordance with provisions of 11 DCMR 3022 as
11 follows: preliminary matters, applicant's
12 case, report of the Office of Planning, Report
13 of other Government agencies, report of the
14 ANC 5C, organizations and persons in support,
15 organizations and persons in opposition,
16 rebuttal and closing by the applicant.

17 The following time constraints will
18 be maintained at this meeting, the applicant
19 60 minutes, organizations five minutes,
20 individuals three minutes. The Commission
21 intends to adhere to the time limits as
22 strictly as possible in order to hear the case

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1 in a reasonable period of time.

2 All persons appearing before the
3 Commission are to fill out two witness cards.

4 These cards are located to my left on the
5 table near the door.

6 When presenting information to the
7 Commission, please turn on and speak into the
8 microphone, first stating your name and home
9 address. When you are finished speaking
10 please turn your microphone off, so that your
11 microphone is no longer picking up sound or
12 background noise.

13 To avoid any appearance to the
14 contrary, the Commission requests that persons
15 present not engage members of the Commission
16 in conversation during any recess or any time.

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

19 Please turn off all beepers and
20 cell phones at this time, so not to disrupt
21 these proceedings. Also, these are the summer
22 months, if you'll notice for the most part we

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1 are very relaxed, and we would encourage you
2 to do so until September.

3 Would all individuals wishing to
4 testify please rise and take the oath?

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

7 MS. SCHELLIN: Yes.

8 Please raise your right hand.

9 Do you solemnly swear or affirm the
10 testimony you will give this evening will be
11 the truth, the whole truth, and nothing but
12 the truth?

13 WITNESSES: I do.

14 MS. SCHELLIN: Thank you.

15 CHAIRMAN HOOD: Okay. Ms.
16 Schellin, do we have any preliminary matters?

17 MS. SCHELLIN: Just to advise that
18 we have received the affidavit of maintenance.
19 It is in order, and then there are a couple of
20 proffered experts, and I'm about to pass out
21 an additional resume for one more expert that
22 they are going to proffer that we did not have

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1 before.

2 CHAIRMAN HOOD: Thank you, Ms.
3 Schellin.

4 I seem to have -- just give me one
5 moment -- all right, Mr. Tummonds, let's go
6 through the proffered witnesses.

7 MR. TUMMONDS: Yes, thank you.

8 Paul Tummonds, with Pillsbury
9 Winthrop.

10 We have four proffered expert
11 witnesses, the first Sean Stadler, our Project
12 Architect, with WDG. Mr. Stadler has been
13 admitted as an expert before, before the
14 Zoning Commission.

15 The new resume that you are just
16 seeing for this evening is for our Arborist,
17 Chris Cowles, with the Care of Trees. We have
18 also submitted for the record a report that he
19 has prepared this evening and he will present.
20 We proffer Mr. Cowles as an expert in Urban
21 Forestry.

22 Our third witness would be Ted

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1 Mariani. You received his resume. We would
2 proffer Mr. Mariani as an expert in
3 architecture and engineering.

4 And then, our last expert witness
5 would be Erwin Andres, of Grode Slade. He's
6 been admitted numerous times before this body
7 as an experted traffic engineer.

8 CHAIRMAN HOOD: Okay, we have
9 before us, I think, Mr. Mariani, and Mr.
10 Stadler, and Mr. Andres, I think we have seen
11 them before. I don't think we should -- if no
12 one has any objections, and you named one
13 more, Mr. Tummonds.

14 MR. TUMMONDS: That is the one this
15 evening, Christopher Cowles, would be our
16 Arborist, with Care of Trees.

17 CHAIRMAN HOOD: Any objection?
18 Okay, so ordered.

19 Anything else?

20 MR. TUMMONDS: Wonderful. That's
21 it.

22 CHAIRMAN HOOD: We can proceed.

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1 MR. TUMMONDS: Great.

2 Good evening, Mr. Chairman, members
3 of the Commission.

4 I am Paul Tummonds with the law
5 firm of Pillsbury Winthrop. We are here this
6 evening to present the PUD and Zoning Map
7 Amendment application of Conference Center I
8 Associates.

9 The applicant proposes a two-stage
10 PUD application. The consolidated portion of
11 the PUD includes the development of a 314
12 room, all suites hotel, and conference center,
13 located at the intersection of Michigan Avenue
14 and Irving Street, N.E.

15 The portion of the property that
16 has frontage along both Michigan Avenue and
17 Irving Street will be the location of the
18 conference center and the hotel.

19 In addition, along Michigan Avenue
20 we will have a four-story, above-grade
21 structure that will include retail uses on the
22 ground floor and in the basement level, and a

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1 400-space parking garage.

2 The consolidated portion of the
3 project also includes the northern portion of
4 the property to be provided as a 200-space
5 surface parking lot for the continued use of
6 the Washington Hospital Center employees.

7 In tonight's application, we are
8 also seeking first-stage PUD approval for two
9 additional buildings on the northern portion
10 of the site. These buildings will be
11 dedicated to either additional hotel and/or
12 residential uses, and may also include more
13 conference center use space.

14 We believe the information we have
15 been presented in the record prior to today,
16 and in the testimony that we present this
17 evening, we'll detail how these applications
18 fully satisfy the standards for PUD approval,
19 enumerated in Chapter 24 of the Zoning
20 Regulations, and granting approval of these
21 applications will not be inconsistent with the
22 Comprehensive Plan.

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1 We have a number of witnesses here
2 this evening to present our case. They
3 include Sean Stadler of WDG Architects, who
4 will walk you through the project, Chris
5 Cowles of the Care of Trees, our Project
6 Arborist, who will discuss the assessment of
7 the vegetated area of the subject property
8 that he has undertaken, Ted Mariani will
9 address the lead attributes of the project,
10 Erwin Andres will address the Applicant's need
11 for unrestricted ingress and egress of the
12 Michigan Avenue entrance, and important
13 aspects of the Applicant's proposed
14 transportation management plan. Rob Reiders,
15 of Marriott International, is also here this
16 evening to discuss Marriott's proposed goals
17 for this site, and finally Mike Dickens, of
18 Hospitality Partners, will describe the
19 significant economic benefits the project will
20 provide to residents of Ward 5 and the
21 District of Columbia. In addition, he will
22 also discuss the project amenities and

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1 community benefits of this PUD application.

2 As noted in its June 29th report,
3 the Office of Planning fully and
4 unconditionally supports this application.
5 The project has also received the support of
6 ANC 5C, the Basilica of the National Shrine of
7 the Immaculate Conception, and Ward 5 Council
8 Member Harry Thomas.

9 DDOT submitted a report on July 2,
10 2009, which offered conditional support for
11 the project. In testimony this evening, we
12 will address the pertinent issues raised by
13 DDOT.

14 The Urban Forestry Administration
15 also submitted a report in this case. This
16 evening we are submitting the written report
17 from Mr. Cowles, our Arborist, that addresses
18 the Urban Forestry's request for a "thorough
19 and complete assessment of the vegetated area
20 to determine the type of tree cover and other
21 species that are growing in this space.

22 As I mentioned earlier, Mr. Cowles'

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1 testimony will review in detail his report.

2 The final document that we have
3 presented to this evening is a hard copy of
4 the Power Point presentation.

5 With that, I will now have Mr.
6 Stadler walk you through the project.

7 CHAIRMAN HOOD: Let me just ask
8 this, Mr. Tummonds. As we move through, will
9 we receive the DDOT's report tonight, so I'm
10 sure we are going to do that, if we can hit
11 some of the issues that they --

12 MR. TUMMONDS: Yes, absolutely.

13 CHAIRMAN HOOD: Thank you.

14 MS. SCHELLIN: Do you want the
15 lights off? And, if so, you might want to
16 turn your own light on there on the table, so
17 it's not a shock when we turn it on.

18 MR. STADLER: Hello, again, my name
19 is Sean Stadler. I am an Associate Principal
20 with WDG Architecture, and I am the design
21 principal on this project.

22 I'm going to start you all with

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1 Phase 1, and this is an aerial map describing
2 the location of the project, just to get you a
3 little oriented. The project site is located
4 between Irving Street and Michigan Avenue,
5 just adjacent to the cloverleaf off of North
6 Capitol Street.

7 The site is currently not zoned,
8 and we are proposing a C-3-A for it. It's
9 located in close proximity to many
10 institutions, Washington Hospital Center,
11 Catholic University, Trinity College, Howard
12 University, Children's Hospital, and we are
13 located directly next to Trinity Square and
14 the Cloister Apartments.

15 This is a couple of views looking
16 in and out of the site. The top view that you
17 see is looking out from the site, across
18 Irving Street, and you can see the National
19 Basilica right there in the distance. The
20 second slide is looking at the corner of
21 Irving and Michigan Avenue, again, to orient
22 yourself, the Basilica is right there, and

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1 then the third view is looking into the site
2 at the existing parking surface lot.

3 These are some contextual images.
4 The top ones on the left are the Cloister
5 Apartments, the top right is the Trinity
6 Square retail building, the left -- bottom
7 left there, is Trinity Chapel, and in the
8 middle is the U.S. Conference of Catholic
9 Bishops, and then the National Basilica.

10 Some additional photos of the site
11 showing the existing tree coverage, looking at
12 Oblake College, and then coming off of the off
13 ramp from North Capitol you can see our site
14 here on the left.

15 So, this is an aerial view that
16 shows our Phase 1 construction on the existing
17 site again, North Capitol, Irving Street,
18 Michigan Avenue, Trinity Square, the Cloister
19 Apartments, so our new project is the hotel,
20 conferencing center and parking structure,
21 where the existing slide is today, and then
22 the temporary parking structure beyond it.

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1 Access into the site is from
2 Michigan Avenue and from Irving Street. We
3 have a pedestrian entrance off of Michigan
4 Avenue, next to the bus stop. The nine-story
5 hotel, with about 314 rooms and a two-story
6 conferencing center, that's approximately
7 23,000 gross square foot, and then a five-
8 story parking structure with about 20,000
9 square foot retail at the base. There is
10 about 400 parking spaces in the structure, and
11 about 200 spaces in the surface parking lot.

12 In response to concerns from the
13 Office of Planning, we have provided this
14 pedestrian entrance, which is a little bit
15 different than what we had when we had the sit
16 down, and this is really to activate Michigan
17 Avenue. So, we have a pedestrian entrance
18 that enters into a thru lobby, so there's the
19 drop off turnaround, and then the pedestrian
20 entrance.

21 There's a pedestrian entrance from
22 Michigan Avenue into the restaurant and into

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1 the retail, and then pedestrian entrances into
2 the conference center.

3 Access into the garage is either
4 through the new internal street or coming in
5 from Irving, and we have our loading docks for
6 the conference center and the hotel, and then
7 we've provided an additional loading bay
8 dedicated to the retail.

9 In response to the Commission's
10 request, we've provided several diagrams
11 illustrating the vehicular circulation through
12 the site, which includes the public bus, tour
13 bus, car and taxi access. Our transportation
14 consultant will go a little further into the
15 transportation areas of this, but I'll walk
16 you through kind of the main circulation.

17 So, we have the public bus system
18 that goes down Michigan Avenue. Again, we'll
19 have a bus stop here, and you can get into the
20 building from there. We have tour buses that
21 come in from Michigan Avenue and go out, will
22 stop at the conferencing center, and then

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1 vehicles can come in from Michigan and Irving
2 Street going to the parking, or going to the
3 surface where you go through the turnaround.

4 The conferencing center works very
5 similarly, and then the loading is off of
6 Michigan Avenue, so you can load into the
7 conferencing center, the hotel, or load into
8 the retail, and then pull out.

9 This is a section of the site. The
10 one on the top is looking north from Michigan
11 Avenue to the surface parking lot, and the one
12 in the bottom is east, looking from Trinity
13 Square across to Irving.

14 Our building is nine stories. It
15 measures 94 feet, 6 inches from the measuring
16 point, which is measured from the curb at
17 Irving Street, and we are requesting a 5
18 percent height allowance per Section 2405.3,
19 and this is due to the distance that our front
20 door is, actually, from the measuring point.
21 This particular site is a little bit unique
22 for most urban blocks, where our front door is

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1 very close to where the measuring point is.

2 Our actual height of the building
3 from the lobby to the roof is 89 feet, 6
4 inches.

5 This is a view looking as you are
6 going east on Michigan Avenue. You can see
7 the parking structure with the retail, the
8 restaurant entrance for the hotel, and then
9 the new kind of public walkway with the pylons
10 that march you up to the entrance.

11 This project will be constructed
12 with high-grade materials, precast two colors,
13 white and a sand color, metal panels, glass
14 and some stone.

15 This is that same elevation, where
16 you can see the garage, Trinity Square
17 adjacent to us, the conferencing center that
18 goes over the internal street, and then the
19 hotel itself.

20 Here are some examples of our
21 materials. Again, we have white precast that
22 has two finishes, a somewhat textured finish,

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1 and then an acid-etched finish. This is
2 similar to a building over on 600 -- I'm
3 sorry, 410 4th Street, S.W., with the white
4 precast, and then the sand colored stone is
5 very similar to the Robert Stern Building at
6 600 13th Street. That's a Dakota Stone, but
7 the color of the precast will be very similar
8 in nature. And, the aluminum for the window
9 system will be a silver metallic.

10 This is a view looking as you are
11 turning on to Irving Street off of Michigan
12 Avenue, and you can see the parking structure
13 beyond the landscaped public space, and again,
14 these are elevations looking north. This is
15 the elevation looking through at the thru
16 road, and then the Irving Street elevation.

17 And then, this is the view that you
18 would be looking at as you come off of the
19 cloverleaf on to Irving Street in the evening
20 here, with the conferencing center, the ***
21 6:51 *** for the entrance of the hotel, and
22 its elevation as well, the hotel and

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1 conferencing center abutting the parking
2 garage there.

3 And, these are some of the
4 materials that go along with the conferencing
5 center. Similar precast, and then we have
6 kind of this main feature on the conferencing
7 center, with zinc panels which are similar to
8 the Atelier Building in Boston that was
9 designed by Machado and Silvetti.

10 And, the garage, it's similar in
11 texture, in articulation to the hotel itself,
12 again, textured panels, smooth panels, and
13 then some stone and glass at the retail.

14 And, that is kind of that same view
15 going east down Michigan Avenue in the
16 evening, where you can see the lighted pylons
17 as you go up to the parking -- I mean, the bus
18 stop there.

19 And then this is the south
20 elevation of the garage and the hotel. On the
21 garage, we have introduced a vegetated wall,
22 and this is why we are requesting a 1 foot

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1 setback from the lot line, to allow for a
2 planting bed for the vegetable wall.

3 These are some examples of
4 vegetated walls, and we have designed this
5 wall to have a rhythm and a pattern, so it
6 will be a little bit more sculptural than just
7 a plain green wall.

8 And, keep in mind that the majority
9 of this will be somewhat hindered from site
10 because the Trinity Square Building is very
11 close in proximity.

12 So, that covers Phase 1.

13 MR. TUMMONDS: Mr. Stadler, excuse
14 me for a moment, could you discuss with
15 regards to the building height and our request
16 for the 5 percent flexibility, are there also
17 internal decisions with regard to floor to
18 ceiling height that require us to have that
19 additional 4 feet, 6 inches of height?

20 MR. STADLER: Yes, the standard
21 height from floor to ceiling with this
22 particular brand of hotel is 8 foot, 6 clear,

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1 and so we are right at that 8 foot, 6, and our
2 retail is about 14 or 15 feet clear, and so
3 that's where we get the 90 feet, 4 inches, and
4 it's really essential to the success of this
5 project.

6 So, Phase II, again, it's the same
7 aerial showing Phase I, and then the new Phase
8 II. This is, I think, where we've modified
9 the design substantially from the set down in
10 response to some of the concerns from the
11 Commission, as well as the Office of Planning.

12 So, what we've tried to do is go back and
13 make this a more urban-like project, and as we
14 go through here you can see the two new
15 oriented buildings, and we've made the
16 entrance sequence in line with our street from
17 Michigan Avenue.

18 And, what we are doing here is, we
19 are providing this, that we can in the future
20 connect to North Capitol Street if the
21 cloverleaf intersection is changed to a 90-
22 degree intersection.

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1 You can see that this allows for
2 two additional buildings of nine stories, to
3 be either residential or hotel use, depending
4 on the economic outlook in the future.

5 Again, we've provided the
6 transportation diagrams for this, cars going
7 in, and around, and out, and taxis can come in
8 and out as well. Again, similar for the new
9 proposed conferencing center, and then loading
10 will be, again, off of Michigan Avenue into
11 the end of the building and then out.

12 The height of the building is very
13 similar to Phase I, again, nine stories,
14 assuming that we meet an 8 foot, 6 clear floor
15 to ceiling, which, again, will be 94 foot, 6.

16 And here is, finally, a conceptual
17 image of what the massing may look like for
18 Phase II, with the Phase I hotel garage and
19 the two new buildings.

20 With that, I'm going to pass the
21 mic over to Chris Cowles, our Arborist.

22 MR. COWLES: Hello. For the record,

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1 my name is Chris Cowles, with The Care of
2 Trees. I'm a consultant urban
3 forester/arborist. If you have any questions
4 about my qualifications, I'll be glad to enter
5 those.

6 I don't know if anybody has seen
7 the report that I did last week, when I went
8 out to the site, but I have copies here if
9 you'd like those.

10 Okay, great.

11 We've got some pictures that were
12 taken from my report that we have up here on
13 the Power Point today, and the first thing I
14 noticed when I went out to the site was it was
15 very dense, and the two things that cause a
16 span of trees, a growth of trees, vegetation
17 will be very dense, is one is, when they are
18 very young, when they are very small saplings,
19 they grow very thick. Whereas, if it's a more
20 mature forest the trees are more spaced out, a
21 lot of these are walked through.

22 Secondly, there is a lot of vines,

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1 poison ivy, a lot of invasive-type vines, and
2 a lot of the invasive shrubs. The young
3 trees, when they come up, they come up very
4 thickly, in very thick groves, and that's one
5 of the reasons why they are on a lot of the
6 environmental ecologists' watch list, is when
7 young plants and trees come in very thickly
8 they tend to exclude a lot of the native
9 vegetation out there.

10 I broke it down into over story
11 trees, subordinate trees, and under story
12 trees and shrubs, without going into all the
13 details, because you do have my report. The
14 dominant over story tree, on a lot of sites
15 throughout the Mid Atlantic that I've been
16 assessing since the late '80s when I arrived
17 here, you'll have larger trees like 2 feet
18 diameter trees, 3 foot diameter trees, for
19 over story trees, however, at this site they
20 are very young, they average about 12 to 14
21 inch diameter, and they are, predominantly,
22 Black Locust trees, which is a pioneer species

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1 commonly found on old farm fields or urban
2 sites where they colonize sites relatively
3 quickly, and they are very short lived, and
4 they are not a tree that is really planted for
5 any uses because of their short-lived nature.

6 Some of the other under story and
7 subordinate tree species I found, there is
8 quite a mix on the site. They are fairly
9 young, about 4 to 5 inch, 3 to 4 inch in
10 diameter, and they are things like Black
11 Cherry, Red and Sugar Maples, about three
12 different species of Oaks, and the Maples and
13 the Oaks, apparently, seeded in from the
14 existing street trees that were behind the
15 curb that you've probably seen if you are
16 familiar with the site, or from some of the
17 other pictures, because these are not species
18 that are normally found on the interior here.

19 So, I think that's where those
20 trees came from.

21 Some of the other shrubs and
22 herbaceous layer included the invasive shrub,

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1 Tatarian Honeysuckle, poison ivy, black
2 raspberry, some honeysuckle vines, which are
3 invasive, and various seedlings and saplings
4 of the other trees that I've mentioned
5 previously.

6 These two slides, the slide on the
7 left shows some young oaks, some willow oaks,
8 scarlet oaks, that have seeded in from along
9 the edge, from the street trees that have been
10 there for probably a few decades, and then we
11 see a cluster of Siberian Elms in the
12 northwest corner. Those are some of the
13 largest trees I found on the site, and they
14 were about 13 to 14 inch diameter.

15 Now, I covered about 75 percent of
16 the site as I looked around. I usually like to
17 cover more of a site, especially, a site this
18 small, but it was so dense, and I didn't bring
19 my machete with me, so I couldn't cover the
20 entire site. But, I was looking for trees
21 that were the 55-inch circumference or larger.
22 I really didn't see any. That's not to say

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1 there might not be a couple there that are
2 about that size, but I didn't see any in my
3 walk through.

4 The slide on the right, there was a
5 lot of trash, a lot of bottles, cans, and
6 hubcaps, and pieces of carpet, and containers,
7 various things common to some abandoned urban
8 areas, and you notice the horizontal tree.
9 When young trees grow up, and they have a lot
10 of vines that encumber them, they tend to
11 catch the wind quite easily and can be toppled
12 in wind storms, and I found quite a bit of
13 that in the center, possibly from a micro
14 burst or something that came through a while
15 back. They are mainly the tall, thin locust
16 trees that tend to topple over.

17 So, my assessment of the site, I
18 would rate it as a fairly low and poor in
19 quality overall, and I recommended that -- my
20 recommendation is that a new corporate type
21 landscape would be a much better fit to this
22 site from what we have there existing, one

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1 that can be maintained, and one where the
2 trees are reaching maturity, and fulfillment
3 of their size and their canopy to this site.

4 Any questions?

5 CHAIRMAN HOOD: We get our
6 questions at the end.

7 MR. TUMMONDS: Ted?

8 MR. MARIANI: My name is Theodore
9 Mariani, and I'm going to be speaking on a
10 couple topics, principally, on our sustainable
11 design, and also some of the engineering
12 aspects of the project.

13 If you will see in the documents we
14 provided you, there is a sheet that indicates
15 our initiatives that we have undertaken for
16 the project.

17 We have, actually, identified a
18 total of 55 initiatives that we would embark
19 on for the sustainability and lead aspects of
20 this project.

21 We are, definitely, committed to
22 certifying the building as a lead building,

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1 and we have a target of silver for that
2 purpose.

3 Some of the obvious features you
4 will see are the vegetated roofs on the
5 buildings. Some of the things that you will
6 not be aware of in looking at the diagram here
7 are the fact that we are looking at a number
8 of innovative things in this building, working
9 with our adjacent community hospitals to
10 develop special things that they believe are
11 critical to their use of the facility as well.

12 We will have the potential for
13 hypo-allergenic suites, eco-friendly suites,
14 and we are looking at suites dedicated to
15 sleep apnea and other aspects of the hospital
16 community that are not being met properly on
17 the settings of the hospitals themselves.

18 The building will have a drainage
19 system. Currently, the parking lot is drained
20 to the storm sewer with no control of the
21 effluent, in terms of quantity or quality. We
22 will be installing both a retention facility

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1 for maintaining a flow out of the site, as
2 well as improving the quality of the outflow
3 of the site.

4 We believe that Marriott has a
5 predilection for encouraging sustainable
6 design in all of its hotel projects, and we
7 will be trying to make this an exemplar of
8 that as we work with Marriott in the evolution
9 of the facility, both in terms of the special
10 systems we are installing for energy
11 efficiency, as well as the way the hotel is
12 managed, in terms of energy conservation. We
13 believe that it can be a showcase in that
14 regard.

15 As far as the engineering aspects
16 are concerned, one of the key things that we
17 are dealing with here is a 66-inch storm sewer
18 that runs across the site, from about this
19 location to this corner of the site. It's a
20 sewer that ostensibly is owned and controlled
21 by the City, but it has been neglected over
22 time, and it is failing.

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1 We did a very extensive on-site
2 analysis of the sewer, actually, walked
3 through it, identified the problems associated
4 with that 66-inch sewer, and came to the
5 conclusion that a part of it would have to be
6 totally rebuilt, so we are relocating and
7 reconstructing about 300 plus feet of this
8 over 500-foot sewer, and the balance of the
9 sewer, which is in fairly good condition, will
10 be restored and relined.

11 We've had meetings with WASA to
12 discuss this, and they have agreed with the
13 approach we are taking. We will be submitting
14 detailed plans to them for their approval, but
15 the whole work will be done at our expense,
16 and it will be in the neighborhood of \$600,000
17 or \$700,000 to restore the sewer to a good
18 working condition.

19 The sewer will serve, not only our
20 site, but the sites to the north and the east
21 which currently utilize that sewer as well.

22 There will be a number of

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1 engineering improvements on the street system.

2 Those will be addressed by our transportation
3 consultant, but the principal aspect there
4 will be to improve the safety and access to
5 the site, and improve the pedestrian
6 circulation around the site.

7 That concludes my statement. I'll
8 be happy to answer any questions.

9 MR. TUMMONDS: Go ahead.

10 MR. ANDRES: Good evening, Chairman
11 Hood, members of the Commission.

12 My name is Erwin Andres, I'm a
13 Principal with Grove Site Associates.

14 What I'd like to do is walk you
15 quickly through our scope and the existing
16 conditions related to the site, the proposed
17 access and circulation system, and the
18 transportation management plan that's been
19 developed to help support the site conditions.

20 COMMISSIONER MAY: Mr. Andres, can
21 I interrupt for a second?

22 MR. ANDRES: Sure.

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1 COMMISSIONER MAY: Can you please
2 move your microphone away from your mouth.
3 It's very loud over my head here.

4 MR. ANDRES: Sorry.

5 COMMISSIONER MAY: Thank you.

6 MR. ANDRES: Does that work better
7 for you?

8 COMMISSIONER MAY: That's much
9 better, thank you.

10 MR. ANDRES: With respect to the
11 existing conditions, the site is located at
12 the northwest corner of Michigan and Irving.
13 The Brookland Metro Station is located to the
14 east. The urban condition in and around this
15 area, actually, is different than many other
16 locations within the District, because the
17 urban nature is, actually, similar to a suburb
18 environment, especially, given the fact that
19 there is a major interchange -- major urban
20 interchange, and it's the only one within the
21 District that ties together two major
22 roadways.

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1 Given that, and given the fact that
2 there are three lanes in each direction on
3 Michigan Avenue, as well as on Irving Street,
4 there is an environment that is heavily
5 dependent on vehicular circulation and access.

6 It's been our experience that in
7 locations like this we would, as part of this
8 plan, like to promote pedestrian circulation
9 as much as possible, but given the existing
10 conditions we've tried to do the best that we
11 could.

12 Some of the other major traffic
13 components that we'd like to point out is that
14 at the intersection of Michigan Avenue and
15 Irving Street there is a particularly unique
16 configuration, in that as you approach the
17 site from Irving Street heading south you can
18 actually come to the signal, turn right or
19 turn left. However, there is no opportunity
20 if you are heading north on Michigan Avenue to
21 turn left onto Irving Street, and the reason
22 for that is because there is no street segment

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1 that allows you to do that.

2 If you are heading westbound on
3 Michigan Avenue, there is two sweeping right
4 turns that allow you access onto Irving
5 Street, and that is the only access to get on
6 to Irving Street. So, that provides some
7 challenges that we look to address in the
8 proposed access and circulation plan.

9 As I mentioned before, the existing
10 environment currently consists of -- consists
11 of a suburban freeway -- a suburban roadway
12 network with three lanes in each direction,
13 and the interchange located to the west.

14 There are currently no bike
15 facilities on either Michigan Avenue or Irving
16 Street. On Michigan Avenue, there is peak
17 period parking restrictions, depending on
18 which time of day that the commuter flow is
19 dominant, and because the lot serves 400
20 spaces in the mornings and in the evenings
21 there is a significant peak, because it's
22 related to shift traffic. As a result, the

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1 400 space parking lot, actually, generates,
2 and is projected to generate, significantly --
3 actually, not significantly, more volumes
4 compared to the proposed development program.

5 The proposed conditions, actually,
6 what I'd like to do is highlight where the
7 existing access is. Currently, there's an
8 existing access point off of Irving Street and
9 an existing access point on Michigan Avenue,
10 both of which are currently unsignalized.

11 As part of the access plan, and,
12 actually, can you go to the next page -- what
13 we are doing is, we are introducing a new
14 traffic signal at the access point on Irving,
15 and what that does is, it provides full
16 movements into and out of that curb cut, and
17 it provides full movements out -- full
18 movements exiting that curb cut.

19 The benefit of this plan is that,
20 as I mentioned before, the current condition
21 does not allow for those movements, so there
22 is additional -- there is additional traffic

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1 flows that are concentrated towards Michigan
2 Avenue. By providing this -- by providing
3 this amenity of the traffic signal, we are
4 helping to disburse the traffic much better,
5 especially, for vehicles heading north on
6 Irving.

7 It's important to note that the
8 proposed driveway is, actually, shifted
9 further east compared to the driveway that's
10 there today. In addition to that, the
11 driveway -- the current driveway on Michigan
12 Avenue is, actually, being shifted
13 approximately 30 feet to the west. So, in
14 both instances we are creating more separation
15 between the critical elements of the off ramp
16 and the driveway on Irving Street, and the
17 critical distance between the off ramp off of
18 Irving and the signalized driveway.

19 The unsignalized driveway on
20 Michigan Avenue is, actually, similar, it will
21 operate similar to the unsignalized driveway
22 that's current serving Trinity Square Shopping

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1 Center, which is the next property to the
2 west. So, having full access at our Michigan
3 Avenue access is not -- is consistent,
4 actually, with the driveways along the stretch
5 that provide unsignalized full access.

6 And again, because we are moving
7 the access further to the west on Michigan
8 Avenue, we are improving the existing
9 condition which currently carries more
10 traffic.

11 Given that, we've performed the
12 traffic analysis that identifies the proposed
13 impact to be able to be accommodated by the
14 surrounding roadway network. If anything, our
15 analysis demonstrates that the proposed impact
16 is, actually, significantly less than all of
17 the other proposed developments in the area,
18 and given some of those proposed developments
19 this development will, actually, be consistent
20 with the future plans of those developments.

21 What we'd also like to emphasize
22 with this plan is that the Irving Street

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1 entrance we are looking to incorporate
2 internal signage to allow for traffic heading
3 eastbound, excuse me, on Michigan Avenue,
4 because they can't turn left at the
5 Michigan/Irving intersection we are, actually,
6 going to implement signage to direct hotel
7 patrons to turn left at North Capitol Street.

8 And, by using North Capitol Street,
9 and then taking the Irving Street exit, they
10 will be approaching the site from the north,
11 and, primarily, that is a characteristic that
12 we believe will benefit the overall traffic
13 condition.

14 The internal circulation would also
15 help patrons who are heading eastbound on
16 Michigan Avenue, that if they wanted to they
17 can, actually, access the signal that will
18 allow them to head southbound on Irving Street
19 to turn left onto Michigan Avenue.

20 What I'd like to do now is just go
21 through the DDOT report, and, basically, DDOT
22 has made a recommendation of approval with

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1 conditions, and I'd just like to address the
2 conditions in which we are sort of lumping the
3 conditions into six basic points.

4 The first point is the Irving
5 Street signage. The Irving Street -- again,
6 we agree to this condition, as I mentioned, we
7 will work with DDOT to implement signage for
8 eastbound Michigan Avenue patrons, to be able
9 to turn left at North Capitol Street, to come
10 around and approach the site, heading
11 southbound on Irving Street.

12 The next item that DDOT comments on
13 is the Michigan Avenue access. As I mentioned
14 before, the Michigan Avenue access currently
15 is located closer to the intersection. What
16 we are doing is moving it further west, which
17 provides more separation between the Michigan
18 and Irving intersection and that unsignalized
19 access point.

20 DDOT, in their report, had
21 identified that they would allow for full
22 access for delivery vehicles, however, for

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1 passenger vehicles they are suggesting it be
2 right turn in, right turn out.

3 Given the retail component of this
4 project, we believe that -- we believe that,
5 first of all, that moving the entrance further
6 west does a few things. One, obviously, it
7 provides you more separation from the Irving
8 Avenue right-turn lane that comes onto
9 Michigan Avenue, and again, it is a condition
10 that happens today that we're improving by
11 moving the intersection further west. The
12 second point that I'd like to make is that
13 it's not uncommon, the property to the west is
14 the Trinity Square Shopping Center, which
15 again, also has full access and it's not
16 signalized.

17 The opportunity to provide full
18 access at the Michigan Avenue entrance is
19 critical to help support the retail
20 establishments that are proposed at the site.

21 Given the visibility being at a prominent
22 corner, we are providing for that retail

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1 viability, without compromising any of the
2 vehicular conflicts, especially, since the
3 flows related to the site are being mitigated
4 by improving the Irving Street access.

5 In addition to that, the trip
6 generation associated with the hotel is fairly
7 low, especially, during peak hours, so we see
8 that as another mitigating factor, in which
9 the traffic volumes associated with the
10 proposed development is, actually, going to be
11 less intense than the existing situation where
12 you have 400 vehicles that are associated with
13 shift traffic and the Washington Hospital
14 Center.

15 And, by also providing that access
16 as full -- as a full access intersection, we
17 are also reducing the need for -- if access
18 was left turn access into the site was
19 restricted, if the patron sees a retail
20 opportunity and they realize they can't turn
21 left there, unfortunately, they can't turn
22 left at Irving, because you can't do that.

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1 So, in essence, what that does is, to
2 potentially force U-turn situations at the
3 following intersection, and potential illegal
4 U-turns, because there is no median on
5 Michigan Avenue.

6 The next comment that DDOT raises
7 is that they would like us to reexamine our
8 parking needs in Phase II. As part of Phase I
9 we are proposing to keep some parking related
10 to the existing shuttle service operation
11 associated with the Washington Hospital
12 Center, and then also provide the parking
13 necessary to support Phase I, which includes
14 the hotel and the retail.

15 Going to Phase II, DDOT wants us to
16 take a look at it, at the demands, given that
17 at that point in time, whenever Phase II comes
18 around, the neighborhood could, essentially,
19 mature and there could be more people not
20 driving, and given that we wholeheartedly
21 agree with DDOT that we would like to take
22 another look at the parking demand once Phase

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1 I is built.

2 The next item on here is loading
3 and deliveries. We've submitted, as part of
4 the record, a delivery management plan. It's
5 been our experience that the loading activity
6 associated with the proposed project can be
7 accommodated by consolidating some of the
8 loading docks. DDOT and OP has agreed that
9 the consolidation of some of our loading docks
10 is actually a good thing. So, there aren't
11 sort of the extra spaces wasted to loading
12 docks that won't be used.

13 DDOT, in their report, had
14 recommended that a loading dock manager be
15 employed to enforce any loading that might
16 occur on Michigan Avenue. Our assertion is
17 that we don't believe that patrons -- we don't
18 believe that truck deliveries would occur on
19 Michigan Avenue, because of two reasons, one,
20 we've designed the internal roadway adequately
21 to allow for those truck movements to get into
22 and out of the loading dock, and then the

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1 second reason is, is a matter of convenience.

2 Once the truck pulls into the loading dock,
3 that person, that loading person, has a much
4 shorter distance to reach the material
5 handling -- materials handling areas of both
6 the hotel and the proposed retail.

7 So, given that, we don't believe
8 that there's a need for a hotel -- excuse me,
9 we don't need -- we don't think there's a need
10 for the hotel loading manager to enforce the
11 loading activity on Michigan Avenue, because
12 it's not convenient for that truck delivery
13 person.

14 DC Smartbike, DDOT had requested
15 the incorporation of the DC Smartbike kiosk,
16 which includes, obviously, all the costs
17 associated with putting in DC Smartbike,
18 putting in the power, obviously, allowing for
19 some space for that.

20 As I mentioned before, this part of
21 -- this part of the District, unfortunately,
22 is very suburban in nature, and will continue

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1 to do so until, at a minimum, the interchange
2 of Michigan Avenue and Irving Street goes
3 away, and some of the lanes get reduced, and
4 things like that.

5 Some future improvements would
6 include BRT lines and things like that, but
7 they are -- but until those happen this area
8 will continue to be very suburban in nature.
9 It is so much so that DDOT, actually, has
10 implemented speed enforcing cameras on
11 Michigan Avenue, just west of the Trinity
12 Square Shopping Center, because they realize
13 it carries a significant amount of traffic,
14 and in doing so there are speeds that are very
15 unfriendly for bicyclists if they were to bike
16 in the area.

17 It's been our experience in our
18 coordination with the client, that this
19 hospital, actually, won't necessarily -- the
20 primary market or target market of this
21 hospital -- excuse me, of the hotel, is not to
22 serve tourists coming in for the weekend, but

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1 there are many institutional uses in the area
2 that include the hospital, that include
3 several universities that has no lodging, no
4 proximate lodging.

5 As a result, we believe that
6 there's a lot of primary market of those hotel
7 users who will be going back and forth to the
8 hospitals, going back and forth to the
9 universities, and given that the bike network
10 isn't there to support that, and the bike
11 facilities, we don't believe that Smartbike is
12 an appropriate use of resources to support
13 that activity.

14 And then, the last item is the
15 transportation management plan, we had
16 submitted a transportation management plan to
17 DDOT, and they had requested different
18 management measures that we believe are
19 measures that aren't appropriate for this
20 site, and for this location, and for this
21 project.

22 They talk about several items that

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1 include car sharing programs, which we are --
2 actually, they are requiring Zipcar spaces on
3 the hotel property, we are okay with that.

4 The Transportation Coordinator, we
5 are okay with that.

6 The transit incentives, DDOT is
7 talking about a one-time complimentary
8 SmarTrip fare card. We are committed to a
9 SmartBenefits program for our hotel employees,
10 that allows them to take advantage of the
11 Metro incentives as a pretax benefit.

12 And, a lot of these other -- a lot
13 of these other measures we are -- we have
14 addressed in a different manner in the
15 transportation management plan that's been
16 supplied.

17 So, given that, we believe that we
18 have met all of the standards related to PUD
19 applications, based on our experience on
20 working projects similar to this.

21 MR. REINDERS: Ready to go?

22 MR. TUMMONDS: Yes.

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1 MR. REINDERS: Good evening, my
2 name is Rob Reinders. I am Vice President of
3 Design Management at Marriott International in
4 our Architecture and Construction Division. I
5 lead the design and project management support
6 for project development for five of our
7 Marriott brands, including Spring Hill Suites,
8 the brand proposed for this project.

9 I'd like to tell you a little bit
10 about Spring Hill if I could, very briefly.
11 Spring Hill Suites, is as the name implies, a
12 suite product. It's an upscale select service
13 brand. It's unique in that all the rooms are
14 suites, not just some of them, and they are
15 the largest in the segment, and, perhaps, in
16 that lodging in the industry.

17 They are very spacious and
18 functional rooms. They have spa-like baths,
19 and they are ideally suited for both business
20 travelers as well as families.

21 Currently, there are 229 Spring
22 Hill open properties across the U.S. and

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1 Canada, ranging from suburban to very urban
2 downtown locations.

3 Over the last three years, we've
4 been very busy doing a lot of research in the
5 market, and we've, actually, rolled a new
6 version of the brand, and based on that
7 research we've taken it even more up scale,
8 more up scale positioning, and now features an
9 even more fresh and progressive design. It's
10 a very multigenerational appeal. We are very
11 happy with how that's coming out.

12 There will be 26 of those new
13 versions of Spring Hill open in 2009, and we
14 are seeing incredible results with that.

15 This project is following that
16 design strategy and guideline. In fact, the
17 brand of those new properties enjoys high
18 guest satisfaction overall, and you can
19 imagine guest satisfaction is a very important
20 measurement for us of our brands.

21 Among those new 26 properties, it's
22 running 91.5 percent guest satisfaction, which

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1 is a remarkable measurement, and one of the
2 highest of our brands. It scores particularly
3 high in the areas of being stylish and
4 innovative, and, actually, 97 percent of our
5 guests feel that it's an up-to-date brand.
6 So, clearly, the customers love this new
7 version of Spring Hill Suites.

8 Consumer Reports readers recently
9 rated it one of the best up scale brands, in
10 fact.

11 We are very excited about this
12 project in Marriott. We've been working on it
13 for a while with Mr. Dickens and the group.
14 We feel it's ideally suited to this location
15 and this customer. It's beautifully designed,
16 many upgrades. It's a great custom example of
17 the Spring Hill Suites.

18 We are excited about the
19 aspirations for green certification need
20 certification, and the other goals that Ted
21 outlined, very well aligned with own Marriott
22 corporate goals for environmental

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1 responsibility and sustainability, a very
2 important initiative for us, all of us.

3 We feel this is a very first-class
4 example of a merit hotel, and will be a
5 showcase for Spring Hill Suites. We are very
6 excited about the project.

7 Thank you.

8 MR. DICKENS: My name is Mike
9 Dickens. I'm President of Hospitality
10 Partners.

11 I'm going to go through the
12 community benefits and some of the project
13 benefits that -- can everybody see there?

14 Before I do, however, I want to
15 make a couple of comments about the process we
16 went through with the ANC and the community.

17 I've been involved in the project
18 for four years. My partner here, Ted Mariani,
19 has been involved in the project for more than
20 20. In our four years, we've gotten at least
21 -- we've had at least three presentations and
22 approval processes of ANC 5C, I think all of

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1 which have been unanimous, and I'd like to
2 publicly thank Ronnie Edwards, our single
3 member district member from ANC 5C, and the
4 process we went through in the community
5 benefit negotiations.

6 This first slide is the total
7 employment related assets, and if you just go
8 from the top, that's the construction jobs,
9 wages and benefits, and, obviously, that's
10 just a one-time item. The next is, if we had
11 -- if 50 percent of the employees are from
12 Ward 5, that would be a \$3,250,000 salaries on
13 an annual basis. We have a training piece
14 that we've talked about, that we are
15 committing to, and that gives us a subtotal
16 there, and then the -- as you go down the
17 slide there, that is the construction piece
18 again, and then this would be for 80
19 employees, 160 employees total, and that would
20 be the other 80 employees that would not
21 necessarily -- non-Ward 5 employees, but it
22 gives you the annual employment benefit at \$24

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1 million, and over the first 20 years it's \$148
2 million.

3 So, you know, it is a large hotel,
4 and it does produce a lot of benefits.

5 The community amenities page is
6 next, and one of the things we are quite
7 pleased about is, we are going to be working
8 with the hospitality program that's being
9 established in the new community college
10 that's being set up, and the Hotel Association
11 is working very closely with them, and we are
12 going to have a skills development, job
13 readiness program that we are going to fund to
14 the tune of \$75,000 for the initial hiring
15 process we'd go through upon the opening of
16 the hotel, hopefully, 2011.

17 We are also going to, on an annual
18 basis, we are going to be awarding two
19 scholarships per year and four internships per
20 year, also for the people in the hospitality
21 programs at UDC, in the community college
22 portion of UDC, and then we have some other

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1 things that are not as easily quantified.

2 We've committed to ANC 5C's monthly
3 meeting space. We have a seniors lunch
4 program, that's going to be run through the
5 restaurant. The restaurant on this site is a
6 Paul -- it will be Paul Conn's concept. Paul
7 is a partner in the deal. Georgia Brown's, J.
8 Paul's Palos, and he hasn't designed the
9 concept yet, but that's where we will be
10 entertaining the seniors on a regular basis.

11 And then, we've also committed to
12 two other issues of a holiday party and a
13 local special rates thing, which we've done a
14 program, which we've done at a number of other
15 hotels.

16 The next slide is the project
17 amenities, and starting at the top you have
18 the Irving Street roadway improvements, which
19 are \$825,000, Michigan Avenue at \$350,000.
20 The new revenues for local businesses, which
21 we are estimating at \$10 per hotel room night,
22 which is \$800,000 over the first 20 years,

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1 that's \$16 million. So, the subtotal on that
2 is \$1.9 million on an annual basis, and for
3 the first 20 years we are saying it's in the
4 \$17 million range. And then, the last number
5 is the taxes that accrue to the District.
6 It's a combination of restaurant sales taxes,
7 hotel taxes, and the rent we pay on the lease
8 itself, and that's estimated conservatively,
9 frankly, at \$4 million a year, and in constant
10 dollars -- all these are constant dollars,
11 obviously, that's \$80 million over the 20
12 years.

13 So, getting to the last slide, if
14 you look at all this, we have for the first 20
15 years it's a lot of money, almost a quarter of
16 a billion dollars that this project is
17 creating for the various constituencies. And,
18 that's a significant amount of money, as I
19 said.

20 The other thing I'd like to talk
21 about, the community of need issue, and it
22 came really to the fore yesterday. We met

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1 with Children's Hospital yesterday, and one of
2 the things that you've already seen is the
3 institutional nature of the area around this
4 hotel. And, obviously, the largest
5 institutions are the hospitals, well, the
6 colleges, too, but the hospitals nearby.
7 We've got -- there's more than 1,500 beds in
8 these hospitals, there's more than 14,000
9 employees work there.

10 In patient admissions for the four
11 hospitals, the VA -- actually, for three, for
12 National Rehab, Children's and Washington
13 Hospital Center, they have in patient
14 admissions in 2008 of about 160 people a day.

15 Those people -- none of those folks have any
16 hotels near there where they can stay now, and
17 if you allow me a personal digression, I live
18 in Cleveland Park, and I got very used to
19 learning how to drive from Cleveland Park to
20 the Children's Hospital when our kids were
21 young. Fortunately, it was never serious. You
22 know, they couldn't breathe at night, and they

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1 had a cold, we put them in the car, we'd go
2 trundling down through Adams Morgan to take
3 them over there. The cool night air would hit
4 their throats, and by the time we got at
5 Children's Hospital they were breathing and
6 everything was fine.

7 But, I have a real appreciation for
8 what parents go through with kids, and I think
9 it's -- I can tell you that having met with
10 them yesterday, we do \$300,000 a year right
11 now with Children's Hospital for patients who
12 are bringing in children from the Middle East
13 that are staying at our Washington Suites
14 Alexandria, and driving an hour. When you've
15 got a kid that's sick, not being able to stay
16 near that hospital is a big deal.

17 And, one of the things I'd just
18 like to impress upon all of you, and everybody
19 that's doing this project, is there's 36
20 admissions a day that Children's has, with an
21 average length of stay of six nights, probably
22 half of those are people that are coming from

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1 outside, and every one of those people can't
2 stay near their kid when their kid is in the
3 hospital.

4 We have already met with these
5 folks. They've agreed to do focus groups with
6 us, so we can identify all the things we can
7 do inside that hospital to make it as
8 appropriate for the people -- for our guests.

9 We've talked about doing sensitivity training
10 for our employees, so they know how to deal
11 with parents that have -- the worst crisis
12 that you can ever face is a parent having a
13 sick child.

14 And, one of the things that I'm
15 real sensitive to right now is that, you
16 know, every -- they keep talking about the
17 fact that this thing has been promised for a
18 long time, and it certainly has, but every day
19 that goes by that's another 36 people that
20 check into Children's Hospital that don't have
21 a place to stay that's near their kid.

22 And, if you can do anything for us,

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1 just make sure we can do this as fast as we
2 possibly can, because I think there's a real
3 need out there, not just for the money, and
4 the taxes, and the community benefits, I think
5 it's a real community of need out there with
6 the people that have family in those
7 hospitals, particularly, Children's Hospital.

8 So, that's my knee jerk, heart
9 wrenching comments.

10 MR. TUMMONDS: That concludes our
11 presentation. We are available to answer any
12 questions you may have.

13 CHAIRMAN HOOD: Okay, thank you
14 very much. I think the presentation was very
15 well done.

16 Let me just ask this, and I'm
17 trying to get a reference for time, because
18 sometimes we look up and it's 10:00, we've got
19 to come back another night.

20 Is there anyone here who is going
21 to testify in support? I just wanted to see
22 your hand? Anyone who is going to testify in

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1 support. I know Commissioner Edwards is back
2 there for the ANC, but anyone else?

3 Is there anyone here who is going
4 to testify in opposition?

5 Okay, so we won't be back another
6 night.

7 Mr. Dickens, I will say that the
8 last part of your comments -- you are Mr.
9 Dickens, right?

10 MR. DICKENS: Yes.

11 CHAIRMAN HOOD: The last part of
12 your comments was very appropriate, and I
13 appreciate -- and I think -- I think it was
14 very sincere, and I appreciate that.

15 My colleagues and I may have some -
16 - we might have one or two design questions,
17 or some issues, and it's not punching at
18 what's trying to be accomplished here.

19 I think, for me, while I heard the
20 whole presentation, your last comments is what
21 really set with me, and I appreciate your
22 comments, and making sure we don't lose sight

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1 of that.

2 MR. DICKENS: And, I will tell you,
3 at yesterday's meeting with Children's
4 Hospital, I had been focused on a whole lot of
5 other stuff as we go through this process,
6 because you sort of have to, and it really
7 came home to me yesterday when you are talking
8 about those kinds of issues.

9 And, I did talk with our hotel in
10 Alexandria that does \$300,000, average length
11 of stay of 30 days, and we do -- you know, one
12 of the things I can really -- I think this
13 could be a hotel I could be as proud of any
14 hotel I've ever been a part of, because I
15 think if we do the job right there we are
16 going to have staff in that hotel who are
17 going to know what it's like to take care of
18 people, whether parents, or the stress of
19 going through that stuff, and that's taken us
20 a long time in Alexandria to figure it out,
21 but we're going to have a real reason to do
22 that here, because we are going to have so

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1 many of those people in the hotel.

2 CHAIRMAN HOOD: Okay.

3 MR. DICKENS: And, you know, have
4 an oasis in that area for people that are
5 going through that stress is -- you know, we
6 are barely business people in the hotel
7 business, we just like taking care of people,
8 and we will really be able to take care of
9 people there. It will be a nice thing.

10 CHAIRMAN HOOD: Good, thank you for
11 your comments.

12 Let me open it up. Let's see, my
13 colleagues, whoever would like to start us
14 off.

15 Maybe we don't have any questions.

16 COMMISSIONER MAY: All right, I'll
17 go.

18 CHAIRMAN HOOD: Commissioner May?

19 COMMISSIONER MAY: I, believe it or
20 not, don't have a lot of questions. I will
21 note that there's been some improvement in the
22 site plan from what we saw at set down, the

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1 elimination of a ring road, and trying to make
2 it a little bit more amenable to the urban
3 environment.

4 It is a very odd site. I mean,
5 this is -- it's like it's surrounded by roads
6 that feel high speed, even if they are posted
7 at 35 mph. So, it's not your typical kind of
8 urban street frontage, so I think it's very
9 hard to, you know, come down hard and say
10 you've got to make this, you know, urban
11 lively street front kind of development that
12 we normally see.

13 So, you know, just by its -- by the
14 nature of the streets and such, it's got --
15 it definitely has a more suburban kind of feel
16 to it.

17 And, I have questions about the
18 future of the roadway system that I'll save
19 for when OP does their report, because that's
20 just more to fill in the context of it.

21 I saw reference in reports, and
22 I've certainly seen the image that implies

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1 that the retail space would be, or could be, a
2 grocery. Is that, actually, I mean, a real
3 aspiration for this project?

4 MR. DICKENS: It's certainly a real
5 aspiration, I don't know if it's -- I don't,
6 you know, obviously, in today's economic
7 environment it's hard to know what's possible.

8 But, you know, Trader Joe's or something like
9 that, that would be -- we know that, talking
10 to everybody in the community, that they would
11 really appreciate something like that, and I
12 think it would be -- I think it would be a
13 good thing.

14 I just don't know how possible
15 those things are going to be, given --

16 COMMISSIONER MAY: So, you haven't
17 had any substantive conversations about that?

18 MR. DICKENS: No, we haven't. I
19 mean, there's a Trader Joe's down near one of
20 our other hotels we run, at 2500 Pennsylvania
21 Avenue that went in, and I have just talked to
22 the manager there and asked him about traffic

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1 counts, and how they make those decisions, and
2 I thought I would get some scientific answer,
3 and I got nothing that was scientific at all.

4 MR. TUMMONDS: Could you address
5 the design of the retail, and to see how that
6 would, could fit, would fit, for between
7 loading?

8 COMMISSIONER MAY: Yes, that was my
9 next question, is how is it -- I mean, is it
10 really well suited, because it's relatively
11 small, isn't it? It's 11,000 --

12 MR. DICKENS: 28,000.

13 MR. STADLER: It's about 20,000
14 square feet, because most of it is below
15 grade, it's not counted for gross square
16 footage.

17 COMMISSIONER MAY: Okay.

18 MR. STADLER: And, it works,
19 actually, rather well. I think initially when
20 we presented this to you before, we didn't
21 have the loading dock dedicated to this space,
22 and so, therefore, by kind of moving some

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1 things around we were able to get a loading
2 dock in there, and that way we can access the
3 below space much easier.

4 And, I don't have this plan that
5 has the below grade, but you can see that you
6 can come directly into the parking, and I
7 think this is why it's essential to have
8 access for this retail space off of Michigan
9 Avenue, come in, park, go straight into the
10 grocery store, back out, by vehicle.

11 If you are walking in, you can walk
12 in that way.

13 It seems to make a lot of sense as
14 a retail space, from an architectural sense.
15 Obviously, getting a retail tenant is
16 sometimes a little bit more challenging these
17 days.

18 COMMISSIONER MAY: Okay, that leads
19 -- well, I'm going to -- I'm bouncing all over
20 the place, sorry about that, the access off of
21 Michigan Avenue, did I understand correctly
22 the implication, I think, from when Mr. Andres

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1 was talking, that you would want to allow the
2 opportunity for people to make a left turn off
3 of eastbound Michigan Avenue into that
4 Michigan Avenue entrance?

5 MR. ANDRES: Yes, that's correct.

6 As part of --

7 COMMISSIONER MAY: Is that allowed
8 now?

9 MR. ANDRES: -- yes, it is.

10 COMMISSIONER MAY: It's not double
11 yellow striped there?

12 MR. ANDRES: It's double yellow
13 striped, but that movement does occur today.

14 COMMISSIONER MAY: Well, I thought
15 you weren't supposed to make a left turn
16 across a double yellow line.

17 MR. ANDRES: Well, a double -- a
18 double yellow line, our interpretation of the
19 double yellow line is, you actually can't pass
20 somebody, and the double yellow represents
21 that there is an opposing traffic stream, but
22 you can't pass somebody around a double yellow

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1 line.

2 COMMISSIONER MAY: Okay.

3 CHAIRMAN HOOD: Let me just ask, is
4 it a broken yellow line? I usually go slow
5 through there, because of the speed camera, so
6 i don't really -- I pay attention to that, but
7 is it a broken line or is it a solid line?

8 MR. ANDRES: It's a solid double
9 yellow line, it's not gore striping. Gore
10 striping, which is the striping that islands
11 -- gore striping says you can't be -- you are
12 not allowed to be in that area. So,
13 technically, if you have gore striping there,
14 you can't cross it, because technically you
15 can't be in it.

16 But, double yellow line, you can
17 cross it, but you can't pass people there,
18 because of the double yellow line, and that's
19 why there are driveways that are accessed
20 throughout the City across double yellow
21 lines.

22 COMMISSIONER MAY: Yes, okay.

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1 I guess I would have concerns about
2 that movement. I don't travel that road
3 regularly, but when I did 15 years ago, when I
4 did a regular commute in that direction, I
5 mean, it was not the sort of street where
6 making a left turn was really a good idea, I
7 mean just because of the speed of vehicles and
8 such.

9 So, I think I would have
10 significant reservations about promoting that
11 kind of an activity, and, in fact, you know,
12 DDOT, I mean, even if DDOT were -- obviously,
13 DDOT hasn't agreed this is a good idea yet to
14 let people go in and out of there anyway, but
15 they may have -- may want to put further
16 restrictions to stop the left turn movement,
17 because I just -- even if it's not a really
18 high traffic thing, I think it's a real
19 consideration.

20 The treatment of the facades of the
21 building. I mean, it's all -- it's all
22 precast, or metal, or glass, or kind or

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1 storefront material. I assume that means that
2 there aren't going to be penetrations or
3 openings or whatever in the surface of that
4 that we don't see on the drawings.

5 What I worry about particularly is,
6 in hotel design are through wall units, and
7 they've snuck in before, and I just want to
8 make sure that's not what we are going to see.

9 MR. MARIANI: you can hide them
10 real well.

11 COMMISSIONER MAY: You can, but
12 that's what I want to know, is how they would
13 be hidden if they were here.

14 MR. MARIANI: No, we don't have
15 them.

16 COMMISSIONER MAY: Good. That's
17 the better answer.

18 MR. MARIANI: To answer your
19 question, we are not going to be using through
20 wall units.

21 COMMISSIONER MAY: Okay. I could
22 barely hear that, was that recorded?

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1 Do you mind repeating that?

2 MR. MARIANI: Can you hear me now?

3 The units will be self contained
4 within the building system. It will be an
5 environmental friendly aquatherm system, where
6 we will be balancing heat between the east and
7 west sides of the building, and all that
8 occurs internally.

9 There will be no penetrations of
10 the walls.

11 COMMISSIONER MAY: Okay. I have --
12 I received the samples of the materials, this
13 is the entirety of what was brought, or is
14 there is another board? I mean, it's all these
15 individual pieces?

16 MR. STADLER: No, those are,
17 actually, I think, all encompassing materials.

18 COMMISSIONER MAY: That's
19 everything.

20 MR. STADLER: Yes.

21 COMMISSIONER MAY: Okay. What's
22 the distance to the Metro stop, walking

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1 distance?

2 MR. MARIANI: It's half a mile to
3 the Metro stop at Catholic University.

4 COMMISSIONER MAY: Okay, it seems
5 longer, you know, just the nature of the road
6 that you are walking on. I guess that's part
7 of what you were saying before.

8 MR. MARIANI: I think you get
9 distracted by the traffic and the fact you
10 have to cross so many streets, but, basically,
11 as a straight line it's half a mile.

12 COMMISSIONER MAY: Yes. And then,
13 the last question I have is just, the report
14 that we got from DDOT, and even the report
15 from the Urban Forestry Administration, both
16 of them indicate significant issues, I think
17 some of which you've addressed successfully,
18 some of them I think there's -- somebody still
19 needs to be convinced about.

20 I'm wondering what the -- whether
21 there -- what level of coordination you've
22 already had with them, and why we are getting

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1 to this point, and we don't have more of this
2 stuff resolved, because, typically, a lot more
3 of this gets resolved.

4 It's also, I mean, the Urban
5 Forestry Administration, we don't usually get
6 too many reports, because we don't usually
7 have forests being taken down in the process
8 of a project, so I can understand this being
9 an unusual circumstance, but to get a report
10 like that, you know, less than a month before
11 the hearing is indicative of, you know, bigger
12 issues that hadn't been addressed early on.

13 So, I'm wondering whether -- why
14 that happened.

15 MR. TUMMONDS: Sure. I think with
16 regards to the Urban Forestry report, I think
17 it was a situation like you said, we don't see
18 that many indications of seeing an urban
19 forest, a memo from the Urban Forestry
20 Administration like we have. That is why, I
21 apologize, that is why you got Mr. Cowle's
22 resume tonight, rather than 20 days ahead.

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1 When we got that, we then engaged Mr. Cowles
2 to come up with an assessment that we think
3 addresses the factors that are appropriate to
4 the Zoning Commission, what they look at.

5 There are certain things in the
6 Urban Forestry Administration report that we
7 believe are more truly -- the appropriate
8 place to address them is in the environmental
9 impact -- process, questions about
10 hydrological processes.

11 This Commission has always taken
12 the stance of, issues that are more
13 appropriately dealt with in the EIS process
14 would be handled through the EIS process.

15 We think that we will be able to
16 address concerns, dialogue with DDOE about
17 stormwater and the hydrologic impacts in that
18 manner.

19 With regards to DDOT, when we filed
20 our prehearing statement back in April, we
21 included the memorandum that Mr. Andres used,
22 took a lot of his testimony tonight from, that

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1 addressed DDOT's concerns about vehicular
2 access to the site, analysis of the proposed
3 number and location of the building, versus
4 auxiliary spaces, pedestrian level of service.

5 We have -- we've had dialogue with
6 DDOT since March about these issues. They
7 asked for information, we provided it. They
8 didn't agree with everything we said, they
9 agreed with some things we said.

10 I think that, you know, the
11 vehicular access to the site is an issue that
12 they have a differing opinion than we do.

13 The loading docks, they agree with
14 our request to minimize the number, they just
15 think we need a loading dock manager. You
16 know better than most of us that loading is an
17 issue that DDOT is having on every PUD case,
18 and in some cases they are saying all loading
19 has to be from a loading dock. Some cases
20 they are saying, maybe you should not have a
21 loading dock there because it impedes the
22 pedestrian activity, so we should have loading

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1 from the street.

2 We are trying to work with DDOT to
3 find what they want in each specific case.
4 Here's a case where we think we are providing
5 loading docks in a useful space that will be
6 utilized.

7 Truthfully, we don't believe that
8 someone driving a big truck is going to park
9 their car -- park their truck on Michigan
10 Avenue, open up the door into the traffic
11 going down Michigan Avenue, to then unload to
12 walk to the site.

13 So, I think their issue about
14 loading docks is, we need to have a loading
15 dock manager to make sure people aren't double
16 parking on Michigan Avenue.

17 I don't want to belittle it saying
18 it's a common sense approach, but I think it
19 is the common sense saying that, that's not
20 likely to happen, because we are doing the
21 most appropriate thing, which is, providing a
22 loading space which is easy and convenient for

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1 that person.

2 With regards to the bike station, I
3 think we just think in a lot of it, we just
4 don't think that this is an appropriate
5 location for a Smartbike, based on the traffic
6 that Mr. Andres said, but I think also --

7 COMMISSIONER MAY: Think of all of
8 the parents going to visit their sick children
9 at Children's Hospital, wouldn't they want --
10 wouldn't it be great for them?

11 UNIDENTIFIED SPEAKER: We'll have a
12 shuttle.

13 MR. TUMMONDS: Yes, we'll just
14 leave it at that.

15 And then, so I think then the final
16 group of points were, DDOT's Transportation
17 Demand Management Plan, they had ten
18 conditions. I think a lot of those conditions
19 are conditions we see in every project, and
20 there was a fair amount of cutting and pasting
21 going on, so things like, there should be an
22 on-site business center. Well, obviously,

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1 hotels have on-site business there, so that's
2 easy. But, I think what -- rather than us
3 going through each of the ten points to say,
4 we believe that we have provided a
5 transportation management plan, it was
6 included in our April 23rd report, that
7 adequately addressed the true transportation
8 impacts of this project on this site with
9 these uses. So, I think that we have been
10 trying to engage and work with DDOT since
11 March and April. We think we've addressed
12 most of the issues. There are a couple of
13 outstanding issues there, I think, obviously,
14 the biggest one is the Michigan Avenue access.

15 COMMISSIONER MAY: when it comes to
16 things like the Smartbike station, I mean, was
17 that on the table from the beginning of the
18 discussion, or it just showed up?

19 MR. TUMMONDS: We -- we said we
20 think that that is something where we are
21 going towards, we asked the question, okay,
22 what is the cost of a Smartbike location.

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1 And, somewhat surprising to me, we
2 came up -- it is \$70,000 to have -- to install
3 a Smartbike location. So, in the kind of
4 weighing of the benefits and costs of a
5 Smartbike station for this property, we
6 thought that that \$70,000 could be put to more
7 appropriate uses.

8 COMMISSIONER MAY: Yes. You know,
9 I guess I'd like to hear from DDOT what their
10 reasons are for that, in particular.

11 It seems to me, actually, that it
12 is a good location for it, because it is a
13 little bit remote from some other things, and
14 it may -- you know, I don't know the
15 circumstances that well, but it may be a very
16 convenient way for people to get from the
17 hotel to some other things in the area.

18 So, I mean, I guess I'll wait to
19 hear from them what their rationale is for
20 that, but I think that -- I guess my biggest
21 concern is that I would like to have questions
22 like that resolved before it gets to here, so

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1 we don't have to, you know, weigh in and say
2 yes Smartbike or no Smartbike.

3 MR. TUMMONDS: And, I think some of
4 our concerns with the Smartbike is because of,
5 it is a -- it's a service that requires you to
6 be a member, if you are from out of town the
7 likelihood that you are going to know about a
8 Smartbike, or take whatever --

9 COMMISSIONER MAY: Oh, I'm sure
10 they can figure those things out. DDOT can
11 help you figure out where's the hotel to do
12 it.

13 I mean, you know, put those sort of
14 questions on them, and see if they can help
15 you work that out.

16 But, again, it's just better to
17 have those things resolved here, because we
18 don't -- it's hard for us to try to sort
19 through some of those kinds of things.

20 I think the big issue that is
21 unresolved, which I think is probably the most
22 problematic, is the Michigan Avenue access,

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1 and I think that's a substantive matter that,
2 you know, could have some pretty serious
3 implications if what you say is true, or if
4 what they say is true.

5 I mean, I'm not sure what the right
6 answer is there, and I'm not sure that we are
7 the right people to sort of figure that out.
8 It's much, much better to have something like
9 that hashed out in advance.

10 Let me just go back to the Urban
11 Forestry Administration for a second.

12 There was something you had said
13 that I wanted to comment on, and I -- it now
14 escapes me.

15 I think that there is a -- there's
16 a very substantive disagreement between Chris
17 Cowles and Urban Forestry Administration about
18 the value of that forest. And, you know, for
19 them to say this has value in and of itself,
20 and should be treated a certain way, and it
21 makes sense given the City's objectives with
22 regard to preserving trees and, of course, the

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1 Park Service shares that view, the idea that
2 they would say that this has value, and then
3 your expert says, well, it really doesn't have
4 that much value. I mean, that also isn't that
5 helpful for us.

6 Again, you know, part of this is
7 why is it unresolved now, I guess because the
8 conversations didn't mature fast enough, but
9 it's going to be a difficult thing for us to
10 sort through, because, I mean, you know, how
11 do we decide whether their experts are right
12 and yours are wrong, or vice versa, and what
13 are the impacts on the project.

14 I mean, that's just -- that's a
15 comment more than anything else. I don't know
16 whether you can really answer that and satisfy
17 me. We are going to have to sort that out.

18 I have one last architectural
19 question, which is that do you need relief
20 from penthouse setbacks, and is it in here and
21 I missed it?

22 MR. TUMMONDS: Yes and yes.

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1 Yes, we do need relief from
2 penthouse setbacks. We have requested that.

3 COMMISSIONER MAY: It was
4 requested, it just wasn't recapped in the OP
5 report, or it was. Maybe I just missed it
6 entirely.

7 There are a lot of PUDs, it's hard
8 to keep up with everything. I'll look for
9 that.

10 Thanks.

11 CHAIRMAN HOOD: Thank you.

12 Let me just say that we've been
13 joined by Mr. Jennings for a while now, from
14 DDOT.

15 Mr. Turnbull?

16 COMMISSIONER TURNBULL: Thank you,
17 Mr. Chair.

18 I guess, piggybacking on a couple
19 of the things that Commissioner May picked up,
20 and looking at the grocery store. If the
21 grocery store doesn't go, what would go for
22 the retail?

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1 MR. DICKENS: I can tell you from
2 the conversations that we've had with both
3 neighbors, ANC and the hospital community,
4 there's a need, they all believe, for a lot of
5 service retail. I mean, there's no dry
6 cleaners to drop stuff off, there's a lot of
7 things like that.

8 So --

9 COMMISSIONER TURNBULL: Well, I
10 guess what sort of bothers me here, it doesn't
11 bother me, but I'm concerned that the bulk of
12 your retail is down, it's in the lower level,
13 it's in the basement. And, you've got a
14 smaller footprint up at the ground floor.

15 So, I mean, how do you -- how do
16 you work that in to a viable solution to get
17 people going down into -- if it's a grocery
18 store it's --

19 MR. DICKENS: It works.

20 COMMISSIONER TURNBULL: -- that's
21 one thing, it works, but if it isn't, what do
22 you do?

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1 MR. DICKENS: I think that's a good
2 question, how are we able to find uses. I
3 mean, there's, obviously, restaurant uses that
4 go below grade, but we are going to be
5 providing a restaurant.

6 I think, obviously, what we are --
7 we believe, is that we believe that a grocery
8 use is not -- you know, it makes sense for the
9 space, it makes sense for the neighborhood,
10 but to sit here today and say we are going to
11 be able to do that is, obviously, problematic.

12 MR. MARIANI: Right. There were a
13 couple other uses that we did explore, and one
14 was a health club, which can operate that way,
15 when you can have two levels and work that
16 way.

17 But, you are right, most of the
18 smaller retailers want to be strictly at
19 ground floor, so it becomes much more
20 difficult to do that.

21 But, we will be continuing our
22 efforts to find a grocery store. We think

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1 that is the right answer, and it's the one the
2 community wants the most as well.

3 And, absent that we will try to
4 find those uses which fit the community best,
5 and if we can't use the entire 20,000 square
6 feet we won't be able to use it. But, the
7 idea would be to have uses that benefit the
8 community.

9 MR. DICKENS: The interest in a spa
10 was also -- or health club, was also one of
11 the things that was expressed pretty
12 forcefully by the hospitals as well, because
13 they do not have such a facility, and they
14 have 14,000 employees that work there, and
15 they are there, you know, those are 24/7
16 operations, just like the hotel is. And so,
17 to be able to have a place where they can go,
18 sort of the hours that may be different than a
19 lot of places, is important to them.

20 COMMISSIONER TURNBULL: Okay. I
21 guess the other -- looking at your lead score
22 card, and looking at being served by

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1 accessible transportation, you really only
2 have the one bus route shown on your plan
3 there, and it's only -- and it's going
4 southwest.

5 You don't really tie it into the
6 other side of the street going northeast up to
7 the Metro Station, and I'm wondering why you
8 don't make that connection. Is that -- it's
9 almost like it's a secondary attribute, as
10 being accessible to the Metro Station. It's
11 like it's there, but it's like, well, we don't
12 know how to deal with it because it's across
13 the street.

14 MR. MARIANI: Let me respond a
15 little bit to the Metro Station. We are going
16 to be on the shuttle bus system for the
17 Hospital Center, and so, anyone who wants to
18 get to the Metro Station can take advantage of
19 the shuttle bus that's available.

20 It's also a very short walk. So,
21 it would be pretty unlikely someone would have
22 to jump on a bus to go to the Metro. So, we

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1 think that the preponderance of the Metro
2 users from our site would be either shuttle
3 bus users or walkers.

4 COMMISSIONER TURNBULL: You mean
5 the employees, too, are going to use the
6 shuttle bus then?

7 MR. MARIANI: Yes, the employees
8 can use the shuttle bus, yes, sure.

9 COMMISSIONER TURNBULL: If you
10 could expand a little bit more on this
11 shuttle. Is your plan, and I don't know,
12 again, maybe you haven't had these discussions
13 with the various institutions, are you looking
14 at a shuttle service --

15 MR. MARIANI: Well, there's a
16 shuttle there now. The Washington Hospital
17 Center already runs a shuttle from --

18 COMMISSIONER TURNBULL: -- to the
19 parking.

20 MR. MARIANI: -- from the parking
21 lot to Metro, back to parking, over to the
22 hospital. So, they already run that shuttle,

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1 and what we are going to do is do some cost
2 share provision with them, that's what we
3 figure, and then at the time we build second
4 phase we'll probably have to have our own
5 shuttle system. But, we would envision
6 providing that as something that we provide.

7 COMMISSIONER TURNBULL: So, the
8 temporary parking lot is a restricted parking
9 lot for just the hospital.

10 MR. DICKENS: The 200 spaces on the
11 surface, and another 100 spaces in the garage,
12 will be used by teh Hospital Center.

13 MR. MARIANI: And, that's during
14 the hospital hours of operation. In the off
15 peak hours, and weekends, we can use them for
16 overflow parking as well.

17 COMMISSIONER TURNBULL: Okay.

18 MR. MARIANI: So, it gets double
19 use.

20 COMMISSIONER TURNBULL: Jumping
21 ahead to the next phase, hotel, I mean,
22 residential, I mean, that's a big jump.

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1 Either you are going to see some real need
2 from these institutions for hotels, which then
3 begs the question, do you need a bigger
4 convention center, or what's really going to
5 go on if you do that?

6 MR. DICKENS: There's a couple of
7 different things. I mean, obviously, we
8 believe very strongly in the Marriott brands,
9 and so one likely -- there's a couple of
10 likely hotel scenarios. You would do, say,
11 150-unit Resident's Inn.

12 COMMISSIONER TURNBULL: Courtyard.

13 MR. DICKENS: Well, Spring Hill is
14 sort of occupying that same sort of space to
15 some degree. If the market matured as much as
16 it could, and you have the Bio Life Sciences
17 Center that goes in north of there, you know,
18 you could maybe have a full-service hotel,
19 like a Renaissance or something. I think
20 that's less likely any time soon.

21 We think -- I think it's more
22 likely it will be residential, but, I mean, as

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1 you know, there's not a single piece of
2 residential being built in the City now, it's
3 poured in place concrete and steel. So, you
4 know, there's not a lot of nine story
5 residential going in, but we've had
6 conversations with the Washington Hospital
7 Center about their desire to have housing for
8 their staff. I mean, one of the big issues up
9 there is, you have 14,000 employees that work
10 there, that all get -- most of them are making
11 a pretty good wage, and there's a high degree
12 of competition for those employees, and the
13 hospitals are very concerned about what they
14 can do to both attract and retain those
15 people. And so, they've looked at, you know,
16 workplace housing as one of the things they
17 are dealing with.

18 So, you know, obviously, from our
19 standpoint, we believe that there will be uses
20 that will occur and will be, hopefully,
21 selecting among uses to select the best one.

22 I do not think it's going to be all

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1 hotel, that would be a huge --

2 COMMISSIONER TURNBULL: I was going
3 to say, that footprint gets to be a little
4 big.

5 MR. DICKENS: -- that's like 800
6 hotel rooms or something like that, that's
7 more than we need.

8 COMMISSIONER TURNBULL: If
9 residential goes in, are you going to be
10 proffering inclusionary zoning, affordable
11 housing?

12 MR. DICKENS: My lawyer will answer
13 that.

14 MR. TUMMONDS: At that time, yes,
15 we would be required to.

16 COMMISSIONER TURNBULL: Right.
17 Okay.

18 I guess my only other comment right
19 now, and Commissioner Schlater has got a few
20 comments related to the same thing, so I'll
21 try not to -- is the one aspect of the design,
22 which sort of, just from a design standpoint,

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1 doesn't come up to quite -- is the garage.

2 We just built a baseball stadium,
3 and they put two garages, as you come from the
4 Metro Station, against out wishes, against
5 what we thought was good urban design, and the
6 garage looks like -- you've got the green wall
7 facing the neighbors, and I'm concerned that
8 one of your picture really shows a rather
9 scraggly green vine system that's not well
10 maintained.

11 So, you are asking for a foot, and
12 I want to make sure that that's adequate to
13 maintain that green wall design, because if
14 it's not done right it's going to become
15 anemic and it's going to become scraggly, and
16 it's going to look -- and I'm sure Marriott
17 doesn't want that, so I'm trusting you are
18 going to take care of that.

19 But, the thing that looks -- is
20 Michigan Avenue front, it looks like this open
21 '60s garage, you could put the retail on the
22 first floor, it's just a little troubling from

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1 the design, seeing this wonderful hotel you
2 want to build, and then the garage sort of --
3 it just looks like it took a step down, and
4 then it looks like you panicked and said you
5 wanted to put ten trees on top of it, and try
6 and -- but, I mean, is there a high albedo
7 concrete on the top that's going to also
8 reflect?

9 I'm not sure what the little green
10 trees are doing from a lead standpoint. I
11 mean, you are talking lead, but again, it
12 looks a little ineffectual, what you are
13 doing.

14 MR. MARIANI: Well, the question of
15 the trees, quite frankly, is to make it more
16 hospitable to the users.

17 I hate open parking lots, and the
18 idea of giving some relief by having some
19 trees with shade.

20 COMMISSIONER TURNBULL: No, I
21 agree.

22 MR. MARIANI: And to do that, the

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1 idea of having a high albedo roof is also, you
2 know, key to saving some of the heat island
3 effect.

4 But, in terms of the appearance of
5 the garage itself, I don't think it's all that
6 bad. I've been involved in a number of garage
7 structures, several of which won design awards
8 at the University of Virginia, Georgetown
9 University, and I believe as we go forward
10 with this project, since I'll be involved in
11 the design with Sean, I think we can do some
12 refinements to make it a little better, but,
13 conceptually, it is going to be a precast
14 building.

15 COMMISSIONER TURNBULL: I don't
16 have a problem with that, I just have -- it's
17 -- it's the openness, these little -- the
18 horizontal slots, and it just seems like you
19 could --

20 MR. MARIANI: You mean the
21 appearance of windows in the garage?

22 COMMISSIONER TURNBULL: Yes. Yes.

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1 MR. MARIANI: Well, you know, when
2 you build a parking garage you don't want to
3 have a totally enclosed wall, because you have
4 to ventilate.

5 COMMISSIONER TURNBULL: Right, it's
6 ventilator, right.

7 MR. MARIANI: And, if you look at
8 some of the garages that we've done, they have
9 openings, but they are done in a way that it
10 makes some sense, and you can get a feel for
11 the portions of the building.

12 The one we did at Shady Grove, I
13 think, came off pretty well, and it's a pretty
14 open garage.

15 So, this might need a few more --
16 few more design tweaks to make it work.

17 COMMISSIONER TURNBULL: I'll take
18 you at your word for that, and leave you to do
19 the finessing of that as we go forward.

20 MR. MARIANI: We will work on it.
21 Okay?

22 COMMISSIONER TURNBULL: All right.

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1 The only other question I have is
2 that, on the access road in, and Commissioner
3 May was very concerned about the access in and
4 out of that, and I'm also concerned that
5 you've got the two loading docks, but you are
6 also going to have car access going into the
7 garage. And, I think maybe that's where DDOT
8 is coming concerned about a loading dock
9 manager, cars and trucks all coming together
10 down that road.

11 Do you see a conflict there or no?

12 MR. ANDRES: Well, the nature of at
13 least the hotel use is one where it's fairly
14 sporadic. They don't, necessarily, coincide
15 with the peak traffic on the roadways, and
16 that's the benefit of having this use compared
17 to the existing use, which is a parking lot.

18 Given that, and the location of the
19 loading dock is such that it can -- the berths
20 themselves, actually, have been designed so
21 that the trucks don't load on that access
22 road, but, actually, pull into the actual

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1 loading docks. And, that, actually, allows
2 them to get close to the materials handling
3 locations within the building.

4 So, doing that, we don't foresee a
5 major conflict, especially, since the amount
6 of retail there doesn't really generate that
7 many loading trips, as compared to other -- if
8 this were to be a grocer it would be a much
9 smaller grocer than grocers that our firm
10 actually work on.

11 So, it's one of those things where
12 they use smaller trucks, and they can get in
13 and out of those loading areas fairly easily.

14 COMMISSIONER TURNBULL: Okay.
15 Wells, I think it's very interesting, your
16 comments about tying in with the hospitals and
17 that. I think that's -- having been up to
18 Hopkins, I always appreciated the fact that
19 they've got the shuttles going to all the
20 hotels. So, it is something that's needed,
21 and I hope that develops a little bit more.

22 MR. DICKENS: We're opening

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1 tomorrow in Baltimore a Deerfield Inn Suites,
2 that will be tied to the Hopkins shuttle, so
3 we appreciate that as well.

4 COMMISSIONER TURNBULL: Okay, thank
5 you.

6 CHAIRMAN HOOD: Commissioner
7 Schlater.

8 COMMISSIONER SCHLATER: Well, it's
9 good to see this project before me, one of my
10 first projects that I get to see as a
11 Commissioner. It's one that I know about. I
12 know it's been on the drawing boards for a
13 long, long time. I'm happy to see that you
14 all have gotten to this point. The project
15 certainly has evolved a lot over the years,
16 and I think it's a good project, and it's
17 going to provide some great amenities for the
18 neighborhood, in particular, I think.

19 You go to Brookland, you don't see
20 a lot of new construction these days, and I
21 know with Marriott as your partner this is
22 something that has a high likelihood of

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1 success.

2 And so, I'm happy to see it. I
3 have a few questions for you.

4 I guess we can start just
5 piggybacking on Commissioner Turnbull's
6 comments on design. You know, I just want to
7 reiterate that when you are on Michigan Ave.,
8 which is a little bit of a lower-scale street,
9 I wonder if you can go back to that rendering,
10 I think your inclusion of retail at the ground
11 floor of that garage helps it significantly.
12 It makes it a little bit more of an urban
13 structure. I think it can be then seen almost
14 as an amenity to the neighborhood, because I,
15 for one, am skeptical that a grocer is going
16 to be willing to take two level space, 20,000
17 square feet, you know.

18 You talk to, you know, your typical
19 grocer is a 55,000 square foot Safeway, Giant,
20 so you are definitely -- you are already going
21 into sub-market within the grocery market for
22 something smaller.

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1 And, I know, you know, your Trader
2 Joe's are pretty picky.

3 So, I applaud you for setting that
4 as a goal, because it is a need for the
5 neighborhood, but I'm not sure that it's going
6 to be realized.

7 If you were able to take more of
8 the space on the ground level for retail, it
9 might work, but I understand there's competing
10 pressures there for the parking.

11 One question I saw -- one note I
12 saw in the OP report was about the retail
13 store fronts, and that they don't project out
14 from the front of the garage structure. I
15 wonder, maybe the architects can speak to
16 that, did you see that note in the OP report?

17 Do you have that?

18 MR. STADLER: I think what I recall
19 was something about canopies projecting, not,
20 necessarily, the whole retail, and we,
21 actually, it's not your traditional canopy,
22 but it is a canopy here, it's not an awning

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1 type, you know, typical retail, I think. So,
2 it's glass, and aluminum, as well as the same
3 treatment for the restaurant as well.

4 You know, I think that what we
5 didn't want to do was to pull out the base of
6 that retail, and then step back the garage to
7 make it like a garage on a plant. We try to
8 really, I think, combine the garage and the
9 retail to make it appear as a building. I
10 think that -- I understand your concern about
11 the garage not looking like a parking
12 structure, and we, obviously, are concerned
13 about that, too, so, you know, we have solid
14 corners on both sides, and we've done our best
15 to articulate this with texture, with -- I
16 don't know if you can see that band there, but
17 shadow, some in and out. So, you know, we've
18 definitely taken a look at this. We didn't
19 want to go too far into spending a ton of
20 money on a parking structure, but I think
21 we've gone well beyond what some of our
22 clients might ask us to do.

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1 MR. MARIANI: In response to the
2 question about the canopies, if we turn out to
3 have a series of shops, each one would
4 probably have its own little canopy and
5 identification and so forth.

6 What we've shown is a single user,
7 which is the grocery store option, and that
8 would have its own canopy, obviously, that
9 would identify it. So, we didn't want to have
10 competing canopies.

11 COMMISSIONER SCHLATER: On the
12 facade, just to be clear, my concern is mostly
13 a Michigan Ave., frontage, I mean that's the
14 most public facade, and I would hope if you
15 are going to spend any money on the facade for
16 that garage that's where you'd focus your
17 efforts, on trying to make it as welcoming and
18 good looking.

19 You know, there are above-grade
20 garages in cities all around America, it
21 happens, and I think, you know, there's been a
22 lot of work by a lot of different architects

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1 to figure out ways to make them look good, and
2 I'd just encourage you to work a little bit
3 more on that front.

4 On the parking, I realize you have
5 an existing 300-space commitment.

6 MR. MARIANI: Existing parking is
7 400 cars.

8 COMMISSIONER SCHLATER: Okay.

9 MR. MARIANI: We've committed to
10 the Hospital Center to retain 300, 200 on
11 grade and 100 in the garage.

12 COMMISSIONER SCHLATER: Okay, and
13 do you anticipate that commitment to go on?
14 Is that something you see for the foreseeable
15 future?

16 MR. MARIANI: We would continue
17 that until Phase II is on the boards, and at
18 that time we'd have to renegotiate with the
19 Hospital Center, because all the parking in
20 Phase II would, basically, be structured
21 parking, and they probably couldn't afford it.

22 COMMISSIONER SCHLATER: Right.

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1 Okay.

2 On just traffic and loading, one
3 question I have is, this is a big commuter
4 zone, as people have mentioned. There's a lot
5 of traffic. Is there any concern that people
6 are going to be turning left off of Michigan?

7 Right now there's not a movement from
8 Michigan to Irving, where you can take a left,
9 correct?

10 MR. ANDRES: That's correct.
11 Unfortunately, there are no signs that are
12 posted to prohibit that movement.

13 COMMISSIONER SCHLATER: Yes.

14 MR. ANDRES: But, the geometry is
15 such that it's a difficult movement, it's
16 almost a U-turn.

17 COMMISSIONER SCHLATER: Are you
18 concerned, just from a developer standpoint,
19 that people are going to cut through your
20 accessways to make that movement, because that
21 will be -- based on what you are proposing,
22 you could take a left in there and go through

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1 your private roadways, and then take a left
2 out onto Irving.

3 MR. ANDRES: Well, that movement
4 is, first of all, secuitous. I'm not sure it
5 would -- you know, an instance like that, as a
6 motorist you'd be -- you'd probably -- the
7 reason why you are doing that is probably
8 during peak hours.

9 COMMISSIONER SCHLATER: Yes.

10 MR. ANDRES: Well, at that point in
11 time, you know, the left turns are -- you
12 would probably wait just as long at the signal
13 at North Capitol as you would for the
14 clearance, for the gaps, to be able to make
15 that same movement.

16 So, there isn't that much of a time
17 savings. That, plus once you get to the other
18 end you are also -- you are stuck at another
19 signal, where you'd have to wait.

20 So, in essence, you are waiting two
21 signal cycles when you can wait at one at the
22 North Capitol signal.

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1 MR. MARIANI: And, we will have
2 security on site, so if we notice that sort of
3 thing happening, we can control it.

4 COMMISSIONER SCHLATER: Okay.

5 MR. DICKENS: But, I think one of
6 the issues is, if someone is coming east on
7 Michigan, and they want to get to Irving, I
8 mean, they can -- hopefully, they are smart
9 enough to turn on North Capitol and take the
10 cloverleaf while it's there.

11 And so, we really are dealing with
12 just that piece of Michigan between North
13 Capitol and where Irving comes into it, in
14 terms of people getting on that roadway and
15 wanting to go to Irving.

16 But, if they get on the roadway and
17 they can go, you know, west and get there.

18 One of the things that we're very -
19 - we are going to work on a lot, is to try and
20 be sure that for -- we think hotel guests are
21 going to be coming north on -- coming up North
22 Capitol Street, and to have the signage at the

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1 corner of North Capitol and Michigan directing
2 hotel guests not to take that turn there,
3 because they could turn at Irving, so they can
4 go directly into the site. So, that's one of
5 the things we've talked a lot about with the
6 neighborhood as well, is they are very
7 concerned, and, obviously, DDOT has got to let
8 us put a sign there to do that, but, you know,
9 if we can get all the hotel traffic,
10 essentially, coming off Irving, then, you
11 know, that takes off a huge amount of the load
12 turning left off of Michigan, and the Michigan
13 turns are left more to the retail people.

14 COMMISSIONER SCHLATER: DDOT
15 doesn't like hotels putting signs on their
16 roads.

17 MR. DICKENS: Yes, I know that.

18 COMMISSIONER SCHLATER: I've had
19 experience with that.

20 MR. DICKENS: Yes, but, you know,
21 if they want to -- if they want to manage that
22 process, the neighborhood is interested in

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1 managing that process, and so are we.

2 MR. MARIANI: One thing we are
3 pretty sure of is the taxicab drivers will
4 figure it out right away, that that's the very
5 quickest way to get to the hotel.

6 And, most of our guests will be
7 coming by cab, as opposed to private autos.

8 COMMISSIONER SCHLATER: Where is
9 that sewer cutting across the site right now?

10 MR. MARIANI: It enters the site at
11 this point, and it's got a slight arc to it,
12 but it's, essentially, a straight line and
13 exits here.

14 It's picking up a lot of site
15 drainage on what is now the Catholic
16 University property that they bought from the
17 Armed Forces. There used to be an old stream
18 bed through there. That stream bed was filled
19 in, the sewer was put in, and it was filled
20 in. There is an existing brick sewer at this
21 location, which is in great condition, and
22 that goes across Trinity Campus to the south.

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1 But, when they put this piece of
2 sewer pipe in, they used some substandard
3 products, and it's interesting that part of
4 the products failed dramatically, and the
5 others have held on pretty well.

6 So, and you can tell the difference
7 between it. One was a Class A pipe, one was a
8 Class C pipe, and, unfortunately, the Class C
9 pipe is gone.

10 So, we are going to be rerouting
11 the sewer to miss our buildings, but in the
12 rerouting we are going to restructure it, put
13 in totally new sewer, 66-inch pipe, and the
14 few places where the sewer is in fairly good
15 condition, which are here and down here, we'll
16 be able to reline the sewer using a technique
17 that uses an inflatable bag and epoxy and so
18 forth, and WASA is on board with us to do
19 that. We'll be submitting detailed drawings
20 for it.

21 COMMISSIONER SCHLATER: I know it's
22 not particularly sexy, but you are rebuilding

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1 a City infrastructure there, and I wouldn't
2 overlook it as a benefit to the community.

3 MR. DICKENS: Yes, I think we
4 actually have it on the list. I hope we had
5 it on the list, because -- no, we didn't?

6 COMMISSIONER SCHLATER: No.

7 MR. DICKENS: Okay, well, I'm
8 trying to claim every buck, believe me.

9 COMMISSIONER SCHLATER: The last
10 questions I have is just around some of those
11 amenities.

12 Do you have a local partner on this
13 project, CBE partner?

14 MR. MARIANI: Yes, right here, H
15 Street Development.

16 COMMISSIONER SCHLATER: And, are
17 you signing a CBE contracting agreement as
18 part of this deal?

19 MR. TUMMONDS: Yes.

20 COMMISSIONER SCHLATER: I just
21 didn't see it in the notes.

22 And then, on the employment

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1 benefits, I was intrigued to see the local
2 training program that you are investing in.

3 How are you going to ensure that
4 Ward 5 residents, actually, do get employed by
5 this project? I think we see so many projects
6 come through that say we are going to sign a
7 first source agreement, 51 percent of new
8 hires are going to go in there, but I think
9 it, actually, takes some affirmative efforts
10 on the part of the developer and hotel owner
11 to realize those goals. And, I'm just
12 wondering what efforts you are going to be
13 taking.

14 MR. DICKENS: H Street is going to
15 be responsible for working with us on a lot of
16 that, and how we do this, but I would say that
17 I do think a hotel is a little different, in
18 that we are a 24/7 operation.

19 It is important to a hotel, its
20 workforce comes from the area around it,
21 because that gives the people access to the
22 hotel for that 24/7 operation.

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1 So, we will work that. I am very -
2 - the UDC Community College initiative, and
3 the fact that the Hotel Association, and as
4 you may know Emily Durso is the head of the
5 board there, she is very active in this
6 discussion about what we should do, and
7 encouraged us to work through UDC, through the
8 community college, and the hospitality -- one
9 of their first three programs will be
10 hospitality.

11 And so, and a lot of that is for
12 younger folks, but a lot of it is adult
13 continuing education as well. And so, you
14 know, we are going to use every avenue we can.

15 We want people from the neighborhood to work
16 there, because they will take -- you know, we
17 want the people to be proud of the hotel, and
18 proud of their job there, and everything else.

19 We operate, as you know, I operate
20 -- we run a lot of hotels in this City. We've
21 done a fair number of -- amount of development
22 in the City, and I think that we've been -- I

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1 believe we've been good at keeping our word on
2 stuff we say we are going to do.

3 COMMISSIONER SCHLATER: Okay, thank
4 you very much.

5 No further questions.

6 CHAIRMAN HOOD: Thank you.

7 I watched the project, or something
8 that was supposed to happen at that site, for
9 years. Actually, when I reviewed this I was
10 glad to see that was something, hopefully, is
11 getting ready to happen. I remember before I
12 could drive, I was hearing something was
13 supposed to happen on the fringe parking lot,
14 and here I am, I'm not going to say how old I
15 am, just been out of school a few years, but
16 here we are, we are finally getting to this
17 point.

18 I did have some concerns at first
19 about traveling east on Michigan Avenue and
20 making that left, but because of the way I
21 know the traffic pattern goes now, with the
22 speed cameras, some other mitigation measures

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1 on Michigan Avenue, I no longer have that
2 concern.

3 I did ask for the traffic
4 circulation at set down, show me the
5 circulation of how the tour bus, and how all
6 that stuff is going to work. I think the
7 Applicant, you all did a great job in
8 providing me this, so I don't need to rehash
9 those questions.

10 But, let me just ask one or two.
11 My first question is, I'm just curious, the
12 ANC, and I will tell you, one of the things
13 that gives me a comfort level on making sure
14 that a lot of these things happen, I've done a
15 lot of work with two of the ANC Commissioners
16 who were down here, Commissioner --excuse me,
17 Chairperson Bonds and Commissioner Edwards, as
18 you stated, that's what gives me a comfort
19 level, because if they don't do what they say
20 they are going to do they are going to -- you
21 are going to have a problem on your hands, I
22 can assure you of that.

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1 And, I believe it, you don't really
2 need to respond, I just want to tell you
3 that's what gives me a comfort level.

4 But, I will ask this. I saw that
5 the ANC was going to be providing some space,
6 is that for their office space, or is that
7 meeting space?

8 MR. DICKENS: No, that's space on a
9 monthly basis for their monthly meetings.

10 CHAIRMAN HOOD: So, they can have
11 their monthly meetings there.

12 MR. DICKENS: I mean, right now
13 their meetings rotate, they are at Trinity
14 sometimes, and different places, and we've
15 committed to being able to provide space for
16 them.

17 CHAIRMAN HOOD: The way I read it I
18 thought it was office space, and I thought you
19 all gave them --

20 MR. DICKENS: No, there was a
21 suggestion about that, but we didn't go down
22 that road.

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1 CHAIRMAN HOOD: Okay. But, I do
2 want to associate myself with teh comments of
3 my colleague, Commissioner May, and we will
4 probably talk to Mr. Jennings and others.
5 And, I would agree, we need to come closer
6 together.

7 Unfortunately, we got the DDOT
8 report tonight, and we appreciate getting it,
9 but we will hear from Mr. Jennings, but it
10 would be good, and let's see how this evolves,
11 but I would ask Commissioner May and my
12 colleagues, where there are some separations,
13 some differences, that, hopefully, we can --
14 it depends upon how this Commission moves at a
15 later date, that we can try to see where the
16 disagreements are, because we don't want to
17 get into the business of having a community
18 meeting here on the Zoning Commission,
19 figuring out how, okay, do we do this and do
20 that.

21 Case in point, D.C. Smartbike, I
22 don't think that's a great idea, but see, we

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1 will have a community meeting right here, so
2 we don't need to do that. So, hopefully, the
3 Applicant and DDOT, you all can work that out
4 before we do final.

5 MR. TUMMONDS: Sure.

6 CHAIRMAN HOOD: I think that's
7 really all I had. Okay.

8 COMMISSIONER MAY: Mr. Chairman,
9 could I ask a couple of quick follow-ups?

10 CHAIRMAN HOOD: Sure.

11 COMMISSIONER MAY: The thing about
12 the garage elevation, I guess I really didn't
13 focus on it, but the wall that will have the
14 green screen on it, about a quarter of that is
15 going to be right up against the back side of
16 that other little shopping center, right?

17 MR. MARIANI: The shopping center
18 is separated from the property line by about
19 15 feet.

20 COMMISSIONER MAY: So, there is
21 substantial distance.

22 MR. MARIANI: There is a

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1 separation, and one of the reasons that we put
2 the green wall there is because the second
3 level of the shopping center has little
4 offices, and there are windows, so they have
5 something to look at, which will be flowering
6 green.

7 COMMISSIONER MAY: Okay. For some
8 reason on the drawings it looks a lot closer
9 than that.

10 Did you consider doing the green
11 screen kind of treatment on the Michigan
12 Avenue facade, rather than having the -- just
13 the openings?

14 MR. STADLER: Actually, the reason
15 that the green screen works on the west
16 property line is because that wall is on the
17 property line and we're not able to put any
18 openings on that facade.

19 So, to get the ventilation to work
20 for the garage, by putting planting in front
21 of the Michigan Avenue side, that, again, will
22 limit our ventilation for that piece of the

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1 facade.

2 And, since we are trying to
3 articulate the facade with some solids and
4 some voids, rather than just a completely open
5 parking structure, we kind of need every bit
6 of open part that we can get to kind of spread
7 the solid pieces around the structure, to make
8 it feel more building-like, rather than
9 parking-like.

10 I think -- I'm confident that
11 there's other screen methods that do allow us
12 to how perforation through them, that will, I
13 think, maybe improve the facade as well, that
14 we can look at.

15 I just personally -- the green --
16 trying to put planting above a retail space,
17 you have to find a place to plant it, which is
18 hard to put earth in the air.

19 COMMISSIONER MAY: You know, people
20 show us some amazing things here at this
21 Commission.

22 MR. STADLER: Actually, there is --

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1 COMMISSIONER MAY: You can do it,
2 absolutely.

3 MR. STADLER: -- there's, actually,
4 a system that has pre-planted pods that you
5 clip into a screen that has an irrigation
6 system, and, actually, it heats it, so there's
7 all kinds of ways to do it, but --

8 COMMISSIONER MAY: They are going
9 to be popping up all over the City, because
10 we've already approved a couple of those sorts
11 of things.

12 I'm not saying that that is the
13 right solution, but, you know, maybe it is a
14 good way to try to treat that facade.

15 And then I just wanted to go back
16 to the setback relief, or the rooftop
17 structure relief on the penthouse. It's not
18 really -- I didn't see a spot where it's
19 clearly shown how much relief is needed.

20 But, when you look at, you know,
21 even this elevation here, the penthouse is
22 really very prominent in that image, and part

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1 of the reason why it's so prominent is that
2 it's only, what, eight, nine feet away from
3 the front edge of the building, and it's 18
4 feet tall.

5 And, I mean, I have no problem with
6 having it, you know, several structures, I
7 don't have any problem with, you know,
8 occasionally being, you know, a little too
9 close to the edge, but when it's that close
10 and that prominent I think it really
11 contributes to the feeling of the height of
12 the building, which is exactly what you don't
13 want to have with the 18-foot -- I mean, with
14 the setback the way it is.

15 I mean, it's supposed to be one-to-
16 one for a very good reason, to try to diminish
17 that sense of height, and I think that is an
18 issue that ought to be addressed in some
19 manner.

20 MR. MARIANI: I'm not sure it's
21 quite that close to the edge of the building,
22 is it? You think it's 8 feet?

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1 COMMISSIONER MAY: No, it's like 10
2 feet or something like that, it's shown in a
3 dimension somewhere, it's not shown -- I
4 didn't see it in any of the charts.

5 MR. STADLER: Actually, I believe
6 our request for relief was with regard to the
7 stairs, and the fact that they are not
8 connected to the penthouse, not as much about
9 the one-to-one relief for the main structure.

10 COMMISSIONER MAY: So, you don't
11 need relief there?

12 MR. MARIANI: Paul, will you check
13 that one?

14 MR. TUMMONDS: Yes, I mean, I think
15 we needed relief from the back side. The main
16 structure is not set back from the back, but
17 on Michigan Avenue --

18 COMMISSIONER MAY: Your point isn't
19 showing a light on the wall there, we can't
20 see what you are pointing at. There we go.

21 MR. TUMMONDS: We'll get that and
22 we'll provide that information.

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1 COMMISSIONER MAY: Yes, I was
2 looking at, I think it was 206, which is the
3 roof plan -- oh, okay, so there's a -- there's
4 a 12-foot setback, 12 foot, 6 maybe, from the
5 Michigan Avenue facade there. I didn't bring
6 my pointer tonight, so I'm disabled.

7 But, it's the right side of that
8 very large penthouse structure, and I don't
9 know what all those lines mean, so it may be
10 that there is the 8 foot, 6 is what needs to
11 be 18' 6", I don't know, because I don't know
12 what the relative heights are there.

13 MR. MARIANI: Well, there are two
14 ways to read it. It's 8' 6" back from that
15 little piece of the facade, but that little
16 piece of facade is set back another 4 feet, so
17 it's from the actual property line to the
18 building it's more like 12 feet.

19 COMMISSIONER MAY: Yes, but how --
20 how high is --

21 MR. MARIANI: And, actually, from
22 the property line it's back -- excuse me --

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1 from the property line it's --

2 COMMISSIONER MAY: Not from the
3 property line, it has to be set back from the
4 edge of the building.

5 MR. MARIANI: -- well, if you look
6 at the edge --

7 COMMISSIONER MAY: The edge of the
8 most adjacent roof.

9 MR. MARIANI: Yes, well, the edge
10 of the building --

11 MR. TUMMONDS: That penthouse is
12 18'6", so that is an area of relief we are
13 requesting.

14 COMMISSIONER MAY: Okay, and I
15 think that's more relief than I'm comfortable
16 with, so I think you should look at any way
17 possible to either reduce the penthouse or
18 take a look at how it's treated. It's just --
19 it adds significantly to the perception of the
20 height of the building, and you are already
21 going up to 94'5" on the height of the
22 building, so, I mean, I think you are really

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1 pushing it.

2 MR. STADLER: I mean, part of the
3 reason the penthouse is this way is, it's
4 sized to accommodate the mechanical system to
5 receive the lead points that we're going
6 after, and that's why this penthouse is so
7 large.

8 COMMISSIONER MAY: I'm sure there
9 are very good reasons why you want it that
10 large, but there are also very good reasons
11 why there's a requirement for a one-to-one
12 setback, and it all has to do with the
13 perceived height of the building.

14 MR. STADLER: I mean, I think, you
15 know, going with some through wall systems
16 could reduce the size of that.

17 COMMISSIONER MAY: Yes, that's not
18 a trade I want to make either, unless it's
19 those hidden through walls.

20 MR. MARIANI: Well, let me ask you
21 this question.

22 If we -- we'll do the best we can

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1 with it, but is there no relief at all from
2 the one-to-one setback, or would you give us
3 any relief?

4 COMMISSIONER MAY: There can be
5 relief from it, provided we are not violating
6 the Height Act or something like that, which
7 I'm sure we are not.

8 MR. MARIANI: Right.

9 COMMISSIONER MAY: But, it's --
10 relief on that condition, in my experience,
11 usually occurs in a less prominent place than
12 what you have here. It might be off of a
13 courtyard, or it might be off of a secondary
14 facade, or something like that, but this is
15 the major facade of the building to most of
16 the people who are going to see it. It may
17 not be the front of the building, but it is a
18 major facade of the building, and it does make
19 the building look a lot taller.

20 MR. MARIANI: All right.

21 Well, so, in other words, if the
22 penthouse impacted more toward the interior of

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1 the site, as opposed to Michigan Avenue, that
2 would not have as much impact for you, is that
3 right?

4 In other words, the penthouse has
5 to be a certain size if we are going to
6 achieve the efficiency of the units that we
7 need to get our lead and all the things there.

8 That's what is driving the size of this
9 penthouse.

10 These new air conditioning units
11 are 60 percent bigger than they used to be
12 because of that, and so we could, perhaps,
13 shift it on the rooftop somewhat to put more
14 of the bulk toward the internal part of the
15 site, as opposed to Michigan Avenue. That's a
16 possibility.

17 MR. TUMMONDS: These are issues
18 we'll address.

19 COMMISSIONER MAY: Yes, I mean, I'm
20 not sure what the right place is to put it,
21 whether it looks better from the interior of
22 the site.

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1 And, you are in an unusual
2 circumstance here, because the interior of the
3 site is your major entrance point as well, so
4 you don't really want to make the perceived
5 height that much taller there.

6 So, you know, I don't know what the
7 right technical solution is. I would just
8 urge you to try to find a better one than what
9 you have.

10 MR. MARIANI: We will try to
11 ameliorate that problem as best we can.

12 COMMISSIONER MAY: Thank you.

13 CHAIRMAN HOOD: Any other
14 questions? Okay.

15 Let me ask the ANC, Commissioner
16 Edwards, or I guess I will always know him now
17 as the Chairperson, do you all have any cross
18 examination?

19 No cross examination? Okay.

20 We didn't have any parties in this
21 case?

22 MS. SCHELLIN: No.

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1 CHAIRMAN HOOD: Sometimes these
2 cases run together. Okay.

3 Let's go to the Office of Planning.

4 Let's do the Office of Planning, and also the
5 DDOT, District Department of Transportation,
6 so we'll go to Ms. Thomas -- Ms. Thomas, okay.

7 MS. THOMAS: Mr. Chairman,
8 Commissioners, OP is recommending approval of
9 the proposal before us.

10 Essentially, we are going to stand
11 on the record we have no objection to the
12 request to extend these two approvals for a
13 period of five years as requested.

14 CHAIRMAN HOOD: Thank you very
15 much, Ms. Thomas.

16 Let's go to Mr. Jennings.

17 MR. JENNINGS: Good evening,
18 Chairman Hood, fellow Commissioners, my name
19 is Jeff Jennings. I work for the District
20 Department of Transportation.

21 As stated in our report, we do
22 support the application. The Applicant has

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1 performed the necessary transportation study,
2 and I've noticed tonight that the Commission
3 has hit upon a couple of points that we still
4 have slight concerns over, that being,
5 clearly, the Michigan Avenue access, and the
6 D.C. Smartbike location.

7 I will state that contrary to what
8 Mr. Dickens stated earlier, we didn't,
9 necessarily, just pop up the Smartbike
10 location. I, actually, brought my notes from
11 a May 20 meeting that we had with the
12 Applicant stating that we would like to have a
13 D.C. Smartbike location, and I sent the
14 Applicant a subsequent e-mail within a couple
15 of days of that May 20 meeting letting them
16 know the design standards that we have for
17 such a Smartbike rack.

18 I think for the most part the
19 Applicant has done what's been asked, and we
20 support the application.

21 I'd be happy to take any questions.

22 CHAIRMAN HOOD: Okay, I want to

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1 thank the Office of Planning and DDOT.

2 Let me open it up to my colleagues
3 for questions of either one, either the Office
4 of Planning or DDOT.

5 Commissioner May?

6 COMMISSIONER MAY: Yes, do you want
7 to elaborate on the -- how you -- you know,
8 your position on the Michigan Avenue entrance?
9

10 I mean, I think you heard the
11 questions before that we had about that, so
12 I'd like to understand better your position
13 and what you think the right solution is.

14 MR. JENNINGS: We initially had the
15 position, and we even asked the Applicant to
16 study the opportunity, or the possibility I
17 should say, of restricting personal vehicle
18 use of Michigan Avenue altogether. We thought
19 a reasonable compromise was to allow the right
20 in, right out access, which we think is still
21 a very safe means for getting access or
22 gaining access to the site.

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1 An unsignalized T intersection,
2 with 35 miles an hour, and it's two lanes in
3 each direction, with no other, really, land
4 use that would, perhaps, contribute to slower
5 speeds, and as has been stated here tonight,
6 these are roads that travel more like,
7 essentially, interstate freeways.

8 And so, that's why we are
9 continuing to stay with the position of the
10 right in, right out. Thirty miles an hour is
11 almost never traveled on Michigan Avenue, and
12 I think even Chairman Hood referenced it
13 earlier how it's, essentially, only along that
14 30-foot stretch of Michigan where the camera
15 is located that folks have a tendency to slow
16 down. That's not a DDOT-owned traffic
17 enforcement camera, that's an MPD-owned
18 traffic enforcement camera.

19 Nonetheless, T intersections are
20 very difficult as far as turning in and
21 turning out. Many crashes do occur making
22 such a left-hand turn. If you were on

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1 northbound Michigan making that left-hand turn
2 into the site it's difficult. It's not
3 completely impossible, but we feel it's
4 probably the safest alternative to do right
5 in, right out at that point.

6 COMMISSIONER MAY: How would you,
7 actually, physically limit it to a right in,
8 right out? Is it more than just signage?
9 Would it be in the configuration of a curb, or
10 would there be an island there or what?

11 MR. JENNINGS: We wouldn't,
12 necessarily, ask the Applicant to put an
13 island in. We would do signs, and you can
14 construct the entrance into the Applicant's
15 site on Michigan so that the left-hand turn is
16 not as attractive or not as possible.

17 COMMISSIONER MAY: It would be like
18 a little island at the entrance that might
19 block it.

20 MR. JENNINGS: Correct, that's
21 right.

22 COMMISSIONER MAY: And, that

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1 channels you in and channels you out.

2 MR. JENNINGS: That's right.

3 COMMISSIONER MAY: Okay. I have to
4 say, I mean, my gut reaction is that makes --
5 something like that makes more sense from a
6 safety point of view. I mean, I understand
7 how that limits their access, and, of course,
8 you still have the problem of people just
9 going a little bit further and then just
10 trying to make, essentially, a U-turn to get
11 into that entrance.

12 MR. JENNINGS: Yes.

13 COMMISSIONER MAY: But, the idea of
14 making a left turn and then, you know,
15 theoretically, there's going to be more people
16 walking on the street there, and so you get
17 across -- halfway across and there's a
18 pedestrian there, I mean, it's just -- it's
19 problematic for me.

20 MR. JENNINGS: You make another
21 good point you just said right now.

22 Most of our pedestrian crashes with

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1 vehicles, or what we experience often in the
2 City, is what we call the left hook. So, it's
3 the northbound left turning vehicles will,
4 more often than we wish, will have some type
5 of interaction, hopefully, not striking a
6 pedestrian, but there is that possibility
7 always of that left hook, and the car or the
8 driver in this case having a pedestrian in
9 that cross walk. And again, it makes it all
10 that much more safer if you have that right
11 in, right out.

12 COMMISSIONER MAY: Okay. I guess I
13 don't have any other questions. I mean, I
14 don't sense any great sympathy for pushing the
15 Smartbike requirement from the rest of the
16 Commission, but I think we heard what your
17 report said.

18 I guess I do have a question maybe,
19 maybe this is DDOT, maybe it's Office of
20 Planning, but I know that there has been a lot
21 of talk about what's going to, ultimately,
22 happen with that cloverleaf intersection.

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1 And, I think it's very much up in the air
2 exactly what's going to happen there, but
3 that, eventually, it's going to -- Irving
4 Street is going to evolve into something a
5 little bit more urban and a little less
6 highway.

7 Is that correct?

8 MR. JENNINGS: Yes, that is
9 absolutely correct. It's just we are at a
10 point where I think that any time in the
11 immediate future is probably not part of the
12 whole time line.

13 COMMISSIONER MAY: Right.

14 MR. JENNINGS: I think you are
15 looking at probably somewhere in the area of
16 ten to 15 years down the road. It's a large
17 project that will a substantial amount of
18 money to make that a much more urban -- and
19 that project would also probably include the
20 intersection of Michigan and Irving Street.

21 COMMISSIONER MAY: Well, that was
22 my next question. Is there any plan to do

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1 anything differently at Michigan and Irving,
2 even in the short term?

3 MR. JENNINGS: Nothing that I'm
4 aware of.

5 COMMISSIONER MAY: Yes. Okay.

6 Thanks.

7 CHAIRMAN HOOD: Any other
8 questions, colleagues, of DDOT or OP?

9 Okay, I want to thank you both very
10 much for giving us your reports.

11 Next we'll go to reports of other
12 Government agencies. We know DDOT, we've also
13 heard from the Urban Forestry Administration.

14 Colleagues, it was on the back of
15 the Office of Planning's report. Some of the
16 things they recommend, which I think the
17 Applicant has already done, and I'm just not
18 sure where it ends up, but it says,
19 "Therefore, the Urban Forestry Administration
20 recommends that the Applicant work with a
21 consultant . . .," which I think you've started
22 and which you are doing, and then at the end

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1 it says, "UFA, in conjunction with DDOE and
2 other Government agencies, will examine the
3 pros and cons of their proposal and make a
4 final decision."

5 So, that's in the record.

6 Also, it's not necessarily a
7 Government report, but the Basilica of the
8 National Shrine has given us a letter of
9 support, and it's from Reverend Monsignor
10 Walter R. Rossi, Rector, and that's Exhibit
11 15.

12 Did I leave anything else out?

13 And also, the ANC report,
14 naturally, which we are getting ready to get
15 to next.

16 Okay, we have the report --

17 COMMISSIONER MAY: Mr. Chairman?
18 I'm sorry, I wanted to just ask a question of
19 DDOT, and whether they are --

20 CHAIRMAN HOOD: We almost got
21 there.

22 COMMISSIONER MAY: -- yes. Well no,

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1 this has to do with the Urban Forestry
2 Administration. I mean, are you able to
3 answer any questions regarding the Urban
4 Forestry Administration's report?

5 MR. JENNINGS: Unfortunately, I'm
6 not. Had I known they submitted such a report
7 as they did, I certainly would have brought
8 someone with me tonight, an arborist who could
9 answer to any of the questions you may have.

10 COMMISSIONER MAY: Yes, well I
11 think the message to take back on this is just
12 that there needs to be some more substantive
13 conversation with the Applicant in this
14 circumstance, between the Urbana Forestry
15 Administration and -- I mean, they've got to
16 get closer.

17 Can I ask a follow-up of the
18 Applicant, just now that I'm thinking about
19 it, is, have you considered the possibility
20 that since what you are doing with the area
21 that's now forested is what's going to become
22 the surface parking lot, right?

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1 And, has there been any attempt to
2 try to look at where the substantial stands of
3 trees are, to try to mold the parking lot a
4 little bit around that, or to make it a more
5 natural circumstance there, rather than just
6 come in, bulldoze everything, and then plant a
7 few new trees?

8 MR. MARIANI: Well, let me try to
9 respond.

10 Early in the process, I went out
11 and walked the site, actually, took my tape
12 measure with me, and I didn't find a single
13 tree on that site that was over 49 inches in
14 diameter, which is less than a specimen tree.

15 We had not seen this report from
16 the Urban Forestry until fairly recently, I
17 guess, within the last two weeks or so, and
18 that's when we hired the forester to go out.

19 I think our intention would be
20 that if we identify any truly specimen trees
21 that are worthy of saving, we can then work
22 with those in terms of our parking lot

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1 configuration, so that we can, essentially,
2 save them in place, in situ.

3 Most of what is out there, quite
4 frankly, is pretty disastrous, under story
5 that you'd want to take out anyway. So, my
6 thought would be that we'll get together with
7 the Urban Forestry group, we'll talk through
8 the issues with them. When we get to the
9 permitting process, we have to get permission
10 to take down any significant trees, and those
11 that are of any specimen quality we will try
12 to save.

13 COMMISSIONER MAY: I do have to
14 raise a certain objection to the notion that
15 just because it's immature, and young, and
16 there's a lot of under story there, that you'd
17 want to take it down anyway. I mean, I'm
18 sorry, we don't want to just cut down trees,
19 even if they are not great specimen trees.

20 MR. MARIANI: Well --

21 COMMISSIONER MAY: Cut them down to
22 put in the parking lot. I mean, that's not

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1 the higher purpose here.

2 MR. MARIANI: -- there were several
3 issues, though. One of the issues is that the
4 site has been abandoned, essentially, for a
5 number of years, and it's full of vermin, so
6 we're going to have to clean it up anyway.
7 There's a lot of trash there, so there's going
8 to have to be a significant clean out of the
9 site, no matter what we do.

10 The issue is, how much can you, in
11 that cleaning out process, what do you really
12 try to save? And, that's when I say, we will
13 identify any specimen trees that are worthy of
14 being saved.

15 COMMISSIONER MAY: Right, and I
16 would suggest that what was in the Urban
17 Forestry Administration's report was talk of
18 stands of trees that were, perhaps, not
19 specimen trees in themselves, but were, you
20 know, as a group were worth preserving. And,
21 I think that -- I mean, if you just set the
22 standard that it's got to be above 49 inches

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1 or it's going to get cut, I'm not sure that
2 that's really the right standard, and that's
3 the level of conversation I think still needs
4 to happen.

5 MR. MARIANI: Well, I think what we
6 need is a face-to-face with the Urban Forestry
7 people.

8 COMMISSIONER MAY: Yes.

9 MR. MARIANI: To get this resolved.
10 And, I think that's something we would embark
11 on, you know, right away.

12 COMMISSIONER MAY: Great.

13 MR. TUMMONDS: And, I think that's
14 also what the Environmental Impact Screening
15 Form process is intended to encourage.

16 COMMISSIONER MAY: Okay. Thanks.

17 CHAIRMAN HOOD: Okay. Any other
18 questions?

19 Okay, let's -- if you can hold your
20 seat -- oh, yes, you all are done, actually.

21 Does the ANC have any cross
22 examination of the Office of Planning or the

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1 District Department of Transportation, DDOT,
2 any cross, any questions?

3 MR. JENNINGS: I don't think so. I
4 think we are on the same page.

5 CHAIRMAN HOOD: You are on the same
6 page. Okay.

7 As you come forward, Commissioner
8 Edwards, and also Chair Bonds, if you want to
9 come join him, you all can come and give your
10 report.

11 And, if you could just identify
12 yourself for the record.

13 MR. EDWARDS: My name is Ronnie
14 Edwards. I'm the ANC Commissioner for 5C-11,
15 which is the area where the project is.

16 MS. BONDS: And, I'm Anita Bonds,
17 the Chairperson of ANC 5C, and my Single
18 Member District is 5C-01.

19 CHAIRMAN HOOD: You may begin your
20 report, and we, actually, have it, and it's
21 Exhibit 29. So, I don't know if you want to
22 read all that.

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1 MR. EDWARDS: No, we are not.
2 Basically, I just -- there are a few points
3 that we want to try to make that's directly
4 related to the report.

5 First of all, we want to thank you
6 and the rest of the Commission for the work
7 that you do, the questions that you on for
8 projects like this, especially. It gives us a
9 great relief in terms of knowing that you have
10 the community at heart, not that we say that
11 we, necessarily, need it with the development
12 team that we are working with, because we have
13 been very pleased to have worked with this
14 development team. They are very much community
15 oriented, and have responded to the concerns
16 that the community has raised. So, we
17 appreciate that.

18 We want to also piggyback on, I
19 think, some of the comments that the
20 Commissioners have made as it relates to this
21 project, and we want to make sure that we
22 emphasize that one of the primary reasons that

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1 we as a community supported this project was
2 because of some of the amenities that the
3 project offered, in terms of a restaurant,
4 and the grocery store, and those things that
5 the community would like to be within walking
6 distance. And, for us, those things are going
7 to be within walking distance, so we are
8 excited about the prospects of those.

9 And so, we encourage the developer
10 to try to make sure that if they need more
11 than 10,000, or 12,000, or whatever that
12 square footage was, that they make those
13 adjustments to at least, hopefully, keep the
14 grocery store as a part of this project.

15 We also want to highlight, I think,
16 DDOT's concerns as relates to access off of
17 Michigan Avenue. We live there on Michigan
18 Avenue, Park Place, Cloisters, Trinity Square,
19 and we have experienced the difficulties of
20 making that left turn and accessing those
21 properties, either leaving our properties
22 trying to make a left turn going east on

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1 Michigan, as well as trying to make the -- so,
2 it's very difficult. It's an unsafe --

3 CHAIRMAN HOOD: Commissioner, let
4 me ask you to do one thing, and I hate to
5 interrupt, but, really, it's not affecting me,
6 but I have to look out for these guys, too.

7 If you could just move back a
8 little bit, see, the speakers are right over
9 their ears.

10 MR. EDWARDS: Okay.

11 CHAIRMAN HOOD: And, a lot of times
12 it gets into --

13 COMMISSIONER MAY: Push the
14 microphone forward.

15 CHAIRMAN HOOD: -- it's not
16 affecting me, so I'm fine, but if you can look
17 out for --

18 MR. EDWARDS: Is that better?

19 COMMISSIONER MAY: Push it forward
20 on the desk.

21 MR. EDWARDS: Okay.

22 COMMISSIONER MAY: That's the best

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1 way.

2 MR. EDWARDS: Is that better?

3 COMMISSIONER MAY: Yes, thank you.

4 MR. EDWARDS: Okay. So, we would
5 encourage you to continue to try to work with
6 the developers. They have agreed to try to
7 work with us and DDOT, to try to address those
8 concerns about access at Michigan Avenue.

9 We brought up the idea, I think,
10 about the directional signs possibly being
11 posted at the intersection of North Capitol
12 and Michigan as a possible solution, or as
13 part of a solution to try to deal with this
14 situation. But, the more we think about it, I
15 think that DDOT's recommendations are probably
16 the best, unless they can figure out some way
17 to reconfigure that intersection.

18 We believe that we have worked out
19 a pretty good community benefits package,
20 working with the developers. They have agreed
21 to provide, you know, a lot of -- or at least
22 the amenities that will benefit, you know, the

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1 residents that live there, as well as
2 residents in Ward 5.

3 Chairman, you were correct when you
4 indicated that Anita Bonds and I, Chairman
5 Bonds and I, are going to stay on them to try
6 to make sure that the community benefits
7 program is fully implemented, and that our
8 Ward 5 residents, in particular, our 5C
9 residents, benefit from this.

10 In the agreement, you will notice
11 that we have some language there that we've
12 agreed to, where at least, hopefully, no less
13 than 51 percent of the residents, or the new
14 employees on this project, would be from Ward
15 5, from the 5C area. The developers have
16 agreed to try to make that happen, and it's a
17 part of the agreement.

18 And, we will be working with them.

19 We will be staying on top of them. We are
20 very pleased that Eric Jones and Mr. Barrow
21 are involved in this project from H Street
22 Development, and so we know that they, too,

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1 have the community's interest at heart.

2 So, we are excited about working
3 with this team, and look forward to that.

4 Those are pretty much the remarks
5 that I wanted to make, and to expand upon our
6 agreement and the project, but Chairman Bonds
7 is here, and I know she has some things
8 because she was whispering them in my ear as
9 they were talking, so I'd like to give her an
10 opportunity to also add some comments as well.

11 MS. BONDS: Thank you very much.

12 One of the thoughts we had, as the
13 Commission was questioning the development
14 team, is this idea of how can you make the
15 parking a little more attractive. And, we'd
16 like to see it -- the structure be more of a
17 green structure, and to do that might require
18 the extension of the second level of parking
19 outwards so that you could, actually, build a
20 ledge and plant trees within this area.

21 That might make it a little more
22 attractive as well, and it gives a sense of

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1 green.

2 So, those are the kinds of things
3 that we were thinking about as you were asking
4 your questions about the parking.

5 We also are very firmly committed
6 to having a grocery store. I don't care
7 whether it's Gourmet Designer, but people need
8 an opportunity to have such facilities, and
9 will benefit from it, and that's one of the
10 commitments that we made to the community.

11 And so, to hear that there is the
12 possibility that we will not, because of the
13 location in the basement, et cetera, is not
14 very good for our ears at this time, I must
15 admit.

16 One of the things Commissioner
17 Edwards and I were doing, we are thinking
18 about the realities of this project, and not
19 only what it would look like, but what it
20 really brings to the community. And, one of
21 the things that we like to see in 5C is more
22 opportunities for those citizens who live

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1 there to be able to get to services.

2 A cleaners is fine, we'll have,
3 obviously, many of the professional services
4 that we need, dentist office, doctor's office,
5 you know, therapy, et cetera, but the
6 community needs other resources as well.

7 And so, we are going to be very
8 concerned about what kind of retail actually
9 goes into this so-called premise of a
10 property.

11 That's pretty much where we are on
12 our general concerns.

13 We want the green. We want to
14 mitigate as much as possible the atmospheric
15 fumes that vehicular traffic emits, and trees
16 is one very healthy way to do it.

17 And so, maybe for every tree that
18 has to come down for the project, maybe we can
19 find a way to put a new tree somewhere within
20 the development.

21 And, I know my friends on the
22 development team haven't heard this before,

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1 but I know that they are creative enough to
2 come up with a way to do this.

3 Thank you.

4 CHAIRMAN HOOD: Okay, I want to
5 thank you both.

6 Let me ask a question, and I know
7 you are working with H Street with the job, 51
8 percent with the jobs that you are looking at.

9 Have you started, and this is something I've
10 noticed through the years of being down here,
11 and I, actually, had the Office of Planning
12 about five years ago do a report, and I think
13 it's about time for that to happen again
14 before I go.

15 But, I am curious, you are asking
16 for 51 percent for some of the construction
17 jobs on site, and I see where the Applicant
18 has even agreed to narrow down to Ward 5
19 residents, which I think is great, Ward 5
20 residents, and then you start looking at the
21 District.

22 One of the problems that I've seen

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1 in the past is that the -- and Commissioner
2 Edwards, you probably could help me with this,
3 you know a lot more on this probably than I
4 do, but one of the problems is the pool that
5 we have. When it comes time for us to start
6 development, we don't have qualified folks.

7 Have we started that process now,
8 so when it's time to build we can, actually,
9 make sure we do Ward 5 residents and then the
10 District of Columbia residents?

11 MR. EDWARDS: Yes. We -- well, we
12 have not started the process, but we have
13 started thinking about how to make that
14 process work, and we initiated those
15 discussions with the developer. We are
16 looking at -- and part of that job creations
17 and employment opportunity training program
18 that we are talking about is to do some pre-
19 training in advance of the start of the
20 project, and I believe in our agreement they
21 said that at least six months prior to start
22 of construction we are going to make sure that

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1 we have a training program in place that
2 prepares the residents for start of work, you
3 know, when construction starts on this
4 project.

5 And, we've also offered to identify
6 for them, and put together a listing working
7 with the Council member, of available
8 applicants, a pool of applicants in Ward 5
9 that they would have to work with as a
10 priority.

11 CHAIRMAN HOOD: Okay, because we
12 don't want to get to the time to go and we
13 hear we don't have anybody qualified.

14 MR. EDWARDS: That's right.

15 CHAIRMAN HOOD: Okay, and let me
16 ask, you mentioned about the -- I see you are
17 architecturally inclined, you mentioned about
18 the greenery on the floor. Was that ever
19 discussed at this point with the Applicant,
20 your issue about more greenery, was that
21 discussed?

22 MS. BONDS: Quite honestly, no, and

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1 one of -- probably one of the reasons why we
2 were so delighted with the rendering is, if
3 you look at it there's lots of greenery, lots
4 of trees.

5 And so, not really having a model
6 of the development to view, and trying to
7 figure out how far the setback is, and what
8 the dimensions are, and then looking at the
9 photograph and now understanding that it's
10 flesh with -- the garage is flesh with the
11 front of the building almost, you can begin to
12 see that, perhaps, there is a little more that
13 can be done with that.

14 And, this is not to cause the
15 developer any additional expense, but it's for
16 the betterment of the project. We like the
17 idea, based on the questioning that has
18 evolved from this Commission, we think it makes
19 a more wholesome project.

20 CHAIRMAN HOOD: Okay, I'm sure that
21 the developer has heard you, and the good
22 relationship, obviously, that you all have,

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1 which you all both mentioned support, I'm sure
2 that they will deal with it one way or the
3 other, and talk to you more about that.

4 MS. BONDS: Good.

5 CHAIRMAN HOOD: Without us being
6 involved.

7 All right, any other questions,
8 colleagues? Comments? Questions?

9 Does the Applicant have any
10 questions?

11 MR. TUMMONDS: No questions.

12 CHAIRMAN HOOD: Okay. Did I ask
13 the ANC did they -- yes, I did do that. Okay.

14 I don't want us to have to have another
15 hearing.

16 Okay, pushing --

17 MS. BONDS: You want to know
18 whether or not we are going to have space at
19 the facility that we can use, was that a
20 question that you asked?

21 CHAIRMAN HOOD: I was wondering if
22 that was office space, and I thought you all

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1 had got a dynamite deal.

2 MS. BONDS: No, Chairman Hood, we
3 would adore the developer if that were
4 possible, and if within their hearts they come
5 to that point we will generously with open
6 arms be accepting of space for an office.

7 But right now, we just know it's
8 meeting space. Of course, when it's available
9 we would not be pushing out a convention or
10 anything like that.

11 CHAIRMAN HOOD: Okay.

12 MS. BONDS: But, if it were
13 possible, we would welcome it.

14 CHAIRMAN HOOD: Okay. I'm not --
15 I'm sure they heard you loud and clear.

16 MS. BONDS: Hopefully.

17 MR. EDWARDS: And, we're pleased
18 that you kind of made sure that you amplified
19 it, because we've had those --

20 CHAIRMAN HOOD: I was just trying
21 to make sure I understood exactly what it was.

22 MR. EDWARDS: -- I understand.

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1 MS. BONDS: Yes.

2 CHAIRMAN HOOD: All right, well, I
3 know the work that you all do, and I thank you
4 all for coming out and taking time to testify.

5 MS. BONDS: We'd love to have one
6 little room, you are right.

7 Thank you.

8 CHAIRMAN HOOD: All right. I didn't
9 ask for that, I just -- okay, thank you, thank
10 you all.

11 Do we have anyone here -- although
12 I think that I asked this, but I better do it
13 again -- organizations or persons in support?

14 Not seeing any, organizations or
15 persons in opposition?

16 Not seeing any -- oh, Mr. Tummonds,
17 do you -- I'm sorry, you know, that's why Ms.
18 Schellin is right down there, she keeps me
19 straight.

20 Do we have any -- do you have cross
21 examination?

22 MR. TUMMONDS: No.

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1 CHAIRMAN HOOD: Didn't I ask that
2 once?

3 MR. TUMMONDS: Yes.

4 MR. EDWARDS: No.

5 CHAIRMAN HOOD: I asked that --
6 okay, I'm confused enough. All right. Okay.

7 So, let's do the closing.

8 MR. JENNINGS: Chairman Hood, if I
9 could just make one last comment, and that's,
10 the Applicant has stated that the traffic
11 signal that they will install on Irving is to
12 be regarded as an amenity.

13 I think we would like to be on the
14 record as stating that should be a means of
15 mitigation, and that's stated in our report as
16 well. And, I hope, you know, the community
17 should realize that if it wasn't for this
18 project that signal would not be going in.

19 So, I mean, if there is something
20 to be kind of tossed around here, as maybe
21 you take that out of the amenities pot and put
22 it in the mitigation pot, that should

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1 certainly be looked at.

2 CHAIRMAN HOOD: I'm sorry, which
3 signal is that again?

4 MR. EDWARDS: It's at the Irving
5 Street main entrance. The Applicant has let
6 DDOT and I think the community know that they
7 will install a new signal, and that should be
8 -- again, that should be regarded as a means
9 of mitigation.

10 COMMISSIONER SCHLATER: Has DDOT
11 approved the design for that new signal?

12 MR. EDWARDS: Not yet, and it's
13 pretty typical that we wouldn't do such a
14 thing until the Commission consents to the
15 entire project. We would, perhaps, meet with
16 them if the case does go forward, and go
17 through the designs and the specifications,
18 and whatever else is necessary for the
19 engineering of it.

20 COMMISSIONER SCHLATER: Will the
21 turn lanes off of Michigan Ave., will that be,
22 again, hashed out through the public space

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1 permitting process?

2 MR. EDWARDS: Yes.

3 COMMISSIONER SCHLATER: So, the
4 Zoning Commission doesn't have final say?

5 CHAIRMAN HOOD: Okay, thank you.

6 Mr. Tummonds, if you could give us
7 -- and thank you all, Commissioners -- if you
8 can give us --

9 MR. TUMMONDS: I'll have a quick
10 closing statement then. I think what would be
11 helpful, we've had some requests, I think, for
12 additional information, but I think it would
13 also be helpful if we could engage and talk
14 about what exactly you'd like to see from us
15 on some of the things we've talked about, some
16 of the things you think that you need more
17 information on.

18 We believe the application we
19 presented and written testimony, and this
20 evening in our testimony of our witnesses,
21 fully satisfies the PUD evaluation standards
22 enumerated in Section 2403 of the Zoning

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1 Regulations, and it's consistent with numerous
2 elements and policies of the Comprehensive
3 Plan.

4 As testified to this night, the
5 Office of Planning fully and unconditionally
6 supports this application, and we believe that
7 we have addressed numerous -- we have
8 addressed, we think sufficiently, the comments
9 and issues raised by the Urban Forestry
10 Administration memo. We think that those
11 issues that are still outstanding are more
12 appropriately addressed through the
13 Environmental Impact Screening Form process.

14 You've heard from our witnesses
15 this evening that we will work with the Urban
16 Forestry Administration, DDOE, and the
17 relevant groups in that process, to make sure
18 that we can ameliorate any concerns about
19 removing a significant stand of trees.

20 With regards to DDOT, we will
21 continue to work with DDOT to address some of
22 the concerns that they have, but I think what

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1 we'd like to get a sense from you as to what
2 additional information you'd like to see.

3 We know that we have to provide an
4 analysis, if you will, of the roof structures
5 and the proposed setbacks.

6 With regards to the facade of the
7 garage structure, are we at the stage where
8 you would like to see a further reiteration
9 views? I'm seeing Mr. Schlater nod his head.
10 Yes? Okay.

11 And then finally, we will,
12 obviously, need to address in greater detail
13 the Michigan Avenue entrance egress, access.
14 Those are the things you'd like to see more
15 additional information from us on those three
16 issues?

17 CHAIRMAN HOOD: Let me just ask,
18 did we keep a list, Ms. Schellin?

19 MS. SCHELLIN: That's the only
20 thing I have.

21 The only other concern I heard, and
22 I only heard it from one Commissioner, and

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1 that was the Smartbike.

2 And so --

3 CHAIRMAN HOOD: Smartbike, I think

4 -- I don't think he's pushing that, because --

5 MS. SCHELLIN: -- he's not pushing

6 it.

7 COMMISSIONER MAY: Yes, I just said

8 I'd like that.

9 MS. SCHELLIN: That's why I said, I
10 only heard it from one. So, that's why --

11 COMMISSIONER MAY: I mean, that's a
12 yes or no, if they decide in further
13 discussions with DDOT, then, yes, bring that
14 forward, but I'm certainly not going to --

15 MS. SCHELLIN: So, that was the
16 only other thing I had down.

17 CHAIRMAN HOOD: But, I do think we
18 talked about Urban Forestry Administration,
19 did you mention that? We talked about closing
20 the gap, I think.

21 MS. SCHELLIN: That was on the
22 environment, when they go through that

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1 process, the permitting.

2 COMMISSIONER MAY: Yes, I think I'd
3 like to know the results of that discussion,
4 that further discussion. I think -- I'm not --
5 - I don't want to suggest that we need to put
6 conditions into this that address,
7 specifically, the issues of the trees, but I
8 would like to know that there has been further
9 conversation, and that there is a -- you've
10 come closer to a meeting of the minds with the
11 Urban Forestry Administration before we get to
12 final approval.

13 CHAIRMAN HOOD: Okay, and then if
14 something -- I'm sorry, go ahead.

15 COMMISSIONER SCHLATER: One
16 question that Commissioner Turnbull raised was
17 about the affordable housing commitment in the
18 future phases, and you don't need much, but
19 just a brief explanation of what the
20 requirements -- were you saying that the
21 project would be bound by inclusionary zoning,
22 and that would take care of it?

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1 MR. TUMMONDS: Yes, and I also
2 think, too, that project will have to come
3 back before you in second stage. So, when we
4 have second stage approval we'll have a much
5 better sense of (A) what that project looks
6 like, how big, in fact, it is, and what would
7 be the attributes of that project, including
8 IZ.

9 COMMISSIONER SCHLATER: I just
10 wouldn't want you to come back and say, well,
11 at first stage this wasn't something that you
12 required or mentioned and, therefore, it would
13 be unreasonable of us to expect it.

14 MR. TUMMONDS: That's something in
15 our submission, we recognize that IZ would be
16 applicable, absolutely.

17 CHAIRMAN HOOD: And, did we bring
18 some closure to what we expected to see
19 between the conversations between DDOT and the
20 Applicant, or was that -- okay, anything
21 else? Is that all we had?

22 Okay, we are on the same page, Mr.

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1 Tummonds?

2 MR. TUMMONDS: Yes, we are.

3 CHAIRMAN HOOD: Okay. All right.
4 If that's it, Ms. Schellin, is everything in
5 order?

6 MS. SCHELLIN: Well, I think we
7 need to figure out when we are going to do
8 this.

9 CHAIRMAN HOOD: Oh, some dates.

10 MS. SCHELLIN: And, I mean, it
11 sounds pretty minimal to me, and I'm wondering
12 if we could do it in a week.

13 MR. TUMMONDS: We would love to --
14 July 27th would be something we'd love to
15 reach.

16 MS. SCHELLIN: Yes, instead of
17 waiting til September.

18 COMMISSIONER MAY: I'm not sure
19 that it is a week, because I think that we --
20 well, I guess we can deal with the Urban
21 Forestry Administration at final.

22 MS. SCHELLIN: By final, yes.

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1 COMMISSIONER MAY: Yes, I guess
2 that's --

3 MS. SCHELLIN: So, other than that,
4 I think we can.

5 COMMISSIONER MAY: DDOT would -- it
6 would be good to have some sense of where
7 things are going with DDOT in a week. Do you
8 think you'd be able to meet in a week? Yes?
9 Okay.

10 CHAIRMAN HOOD: So, we're going to
11 try to deal with this on the 27th?

12 MS. SCHELLIN: Right.

13 CHAIRMAN HOOD: We have a lot of
14 stuff for the 27th.

15 MS. SCHELLIN: We do, but we don't
16 have a lot on Monday, so we are going to make
17 up for it on the 27th.

18 CHAIRMAN HOOD: Can you have it
19 ready by Monday? Okay. All right.

20 Let's -- so we have the dates.

21 MS. SCHELLIN: So, if we could have
22 the filing from -- are we questioning that

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1 now?

2 MR. TUMMONDS: We can make the
3 27th.

4 MS. SCHELLIN: Okay. So, if we
5 could have your filings by 3:00 p.m., on the
6 20th, and then we will allow the ANC to file a
7 response if they choose to do so by 3:00 on
8 the 27th, we can get their filings by then, if
9 they choose to respond.

10 Would you be able to provide a
11 draft order by the 20th also?

12 MR. TUMMONDS: Yes.

13 MS. SCHELLIN: Okay. Thanks.

14 CHAIRMAN HOOD: Okay, if everything
15 is in order, Ms. Schellin, we want to thank
16 everyone for their participation tonight, and
17 if you need to follow this case any further
18 you can check with Ms. Schellin or Ms.
19 Hanousek, and with that this hearing is
20 adjourned.

21 (Whereupon, the above-entitled
22 matter was concluded at 9:19 p.m.)

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