

NATIONAL CAPITAL PLANNING COMMISSION

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COMMISSION MEETING

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OPEN SESSION

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Thursday,
May 6, 2010

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The meeting came to order at 12:30 p.m. in Suite 500 of the National Capital Planning Commission headquarters at 401 9th Street, NW, Washington, DC, Preston Bryant, Chairman, presiding.

PRESENT:

PRESTON BRYANT, Chairman
HERBERT F. AMES, Presidential Appointee
ARRINGTON DIXON, Mayoral Appointee
ELYSE GREENWALD, U.S. Senate
JOHN M. HART, Presidential Appointee
PETER MAY, Department of the Interior
MICHAEL S. MCGILL, General Services
Administration
WILLIAM MILES, U.S. House of Representatives
ROBERT E. MILLER, Council of the District of
Columbia
RALPH NEWTON, Department of Defense
DEBORAH PARKINSON, U.S. Senate
BRADLEY PROVANCHA, Department of Defense
STACIE S. TURNER, Mayoral Appointee
JENNIFER STEINGASSER, Office of the Mayor of
the District of Columbia

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NCPC STAFF:

MARCEL C. ACOSTA, Executive Director
PETER COPPELMAN, Acting General Counsel
DEBORAH B. YOUNG, Secretariat

ALSO PRESENT:

CAMERON DeLANCEY
GEORGINE GLATZ
ELIZABETH LENYK

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

12:33 p.m.

REPORT OF THE CHAIRMAN

CHAIRMAN BRYANT: Good afternoon.
Welcome to the National Capital Planning
Commission's May 6, 2010 meeting.

First, would you all stand and join
me in a pledge of allegiance.

I pledge allegiance to the flag of
the United States of America and to the
Republic for which it stands, one nation under
God, indivisible, with liberty and justice for
all.

We do have a quorum. So, I'd like
to call the meeting officially to order and if
there's no objection, we will proceed
according to the agenda which has been posted
and distributed.

[INSERT - AGENDA]

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CHAIRMAN BRYANT: I note for the record that no one has signed up to speak today. We only have two action items, but we will, of course, accept written comment from anyone on any matter that you may see and hear today.

The first item is my report and I'll note that yesterday we had a meeting, I guess it was the third meeting, of the 10th Street Corridor Task Force and prior to that meeting, like today, there was a field tour so that the Task Force members could go out from a boots on the ground perspective and see the complexity of the 10th Street Corridor from the Mall down 10th Street and all the way to the marina. Lots of buildings. Lots of different layerings. Lots of transportation challenges. Lots of utility challenges, infrastructure challenges generally.

The purpose of yesterday's meeting was really to review and discuss some of the preliminary findings that we've had on the

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Transportation Infrastructure Feasibility Study to look at alternative ways of reconnecting or bringing back better connectivity in the study area to look at some of the vertical and horizontal challenges when it comes to road and rail.

We went to again explore just how the street -- how we can perhaps better restore the street grid.

We will meet again as a Task Force June-ish or so and continue on from there. At our next meeting, we hope to refine some of the scheduling issues and refine some of the alternative plans of attack if you will.

Overall, it was a very good meeting.

That's the sum of my report.

Item 2 is Executive Director's Report and I'll turn it over to Mr. Acosta.

REPORT OF THE EXECUTIVE DIRECTOR

EXECUTIVE DIRECTOR ACOSTA: Thank you, Mr. Chairman and good afternoon.

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Today, I would like to focus on the Council of Government's Greater Washington 2050 Initiative and the resulting Region Forward effort.

As you may recall, the COG staff have come to the Commission meeting a few times to brief you on the progress of their effort. This is a very important collaboration between our local governments as well as our participation as an agency and today, we'd like you to consider also a resolution in support of their overall initiative which is a regional effort.

Today, we're joined by David Robertson who's the Executive Director of the Metropolitan Washington Council of Governments. I'd also like to ask Julia Koster to come to the podium to speak to you a bit about this initiative and also what the resolution is asking us to do.

[INSERT - REPORT OF THE EXECUTIVE DIRECTOR]

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MS. KOSTER: Thank you, Chairman Bryant and Members of the Commission.

Two years ago, COG embarked on the Greater Washington 2050 Initiative bringing together regional stakeholders to articulate a clear unified vision for the National Capital Region over the next 40 years.

Two major products have emerged as a result of this work, the Region Forward Report and a Regional Compact.

As Director Acosta noted, COG has requested that NCPC consider formal action to endorse the report and the compact and your meeting materials included a copy of the resolution that has been proposed.

The Regional Forward Report is an ambitious document that identifies comprehensive goals and performance targets to measure progress towards a region that is more accessible, sustainable, prosperous and liveable for all citizens. The goals have been developed to integrate issues that

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include transportation, security, economic development, housing and other topic areas.

Each of the goals has specific measurable targets. This slide here shows targets related to the topic of sustainability.

The goals in this report are remarkably consistent with both the goals in our agency's comprehensive plan and with recent Federal directives on issues such as sustainability, regional collaboration and innovation.

To link the regional goals in this report to on the ground action, a voluntary compact was also developed marking the first agreement on a comprehensive vision between the 23 jurisdictions in Maryland, Virginia and the District.

Local governments around the region are being asked to adopt the compact which is a voluntary commitment to work together to achieve Region Forward's goal and to consider

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regional impacts in local decisions and actions.

Unlike local governments, NCPC is not being asked to be a signatory to this compact. Instead, today's resolution reaffirms NCPC's commitment to work with COG to strengthen federal and local collaboration and to advance this important effort.

The 2050 Initiative is an important component of NCPC's ongoing collaboration with COG to foster greater Federal/local partnerships. We've been an active participant in the 2050 Coalition and we sought to bring both the perspective of our agency and to engage other Federal stakeholders in this process.

It's my pleasure to now introduce Executive Director Dave Robertson from the Council of Governments.

[INSERT - MEMO FROM JULIA KOSTER]

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[INSERT - MID-SOUTH LABORATORY ANNEX]

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MR. ROBERTSON: Thank you, Julia and again, thank you for permitting me just a little bit of time on your agenda this afternoon.

First, I'm here to say thank you because we would not have gotten to this point without the active engagement and support of the Commission, the Commission Members themselves certainly and the NCPC's outstanding staff. It really has been a true collaboration in every sense of the word and I think the results I hope speak to some of those principles as well.

The other piece I would like to tell you is that we've met with very strong progress. The Council of Government's Board of Directors endorsed this, but we didn't want to stop there. We're really asking for engagement from our member jurisdictions at the local and state level and so, I have been doing presentations not unlike what you've heard from Julia and others previously to the

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different jurisdictions and we have 15 that have -- every jurisdiction that has been asked to endorse this has done so and we have a few more than are scheduled in the next couple of weeks, but I expect by early June we will have all of them completed.

And then really as this Commission knows only too well, planning is really just the foundation for implementation and action and in that regard, I think we are well positioned in this region with this work and with the outstanding collaboration that we've with the Federal Government.

Everything from the current cycle of our Transportation Improvement Program, our TIP, is being guided by this work. The work that we're doing underway in terms of our climate change and energy plan is being guided and shaped by this work. The hoped for effort regionally around the HUD Sustainable Communities Planning Grant is going to be guided and shaped by this work.

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And then lastly, and this is where it gets I know sometimes difficult, the implementation at the local level and I represent a voluntary association of a number of jurisdictions. When they come to the COG table, they put on their regional hat, but they never take off their local hat and that's appropriate because we are an association and the roles and responsibilities of localities we certainly understand and respect.

But, I'm a big believer that when you have a number of jurisdictions working together off of common goals, you know what the targets and the measures are and we're making good local decisions in the spirit of regional collaboration and knowing the direction that we want the region to go. There's very little that we cannot accomplish together.

And, so, just I guess in closing, nine goals as Julia said grounded very much in the work of our member jurisdictions and

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partners, a number of stretch goals, targets for the region to reach, performance measurements associated with each of those targets, a voluntary regional compact that has been met with strong support from our local jurisdictions and state partners.

We also have a number of community-based partners. Groups like the Washington Regional Association Grantmakers Nonprofit Roundtable. Because in some cases, funders will be able to prioritize projects if they are consistent and in the spirit in the implementation of some of these goals.

I think it's a great effort. It's stronger because of the role of NCPC and your work and I would hope that you would add your very strong and effective voice to those that are in favor of this work.

Thank you, sir and I'd be happy to take any questions.

CHAIRMAN BRYANT: Thank you, Mr. Robertson.

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NCPC and the Washington Council of Governments have been very close and collaborative partners for a long time and the Region Forward Report is yet the latest example of that.

I'll say to the Commission Members, you've had the resolution distributed to you for some time. We've seen it and read it. First, before I call for a motion on the resolution, let me see if there are questions or comments on it.

Mr. McGill.

MR. MCGILL: I'm curious whether you have thought about broadening your boundaries beyond the Congressionally-legislated National Capital Region. Because obviously, the list does not demonstrate a coherent airshed or watershed or commute shed.

At minimum, I would think Anne Arundel and Howard Counties in Maryland and Frederick in Virginia would be logical parties to talk to and coordinate with.

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I recall there was an article in the paper some time ago where West Virginia was complaining because they had just built a new four-lane highway right up to the Virginia border to facilitate people from West Virginia commuting to Washington and the adjacent Virginia county said we're not building a four-lane highway. Right. We believe in wiser methods of transportation and growth.

So, I'm just curious. Do you have a dialogue at least going where you can coordinate and take these goals which cannot be achieved by these counties alone and expand the scope of the discussion?

MR. ROBERTSON: The short answer is yes. The slightly longer answer is that we are starting to sort of work with our sort of sister regional bodies, Baltimore Metropolitan Council and Fredericksburg VAMPO and others and we'll be engaging them.

We're starting from our core obviously of our own member jurisdictions in

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the National Capital Region, but we will be spreading that sort of ripple effect out further as we move forward. Yes.

CHAIRMAN BRYANT: Mr. Miles.

MR. MILES: I think you said about five or six jurisdictions are remaining.

MR. ROBERTSON: Yes.

MR. MILES: And I wanted to know if you could just briefly tell us which sort of localities those are.

MR. ROBERTSON: Sure.

MR. MILES: And if any sort of concerns have prevented them up to this point or if it's just a timing issue.

MR. ROBERTSON: Largely as I think you may know, we've been taking this on the road in the last month or so which just happens to coincide with the budget cycle for virtually everyone of the localities. So, getting agenda time/docket time has been difficult.

I will tell you the exception is

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the ones that -- there are 15 jurisdictions that have endorsed. Well, I'll go through them real quick: Bowie, College Park, City of Frederick, Frederick County, Greenbelt, Gaithersburg, Montgomery County, Rockville, Takoma Park. In Virginia, it's been Alexandria, Arlington, City of Fairfax, Fairfax County, Falls Church and Loudoun.

The ones that are docketed or about to be scheduled include the District of Columbia, Manassas and Manassas Park and Prince William County.

The only two that have not been scheduled and that's large because of logistics and scheduling issues is our very smallest jurisdiction the town of Bladensburg and then Prince George's County.

I expect by early June we will have all of these jurisdictions. It's just been a scheduling matter and each jurisdiction has sort of different governance authorities. The District of Columbia, and I see my colleague

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up here, we've been sort of working through that with the District Mayor's Office and the Council, but we expect all of these to be engaged very shortly.

MR. MILES: Thank you.

CHAIRMAN BRYANT: Yes.

MR. PROVANCHA: Appreciate the question about the number of signatories to date and where we stand with that. It looks like a deadline -- according to the staff report, mid-may is when you're hoping to have those signatures and now we're extending that a couple of --

MR. ROBERTSON: Adds probably a little closer --

MR. PROVANCHA: When is the upcoming late spring kickoff event?

MR. ROBERTSON: Yes, that will probably be in June.

MR. PROVANCHA: In June. Okay. And also, a following comment. Appreciate the staff. It's difficult the clarify the impacts

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of a document when you're not a signatory to it. So, I found the staff report particularly helpful because it clearly explains how the Region Forward Report will be used to guide the efforts of the Commission going forward. So, appreciate the excellent work as always by the staff.

CHAIRMAN BRYANT: Other comments?

MR. DIXON: I move the resolution.

CHAIRMAN BRYANT: The resolution has been moved and seconded. Once again, any additional comments?

Hearing none, all in favor say aye.

(Ayes.)

CHAIRMAN BRYANT: Oppose no. The resolution is carried. Thank you, Mr. Robertson, very much.

MR. ROBERTSON: Mr. Chairman, appreciate your support. Thank you.

CHAIRMAN BRYANT: Absolutely.

Item 3 is the legislative update.
Mr. Coppelman.

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LEGISLATIVE UPDATE

MR. COPPELMAN: Thank you, Mr. Chairman. I do have a legislative report this time.

I have three bills to report action on. The first is S.2129 H.R. 1700, the National Women's History Museum Act of 2009 which previously passed the House and on April 21st, 2010, it passed out of the Senate Committee on Environment and Public Works with amendments related to the environmental cleanup. These are technical amendments to insure that the Federal Government is responsible for any cleanup under CERCLA and because of these amendments, the bill will have to go back to the House after it passes the Senate.

The second is H.R. 2986. On April 27th, the House National Parks, Forests and Public Land Subcommittee held a hearing on this bill.

On the face of it, the bill is very

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interesting. It would amend the Capper-Crampton Act by adding a new section authorizing the Secretary of the Interior to make grants to covered states, local governments and non-profits to plan and evaluate acquisitions eligible for grant assistance of the Act and it provides authorization for up to \$50 million a year for five years from the date of enactment.

It's supported by most of the local Congressman and as I said, it sounds like a good idea, but it faces a steep hill to climb.

In the first place, the National Park Service which would receive this authority testified against it because it would duplicate existing programs. There are already several programs, land acquisition programs, and they include the Land and Water Conservation Fund, the State and the American Battlefield Protection Program, North American Wetlands Conservation Act among others. The Park Service believes, the Department of

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Interior, that it would be better to continue to use existing programs to provide land protection rather than to establish a new program for similar purposes, but available just to the local region.

And, in fact, the bill's sponsor Jim Moran noted. He said I suspect that neither the Park Service nor many of my colleagues outside the Metropolitan D.C. Area are as enthusiastic about the bill as those who live inside the region.

I can understand why. It's a large amount of money and the benefits are localized to just one metropolitan area.

So, we'll see. It's had -- the first step is a hearing. We'll see if it gets marked up.

And the third bill is H.R. 3689 which is a bill to extend the legislative authority of the Vietnam Veteran's Memorial Fund to establish a Vietnam Veteran's Memorial Visitor's Center. That authority was going to

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expire in November of this year and this bill would extend the authority to November 17th, 2014 and the Senate Energy and Natural Resources Committee today, this morning, marked up that bill and sent it to the Senate floor.

That's my report.

CHAIRMAN BRYANT: Mr. Ames.

MR. AMES: I have a question and I need some clarification on and we're not taking action on this at this point, but we took a tour this morning on the streetcar situation and I keep hearing talk of revisiting the law that does not allow overhead wires.

My question so everybody will be on the same page, who makes a request for the law to be changed? Who is it made to? Does our Commission have anything to do with that?

MR. COPPELMAN: Well, there's presently a law in place. It's a Federal law that was passed in 1889 that bars any overhead

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wires particularly streetcar wires within the L'Enfant City.

There is a dispute between the city and the Federal Government as to who can change that law. It's a Federal law. The city says that under the Home Rule Act, they can change the law, repeal it. The Federal Government is saying so far that only Congress can repeal the law and that's where we sit today.

MR. AMES: And I kind of maybe knew a little bit of the answer before it was asked and the reason I asked is to carry that farther. There's an awful lot of money being proposed to be spent before this comes to play and I'm just wondering if our Commission would be the avenue to ask for Attorney General opinion on who really does have the right to repeal that law. Is it the Federal or is it the city?

Because it is going to be a major bone of contention I know with some members of

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this Commission. I don't speak for all of them. I don't speak for anybody else.

But, that's a serious question in my mind that needs to be answered sooner than later before more funds get expended. Because I've personally seen funds expended that I didn't think needed to be, but that's not our call to make. But, it is our call to understand where we fit into the scheme of things of who does this.

So, you may not be prepared to answer this today, but I think this Commission needs to be brought up to speed on just the process of what we could do. I mean I'm not asking for the right -- to have the right to repeal it or not repeal it, but I want to know what we can do to get that facilitated.

So, that question comes off the board. So, when DDOT is planning what they're planning, they got a little clearer understanding of what -- of who's who and who's going to be for and against and

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whatever.

Thank you, Mr. Chairman.

MR. COPPELMAN: That issue has come up and the previous General Counsel here sent a letter to the Office of Legal Counsel at the Department of Justice asking if they would provide an opinion on who has the power to change the law and we got the answer back that any opinion -- they would not answer that question unless the Commission agreed to be bound by the answer and we determined at the time that it would unlikely that we could get this Commission to agree to be bound.

I know that the Department of Interior is considering asking the question and that's where it stands.

MS. GREENWALD: Can I have a time line for that? When that letter was sent and when the answer was received.

MR. COPPELMAN: Excuse me.

MS. GREENWALD: A time line when that letter was sent and when the answer was

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received.

MR. COPPELMAN: Before I got here.

MS. GREENWALD: Okay.

CHAIRMAN BRYANT: We'll get --

MR. COPPELMAN: We can provide that information.

MS. GREENWALD: Thanks.

MR. MILES: There could be the possibility that -- at least, I haven't spoken to this, but we could pose the questions to the American Law Division as just a starter point at the Congressional Research Service on our behalf. Which is often where we go.

It might not have any bonding, but at least, it may get us some additional information. I'm on it.

MR. DIXON: Mr. Chairman.

CHAIRMAN BRYANT: Please.

Mr. DIXON: This is a home rule issue. I mean this is a matter of a local government having control over its streets, et cetera and I just don't know whether or not we

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need to be in that mix. As someone would say whether we really have a dog in the hunt. Because the city is clearly going to be aggressive I'm sure and pursue whatever means they can to shore up their appropriate home rule control and I'm sure the Congress will step back and push back at it if they want to keep the control.

So, I'm kind of curious as to whether or not NCPC needs to be the -- are we really the players in this or whether the city and the Congress are the players and the city -- this issue is not uncommon to us where we feel we have control over things that we think we do and we're told we don't.

So, I'm not sure why we want to -- why we would need -- I mean, why we would get into this. Quite frankly, that's how I feel.

CHAIRMAN BRYANT: Mr. Dixon, the issues you raise are those very questions that we are batting around a little bit right now.

I know that many members took a

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field tour this morning and saw first hand a lot of the streetcar initiative planning elements and even construction, ongoing construction. I regret that some circumstances prevented my joining you, but what I would like to do is begin calling each of you who went on the tour this morning just to get your general feedback and questions. That'll help me better understand your positions or your thoughts.

MR. DIXON: I guess I'm saying something else, Mr. Chairman. I think we have authority and responsibility to respond to the views and the other impacts of this --

CHAIRMAN BRYANT: I hear what you're saying.

MR. DIXON: But, I don't know that we need to get into whether or not we, D.C., or the Congress have the authority to set laws in place.

CHAIRMAN BRYANT: Understand.

MR. DIXON: That we shouldn't be

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maybe the moving party in this.

CHAIRMAN BRYANT: Understand and I'll say again that's the very question that I've raised just in the last day or two precisely as you put it, but as we are continuing to determine the proper role, politically or from a policy perspective, I mean our first mission is to be defenders of the Federal interest and so, as we continue to work with legal counsel and others to determine our proper role, again, I think hearing from each of you and what you've learned today will be helpful to me and others as we continue looking at this.

I don't have a time line for when we may answer these worldly questions, but -- these philosophical questions, but certainly I look forward to talking to each of you in the next week or so.

So, okay. Perhaps we should move on if there are no other questions or comments on this particular topic.

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Thank you, Mr. Coppelman, very much.

MR. COPPELMAN: Thank you.

CONSENT CALENDAR

CHAIRMAN BRYANT: The next item up, agenda item number 4, is the Consent Calendar and we have six items.

Item 4A is Adaptive Reuse of Phase 1B of Buildings 31, 33, 34, 37, 49, 56 and 71.

It's the Department of Homeland Security consolidation at the St. Elizabeths West Campus.

Item 4B is perimeter security for the Commandant's Residence, Marine Corps Barracks on G Street, S.E.

Item 4C is Russell Gate Improvements at the Marine Corps Base, Quantico.

Item 4D is the New Aircraft Maintenance Hangar Type II at Marine Corps Base, Quantico.

Item 4E is a Highway Plan Amendment

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in Squares 4045 and 4046.

And 4F is a Highway Plan Amendment in Square 4376.

These items are on the Consent Calendar. They've been before you. Is there a motion on this?

MR. AMES: I move that we accept the Consent Calendar.

CHAIRMAN BRYANT: It's been moved and --

MR. DIXON: Second.

CHAIRMAN BRYANT: -- seconded. Any questions or comments on any item?

Hearing none, all in favor say aye.

(Ayes.)

CHAIRMAN BRYANT: Opposed no. The Consent Calendar is carried.

[INSERT - DHS HQ CONSOLIDATION]

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[INSERT - US MARINE CORPS BARRACKS]

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INSERT - US MARINE CORPS BASE QUANTICO -
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[INSERT - HIGHWAY PLAN AMENDMENT]

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[INSERT - PARTIAL CLOSURE OF 30TH PLACE, NE]

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ACTION ITEMS

CHAIRMAN BRYANT: Now, we move on to -- there are only two items in our Action Agenda. Both with presentations.

Agenda Item 5A is the Master Plan for the Veterans Affairs Medical Center and Mr. Hart is here to present.

MR. CARLTON HART: Good afternoon, Mr. Chairman and Members of the Commission.

Before you today is the final master plan for the Veterans Affairs Medical Center which was submitted by the Department of Veterans Affairs for Commission approval.

The VA Medical Center which first opened in 1962 is located in Northwest Washington D.C. Near the Medical Center are the Armed Forces Retirement Home to the north, the Washington Hospital Center to the west, the McMillan Reservoir and Sand Filtration Site to the south and southeast or southwest and also in the close proximity are the Catholic University and Trinity University to

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the east and northeast.

The site is also approximately one mile from the Brookland Metro Station and between one and one and a half miles from several other Metro stations.

Proposed nearby developments are also included in this slide in red for your benefits.

As this image shows, a considerable amount of development is proposed in the vicinity of this campus.

This is the 35-acre campus as it exists today. This campus is defined by large curved surface parking areas. The main building is set back from the street on three sides. Sporadic trees also dot the campus which are partial remnants of the original landscaping from nearly 50 years ago. The only vehicular access to the site is along First Street.

The master plan itself is intended to focus on several main goals. First is to

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update and modernize the existing departments to meet veteran health needs in the region. The second is to introduce new functions to address upcoming needs. The third is to improve transit access to campus to further the connectivity of this campus to Metro as well as the VA contracted shuttle service. Finally, the last goal is to improve pedestrian amenities on and to campus to promote walking, support transit usage and improve the campus setting.

The proposed master plan includes 800,018 gross square feet of new development for a total of 1.7 million gross square feet for the entire medical center. Here is the proposed master plan that is intended to have a 20-year life span.

Some of the new and expanded uses are identified on this slide.

The Medical Center Master Plan process has provided the VA with an opportunity to greatly improve the

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organization of this campus as well. These improvements include addressing the urban context by aligning the building facades closer to the edges of the campus by removing large areas of parking which were here in favor of parking structures to the north and to the south and improving pedestrian connections throughout the campus as well as along main streets like First Street, Michigan Avenue and Irving Street.

They also provide more green space and landscaping. This is a result of removing surface parking and creating courtyards. There's a south courtyard and a north courtyard that are defined by new and existing buildings. The VA notes that the amount of green space on campus has increased from the current 19 percent to 33 percent of the campus acreage.

And finally, they sought to improve transconnectivity by separating the automobile and bus shuttle drop-off areas on campus and

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I'll show you this in an upcoming slide.

So, how will this master plan be realized? The VA has stated it will be implemented through a phased development.

There are four phases proposed to fully implement the master plan. All four phases as well as the existing medical center are included in this drawing. The first three phases as well as the existing facility are indicated with the beige color. The fourth phase is indicated in white.

Staff notes that the fourth phase is approximately 80 percent of all of the development that's proposed in the master plan. This fourth phase is expected to be in the out-years. So, there hasn't been any funding identified for it.

Only 20 percent of the master plan will be developed in the first three phases. Some of these projects are funded and are expected to be constructed within the next five years. All projects will be submitted to

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the Commission for approval.

As you will recall, the VA provided the Commission with a draft master plan for our review in December of 2009. Within it's review, the Commission provided eight comments which are summarized on this slide. The full comments can be found on pages 17 and 18 of the staff report.

The VA has addressed the first three comments as follows. Staff will work with the VA on the perimeter security which will be submitted for Commission review. The VA is willing to discuss the shuttle study being conducted by the Office of Planning. However, the VA states that it wants to at a minimum maintain current shuttle service for patients and finally, the Commission noted that the archeological study is required for any new development on the VA has accepted this requirement.

Now, I'll focus on the last five Commission comments in the next few slides.

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These are including parking phasing into the master plan, studying the visual impact of the proposed development along North Capitol Street, addressing recent planning for the area, exploring the north/south connection between the Armed Forces Retirement Home and the McMillan Sand Filtration site and finally, defining the transit center as it wasn't clear in the draft master plan as to what would be included in it.

Regarding the Commission's comment on parking phasing, the VA proposes that it will reach a 1 to 4 parking ratio with the completion of phase four. The staff notes that the north parking garage is included in phase three.

DDOT has recommended that the VA need to monitor this parking garage for usage to better understand what the parking demand will be in the future and more appropriately size the south parking garage which isn't planned until phase four. Staff supports

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DDOT's recommendation.

Staff also notes that the VA has stated it will identify and employ a transportation coordinator whose responsibility will be to monitor parking on-site, transit use, bicycle and carpool use and other transportation related issues during the implementation of the master plan.

[INSERT - VETERANS AFFAIRS MEDICAL CENTER CAMPUS]

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CHAIRMAN BRYANT: Mr. Hart, this is new parking? Those numbers are for new parking, proposed parking not including existing parking?

MR. CARLTON HART: This is the total parking which is here.

CHAIRMAN BRYANT: Yes.

MR. CARLTON HART: So, this is what is currently and that's what they're proposing for --

CHAIRMAN BRYANT: Okay.

MR. CARLTON HART: -- new. This is what the staff parking would be of that. So, the staff parking would be decreasing.

CHAIRMAN BRYANT: I see. I see. I see.

MR. CARLTON HART: Regarding the Commission's comment on requiring that the draft master plan address recent planning, the VA has included a proposal which would align with local plans to encourage pedestrian movement on Irving Street, a future east/west

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pedestrian corridor. Shown in this slide is the VA's response for an option that adds retail on the northern edge of the property along Irving Street.

Also shown in this slide is the Armed Forces Retirement Home proposal for retail for your reference. This is the VA Medical Center side of Irving Street. Irving Street -- this is a section through that and this is the Armed Forces Retirement Home side and this is the plan.

Another Commission comment was on protecting views along North Capitol Street. The top images are existing and proposed views looking southwest towards campus along North Capitol Street. The Domiciliary which is a transitioned residence for homeless veterans is one of the buildings to be located along North Capitol Street.

If we remove the existing trees along North Capitol, we are able to see the Domiciliary from North Capitol. As the trees

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in the foreground may be lost due to realignment of the Irving Street intersection with North Capitol, staff notes that trees on this campus along North Capitol Street are important to minimize the visibility of the project from the street.

The bottom images are views looking north toward North Capitol from the Michigan Ave intersection.

The VA responded to the Commission's comments on the draft plan by proposing an alternative to this visual terminus of North Capitol Street.

The VA notes that it will work with staff and other stakeholders to develop this project in the future.

Given the proposed development north and south of the campus and the fact that a connection along First Street is identified in the District elements of the comprehensive plan, the Commission commented in December that the VA should explore its

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design for the north/south pedestrian connection along First Street. The VA has included the description as well as the drawing to make -- that would make a green link that would include a sidewalk, paved bike path and other amenities like seating along this walkway and this is the walk and there's a bike path, a regular path and then the green area before the property line. This idea will be more fully developed at a later time.

Finally, the Commission also commented in December that the VA should develop the design of the transit center. This transit center idea is to create two canopied bus stops, a canopy here as well as here on either side of First Street and relocate the bus stop from on-campus to the street. These canopied areas would be connected by either a pedestrian bridge or an at-grade pedestrian crossing.

The transit center idea is supported by the Washington Hospital Center as

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it would help to reduce bus travel times thus improving transit center -- service to the Medical Center.

Currently, buses enter both campuses to turn around which can add time to their routes. This is the existing bus route.

The transit center idea would be to utilize traffic signal timing to allow for a dedicated bus turning movement shown here in green.

The VA had shared this idea with both the District and WMATA and both are willing to work with the VA to more fully develop this design.

As I stated a little earlier, part of the transit center design is to explore both a pedestrian bridge over First Street as well as an at-grade pedestrian crossing. Staff preferred the at-grade crossing as it fits better with the north/south pedestrian connection and a pedestrian bridge might have an impact on historic views.

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The staff notes in any case that the VA will need to submit this project including the pedestrian crossing to the Commission for approval.

With regard to conformance to the National Environmental Policy Act as well as the National Historic Preservation Act, the VA has submitted an environmental assessment for the VA Medical Center Master Plan. Staff has reviewed the EA and the Executive Director issued a finding of no significant impact dated April 30th for the master plan.

The VA determined that the D.C. State Historic Preservation Office concurred that the master plan update will have no adverse affect to known historic properties. Staff occurs with the VA determination.

The D.C. State Historic Preservation Office recommends also, and staff agrees, that the phase one archeological survey be conducted at the VA Medical Center as part of any future development project of

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the campus.

In addition, the D.C. State Historic Preservation Office recommends that any project that faces the McMillan Sand Filtration site or the Armed Forces Retirement Home be submitted for its review.

Therefore, the Executive Director recommends that the Commission approve the master plan for the Veterans Affairs Medical Center Campus and commend the Department of Veterans Affairs for providing a comprehensive framework that addresses the urban context in this part of the District, reduces impervious surfaces on the campus, improves the quantity and quality of open space and proposes transit improvements that facilitate access to this part of the city and further require that the Department of Veterans Affairs as it seeks to implement this master plan to continue working with the Washington Metropolitan Area Transit Authority and District Government stakeholders on the proposed transit center along First

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Street that will help improve transit access to this part of the city, also minimize views to the proposed Domiciliary by adding in trees along North Capitol Street, a screening, and monitor the use of the proposed north parking garage once built and use this information as the basis for accurately understanding the number of parking spaces needed at the proposed south parking garage.

That concludes my presentation and I'm available to answer any questions.

CHAIRMAN BRYANT: Thank you, Mr. Hart. Questions or comments for Mr. Hart? Mr. Hart.

MR. JOHN HART: Yes. Mr. Hart.

MR. CARLTON HART: Yes.

MR. JOHN HART: In the master plan, you showed a phased parking growth. Associated with that, is there a plan that shows the removal of the surface parking that follows that same incremental growth?

MR. CARLTON HART: Yes, it's --

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basically, the north parking garage is the first parking garage. I think it's phase three. So, as they are looking to add buildings, they have to find ways of figuring how to deal with the parking as the buildings are being added to that and so, there is a process that they are actually still going through, but they're making sure they have enough parking for the patients, employees and visitors to the site.

MR. JOHN HART: So, I assume that the north surface parking lots will be removed first as that first garage goes in and then not until the second garage goes in will the south lots be removed.

MR. CARLTON HART: Yes, it's a little bit more to it than -- because they actually need to have the -- they have a smaller kind of a phased parking garage for the north parking garage. They've have a couple of levels built as they are taking out parking on the north side of the site and

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they'll come back with additional decks onto that parking garage in the north. So, that one is kind of a two-phase one. The south one is in the fourth phase and it's pretty far in the future.

MR. JOHN HART: Okay. A second comment that I have is the last time we reviewed this there was a lot of discussion about trying to make the street level as pedestrian friendly as possible. There was some discussion about retail being an opportunity to animate that edge.

MR. CARLTON HART: Yes.

MR. JOHN HART: I'm surprised that Irving Street is the street that ends up with the retail. That in my mind is a faster less pedestrian street to begin with and First Street is really the edge where you've got your transit center which would seem to be a good neighbor to, you know, retail or anything like that and that's really the connection across the street to the Armed Forces

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Retirement Home development area.

So, I would have expected to see the retail along First Street rather than Irving.

MR. CARLTON HART: Yes, they were actually looking at -- the retail is really along Irving because of the planning that's going on -- that's actually gone on for the Armed Forces Retirement Home which has actual retail on the northern edge, northern side of Irving Street and what will, you know, eventually happen with the intersection of Irving and North Capitol Street which is suppose to be -- the changes would help to bring a more pedestrian feel, I guess, to Irving Street itself.

The north/south connection is -- because there's no retail on the Washington Hospital Center side, they're really not looking at having retail on this side as well.

They actually are -- one of their buildings, I think it's the Outpatient Clinic, is going

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to -- basically being built out to the street.

MR. JOHN HART: Thank you.

CHAIRMAN BRYANT: Mr. Ames.

MR. AMES: Would you bring up the slide that show the whole area with the development that's proposed for that area please?

MR. CARLTON HART: It's early on. Sorry.

MR. AMES: Right there.

MR. CARLTON HART: Um-hum.

MR. AMES: A little background information. One, the VA Medical Center Campus, it's pretty obvious to me that they're going to maximize land use there as much as possible. They're using every inch of land they can possibly use. Which leaves them in a position of no -- I know this is a long-range plan, but it leaves them in a position of no future development of that actual site and sometimes a little planning ahead can cure a lot of ills that come about from situations

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like that.

There's some Members of the Commission that were not here when this came about, but those that have been around for awhile, the Armed Forces Retirement Home is in a situation where they don't receive Federal funding every year. They don't receive it at all. They live on a trust fund and they came before this Commission several years ago with the idea -- they brought a master plan which I think we approved with the idea that they were going to do some leasing for retail purposes which is one thing that we just talked about as well as office buildings.

My point today is no none of that has taken place at this point because of market conditions. We've been in a slow economy as far as retail or office developments have been concerned. So, there has not been a market for that.

I believe that luckily for the VA that has not occurred and the reason I say

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that is because they're in the planning stages and they're asking for approval of the master plan that I would like for you, the staff, to ask them to take a look at the possibility.

The Armed Forces Retirement system is not set in stone for retail or office development. What is set in stone is their dire need for money and money would come from the actual leasing of property.

They're not going to build any of these buildings themselves. That was not part of their plan when this was introduced to us.

What I would like to see happen at this point before anything gets going again is for the VA to look at the possibility of dealing with the Armed Forced Retirement Home about plotting out some land there, putting it under lease with the VA.

It serves two purposes. One, it gives the VA a lot more opportunity to look at how they lay their, you know, situation out and it also helps the Armed Forces Retirement

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Home which as I said is always in dire need of extra money and the trust fund is not providing enough money to fully operate it like it needs to be.

So, I think strong consideration should be given to that even if you look at it from a standpoint that the VA Medical Center joined forces with the Armed Forces Retirement. There's no law that say they all can't work together. That they may shift some retail areas of the Armed Forces Retirement Home property around if the VA would agree to help some with that and leave them more room and that's the point I'm trying to make.

Sometimes things like the fact that the Armed Forces Retirement Home really needs the money kind of gets lost in the shuffle because it was brought up several years ago. Economic times have been slow. That has not happened. So, people kind of forget that that's out there.

But, that property could be vital

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to them and I'd like for them to take a look at that before we -- I mean we're going to go ahead and approve, I assume, this master plan.

I don't got a problem with that. But, I think this is an extension to their master plan that may make life a lot easier for them.

Thank you.

MR. CARLTON HART: And just for your information, there are some representatives from the VA that are here.

MR. AMES: Well, then --

MR. CARLTON HART: They're hearing this. So.

MR. AMES: Good. Good. Good. Good.

CHAIRMAN BRYANT: Other comments? Ms. Steingasser and then Mr. Provancha.

MS. STEINGASSER: I just wanted to take a moment and compliment the VA and the staff on working these issues out. This is a superior plan to what we saw earlier and I really appreciate the VA being so responsive

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to the concerns that NCPC brought to them and from the city's standpoint for recognizing some of the city initiatives that we put forward and that you carried forward for us through this process.

And I also want to compliment the staff report. I mean you did a great job at breaking down an incredibly complex project into understandable pieces.

So, I just wanted to thank them.

MR. CARLTON HART: Thank you.

MR. PROVANCHA: Thank you, Mr. Chairman. A series of questions.

Let's start on page 2, the bottom of page 2 of the staff report. It talks about two of the Metro stations within two miles.

MR. CARLTON HART: Yes.

MR. PROVANCHA: Could you show me where the Columbia Heights Metro Station is?

MR. CARLTON HART: You actually can't see it in this image, but it's actually over here.

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MR. PROVANCHA: Off to the east.
Okay. Very good.

MR. CARLTON HART: Yes, it's off to
the -- it's off to the west actually.

MR. PROVANCHA: West. Okay.

MR. CARLTON HART: Yes. North is
at the top.

MR. PROVANCHA: A question on page
6. What's the current security for the
employee entrance?

MR. CARLTON HART: Currently, they
have --

MR. PROVANCHA: Is there a badge
swipe? Is there a sticker?

MR. CARLTON HART: To get into the
building or to get on campus?

MR. PROVANCHA: To get onto the
campus, to the reservation.

MR. CARLTON HART: On campus, I'm
pretty sure they don't have much of any
security. It's --

MR. PROVANCHA: It talks about one

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guard station at the main vehicular entrance.

I think that's to the -- it's to the north.

MR. CARLTON HART: It's a guard station, but it's unmanned --

MR. PROVANCHA: Unmanned. Okay.

MR. CARLTON HART: -- for a majority of the time. I'm looking at the VA to make sure that that's the case.

MR. PROVANCHA: Gotcha.

AUDIENCE PARTICIPANT: Manned in the morning.

MR. CARLTON HART: It's manned in the morning.

MR. PROVANCHA: Gotcha.

MR. CARLTON HART: But, for the building, I think there are certain areas that you can get into and they are swiped. So, the building itself has security, but the site --

MR. PROVANCHA: On page 7, it talks about the current number of patients and visitors entering the facility as well as the number of employees and those numbers greatly

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grow by the time we get to page 15. Let me reserve that comment.

Kudos to the planning. Almost doubling the amount of green space and I think you cited 19 percent up to 33 percent. So, that's definitely positive.

Is there any kind of a remote delivery facility? How do you get materials into the facility and waste out? How is that currently handled and would that be changed in the future when there's a central utility plant built within the envelope of the building?

MR. CARLTON HART: I can ask the VA to make sure that I get this correct. I know that there's a delivery facility here and I want to say there's one that's back here.

MR. PROVANCHA: Gotcha.

MR. CARLTON HART: And so, they really have -- everything is kind of connected to that main building. There is an idea now to have kind of traffic to come through

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because currently this is actually closed. So, they only really have one main access to the site which is up here.

MR. PROVANCHA: Um-hum.

MR. CARLTON HART: There's a staff access that's down here, but really there are only three points of entry or exit from this facility.

MR. PROVANCHA: Related question is biomedical waste. How is that processed? I didn't see anything about -- no incinerators and no plans for incinerators. Is that --

MR. CARLTON HART: I'm going to have to ask the --

MR. PROVANCHA: -- removed from the site?

MR. CARLTON HART: They're shaking their heads no. So.

MR. PROVANCHA: Taken care of elsewhere. Okay.

No heliport and no plan for a heliport? No need for a heliport? Okay.

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MR. CARLTON HART: Again, they're shaking their heads no.

MR. PROVANCHA: None. All right. Several of the projected additions on page 10/11, I didn't see square footage for those. So, it was difficult to understand what the scope is.

Commend the commitment to follow sustainability strategies. That's documented on page 13.

Is there a level of certification that the VA is shooting for? Department of Defense, for example, silver is the target. Does VA have a similar policy? Is that the commitment to seek specified level?

MR. CARLTON HART: It's my understanding that they're looking at -- that they were looking at silver, but I --

MR. PROVANCHA: Silver.

MR. CARLTON HART: -- want to make sure that I -- it is silver. Okay.

MR. PROVANCHA: Okay. All right.

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Page 14 is where I see the growth and page 7, it talks about 2494 patients. It's projected to go to 6635. That's a growth of over 4100 people or almost 166 percent.

Correspondingly, there is growth on the staff side from 2510 to 2945, but that's only about 400 folks, 17 percent.

It's difficult to see how a small 17 percent growth in staff could handle 166 percent growth in patients, but perhaps outside the scope of our review.

Bus stops, I see that there's existing bus stops on page 15 around the perimeter. Those would all be coordinated again with WMATA and relocated into the transit center and --

MR. CARLTON HART: The transit center is the -- they're really trying to consolidate everything into that kind of space.

MR. PROVANCHA: I'm -- with the north/south connection, I have kind of a hard

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time rationalizing the burning interest by the residents of the Armed Forces Retirement Home in the sand filtration operation. Why we need to establish and sustain that kind of a north/south connection or is it for people in the outlying area transitioning in a north/south manner through those two -- through those sites?

MR. CARLTON HART: I think it's part of the district element of the Comprehensive Plan. Was to look at -- the connections east/west as well as north/south are tenuous currently and I think that the -- anything that can be done to help to link the north. Which is while not a really fully accessible green area, there is a lot of green that's being planned in the future for it and the sand filtration site which has some options for some green areas as well.

MR. PROVANCHA: Would any of --

MR. CARLTON HART: And so, it's --

MR. PROVANCHA: Would any of those

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be open to the general public for public use?

MR. CARLTON HART: As far as I've understood, yes, they would be.

MR. PROVANCHA: Okay.

MR. CARLTON HART: And so, the idea is to have some place that is a good connection this way. Otherwise, you'd have to go around either the east or west which makes it somewhat difficult to make that connection. So, the idea was to provide it along First Street.

MR. PROVANCHA: Harkening back to our tour this morning, where would the streetcar be projected to be extended out through the site? Which of the roadways would the projected streetcar --

MR. CARLTON HART: My understanding and I'm not an expert on this is Irving Street --

MR. PROVANCHA: Along Irving.

MR. CARLTON HART: -- and Michigan.

MR. PROVANCHA: And Michigan.

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Both. Okay.

MR. CARLTON HART: And so, they were thinking about how to connect the transit center into that, but I think that may be a difficulty because of where the transit center is located.

MR. PROVANCHA: Um-hum. On the phasing, it looks like there -- it states that this is a 20-year plan going out to 2030. If it's a 2010 to 2030 plan, phase four would be completed by the 2030 time frame. What's the phasing for the first couple of phases, one, two and three, that represents I think what was reported around 20 percent of the effort? Are those --

MR. CARLTON HART: It's actually shown here in this.

MR. PROVANCHA: Are those FY15 projects? Fifteen, 16, 17?

MR. CARLTON HART: They're --

MR. PROVANCHA: Twelve, 13, 14?

MR. CARLTON HART: Basically,

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they're looking at in the next five years to be able to --

MR. PROVANCHA: Five years

MR. CARLTON HART: -- be -- to be able to construct a good amount of that. I don't think it's all of that that's -- because only portions of it are funded. They have some projects that they're going to submitting to us fairly soon. They've submitted a couple of projects, smaller projects, in to us already and we've actually approved some of these projects like the Fisher House and the operating room expansion, the operating room/emergency department expansion, which is located here.

MR. PROVANCHA: Um-hum. A couple of comments. Commend the VA for reaching out to the Fisher House. That's a wonderful organization who's now constructed more than 30 Fisher Houses worldwide. I was fortunate to work with them back in the '97/'98 time frame as they expanded Army, Navy, Air Force

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medical centers as well as VA both in the United States and overseas. Very worthwhile arrangement. Although the model has changed in that the Fisher folks build the facilities and then they turn them over to the host organization for the perpetual maintenance. Which is a revision from the way it was originally rolled out.

Commend staff on the comprehensiveness of the plan as well as the VA. Applaud their efforts to become the premiere -- I think the language is the premiere VA medical center. Excuse me. Flagship VA medical center. I wonder if there's competition between the other VA medical centers who also desire flagship status, but again, kudos to the VA as well as the staff for the thorough analysis.

Thank you.

CHAIRMAN BRYANT: Thank you, Mr. Provancha. Mr. McGill.

MR. MCGILL: I'm curious when the

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Irving Street/North Capitol Street interchange is redone, does the land that's freed up on this side shown in the picture revert to the VA or is it owned by the city or what?

MR. CARLTON HART: You're talking about the intersection?

MR. MCGILL: Right.

MR. CARLTON HART: As far as I'm understanding, the intersection is not going to be to the VA and I --

MR. MCGILL: No. No. Not access. I don't mean access to the VA, but they're suppose to cut down --

MR. CARLTON HART: Is it going to be kind of connected to the VA as --

MR. MCGILL: No. No. No. No. I'm curious about as I understand it, they're going to take the entire intersection and reduce the land area it occupies substantially. Which making that -- a portion at least of that corner would not longer be bounded by a road, but would be immediately

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adjacent to the VA complex and I'm curious whether that land becomes part of VA and, if so, if they've done anything in their master plan to address its potential or whether they have no right to it at all so it doesn't matter.

MR. CARLTON HART: From the -- there are various options that they've discussed. So, it's hard to answer the question on all of the options, but I know what they're looking at doing is having actually development that's here and a roadway. Many of the options have roadways that actually still connect out here. They connect various ways, of course, but there is some roadway that is planned for I'm pretty sure two of the three or four options that are kind of on the table.

So, it's -- the VA, itself, they wanted to have, you know, some buildings that are here which would actually help to be somewhat of an entrance for them. So, they

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are definitely thinking about it and I think the plan helps to show that they are looking at that. You know, building edge, you know, closer to the street than they currently are now.

MR. MCGILL: Okay.

CHAIRMAN BRYANT: Any other questions? Thank you, Mr. Hart. Nicely done.

So, the question before us is approval of the modified master plan.

MR. AMES: So moved, Mr. Chairman.

MS. STEINGASSER: Second.

CHAIRMAN BRYANT: It's been moved and seconded. All in favor say aye.

(Ayes.)

CHAIRMAN BRYANT: Opposed no. The ayes have it. Again, thank you, Mr. Hart.

The last item on the agenda is Item 4B on the closing of Virginia Avenue, S.E. and Ms. Kelly is here. Welcome.

MS. KELLY: Good afternoon.

The District of Columbia Office of

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the Surveyor has referred the proposed street closing of an unimproved section of 14th and M Streets and Virginia Avenue in Southeast Washington, D.C. The closure is adjacent to Square 1048-S and Reservations 129, 130 and 299.

The proposed street closure is located in Southeast Washington, D.C. along the Anacostia River. This section of the city is isolated due to the Southwest Freeway or Southeast Freeway, excuse me, and the 11th Street Bridge.

The streets proposed to be closed lie within the boundaries of the city of Washington created by the L'Enfant Plan. The streets to be closed are original L'Enfant streets. However, are not part of the Historic Landmark designation of the plan due to the fact that they were unimproved streets at the time of nomination to the National Register.

Detailed maps of public street

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rights-of-way were created in 1803 and are referred to as the King Plats of the city of Washington in the District of Columbia. The King Plats set a right-of-way for Virginia Avenue at 160 feet, M Street at 90 feet and 14th Street at 80 feet.

The street closure would close sections of 14th and M Streets and Virginia Avenue that are currently unimproved. Due to the freeway, Virginia Avenue terminates at 9th Street four block away from the proposed closing. So, here's Virginia Avenue and here's 9th Street.

Fourteenth Street terminates at L Street on the other side of the freeway. So, here's 14th Street and L Street.

Here is a closer view of the proposed closing location. It is located east of the 11th Street Bridge, south of Interstate 295 and the CSX rail line. It is west of Water Street and also east of an office development known as Maritime Plaza and its

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parking.

The proposed closure is also adjacent to an area the District has designated as "boat house row" along the Anacostia.

You can see here where M Street is a four-lane road which becomes a two-lane road adjacent to the closure. This part of M Street mainly services the boat houses and marinas along the Anacostia and here again is the 14th Street terminus.

The Virginia Avenue right-of-way was recently paved to be used as lay-down area for the construction of the 11th Street Bridge Project. There are trailers and parking located within the right-of-way.

The 14th Street right-of-way is currently a wooded sloped area and the M Street right-of-way currently includes a cartway, sidewalk and electrical poles. The current M Street cartway will not be affected by the proposed street closing.

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The street closure would close approximately 42,000 square feet of Virginia Avenue, 8,000 square feet of M Street and 8,000 square feet of 14th Street. The street closed land would go to the adjacent property owner of Square 1048-S which is 1313 M Street, S.E., LLC.

Please note the location of Reservation 129, 130 and 299 which were transferred from the Department of Interior to the District as part of the Federal and District of Columbia Real Property Act of 2006.

As part of a litigation settlement between the District and the Cohen Companies, the majority owner of 1313 M Street, S.E., LLC, the District has agreed to vest title to the reservations and the proposed street closure land to 1310 M Street, S.E., LLC as well as support the change of zoning of the site.

Here is the plat overlaid on top of

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the site aerial. This section of Virginia Avenue will remain open and here you can see the current M Street cartway is not affected by the closure of M Street here.

The related development plan includes the construction of a new mixed-use development on site. The proposed project would contain approximately 815,000 square feet of gross floor area including office space, hotel space and retail and commercial uses. It would be constructed to a maximum height of 130 feet and would have an overall floor area ratio of 6.0.

The plan before you shows the proposed development with the proposed street closings. It indicates that building will occur within the M Street right-of-way here. Oops. Sorry. And the Virginia Avenue right-of-way here. It also shows an enclosed bridge within the 14th Street viewshed used to connect the two buildings.

Also, building will occur within

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the reservations and there will be a drive and paving plaza here in the Virginia Avenue right-of-way.

Staff evaluated the proposed street closings and related development plan against the Comprehensive Plan and its goals to provide the L'Enfant Plan vistas and viewsheds.

Staff also evaluated the ownership of the streets.

Here is a view of what the proposed development massing could be. You can see here the proposed drive as well as the upper plaza and the vertical element and landscaping within the Virginia Avenue right-of-way.

The proposed project is inconsistent with the Comprehensive Plan for the National Capital. In particular, the historic preservation element which encourages the protection of L'Enfant viewsheds from new buildings and physical intrusions and staff recommends that the development plan be

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modified to respect L'Enfant viewsheds.

Staff would also like to note that the development project will be referred to NCPC during the zoning process. At which time, staff will again review the project against the Comprehensive Plan as well as the Height of Buildings Act.

Here is another view of the proposed development massing. Please note the enclosed walkway over the 14th Street right-of-way.

Since the streets are located within the original L'Enfant City, the closure was automatically referred to the District of Columbia Historic Reservation Review Board. The closure was on the Board's January 28th, 2010 agenda as a consent item. The staff report noted that although these sections of the streets are not listed as contributing elements of the landmark plan, the proposed street closings have the potential to adversely affect the landmark property because

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the new building planned for the site may encroach upon important views and vistas associated with the plan.

The staff recommended that the Board not object to the street closures. However, recommended that any encroachment on the L'Enfant views and vistas be completely avoided or minimized to the maximum extent feasible through Historic Preservation Office involvement and the Office of Planning ongoing review of the development project.

Staff is supportive of the Historic Preservation Office's continued involvement in the development of the proposed project and their recommendation that encroachment to the L'Enfant views be minimized.

Before you are 1915 maps created with information obtained by the Commission to investigate the title of the United States to lands in the District of Columbia and the map's green represents Federal ownership with the melon color representing District

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ownership.

Section 9-202.08 of the D.C. Code indicates that the District of Columbia may dispose of the proposed street closing property to the best advantage of the District. However, it is the position of the Federal Government asserted in a brief filed in Techworld Development Corporation v. D.C. Preservation League that Congress did not authorize the Council to dispose of Federal property including streets owned by the United States. Staff notes the difference in position of the Federal and District Governments.

Staff is supportive of development within this section of the city. However, development impacts to the L'Enfant views and vistas should be avoided.

It is, therefore, the Executive Director's Recommendation that the Commission supports the District of Columbia Historic Preservation Review Board's recommendation

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that any encroachment on the L'Enfant views and vistas be completely avoided or minimized to the maximum extent feasible; advises the Council of the District of Columbia that the proposed street closing of a portion of Virginia Avenue, M Street and 14th Street and associated development plan would not have a negative impact on the Federal interest provided that no development occurs within the L'Enfant Street rights-of-way and, therefore, recommends that the development plan be modified to respect the viewsheds of 14th, M Street and Virginia Avenue.

And notes that the streets in the project areas are original L'Enfant streets of which title is held by the United States and further notes that the Federal and District Governments differ in their positions regarding the authority to transfer title to such streets.

Mr. Chairman, that concludes my presentation.

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[INSERT - STREET CLOSING]

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CHAIRMAN BRYANT: Thank you, Mr. Kelly. Very good. Questions or comments by Commission Members? Mr. McGill.

MR. MCGILL: I think I'd like to ask Ms. Steingasser. Am I correct in assuming that these properties will not be transferred until the agreement is reached between the District and the Capitol for the site for a screening facility?

MS. STEINGASSER: I'm not sure if these were in that transfer bill or if these were in the another.

MR. MAY: The Federal property and the reservations were already transferred. They were transferred in December of 2008. They were conveyed to the District.

MR. MCGILL: Ah, so they weren't caught up in that.

MR. MAY: No, that was only the GSA properties.

MR. MCGILL: Oh, I see. Thank you.

MR. MAY: We have our own

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complications with other lands believe me.

MR. DIXON: It's my understanding that the actual thing that we're approving today is just the closure of the streets. You're showing us possible development. We've heard about settling of a lawsuit. That really has nothing to do with what we're doing today. All we're doing today is closing the streets and giving the city guidance on our recommendations that the viewsheds and that sort of thing not be bothered. So, you know, the only discussion we got is do we authorize the closing of the streets. Is that correct? Okay.

CHAIRMAN BRYANT: Mr. Miles.

MR. MILES: If you could pull up I think it was one of the later maps showing the development. That one.

MS. KELLY: Oh, this one.

MR. MILES: You'll have to educate me a bit. Because it seems as if M Street continues on.

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MS. KELLY: That's correct.

MR. MILES: So, what are we closing? I mean I don't know if closing is more of a loaded term in this instance or --

MS. KELLY: It would just be -- maybe the plat is better. It would just be this section of M Street. So, if you can see in the development plan, here's the current cartway of M Street and this section of M Street. So, M Street is a 90-foot right-of-way and the cartway probably is only around 30 right now. Thirty feet. I apologize.

MR. MILES: Okay. Were there any considerations -- I guess the Anacostia River Walk Trail runs slightly south of that also.

MS. KELLY: Yes, actually --

MR. MILES: Any impact?

MS. KELLY: -- I believe it might be right here.

MR. MILES: Is that recreationally -- I guess they'll be able to -- there will be pedestrian walkways that tie directly into

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that.

MS. KELLY: Correct. This will be a paved plaza right here down to the trail.

MR. MILES: Okay. Thank you.

MS. KELLY: Um-hum.

MR. MAY: Mr. Chairman.

CHAIRMAN BRYANT: Mr. May.

MR. MAY: Regarding M Street, the - - maybe I can see it. Doesn't quite -- right there. The theoretical right-of-way runs from somewhere up here down to that line. Right?

MS. KELLY: Correct.

MR. MAY: And then why doesn't it extend this way? Is that simply because it was part of the reservation?

MS. KELLY: Correct.

MR. MAY: Okay. What's the width of M Street extended there? I mean what's the full width of M Street further down?

MS. KELLY: Ninety feet.

MR. MAY: It's 90 feet?

MS. KELLY: Well, the right-of-way

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is 90 feet.

MR. MAY: I'm sorry. The right-of-way is 90 feet.

MS. KELLY: Um-hum.

MR. MAY: Okay. My memory on this is a little bit vague, but my recollection is that when the reservations were conveyed, the areas that were within the right-of-way were not actually conveyed and so that they became part of the rest of the right-of-way system. Not that that really makes that much of a difference in this case because you're talking about street closures all around, but I think that the issue of impingement on the right-of-way exists for M Street as well as for Virginia Ave and, of course, for 14th Street because of that bridge.

And I would just have to say that I feel very strongly that those rights-of-way, that full right-of-way, should be respected in this development. I mean I think there may be a tendency to think of this as an area that's

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out of the way of the rest of the city and bound by some unsightly things like the freeway, but we don't know how long that freeway's going to be there even as it is.

Actually, can you flip back to the aerial photo for a second? A little bit further back. There was a bigger one. There we go.

So, this -- as I recall, this section of freeway ramp is gone now. Right?

MS. KELLY: That's correct.

MR. MAY: So, already, the freeway is being disassembled and I think that we need to be thinking much further into the future and that it's very important that whatever development occurs here respect those rights-of-way because we simply don't know what's going to happen and it may become a lot more important in the future and we don't want our successors wrestling over some of these things that may need to be undone to really restore the things that -- like we're

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struggling to restore things now like in Southwest where we have buildings spanning streets and so on that we would like to change.

So, anyway, I just feel very strongly about it and, therefore, support the Executive Director's Recommendation. I wish it could be stronger.

MR. MCGILL: Am I correct in understanding that this is a settlement of the lawsuit brought against the District by the developer?

MS. KELLY: That is correct.

MR. MCGILL: So, we're not privy to knowing whether or not the developer is paying the District anything for the right to develop these parcels.

MS. KELLY: It's a confidential agreement that we're not privy to.

MR. MCGILL: Okay. Thank you.

CHAIRMAN BRYANT: Mr. Provancha.

MR. PROVANCHA: Thank you, sir.

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A couple of questions. I'm assuming that the 1313 folks are a development firm, commercial development firm. Have they done any other projects in the District and have they been a good neighbor? What kind of track record do they have?

CHAIRMAN BRYANT: I'm not sure that's really within our decision scope.

MR. PROVANCHA: All right. Very good. All right.

Can you comment about any other projects that they have done? Any other developments that they have done in the D.C. area?

MS. KELLY: No, I'm sorry. I cannot.

MR. PROVANCHA: None.

MS. KELLY: It's part of the Cohen Companies if you --

MR. PROVANCHA: Cohen?

MS. KELLY: Um-hum.

MR. PROVANCHA: Okay. That's good

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to know. Do we know what their position would be -- clearly, the staff has communicated probably with them either directly or indirectly. The height requirement restriction, if it would have to be reduced from a maximum of 130 feet, what would it have to be reduced down to and how much would that compress their proposal to develop 800,015 square feet? Would it cut it in half? Would it reduce it by two-thirds? What approximately would that be? I'm wondering if at some point it's not longer viable or feasible for them to develop it.

MS. KELLY: From the project materials, it would seem that the developer is taking the height off of this part of Virginia Avenue that remains open.

MR. PROVANCHA: Um-hum.

MS. KELLY: Which means it would give this building which is connected so it's actually one building even though --

MR. PROVANCHA: Right.

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MS. KELLY: -- it's labeled two different buildings at the 130 feet.

The bridge which connects --

MR. PROVANCHA: This inner building with the -- right.

MS. KELLY: -- the far building would -- if it was to be removed, it would have a height of 110 feet.

MR. PROVANCHA: One hundred and ten.

MS. KELLY: Because it would take the --

MR. PROVANCHA: Okay.

MS. KELLY: -- height from M Street which is 90 feet.

MR. PROVANCHA: All right. Some of the other -- the photos showed parking along M Street. Would that be lost? Is that currently metered parking?

MS. KELLY: No, that is not.

MR. PROVANCHA: I didn't see any parking along Virginia Avenue. Currently, M

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Street is the only place that has parking?

MS. KELLY: Right now, you can park along both sides of M Street. I also saw people parking on this side of M Street as well as this and --

MR. PROVANCHA: Okay.

MS. KELLY: -- but, they mostly use it to go to the office development.

MR. PROVANCHA: Okay.

MS. KELLY: But, it is not metered.

MR. PROVANCHA: But, no metered parking?

MS. KELLY: No, it's not.

MR. PROVANCHA: On either Virginia or M?

MS. KELLY: Correct. Correct.

MR. PROVANCHA: Thank you. That's all.

CHAIRMAN BRYANT: Thank you, Mr. Provancha.

MR. PROVANCHA: Thank you, Mr. Chairman.

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CHAIRMAN BRYANT: Other questions or comments?

Hearing none, the EDR is before you. Is there a motion?

MR. MAY: I would move approval of the EDR.

MR. JOHN HART: Second.

CHAIRMAN BRYANT: It's been moved and seconded that we approve the Executive Director's Recommendation. All in favor say aye.

(Ayes.)

CHAIRMAN BRYANT: Oppose no. Unanimous. Thank you. Thank you, Ms. Kelly, very much.

Today has been a efficient meeting. So, thank you all for your -- we didn't have a lot of agenda items, but Mr. Provancha.

MR. PROVANCHA: Before we go, I'd like to introduce some of my support staff if I could. They have not been able to attend some meetings in the past.

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We had Dr. Georgine Glatz who was here. She's a Senior Engineer -- Instructional Engineer at the Ph.D. level.

I'm also joined today by Mr. Cameron DeLancey. Mr. DeLancey is a Senior Architect in our Engineering and Technical Services Division. He will be supporting me for about another 48 hours. At which point, he will take a plane to serve a year deployment in Afghanistan.

He'll be replaced by Elizabeth Lenyk also a Senior Architect.

So, I have some technical support resources to draw on in the near future.

CHAIRMAN BRYANT: Perfect. We're happy to have you and we commend you for putting up with Mr. Provancha.

MR. PROVANCHA: This is Dr. Glatz returning.

CHAIRMAN BRYANT: We're happy to have you. Welcome.

Any other last comments before we

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adjourn? Hearing none, we are adjourned. The
Commission will rise.

(Whereupon, the meeting was
concluded at 1:55 p.m.)

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