

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director,
Development Review & Historic
Preservation

JOEL LAWSON

EVELYN KASONGO

MAXINE BROWN-ROBERTS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

ANNA CHAMBERLIN

JAMIE HENSON

The transcript constitutes the
minutes from the Public Hearing held on October
18, 2012.

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

2 6:33 p.m.

3 CHAIRMAN HOOD: Okay. Good
4 evening, ladies and gentlemen. This is the
5 public hearing of the Zoning Commission for the
6 District of Columbia for Thursday, October 18,
7 2012.

8 My name is Anthony Hood. Joining
9 me this evening are Vice Chair Cohen,
10 Commissioner Miller, Commissioner May and
11 Commissioner Turnbull. We are also joined by
12 the Office of Zoning Staff, Ms. Sharon Schellin.

13 And, we are also glad to have our Mayor, Mayor,
14 Council Member, former School Board President,
15 Representative from Ward 8, Council Member
16 Barry.

17 Let me ask the Office of Planning,
18 and we have some new people, so what I'll do
19 is just ask everyone to my right to introduce
20 themselves and who they are with.

21 MS. STEINGASSER: Jennifer
22 Steingasser, Deputy Director at the Office of

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1 Planning.

2 MR. LAWSON: Good evening. Joe
3 Lawson, Associate Director at the Office of
4 Planning.

5 MS. BROWN-ROBERTS: Maxine
6 Brown-Roberts, Environmental Specialist,
7 Office of Planning.

8 MS. KASONGO: Evelyn Kasongo, Ward
9 8 Planner, Office of Planning.

10 MR. CHAMBERLIN: Anna Chamberlin,
11 Transportation Planner with DDOT.

12 MR. HENSON: Jamie Henson. I'm the
13 Manager of Project Review with DDOT.

14 CHAIRMAN HOOD: There are two young
15 ladies, this is your first time here? I think
16 you all have both been here before. Okay. So,
17 no need for welcoming, but welcome again. I
18 just don't see you often.

19 Okay. This proceeding is being
20 recorded by a court reporter, and it's also
21 webcast live. Accordingly, we must ask you to
22 refrain from any disruptive noises or actions

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1 in the hearing room.

2 The subject of this evening's
3 hearing is Zoning Commission Case No. 12-08.
4 This is a request by the Office of Planning for
5 text and map amendments to the Zoning
6 Regulations to create the St. Elizabeth East
7 District.

8 Notice of today's hearing was
9 published in the D.C. Register on August 24,
10 2012, and copies of that announcement are
11 available to my left on the wall near the door.

12 This hearing will be conducted in
13 accordance with the provisions of 11 DCMR 3021
14 as follows: preliminary matters, presentation
15 by the Office of Planning, Report of Other
16 Government Agencies, if any, Report of the ANC
17 8C, Organizations and Persons in Support,
18 Organizations and Persons in Opposition.

19 The following time constraints will
20 be maintained in this hearing: organizations
21 five minutes, individuals three minutes. The
22 Commission intends to adhere to the time limits

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1 as strictly as possible, in order to hear the
2 case in a reasonable period of time. The
3 Commission reserves the right to change the time
4 limits for presentations if necessary, and notes
5 that no time shall be ceded.

6 All persons appearing before the
7 Commission are to fill out two witness cards.

8 These cards are located to my left on the table
9 near the door. Upon coming forward to speak
10 to the Commission, please give both cards to
11 the reporter sitting to my right, before taking
12 a seat at the table.

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

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

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1 contrary, the Commission requests that persons
2 present not engage the Members of the Commission
3 in conversation during any recess or at any time.

4 The staff will be available throughout the
5 hearing to discuss procedural questions.

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

9 At this time, the Commission will
10 consider any preliminary matters. Does the
11 staff have any preliminary matters?

12 MS. SCHELLIN: Just to advise the
13 Commission that when we get to the portion of
14 the hearing for other Government agencies we
15 do have a representative from DMPED to testify
16 at that stage.

17 CHAIRMAN HOOD: Thank you very
18 much. As I stated earlier in our opening
19 and introductions, we have the Council Member
20 from Ward 8, the Honorable Marion Barry, and
21 I would like to know if he would like to speak
22 at this time. If not, at your pleasure,

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1 whenever you are ready to speak, because we
2 always take our Council Members and Mayor first

3 Okay. For the record, Council
4 Member Barry has requested to go after the Office
5 of Planning and DDOT, and we will definitely
6 honor that request. Okay.

7 So, without further ado, let's go
8 right into the District Department of
9 Transportation. Is it Ms. Brown-Roberts, or
10 who is going to start?

11 Okay, if you could just introduce
12 yourself again for me.

13 MS. KASONGO: Good evening,
14 everyone. My name is Evelyn Kasongo, and I'm
15 the Ward 8 Planner with the D.C. Office of
16 Planning, and I'll get started on this evening's
17 presentation.

18 The first slide that you see before
19 you is a history of where we've been with this
20 project, with this site. The initial planning
21 process started in 2003, and from 2003 to where
22 we currently are today there have been several

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1 inputs into the Master Plan that led us into
2 our final plan that was completed in 2012.

3 But, briefly, like I said, in 2003
4 the actual framework planning process began,
5 with a lot of input from the community.

6 In 2005, the Federal Government
7 started planning for the west campus, which is
8 located directly across the street.

9 In 2006, a framework plan was
10 developed, but it was not brought to Council,
11 because there were several components of it,
12 I think, that needed to be further refined, which
13 led us to the framework plan which was completed
14 in Council in 2008 and approved. And, that set
15 the foundation for the Master Plan.

16 The 2008 framework plan was approved
17 by Council in December of 2008, and it set the
18 foundation for the next phase of implementation
19 of the site. There were a series of guiding
20 principles which were developed as part of the
21 framework plan, and some of those included sense
22 of place, providing a sense of place,

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1 reinvigorating the neighborhood center,
2 connectivity throughout the campus, and
3 multi-modal transportation options. Those
4 were all inputs again from the community that
5 they wanted to see furthered as we moved forward
6 with the complete Master Plan.

7 The purpose of the Master Plan was
8 to refine the mix of land uses. The framework
9 plan was very high level, and the Master Plan
10 provided us an opportunity to become very
11 specific about where certain land uses go within
12 the campus. It's also used to fulfill the
13 requirements of the DC9B section of the MOA
14 between the District and the Federal Government.

15 It identifies the first phase of
16 development, and then finally, it coordinates
17 the land use planning with the transportation
18 planning that was done as part of the
19 environmental assessment for DDOT.

20 There were a series of community
21 engagements as part of the Master Plan process,
22 three public meetings, four stakeholder

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1 advisory group meetings, seven consulting
2 parties meetings, four St. E's redevelopment
3 initiative board meetings, and then three ANC
4 8C briefings.

5 As you can see here, as I mentioned,
6 we started off with the framework plan in 2008.

7 We started to identify where some of the
8 proposed land uses would go within the campus.

9 That further was worked with collaboration,
10 again, with DDOT, their initial road network
11 started to outline where the main corridors of
12 transportation would be, where we wanted to have
13 walkability, connectivity, and then finally,
14 the final Master Plan illustrative incorporates
15 all of those recommendations into one
16 illustrative that identifies land uses as well
17 as transportation network.

18 As I mentioned earlier, part of the
19 -- one of the outcomes of the Master Plan is
20 to develop Phase 1, and this here highlights
21 the area in which Phase 1 would be. And, it
22 will consist of shops and restaurants, also a

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1 center of innovation and entrepreneurship,
2 public open spaces and plazas, and, actually,
3 and additionally, street activity, which would
4 help to connect to the Congress Heights Main
5 Street area further south.

6 This illustrative here shows the
7 building heights. As you can tell, the dark
8 red areas are where we propose the highest
9 building heights, which will be built into the
10 ravine. And then, you see some of the other
11 building heights, particularly, along Alabama
12 Avenue there. We wanted to keep the height more
13 lower to conform with the residential
14 neighborhood there, not have these looming
15 towers of development hanging over or being
16 right next to or adjacent to the neighborhood.

17 So, we were very aware of what the community
18 had desired as far as building heights, and think
19 this is a great representation of the outcome
20 of those discussions.

21 And finally, here again, here is the
22 preferred Master Plan alternative, which

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1 includes the road network. About 1.8 million
2 square feet of office. We also have retail and
3 amenities of about 206,000 square feet, an area
4 for education and institutional uses, and also
5 hotel and hospitality here.

6 And then finally, here are some
7 illustrations about what the future of St.
8 Elizabeth's could be. We are not saying that
9 this is going to be the actual scenario, but
10 we just wanted to provide you with building
11 height and just for you to see, like, what we
12 are proposing through the Master Plan.

13 And, I will pass it over to Maxine.

14 MS. BROWN-ROBERTS: And, for the
15 record, my name is Maxine Brown-Roberts from
16 the Office of Planning.

17 And, I'm going to be talking about
18 the proposed text and map amendment that was
19 submitted for the St. Elizabeth East Zone
20 District.

21 The St. Elizabeth East District, as
22 Evelyn said, the development or the proposed

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1 development of the site was based on a number
2 of studies that were done. Again, the
3 recommendation of the Comprehensive Plan, the
4 St. Elizabeth East Redevelopment Framework
5 Plan, and the St. Elizabeth East Master Plan
6 and Design Guidelines.

7 The Master Plan -- in the Master
8 Plan, it outlines a number of parcels, and,
9 actually, 18 parcels. These parcels were
10 delineated based on consultation with Historic
11 Preservation, and were based on the different
12 character of the architecture in the time period
13 of each of the parts of the campus.

14 Some districts, therefore, have the
15 density and height that respond to the character
16 of each of these parcels.

17 The combinations of zone or
18 sub-districts were not possible. We looked at
19 each of the parcels to see if some of the
20 characteristics, such as the FAR, the lot
21 occupancy, the height, were similar across the
22 site, or similar -- any parcels that were

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1 similar. However, we found that there were very
2 few similarities, again, because of the distinct
3 characteristics of each of the parcels. And,
4 therefore, we found it much easier to have the
5 sub-district correspond with the parcels that
6 are outlined in the Master Plan.

7 The Master Plan outlines 18
8 parcels. We have an additional Sub District
9 19 on this, because of that area which is part
10 of the -- is part of the campus that was not
11 identified in the Master Plan, and it is
12 recommended for open space in this zoning --
13 as an open space district -- sub-district on
14 this plan.

15 The plan outlines a mix of uses.
16 both the Comprehensive Plan and the Master Plan
17 outlines a mix of uses across the site, and
18 recommends flexibility in uses across the site.

19 The uses that we are proposing correspond --
20 are organized in categories, and are based on
21 similar activities, similar functions, physical
22 characteristics and impacts on operational

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1 behaviors.

2 Some of these categories include
3 residential, lodging, office, service, retail,
4 and in those big categories then specific uses
5 are called out. So, it's something similar that
6 is being proposed on the ZRR, and we thought
7 that in order to give the flexibility that is
8 recommended by the plans that this was the better
9 way to go in recommending the categories of uses.

10 There's also preferred uses
11 outlined in the plan, and these preferred uses
12 are what we call preferred retail areas. These
13 areas are to create vibrant development with
14 unique places and are along major streets such
15 as along Martin Luther King, Alabama Avenue,
16 the 13th Street area, and also along Dogwood
17 Street.

18 The development of this area
19 requires at least 50 percent of the ground floor
20 to be within these preferred uses. They will
21 have 14-foot ceiling heights, with clear windows
22 and display windows. And again, these are also

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1 broken down into areas where we are calling for
2 required uses, and then in areas where it is
3 allowed.

4 As Evelyn notified or said in her
5 presentation, the building heights vary across
6 the site, and they range from zero to nine
7 stories or up to 90 feet, with the tallest
8 buildings on the eastern portion of the site,
9 which is along the ravine, and again, those areas
10 are set back away from the historic buildings.

11 As we go closer to the historic
12 buildings, the building heights are reduced,
13 and they address the context of existing
14 buildings, and they also allow us to transition
15 down to adjacent historic buildings.

16 As seen in the proposal, there's a
17 table that outlines the FAR, the lot occupancy,
18 and the rear yard requirements for each of the
19 subdistricts. In the overall district, we have
20 a maximum FAR of 1.7. It includes such areas
21 as the area that is known as the FEMA parcel,
22 which is Parcel 2. Parcel 18, which is the Metro

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1 Station Parcel, and Parcel 19, which is an open
2 space area. It goes up to 1.8 FAR across the
3 site if those parcels are included.

4 The residential -- there's also
5 within each of these a requirement for
6 residential use in several of the sub-districts.

7 Because we are allowing flexibility of uses
8 across the site, we wanted to make sure that
9 the residential use is not pushed out by some
10 other use, because in some areas, or in some
11 parcels we are recommending where you can have
12 residential use or commercial use, and we want
13 to make sure that the campus does not become
14 an office park. So, residential uses are
15 required in some of the district.

16 We also provide some flexibility
17 that residential use can be transferred to other
18 parcels through the use of covenants or through
19 the combined lot development process. This
20 ensures, again, ensures that we retain the
21 residential use that we envision across the
22 site.

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1 Inclusionary zoning is, all
2 residential developments are subject to IZ as
3 outlined in Chapter 26, and the bonuses are
4 incorporated into allowed FAR, the lot occupancy
5 and height. Therefore, this gives some
6 certainty that inclusionary zoning will be a
7 part of the campus.

8 Parking and loading, we are
9 proposing a district-wide cap of 4,800 new
10 parking spaces. It gives the flexibility to
11 provide parking below grade, at surface parking,
12 or in above-grade structures. There's also the
13 flexibility in location, timing and shared
14 parking, and also enabling them to respond to
15 the market.

16 Parking spaces are also not going
17 to be required to be placed on the same lot as
18 the buildings they serve, again, to allow some
19 flexibility.

20 The district-wide cap will be
21 monitored through the building permit process,
22 and also through DDOT. If the 4,800 cap is to

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1 be exceeded, those developments would have to
2 come through a BZA special exception process,
3 so that it can be evaluated and extensive TDM
4 measures would need to be included as part of
5 that process.

6 The review of the projects that will
7 come on this site, we are recommending that all
8 the projects be reviewed, because this is a
9 historic site, and all the buildings that will
10 be retained are going to be historic buildings
11 we are recommending that all the review be done
12 through the Historic Preservation Review Board.

13 And, that means all new construction, additions
14 or alterations. That will allow for public
15 hearings, and will also allow for the ANC to
16 be notified and to be a part of those hearings.

17 Also, there are some uses, some
18 special exception uses, that are outlined that
19 will be reviewed by the Board of Zoning
20 Adjustment.

21 We also include the option for
22 planned unit development. However -- and those

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1 will go by commission. However, any
2 development that comes through the planned unit
3 development, for planned unit development,
4 would not be allowed to get any additional FAR
5 or height.

6 And, that covers the major parts of
7 the proposal that we have tonight.

8 Here I have outlined two areas of
9 the proposal that, since we have submitted our
10 report we have been in touch with DDOT, and they
11 recommended that these two sections be refined.

12 They will not change substantially any of the
13 loading requirements that are outlined.

14 And, that is my presentation. We
15 are open for questions, and we also recommend
16 that the proposed StE district be approved.

17 Thank you, Mr. Chairman.

18 CHAIRMAN HOOD: Okay, thank you
19 very much, Ms. Brown-Roberts and Ms. Kasongo.

20 Commissioners, I think we can go
21 ahead and hear the DDOT report, and then we'll
22 hear from Council Member Barry.

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1 So, we'll go to Mr. Henson and Ms.
2 Chamberlin.

3 MR. CHAMBERLIN: Yes, good evening.
4 I'm Anna Chamberlin.

5 As has already been mentioned by OP,
6 DDOT has been engaged in an evaluation of the
7 St. Elizabeth campus now, both the east and the
8 west, for almost ten years. We've worked
9 closely with GSA and with DHS, in regards to
10 the impact of the Federal action closing the
11 St. Elizabeth campus.

12 DDOT also worked closely, as has
13 been already mentioned, with OP and DMPED to
14 conceive and develop the Master Plan to develop
15 the east campus site.

16 In 2011, DDOT and the Federal
17 Highway Administration initiated an
18 environmental assessment to evaluate a
19 multi-modal transportation network that would
20 serve the proposed development within the St.
21 Elizabeth's east campus.

22 As part of the process, extensive

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1 analysis was produced evaluating potential
2 impacts of the transportation network, the
3 environment, and the community.

4 Public input was sought, and we had
5 three public meetings and a public hearing.
6 This year on June 26th, the Federal Highway
7 Administration administered -- I mean,
8 determined that the preferred alternative would
9 have no significant impact on the natural, human
10 or built environment.

11 Currently, the transportation
12 network in the area has limited north/south
13 routes, and many east/west routes are
14 disconnected. The proposed transportation
15 network includes new connections that both open
16 the campus and improve circulation along the
17 network.

18 Traffic analysis that we completed
19 in REA concluded that the anticipated mixed-use
20 development that's proposed within the St. E
21 district will increase traffic volumes during
22 the peak period in the study area, but the new

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1 transportation network will redistribute this
2 traffic and improve circulation.

3 The intersections will, actually,
4 experience less delay, and the residential area
5 southwest of the campus will experience less
6 cut-through traffic.

7 As part of the roadway network
8 design, approximately, 750 additional on-street
9 parking spaces will be constructed, along with
10 wide sidewalks on both sides of the street, and
11 bike lanes to support an active development.

12 DDOT is currently working with DMPED
13 on an MOU to memorialize requirements for
14 transportation monitoring on the site, and,
15 ultimately, this agreement would require future
16 landowners to monitor the performance of their
17 projects and guarantee that they would not
18 generate more vehicle trips than was assumed
19 in REA analysis.

20 CHAIRMAN HOOD: Thank you very
21 much, Ms. Chamberlin.

22 Council Member Barry?

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1 And, after Council Member Barry, we
2 will hear from the Deputy Mayor's Office for
3 Planning and Economic Development.

4 COUNCIL MEMBER BARRY: Good evening
5 to our distinguished Chair, Chair Hood, other
6 Members of the Commission.

7 And, I'd like to, certainly, welcome
8 Robert Miller, who I had an opportunity to vote
9 for, for this Commission. I've known him, I
10 don't know how long, maybe 20, 25 years. His
11 wife was active in Government and civic affairs,
12 and so this is a wonderful addition to the
13 Commission.

14 I want to thank Mayor Grey of that
15 nomination.

16 Mr. Chairman, I don't have a written
17 prepared statement. I have some notes that I
18 wanted to use and the transcript can show where
19 we are.

20 You know, I've learned some time ago
21 that as long as the lion tells the story he'll
22 be king of the jungle, and so I want to tell

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1 our story, in terms of historic nature of St.
2 Elizabeth's Hospital, 1852, by an act of
3 Congress, primarily, by Dorothea Dix for this
4 hospital, too.

5 And then, during the war years it
6 was a temporary site for veterans, and we know
7 enough about that kind of history.

8 In 1978, when I ran for Mayor, took
9 office on January 2, 1979, I was confronted with
10 a very serious problem. There were over 8,000
11 patients, 8,000 patients, at St. Elizabeth's
12 Hospital. We ran a court order to do a whole
13 bunch of things that we had not been doing at
14 the City Government, and I proceeded to
15 de-populate St. Elizabeth's Hospital, by using
16 community centers, group homes of four or less.
17 And, that took a lot of beating on my part,
18 because the community, everybody said, not in
19 my backyard, not in my backyard.

20 And, the same problem with Forest
21 Haven. But, my philosophy of managing and
22 governing is to be the first one to do it, don't

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1 impose on other people what I want to do myself.

2 And so, I put a group home on 36th Street, around
3 the corner from where I live. My neighbors were
4 in arms. They picketed my house, and left
5 notes. They supported me politically, they
6 just didn't agree on that situation.

7 We weathered that kind of storm, and
8 if anybody wanted to take those young people
9 after about two or three months out of there,
10 they would have to fight people, because they
11 saw that it wasn't the kind of terror and the
12 kind of disorder that goes on.

13 The same thing with Forest Haven,
14 Ms. Grey and I, de-populated Forest Haven. It
15 took us ten years to do so. There were 1,000
16 people out there, out of sight, out of mind.

17 I'm giving this history so we can
18 all see that all of this is not just started
19 recently, but they have been working to improve
20 the lives, particularly, those who are
21 vulnerable, particularly, those who don't have
22 anybody to speak for themselves but us, who won't

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1 speak for themselves.

2 And, that brings me up to almost the
3 current time.

4 Senator Eagleton was the Chair of
5 the Senate District Committee. The Senate
6 usually appoints a freshman senator to head up
7 the 13 committees, and I would be the committee
8 that don't have much money, and so I got to know
9 the Senator very well.

10 And, one day he said, I want to see
11 you about something. I said, what is it,
12 Senator. So, he said I'll come down and see
13 you. He came down to the Mayor's office. He
14 said, I've got a deal for you. I would like
15 to propose that the D.C. Government take control
16 and ownership of both sides of the campus.

17 Now, it took me a few minutes to get
18 up from the floor and understand that that was
19 a good deal. But, you know, and I do think,
20 I said, Senator, let me look at all this and
21 be back to you.

22 And, I found that on the west campus

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1 there were probably \$200 to \$300 million worth
2 of asbestos and other kinds of things that needed
3 to be done, speaking of that time, right? But,
4 the east campus was somewhat different.

5 So, I came to the Senator, we'll take
6 the east side, the D.C. Government will. And,
7 I'm willing to do that, and we'll let you keep
8 the west side.

9 Now, quite frankly, I'm glad I made
10 that decision about the west side, because the
11 west side probably would never have been
12 developed, in terms of how the D.C. Government
13 operates and moves on things.

14 But, as a result of that decision,
15 we are now getting Homeland Security, 14,000
16 employees. The first phase is the Coast Guard,
17 you know, which should open some time next spring
18 or summer with 4,400 employees.

19 My only concern, though, Mr.
20 Chairman, is that this was a special project,
21 and, therefore, those workers who are
22 transferring over to St. Elizabeth's west side

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1 are Government employees. And, all of the
2 openings are Government employees, I mean, if
3 there are openings.

4 So, unless we do something
5 different, which I hope we do, we'll end up like
6 the Joint Air Force Base, 13,000 employees over
7 there, only 5 percent D.C. residents. And so,
8 I talked with the Mayor about this, how we could
9 do something to jump start this situation,
10 whether we get the special commission from the
11 President, or OPM, or whoever gives that
12 commission, because we know that in Ward 8 we
13 have the highest unemployment, 35 percent. We
14 have the most poverty. We have the biggest
15 income being \$25,000 for a Ward 8 family, and
16 \$100,000 for Ward 3 and Ward 4 families.

17 Now, given all of this, so we can
18 put this in context, I'm talking about myself,
19 I moved to Ward 8 in 1992, running for the City
20 Council, which I did and won. I ran for Mayor
21 from Ward 8 in 1994, against John Ray and Mayor
22 Kelly. I won big in that race, 47 percent of

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1 the democratic vote, Mr. Chairman.

2 And so, therefore, I'm very, very
3 familiar with the goings on in Ward 8. I'm an
4 activist Council member. I try to keep in touch
5 with all of my constituents, 72,000 of them.
6 I certainly can keep in touch with the major
7 concern, the adults and the teenagers. We have
8 the most needs. We've been over time the City
9 planners sent all of the Black poor people to
10 Ward 8, down in the southwest with their shacks
11 and shanties they went to Ward 8. And Shaw,
12 got ready to be -- we weren't ready for the
13 gentrification, they sent poor Black people to
14 Ward 8.

15 Georgetown, way back before any of
16 us was born probably, got Ward 8. And, I tell
17 you all this to say that the demographics of
18 Ward 8 are not typical as other wards. We are
19 90 percent African American, Ward 7 is about
20 95 percent African American. And so, we have
21 great needs, and so when the idea of St.
22 Elizabeth's campus not being the same old Ward

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1 8 as before, but we promised people we were going
2 to do this, and it's never been done, and it
3 takes forever to get it done, we decided on the
4 Council that we were going to do it a lot
5 differently.

6 And so, I voted, I had some
7 differences of opinion about the plan in 2008.

8 But, we worked it out. There were 15 items,
9 and she and I agreed on 13. I relied on the
10 Council to get the other two, and so we got it
11 that way.

12 But, one of our guiding principles
13 was as to participation on the part of the
14 community. We did not want to come and see
15 somebody else coming in, doing things for other
16 people. We didn't want those people coming in
17 displacing those long-term residents who worked
18 hard, who are striving hard to survive in the
19 situation.

20 And so, we made maximum
21 participation of the residents. And, I want
22 to commend the Office of Planning for its fine

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1 work on this plan. There were some challenges,
2 still are some challenges, particularly I thank
3 St. Elizabeth's for their vigilance. Sure, we
4 had our differences of opinions about things,
5 but we worked through that.

6 One of my concerns is that we cannot,
7 and we are figuring out how better to do it,
8 but we can't get enough active participation
9 of the residents. We've had meetings. And,
10 I live in Congress Heights myself, and you all
11 know where I live because the Washington Post
12 told you. But, seriously, that's a challenge
13 still that we have to continually work on.

14 There's nobody, no ANC
15 Commissioner, who said that they were invited
16 to all their meetings and participated. They
17 had town hall kind of meetings. And, no
18 citizen, really, if they wanted to, has been
19 denied from these meetings. And so, I want the
20 Commission to know that there's -- we live in
21 a democracy, you always have people who disagree
22 on some things, but the majority of us in Ward

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1 8 agree on this plan, on this direction.

2 Another thing that's unique about
3 this plan is that one of the staff members from
4 the Deputy Mayor' office, and other people,
5 decided to approach it a different way. When
6 we first started this process, being proposed
7 as a planned unit development. Now, we know
8 how complicated that is, site designs. We know
9 how difficult it is.

10 And so, the City decided to present
11 a land use proposal to the Commission, with very
12 specific uses. The use on heights and all those
13 kind of things. And also, traffic limitations
14 on it.

15 We had a serious problem in terms
16 of traffic, because the one problem is there
17 will be about 6,000 cars coming to the west side
18 of the campus. We are now trying to figure out
19 another way to do that.

20 One of the things that the
21 Government is doing is encouraging people to
22 take the Metro, the Congress Heights Metro.

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1 You know, our Metro is the finest in the Nation,
2 and so we are trying to figure that out.

3 The neighborhood people don't want
4 all these cars coming down their streets, and
5 rightly so. They don't mind some, if there's
6 a manageable way of doing it. I was glad to
7 hear the staff say that they are going to monitor
8 those cards. They are going to try to get
9 agreement from the Federal Government that we
10 dare set a limit on cars on the west side,
11 offering incentives to employees to take Metro,
12 pay for their parking, stopping at Anacostia
13 and take the line on up to Congress Heights,
14 or coming from Prince George's County take the
15 blue line and stop at Congress Heights and do
16 that.

17 And, I tell you all this so you know
18 there's been maximum participation.

19 Now, in terms of some of my concerns,
20 and I've seen a lot of conversations with Herb
21 Miller. He is an outstanding developer, about
22 Sycamore Street. You probably can't see it,

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1 Sycamore Street comes right around the whole
2 campus. That's going to be the main doorway
3 around there.

4 And, there are two buildings right
5 up there in the corner, you see those two
6 buildings? I'll give you all this map so you
7 can see.

8 CHAIRMAN HOOD: We have the same map
9 up here.

10 COUNCIL MEMBER BARRY: Okay.

11 CHAIRMAN HOOD: Yes, we have the
12 same map.

13 COUNCIL MEMBER BARRY: You don't
14 have this one, do you?

15 But anyway, what's being proposed
16 now is that these two buildings be used for
17 Microsoft and other innovation companies to
18 come, and to be the incubator.

19 What I'm proposing for the
20 Commission to consider, and I hope we can work
21 it out with the City, I'm going to try as hard
22 as I can, is that Sycamore be made a more active

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1 street, in terms of the restaurants and other
2 places that would draw people down there.

3 And so, I'll give you a detailed
4 analysis, in written form, so you can see it.

5 That will not do harm to the plan at all, because
6 these two buildings can be used, and the square
7 footage there could be distributed along
8 Sycamore Street.

9 We don't want the center of the
10 campus to be office buildings, at daytime they
11 are full, at night there are not many people
12 there. That's why I insisted on a higher number
13 for housing, we should have a higher number for
14 housing, so that we can ensure that people who
15 live in the community, and who can afford it,
16 can move up, but those who are moving to the
17 community can purchase houses and have
18 affordable housing in this mix.

19 And so, that's my issue with
20 Sycamore Street. We have some issues about
21 innovation centers, but I think we've worked
22 that out. I support this plan. I think the

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1 majority of people in Ward 8 who know about it
2 support this plan.

3 So, I'd like you just to --

4 CHAIRMAN HOOD: Sir, we are trying
5 to follow you. There's two -- Ms. Steingasser,
6 can you tell us on the map we have what numbers
7 those are, on Sycamore Street, so we can follow
8 Mr. Barry?

9 MS. STEINGASSER: The -- one and
10 two, and you can see them on Slide 13, where
11 we show the preferred uses.

12 CHAIRMAN HOOD: Okay.

13 COUNCIL MEMBER BARRY: On this map
14 here it's one and two.

15 MS. STEINGASSER: I believe on the
16 zoning parcel it would be ST feed 3, that's what
17 incorporates the two parcels, one and two.

18 CHAIRMAN HOOD: So, it's ST 3 on
19 what we have here.

20 MS. STEINGASSER: The map that's
21 attached.

22 CHAIRMAN HOOD: Right.

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1 MS. STEINGASSER: That would be the
2 zoning district.

3 CHAIRMAN HOOD: ST 3, we got you.
4 We follow you now.

5 COUNCIL MEMBER BARRY: And then,
6 Sycamore comes on around here, where you can
7 have a variety of uses that would attract people.
8 We are not losing any square footage, and we
9 are not proposing a building, tall buildings
10 that would distort the character of this plan.

11 And so, I would urge the Commission
12 to look carefully at it, and give me a chance
13 to also do a bit of negotiations with the Office
14 of Planning, to see if we can't come to the same
15 conclusion about it. That's what I would like.

16 And, this place, has been very, very
17 cooperative with me, and the community.
18 Everybody knows that I represent Ward 8, and
19 I intend to do that, but I don't intend for them
20 to come in and do things that we don't know about.

21 We had the situation with the
22 Station, we think we have worked out some way

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1 or another.

2 So, Mr. Chairman, and Members of the
3 Commission, I really appreciate this
4 opportunity to be before you, and I stand ready
5 to answer any questions you may have.

6 And, I urge you to seriously
7 consider that proposal, that will not do any
8 damage, which is to just shift those two
9 buildings -- let them stay there, but shift
10 activity.

11 You know for a long time Sycamore
12 Street was just barren, nothing was there. As
13 it is now, some buildings are set back. So,
14 we are proposing they liven up Sycamore Street,
15 and also give people an opportunity to have some
16 retail and some conveniences that we need.

17 You know, in all the Ward 8, all the
18 Ward 8, we only have one major grocery store.
19 That's the Giant. And, all the Ward 8, we only
20 have three sit-down restaurants. Really, we
21 have four, but I don't count I-Hop in the same
22 way that you can have a drink or something and

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1 relax. And, one just closed, Uniontown Bar just
2 closed. So, we desperately need all of these
3 facilities that are part of this plan, added
4 to this plan, and also let the community know
5 that we are not just building this for other
6 people. This is unique. It's going to get done
7 in our lifetime, and before our lifetime,
8 because we're committed not to make the mistakes
9 of the past, people coming with promises.

10 It happened at Poplar Point, you
11 remember all the hoopla about Poplar Point.
12 The Federal Government was turning it over to
13 the District Government, 110 acres, they know
14 that from the Interior Department. We were
15 required to relocate the helicopter,
16 Superintendent's office and Park Police, and
17 we are not done it yet. Both the
18 administrations, the Gray administration and
19 the Fenty administration, have passed this down
20 on Poplar Point.

21 We don't want this to be another
22 Poplar Point, and it won't be, because you

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1 Commissioners will not let it happen, and I won't
2 let it happen, and the Mayor won't let it
3 happen, because he's committed to developing
4 more east of the river.

5 We just, this summer, had five
6 schools renovated, an unprecedented number.
7 You know that this was inside east of the river.

8 We've got relief coming, Mr. Chairman, brand
9 new relief, \$120 million. And so, I'm just
10 giving you the framework of this, this is the
11 framework of myself and the people who are trying
12 to -- and we are doing it -- transform Ward 8,
13 transform the sinking of Ward 8, transform the
14 actions of people in Ward 8, change the direction
15 of Ward 8. And so, this just fits right into
16 it.

17 Thank you, Mr. Chairman.

18 CHAIRMAN HOOD: Thank you very
19 much, Council Member Barry. We greatly
20 appreciate your testimony.

21 Commissioners, any questions for
22 the Council Member?

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1 First, I just want to thank you for
2 the history. A lot of times I think that gets
3 lost. I know a lot of people say, well, why
4 are we going back in history, but you got to
5 know where you've been so you know where you
6 are going.

7 So, I really want to thank you for
8 that. I remember some of that in '79, I'm not
9 going to say where I was, I think 6th grade,
10 but anyway, I just want to -- you know, I remember
11 seeing a lot of stuff on the news, and hearing
12 those conversations.

13 And some time we need to remember
14 our past, so we know how to preserve our future.

15 COUNCIL MEMBER BARRY: Also, Mr.
16 Chairman, thank you for your leadership. I had
17 an opportunity, as you know, to nominate you
18 to the Commission.

19 When we were first talking about it,
20 you said, Mr. Mayor, I don't know anything about
21 zoning law, I don't know nothing about all that.

22 But, as you know the community, that's what's

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1 important, you know the community. You can
2 learn the zoning law, that's not a difficult
3 situation.

4 CHAIRMAN HOOD: You've got a good
5 memory, too.

6 COUNCIL MEMBER BARRY: That's
7 right. I know when it happened. I'm not
8 regretting it either.

9 You are still active in the
10 community and other affairs outside of the
11 Zoning Commission, and we appreciate it.

12 And, Marcie, glad to see you. Rob
13 is here, and Mike, and Mr. May. I used to have
14 a heck of a time with Federal Government people,
15 and I didn't know too much about it, because
16 we had three votes. It worked out, though.

17 Thank you, Mr. Chairman.

18 CHAIRMAN HOOD: All right. Any
19 other questions?

20 Thank you very much, Council Member.
21 We appreciate it, and good seeing you.

22 COUNCIL MEMBER BARRY: Thank you.

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1 CHAIRMAN HOOD: Okay. Colleagues,
2 before we go to the Office of Planning and DDOT
3 again, I want to be respectful, I think the
4 Deputy Mayor's office wanted to make their
5 statement, and then we'll ask our questions of
6 the Office of Planning and DDOT.

7 MR. WARSH: Good evening.

8 I do have some prepared remarks, but
9 I will try to be as brief as possible.

10 So, good evening, Commissioners.
11 My name is Ethan Warsh, Project Manager with
12 the Office of the Deputy Mayor for Planning and
13 Economic Development. Thank you for allowing
14 me a moment to support the St. Elizabeth East
15 Project for that office.

16 I hope to provide you with some
17 important context for what you have already
18 heard tonight and what you will continue to hear.

19 The redevelopment of St.
20 Elizabeth's East represents a unique and
21 important economic development project, meant
22 to provide opportunities for education and

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1 training, career pathways, amenities, and the
2 types of urban forum that support these outcomes
3 in a part of the District, Ward 8, that has
4 expressed an urgent need for both of them, for
5 all of them.

6 The physical and economic aspects
7 of the future plans for St. Elizabeth's East
8 were developed and articulated through an
9 extensive planning process that my colleagues
10 at the Office of Planning have presented to you
11 earlier.

12 Bellying these plans is the
13 District's conviction that St. Elizabeth's East
14 possesses inherent characteristics that
15 uniquely position it to provide these economic
16 and community development outcomes. These
17 characteristics include its situation in the
18 center of the Washington Region, a region that
19 boasts one of the strongest economies in the
20 country; it's very large size, it is,
21 approximately, 180 acres, 94 of which are slated
22 for redevelopment; it's adjacency to a Metro

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1 station, specifically, on the Green Line; it's
2 distinct architecture and its campus-like
3 environment.

4 But, with this opportunity there
5 come challenges and complexities, challenges
6 that include, first, the very large size, again,
7 of this site; the lack of any useable
8 infrastructure on site, and that includes both
9 roadways and utilities; the number of historic
10 buildings featuring varying degrees of
11 structural and architectural soundness. And,
12 our plan includes, approximately, 900,000
13 square feet of historic spaces to be adaptively
14 used. And lastly, the economics of developing
15 the site situated in an area that has seen little
16 other development of this type does present
17 unique challenges as well.

18 In its efforts to capitalize on the
19 opportunities and address the challenges
20 presented by the St. Elizabeth's East campus,
21 the District has pursued significant
22 investments in recent years. These investments

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1 have been strategically designed to both advance
2 achievement of desired community outcomes, and
3 add value such that St. Elizabeth's East is
4 positioned as a compelling opportunity to
5 potential partners that will help the District
6 realize the division for the site.

7 These investments, which will,
8 ultimately, total \$122 million in local funds,
9 including first, of course, the master planning
10 of the site, in order that we articulate a
11 vision, both physical and programmatic, that
12 is clear and compelling; assessing current
13 infrastructure conditions and creating plans
14 for future infrastructure, again, roadways and
15 utilities, to support all future development;
16 building that infrastructure at a cost to the
17 District of, approximately, \$100 million;
18 undertaking, at a minimum, \$4.5 million of
19 historic building stabilization; and lastly,
20 activating and pre-marketing the site to tenants
21 aligned with the programming that defines the
22 District's economic vision, in order to

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1 communicate to all stakeholders that this vision
2 is more than words on paper.

3 A critical component of these
4 efforts is to take what is currently a single,
5 unzoned lot, and produce a zoning regime that
6 expresses and applies the objectives and
7 directives of the Master Plan on a
8 parcel-by-parcel basis.

9 The District is seeking zoning that
10 will provide certainty to all project
11 stakeholders, with the final product will be
12 driven by the contents of the Master Plan, while
13 also responding to market realities and fears
14 of over saturation by breaking the site into
15 distinct parcels.

16 This breaking apart of the site into
17 parcels will allow the District to implement
18 the development of St. Elizabeth's East in
19 phases.

20 Implementing the Master Plan, via
21 the proposed Zoning regulations, is critical
22 in achieving these goals, by allowing the

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1 District to first provide certainty to community
2 members and other stakeholders that individual
3 development partners will be required to build
4 what is contained in the Master Plan document.

5 Second, it also provides certainty
6 to development partners investing in a single
7 parcel that, one, they will be able to develop
8 in accordance with the Master Plan parameters,
9 and, two, developers of later phases will be
10 required to building according to those same
11 parameters.

12 Certainty allows the District's
13 development partners to value their investment
14 in a single parcel with the expectation of
15 benefitting from a comprehensive Master Plan
16 development.

17 Throughout the master planning
18 process, and in other forums, interested
19 stakeholders had extensive opportunities to
20 learn and provide input and feedback to project
21 staff. The planning principles, design
22 guidelines, and proposed zoning reflect all of

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1 that input.

2 Because St. Elizabeth's East is a
3 District-owned and District-sponsored project,
4 the District will continue to provide interested
5 stakeholders with additional opportunities to
6 participate throughout the planning and
7 development process.

8 Specifically, all solicitations to
9 be issued by the Deputy Mayor's office, will
10 be drafted and evaluated by the criteria adopted
11 and required by the Master Plan. A document
12 that, as we've heard before tonight, and as I've
13 mentioned, was developed with substantial
14 stakeholder input and speaks to both building
15 form, as well as specific uses.

16 Respondents were determined by the
17 Deputy Mayor's office to be responsive to the
18 District solicitation, will be required to make
19 a presentation to the affected ANC, which will
20 then have an opportunity to recommend their
21 preferences, as well as additional elements they
22 would like to see removed, added or altered in

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1 the respondents' proposals.

2 Using, among other criteria, the ANC
3 and community's input and recommendations, the
4 Deputy Mayor's office will select a respondent
5 or multiple respondents to negotiate a contract
6 for the disposition and development of the
7 subject parcel.

8 As is required by District law, once
9 the specific terms have been negotiated the
10 Deputy Mayor and Mayor will seek Council
11 authority to execute the transaction upon the
12 terms previously negotiated.

13 Prior to Council action, Council
14 will hold at least one public hearing, which
15 will include opportunities for interested
16 stakeholders to provide their input and
17 testimony on the proposed disposition.

18 Once Council approves, the
19 development partner will be required to submit
20 their plans to the Historic Preservation Review
21 Board, which has jurisdiction over the entire
22 site. This process will provide a forum for

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1 individuals and groups to express their
2 perspectives.

3 In addition to the HPRB review,
4 plans will also be required to be submitted and
5 approved by the State Historic Preservation
6 Officer, as well as the Federal Advisory Council
7 on Historic Preservation, who will use the
8 Master Plan and other historic preservation
9 principles to conduct their evaluation.

10 I hope that I've helped to convey
11 the opportunity that the District believes St.
12 Elizabeth's East presents to the residents of
13 Ward 8, this City, and the region, and thank
14 you again.

15 I'll now be available to answer any
16 questions you may have.

17 CHAIRMAN HOOD: Okay, thank you
18 very much. We appreciate your testimony and
19 the support letter from the Deputy Mayor.

20 Commissioners, any questions?
21 Anybody have any? No? Okay.

22 Oh, I'm sorry, Commissioner May?

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1 COMMISSIONER MAY: You are just
2 asking questions for Mr. Warsh?

3 CHAIRMAN HOOD: Did you have any
4 questions for Council Member Barry?

5 COMMISSIONER MAY: No, I didn't.

6 CHAIRMAN HOOD: Oh, okay.

7 COMMISSIONER MAY: We were going to
8 go back to the Office of Planning.

9 CHAIRMAN HOOD: Yes. Yes, we are
10 going oz go back. We were just dealing with
11 the officials. Well, they are officials, too.
12 Everybody is an official.

13 Just to the Deputy Mayor's office,
14 Mr. Warsh.

15 COMMISSIONER MAY: Okay. Yes, I do
16 have a question.

17 So, if I understand correctly then,
18 some of the parcels, or all of the parcels, are
19 going to be, essentially, sold to private
20 interests, is that right?

21 MR. WARSH: That's correct.

22 COMMISSIONER MAY: Okay. Is it all

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1 or is it just some?

2 MR. WARSH: That's undetermined at
3 this point. So, we'll evaluate that as the
4 development moves forward, what the correct
5 conveyance mechanism or whether or not the
6 District decides to hold on to certain
7 properties.

8 COMMISSIONER MAY: Okay. But, at
9 this point it's conceivable that every single
10 one of them could be sold?

11 MR. WARSH: Yes, sir.

12 COMMISSIONER MAY: Okay. So, I
13 mean, the parcels, the sub-districts that we
14 are looking at, seem to coincide fairly closely
15 to actual parcels, or are they going to be
16 subdivided further into major parcels from
17 there?

18 MR. WARSH: The sub-districts
19 represent parcels as we understand they would
20 be conveyed.

21 COMMISSIONER MAY: They would be
22 conveyed?

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1 MR. WARSH: Yes.

2 COMMISSIONER MAY: So, in essence,
3 you are looking at developers who could do a
4 block at a time, and in some cases some very
5 large blocks, is that right?

6 MR. WARSH: That's correct, single
7 developers or partner groups.

8 COMMISSIONER MAY: Understandably,
9 but in any case it's a single controlling entity
10 over the whole thing. You are not going to take,
11 for example, you know, the lower density parcels
12 that abut the neighborhood, that are limited
13 to 40 feet, you are not going to, actually, try
14 to subdivide that into house lots or anything
15 like that.

16 MR. WARSH: No, we don't intend to.

17 COMMISSIONER MAY: Okay. I think
18 the rest of my questions are questions, really,
19 for the Office of Planning.

20 CHAIRMAN HOOD: Vice Chair, do you
21 have questions?

22 VICE CHAIR COHEN: Yes, I do.

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1 Thank you.

2 You mentioned that the City has
3 about \$122 million for infrastructure
4 improvement. Will they be recapturing it
5 through the sale of land?

6 MR. WARSH: The return on
7 investment that the District is considering as
8 part of the project are really economic
9 development goals that the project has. You
10 know, obviously, we will responsibly assess the
11 ability of the District to recapture any
12 investment that it makes, you know, throughout
13 the course of the project. But, that is not the
14 return on investment that we are looking for
15 per se.

16 VICE CHAIR COHEN: Another question
17 on inclusionary zoning, which is going to be
18 required on the residential, there seems to be
19 some inconsistencies in implementation.

20 Specifically, developers have been
21 complaining about the economics of inclusionary
22 zoning. And so I'm wondering if you are

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1 intending to discount the parcels that will have
2 residential inclusionary zoning units to assure
3 that they can economically create those units.

4 MR. WARSH: I mean, we are committed
5 to seeing both this project realized, as well
6 as the District-wide goals of inclusionary
7 zoning maintained and adhered to. And, I think
8 that we'll do what's necessary in terms of seeing
9 that both of those goals are achieved.

10 That wasn't a substantial answer,
11 but --

12 VICE CHAIR COHEN: No, but I think
13 what I'm trying to do is just say be advised.

14 CHAIRMAN HOOD: Any other
15 questions?

16 Commissioner Miller?

17 COMMISSIONER MILLER: Good
18 evening.

19 Just following up on Commissioner
20 Cohen's inclusionary zoning questions. Often
21 when we do -- when the District does plan
22 distributions, there's a higher percentage of

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1 affordable housing that's required for
2 residential development than inclusionary
3 zoning, which is only 8 to 10 percent. And,
4 it's kind of at a moderate income, more workforce
5 housing level. And, typically, the dispositions
6 have been at least 20 percent, at least in my
7 experience.

8 Do you anticipate that the -- and,
9 of course, if they are at a higher level that
10 would meet the inclusionary zoning requirements
11 from Zoning, because they exceed -- do you
12 anticipate that there would be, in the RFP that
13 you put out for parcels, a higher percentage
14 than the 8 percent, the 10 percent, that IZ would
15 otherwise require?

16 MR. WARSH: I mean, we are surely
17 leaving ourselves open to that possibility, as
18 we approach each -- you know, at the time to
19 put out the solicitation for each individual
20 parcel, we will weigh both what that means,
21 obviously, for the value of the parcel and the
22 feasibility of seeing development take place,

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1 as well as, you know, again, our achieving the
2 goals of the project.

3 This is an economic development
4 project, not in the sense of trying to capture
5 revenue for the City, but in the sense that we
6 are trying to see real change, meaningful
7 change, occur in a neighborhood that has not
8 seen that. And so, to the extent that we want
9 to include additional affordable housing, and
10 assessing that in each case, I can't say now,
11 but I will say that assessment will occur.

12 COMMISSIONER MILLER: Well, thank
13 you for that answer.

14 Let me just commend the public
15 outreach that has taken the feedback, and what
16 Council Member Barry said, the amount of
17 extensive public participation that has
18 continued -- that has occurred on the Master
19 Planning and on the zoning, and on, as you
20 outlined, on the RFPs to be evaluated.

21 Do we have a copy of your statement
22 that you read from? If we could get a copy, I

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1 think it might be helpful to have that, because
2 you did outline how that disposition process
3 would work, and the community involvement. I
4 think that was very important to have on the
5 public record.

6 Thank you.

7 CHAIRMAN HOOD: Commissioner
8 Turnbull?

9 COMMISSIONER TURNBULL: Yes, thank
10 you, Mr. Chair.

11 One of your -- my question was
12 originally for OP, but since you are here, and
13 you are talking about infrastructure, the
14 Congress Heights Station, one of the things that
15 has been brought up is a second entrance to make
16 this more functional. This is going to be a
17 big element.

18 Where, in your discussions with
19 WMATA, how is that -- how does that play now?

20 MR. WARSH: We have had extension
21 discussions with WMATA on the future of the
22 Congress Heights Station, and I believe WMATA

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1 did submit a letter of support for this project.

2 In terms of the actual second
3 entrance, WMATA has undertaken concept level
4 studies, and given us concept level costs for
5 what that would necessitate from the District
6 side in terms of funding.

7 And so, we are continuing to work
8 with them on the possibility. Obviously, it's
9 indicated that we would like that second
10 entrance, in the Master Plan that's indicated.

11 So, we are continuing to have that discussion.

12 COMMISSIONER TURNBULL: Are any of
13 those costs reflected in your \$122 million?

14 MR. WARSH: They are not. This
15 \$122 million only encompasses all of the
16 roadways and underground utilities,
17 streetscapes, et cetera, that are required to
18 support the future development.

19 COMMISSIONER TURNBULL: Okay.
20 Thank you.

21 CHAIRMAN HOOD: Mr. Warsh, as we are
22 going forward, and I, too, want to commend what

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1 I've heard from Council Member Barry about the
2 community engagement, and you had it outlined
3 in your statement. But, I just -- for my
4 satisfaction going forward, is it a commitment
5 of the Deputy Mayor's office and the
6 Administration to make sure that the community
7 is involved sooner rather than later? I mean,
8 you know, when things shift and change, how are
9 we going to make sure that the community are
10 involved on the front end, as opposed to after
11 we've got some things on down the line, and then
12 we go out there. You know, are we committed
13 to making sure they are involved in those
14 discussions on the front end, as soon as
15 possible? Is that the commitment?

16 MR. WARSH: Yes, absolutely.

17 CHAIRMAN HOOD: Okay, that's all I
18 wanted to know.

19 Any other questions? Okay. Thank
20 you very much, we appreciate it.

21 Okay. Now, we can go to -- if we
22 remember, we can go to the Office of Planning

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1 and the District Department of Transportation.

2 Commissioners, who would like to
3 start us off? We may not have any questions.

4 Oh, we do? Okay. Commissioner
5 Cohen?

6 VICE CHAIR COHEN: Thank you, Mr.
7 Chairman.

8 I want to thank the Office of
9 Planning for their October 4th memorandum, where
10 they at least make an effort to address all of
11 our prior questions.

12 But, I'm still concerned about
13 having 21st Century technology, and I strongly
14 believe this is a 20th Century plan, if we don't
15 take advantage of co-generation or other
16 opportunities for assuring a sustainable --
17 well, it's more than a neighborhood, the campus.

18 And, I think that the Mayor has made
19 a pledge for the most sustainable City, and part
20 of that is to reduce our carbon footprint, and
21 my question is, has a life cycle analysis been
22 performed for this project, where it evaluated

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1 the first costs and the possibility of
2 recapturing those costs, over an early period
3 of time?

4 MS. STEINGASSER: Short answer is
5 no. Are you talking about the cost of a
6 co-generation plan for the overall campus?

7 VICE CHAIR COHEN: It could be for
8 the campus. It could be for the individual
9 districts. It doesn't seem to have that current
10 technology, and it is changing quickly, but I
11 believe, and it seems like you are going to get
12 some help maybe, I just don't believe that you
13 are taking advantage of that. And, that's going
14 to be a long-term mistake, because it's been
15 proven that you do recapture those costs.

16 Now, as far as financing it, there
17 are, you know again, I would think there would
18 have been a study done. There are bonds out
19 there that may be able to finance them, I guess.

20 MS. STEINGASSER: And, that may be
21 -- and maybe Mr. Warsh can add some more to that,
22 but in terms of zoning, it's not, typically,

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1 and I say I don't know that we've ever seen that
2 kind of energy co-generation issue put into a
3 zoning text. And, part of it, as Mr. Warsh says,
4 we don't know who is going to develop the site,
5 whether it's going to be done by parcel or
6 whether it's going to be done by a master
7 developer. So, it makes it even a little bit
8 more difficult to grasp that in terms of a zoning
9 regulation.

10 But, I think Mr. Warsh can add a
11 little bit more to the study of this.

12 MR. WARSH: Yes. Because -- thank
13 you -- because the District did -- is funding
14 the infrastructure, we did see an opportunity
15 to pursue some, you know, large-scale
16 sustainable solutions for providing utility
17 service on site.

18 So, we did consult with an
19 international engineering firm to undertake two
20 studies, one on co-generation, and the
21 possibility of co or tri-generation on site.
22 And, the other on site-wide solutions to

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1 rainwater capture and runoff, and how we might
2 incorporate some grey water, purple water
3 systems, et cetera, into the site.

4 In terms of the co-generation, in
5 addition to looking at, you know, just sort of
6 the feasibility of -- you know, technical
7 feasibility of it, which, obviously, does exist
8 on site, we also looked into the commercial
9 feasibility based on our strategy for developing
10 the entire site, with the intention of hoping
11 that a third party might come on and be able
12 to take that cost off of the District's books,
13 when we weren't so sure of what our future
14 funding possibilities were, of what future
15 funding was.

16 And so, ultimately, that will be,
17 our consultants found that there was not a
18 commercially feasible solution, given our
19 development strategy, because we cannot provide
20 the anchor loads until very late into the
21 development of the project to make it
22 commercially feasible.

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1 Additionally, we looked into the
2 possibility of providing space for the public
3 rights of way. So, essentially, you know, if
4 the project were to move forward and develop
5 in such a way that it did become commercially
6 feasible for a third party to come and provide
7 co-generation or tri-generation to parcels on
8 the site, that there would be space -- reserving
9 a right of way for them to put their systems,
10 which are really quite substantial, to support
11 that.

12 Because of the fact that, you know,
13 it's liquid, and also you have the water, the
14 water utilities there, the gravity, changing
15 grade required to accommodate both of those
16 uses, was remarkably cost prohibitive at this
17 point in our process.

18 VICE CHAIR COHEN: And, that's
19 where the grade changes would have helped.

20 MR. WARSH: The grade changes to go
21 quite deep and to make space for it would have
22 forced us to go exceptionally deep at the outset

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1 right now, which adds substantial cost, because
2 of the square feet that we are trying to build
3 here.

4 But, we are not opposed in the future
5 to allowing for those easements, and I think we,
6 you know, the fact that we did out and pay that
7 consultant shows our commitment to,
8 potentially, accommodating them in the future.

9 VICE CHAIR COHEN: Can you tell me
10 who the consultant is?

11 MR. WARSH: For that particular
12 work, it was Arup, A-R-U-P.

13 VICE CHAIR COHEN: Thank you. That
14 was very thorough, it wasn't what I wanted to
15 hear, but it was thorough.

16 For the Office of Planning, I don't
17 know if I understand something about the
18 inclusionary zoning. We are trying to simplify
19 and make this process predictable for
20 developers. But again, with IZ my concern is
21 that it's cost -- there are cost concerns, and
22 we haven't exactly had a very ambitious program

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1 here in the District. You know, the developer
2 community is constantly saying that the 20
3 percent height addition does not offset the
4 cost.

5 I don't know if it's true or false,
6 I know that's being reviewed by the Housing Task
7 Force, but can you explain to me then how
8 somebody does get the height? Is it done
9 through the PUD process? You did mention that
10 that was not part of the PUD process, I thought.

11 MS. STEINGASSER: No, when we
12 looked at the densities and the heights as they
13 are proposed in here, they incorporate
14 inclusionary zoning. The assumption is that
15 inclusionary zoning will be integrated into the
16 form that you see before you. So, there will
17 be no additional height, no additional density
18 gained.

19 So, when somebody bids on the
20 property, or responds to an RFP to the
21 Department, to DMPED, they will have that
22 already in their mind, that they have at least

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1 the minimum IZ requirement, plus whatever may
2 be appropriate at the time the DMPED puts an
3 RFP on the street.

4 VICE CHAIR COHEN: That's a major
5 concern to me, because right now, even coming
6 in for 130 in the PUD, we are getting a push
7 back.

8 MS. STEINGASSER: And, that's true.
9 When developers have bought the property at
10 market rate, some other private sector sellers,
11 it's a slightly different type of economic
12 model. But, when they are dealing with the
13 City, and they know that it's a requirement going
14 in, both at IZ level and whatever DMPED puts
15 in, we expect that they will be responsible.

16 VICE CHAIR COHEN: Thank you.

17 This definitely is a campus. I
18 mean, I don't recall if there was any discussion
19 about why we are not continuing the grid, at
20 least into the parcel closest to Congress
21 Heights neighborhood.

22 MR. HENSON: Jamie Henson from

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1 DDOT. Those were extensive discussions, and,
2 ultimately, I'll go ahead and cut to the chase
3 on the answer, that was initially our vision,
4 was to go ahead and extend the grid.

5 The problem was it would not become
6 a campus if we did that. And so, the campus
7 feel would go away. And so, we worked with folks
8 through the historic preservation process to
9 identify our roadway network that responded to
10 the existing roadways on the campus, and that
11 treated it as a campus, so that for future
12 generations they would actually see it as a
13 campus, as opposed to just another part of the
14 City.

15 VICE CHAIR COHEN: Thank you.

16 I did not notice in the breakout of
17 each of the parcels, let's call them that, any
18 design guidelines for parking garages. I think
19 I could count on one hand here in the United
20 States well-designed parking garages. They
21 fall into my -- along with prisons, and 1960
22 Government buildings, as, you know, lack of

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1 design excellence.

2 Are there going to be guidelines for
3 those parking garages if they have to be built
4 above ground?

5 MR. LAWSON: Well, first of all,
6 we've established that an above-grade parking
7 structure has to be wrapped by other uses, so
8 you wouldn't see the parking structure at all.

9 VICE CHAIR COHEN: Thank you. I
10 might have missed that entirely.

11 I had asked on the set down about
12 the connection between the east and west
13 campuses, and there's something called an
14 underpass. At least it's not a moat, but it
15 really cut off from the neighborhood entirely.

16 I understand that it's Homeland
17 Security, and is there going to be at least any
18 input by the City on the -- you know, so that
19 we don't have chain link, you know, that raises
20 above it, that it's going to be at least a more
21 aesthetically pleasing separation?

22 MS. STEINGASSER: Well, you have an

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1 abundance of representation here for the
2 National Capitol Planning Commission, who will
3 review all of those particular elements as they
4 come before them.

5 VICE CHAIR COHEN: In the preferred
6 retail parcels, I'm presuming that you are going
7 to encourage mixed use, or are you just looking
8 at like a shopping center vision for that street?

9 MS. BROWN-ROBERTS: No, there will
10 be mixed use. So, the retail will be on the
11 ground floor, with the other uses, another use
12 on other floors.

13 VICE CHAIR COHEN: Okay, thank you.

14 If I could read my handwriting I may
15 have more questions later.

16 CHAIRMAN HOOD: Okay. Who would
17 like to start off, because I'm probably going
18 to put Commissioner -- Commissioner Turnbull,
19 after you we are going to go on the clock.

20 COMMISSIONER TURNBULL: You are
21 going to put Commissioner May on the clock?
22 Is that what you said?

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1 I just have three. I just wanted
2 to follow up on the retail, and Council Member
3 Barry's comment on Sycamore. On your slide 13,
4 you show required retail and alternate or
5 allowable retail.

6 Now, there is a section on super mall
7 which is just allowable. I was just curious
8 why that was not required. I guess I'm trying
9 to understand the break. What's the break
10 between on that time and Sycamore? Why required
11 on one side and then the other, why not required
12 on Sycamore, I guess?

13 I mean, his point was trying to
14 create a streetscape you have retail along.
15 People can walk along and go into shops or
16 restaurants, so I'm just curious.

17 MS. KASONGO: Part of the rationale
18 and visioning behind that was, we were trying
19 to preserve that four court area that you see
20 there, the green open space, the lawn area.
21 So, by requiring retail in that area that cuts
22 off the views to the Maple campus, particularly,

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1 the last building there on the east side that
2 has a cupola and the views would be obstructed
3 by -- or, I'm sorry, it would just decrease the
4 amount of open space in that area by requiring
5 the retail.

6 By allowing it, if it does come
7 forward as a recommendation, then that would
8 be taken into consideration. But, we thought,
9 initially, we should just keep the requirement
10 along the edges there at Sycamore Street, and
11 have it wrap around.

12 COMMISSIONER TURNBULL: Okay. I
13 guess, if there's more input comes in, are you
14 willing to look at that again, or look at that
15 further?

16 MS. KASONGO: Certainly.

17 COMMISSIONER TURNBULL: Okay.

18 MR. LAWSON: And, I would note that
19 there would be nothing preventing retail along
20 --

21 COMMISSIONER TURNBULL: We are
22 allowing for a fairly good mix of uses.

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1 MR. LAWSON: Right.

2 COMMISSIONER TURNBULL: And, a lot
3 of flexibility in terms of those uses.

4 MR. LAWSON: We've established
5 areas where retail is required, where that has
6 to be provided, and you have to meet the
7 provisions for that required retail.

8 Retail could be provided in other
9 places. Of course, there's some practical
10 difficulties with some of the historic
11 structures with, you know, with providing retail
12 in those structures. But, even there it
13 wouldn't -- it wouldn't be prohibited.

14 COMMISSIONER TURNBULL: Okay,
15 thank you.

16 On the parking, the 4,800 below
17 grade, how does that get handled parcel-wise?

18 You are talking about a max for the whole site
19 underground, but if I get there first on my side
20 I get more parking? How are you going to divvy
21 that up amongst all the parcels? How does that
22 -- I mean, obviously, it's a use issue. Some

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1 parcels aren't going to be needing -- some won't
2 have any underground parking, the existing
3 sites, but how on some of the new sites, not
4 the existing ones that would be renovated and
5 rehabbed, how would you be -- how is that going
6 to be divided up? Is there a process for looking
7 at parking from one site to the next?

8 MS. BROWN-ROBERTS: Mr. Turnbull,
9 the 4,800 parking spaces will -- I don't think
10 would be going on a parcel-by-parcel -- it won't
11 be divvied up on a parcel-by-parcel --

12 COMMISSIONER TURNBULL: Well, it's
13 a cap for the whole site, for the whole --

14 MS. BROWN-ROBERTS: Right. And,
15 that will be spread across in either structured
16 underground or on the surface parking. So, it
17 won't be all --

18 COMMISSIONER TURNBULL: But,
19 that's my question. How does that, what is the
20 process for determining what sites get more
21 parking, you know? If I have --

22 MR. LAWSON: I understand your

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1 question. I think I can respond to that.

2 COMMISSIONER TURNBULL: Okay,
3 thank you.

4 MR. WARSH: So, I mean the benefit,
5 obviously, of this being a District-owned site
6 is that we have this conveyance process. And
7 so, we'll be able to use the Master Plan as our
8 guide, and also have an understanding and be
9 able to pace the development on site, including
10 the parking.

11 So, we understand that, you know,
12 we need to have that 4,800 cap be serving the
13 entirety of the site. And so, as we allow for
14 parking on earlier parcels, we will be keeping
15 that in mind, that later parcels will need a
16 piece of that pie, so to speak.

17 And so, it's through the District
18 conveyance process that that will be governed.

19 COMMISSIONER TURNBULL: Well, I
20 guess that gets back to what I think you already
21 talked about earlier, that, you know, if there
22 was a need for additional -- I guess what I'm

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1 saying is, all of a sudden you've developed all
2 the parcels and I get my parcel, I'm the last
3 developer in, and I'm a little short on what
4 I think I need. Is it going to be, you know,
5 we've maxed out the parking. I guess that was
6 my concern, is that --

7 MR. WARSH: Well, I think that like
8 Maxine had mentioned is contained in the
9 parking, is that there's not a requirement that
10 parking for certain parcels be accommodated on
11 that parcel. And so, I think we envision that
12 parcels that can accommodate more parking than
13 others be serving other parcels that cannot
14 accommodate parking as necessary for bringing
15 their uses to the site. And, those shared
16 parking strategies are something that the
17 District will be keeping in mind and relaying
18 to the developers in the solicitation documents,
19 as we move forward with this project.

20 COMMISSIONER TURNBULL: Well,
21 that's going to be interesting, because it's
22 often difficult to get a developer to say I'm

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1 providing parking for your building. So,
2 that's going to be an interesting conveyance
3 item on how you can -- how that's going to be
4 written up in such a way that a developer on
5 one parcel may be providing space for another
6 in his garage.

7 We don't find that too often here.

8 I mean, it's often a very difficult thing, yes,
9 either the developer wants more parking in his
10 building. So, it will be interesting how you
11 set that up.

12 MR. LAWSON: It is true, Mr.
13 Turnbull, this is an unusual circumstance.
14 This is kind of a different approach to parking
15 right from the start.

16 It is intended to be -- it's,
17 actually, specifically intended to provide that
18 kind of flexibility, where we can through the
19 building permit process as well monitor all the
20 parking that's happening, how it's being used,
21 where it is over parked, where it is under
22 parked, and allow for the parking to respond

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1 to kind of a changing need.

2 We expect that at the beginning of
3 the project, with the first stages of
4 development, there may be a greater need for
5 parking, but that that need may go down as
6 additional parcels go on stream, and different
7 kinds of uses go on the site.

8 So, we wanted to make sure that the
9 parking accommodated that kind of flexibility.

10 We understand that it needs to be monitored
11 in the building permit process and the LDE
12 process both allow us to do that monitoring over
13 time. And, if we do get to the point where we
14 reach the 4,800 limit, which, quite frankly,
15 we don't expect, but if we do reach that limit
16 we have included in the zoning the provision
17 for how additional parking could be provided
18 through a special exception process and District
19 review.

20 COMMISSIONER TURNBULL: Okay. I
21 guess I have -- one other question I have is
22 on heights, and I understand putting the eight

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1 to nine stories out toward the ravine. But,
2 I guess my only -- the only other concern was
3 that on your one that you have the seven story
4 buildings, which are right up against some two
5 story buildings, are you concerned about the
6 impact?

7 Your slide nine sort of, the second,
8 the right-hand version of that, I mean we've
9 often talked about stepping down buildings as
10 they get to -- well, we do it on a planned unit
11 development, and I'm just wondering if the seven
12 story building right adjacent to some of those
13 two story existing structures might be a little
14 bit overpowering.

15 MS. BROWN-ROBERTS: Mr. Turnbull,
16 and that is something that we discussed with
17 Historic Preservation. They've assured us that
18 those are some of the things that they will be
19 looking at, because we were looking at how to
20 transition down.

21 COMMISSIONER TURNBULL: Right.

22 MS. BROWN-ROBERTS: But, the HP

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1 staff asked us to give them the flexibility to
2 do that sort of transitioning when they review
3 the submissions.

4 MR. LAWSON: And, I'd also just add
5 that the illustration is, actually --

6 COMMISSIONER TURNBULL: Right.

7 MR. LAWSON: -- from the planning
8 process.

9 COMMISSIONER TURNBULL: Right.

10 MR. LAWSON: I think the zoning has
11 fine grained this a little bit, to address some
12 of those adjacency issues.

13 COMMISSIONER TURNBULL: Okay. As
14 long as when we are going forward we realize
15 that we may have some issues that we are going
16 to have to look at as we go down the road here.

17 Okay, thank you.

18 CHAIRMAN HOOD: Any other
19 questions?

20 Commissioner May?

21 COMMISSIONER MAY: Sure. I'll
22 speak fast.

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1 CHAIRMAN HOOD: I'll start the
2 clock. No, I'm just kidding, go ahead,
3 Commissioner May.

4 COMMISSIONER MAY: I don't know if
5 they'll answer fast, but I'll speak fast.

6 Okay. First of all, there were some
7 items, the survey information that was in the
8 record indicates that there are parcels that
9 are owned by the National Park Service, the one
10 near the Metro. And, we are trying to get that
11 sorted out with Metro. But, I just want to make
12 it clear to everybody that the Park Service does
13 not own any land here anymore. It's been
14 conveyed to WMATA, and I think it's between WMATA
15 and the District to sort out. But, just so
16 everybody knows there's not an issue of building
17 on park land at this project.

18 So, not that anybody initially had
19 that question, but since it was in the record
20 I want to make sure people knew.

21 The second thing is, you know, this
22 is a very, very, very unusual zoning. And, I'm

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1 just curious, looking over the variety of uses
2 that are permitted, I mean, it looks like a
3 fairly thorough catalog of pretty much
4 everything except for, you know, you can't put
5 a correctional facility, and you can't put
6 certain industrial uses there, and a few other
7 things.

8 I mean, am I reading that correctly,
9 or are there large broad categories of uses that
10 are not included in the 27 categories of use
11 that you did list?

12 MR. LAWSON: No, I think you are
13 reading it pretty correctly. We thought it was
14 appropriate in this case to identify the uses
15 that are not appropriate on the site, and call
16 those out, and otherwise keep it fairly general.

17 Now, as you know, in some places we
18 have stipulated specific uses that are required,
19 like the retail uses, like the residential uses
20 that are required on the site. Okay.

21 And so, just out of curiosity, the
22 way that's listed and categorized there in some

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1 significant detail, is that in sync with where
2 we are moving in the zoning reg rewrite in terms
3 of uses?

4 MR. LAWSON: Yes, it is.

5 COMMISSIONER MAY: Okay. For some
6 reason, I thought we were shooting for less than
7 27, but maybe that was at the beginning of the
8 discussion, and it wound up being 27 by the end.

9 MR. LAWSON: Yes.

10 COMMISSIONER MAY: Okay. There
11 was mention in the community comments about the
12 chapel and a desire to save the chapel. And,
13 I'm wondering what the particular interest is
14 in the chapel if it's not historic? Is there
15 some use associated with it, or some history
16 that is not quite historic, but still would want?

17 MS. BROWN-ROBERTS: Actually, from
18 my understanding, you know, hearing the
19 community feedback on that, was that they had
20 a special affinity to the structure, not the
21 use. I don't think it's the use itself, but
22 the structure that they wanted to preserve.

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1 COMMISSIONER MAY: Okay. And so,
2 I didn't match it up on the plan to any particular
3 parcel. Is that in a parcel that's slated for
4 much higher density in the future?

5 MS. BROWN-ROBERTS: It is slated
6 -- it's located, I think, in StE 7.

7 COMMISSIONER MAY: And, where is
8 that? How dense is StE 7?

9 MS. KASONGO: It's split into two
10 building heights. So, a portion of it is six
11 stories, and another portion is four stories.
12 The four story portion of it starts to slope
13 downwards towards the residential area.

14 COMMISSIONER MAY: Okay. And, is
15 that the part where the chapel is, or is it the
16 six story?

17 MS. KASONGO: Yes.

18 COMMISSIONER MAY: Okay.

19 MS. KASONGO: The chapel -- no, I'm
20 sorry, the chapel is, actually, on the part where
21 the six story is.

22 COMMISSIONER MAY: So, you are

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1 pretty much sealing that space by trying to zone
2 it for six stories. That's, I guess, the
3 concern of the community, but we'll hear from
4 them.

5 MR. WARSH: I can speak to that
6 also.

7 COMMISSIONER MAY: Okay.

8 MR. WARSH: In terms of how we are
9 addressing that.

10 The chapel is an issue that's come
11 up throughout the planning process, and, again,
12 it is not historic, and so it's not a protected
13 asset on the site.

14 However, we have heard the
15 community, and promised the community that
16 because we will put language in our solicitation
17 document, that in addition to stating our
18 preferred outcomes and uses for that site, also
19 state that there has been a loud support by the
20 community, expressed by the community, for the
21 preservation of the chapel, and that we will
22 give preference to any submission that does

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1 include the preservation of the chapel, while
2 not undermining the goals of the District for
3 that part of the Master Plan for that parcel.

4 COMMISSIONER MAY: Okay, thanks.
5 Again, I'll wait to hear from anyone from the
6 community that might have something to say about
7 it. Okay.

8 So, a few Metro and transportation
9 related questions.

10 I missed it in the plans, where is
11 the second Metro entrance, where might that be?
12 What parcel?

13 MS. BROWN-ROBERTS: It's on StE 15.

14 COMMISSIONER MAY: Okay. So, it's
15 a little bit closer, but not a lot closer to
16 the center of the development.

17 I remember at one point they were
18 talking about other more aggressive skids, and
19 I guess those fell off.

20 MS. BROWN-ROBERTS: They are off
21 the table.

22 COMMISSIONER MAY: Yes. So, do you

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1 have a map that shows walking distances from
2 the Congress Heights Metro across the
3 development? Is that in the Master Plan
4 somewhere?

5 MS. BROWN-ROBERTS: Yes, it's in
6 the Master Plan.

7 COMMISSIONER MAY: Okay. I can
8 look for it in there. That's fine.

9 Let's see. What other
10 transportation infrastructure do you imagine
11 will or might occur in StE 19, because it's being
12 zoned only as open space and transportation
13 infrastructure.

14 MS. BROWN-ROBERTS: StE 19?

15 COMMISSIONER MAY: Yes.

16 MS. BROWN-ROBERTS: That is
17 supposed to be for open space.

18 COMMISSIONER MAY: Right.

19 MS. BROWN-ROBERTS: We are not
20 proposing --

21 COMMISSIONER MAY: I mean, what I
22 read was that it's proposed for open space and

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1 transportation infrastructure. Is that
2 incorrect?

3 MR. WARSH: I can respond to that
4 also.

5 It is for potential -- very early
6 on there was discussion of potentially
7 connecting 13th Street to Suitland Parkway.

8 COMMISSIONER MAY: Right.

9 MR. WARSH: And so, that would
10 bisect that parcel, if that were to occur.
11 However, it's not seen in our lifetime maybe
12 to occur.

13 COMMISSIONER MAY: Okay. So, can
14 we take that out?

15 MS. BROWN-ROBERTS: Yes.

16 COMMISSIONER MAY: Okay. Good.
17 Because I had asked at set down about that, about
18 whether the road was still on the table, and
19 was told no. And so, it's inconsistent with
20 that.

21 So, all right. Now, I did ask --
22 or, I think I asked for, the cross section of

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1 the ravine, and that was provided in the Office
2 of Planning's report, but it was provided at
3 such a scale, and with an exaggerated vertical
4 scale, that it is completely unintelligible to
5 me. I can't read this at all.

6 It would be helpful to, actually,
7 see this in a way that I could read it, both
8 enlarged and also not with the exaggerated
9 vertical scale.

10 MS. BROWN-ROBERTS: Okay.

11 COMMISSIONER MAY: So, it leads me
12 to the question of, you know, if you are going
13 to be putting buildings into the parcels that
14 are in or along the ravine how much more building
15 height will they gain on the back side of the
16 ravine? And, do you imagine that there will
17 be, you know, much like the apartment buildings
18 along Connecticut Avenue where, you know, they
19 gain another two or three stories on the back
20 side because they are on the low side of the
21 slope. Do we envision that?

22 MS. STEINGASSER: Yes. Yes, we do.

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1 COMMISSIONER MAY: So, I mean, do
2 you know how many more stories you might get
3 out of that? That's why -- one of the reasons
4 why I was asking about the ravine.

5 MS. KASONGO: No, we haven't -- we
6 haven't looked at how many more additional
7 stories that would be, as part of development
8 into the ravine.

9 COMMISSIONER MAY: Okay. Well,
10 that should be apparent from the ravine cross
11 section, if you can get a good one for us.

12 And so, everything that's along that
13 side there seems to be based on the map of the
14 ravine. There seems to be some heavy topo lines
15 there, so it looks like all of that is quite
16 heavily sloped, is that right?

17 MS. BROWN-ROBERTS: Yes.

18 COMMISSIONER MAY: Okay. And, is
19 that sort of a land bridge that connects over
20 to the hospital, where the roadway is that
21 connects to the hospital?

22 MS. BROWN-ROBERTS: Yes.

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1 COMMISSIONER MAY: Yes. Okay.

2 And then, I understand there's a
3 couple of those parcels that had a little bit
4 of wetland in them. I'm not so much concerned
5 about those, but, I mean, is there any kind of
6 stream that runs through the ravine at any point,
7 even an ephemeral stream?

8 MS. BROWN-ROBERTS: I don't know if
9 there is any stream. The information that we
10 got on the wetlands was that they were not
11 associated with streams.

12 COMMISSIONER MAY: Okay.

13 MS. BROWN-ROBERTS: But, I don't
14 know if further into the ravine there's a stream.

15 COMMISSIONER MAY: Right. I mean,
16 I imagine that the ravine was formed by a stream
17 at some point in history, but maybe there's no
18 reason for that to -- that reason didn't occur.

19 I guess I have enough information
20 about that.

21 How much affordable housing do you,
22 actually, expect the whole project to yield?

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1 Any kind of calculation of that?

2 MR. LAWSON: It would be at least
3 8 percent of the anticipated 1,300 units. So,
4 that would be some number.

5 COMMISSIONER MAY: But, possibly
6 more based on what Mr. Warsh told us earlier.

7 MR. LAWSON: Possibly more, and
8 depending on the construction type IZ could
9 require more as well. So --

10 COMMISSIONER MAY: All right.

11 MR. WARSH: And also, the 1,300
12 units represents a minimum residential, so there
13 could be additional residential units that would
14 be also applicable for IZ.

15 COMMISSIONER MAY: Right. So,
16 what are the building heights planned at StE
17 2, the FEMA building, just so we know what the
18 context is. I'm sure that's in the plan there,
19 too, somewhere.

20 Mr. Chairman, I'm trying to talk
21 fast, but they are just not answering very fast.

22 CHAIRMAN HOOD: Well, they want to

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1 make sure they give you the right answer.

2 COMMISSIONER MAY: I understand.

3 Well, I appreciate their taking their time.

4 MS. KASONGO: The FEMA site has a
5 series of different building heights. The
6 alternative that they came up with as a preferred
7 alternative has similar to ours the maximum
8 building heights on the east side of the campus
9 with the minimums kind of further close to the
10 Martin Luther King. But, they are juxtaposing
11 away that not all the buildings are the same
12 height.

13 COMMISSIONER MAY: Right. So, can
14 you tell me what the maximum would be? I mean,
15 are they going to exceed your 80 to 90 that are
16 --

17 MS. KASONGO: I think it's 90 feet
18 is the maximum.

19 COMMISSIONER MAY: Okay. I'm just
20 trying to understand better the overall context.
21 That's all.

22 Is there, and now I'm on to parking,

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1 is there, actually, required parking on any
2 specific parcel? I mean, I know what the
3 overall limit on parking is, but --

4 MS. BROWN-ROBERTS: No.

5 COMMISSIONER MAY: No, so there's
6 no requirement.

7 Would that, actually, be something
8 that might be negotiated on with some of the
9 parcels, or is it just -- we are just going to
10 wait and see what gets proposed, or whoever
11 reviews it is going to get to see this proposed?

12 MS. BROWN-ROBERTS: Yes, I think,
13 yes, as they go through the process then they
14 will see what -- DDOT will see what's proposed.

15 COMMISSIONER MAY: Okay.

16 MR. WARSH: Well, and then as the
17 project went along, just like we might have --
18 you know, if we think it is in the best interest
19 of the development to provide some level of
20 parking because it hasn't been proposed, and
21 the lot that we are conveying at that time is
22 one that can clearly accommodate parking better

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1 than others, I think that it would be in our
2 interest to include that in our requirement to
3 the proposal.

4 COMMISSIONER MAY: Okay. I mean,
5 that's another unusual thing, is that there's
6 really -- I mean, in theory the whole thing could
7 be built without any parking, is that right?

8 MS. STEINGASSER: That is correct.

9 COMMISSIONER MAY: Okay. I'm not
10 saying that's good or bad, I'm just saying it's
11 different.

12 So, I mean, I guess I'm not really
13 worried at all about the 4,800 spaces, because
14 4,800 spaces is -- if it's 4.2 million square
15 feet, is that what you said, I mean, that's one
16 space per 875 square feet, which is -- that's
17 a lot of parking by DDOT standards. How did
18 they convince you that that was an okay number,
19 because you guys don't usually go anywhere close
20 to numbers like that. You don't really have
21 to answer if you don't want to. That was a
22 rhetorical question.

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1 All right. So, last -- oh, you want
2 to answer? Well, you can answer the question
3 then. I just like to give DDOT a hard time, that's
4 all.

5 So what can somebody get out of a
6 PUD here, other than the joy of coming before
7 us?

8 MS. STEINGASSER: Well, there is
9 the pure joy of involvement. It would mostly
10 be for flexibility, in terms of yards and
11 setbacks.

12 COMMISSIONER MAY: Oh, as an
13 alternative to going to BZA.

14 MS. STEINGASSER: Right.

15 COMMISSIONER MAY: Okay. You
16 know, it's hard to understand what relief might
17 be needed, when we are kind of starting with
18 a blank slate like this. But, I'm sure that
19 there are reasons why that might happen.

20 I mean, did you give any thought to,
21 actually, incentivizing PUDs in some areas? And,
22 the reason I ask this is that, basically, what

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1 I've seen so far in the drawings, and I know
2 that none of this is design, but what I'm seeing
3 so far is really not very inspired. And, I'm
4 a little concerned that there would kind of --
5 you know, even though the plan itself I think
6 is very good overall, and the densities are good
7 and so on, I'm just afraid that in the
8 disposition process we are going to wind up with
9 a lot of, you know, ordinary boxes that, you
10 know, fill out the envelope exactly the way you,
11 you know, exactly according to the limits.

12 And, if there were some reason for
13 them to do something exceptional through a PUD
14 process, they could, actually, do something
15 better than normal, and be incentivized to do
16 it. But, if there's no incentive to do it, we
17 are going to get a lot of the kind of ordinary
18 boxes that are popping up in the redeveloped
19 southeast in the vicinity of the baseball
20 stadium, you know, where all those
21 matter-of-right projects -- a lot of the
22 matter-of-right projects outside of the gateway

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1 overlay are just, you know, ordinary.

2 MR. LAWSON: It is a really
3 complicated question. We wanted to -- we did
4 want to establish a density sort of target for
5 this site, and that's where the 4.3 million
6 square feet comes from, and the zoning
7 accommodates that 4.3 million square feet.

8 So, providing bonus densities for
9 PUDs would cause us to go over that, which would
10 cause us some concerns about traffic and
11 transportation issues where density may not well
12 be accommodated.

13 But, when we established the zoning,
14 we also looked really carefully at what the
15 heights allow and what the densities are, and
16 the kinds of lot occupancy that we would
17 anticipate on the various parcels, you know,
18 based on that.

19 So, typically, for the zones in the
20 Southeast Federal Center, we are not anywhere
21 near the kind of pushing the envelope that you
22 would see in the areas around the baseball

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1 stadium, in terms of densities permitted versus
2 the height that's permitted.

3 In this case, in pretty much every
4 one of the parcels the height would technically
5 allow far more density than the densities that
6 we are actually allowing. And, that's on
7 purpose. That's to allow for buildings to have
8 that flexibility and that opportunity for
9 sculpting. I'm not saying that it guarantees
10 great design, but it certainly kind of doesn't
11 prevent better siting and better sculpting of
12 buildings from happening.

13 And then, of course, it will receive
14 -- each one of the buildings will receive the
15 review by HPRB. You know, I know that's not
16 kind of the same kind of design review that we
17 sometimes see, but we think in this case, given
18 the historic nature of the campus, that's the
19 appropriate kind of review for these buildings
20 to have.

21 COMMISSIONER MAY: Okay. So, if
22 you are suggesting that the buildings that we

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1 may see are -- are, actually, not sort of the
2 maximum envelope that the height allows, it
3 doesn't allow enough FAR for them to really fill
4 it out, are the representations that we've seen
5 in some of these 3D images that are in the plan,
6 are they, actually, accurate with regard to the
7 FAR projection? Or, are they just, somebody
8 just kind of drew them to fill the envelope,
9 because that's what I'm seeing and that's what
10 I'm reacting to.

11 MR. LAWSON: Well again, you know,
12 the illustrations were done for the Master
13 Planning process, not for the zoning process.

14 COMMISSIONER MAY: Right.

15 MR. LAWSON: And so, honestly, we
16 haven't looked at them to see, you know, if the
17 illustrative drawings reflect what could or
18 could not possibly be done. So, I can't say
19 for sure one way or another.

20 COMMISSIONER MAY: Okay. Well, I
21 mean, I would just have to say that I'm not --
22 I'm not totally comfortable with the idea of just

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1 leaving it -- leaving it to the creativity of
2 the given developer to take advantage of, you
3 know, a large height envelope and a limited FAR
4 to really make a better building.

5 You know, you may never get to that
6 height, because it's cheaper to just build, you
7 know, more of a pancake than a building that
8 aspires to be something higher and grander
9 within those limits.

10 So, I mean, again, that brings me
11 back to, you know, the PUD and the potential
12 for incentives. And, maybe, you know, some of
13 the particular parcels, actually, need to be
14 downsized a little bit and allow extra density
15 if they go through some sort of extra review,
16 above and beyond what HPRB might do for them,
17 such as a PUD.

18 MR. LAWSON: Well again, we are
19 concerned about what that might do to, you know,
20 the overall target for development on the site.

21 We also do have the advantage of the
22 LDA process. These are parcels that the

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1 District Controls, and through the LDA process
2 we can, to some extent anyway at least, regulate
3 and encourage the design. We can provide
4 preference for buildings that meet criteria that
5 the District wants to establish. And, that
6 would include, you know, providing buildings
7 that, you know, properly address the historic
8 needs for the building, and are inventive, and
9 are creative, and have been in other processes
10 that have done exactly that.

11 COMMISSIONER MAY: So, are there
12 some other ways to incentivize better design
13 here that you can implement outside of the zoning
14 process? You know, I'm not sure it's a great
15 example, what I'm thinking of are the sort of
16 design guidelines that you see in some planned
17 communities, you know, the really good
18 award-winning ones, not the, you know, no
19 flamingos in the front yard type planned
20 communities, but some of the others. I mean,
21 it's a different kind of development, I
22 understand, but --

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1 MS. STEINGASSER: We'd be happy to
2 take a look at them. It was decided really early
3 on that in order to be flexible in response to
4 market demands, and trying to incentivize the
5 market out there, that we really wanted to keep
6 it matter of right. So, it's a very unique part
7 of the City in that regard.

8 But, we'll have to take a look at
9 the design guidelines. HPRB and the HPO staff,
10 the combination of excessive height and moderate
11 density allows a lot of room for some arm
12 wrestling if HRPB feels that the project is not
13 of adequate quality, without a developer saying,
14 well, I needed it. There's a lot of room for
15 that.

16 COMMISSIONER MAY: God knows we've
17 seen the HPRB and the HPO staff push the zoning
18 envelope for the sake of better preservation
19 projects. And so, I guess it makes sense at
20 a certain level.

21 I mean, maybe I would be comforted
22 by just sort of knowing notionally what might

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1 happen on a sampling of blocks, given the FAR
2 and height ratios, so that we may have a sense
3 of, you know, what kind of boxes might result
4 from that combination of limits. On sampling,
5 not on a built piece, don't try to design the
6 whole thing.

7 MR. WARSH: Can I just add one thing
8 --

9 COMMISSIONER MAY: Yes.

10 MR. WARSH: -- about the Master
11 Plan. In addition to HPRB, everything has to
12 be approved by SHIPPO and ACHP, independent of
13 SHIPPO's role in making a recommendation to
14 HPRB. Those two bodies also had to approve the
15 Master Plan document, and so there's a certain
16 amount of cohesiveness amongst design on the
17 campus, that they've really pushed us to create
18 a regime that would ensure that.

19 And so, I think there's one response
20 to sort of why we are not, necessarily, in
21 addition to all the points about why we are not,
22 necessarily, providing for that opportunity.

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1 In addition to quality design, we
2 do have substantial design guidelines included
3 in our Master Plan document for this site, which
4 has some precedents that I really do think are
5 phenomenal design precedents.

6 COMMISSIONER MAY: This?

7 MR. WARSH: Correct. That are
8 really strong design precedents found across
9 the country and world that would fall within
10 the parameter of the design guidelines. And,
11 we suggest materiality and details.

12 And so I think, insofar as people
13 will want to conform to that, HPRB, all the
14 processes will push them to be quality as far
15 as those are concerned.

16 COMMISSIONER MAY: Okay. I was
17 just going to say, I appreciate all that, and
18 the levels of review, and I've dealt with all
19 of the parties that you are talking about, HPRB,
20 the SHIPPO, and, of course, the Advisory
21 Council. And, I'm still yearning for more, but
22 I'll look at the design guidelines, and maybe

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1 that will help me. And, maybe if the Office
2 of Planning can provide some more information
3 that would help.

4 VICE CHAIR COHEN: I was just going
5 to add that I would think in your selection
6 process that you had points on design as well,
7 creative design, when you select a developer.

8 MR. WARSH: Yes, in all of our
9 processes design is part of the evaluation
10 criteria.

11 VICE CHAIR COHEN: Can DDOT answer
12 Commissioner May's question for me?

13 MR. HENSON: Sure. If I remember
14 correct, Mr. May was asking about parking, and
15 how the number of 4,800 was arrived at. Is that
16 the correct question?

17 I think the idea is that the approach
18 was to take a market-based approach to that,
19 and then from our perspective to have a
20 monitoring program that would monitor toward
21 the amount of trips that would be produced, and
22 monitor toward what we found through our

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1 analysis would allow the network to work.

2 VICE CHAIR COHEN: And, monitoring
3 that a lot of the traffic will not be going
4 through the neighborhood roads, is that possible
5 to do?

6 MR. WARSH: Well, absolutely.
7 Well, so there's a couple of things. First of
8 all, there's the actual limit on the number of
9 vehicle trips that we're working with the Deputy
10 Mayor's office to codify that as part of the
11 LDA. And then, there's the actual design that
12 allows more links that go around the
13 neighborhood.

14 So, instead of having to wind your
15 way through the triangle created by Alabama,
16 Martin Luther King and the edge of the campus,
17 and wind your way through that triangle section,
18 you'd actually go through the campus and go
19 around that, and that, actually, significantly
20 improves travel conditions in that area.

21 CHAIRMAN HOOD: Can I just
22 piggyback on that?

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1 Are we going to look at some of the
2 same innovations we did down at National
3 Stadium? I'm just throwing that out there,
4 because that whole process with the traffic
5 pattern, and I mean, it may not be the greatest
6 thing, but I think we had tried to resolve some
7 of those issues, and I think here we've got some
8 of the same issues. And, you heard -- and I
9 haven't heard from the community yet, but you
10 heard from the Council Member who represents
11 Ward 8, is that is one of the concerns.

12 So, some of those same innovative
13 ways I think we worked on National Stadium are
14 some of the same innovative ways I think we need
15 to work on this site.

16 So, I'm just putting that out there.

17 Okay. Commissioner May, are you
18 finished?

19 COMMISSIONER MAY: Yes.

20 CHAIRMAN HOOD: Okay.

21 Commissioner Miller, any questions?

22 COMMISSIONER MILLER: Just a

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1 follow-up to Commissioner Cohen's question to
2 DDOT. So, there's been reference to this, or
3 your report talks about the performance
4 monitoring structure, and you are locating some
5 kind of NOA between DDOT and DMPED. So, that's
6 going to be a part of the LDA process?

7 You are not suggesting that the
8 zoning order in this case have any reference
9 to that, or are you?

10 MR. HENSON: No, no, that was -- in
11 our desire to include the monitoring, we
12 included it in zoning and, subsequently, found
13 out that that probably would not, actually,
14 work. So, we are taking a little bit of a
15 different approach to address that, and to do
16 that through an MOU with DMPED, so that it would
17 be attached to the subsequent LDAs.

18 COMMISSIONER MILLER: Okay, thank
19 you.

20 CHAIRMAN HOOD: Any other questions
21 up here, Commissioners?

22 Okay. Let's go to the report of

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1 ANC, in this case it's 8C, Chairperson Cuthbert.

2 MS. CUTHBERT: Should they come up
3 here, too?

4 CHAIRMAN HOOD: However you want,
5 you want all the Commissioners to come with you?

6 MS. CUTHBERT: All the
7 Commissioners, we have A, B, C, D and E.

8 CHAIRMAN HOOD: Okay. You are
9 running the show.

10 MS. CUTHBERT: Come on,
11 Commissioners. You don't want to come up? Oh,
12 come on.

13 CHAIRMAN HOOD: Now, what we are
14 going to do, Commissioner Cuthbert, unless you
15 all have a way you want to present, you will
16 give the ANC report, and the rest we will go
17 by the sheet, and that way we can get all the
18 ANC -- do we have all the ANC Commissioners up
19 at this time? Okay, good.

20 So, what we'll do then is, give them
21 the appropriate time, but you will speak for
22 ANC 8C, and they will get their normal time.

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1 Commissioner Mohammed, are you --
2 Chairperson Mohammed, are you going to be
3 speaking?

4 MR. MOHAMMED: No.

5 CHAIRMAN HOOD: Oh, okay.

6 MS. CUTHBERT: Good evening. I'm
7 Mary Cuthbert, the Chair for Advisory
8 Neighborhood Commission 8C. First, I would
9 like to apologize on behalf of 8C of not getting
10 our testimony in, our written testimony in on
11 time. We received it late from the Board of
12 Zoning.

13 On September 12th we held a meeting
14 with the Office of Planning to discuss the zoning
15 code for east campus of St. Elizabeth's.
16 Unfortunately, we did not have a quorum, so we
17 could not vote on it at that time, but we did
18 have another very good meeting on October 3rd,
19 and we had a quorum and we had several commission
20 attending from Ward 8.

21 For 12 long years, we started in 2000
22 discussing the development of the east campus

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1 of St. Elizabeth's. Before we started that
2 discussion, the Urban Institute came out and
3 interviewed about 100 or 200 people from
4 residents from Ward 8, asking what they would
5 like to see on this land.

6 One thing I do recall, after the
7 interview -- individual interviews were over,
8 they did call all the residents who attended
9 that interview session, and they did say to us,
10 and I quote, "Do not let them mess up this land.

11 It's a beautiful piece of land."

12 So, for 12 years, from 2000 to 2004,
13 as I can recall, it seemed like we met every
14 other weekend. That was under the Williams'
15 Administration. We met in the chapel. We met
16 in churches. We met in UCL building. We met
17 in the National Children's Center. And, at that
18 time we had at least 200 to 150 people would
19 attend those meetings, because I guess the
20 thought process that it was going to be developed
21 soon.

22 Unfortunately, it took us 12 years

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1 to get to this point to zone it.

2 As the community reviewed what at
3 that time the Williams' Administration
4 presented to us, we were still complex. As we
5 moved on forward, we went to the Fenty
6 Administration, and we had meetings, and
7 especially during the summer. It appeared that
8 it was every other weekend about the east campus
9 of St. Elizabeth's.

10 I came to a point to say that this
11 is going to never be developed, because it never
12 came before zoning.

13 Now we are in the Grey
14 Administration. We had meetings, community
15 meetings, but the community meetings, when they
16 finally presented a plan, it was with no vision.

17 It was just a group of lines, red lines, blue
18 lines, yellow lines.

19 And, it disturbed me, what are we
20 supposed to do with these lines? Then they had
21 the little notation what each line represented.

22 Well, how -- our community are not

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1 planners. You have to give us something, a
2 vision, so we can understand what is going to
3 go on that land.

4 Well finally, they came up with a
5 plan. The plan still didn't tell us nothing.

6 One thing the community did say, they wanted
7 to maintain that chapel. That's one thing the
8 community said loud and clear. Maintain the
9 chapel in the same location.

10 Now, that's one thing the community
11 wanted, and that's one thing I'm going to
12 support. But, as we looked at the plan, the
13 zoning plan, with this StE, we had some more
14 concerns on -- we'll start with St2 and 3, which
15 is on -- two is FEMA, supposed to be a building
16 for FEMA, and three is residential and
17 commercial.

18 The height of those buildings are
19 what we perceive, the residents, as too high.

20 They have it 90 feet, our recommendation is
21 40 feet. You put a building 90 feet close to
22 Martin Luther King Avenue, and I'm on the 9th

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1 floor, 8th floor, that I can overlook the west
2 campus, that's a safety hazard, safety security.

3 I don't know if we can do that. That's a
4 concern the community has.

5 The other concern is StE 14 and 17.

6 It's on the north side of Alabama. The south
7 side is semi-detached and detached housing.
8 You want to put a 70 to 90 feet building across
9 the street, where residents, homeowners have
10 purchased their houses. They are probably
11 retired now. They bought those houses in that
12 location because of the serenity on the north
13 side. Now you want to put a 90-foot building
14 in front of me, while I'm retired. It doesn't
15 fit in with the community, and I don't know who
16 drew those plans.

17 A 90-foot building can go on the
18 lower slope near Suitland Parkway. This land
19 slopes downward, as you go down towards Suitland
20 Parkway. If they want to put an 8 or 9-foot
21 story building, fine. It will only measure up
22 to the 4-foot building. That's a concern that

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1 the community discussed.

2 And, the underground parking,
3 southeast has a lot of streams all over the
4 place. I don't think there's one underground
5 parking in the southeast area. And, we are
6 concerned about that.

7 Monterey Park, when they take that,
8 I remember we discussed the screen up there on
9 that land, now those people are having problems
10 with their housing.

11 4th and Mississippi, right in front
12 of Engine Company 25, during the winter months
13 in the cold you will see the water just squishing
14 up from the ground.

15 And, we have several other
16 locations, but those are two locations that I
17 think that I can, actually, visualize and be
18 around all the time.

19 And, those are a couple of points
20 that I wanted to bring up, that the community
21 is concerned about, which I will put in writing.

22 Now, this project took 12 years,

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1 three administrations, Williams, Fenty and
2 Grey, to just get to the point of zoning the
3 land. I've been an ANC Commissioner for 29 years,
4 29 years I've been before Zoning, BZA. I do
5 understand the process a little bit.

6 I was disappointed in our September
7 meeting. And, the Project Manager attended that
8 meeting, Ethan Warsh. Ethan more or less told
9 us this was a done deal.

10 When questions were asked, no answer. It was
11 a done deal, which I know better. It becomes
12 a done deal when Zoning approves it, that's when
13 it's a done deal. But, his arrogance toward
14 the residents east of the river was despicable.

15 And, I did let his Deputy Mayor, do not sent
16 him back out there, because the senior brigade
17 is going to get him, and let me tell you who
18 they are. They are senior citizen women. They
19 will not put their hand on him, but when they
20 get through with him he will not come back east
21 of the river. And, that was the first time in
22 my 29 years someone told me regarding zoning

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1 and BZA, it was a done deal. We had no vote.

2 And, I want to let Mr. Warsh know
3 that Mary Cuthbert attended the BZA for the first
4 building to be built, office building, to be
5 built in Ward 8, which is now the Washington
6 Gas Company. 3720, the Congress Heights
7 Clinic, I was on that BZA zoning. The National
8 Children's Center, that was a BZA zoning. The
9 reason why we have so many BZA zonings, our ward
10 is zoned R-5. R-5 you can put mostly anything.

11 Monterey Park Housing, that was a
12 BZA zoning. The Unified Communication Center
13 I have to say was one of the best projects I
14 worked on, and that was a District Government
15 project.

16 Masses Memorial Housing, I was down
17 here the earlier part after I came out of the
18 hospital, and Sheridan Station was the last one.

19 So, I want to let the people from
20 DMPED know that Mary Cuthbert has been around
21 for 29 years. I wasn't just sitting saying I
22 was the ANC Commissioner, I was working for the

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1 residents of Congress Heights.

2 And, for someone to come and tell
3 me it's a done deal, he has to understand the
4 process. I know the relationship between Zoning,
5 the Office of Planning, the Council Member and
6 the Mayor, but nothing is a done deal until
7 Zoning sign off on it.

8 Thank you.

9 CHAIRMAN HOOD: Okay. Before we go
10 to the other Commissioners, Commissioners,
11 let's ask Ms. Cuthbert who represented the ANC
12 8C, or the Chairperson of the ANC, which I think
13 this is the only ANC this area is in right?

14 MS. CUTHBERT: Yes.

15 CHAIRMAN HOOD: Yes. So, let's ask
16 Ms. Cuthbert, before we go to the other -- hear
17 from the other Commissioners, any questions of
18 Ms. Cuthbert?

19 Commissioner May?

20 COMMISSIONER MAY: Yes. I just
21 wanted to clarify, you had specific concerns
22 about the heights of buildings on two of the

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1 parcels, is that right?

2 MS. CUTHBERT: On Alabama Avenue
3 mainly.

4 COMMISSIONER MAY: Mainly Alabama.

5 MS. CUTHBERT: Mainly Alabama.

6 COMMISSIONER MAY: So, StE 7, which
7 is -- 17, sorry, which is projected for a height
8 of 70 feet.

9 MS. CUTHBERT: Right.

10 COMMISSIONER MAY: And then, StE
11 18, which is projected for a height of 90 feet.

12 MS. CUTHBERT: Right.

13 COMMISSIONER MAY: And, those are
14 the concerns, because across the street those
15 are single-family homes.

16 MS. CUTHBERT: Single-family
17 homes.

18 COMMISSIONER MAY: Right.

19 So, you know, I think one of the
20 things that we struggle with is that whenever
21 we see a Metro stop, we want to have the greatest
22 density in close proximity to the Metro stop,

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1 so that you -- I mean, that's the sensible thing
2 to do, so that, you know, the most people can
3 make use of the transit most conveniently.

4 So, I guess my question for you is,
5 I mean, how big do you feel that it can be and
6 still be comfortable with the neighborhood?

7 MS. CUTHBERT: Well, the community
8 say no more than four or five floors.

9 COMMISSIONER MAY: So, 50 feet.

10 MS. CUTHBERT: Yes. That's what
11 the community says.

12 COMMISSIONER MAY: Okay. Thanks.

13 CHAIRMAN HOOD: Okay. Any other
14 questions?

15 And, Ms. Cuthbert, you are going to
16 provide us with testimony.

17 MS. CUTHBERT: Yes, I will.

18 CHAIRMAN HOOD: Okay. Thank you
19 very much. You are right, you've been out here
20 in the trenches a long time.

21 MS. CUTHBERT: Long time.

22 CHAIRMAN HOOD: Okay. Let's go to

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1 the other Commissioners. Let me -- if you all
2 don't mind Ward 8, let me go to the Chair of
3 ANC -- is there another Chair? I know
4 Chairperson Seegars, is there another Chair,
5 other than Commissioner Mohammed who said --
6 you are not a chair? Oh, used to be, though,
7 right?

8 MR. MOHAMMED: Right.

9 CHAIRMAN HOOD: Okay. Let's go to
10 Chair Seegars, and then we'll hear from everyone
11 else.

12 MS. SEEGARS: Good eve --
13 goodnight, everybody.

14 CHAIRMAN HOOD: Some nights they
15 are good nights, you know.

16 MS. SEEGARS: I am Commissioner
17 Seegars. I live -- of the ones up here, I live
18 the closest to the project on Savannah Street,
19 which is one block south of Alabama Avenue.

20 Commissioner Ab Jordan, he will say
21 he has property at 13th and Savannah, but he
22 doesn't live, actually, they are one block over.

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1 I agree with most of the project,
2 but I do not agree with 80 and 90 foot buildings,
3 locations at 13th and Alabama mainly, and I can
4 go along with what Commissioner Cuthbert said
5 about the one on Alabama Avenue, the 80 and the
6 90-foot building that overlooks the west campus.

7 I believe that Zone C-2-A, with 50
8 feet houses, or 50 foot houses, or buildings,
9 and C-1 at 40, if they incorporate retail. And,
10 R-1-B, which is also 40, 40 feet, if they
11 incorporate retail. We do need retail.

12 I object to 3303 7A and B, which is
13 residential facilities for probably bad
14 children, criminals or something. We don't
15 need -- I don't think we need that over there,
16 and I've had conversations with my residents,
17 the same thing.

18 I do support 3305, which is a
19 preferred use requirement. I do support that,
20 or we do support that.

21 And, of course, the inclusionary
22 zoning is okay.

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1 And, actually, I prefer not to have
2 anymore residents over there in Ward 8 until
3 you accommodate the people that's there now with
4 these amenities. It's almost like leaving us
5 out, excluding us, because you want to build
6 this community just for them.

7 And, I know it's a moot issue right
8 now, but the historic buildings that are there
9 now, there's too many of them. They all look
10 alike, half of them can go, but I know it's being
11 preserved as historic. That, to me, is creating
12 a problem with the development.

13 I would like to see MLK and Alabama
14 Avenue, where this project is taking place,
15 widened. Right now it's four lanes, we have
16 four lanes, two going in each direction, on
17 Alabama Avenue and Martin Luther King. And,
18 just to add one lane. So, on the east side and
19 the Martin Luther King, and the north side of
20 Alabama, put it back however long a lane is,
21 30 feet, or whatever it is, make one more lane,
22 and let the third lane, or the center lane, be

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1 used for the flow of the rush hour traffic at
2 whatever time morning and afternoon.

3 Allow parking on the east side of
4 Martin Luther King during non-parking rush hour.

5 Do not put parking meters on Alabama Avenue,
6 because we live there, we don't want the people
7 who work there to come over to where we live
8 and take up all the spaces. So, no parking
9 meters on Alabama Avenue.

10 And, the infrastructure, I have to
11 agree with Commissioner Cuthbert on this as
12 well, can the infrastructure hold these
13 buildings? We have problems with that. Where
14 these buildings are, this land is not solid,
15 so there's going to be a lot of work, and it
16 may cost more than what even you are saying to
17 firm up this land in order to build these
18 buildings. So, I do believe 90 and 80 feet
19 buildings should not go here at all. It's just
20 a moat, and they should be built somewhere else.

21 With regards to the chapel, I can
22 go with or without the chapel. Commissioner

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1 Cuthbert says she talked to her constituents,
2 they want it, so, so be it. But, I can go without
3 the chapel if it's in the way of the project.
4 So, I can take it or leave it.

5 And, that's it.

6 CHAIRMAN HOOD: Thank you very
7 much. We will let the panel finish, and we'll
8 ask our questions after the other Commissioners,
9 once everyone finishes.

10 Let's go to Commissioner Jordan.

11 MR. JORDAN: I want to thank you for
12 the opportunity to be here this evening. I
13 submitted written comments, and I want to make
14 a statement. I'll let the written comments
15 stand, I just want to make three comments about
16 them.

17 One is, I support the resolution
18 that was adopted by Advisory Neighborhood
19 Commission 8-C for maintaining the chapel.

20 The second thing is, as relates to
21 the areas 17 and 18, I agree that -- and it came
22 up at the ANC meeting so I support them in this

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1 endeavor, that those building heights be
2 lowered, because they are right across the
3 street from a residential area. And, even
4 though Commissioner Seegars says I don't live
5 there, my family lives there. I'm just as
6 concerned about it, whether I'm there. It's one
7 block from my home, so it's closer to me than
8 it is to Commissioner Seegars.

9 But anyway, I'm just saying my
10 family is there, and so it is of concern to me.

11 The last thing about the zoning
12 itself is, with respect to the Zone 2, where
13 the height there was, I think, Commissioner
14 Cuthbert has also spoken to that, I don't know
15 why they keep talking about FEMA, because for
16 all intents and purposes FEMA is not coming.
17 And, I don't know why they have this, the Federal
18 Government is going to relinquish and put some
19 money in that building. But anyway, even what
20 is built on that site needs to be limited in
21 terms of the height, and so I'm supportive of
22 what Commissioner Cuthbert said that they should

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1 be no more than the stories that are there in
2 site 3.

3 The main thing I want to say this
4 evening, though, is I have a concern because
5 there seem to be a lot of congratulations or
6 praise for what is called community engagement
7 by Commissioners here. And, I just wanted to
8 stress the point that I listened to Mr.
9 Washington say, at one point he said that what
10 he was saying was more than words on paper.
11 I just want to remind the Commission and everyone
12 that the ANC law requires that we be given 30
13 days notice before anything is done. And, I've
14 been in conversation with Commissioner
15 Cuthbert, that Commission never got notice from
16 DDOT about what their plans were going to be,
17 the final plans were going to be. They never
18 got word from the Office of Planning. I'm not
19 talking about community meetings, I'm talking
20 about the law requires something separate and
21 apart from community meetings that ANCs be
22 notified.

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1 This Commission does it, but the
2 agencies have to do it, and the Deputy Mayor's
3 office hasn't done it. The law says that at the
4 close of business of the day after which the
5 notice period concludes, that's provided in
6 Subsection B and C of this section, the affected
7 District government entity may proceed to make
8 its decision.

9 They made a decision when they
10 submitted whatever they submitted to this
11 Commission. And so, I just want to be clear,
12 and I would like for them at some point to say
13 when have they give notice. I don't want us
14 to think that the community is always engaged
15 in this process, because the first level
16 engagement are the ANC Commissioners.

17 Now, you know, I have my issues with
18 Mayor Fenty, but when he swore, saying he said
19 you are the people closest, you are the ones
20 closest, to the people in this government.
21 Pardon me, that wasn't Grey, that was Fenty.
22 I have it up on my wall mounted.

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1 So, the point is that, I just want
2 to make that -- I just want to keep emphasizing
3 that I don't know why they keep running over
4 top of Commissions. 8-C is not the only one,
5 but I just wanted to make that point this
6 evening, that I don't want you to praise them.

7 I think it was nice to have the meetings in
8 the community, we attended them, and in my
9 statements I stated that very few people
10 attended more of those meetings than I have.
11 But, at the same time, separate and apart from
12 those meetings they have a duty, an obligation,
13 to notify ANCs 30 days before they make a final
14 decision, and they haven't done it.

15 And, I want to thank you for the
16 opportunity to be here this evening.

17 CHAIRMAN HOOD: Okay, thank you,
18 Commissioner Jordan.

19 Okay. So, this panel is --

20 MS. WATKINS: HB-01.

21 CHAIRMAN HOOD: HC-01.

22 MS. WATKINS: HB.

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1 CHAIRMAN HOOD: HB-01, what's your
2 name?

3 MS. WATKINS: Commissioner
4 Watkins.

5 CHAIRMAN HOOD: Okay, Commissioner
6 Watkins, thank you for being here.

7 And also, Commissioner Mohammed.

8 Commissioners, do we have any
9 questions of this panel, even if you have a
10 question for one of those that didn't speak.

11 COMMISSIONER TURNBULL: I just have
12 a question. I just want to make sure I
13 understand Commissioner Seegars.

14 You don't want 3303.7, even though
15 it says nothing can be built unless it goes to
16 the BZA for a special exception.

17 MS. SEEGARS: We have enough of
18 those facilities in Ward 8. Put them in Ward
19 2, 1, 3, 4, someplace else. We have enough in
20 Ward 8.

21 COMMISSIONER TURNBULL: Okay.

22 MS. SEEGARS: That's enough.

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1 COMMISSIONER TURNBULL: I just
2 wanted to make sure --

3 MS. SEEGARS: Because I'm one of the
4 persons who stopped them from putting one on
5 top of three or four others, too many over there
6 now.

7 COMMISSIONER TURNBULL: Okay.
8 Thank you.

9 MS. SEEGARS: So, if they come
10 before you, please say no.

11 CHAIRMAN HOOD: Anyone else?
12 Commissioner May?

13 COMMISSIONER MAY: Yes. Actually,
14 I had questions not for the panel, but it relates
15 to their questions, and for DDOT and the Office
16 of Planning.

17 CHAIRMAN HOOD: Okay. I have some
18 -- I'm going to let you go first, because I may
19 have some, too. You all stay there, let us have
20 this dialogue.

21 COMMISSIONER MAY: Because I may
22 have questions for you as a result of it.

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1 So, as I recall DDOT, either on its
2 own effort or as part of the work that you are
3 doing with GSA and DHS on the west campus, look
4 at a widening of Martin Luther King Avenue?

5 MR. HENSON: Thank you for bringing
6 that up. There, actually, Martin Luther King
7 will be widened. So, currently, curb to curb
8 it's about 40 feet now, the right-of-way, I
9 think, is 60 feet, and it will be widened. There
10 will be a center turn lane. It will be widened
11 curb to curb by either 50 or 55 feet, and the
12 total right-of-way I think is 85 feet. So,
13 basically, from the wall over to the campus will
14 be 85 feet.

15 COMMISSIONER MAY: And, that
16 additional width will come from the east campus?

17 MR. HENSON: Correct.

18 COMMISSIONER MAY: Because there's
19 a wall on the west campus. And, when is that
20 project going to happen?

21 MR. HENSON: It's hooked to Phase
22 2 of the GSA project, so before GSA can occupy

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1 their Phase 2, which is FEMA, the FEMA portion,
2 and the build out of the Operations Center, they
3 have to construct that, along with the
4 interchange.

5 COMMISSIONER MAY: Okay.

6 CHAIRMAN HOOD: While you are on
7 that question, let me -- I want to allow
8 Chairperson Seegars to comment.

9 MS. SEEGARS: Yes.

10 CHAIRMAN HOOD: Maybe we can hash
11 some of this out.

12 MS. SEEGARS: Yes, that's the
13 width, how about the length, how far?

14 MR. HENSON: So, the widening will
15 start at the north end of the campus, and,
16 forgive me, I can't remember the name of the
17 street, so the north end of the campus, and all
18 the way through Congress Heights down to
19 Alabama, right at where Alabama comes in on
20 Martin Luther King.

21 MS. SEEGARS: Can you do that?

22 MS. CUTHBERT: No. Let me explain

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1 it. From the Unified Communications Center --

2 MR. HENSON: Yes, ma'am.

3 MS. CUTHBERT: -- down to my ANC
4 office, at that place. I don't know how they
5 are going to get that wide when once you pass
6 Malcolm X. I don't know how they are going to
7 get that 60 feet.

8 CHAIRMAN HOOD: Let's do this.
9 After we get through having this question, I
10 would ask DDOT to follow with ANC 8C, and maybe
11 if you can give a further explanation.

12 MR. HENSON: And, I'll refer back
13 to -- we'll be glad to follow up. There's no
14 problem with that at all, but I will also refer
15 to GSA's final environment impact statement that
16 goes through details of how they intend to do
17 that. So, that's, actually, not a District
18 action, that's GSA action.

19 Now, we are glad to go out, it may
20 be better to talk to GSA and have them come out
21 with this, and we'll be glad to come out. But,
22 that's their action.

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1 CHAIRMAN HOOD: Whatever you can do
2 to make sure the Commission understands exactly
3 the work that GSA is proposing.

4 MR. HENSON: Absolutely. Sure.

5 CHAIRMAN HOOD: Okay.

6 COMMISSIONER MAY: I was actually,
7 I mean, I'm curious enough to see what it would
8 be like. So, is it possible to just get a
9 diagram or a map of where the widening will be?

10 MR. HENSON: And, those are all
11 publicly available documents. We'd be glad to
12 submit it for the record if you'd like.

13 COMMISSIONER MAY: That's what I'm
14 asking, yes.

15 MR. HENSON: Absolutely.

16 COMMISSIONER MAY: Thank you.

17 So, my other follow-up question was
18 for, actually, both agencies, which goes to the
19 issue of the 30-day notice to the ANC about
20 decisions made by agencies.

21 I'm not sure, you know, I'm familiar
22 with that requirement, having dealt with it

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1 myself when I worked for the District
2 Government. And, I know that it applies in
3 certain circumstances, but not for every single
4 thing. So, I'm wondering if there were
5 circumstances where that 30-day notice should
6 have been given, when it was not, or was it,
7 in fact, one you were required to, or can you
8 answer that?

9 MS. STEINGASSER: Well, we did
10 receive some written comments from Commissioner
11 Jordan on that very issue, and we checked with
12 our Office of Attorney General. And, the
13 recommendations on the zoning and the
14 recommendations on the plan are not considered
15 actions.

16 The action would be taken by the
17 Zoning Commission. The action would be taken
18 by the City Council when they adopt the plan.
19 So, we were not required, in the spirit of that
20 particular section, we did try to circulate as
21 much as we can.

22 But, the notice on the zoning was

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1 given by the Office of Zoning, and I believe
2 you have that.

3 COMMISSIONER MAY: Okay. And so,
4 was there anything comparable in terms of
5 decisions made by DDOT? I mean, I know there
6 was a decision made on the EA, but that's the
7 only one that I can think of.

8 MR. HENSON: And, that is the
9 decision, so I'd like to, actually, follow up
10 and give you more specifics. But, I think we
11 have a 45-day review period, it may be 30, but
12 I'm pretty sure it's 45, where we have a hearing
13 in the very center of the review period, and
14 where we post it to everybody that's on our list,
15 including the ANC folks.

16 But, I can verify that.

17 COMMISSIONER MAY: I don't
18 necessarily need it for the record, but I think
19 it's helpful to have that, your notification
20 process, because I know for EAs there is a very
21 specific process that the District must follow.
22 It's different from agency to agency, but I'm

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1 sure it's very specific in your case.

2 So, that was it for my questions.

3 Mr. Jordan, did you want to --

4 MR. JORDAN: Yes, if I can. There
5 is an Attorney General's opinion saying that
6 they have to do it. So --

7 COMMISSIONER MAY: I'm sorry, that
8 they have to do what?

9 MR. JORDAN: -- they have to give
10 notice of plans. And, the law is quite clear,
11 it talks about plans. And, the same thing would
12 work for the Deputy Mayor's office when they
13 talk about they want to sell some property, what
14 have you. The law is clear in terms of what
15 happens.

16 But, I'm saying there is an opinion
17 from the Attorney General's office. Now, if
18 they've gotten a contrary opinion, and I've been
19 in contact with them over and over about this,
20 they've never shared that with me.

21 And so, I'm not suggesting that the
22 Attorney General's office may not produce

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1 contradictory opinions for ANCs, but the one
2 that I have is clear. It says that Office of
3 Planning, because I asked, specifically, about
4 the Office of Planning, and it says the Office
5 of Planning must -- and if you want I can submit
6 that to you. In fact, we can go on the internet
7 right now and pull it up.

8 But, the Office of Planning -- I
9 mean, the Attorney General's office says the
10 Office of Planning has to submit their plans,
11 if it's going to impact that Commission area
12 they have to submit those plans to the affected
13 ANC.

14 COMMISSIONER MAY: Okay.

15 MR. JORDAN: If they have something
16 different, then they need to produce it in
17 writing.

18 COMMISSIONER MAY: Okay. For my
19 part, I don't know that we, necessarily, need
20 that for the zoning decision making, given that
21 that was done and properly noticed.

22 But, I think that it sounds like

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1 there needs to be some, I don't know, exchange
2 of OAG opinions? I'm not sure what, but I think
3 that would be helpful.

4 MS. KASONGO: And, as part of the
5 Master Plan process, we did release a 30-day
6 public comment period and gave notification of
7 the fact that the plan was available for public
8 comment, and was distributed to Commissioner
9 Cuthbert as well.

10 COMMISSIONER MAY: Thank you.

11 CHAIRMAN HOOD: Okay. Any other
12 questions or comments? Okay.

13 I want to thank this panel. We
14 appreciate your comments, and remember, Ms.
15 Cuthbert, nothing is never a done deal.

16 But, one thing that I am encouraged
17 by, and that's why I asked -- everybody is still
18 working on amenities, still working on
19 structure. Everybody may not be happy, but we
20 are going to still together. I think the
21 commitment came from the Deputy Mayor's office,
22 and I will tell you, Commissioner Jordan, I am

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1 going to follow up because I'm just curious of
2 -- you know, as long as I asked our secretary
3 while you were talking, did we do our diligence,
4 and I do want to find out if they did a 30-day
5 comment period, which is typical of any type
6 of regulatory process, as you well know.

7 If that was done, is that all they
8 need to do? And, some time those OAG and General
9 Counsel opinions sometimes differ from one side
10 of the room to the other. I understand that,
11 but a 30-day comment period is standard. That's
12 the standard that we use.

13 MS. SEEGARS: And notice, she said
14 action. So, that may be the key word there,
15 action. So, if they are doing something they
16 don't really take an action, they feel they don't
17 have to notify us.

18 CHAIRMAN HOOD: Well, let me ask
19 this. If you did have -- you didn't get it in
20 time, I guess, was the issue -- if you did, what
21 -- other than some of the things you want to
22 see changed, like the height, what else would

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1 you like to see?

2 MR. JORDAN: Let me just say this,
3 Chairman Hood. If they were giving us notice,
4 then every issue that we raised with them is
5 given great weight, and that means the court
6 has held that each and every issue that we raise
7 with them has to be addressed by them.

8 So, if you --

9 CHAIRMAN HOOD: Actually, it's by
10 us. When you do a letter -- when you do a letter,
11 Ms. Cuthbert does a letter, the great weight
12 as far as -- for this process --

13 MR. JORDAN: No, I understand.

14 CHAIRMAN HOOD: Oh, okay.

15 MR. JORDAN: But I'm saying -- I'm
16 saying, Planning has to do the same thing.

17 CHAIRMAN HOOD: Okay.

18 MR. JORDAN: So, if you said to
19 Planning, for example, that 4,800 parking spaces
20 which someone raised a question by saying that
21 was very generous, and the Commission said we
22 think that 4,800 parking spaces is inconsistent

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1 with the policy or what practices that you've
2 had in the past. They would have to explain
3 why they included 4,800 spaces there. They have
4 to address that.

5 So, this is what they are trying to
6 avoid doing. They don't want to give ANC
7 comments great weight.

8 CHAIRMAN HOOD: How can we resolve
9 this, or at least -- you know, because I want
10 to make sure that -- and I think the Office of
11 Planning will be open to maybe having those
12 conversations. I'm just trying to figure out.

13 MS. STEINGASSER: I just want to
14 separate the issues at hand. There is the small
15 area plan and the Comp plan, and I believe the
16 Attorney General weighed in on the issue of the
17 Comprehensive Plan. The small area plan, as
18 Sandra explained, was circulated, there was what
19 we call the Mayor's public hearing, which the
20 Office of Planning conducts. And, before us
21 this evening is the zoning, and there's never
22 been a case where we are obligated to circulate

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1 the zoning. That's clearly in the regulations
2 the authority of the Office of Zoning to --
3 whether the Commission -- the Zoning Commission
4 decides to move on the zoning or not, then you
5 set it down to public hearing and schedule, and
6 this is the forum for discussing the specifics
7 of the zoning.

8 So, they are separate processes, and
9 the actions are different. When it comes to
10 zoning, Office of Planning doesn't take an
11 action.

12 CHAIRMAN HOOD: And, I realize all
13 that, that's why I was going down the line.
14 We deal, the Office of Zoning, that's why I was
15 going down the line. But anyway, maybe I need
16 to do my own research and find out how that works,
17 because now I got confused.

18 Anyway, thank you very much for
19 bringing that to our attention. We have to do
20 our own research, but this process in front of
21 us, I think was managed properly and in order.

22 Okay, good. Well, thank you all

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1 very much.

2 I did not -- before I call the rest
3 of the witness list, I did not go over the
4 additional letters we had. We had a letter from
5 Ward 8 resident, Stan Jackson, who was on the
6 St. Elizabeth Redevelopment Initiative Advisory
7 Board. We also had a letter from Chairman Bunn,
8 who is the chairperson of the Congress Heights
9 Main Streets. Also, we have a letter, this may
10 sound familiar, from the WMATA, from Mr. Stan
11 Wall, Director of Office of Real Estate and
12 Station Planning. Also, the Deputy Mayor's
13 office, which was represented by Mr. Warsh.
14 Also, Bishop Hudson's St. Matthew's Memorial
15 Baptist Church, and also Michael Wallach,
16 Interim President and CEO of the Anacostia
17 Economic Development Corporation.

18 I think -- did I cover all the
19 letters? I think I did.

20 COMMISSIONER MILLER: Yes, and they
21 were all letters in support?

22 CHAIRMAN HOOD: All letters in

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1 support. All letters in support. Thank you.

2 Okay. Let's go to the rest of the
3 -- anyone else here wishing to testify? If you
4 can come forward, anyone else who would like
5 to testify.

6 Are you on the list? I was just
7 calling -- because the list -- after I got
8 through with the Commissioners it was like one
9 or two names, but if you want me to call the
10 names let me do it.

11 John Gloster, Ward 8 Farmers Market.

12 Brian Townsend. 8-C wants to get another bite
13 of the apple, I guess. Come on up. We usually
14 go to 12:00. We do, we usually go to about ten
15 minutes to 12:00. Okay, but we are not going
16 to have to do that tonight, maybe Monday night.

17 But anyway, Brian Townsend, and Ms.
18 Seegars is going to read his statement.

19 And, Mary Buckley. Mary Buckley,
20 is she going to testify? Ms. Buckley?

21 MS. CUTHBERT: She's here.

22 CHAIRMAN HOOD: Are you going to

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1 testify, Ms. Buckley? Okay.

2 Now, is there anyone else who would
3 like to testify? Okay.

4 Let's start with the ladies first
5 -- well, let's start with this lady, and then
6 since you are the gentleman -- well, then I'll
7 go to Mr. Gloster, then I'll go to you.

8 MS. SEEGARS: I'll go last.

9 CHAIRMAN HOOD: Okay.

10 MS. PALMER: Good evening, and
11 thank you for this opportunity to allow me to
12 testify.

13 My name is Pho Palmer, a Ward 8
14 resident of the illustrious community of
15 Congress Heights, where this development is
16 taking place.

17 I serve Congress Heights as the
18 Recording Secretary for the Congress Heights
19 Community Association.

20 At our July meeting, Mr. Warsh came
21 to our meeting to let us know that some sort
22 of activity was going to take place on the

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1 campus. It was a three-minute in the meeting
2 and out, and it really had a lot of us confused.

3 Something is taking place, we are
4 just being told whatever really quickly,
5 community not really engaged in any kind of way,
6 not given a voice to what's coming to where we
7 live.

8 August, Council Member Barry's
9 office, Mr. Warsh, DMPED came to our August
10 Association meeting and answered some questions
11 very vague. We were not sure what was going on.

12 The one thing that really bothers
13 me about anyone coming to where I live, to tell
14 me what they are going to do when you do not
15 even allow us to have a voice in the process.

16 I've shot off so many emails about
17 not being informed. I mean, somebody would have
18 to be living under a rock not to know Pho Palmer
19 of Congress Heights.

20 This past Saturday there was an
21 event at the east campus. I didn't get any
22 notice about that. We want to be informed.

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1 We want to be engaged. We don't just need for
2 any Government agency to come into our community
3 as if they are doing us a favor. This is what
4 they are supposed to do.

5 This development should have
6 happened a long time ago, and we are glad that
7 it's happening, but we want to be engaged. We
8 want to be involved. We want our voices heard.

9 That chapel, we want that chapel to
10 stay there. It may not be designated as a
11 landmark, or some historic designation,
12 according to the laws, but for this community
13 we want it there. We want it to remain.

14 We do not want, as Commissioner
15 Seegars mentioned earlier, we don't want another
16 transitional home, halfway house, anything like
17 that.

18 At the ANC meeting in September, or
19 was it earlier this month, DMPED was at the
20 meeting and they said the AG office said that
21 we had no choice, that a facility has to come
22 to that campus.

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1 We have the shelter there now, 801
2 East, run by Catholic Charities, and they've
3 expressed an interest in staying there. But,
4 to say we have to have a homeless shelter and
5 another facility, especially, where it's
6 located in Congress Heights, we already have
7 so many. Where I live we have three
8 transitional homes on my block. We can't
9 accommodate anymore of these homes.

10 The heights are a concern. Our
11 seniors have come to the community meetings and
12 they've said that all of this work that's going
13 on, we welcome it, but you are going to displace
14 me. No one is thinking about our seniors.

15 So, all of the concerns that the
16 Commissioners raised, and Mary Cuthbert has
17 raised, we just pray that someone is listening
18 to us, that you please allow us to be a part
19 of this process. And, we also ask, again, you
20 know, please engage us.

21 Thank you.

22 CHAIRMAN HOOD: Thank you.

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1 Mr. Gloster.

2 MR. GLOSTER: Yes, thank you.

3 I would like to --

4 CHAIRMAN HOOD: Turn your
5 microphone on. If it lights up -- now it's on.

6 MR. GLOSTER: Okay, thank you.

7 I'd like to thank the Chairman and
8 the Commission for this opportunity to testify
9 on this zoning petition.

10 I am John Gloster. I am testifying,
11 actually, in two capacities. I am a resident
12 of ANC 8-C, living no more than a block away
13 from the east campus, and I am President and
14 Co-Founder of the Ward 8 Farmer's Market
15 Cooperative, Incorporated.

16 The Ward 8 Farmer's Market is a
17 community-based farmer's market, which has
18 served Ward 8 for 14 seasons now. The market
19 was started by Ward 8 residents in 1999, after
20 what was then the last supermarket in the ward
21 closed.

22 Now, the market, with two locations,

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1 serves hundreds of Ward 8 families with healthy
2 food choices and education on the same, and
3 continues to be a symbol of self-empowerment
4 and a place where our community members can meet
5 and socialize on Saturday afternoons.

6 In the summer of 2012, the Ward 8
7 Farmer's Market was allowed by the Office of
8 the Deputy Mayor for Planning and Economic
9 Development to utilize space by the chapel gate
10 of St. Elizabeth's to establish a new market
11 site. We appreciate that opportunity to better
12 serve our community, and hope and trust that
13 this will translate into a permanent
14 opportunity.

15 The Ward 8 Farmer's Market's
16 composition of Ward 8 resident founders, its
17 origin and mission of serving Ward 8 and Congress
18 Heights, and its current use of the space, makes
19 it a legitimate stakeholder in the proposed
20 development of similar to this East District.

21 The Ward 8 Farmer's Market supports
22 the petition. In particular, the Ward 8 Farmer's

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1 Market supports development of the StE district,
2 especially, StE 7, and possibly adjacent
3 sub-districts for the purpose of creating a
4 permanent community space to be used for
5 recreation and socializing, and compatible
6 retail including the continued presence of the
7 Farmer's Market.

8 As I mentioned, I'm also a resident
9 of Advisory Neighborhood Commission 8-C. I
10 live in a section of Malcolm X and Newton
11 Streets. I have lived in the same house just
12 around the corner from St. Elizabeth's East
13 District for the last 15 years. I, therefore,
14 feel that I have a great stake in the disposition
15 of that track of land, and the manner in which
16 it is developed.

17 Every resident generally supports
18 the ANC 8-C Commission's recommendations, which
19 any of those that would not conflict with
20 requested uses which support the development
21 to be in and around StE 7, which, especially,
22 the use of the area for a farmer's market and

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1 associated community activities and benefits,
2 and institutionalization of the same.

3 In particular, I concur with
4 restricting location of the tallest heights,
5 not only near historic buildings, but also
6 adjacent to existing homes in the surrounding
7 neighborhoods, and retaining this aspect in the
8 plan.

9 Additionally, I support the use of
10 StE 1 for, potentially, a horse stable. There
11 was an old horse stable there, to have it be
12 open as a public recreational facility.

13 And, easy access to the public
14 permanently undeveloped woodlands in StE 19.

15 Finally, I agree with the desire to
16 provide for mixed income housing through
17 inclusionary zoning or otherwise, which can
18 allow some low-income families to own residents
19 in StE, and anything that can even be done within
20 this process to encourage such development would
21 be beneficial.

22 Closing out my comments, I would

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1 like to express my appreciation for the
2 thoroughness and great concern Commission
3 members are exhibiting toward ensuring that this
4 development does not negatively impact the area.

5 This is the last great land gem in Ward 8, and
6 how it is developed, right in the middle of Ward
7 8, will shape the community for hereafter.

8 We have experienced some
9 demonstrations to areas that have native
10 species, depending upon -- dependent on the land
11 already on the west campus. As many of you may
12 know, we have a family of bald eagles on the
13 west campus. We have white-tailed deer, red
14 foxes, and various other wildlife living on the
15 two campuses.

16 Many of these species will have to
17 find new homes. Similarly, the Ward 8 community
18 does not want development which benefits new
19 residents entirely at the expense of the
20 current residents in our neighborhoods.

21 And, as we open up this campus, let
22 us not create a new enclave separate from the

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1 surrounding community.

2 I thank you for your continued
3 diligence on these matters. Thank you for your
4 consideration.

5 CHAIRMAN HOOD: Okay, thank you
6 very much.

7 Okay.

8 MS. SEEGARS: Good night, again.

9 I'm here now on behalf of Brian
10 Townsend, who was here earlier. He had to
11 leave. He'd been here since 6:00.

12 I will not be running for ANC
13 Commissioner again, and Brian Townsend will be
14 running in my district, 8E-04.

15 His statement is, "I've been a
16 resident of Congress Heights since 2007, and
17 a Washington Metro since 1996. I am a candidate
18 for ANC 8E-04 in this year's election.

19 I would like to lend my support for
20 the zoning plans for St. Elizabeth's East. This
21 project, with zoning approval, will bring much
22 needed housing and retail to the area that has

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1 very little of either.

2 It would be nice to have Congress
3 Heights become a liveable, walkable, and safe
4 neighborhood, as many neighborhoods across the
5 District are becoming."

6 That's it.

7 CHAIRMAN HOOD: All right, thank
8 you very much.

9 Let's see if we have any questions.

10 Any questions?

11 Vice chair?

12 VICE CHAIR COHEN: Yes. I could
13 have asked this earlier. I just didn't think
14 of it.

15 The chapel, what is it -- is it being
16 utilized now? I thought it was empty. I
17 thought I read somewhere it was empty space,
18 unused.

19 MS. PALMER: One of the
20 Commissioners can answer that better than I can.

21 That campus just really hasn't been open to
22 us. So, if it is being used --

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1 MS. SEEGARS: At this time it is not
2 being used. They had a bell that used to ring.
3 That's not ringing.

4 I'm thinking that the hospital may
5 have a chapel, the new hospital may have a chapel
6 for itself, so it's not being used now.

7 MS. PALMER: But, it would be --

8 MS. SEEGARS: But, we have had
9 meetings there in the past.

10 MS. PALMER: Right.

11 MS. SEEGARS: ANC 8E met there three
12 times, when they had a huge project they was
13 working on, but right now I don't think --

14 MS. PALMER: We need meeting space
15 in Ward 8, and that's another opportunity for
16 us to have that chapel, and to have the bells
17 ringing once again.

18 MS. SEEGARS: Oh, not the bells, they
19 used to wake me up at 6:00 in the morning.

20 MS. PALMER: They wake me up every
21 morning, I like the bells. She's not running.

22 I like the bells.

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1 COMMISSIONER MAY: I had one real
2 quick question.

3 CHAIRMAN HOOD: Yes, Commissioner
4 May.

5 COMMISSIONER MAY: Ms. Palmer,
6 again, what group were you speaking for?

7 MS. PALMER: I'm the Recording
8 Secretary for the Congress Heights Community
9 Association. I'm also running unopposed in
10 8C-07, so I'll be working with Commissioner
11 Cuthbert on this matter. But, for the most
12 part, I'm a homeowner in Congress Heights, if
13 you want to have some sort of affiliation at
14 all.

15 COMMISSIONER MAY: Okay. That's
16 fine, I just wanted to -- you mentioned the
17 group, and I wanted to make sure I got it right.

18 MS. PALMER: Okay.

19 CHAIRMAN HOOD: All right, I'm
20 interested now to see if those bells are going
21 to be ringing. But anyway -- any other
22 questions?

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1 Okay. I want to thank you very much
2 for your testimony, greatly appreciate you
3 coming down.

4 We appreciate everyone coming down
5 to testify tonight.

6 Anyone else, either in support or
7 opposition? Okay.

8 Ms. Schellin, did you have anything
9 else?

10 MS. SCHELLIN: No, sir, just to set
11 a date if we want to leave the record open.
12 I think there were some additional things, I
13 didn't record everything, other than I think
14 there was some OP follow-up, DDOT follow-up,
15 DMPED's statement, the ANC 8C written report.

16 If we could get those by 3:00 p.m., November
17 5th, we can take this up November 19th.

18 COMMISSIONER MAY: Mr. Chairman?

19 CHAIRMAN HOOD: Yes, Commissioner
20 May.

21 COMMISSIONER MAY: I had a couple
22 of quick follow-up questions for the Office of

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1 Planning.

2 CHAIRMAN HOOD: Okay.

3 COMMISSIONER MAY: Okay. So, the
4 first one is, would it be possible, actually,
5 as an additional submission, to get a little
6 bit more information about the chapel itself?
7 You know, maybe photographs, maybe some
8 understanding of what it might be used for, or
9 what it was used for.

10 MS. KASONGO: Yes.

11 COMMISSIONER MAY: Not a lot, but
12 just some sense of it, because it's kind of
13 loose.

14 And then, the next thing is that,
15 you know, we are looking at this Master Plan
16 which has prescribed heights, and I know the
17 Master Plan has been approved by the Council,
18 right?

19 MS. KASONGO: That's incorrect.
20 The framework plan was approved by Council.

21 CHAIRMAN HOOD: Framework was
22 approved by Council.

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1 MS. KASONGO: The Master Plan did
2 not have to go to Council.

3 COMMISSIONER MAY: Okay. So, the
4 framework plan, does the framework plan
5 prescribe specific heights?

6 MS. KASONGO: Proposed heights,
7 yes.

8 COMMISSIONER MAY: Proposed
9 heights for all of the parcels or generally?

10 MS. KASONGO: Generally across the
11 campus.

12 COMMISSIONER MAY: Okay. So, I
13 guess what I'm wondering is, what is our
14 flexibility with regard to the heights that are
15 proposed, specifically, in StE 17 and 18? I
16 mean, they are proposed for 70 and 90,
17 respectively, it seems to me that if we were
18 to simply say, oh, no, they can only be 40, that
19 might not be consistent with the plan guidance
20 that we've received from the Council.

21 I mean, does somebody want to opine
22 on what flexibility there is?

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1 MS. KASONGO: We used the
2 Comprehensive Plan as a basis for coming up with
3 the heights that you see presented before you.

4 COMMISSIONER MAY: Right.

5 MS. KASONGO: So, other -- I don't
6 think that we can go beyond what's already
7 prescribed within the Comprehensive Plan.

8 Additionally, Council Member Barry
9 had submitted a letter asking for changes to
10 specific heights, particularly, along MLK and
11 a few other areas as well, and we used that to
12 help articulate the building heights as well.

13 COMMISSIONER MAY: Okay. I'm not
14 sure I'm really understanding that correctly.

15 All right.

16 MS. KASONGO: There were some areas
17 in which Council Member Barry wanted to see
18 higher densities.

19 COMMISSIONER MAY: Right.

20 MS. KASONGO: And, those densities
21 in which we proposed are those areas that he
22 had recommended these higher densities.

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1 COMMISSIONER MAY: Okay. Yes, and
2 that's not really what I was getting at, what
3 I was asking.

4 That's okay. I think that I'll be
5 able to sort it out.

6 Thank you.

7 VICE CHAIR COHEN: And, Mr.
8 Chairman, if OP can get a report from the Deputy
9 Mayor's office and the hearing report that was
10 done I'd appreciate seeing it.

11 COMMISSIONER TURNBULL: And, Mr.
12 Chair, just, you know, we've heard a lot of
13 comments tonight about 3307A and B, and I guess
14 I would like to know from the Office of Planning,
15 we've already heard what the community has been
16 saying, that it's already over-saturated.
17 Would you care to talk about that a bit more?

18 MS. BROWN-ROBERTS: Now?

19 COMMISSIONER TURNBULL: Yes.

20 MS. BROWN-ROBERTS: Those two
21 sections, I think, are the ones that have a
22 special exception regarding --

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1 COMMISSIONER TURNBULL: That's
2 what I -- I mentioned that when I was talking
3 about that. You do have to go before the BZA.
4 It's not a matter of right, it is a special
5 exception. But, apparently, there's enough
6 sentiment out there that they feel that the area
7 is already over-saturated.

8 MS. STEINGASSER: There is an
9 abundance of facilities in Ward 8, and a lot
10 of them cater to -- or house children or other
11 protected classes. So, they are not able to
12 be tracked through the zoning process.

13 One thing we might look at, if the
14 Commission is interested, is limiting the number
15 of these facilities that could be on St.
16 Elizabeth's. So, while they would be
17 permitted, they'd be an absolute number that
18 the community would understand there could be
19 no more than three or two.

20 COMMISSIONER TURNBULL: I think
21 something like that would be at least a
22 reassurance for the community. I mean, knowing

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1 what's in the area, too, how far away, and I
2 think that the sentiment that we heard was they
3 were very much against having an over-abundance
4 of these.

5 MS. STEINGASSER: All right. We can
6 look further into limiting that universe.

7 COMMISSIONER TURNBULL: Okay.
8 Thank you.

9 CHAIRMAN HOOD: So, do we have
10 anything else?

11 We need some dates?

12 MS. SCHELLIN: Right, which I did
13 give those dates, but I just want to confirm
14 that the record would be closed, except for the
15 follow-up from OP, DDOT and DMPED's testimony,
16 and ANC 8C's written report. Those documents
17 and follow-up documents would be due by 3:00
18 p.m., November 5th, and then we will put this
19 on the Commission's November 19th meeting agenda
20 for consideration.

21 CHAIRMAN HOOD: Okay. Do we have
22 anything else?

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MS. SCHELLIN: No, sir.

CHAIRMAN HOOD: Thank you everyone
for your participation tonight, and this hearing
is adjourned.

(Whereupon, the above-entitled
matter was concluded at 9:20 p.m.)

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