

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

:

6000 New Hampshire Avenue. N.E. - : Case No. 05-30

West*Group Development Company :

LLC and The Jarvis Company :

-----:

Thursday,

July 20, 2006

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 05-30 by

the District of Columbia Zoning Commission convened at

6:30 p.m., in the Office of Zoning Hearing Room at 441

4th Street, N.W., Washington, D.C., 20001, Carol J.

Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

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

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
KAREN THOMAS
JENNIFER STEINGASSER

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

The transcript constitutes the minutes
from the public hearing held on July 20, 2006.

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

6:46 p.m.

1
2
3 CHAIRPERSON MITTEN: Good evening, ladies
4 and gentlemen. This is a public hearing of the Zoning
5 Commission of the District of Columbia for Thursday,
6 July 20, 2006. My name is Carol Mitten, and joining
7 me this evening are Vice Chairman Anthony Hood, and
8 Commissioners Mike Turnbull, John Parsons and Greg
9 Jeffries is here, but he's not in his seat at the
10 moment.

11 The subject of this evening's hearing is
12 Zoning Commission Case No. 05-30. This is a request
13 by West*Group Development Company LLC and The Jarvis
14 Company for approval of a consolidated planned unit
15 development and related map amendment for property
16 bounded by Rittenhouse Street, New Hampshire Avenue,
17 Peabody Street, Chillum Place and Sligo Mill Road,
18 known as Lot 74 in Parcel 126, Lots 69 through 73,
19 801, 824 and 826, in Square 3714, and Lot 858 in
20 Square 3719, in Northeast Washington. Notice of today's
21 hearing was published in the D.C. Register on April
22 28, 2006, and copies of that hearing announcement are
23 available to you, they are on the table by the door.

24 This hearing will be conducted in
25 accordance with the provisions of 11 DCMR, Section

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1 3022, and those are the Rules of Procedure for
2 Contested Cases. The order of procedure this evening
3 will be as follows. First, we'll take up any
4 preliminary matters, followed by the presentation of
5 the Applicant's case, the report by the Office of
6 Planning, reports of other government agencies, the
7 report of the affected Advisory Neighborhood
8 Commission, and in this case it's 4B, organizations
9 and persons in support, and organizations and persons
10 in opposition.

11 The following time constraints will be
12 maintained in the hearing. The Applicant will have 50
13 minutes, organizations will have five minutes and
14 individuals will have three minutes. The Commission
15 intends to adhere to these time limits as strictly as
16 possible in order to hear the case in a reasonable
17 period of time.

18 The Commission reserve the right to change
19 the time limits for presentations if necessary, and
20 note that no time shall be ceded from one individual
21 to another.

22 All persons appearing before the
23 Commission are to fill out two witness cards. These
24 are what the witness cards look like. These cards are
25 also on the table by the door, also. When you come

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1 forward to speak to the Commission, please give both
2 cards to the reporter who is sitting to our right.

3 Please be advised that this proceeding is
4 being recorded by the court reporter, and is also
5 being webcast live. Accordingly, we ask you to
6 refrain from making any disruptive noises in the
7 hearing room.

8 When presenting information to the
9 Commission, please turn on and speak into the
10 microphone, first stating your name and address.

11 When you are finished speaking, please
12 turn off the microphone so that it's no longer picking
13 up any background noise.

14 The decision of the Commission in this
15 case must be based exclusively on the public record.
16 To avoid any appearance to the contrary, the
17 Commission requests that persons present not engage
18 the members of the Commission in conversation during
19 a recess or at any other time. Ms. Schellin will be
20 available throughout the hearing to answer any
21 procedural questions that you might have.

22 I'd ask that you turn off all beepers and
23 cell phones at this time, so as not to disrupt the
24 hearing.

25 Now, we'll take up any preliminary

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1 matters.

2 Ms. Schellin?

3 SECRETARY SCHELLIN: Just the ANC's request
4 and the party status requests that you have before
5 you.

6 CHAIRPERSON MITTEN: Okay. Let's take up
7 the request for party status to begin.

8 We have one request for party status, and
9 this is from the Citizens Aware Block Organization,
10 represented by Yvonne Jefferson, and the report was
11 timely filed, and it meets the requirements for party
12 status, inasmuch as the individuals involved appear to
13 be directly affected by the development, being in
14 close proximity to the subject property.

15 And, I would move that we grant party
16 status to the Citizens Aware Block Organization.

17 VICE-CHAIRPERSON HOOD: Second.

18 CHAIRPERSON MITTEN: Any discussion?

19 All those in favor please say aye.

20 (Ayes.)

21 CHAIRPERSON MITTEN: Any opposed?

22 Ms. Schellin?

23 MS. SCHELLIN: Yes, staff will record the
24 vote 5-0-0 to grant party status to the Citizens Aware
25 Block Organization, Commissioner Mitten moving,

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1 Commissioner Hood seconding, Commissioners Jeffries,
2 Parsons and Turnbull in favor.

3 CHAIRPERSON MITTEN: Thank you.

4 We did also have a request from the ANC
5 that they had taken a vote to request that the
6 Commission postpone this hearing, rather than move
7 forward, because they have been unable to take a
8 position.

9 Rather than do that, what we would like to
10 propose is, since it's unlikely that we'll get through
11 the entire hearing this evening, is that we would move
12 the ANC to the end of the agenda, which will likely
13 roll over to another evening, so that we can hear from
14 as many of you that are present tonight, take the ANC
15 last.

16 The night that we -- who is here
17 representing the ANC? Who is the Chair of the ANC,
18 you are the designated representative. Could I get
19 you at the table, please, and maybe Mr. Glasgow, too,
20 or Ms. Freeman, if you would. Whatever one is fine,
21 just state your name for the record, please. You need
22 to turn on the microphone for me.

23 MS. WHITING: Good evening, Cherita
24 Whiting, Chair of ANC 4B.

25 CHAIRPERSON MITTEN: Okay. What we were

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1 going to propose is that you all would have an
2 additional opportunity if we were to have a second
3 session of the hearing, so that you could have another
4 meeting of your ANC, take an official position, having
5 all of the material that's in the record available to
6 you.

7 And, we happen to have an availability
8 before we take our August break, which is, we had a
9 hearing fall off our schedule, which would be Monday,
10 July 31st, and I believe your next meeting is Thursday
11 the 27th.

12 MS. WHITING: Yes.

13 CHAIRPERSON MITTEN: Would you be able to
14 return to us with at least having attempted to reach
15 a position?

16 MR. GLASGOW: Madam Chair, I'll be out of
17 town.

18 CHAIRPERSON MITTEN: Okay. Well, you see
19 what we are trying to do, do you have an alternative
20 to suggest?

21 MR. GLASGOW: Well, I know a lot of the
22 dates in the fall are taken up. I mean, we certainly
23 want to get this done as quickly as possible, as does
24 the Commission, but the plans I made to be out of town
25 were made a good while ago.

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1 CHAIRPERSON MITTEN: I understand. I
2 understand.

3 Do we have anything in September?

4 MS. SCHELLIN: Our next available would be
5 in December.

6 CHAIRPERSON MITTEN: Hold on one second.

7 We have a hearing on September 7th, that
8 I don't think will take too much time. Would
9 September 7th work for you, Ms. Whiting?

10 MS. WHITING: With the Commissioners, all
11 I have to do is give them advance notice, and then get
12 a response back, and if the majority is okay with it
13 then it would be fine.

14 CHAIRPERSON MITTEN: Okay. Well, we have
15 to set the time tonight.

16 MS. WHITING: Okay.

17 CHAIRPERSON MITTEN: The date tonight.

18 MS. WHITING: Okay, so since the 31st
19 doesn't work, I will take the September 7th date back
20 to the Commission, and we can set the time now, and I
21 can give that to the Commissioners.

22 CHAIRPERSON MITTEN: Okay.

23 MS. WHITING: And, any who feel that they,
24 you know, definitely want to be heard, or be a part of
25 the hearing, will show up.

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1 CHAIRPERSON MITTEN: Okay. You can
2 designate someone else if you are not available then.

3 MS. WHITING: Okay.

4 CHAIRPERSON MITTEN: For that night.

5 Does that work for you, Mr. Glasgow?

6 MR. GLASGOW: Yes.

7 CHAIRPERSON MITTEN: That works. Okay.

8 So, what we'll do is, we'll get through as
9 much of this as we can tonight, but then the Applicant
10 will bring their witnesses back, so that you will have
11 the opportunity, both to put on your report, but also
12 after having the benefit of all of the material that's
13 in the record you can ask cross examination questions
14 at that time. So, you can do that tonight or you can
15 reserve all of that until the 7th of September.

16 MS. WHITING: Okay.

17 CHAIRPERSON MITTEN: All right?

18 MS. WHITING: Thanks a lot.

19 CHAIRPERSON MITTEN: I'll call on you
20 periodically to see if you have any cross examination
21 questions as we go through the case.

22 MS. WHITING: Thank you very much.

23 CHAIRPERSON MITTEN: Okay. Okay, great, so
24 we'll get through as much of this as we can this
25 evening, but we will have the ANC report on the 7th of

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1 September, and anyone who is not able to be here
2 tonight, or if you have to leave early, we'll take you
3 then on the 7th, and that will be at 7:30. We have a
4 hearing at 6:30 that we'll try to get through in an
5 hour.

6 Okay, I think those were -- Mr. Glasgow, did you
7 have any preliminary matters?

8 MR. GLASGOW: No, I do not.

9 CHAIRPERSON MITTEN: Okay, great.

10 Then I'd ask anyone who is planning on
11 testifying this evening, I'd like you to stand now,
12 raise your right hand, and Ms. Schellin will
13 administer the oath.

14 Anyone who is planning on testifying this
15 evening, Ms. Schellin is over here. Anyone else who
16 is planning on testifying, this is the time to get
17 sworn in. Okay.

18 Ms. Schellin.

19 (Whereupon, the witnesses were sworn.)

20 CHAIRPERSON MITTEN: Why don't you go ahead
21 and get started.

22 MR. GLASGOW: Okay.

23 Good evening, Members of the Commission.
24 For the record, my name is Norman M. Glasgow, Jr., of
25 the law firm of Holland & Knight, here on behalf of

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1 the Applicant, 6000 New Hampshire Avenue, LLC, which
2 is comprised of the West*Group Development LLC and The
3 Jarvis Company LLC, for approval of a planned unit
4 development at the subject property along New
5 Hampshire Avenue, between Peabody Street and
6 Rittenhouse Street, N.E.

7 Here with me today are Mr. Bill Jarvis,
8 Mr. Ernie Jarvis, and Mr. Stan Vondrie, on behalf of
9 the ownership, the master plan architects, and
10 architects of the project, Mr. Geoff Ferrell of
11 Ferrell Madden Associates, who was submitted as an
12 expert witness, Mr. Art Lohsen, Franck, Lohsen,
13 McCreery Architects, who was submitted as an expert in
14 residential architecture, and Mr. Steven Suen, expert
15 in land use planning. We also have available for
16 questions Mr. Rob Jeter, who is a Civil Engineer, Mr.
17 Ed Pafazian, who is a Traffic Engineer, and Scott
18 Mingonet. Mr. Pafazian is submitted as an expert in
19 traffic engineering, and Mr. Jeter in civil
20 engineering, and Mr. Mingonet in landscape
21 architecture. I think that all of the resumes of all
22 of those expert witnesses have been submitted to the
23 Commission for their consideration.

24 CHAIRPERSON MITTEN: Yes, and we had a
25 chance to review them while we were waiting for the

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1 Power Point to achieve lift off. So, does anyone have
2 objections to the experts being designated in their
3 respective fields?

4 Okay, thank you.

5 MR. GLASGOW: Thank you.

6 Before proceeding with the testimony of
7 the witnesses, I'd like to give a very brief opening
8 statement concerning this project.

9 This site is comprised of approximately
10 11.6 acres of ground, improved with two existing
11 buildings to be retained, parts of which were
12 constructed in the 1920s. These buildings will be
13 developed with a total of 61 units on about 1.6 acres
14 of ground, and will contain 12 affordable senior
15 citizen units in one of the buildings.

16 The other ten acres of the site will be
17 developed with 126 single-family units, including
18 detached single-family houses and townhouses.

19 As a part of this project, the total
20 affordable housing component is 17 units for the
21 development, with five of the town homes also being
22 affordable units.

23 This case was originally set down in
24 November of 2005, and the Applicant has spent
25 significant time, energy and effort in continuing to

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1 meet with the Office of Planning, D.C. agencies, and
2 the community, to address issues and concerns,
3 including the reduction in the number of units in the
4 site, and the significant increase in park area and
5 green space, including the expansion of the great lawn
6 to almost 24,000 square feet in size, and the devotion
7 of about 5,000 square feet of park area off Chillum
8 Place, N.E., as shown on the site plan.

9 We are also pleased to have the support of
10 the Office of Planning for this project and the D.C.
11 agencies that we've been working with.

12 This development has two major
13 distinguishing features that warrant its approval by
14 the Commission, along with the other attributes as set
15 forth in the documents of the Applicant and the Office
16 of Planning.

17 First, the project is, in fact, low
18 density development consistent with the Comprehensive
19 Plan, while utilizing the existing buildings. In the
20 ten acres which are not occupied by the existing
21 buildings, there are less than 13 units per acre.

22 Secondly, the development provides a
23 unique opportunity only available through the PUD
24 process, whereby a mix of unit types, price ranges,
25 and the inclusion of affordable units and senior

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1 citizen housing is available for this type of
2 development. If you developed it matter of right
3 under R-1-B you wouldn't have any of that.

4 We believe that these are significant
5 factors for the Commission to take into consideration
6 in its deliberation, and we hope for approval of this
7 significant project.

8 If there are no preliminary questions, I'd
9 like to proceed with the testimony of the witnesses,
10 first calling Mr. Jarvis.

11 MR. JARVIS: Good evening to the
12 Commissioners, my name is N. William Jarvis, of The
13 Jarvis Company, and we are one of the partner owners
14 of the site and the Applicant in this process.

15 I wanted to take my time to explain to the
16 Commission how we got to where we are at this point in
17 time.

18 When we first acquired the property and
19 began to look at what should be done there, we had a
20 couple of underlying principles that we used. One was
21 to maintain the consistency of the current
22 neighborhood, to try and get the same type of housing
23 mix, the same type of architectural standards, the
24 same kind of an urban grid, so that we wouldn't have
25 a development project that was out of place with the

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1 greater neighborhood. And, in doing that type of an
2 analysis, we actually did a survey of the
3 neighborhood. We took about a ten-block radius around
4 the site, and we went and we looked at the type of
5 homes there, and we counted them. We counted how many
6 single-family homes were there, there are triplexes,
7 duplexes and multi-family homes, all in the
8 surrounding areas in that area, and so we tried to
9 make sure that what we were planning to do wasn't out
10 of bounds or too inconsistent with the housing mix
11 that was already there.

12 We were very interested in maintaining an
13 urban development, where we would maintain the urban
14 grid already existing in that neighborhood. And, I
15 say the urban grid to juxtapose that to a suburban
16 type of development, where you would see cul-de-sacs,
17 and you would see maybe a fenced type of development
18 and a community that wasn't connected with the
19 remaining part of the neighborhood.

20 And, we also were very interested in
21 trying to develop for the neighborhood a diverse
22 housing mix. We were looking for a housing mix that
23 was going to be applicable to families, to first-time
24 home buyers, to singles, to seniors, in other words
25 something for everyone, because, frankly, in that

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1 neighborhood you do see a wide range of that type of
2 individual and family mix in the neighborhood as well.

3 So, those were our underlying principles.
4 In addition, we looked at the architectural issues, we
5 looked at the way that the houses were positioned, the
6 streets, the landscaping, the pathways, the sidewalks,
7 the flower beds, those type of things, and we tried to
8 come up with a development project that was going to
9 fit within those principles.

10 And so, we also, though, when we started
11 off, we added elements to this development that we
12 thought would be appreciated by a community, and that
13 would work. Now, we had, for example, a retail strip,
14 where we had envisioned there would be a coffee shop,
15 and a cleaners, and maybe an ice cream shop, something
16 small, I mean no more than four or five, you know,
17 type of stores that would service that community. We
18 thought that it would be nice to have a little park at
19 the entranceway of the District of Columbia at New
20 Hampshire Avenue and at Rittenhouse Place.

21 And so, we put all those things into the
22 development, and then we go out and meet with the
23 community. And, of course, as these things go, we
24 find out that not everybody in that community likes
25 the same type of things that we liked, and so we went

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1 through this process and we began the process in
2 November of 2004, meeting with the Single Member
3 District for that site.

4 This site is a little bit unique in that
5 we abut New Hampshire Avenue, and we are within ANC
6 4B-07, but immediately across the street is ANC 4B-08.
7 So, the people who are immediately affected are in two
8 separate ANCs and two separate -- they have two
9 separate neighborhood organizations, two separate ANC
10 Commissioners, et cetera, and we tried to do our best
11 to spend as much time as we could with everybody in
12 that community.

13 When I look down my list of the number of
14 meetings that we attended, I get approximately 20
15 formal meetings in the community. When I say formal
16 meetings I mean going to a Single Member District
17 meeting, going to a formal and organized neighborhood
18 association meeting, like the Citizens Aware or the
19 Lamond Community Action Group, or the Lamond-Riggs
20 Citizens Association, going to the actual ANC
21 meetings, and in this case going to two separate
22 community meetings that were called by the leadership
23 of the community, and with the sole purpose and the
24 sole agenda item being our particular project.

25 So, within that, we started in November of

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1 2004, and in the course of those meetings there were
2 a number of things that came out. Not everybody in
3 the community had the same ideas of what we were
4 supposed to do, so we tried our best to blend and
5 agree upon the things that we could agree upon and try
6 to manage this process the best way that we could.
7 But, the things that we came away with as the benefits
8 of the community that were specifically asked for by
9 the community, was that we would have all brick
10 construction on all the new homes, that we would, you
11 know, put new trees around there, and we are planning
12 to do new curbs along Sligo Mill Road, and parts of
13 New Hampshire Avenue, and Chillum Place, and Peabody
14 Street. We've some 200 new trees that we're planting
15 there, tremendously landscaped lawns, and a
16 significantly increased green space from where we
17 started, 297, I think that's the correct number, on-
18 site parking spaces, because almost all of the homes
19 have either two-car garage or two-car driveways, and
20 there are approximately 83 visitor parking spaces that
21 are going to be not connected to the home, but still
22 within the development, with the idea again that
23 people were concerned that our development might have
24 some impact on the surrounding neighborhoods, and we
25 wanted to make sure that people would still be able to

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1 park in front of the homes in the neighborhood, as
2 they do now

3 Of the two buildings that we hope to
4 retain, one of them we agreed with the neighborhood
5 would be a seniors-only condominium building. The
6 larger existing building would have a ground floor all
7 purpose community center room, open to the surrounding
8 community. We agreed to remove the unsightly
9 industrial components of the current buildings, which
10 right now the current buildings could clearly be seen
11 to have a front and a back, and in that case the back
12 of it abuts and looks directly across the street at a
13 number of people on Sligo Mill Road. So, we were
14 trying to reconfigure the building's architecturally
15 so that neither side would be able to say that they
16 are facing the back of a building.

17 We took away the retail development, and
18 we said that there would be no commercial development
19 there. We agreed upon some affordable housing, that
20 over the period of time there was a balance, there
21 were some meetings in the neighborhood where people
22 wanted to restrict the number of affordable units.
23 There were some pressures to add some affordable
24 units, and so we agreed to have all of the seniors
25 building to be affordable units and five additional of

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1 the town homes.

2 One of the biggest dilemmas that we had in
3 matching the interest of the community were the people
4 who liked the diverse housing mix that we were putting
5 forth in the development, but yet didn't like the
6 density. And so, we were trying to balance that.
7 And, many times we took houses out, and we went
8 through the process and we took more houses out, and
9 then we went through the process and we took more
10 houses out.

11 We still have the issue of some people
12 saying, look, we want single-family homes, but counter
13 balanced against the people who say, well, we don't
14 want single-family homes, because they will be more
15 expensive and they'll drive up the tax assessment, or
16 they won't be affordable for the people who normally
17 live in these homes, in this neighborhood and in this
18 community. So, we constantly were balancing that.

19 But, we went through a very long process
20 with the community, which consisted, to be
21 highlighted, of starting in November of 2004, of
22 having community-wide meetings called by the
23 leadership of the community, not by us, community-wide
24 meetings in April of 2005 and July of 2005, where we
25 came away with positive community support for the

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1 project.

2 Nonetheless, we continued to work with the
3 community, and continued to receive advice, and
4 critique, and criticism about what it was that we were
5 doing. We ended up having a very small organized
6 meeting with all of the members of the ANC, and the
7 representatives of the two primary community groups on
8 either side of New Hampshire Avenue in February, and
9 closed that meeting when we heard from that there were
10 still concerns with the density. We maintained all of
11 the promises that we had made to the community up
12 until that moment in time, and I'm talking about
13 December of 2006, so we maintained every negotiated
14 issue that we maintained, and yet we still diminished
15 the density even further in an effort to be good
16 neighbors and satisfy the community, and keep this
17 project moving along.

18 As a result, I think that we have come up
19 with a development project that we feel, not only has
20 significant community input, but that we feel is an
21 appropriate development for the District of Columbia
22 to try to capture the people who want to live in the
23 District of Columbia, which aren't all people who want
24 to live in, you know, very expensive housing. And so,
25 we were trying our best to get something that had a

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1 diverse mix and diverse housing types so that we could
2 have a diverse mixture of singles, of newly-married
3 people, people with children, people without children,
4 seniors, et cetera, living in this neighborhood.

5 Thank you.

6 CHAIRPERSON MITTEN: Thank you.

7 MR. GLASGOW: And, I believe the Commission
8 members have a copy of that list of all the community
9 meetings that Mr. Jarvis attended.

10 All right, thank you.

11 I'd like to next call Mr. Geoff Ferrell
12 and Art Lohsen, architects for the project.

13 Mr. Ferrell, would you please proceed with
14 your testimony.

15 MR. FERRELL: For the record, Geoffrey
16 Ferrell, with Ferrell Madden Associates.

17 Is there a way we could lower the light
18 level, since the information is all directed on the
19 screen?

20 I'm going to be talking about the urban
21 design of the project, how we started, which was we
22 started by looking at the large area and the
23 neighborhood.

24 CHAIRPERSON MITTEN: No, it's not set up
25 for that. You can -- just feel free to move around if

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1 you need to see. There's some chairs on this side
2 that you can pull around if you like.

3 MR. FERRELL: We began by looking at the
4 larger area, just where it is situated. Certainly, 11
5 acres is different out in a green fill than in the
6 District. Here you see the project, the yellow line
7 is the border with Maryland, the red line Metro Rail,
8 and relatively close to two Metro Rail stations.

9 Zooming in further, this is New Hampshire,
10 the green line. The yellow line again, Eastern
11 Avenue, the state line with Maryland, and here are the
12 rails for the Metro Rail. The rail is quite close,
13 the station is a little bit of a walk away. Also,
14 notice the industrial uses that are backed up to the
15 Metro Rail.

16 In looking at the large area, we found, of
17 course, this is not a green fill site, it's in the
18 District, it's urban infill, on a major avenue, really
19 good bus service and Metro service, and close to
20 commercial activity.

21 This is looking down into the District on
22 New Hampshire, and a quick tour around the
23 neighborhood to get a kind of idea, the neighborhoods
24 rather, to get an idea of the character.

25 This is the other side of New Hampshire

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1 Avenue on Quackenbos. You see brick houses, narrow
2 tree-lined streets, traffic column streets.

3 Now, this is flipping back to the property
4 on New Hampshire. These are the three houses that are
5 facing New Hampshire on the property. The site itself
6 is right behind these houses, and to the right and to
7 the left.

8 Now, if you turn 180 degrees from this new
9 end of the District, you'll see that the State of
10 Maryland has had a slightly different attitude about
11 planning, the character changes a little bit, lots of
12 commercial, and turning to the right looking down
13 Eastern Avenue commercial, light industrial, higher
14 density housing. Now, let's turn back to the left and
15 get back on our side of the line, and look at the
16 intersection, this is Rittenhouse coming into New
17 Hampshire. If we turn and look up the hill, there's
18 quite a steep hill, these houses right behind them
19 their rear property line is common with ours. If we
20 proceed on up Rittenhouse Street, at the top of the
21 hill it melds into Sligo Mill. It's hard to tell
22 where one ends and one begins. These houses, the same
23 set of houses with the property behind them.

24 Further down Sligo on the southern end of
25 the property you see there twins, or duplexes, also

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1 note the stone pillar from the hospital grounds.
2 Turning left, Sligo ends at Chillum Street, industrial
3 uses, backing up to the Metro. Further downhill, this
4 is 1st Street, N.E., not quite connecting with New
5 Hampshire as you look south. Another quality you see
6 there, the existing L'Enfant grid, and this is the
7 original of the two buildings that are on the site,
8 two existing buildings, very carefully sited, it's
9 sitting there for very solid reasons. It really links
10 in with that L'Enfant grid. It's terminating the
11 vista of two streets.

12 This is the second building, slightly
13 younger than the first. The first building definitely
14 is worth saving and doing something with. And, on the
15 smaller scale in the neighborhood, we found a real mix
16 of sizes and types of houses, interrupted, slightly
17 damaged L'Enfant grid because of the Rail, and then
18 these two wonderful buildings. These are things that
19 informed our urban design from the beginning.

20 Our goals were to create a great place,
21 which in an urban environment like the District means
22 great street space, seamlessly knit into the
23 neighborhoods to complement them, and to provide a
24 diversity of kinds of levels of housing.

25 Some initial thoughts, these are very

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1 early thoughts. First, to take advantage of these
2 existing buildings, here's a sketch that shows how
3 that vista would be lined with houses. It's a street
4 marching up the hill to the big house, the big
5 condominium. Single-family houses at some level were
6 always part of our thought, and also taking advantage
7 of the existing street trees, street walls, and other
8 architectural features on the site.

9 And, from the very beginning a central
10 civic green was part of our idea for this property,
11 and also a public civic green for the neighborhood as
12 well.

13 This is the Morevall site plan, after a
14 lot of work with the neighbors, you have in front of
15 you. These yellow pads are covering what are now
16 single-family houses in the submitted plan.

17 Initially, they were not, they were something else,
18 townhouses or small apartment buildings, but we very
19 quickly evolved to that, facing like with like across
20 the street, single-family houses facing single-family
21 houses, fewer units. And, the central green has more
22 than doubled in size from where we started.

23 Here you see the existing street grid and
24 how we pulled it into and through the site, also the
25 alley system on a smaller scale. It's a very porous

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1 and fine grain site, very pedestrian oriented. These
2 are very traffic columned streets, and used the
3 streets to set up and celebrate the existing great
4 architecture there.

5 This is a very -- this is a piece of the
6 neighborhood we intend to stay here for just about
7 forever, so it's got to be sustainable. We are
8 reusing the existing buildings. We've got green
9 roofs, the utilities are underground, and we are doing
10 some creative and smart things with storm water
11 management. We are planning extensive planting of new
12 trees and landscaping, parks, public spaces, open
13 spaces, and a lot of private areas, private yards, for
14 the houses.

15 Here's a graphic, you see how these civic
16 greens, these open spaces, are different types in
17 different places, located throughout the environment.
18 It's hard to walk for more than about one minute down
19 these streets without coming to something new, pocket
20 parks, a dog park in the upper left.

21 And also, on the larger condominium
22 building green roofs on the two new wings.

23 The street trees are designed in their
24 distribution, different kinds of trees giving
25 identity, and certainly in the fall spectacular color

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1 that's unique to each street, Sycamore, Green Ash,
2 Liberty Elm, Red Maple, and on the alleys we are
3 planting Silver Lyndons.

4 This is a detail of the great lawn, and if
5 you can make out these, these are people, you can see
6 it's quite a large scale spot, a detail of it, well
7 designed, but there's a simple open space for people
8 to use. The next slide we look at is going to be up
9 on the northern edge of that, a tiered park that helps
10 create the separation between the public great lawn
11 and these houses which you see, their front doors and
12 front porches facing the park, crescent pocket park,
13 thoroughly detailed, well thought out. The park in
14 front of the smaller condominium building, park area
15 connecting along the streets, pocket park next to the
16 large condominium building, and it's a dog's world,
17 the dog park on Chillum Place where e thoroughly
18 designed for people who own dogs in the area.

19 MR. LOHSEN: Thank you, Madam Chair,
20 Members of the Commission, my name is Art Lohsen, a
21 principal with Franck Lohsen McCreery Architects here
22 in Washington. We were responsible for developing the
23 architectural design of the individual units.

24 And, we started with that, with a very
25 keen intent on making it contextual, being very

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1 focused on developing the townhouse and single-family
2 house types from Washingtonian prototypes. The
3 townhouses are based on an 18-foot module, which is
4 very common in Washington. The single-family houses
5 are based on sort of typical small brick square house
6 that's found throughout the surrounding neighborhood
7 and a lot that are sort of inside the Beltway suburban
8 Washington.

9 We felt it was very important to
10 coordinate the new construction with the details and
11 the character of the existing buildings, and to us
12 that includes the brick construction, it includes
13 traditional details, such as cornice and trim, it
14 includes double-hung windows with brick jack arches
15 and a significant amount of painted white wood trim.

16 In meeting with the community, when we
17 started to get their input, one of their concerns was
18 that the quality of the new construction be at least
19 up to par with the existing buildings and the
20 surrounding community. And, one of those aspects of
21 that quality was having brick facades, and in the
22 design process we were able to commit to having brick
23 on all four facades of all the buildings.

24 Architecturally, we were also very focused
25 on reinforcing this great urban plan. We wanted to

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1 make good streets, and include front porches where we
2 could, architectural detail at the front stoops, to
3 really create that sense of community and to provide
4 convenient places for community interaction.

5 We did a lot of work with the parking.
6 Each single-family house and townhouse contains two
7 off-street parking spaces. Each one contains a
8 garage, either a one-car garage or a two-car garage,
9 and the end result is, as Mr. Jarvis had mentioned, we
10 end up 83 additional on-street parking spaces beyond
11 zone requirements, and those provide spaces for
12 visitors and overflow parking for residents, so there
13 should be, hopefully, no impact at all on the
14 surrounding neighborhoods' parking.

15 The urban design and the use of the alleys
16 allows us to separate service uses and separate public
17 and private uses. We are able to hide the parking and
18 garage doors behind the units. We are also able to run
19 the utilities and make our utility connections and
20 locate our meters behind the buildings, so that the
21 street fronts are very nice and aesthetically
22 pleasing.

23 Otherwise, we were interested in
24 maintaining these very traditional townhouses and
25 single-family houses on the outside, but to be able to

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1 incorporate open modern interiors on the inside, large
2 open rooms to be as flexible and as attractive to the
3 market as they can. These also include 9-foot
4 ceilings on all of the main floors, large windows to
5 let in a lot of light, and we've also incorporated
6 windows on the end of all the townhouse units.

7 The project proposes to reuse the two main
8 existing buildings. They are to be fully renovated
9 for use as condominiums. There will be a range of
10 unit sizes from efficiencies to one, two, and three
11 bedroom units in the buildings.

12 Beneath the large building there will be
13 a new parking garage built, which I believe holds 31
14 parking spaces, there's a new community room in the
15 large condominium building, which fronts directly onto
16 the large civic green, again, for community use
17 providing a real amenity to the neighborhood.

18 The smaller building will contain an
19 elevator, be fully handicap accessible, and is
20 intended to be used for primarily elderly residents.

21 Again, in our meetings with the community,
22 one of the things we heard most often was a strong
23 desire for a mix of unit types, price points, and unit
24 sizes, and we worked very hard to try to do that.

25 Our single-family houses vary from three

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1 to four bedrooms, some of them may actually feature an
2 optional fifth bedroom. The townhouses range from two
3 to four bedrooms, and that flexibility in the number
4 of bedrooms per unit gives us the opportunity of
5 providing housing opportunities for elderly residents,
6 young families, single parents, both that already live
7 in the neighborhood as well as people moving into the
8 District.

9 We've incorporated five affordable
10 townhouses, distributed them throughout the plan.
11 They are indistinguishable from the rest of the
12 townhouses, and in addition to that there are, I
13 believe, 12 affordable units in the condominium
14 buildings.

15 COMMISSIONER JEFFRIES: Excuse me, sir, can
16 you get closer to that mic?

17 MR. LOHSEN: Oh, of course.

18 To illustrate the diversity of the mix of
19 unit types and sizes, you see we developed five
20 townhouse types and two single-family types. And, if
21 the color shows up halfway decently, you can show that
22 we've distributed those different types throughout the
23 plan. So, there's quite a variety of different
24 housing types all across the site.

25 To walk you through the five different

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1 townhouse types, the first, they are all three
2 stories, the first type contains a stair on the side.
3 The top floor contains an option to do two or three
4 bedrooms, and it contains a one-car garage with a
5 private driveway, and this is the second parking
6 space.

7 The second townhouse type is very similar,
8 but it contains the central stair, which allows us to
9 make slightly larger living and kitchen/dining areas,
10 again, to provide larger, more open areas more
11 amenable to different market types. Again, upstairs
12 we have the option of second or third bedroom, and a
13 one-car garage.

14 The third townhouse type maintains that
15 central stair, but it's used in deeper lots where we
16 can put the two parking spaces on a parking pad to the
17 rear, which results in a large family room on the
18 ground floor.

19 The fourth type is, again, three stories,
20 but it's used in situations where we need to take up
21 some grade between the front and the back of the
22 house. It's a stair along the side, with a two-car
23 internal garage below, and it's entered at the second
24 story.

25 The fifth townhouse type is for special

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1 instances where we can turn the unit 90 degrees. It
2 contains a front porch and is entered on the side, a
3 central stair, and a two-car garage below.

4 And, as I mentioned, we've incorporated
5 windows at the end units of all the townhouses, again,
6 to bring in as much light as we can.

7 The single-family house designs, two
8 types, the first is entered on the long facade.
9 Again, you see we have a large living family room on
10 one side and a large open kitchen/dining on the other,
11 brick on all four sides, including the garage.

12 The second house type is substantially
13 similar, but is rotated 90 degrees for use on lots
14 that are slightly narrower. It contains a front
15 porch, and again, the plan is very open.

16 Architecturally, we wanted to incorporate
17 a number of distinct features into these unit types,
18 to make them blend into the community, and really
19 exude the level of quality that the neighborhood had
20 been asking for. We've committed to brick on all of
21 the facades, as I mentioned, and in considering the
22 range of brick to be used we want to do two things.
23 We want to coordinate with the existing building, but
24 we also want to provide a range and a patina to the
25 new construction. All the new construction will have

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1 precast concrete trim and window sills, painted wood
2 trim and front porches, double-hung windows.

3 In the end result, we feel our single
4 family and townhouse types that are completely at home
5 in this neighborhood and very Washingtonian in their
6 character.

7 The end result is to create a community,
8 a neighborhood, to provide this range of housing types
9 to people who want to live and work here in our fair
10 City of Washington.

11 That's the end of our presentation.

12 CHAIRPERSON MITTEN: Thank you.

13 MR. GLASGOW: The next witness is Mr.
14 Steven Suen, who has never had anywhere near this
15 amount of time.

16 CHAIRPERSON MITTEN: I think we should
17 adjust the clock.

18 MR. SUEN: Good evening, Madam Chair and
19 Members of the Commission. I will endeavor not to use
20 19 minutes, mostly because I don't think I have enough
21 voice to last that long.

22 I've looked at this project and have
23 prepared an analysis, the same which is being
24 distributed to you. As you've heard from the outset,
25 the property is now zoned R-1-B, we are seeking R-5-A

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1 zoning, and I think what is salient about the R-5-B
2 zoning, when you look at the purposes of R-5-A it's
3 designed to permit flexibility of design by permitting
4 in a single district all types of urban residential
5 development. You just saw the presentation by the
6 architects of the various types of buildings, various
7 types of houses, detached single-family dwellings, row
8 dwellings, conversion of the existing buildings to
9 condominium apartments, so we accommodate that all
10 through the R-5-A zoning.

11 The project, as you've heard, is a low-
12 density residential development with the mixed unit
13 types able to accommodate the broad range of income
14 levels suitable for District and neighborhood
15 residents. We've got a total of 187 residential units,
16 27 single-family detached houses, 99 row houses, and
17 61 condominium units in the two buildings, which are
18 actually connected by a -- right now they are one
19 building but we will always refer to them as two,
20 because the pictures actually make them appear as if
21 they are two. And, the smaller of the two buildings
22 would have 12 units reserved as housing for persons
23 aged 55 or older. I refuse to call that senior
24 citizen housing, but I won't tell you how old I am.

25 With respect to the PUD evaluation

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1 standards of Section 2403, the Commission is required
2 to determine that the impact of the project is
3 favorable, capable of being mitigated, or acceptable.
4 This is new residential development, a favored use
5 under the Comprehensive Plan and City policies. The
6 traffic has no impact on levels of service that build
7 out as the report by Kimley Horn in the record
8 indicates cost of development is proposed here as an
9 efficient use of the land, to provide for common
10 aggregated open space, and the proposed building bulk
11 is less than the matter of right bulk permitted under
12 the current zoning, less than a matter of right or PUD
13 standard for the proposed zoning.

14 We've gone through a detailed analysis of
15 the Comprehensive Plan, I'll come back to that in a
16 little bit.

17 As the Commission is aware, it is required
18 under the regulations to judge, balance and reconcile
19 the relative value of private amenities and public
20 benefits offered, the degree of development incentives
21 requested, and any potential adverse effect.

22 With respect to benefits and amenities,
23 the key benefits here I think you've already heard
24 outlined. We are providing 391,000 square feet of new
25 housing in the District, converting the two vacant

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1 buildings which were most recently used for non-
2 residential use into multiple dwellings, providing the
3 70 affordable housing units at a substantially lower
4 lot occupancy than permitted as a matter of right in
5 both the existing and proposed zoning. We have over
6 183,000 square feet of green space, including 11 park
7 and garden areas and that great lawn, which has more
8 than ½ an acre worth of space in it. We have the park
9 necklace of green space that runs throughout the site,
10 focusing on the central lawn green and then going out
11 in directions through the site.

12 Of the total site, 27 percent is occupied
13 by buildings, 24 percent by private streets and
14 driveways, 13 percent by sidewalks and parking pads,
15 and 36 percent is green space.

16 You've heard discussion of the kind of
17 landscaping, the tree installation, and the
18 enhancement of the overall tree canopy, the street
19 scape improvements that are described in the
20 application, the sustainable design elements that
21 Geoff Ferrell referred to earlier, and then execution
22 of the first source employment agreement and LSDBE
23 agreement.

24 What's that balanced against? The
25 incentives, we are not seeking any increase in hydro

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1 bulk over the existing or proposed matter of right.
2 Density, with respect to what the flexibility under
3 the PUD requires, we have groups of buildings
4 considered as a single building, we have multiple
5 buildings on a single subdivided lot. We need some
6 side yard flexibility for 19 out of the 57 lots. We
7 need rear yard flexibility for two out of the 57 lots,
8 and lot occupancy for eight out of the 57 lots. The
9 overall lot occupancy, as I indicated earlier, is at
10 27.1 percent.

11 In the prehearing statement filed back in
12 March, we provided a detailed lot-by-lot analysis of
13 each of those factors, and it's fairly extensive in
14 terms of the 57 lots. We went through each and every
15 one, laying out the compliance with all those factors.
16 It would take longer than the 14 minutes I have left
17 to go through each one of those, so I'm not going to.

18 With respect to the Comprehensive Plan,
19 the generalized land use map shows this to be low
20 density residential, and we think the density range
21 fits within that.

22 The housing element has as an essential
23 theme stimulating a wider range of housing choices and
24 strategies and the preservation of sound over stock,
25 production of new units, encouraging housing on

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1 suitably located public or private properties that are
2 vacant, surplus, under utilized or unused, encouraging
3 the private sector to meet housing needs through the
4 development of infill housing, using planned unit
5 developments to encourage the construction or
6 rehabilitation of additional single and multi-family
7 housing, suitable locations, and promoting the
8 conservation, enhancement and revitalization of the
9 residential neighborhoods in the District, for housing
10 and neighborhood-related uses.

11 We looked at the Ward 4 element, and
12 identified the particular provisions of the Ward 4
13 plan in the current Comprehensive Plan that applied to
14 this site, and they are set forth on pages 14 and 15.
15 I won't go through them at this point.

16 With respect to compatibility with the
17 area, the surrounding area is compatible in terms of
18 its land use designation and the actual existing
19 development. You saw pictures that Geoff presented
20 earlier in our presentation.

21 With respect to use, we have residential
22 uses, replacing the non-residential uses in the
23 existing building. All the new buildings to be built
24 will be single family, detached and row house, and the
25 site plan is designed so that the detached single-

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1 family dwellings will abut or face detached single-
2 family dwellings on adjacent and confronting
3 properties.

4 The new houses are at a maximum of
5 approximately 30 feet in height, less than was
6 permitted under the existing zoning, and less than
7 what's permitted in the zoning of the surrounding
8 area, but not out of scale with the existing
9 neighborhood character.

10 And, as you've seen through our
11 presentation already, the site layout ensures
12 compatibility with surrounding uses and enhances the
13 open feel of the development.

14 I conclude that the project is not
15 inconsistent with the Comprehensive Plan. It is within
16 the applicable height and bulk standards of the
17 regulations, consistent with the surrounding
18 residential zoning, provides an appropriate balance
19 between the development proposed and the flexibility
20 requested, the benefits and amenities provided, allows
21 the Commission to condition approval without allowing
22 more density or uncontrolled development, and I
23 believe you should approve the application.

24 CHAIRPERSON MITTEN: Thank you, Mr. Suen.

25 MR. GLASGOW: You just made it.

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1 All right, that concludes the Applicant's
2 direct. I wanted to make sure I heard correctly that
3 all of the experts that we had proffered at the
4 beginning of the hearing, they were accepted as expert
5 witnesses in their various fields.

6 CHAIRPERSON MITTEN: Yes.

7 MR. GLASGOW: Thank you.

8 And then, we also have Mr. Jeter, Mr.
9 Pafazian and Mr. Mingonet here for questions, should
10 the Commission have any, in their areas of expertise.

11 CHAIRPERSON MITTEN: Okay.

12 I just want to clarify something, because
13 it wasn't mentioned directly. Are you prepared to
14 accept the conditions that DDOT required in their
15 report, including the installation of a traffic
16 signal?

17 MR. GLASGOW: Yes.

18 CHAIRPERSON MITTEN: Okay.

19 MR. GLASGOW: Yes, we agree with that.

20 There is one thing to mention with respect to the
21 Office of Planning report, and I have discussed this
22 briefly with the representatives of the Office of
23 Planning.

24 I believe that with respect to the
25 condition, talking about submitting a legally binding

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1 homeowners' agreement regarding maintenance of the
2 private streets, I think there was a concern on behalf
3 of DDOT that after the project, assuming the
4 Commission were to approve it, that the homeowners'
5 association then would try to transfer the maintenance
6 of the private streets over to DDOT.

7 I think that the best way to deal with
8 that issue is in the PUD covenant, that if the
9 Commission does approve that there would be a
10 condition that the homeowners' association would be
11 responsible for that, and that they would not be
12 transferred over at a later date, rather than get into
13 this something about drafting a homeowners'
14 association document now.

15 CHAIRPERSON MITTEN: Okay.

16 MR. GLASGOW: Having negotiation on that.

17 CHAIRPERSON MITTEN: Okay. All right,
18 thanks.

19 Questions from the Commission.

20 VICE-CHAIRPERSON HOOD: Madam Chair, before
21 we move on with that, are we going to have a
22 presentation from the transportation consultant?

23 CHAIRPERSON MITTEN: If they are available.

24 VICE-CHAIRPERSON HOOD: Are you just going
25 to give us one, I mean, a three-minute presentation?

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1 MR. GLASGOW: If the Commission desires, we
2 have worked extensively with DDOT on this project.
3 Their report is in support of the application, and we
4 have no problem with their conditions.

5 We wanted to make sure we fit within the
6 50 minutes. Of course, we ended up with about 12
7 minutes to go. If you'd like to --

8 VICE-CHAIRPERSON HOOD: You've still got 12
9 minutes. I mean, I think it would be good to at least
10 have a three to five minute presentation from the
11 traffic consultant.

12 MR. GLASGOW: I'd like to call Mr. Pafazian
13 on that. Could you please summarize your report, and
14 give your conclusions, and discuss any of the issues
15 that you worked with with DDOT on the project?

16 MR. PAFAZIAN: Good evening. My name is
17 Edward Pafazian with the firm of Kimberly Horn and
18 Associates. We prepared the traffic analysis for the
19 Applicant.

20 We initially met with DDOT staff to
21 understand and to agree on an appropriate study area.
22 We analyzed the surrounding intersections that
23 surround the property. We began the analysis, we did
24 the typical steps in the traffic analysis, starting
25 with existing a.m. and p.m. peak hour traffic counts.

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1 We forecasted future conditions. We then took into
2 consideration trip generation of the proposed
3 application, the number of residential units, and, in
4 fact, as indicated previously, our analysis was based
5 on a previous proposal for 199 residential units, and
6 the number has been cut back to 187. So, our analysis
7 a little bit was based on an earlier plan.

8 At any rate, on this basis we analyzed the
9 traffic conditions under existing condition, and we
10 also added the trip generation for the proposed units,
11 added those trips to the intersection counts that we
12 performed to develop and forecast future traffic
13 conditions.

14 Several elements about this plan need to
15 be brought out. They are demonstrated on the screen.
16 While we have 187 residential units, there are
17 numerous access drives, vehicle access points, which
18 provide the opportunity for effective disbursement of
19 those trips, so no one location, no one intersection,
20 is going to be burdened with heavy traffic.

21 The plan is well laid out, just like in an
22 urban setting, with, essentially, multiple streets
23 that go through the property that enable the
24 residents, the drivers, to exit at the more
25 convenient, the most convenient driveway that serves

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1 their unit, and that gets them to where they want to
2 go and come from.

3 So, one of the great benefits of this
4 project is the multiple access drives that result in
5 significant disbursement of traffic and no burdening of
6 any one location.

7 As indicated earlier, the area
8 intersections will operate at good levels of service
9 with the proposed development in place. Those
10 findings are reinforced by the DDOT staff report, they
11 agree with our conclusions, and it's also reflected in
12 the Office of Planning report.

13 Our design of our project is consistent
14 with the idea of traffic calming. We have, while we
15 provide multiple opportunities for vehicles, for
16 drivers that travel through the property, the streets
17 are designed in such a way as to avoid the situation
18 of any speeding. The streets have on-street parking
19 on them, plus there are 20-foot wide travel ways for
20 two-way traffic. This is very consistent with good
21 urban planning to discourage cut-through traffic, to
22 discourage high rates of speed, but to provide an
23 effective opportunity for the residents to travel
24 through the property.

25 While the streets are well designed in an

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1 urban setting, we also have in our plan a
2 demonstration that the service vehicles can negotiate
3 and that the fire trucks can negotiate the streets to
4 provide emergency access and service access throughout
5 the property. There's a good system besides the
6 streets of alleyway, consistent with the urban setting
7 that we are in, to provide that kind of emergency and
8 service for the residents.

9 As earlier indicated, there will be ample
10 parking to be provided on the property, more than
11 ample parking, so that there is not going to be any
12 effect of spillover parking into the surrounding
13 communities, so there will no adverse effect resulting
14 from the parking.

15 In discussions with the DDOT, we are going
16 to upgrade pedestrian connections in the area, the
17 internal -- the property has a system of sidewalks and
18 pedestrian pathways that enable the residents to be
19 able to go to the sidewalks along New Hampshire
20 Avenue, so there will be good pedestrian access within
21 the property to get residents to the surrounding -- to
22 New Hampshire Avenue and the surrounding streets.

23 There will be upgrades consistent with
24 conditions indicated by DDOT. There will be upgrading
25 of pedestrian crosswalks at intersections where some

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1 improvement is required, and in order to promote
2 access and promote safety for drivers entering and
3 exiting, the Applicant has agreed to install a traffic
4 signal at the intersection of New Hampshire Avenue and
5 Quackenbos, which would be opposite one of our
6 entrances. This is a condition that was suggested,
7 that was laid out by the District DDOT, and we agreed
8 to that, and that will provide a safer entry and exit
9 for folks that are entering and exiting from the
10 driveway opposite Quackenbos.

11 In summary, our project, our development,
12 from a traffic standpoint, will have no adverse
13 effect, negligible effect. The traffic will be -- the
14 traffic generation will be disbursed effectively into
15 the surrounding streets. We are promoting pedestrian
16 safety and pedestrian access, and also providing a
17 safer condition by providing a traffic signal at the
18 Quackenbos and New Hampshire Avenue intersection.

19 And, I would be very happy to answer any
20 questions you may have.

21 CHAIRPERSON MITTEN: Thank you.

22 Okay, questions from the Commission for
23 Mr. Pafazian or others.

24 Mr. Hood?

25 VICE-CHAIRPERSON HOOD: I'll start off.

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1 Let me ask this first, maybe this is for
2 Mr. Jarvis. I don't know where I saw it, but in your
3 public benefits and amenities, I saw some mention of,
4 I guess, making a donation to the rec center, was that
5 something you offered to the community? I think it
6 was -- there were a number of things I saw dollar
7 amounts, but then when I looked in the Office of
8 Planning report I didn't see it. Has something
9 changed?

10 MR. JARVIS: Commissioner, no. We had, in
11 the course of our conversations with the community,
12 made offers towards that type of a community benefits
13 package, in addition to the community amenities of the
14 development, and that's something that we made an
15 offer, I think initially back in December of 2005.

16 We haven't gotten an acceptance, a
17 revision, or anything from the people in the
18 community, so what we did was, we made the offer and
19 it was there. We just haven't gotten a community
20 response that that's, yes, what we want, that that's,
21 no, what we what, that it should be changed. So, we
22 just tried to put the best offer on the table that we
23 could to do that type of community benefits in
24 addition to the other things that we were doing.

25 VICE-CHAIRPERSON HOOD: So, that's still

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1 out there, those offers are still outstanding.

2 MR. JARVIS: Yes.

3 CHAIRPERSON MITTEN: Just to clarify, there
4 was -- it was attached to someone's testimony, or
5 their submission, that there was a proposed agreement
6 that delineated all of these. Is that the benefits
7 package that's currently on the table, because it
8 wasn't enumerated in your submission. So, I think
9 that's what Mr. Hood is trying to find out, is what --
10 how have you quantified that?

11 MR. JARVIS: Well, I don't know what you
12 may have seen. We have a written offer that we have
13 made, and to my knowledge it hasn't been agreed to by
14 anybody in the community. It doesn't change what it
15 is, I just don't want to say that it's exactly what it
16 is that you have in your hand.

17 CHAIRPERSON MITTEN: Are you proffering
18 that as part of this PUD?

19 MR. GLASGOW: Yes, we're proffering it as
20 part of the PUD, but to make sure, do you have a copy?
21 I think what we want to make sure then is that we'll
22 submit the copy this evening in case, for whatever
23 reason, we are not looking at the same thing that you
24 are looking at.

25 CHAIRPERSON MITTEN: Right. We want to

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1 know everything that's being proffered, and Mr. Suen
2 went through and delineated everything, but that
3 wasn't on his list. So, we want to make sure that we
4 have everything.

5 VICE-CHAIRPERSON HOOD: And, Mr. Jarvis,
6 maybe you can help me with this. How long has the
7 senior home been in operation on that site? I know
8 there was an office use at some point in time, how
9 long how the senior home been there?

10 MR. JARVIS: Well, the building itself --
11 I'm not sure that as a nursing home it was still used
12 up until that point, there was an organization, a
13 nurses organization that was using it up to 2004, but
14 it wasn't being used as a seniors facility.

15 VICE-CHAIRPERSON HOOD: So, it's been
16 vacant for a while?

17 MR. JARVIS: Yes, yes, it has.

18 VICE-CHAIRPERSON HOOD: And again, I always
19 say this at every hearing, my orientation -- you
20 wouldn't believe I have an orientation merit badge,
21 but anyway, New Hampshire Avenue runs north and south,
22 right?

23 MR. WAYS: Yes.

24 VICE-CHAIRPERSON HOOD: On, I think it's
25 Peabody Street, there is -- on Peabody Street there is

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1 a zoning CM-1, what uses are taking place there?
2 Maybe that goes to the architect. I'll just ask
3 somebody from the neighborhood, I'm just curious, is
4 that taking Tynes' place or what is it?

5 MR. JARVIS: There are a couple of lumber
6 yards before you get to Kansas Avenue, and then across
7 the other side on Kansas Avenue would be the facility
8 that Mr. Tynes owns, Eagle Maintenance.

9 VICE-CHAIRPERSON HOOD: I'm sorry, it's
10 going west -- I guess it's west of Peabody, Chillum
11 Place, Chillum Place, what use, is that Dickie Tynes'
12 place?

13 MR. JARVIS: He's at Kansas and --

14 VICE-CHAIRPERSON HOOD: Okay, so what use
15 is going on there? That's what I'm trying to --
16 because it's zoned CM-1, and I'm curious as to what
17 use it is. If we don't know now, I'll just ask the
18 neighborhood.

19 MR. JARVIS: The lumber yards.

20 VICE-CHAIRPERSON HOOD: Yes, there's a
21 lumber yard right there. Okay.

22 And, there was mention of a community
23 center, I think it was a community center.

24 MR. JARVIS: Yes, sir.

25 VICE-CHAIRPERSON HOOD: Community room. Is

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1 the neighborhood or the ANC, are they in agreement
2 that the community groups would be able to use that,
3 or is that just for the residents on site?

4 MR. JARVIS: No, this is going to be for
5 the use and the availability of everyone in the
6 neighborhood.

7 VICE-CHAIRPERSON HOOD: In the
8 neighborhood.

9 MR. JARVIS: Yes.

10 VICE-CHAIRPERSON HOOD: And, it's on site?

11 MR. JARVIS: Yes, sir.

12 VICE-CHAIRPERSON HOOD: How is that going
13 to be managed?

14 MR. JARVIS: We'll have to do something in
15 the condominium documents to deal with that situation,
16 to make sure that it is preserved in that fashion, and
17 that there is a management scheme that allows that
18 into the future. But, we have made some other
19 commitments with respect to the community, I mean the
20 condominium documents, for instance, investment, I
21 mean, owner occupied only, and not investment
22 property, so that they couldn't be rented. So, we had
23 always envisioned that there would be some condominium
24 documentation for those buildings that would have some
25 issues delineated in it.

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1 VICE-CHAIRPERSON HOOD: So, if I purchased
2 a home, and I move in, and I have a problem with the
3 whole neighborhood being able to come on site and use
4 that community room, all that's going to be worked
5 out?

6 MR. GLASGOW: You will buy your unit,
7 Commissioner Hood, knowing that the community can use
8 that community room.

9 VICE-CHAIRPERSON HOOD: I'll know it up
10 front.

11 MR. GLASGOW: You will know it up front.

12 VICE-CHAIRPERSON HOOD: Okay.

13 MR. GLASGOW: And, if the Commission
14 approves the application, we would expect that to be
15 a condition in the order, so that when you get your
16 title report, you know, you have the covenant that
17 goes with the PUD, and it's right in there, and it
18 will be in the -- and with respect to a condominium
19 association and the homeowners' association, with the
20 disclosure you would also disclose all of those type
21 uses so you don't have somebody come back at you later
22 on that, you know, as the declarant. Mr. Jarvis and
23 the developers will be the declarant.

24 VICE-CHAIRPERSON HOOD: Okay. Thank you.

25 Mr. Ferrell --

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1 CHAIRPERSON MITTEN: Can I just, I just
2 want to clarify a point or two, as to the use of the
3 community room. I mean, I think we need some kind of
4 language that will be incorporated into any proposed
5 order that delineates, this is not just free access to
6 the community. So, what is that going to look like,
7 specifically?

8 MR. GLASGOW: Right, right, yes, there
9 would be, obviously, rules and conditions.

10 CHAIRPERSON MITTEN: Right, but I think we
11 need a little bit more detail about how that would be
12 articulated in the condominium documents.

13 MR. GLASGOW: Sure, we would be -- we would
14 submit that for the record.

15 CHAIRPERSON MITTEN: Okay. And then, I
16 thought I understood you to say that another thing
17 that you proffered is that these units, all of these
18 units will be for owner occupancy only, and no rental
19 would be permitted. Is that -- did I hear that
20 correctly?

21 MR. JARVIS: That's correct.

22 CHAIRPERSON MITTEN: Okay. Mr. Hood,
23 please go ahead.

24 VICE-CHAIRPERSON HOOD: Well, thank you.

25 I'm looking at the slope of the land at

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1 the site, what percent of slope is it from west to
2 east?

3 MR. FERRELL: We can ask the engineer to
4 give you the exact on that, it's a 50-foot drop from
5 the high point down to the intersection of Rittenhouse
6 and New Hampshire, 5 percent, I think we -- as a
7 general rule we didn't go above 5 percent.

8 VICE-CHAIRPERSON HOOD: That's fine,
9 because my concern, and these don't have basements.

10 MR. JARVIS: That is correct, they do not.

11 VICE-CHAIRPERSON HOOD: Okay, that's a good
12 point, because cluster one and two would have a
13 problem, I think, with drainage and water runoff. But
14 anyway, that's not an issue.

15 Traffic, and I asked for you to come up,
16 and I didn't get your name, I'm sorry.

17 MR. PAFAZIAN: Ed Pafazian.

18 VICE-CHAIRPERSON HOOD: Mr. Pafazian, okay.

19 CHAIRPERSON MITTEN: I need you to turn
20 your mic on when you respond to Mr. Hood.

21 MR. PAFAZIAN: Ed Pafazian.

22 CHAIRPERSON MITTEN: Thank you.

23 VICE-CHAIRPERSON HOOD: Okay. Did you
24 actually go out and watch the trips and everything
25 when you were doing your analysis?

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1 MR. PAFAZIAN: Yes.

2 VICE-CHAIRPERSON HOOD: On New Hampshire
3 Avenue?

4 MR. PAFAZIAN: Yes.

5 VICE-CHAIRPERSON HOOD: And, I don't
6 frequent New Hampshire Avenue anymore, but I used to
7 notice, it used to back up from -- well, it used to
8 maybe because of the time signals and other things,
9 but it has changed, so I can't compare --

10 CHAIRPERSON MITTEN: Okay, we can't have
11 all of you calling out, it's whoever is responding.
12 So, I appreciate the enthusiasm in trying to help us,
13 but if you feel that you need to clarify something you
14 can do it in your testimony. Thank you.

15 VICE-CHAIRPERSON HOOD: When traffic is
16 going in the p.m. hours, traffic is going out toward
17 Ward 9 and 10, when traffic is going out in the p.m.
18 hours, and we are looking at a traffic light at
19 Quackenbos --

20 MR. PAFAZIAN: Yes.

21 VICE-CHAIRPERSON HOOD: -- I guess I'm
22 pronouncing it right, will that traffic back up from,
23 what is that, Rittenhouse, well at Rittenhouse there's
24 a traffic light.

25 MR. PAFAZIAN: Yes.

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1 VICE-CHAIRPERSON HOOD: Back to Quackenbos.
2 And, the reason I'm asking, because I used to know
3 that a back up used to exist for a while, and you
4 could see it, and maybe things have changed, I don't
5 know. Has that been looked at?

6 MR. PAFAZIAN: Well, this, once again, the
7 installation of this traffic signal at Quackenbos, is
8 a condition of actually the traffic engineering
9 portion of DDOT, and any design of that traffic signal
10 would be done in such a way that the timing was such
11 that there would not be -- that it would operate
12 effectively without backing up into the adjacent
13 intersection. So, this is something that as the
14 signal gets designed in our collaboration with DDOT,
15 we would work out that progression, what we call
16 progression, to assure that that situation would not
17 occur.

18 VICE-CHAIRPERSON HOOD: Typically, though,
19 on New Hampshire Avenue, the level of service is B.

20 MR. PAFAZIAN: That's the indication from
21 our counts, yes, because, you know, while you -- yes,
22 that is correct, it is basically a B level of service
23 along at the intersections.

24 VICE-CHAIRPERSON HOOD: Okay. Thank you for
25 answering my question, and when I'm sitting in traffic

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1 I'll remember you.

2 MR. PAFAZIAN: Okay.

3 VICE-CHAIRPERSON HOOD: Okay, thank you,
4 Madam Chair.

5 CHAIRPERSON MITTEN: Thank you, Mr. Hood.

6 Anyone else?

7 Mr. Turnbull.

8 COMMISSIONER TURNBULL: Thank you, Madam
9 Chair.

10 I've got a question on the design, some of
11 the issues with the planning and the design. I think
12 we all appreciate the idea of the homes and everything
13 being all brick, I think that's a very positive
14 additive. It's a very nice feature for the
15 neighborhood.

16 And, I guess my question gets into some of
17 the town homes, and I was just looking at the proposed
18 unit layout on sheet SO-2, and I guess, you know, when
19 we talked about lot occupancy, and how these things
20 sit, and how much land is left, you know, I mean, the
21 way you are measuring the residences, the single-
22 family detached homes are one thing, but when you get
23 into the town homes you include -- it gets into the
24 middle of the streets, and you are including part of
25 the lot occupancy.

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1 But, when I look at some of the type, the
2 3B and the Type 4 units, you really don't have much
3 land left. Those are really smack dab from alley to
4 street.

5 MR. LOHSEN: That's correct, most of them
6 are.

7 COMMISSIONER TURNBULL: I mean, some of
8 them look like there was land available and I've got
9 to get a unit in there. I mean, I don't want to sound
10 -- I think what you are trying -- what you are trying
11 to do is very well, but I think some of them just seem
12 really shoe horned in there to get units in there, and
13 it just seems kind of tight.

14 Now, I'm looking at on Hampshire Place,
15 there's the Type 4 units, it looks like there's very
16 little land there at all, and then on Quackenbos the
17 P1 through P3, the Q1 through Q3, again, are just --
18 that Q3, I don't know how he gets in his garage, but
19 maybe there's -- it's got to be tight. I know you are
20 going to have a two-car garage, it looks tight on some
21 of them.

22 And then, you go up to Chillum Place, and
23 Peabody, you've got two of the Type 4, which stand
24 alone, which could have been just park or green, but
25 we put two separate units in there, they look a little

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1 out of place. They look like you had to get something
2 in to fit in that. I mean, I'm being kind of
3 pessimistic and narrow minded, but when I look at the
4 lot, looking at the way some of this is planned, it
5 just looks -- some of it looks forced a bit in certain
6 areas.

7 MR. FERRELL: Briefly, and I certainly
8 won't try and answer all your concerns, but a central
9 idea to District of Columbia streets and blocks, and
10 our approach to this, is streets are fronted with the
11 fronts of buildings. The fronts of buildings help
12 keep eyes on the street, keep the streets safe, keep
13 the streets occupied, and form that street space that
14 was central to our theme.

15 So, some of those buildings, it's not
16 about cramming in, it's about providing a street front
17 along those streets.

18 COMMISSIONER TURNBULL: That doesn't really
19 answer my question. We all understand about streets,
20 buildings facing streets, homes facing streets, I
21 think we all understand that from a planning
22 standpoint.

23 All I'm saying is that, if you've got a
24 piece of land and the way you've configured that land
25 to make a street, if you are left with very little

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1 land in front and back, you simply shoehorn a piece of
2 property to make -- to put a building in there to have
3 a street. It just seems, some of it feels very tight.
4 I'm just offering that as a comment, I don't know what
5 my colleagues feel or not, but I just think some of
6 those, as an amenity, as a place to live, you are
7 going to have a deck sticking out on most of these,
8 you are going to be sticking out over the alley, and
9 which they are going to be even tighter down there.
10 I just feel that some of those areas it's a little
11 tight, it just seems like there are some units there
12 that from the standpoint of a place for a green space
13 there's nothing really there for the residents
14 themselves to have.

15 MR. LOHSEN: And, part of that is
16 intentional. Again, going back to creating a number
17 of different types of units, those units without green
18 space, without the backyard, provide an opportunity
19 for someone who doesn't want to take care of a
20 backyard.

21 The other units, the Type 1 and 2s, do
22 have green space adjacent to the driveway. There's a
23 little bit of yard.

24 Some of the Type 3s, I believe, have full
25 width, 18-foot yards at the rear.

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1 So, the design wasn't intended to shoehorn
2 a certain number of units it, it was intended to
3 provide a variety amongst the units it did have.

4 MR. FERRELL: And, there's a balance of the
5 public spaces we are providing, from a number of those
6 units right across the street there's a community
7 park.

8 COMMISSIONER TURNBULL: Well, that's my
9 comments for now.

10 Thank you.

11 CHAIRPERSON MITTEN: Thank you, Mr.
12 Turnbull.

13 Anybody else?

14 Mr. Jeffries.

15 COMMISSIONER JEFFRIES: Okay. I'm going to
16 -- I'd like to sort of follow up Vice-Chair Hood's
17 comment. I just want to be clear. Are you proffering
18 the green areas and the great lawn as -- that will
19 have public access as well.

20 MR. GLASGOW: That is correct.

21 COMMISSIONER JEFFRIES: And, the homeowners
22 and the condo owners will be responsible for
23 maintaining that, and upkeep, and everything.

24 MR. GLASGOW: That is correct.

25 COMMISSIONER JEFFRIES: Yes, see, I have a

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1 real concern about that, just the long-term viability
2 of that happening.

3 MR. GLASGOW: Well, it happens, for
4 instance, Commissioner Jeffries --

5 COMMISSIONER JEFFRIES: Can I finish? I'd
6 like to finish.

7 I'm just, and I would love to hear what
8 you have to say about it, and this is a concern that
9 I think we continue to have here, at least I have as
10 relates to some of the direction from the Office of
11 Planning, is these areas that are being proffered,
12 these green areas, and, you know, if I buy a house,
13 you know, and this area is right in front of my house,
14 I'm going to take some level of ownership, and I'm
15 going to have some difficulty having to manage this,
16 as relates to some of the neighborhood.

17 So, I understand that you are really
18 trying to integrate this into the overall context, but
19 I'm just -- excuse me, I'm not certain that people
20 really live like that.

21 So, if you could just comment on, really,
22 just, you know, the maintenance and how these green
23 areas and these pocket parks are going to work going
24 forward.

25 MR. GLASGOW: There are any number of

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1 communities that we are aware of, one, you don't have
2 many 11-1/2 acre sites in the District of Columbia.
3 But, in a lot of the areas in the Metropolitan Area,
4 this is quite the standard method of proceeding, and
5 these areas, in many instances, are very open to the
6 public.

7 For instance, in the Avenel project in
8 Montgomery County, the soccer fields, and all of those
9 things, are open to anybody who wants to come in from
10 the area, and the maintenance, and upkeep, and all of
11 that is by that homeowners' association there.

12 COMMISSIONER JEFFRIES: See, a soccer
13 field, that's interesting you would say that, because
14 just, I don't know, looking at the site plan it
15 doesn't look like a soccer field.

16 MR. GLASGOW: Oh, it's not.

17 COMMISSIONER JEFFRIES: It looks like, you
18 know, something that belongs to what I consider to be
19 somewhat of a campus plan.

20 MR. GLASGOW: Well, it's a green park that
21 is, I think the open space in it is about 25,000
22 square feet, and then the garden area to the north is,
23 what, another 5,000 to 7,000 square feet. So, we are
24 talking about a total area here of this green that is
25 probably around 32,000, 33,000 square feet. So, it's

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1 a big size area.

2 COMMISSIONER JEFFRIES: That's fine, I just
3 -- you know, I wanted to put that on the record, that
4 I just do have concerns about sort of this attempt to
5 integrate this project and having people who are not
6 part of this campus moving in and out, how that gets
7 managed, and I hope that, you know, in terms of
8 proffering, that you will provide a lot of specificity
9 as to, you know, how this is going to be managed going
10 forward.

11 My other question is, and it really ties
12 back to this whole notion of, this still has a feel
13 like a compound or a campus to me. It seems to look
14 inward, and not really work with the grid. And, I
15 thought it was really interesting, Mr. Ferrell, if you
16 put that slide up that showed the yellow lines, and I
17 thought it was pretty fascinating that, you know, the
18 L'Enfant grid gets interrupted, and I can appreciate
19 that, but I'm still -- it still doesn't seem to be in
20 keeping with the grid of the District, even just
21 outside.

22 I mean, I see some of the things you are
23 doing in terms of Quackenbos and the other one, but,
24 I mean, I think it's a very difficult site, but I'm
25 just concerned that if you step outside of the

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1 District grid then you are creating a campus. And,
2 it's looking sort of inward to me, in terms of the
3 overall design.

4 MR. FERRELL: I would love to suggest, I
5 can talk to you out of that, a little bit of time, but
6 I point out some things. It's a difficult site in
7 terms of topography.

8 If you were to look at this site and think
9 about, as we did initially, of simply completing the
10 grid, you would take Quackenbos and then N.E. 1st
11 Street, you'd blow through, really, the best of the
12 old buildings, which are set there terminating the
13 vista in a -- almost as a public building, in the same
14 way that L'Enfant's plan puts the U.S. Capitol there.

15 I would suggest that if you were to walk
16 down any of these sidewalks you will, indeed, notice
17 that the trees, most of the trees, and the houses on
18 the eastern -- sorry, the western side of New
19 Hampshire, are newer than the ones on the eastern
20 side, but in terms of the block structure you can walk
21 up New Hampshire and you can take a left as easily as
22 you can take a right, and walk through this.

23 We've pulled the grid in every place there
24 was a grid to pull in, and in some places it got a
25 little more complex because it had to, to go around

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1 those existing buildings.

2 COMMISSIONER JEFFRIES: I recognize that
3 it's a very irregular shape and so forth, but,
4 unfortunately, I'm just -- I guess I agree somewhat
5 with Commissioner Turnbull in terms of this
6 shoehorning effect, I mean, it just seems that a lot
7 is going into this site, and it's almost looking
8 almost over-accessories, quite frankly. It's a lot of
9 things happening.

10 And, that takes me to my third question,
11 and that is, or just really a request, and, perhaps,
12 it was in here, I just didn't see it, but is there a
13 massing diagram, because, I mean, the perspectives
14 that I'm seeing are out of the great lawn, and that
15 could be a little deceptive as it relates to how this
16 all sits. Is there a massing diagram of the overall
17 compound, campus, including some of the contextual
18 existing buildings?

19 MR. LOHSEN: That drawing was never
20 prepared for the whole project. There are some street
21 sections, and site sections, that are included as part
22 of the PUD documentation.

23 COMMISSIONER JEFFRIES: Okay. You know,
24 Madam Chair, I mean, I'd like, you know, that we get
25 something like that. I'd really like to see the

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1 massing of this, including the great lawn, and you
2 don't have to give a lot of detail to the buildings,
3 I'm not interested, I'm just really trying to deal
4 with massing. And then, I'd like to see some of the
5 massing of some of the existing residential. I just
6 want to see this in context, because I don't think
7 I've really -- from where it's looking now, it's
8 looking like sort of an island, and, you know, I have
9 some concerns.

10 CHAIRPERSON MITTEN: I think that would be
11 especially helpful to see it with the topography and
12 how it all works together.

13 Do you understand what we are looking for?

14 MR. LOHSEN: Yes.

15 MR. FERRELL: Yes.

16 CHAIRPERSON MITTEN: Okay.

17 COMMISSIONER JEFFRIES: That's it for me.

18 CHAIRPERSON MITTEN: Okay, thank you,
19 Commissioner Jeffries.

20 Commissioner Parsons.

21 COMMISSIONER PARSONS: I wonder if you
22 could, gentlemen, comment on why this shouldn't be
23 built as a matter of right, and if it was built as a
24 matter of right, why that might be a detriment to the
25 community?

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1 MR. JARVIS: Mr. Commissioner, I may not
2 have phrased it that way, but I would say that what we
3 were looking at, if we solely built it as a matter of
4 right, it was going to be only one -- probably only
5 one type of home. And, if it is one type of home, we
6 were concerned, from an economic or a marketing
7 factor, you know, the people who buy that type of home
8 may have even more asking for this to be
9 compartmentalized and had it be an island, maybe
10 they'd want a fence around it, maybe they'd want it to
11 be, you know, so separate from the neighborhood, just
12 because of, you know, what they were coming in and
13 expending.

14 We were trying not to have to do that to
15 start off with. So, it seemed to us that to go in
16 that direction had a much great likelihood of it
17 becoming more of a suburban type of development than
18 an urban type of development that fit within the
19 community.

20 COMMISSIONER PARSONS: So, you think a
21 gated community results if you did that?

22 MR. JARVIS: I'm not here to say that, I'm
23 just saying that I couldn't tell you that it wouldn't
24 be that either.

25 MR. GLASGOW: And also, Mr. Parsons, with

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1 respect to the two existing buildings, under R-1-B,
2 either you would have to have to have some other type
3 of zone or use permitted, because they are clearly way
4 too large for any single-family residence. So, it
5 would have to have some type of way of dealing with
6 the existing buildings. And so, you would not have R-
7 1-B zoning where they are.

8 COMMISSIONER PARSONS: Oh, certainly.

9 I'm a little confused here, on Mr. Suen's
10 report on page four, he points out that R-1-B results
11 in an FAR of .4. Then there's a new term that I've
12 never seen before on page three of your report. It
13 says the project will have an overall FAR of .78,
14 which is less than the effective matter of right
15 density of 1.2 for the current R-1-B zoning, an
16 effective matter of right density.

17 So, let Mr. Suen explain that.

18 MR. SUEN: In a normal R-1-B district
19 matter of right development, FAR is not prescribed.
20 What is prescribed is minimum lot size, the maximum
21 lot occupancy, and maximum number of storage.

22 If you build a building that covered the
23 maximum lot occupancy of 40 percent or .4 of the site,
24 and you constructed that building to two stories, you
25 would get an effective FAR of .8. So, a 5,000 square

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1 foot lot with a 40 percent lot occupancy would allow
2 you to occupy 2,000 -- the footprint of the building
3 would be 2,000 square feet.

4 If you doubled that with two stories,
5 you'd have 4,000 square feet, that would be 4,000 on
6 a 5,000 square foot lot, that would be .8 FAR
7 effectively.

8 If you built a three-story building, which
9 is what the regulations allow as a matter of right,
10 you would have 1.2 FAR effectively. If you had a
11 5,000 square foot lot, with 2,000 square foot
12 footprint, build three stories you'd have 6,000 square
13 feet on a 5,000 square foot lot, that would give you
14 1.2 FAR equivalent. It's not FAR because R-1-B
15 doesn't set out FAR as a matter of right.

16 COMMISSIONER PARSONS: That's curious,
17 because our regulations say that under a PUD you can't
18 get more than .4, isn't that correct?

19 MR. SUEN: That's correct.

20 COMMISSIONER PARSONS: It looks like we
21 need to fix this.

22 MR. SUEN: Well, I think that's true, in
23 fact, we did some looking at this because somehow we
24 suspected that question would get asked.

25 In the almost 40 years of regulations and

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1 of PUD approvals that I looked at, I couldn't find one
2 PUD approved under R-1-A or R-1-B -- I'm sorry, I
3 found one PUD approved under R-1-A or R-1-B since
4 1969. That was the campus of the old Marjorie Webster
5 Junior College, which Galludet bought for it's
6 northwest campus. When they bought it it was unzoned,
7 so they came to the Commission to get zoning on it and
8 get approval to use it as a campus plan. It's not the
9 kind of development we are talking about here.

10 You don't find people doing PUDs in R-1-A
11 or R-1-B, because the regulations are out of whack.
12 You get more as a matter of right than you get under
13 the PUD.

14 COMMISSIONER PARSONS: Some other time --

15 MR. SUEN: I'm not advocating it tonight
16 either.

17 COMMISSIONER PARSONS: Well, I wanted to
18 talk about the open space. I mean, some of it is very
19 well developed, congratulations. I mean, the design
20 of some of these open spaces, public spaces, are very
21 well done.

22 I wanted to explore the space you've given
23 to the large structure, I don't know what to call it,
24 what do you call it, the big structure, the historic
25 buildings, you must have a name for it.

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1 CHAIRPERSON MITTEN: The larger building.

2 MR. SUEN: The larger building and the
3 smaller building.

4 COMMISSIONER PARSONS: Oh, come on, let's
5 give it a name.

6 MR. SUEN: We haven't given it a name.

7 COMMISSIONER PARSONS: Louie's Place.

8 MR. SUEN: We'll pick a name quickly.

9 COMMISSIONER PARSONS: Why you didn't
10 choose to put the great lawn out in front of that, I
11 mean, it just -- to crowd it within 45 feet of the
12 front facade of that building, with townhouses a
13 parking lot for the townhouses, no sense of arrival,
14 no sense of place, it just -- it just doesn't work.
15 It's not the best piece of architecture I've ever
16 seen, but it is grand, it sits there.

17 MR. FERRELL: I would tremble to disagree
18 with you about the appropriateness of it, but we
19 looked initially at putting a green in front of it,
20 there were issues with the topography, et cetera.
21 And, we think what you've got right now is a very
22 aggrandizing framing of the view with that street
23 leading up to the larger building. It is close, but
24 the frame to view and the revealed view in the
25 contrast and scale will really aggrandize the view of

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1 that building and frame it quite nicely.

2 COMMISSIONER PARSONS: I guess we could
3 just agree or disagree then.

4 MR. FERRELL: I hope.

5 COMMISSIONER PARSONS: So, let's go to the
6 great lawn, because I think I had some questions about
7 that, as set down, and no change has been made.

8 So, it's 225 feet by 225 feet, now what do
9 you really imagine is going to happen here? Softball
10 games, pick-up soccer games, concerts, frisbee, what
11 is this community going to have to deal with when a
12 group of people from the neighborhood show up to have
13 a football game?

14 MR. FERRELL: If I may, that's why it's
15 very important that that space has streets separating
16 it from the buildings on three sides, and the layers
17 of trees and the tiered park separating it from the
18 first houses with the side porches facing it. There's
19 a clear enough separation that it's public, and what
20 you end up with a situation that's very common in the
21 District of Columbia, I'm thinking of Stanton Park,
22 with three sides instead of four with streets around
23 them.

24 So, human beings are human beings, and in
25 the future if you approve this there will be some

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1 issues about how that is used. It's kind of a human
2 problem, but it will be just like Stanton Park, et
3 cetera, and with some of the other spaces, just like,
4 for instance, the triangle parks that result from the
5 L'Enfant plan, some of those are -- I know in my
6 neighborhood, taken over by some of the residents who
7 maintain them, but when the kids from two blocks, or
8 six blocks, or you don't know where, perhaps, Germany,
9 come through and play there and walk through it,
10 that's a public space.

11 COMMISSIONER PARSONS: Well, I'm just
12 anticipating what Mr. Jeffries was saying. I mean,
13 it's just human nature that if 18 adults from another
14 community show up to have a soccer game on a Saturday
15 afternoon, there's going to be objection from the
16 community, and that's what you are designing. You are
17 designing a space that welcomes group sports, which is
18 not what you want here, I don't think.

19 I mean, that's why I asked, what is the
20 intent of this space?

21 MR. FERRELL: I think it is for informal
22 group sports. It's really not big enough to have a
23 real game, but our intent is that it's available, it's
24 not programmed, it's there for people who want to come
25 over and kick a soccer ball around, or play frisbee,

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1 or play catch, et cetera, and people who live there
2 will have signed covenants when they first move in, up
3 front, that that's what it is.

4 MR. JARVIS: Mr. Commissioner, the purpose
5 really was for the enjoyment of green space, and if
6 from a functionality standpoint it's not working it
7 seems to me we probably could maintain green space,
8 planting it a little bit differently.

9 We are not trying to have a place that
10 will harbor bad activity, but on the other hand if you
11 are going to have green space, you are going to have
12 green space. And so, we are trying to figure out, you
13 know, what's the correct way to put green space into
14 a community that people can use and enjoy.

15 And so, if you notice we have framed it
16 with walkways and with other plantings, and with
17 design and landscaping that we are hopeful people
18 won't mistake this for a ball field, but would instead
19 utilize it as enjoyable green space to be in an urban
20 environment, and still have trees, grass, plantings,
21 et cetera.

22 COMMISSIONER PARSONS: All right.

23 MR. GLASGOW: Mr. Parsons, I think that
24 what we may want to do is, since depending upon the
25 status of the record at the end, at the conclusion, we

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1 may want to propose an alternative plan for
2 potentially landscaping part of that area so it is
3 only usable for group activities, I'll call it, in
4 smaller spaces, rather than a group coming in and
5 saying here's our soccer ball, we are going to play,
6 rather than if you've got certain plantings and that
7 type of thing I think it will make that type of
8 activity impossible, as opposed to just people going
9 out and enjoying the green area.

10 COMMISSIONER PARSONS: I would certainly
11 encourage that, and you've done that, I'm struggling
12 to find the diagram of that triangular park. Help me,
13 do you know what page that's on? I've got it, page S-
14 14, so in this circumstance what you've done is to --
15 if I grasp it, is a retaining wall that raises the
16 center of the space, so you have two different levels.
17 Is that correct?

18 MR. FERRELL: Yes, sir.

19 COMMISSIONER PARSONS: So, what is the --
20 what is the elevation distance? Is this a seat wall,
21 or is it a safety hazard, I guess.

22 MR. FERRELL: It's going to vary from side
23 to side, because in general that's part of that 50-
24 foot slope down to New Hampshire, and in some places
25 it will be a seat wall, in other places it's quite

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1 low.

2 COMMISSIONER PARSONS: So, there's no
3 circumstance where you'd need a railing on it.

4 MR. FERRELL: No, we've avoided that.

5 COMMISSIONER PARSONS: So, that's a
6 technique that would avoid exactly what I was talking
7 about earlier. I mean, it is that, it's a place for
8 people to sun themselves, and have small activities,
9 and the great lawn is asking for something else, I
10 think.

11 But, I again, want to congratulate you so
12 many of the other spaces, I don't want to go into
13 them, I just think that they are very well done.

14 That's all I have.

15 CHAIRPERSON MITTEN: Do we have a list of
16 all the things that will be planted on these, to
17 correspond to the landscaping plans that we have? Do
18 we have a list of plantings? Yes?

19 MR. FERRELL: It should be in the package.

20 CHAIRPERSON MITTEN: Okay. In the big one
21 or in the supplemental? I just want to make sure that
22 we have that.

23 MR. FERRELL: We're checking.

24 MR. GLASGOW: My recollection is it's in
25 the large book, and we will try to get to the page.

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1 CHAIRPERSON MITTEN: Could you just direct
2 me to that? I'm not going to have any questions,
3 because that's not my bailiwick.

4 MR. SUEN: It's on S04, and the plans and
5 details are on S20.

6 CHAIRPERSON MITTEN: Okay.

7 MR. SUEN: The height slope and so forth
8 are on S04.

9 CHAIRPERSON MITTEN: Okay. I just wanted
10 to make sure that we had that.

11 Okay. I just want to go back to something
12 that I think you might have talked about this with Mr.
13 Hood, but I wasn't following along carefully enough,
14 so I wasn't grasping it.

15 What in Square 3714, which is the bit of
16 the development that's on the other side of Peabody,
17 what does that back up to, what do those proposed
18 townhouses back up to?

19 MR. SUEN: There is one building at the
20 corner of New Hampshire Avenue and Oneida Place that
21 is a combination residence and dentist office.

22 CHAIRPERSON MITTEN: So, that's a detached
23 residence?

24 MR. SUEN: Structure, yes.

25 CHAIRPERSON MITTEN: Is that the only thing

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1 there?

2 MR. SUEN: That's the only thing on the
3 rest of that block. I'm sorry, there's a house hidden
4 by -- if you look at S04, it looks like there's a
5 house hidden by the tree, which I didn't see.

6 CHAIRPERSON MITTEN: Okay. So, the
7 structure that is clearly apparent is the house and
8 the dentist's office, and then near the tree is
9 another.

10 MR. SUEN: Yes.

11 CHAIRPERSON MITTEN: Okay. And then,
12 moving, I guess, west on Peabody, so beyond the block
13 of the townhouses that are on the other side of
14 Peabody, and facing the balance of the project, what's
15 there? So, moving from 1st Street up to the Chillum
16 Place intersection on the south side of Peabody,
17 what's in that block front?

18 MR. JARVIS: Single-family homes.

19 CHAIRPERSON MITTEN: Those are single-
20 family homes.

21 MR. JARVIS: Yes.

22 CHAIRPERSON MITTEN: Single-family,
23 detached homes.

24 MR. JARVIS: Yes.

25 CHAIRPERSON MITTEN: Okay. So, that's

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1 where I needed some help, which is, in terms of facing
2 like with like, which I think was one of the
3 philosophies of the development, could you explain to
4 me why in that section of Peabody, between 1st and
5 Chillum Place, it's not facing like with like, and
6 then why would we back up to, on the south side of
7 Peabody, however many, like maybe townhouses, why
8 would we back up to two detached homes with those?

9 MR. FERRELL: May I answer the second
10 question first?

11 CHAIRPERSON MITTEN: You can answer them in
12 any order you like.

13 MR. FERRELL: I think it's easier.

14 In urban settings, and on blocks, the
15 classic and the appropriate way to change scales and
16 uses, it happens back at the alley, in backyards,
17 quite often you'll see, you'll walk down one street,
18 if you were to walk one block over those houses that
19 face that street are of a different character, and the
20 transition occurs at the rear lot line or at the
21 alley.

22 So, by our way of thinking, that's a
23 normal and appropriate way to change uses. The
24 buildings themselves are the furthest distance from
25 the neighbor, form that dentist's office/residence,

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1 with landscape, et cetera in between.

2 So, in terms of distance, it's a more
3 comfortable relationship.

4 CHAIRPERSON MITTEN: Okay.

5 MR. FERRELL: The townhouses that are
6 further as you go west up Peabody Street, Peabody
7 Street, the idea that those are facing not exactly
8 like directly across the street is what it is. Those
9 are facing and siding those two houses.

10 I would point out, though, the next
11 building up, and from there forward, starts with some
12 kinds of industrial, I believe there's a car -- some
13 kind of car working, car repair shop there, and
14 further up the hill the lumber yard. So, there are
15 two single-family houses facing there, but Peabody, as
16 a street, and where it intersects with Chillum, gets
17 to be a real mixed bag. So, it's not like we are
18 facing townhouses to a real consistent, as you would
19 have along New Hampshire, set of single-family houses.
20 It's kind of a dog's breakfast.

21 CHAIRPERSON MITTEN: I can appreciate that.
22 I guess one of the things, I guess there was a couple
23 things. One is that it strikes me that for whatever
24 the character of Peabody Street is, there is a single-
25 family sort of character to it, at least for that

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1 block, and we are adding to the mish-mash, instead of
2 trying to clarify it. And, you know, I share some of
3 Commissioner Turnbull's concern, and the concern that
4 we all expressed at the set down, which is that this
5 is awfully dense.

6 And so, and I think that when people, and
7 there may be a completely different philosophy about
8 this out there, but if you are in a neighborhood
9 that's on a street that's kind of stressed because
10 there's a lot of incompatible uses with residential,
11 that you would actually benefit from more land around
12 your house, rather than less, because it gives you a
13 sense of more control and a buffer of some kind.

14 I'm sure there's urban planning arguments
15 on the other side of that, but I'm just concerned
16 about Peabody Street and the way that this seems to be
17 making the site -- well, I find the site quite dense
18 when you get into the townhouse portion of the
19 development. And then, I agree with Mr. Turnbull that
20 there's a few of these, and I don't want to get into
21 picking out exactly which ones, but they do seem to be
22 shoehorned in at various locations. So, I just wanted
23 to make that statement.

24 Another thing, in addition to the concerns
25 that we've had expressed to follow on, in terms of the

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1 management of the community room, the management and
2 maintenance of the parks and landscaping and so on,
3 that we'll need to get more clarification on, I don't
4 know that you've clarified in the record what the
5 degree of affordability or length of the affordability
6 period that you are proffering for the affordable
7 units. Did I miss that?

8 MR. GLASGOW: I thought that we had that in
9 there, but with respect to the seniors building, I'll
10 call it that, with the 12 units?

11 CHAIRPERSON MITTEN: Yes.

12 MR. GLASGOW: That was going to be, what,
13 50 to 60 percent AMI?

14 CHAIRPERSON MITTEN: Okay.

15 MR. FERRELL: For, what was it, for eight
16 of those 12 units, okay?

17 CHAIRPERSON MITTEN: Okay.

18 MR. GLASGOW: And then for four of those
19 units, and the five townhouse units, were going to be
20 80 percent AMI.

21 CHAIRPERSON MITTEN: And, for how long?

22 MR. GLASGOW: We were going to do that for
23 20 years.

24 CHAIRPERSON MITTEN: And, did you -- were
25 you intending to put something in the record about how

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1 all that -- we often get, you know, a few pages on how
2 all that's going to be managed and so on, were you
3 going to do that?

4 MR. GLASGOW: Yes.

5 CHAIRPERSON MITTEN: Okay. Okay, anyone
6 else have any follow-up questions?

7 Mr. Parsons?

8 COMMISSIONER PARSONS: Yes, I just noticed
9 this, I'm looking at this landscape plan again, SO4,
10 and there is one parking lot shown in this entire
11 community, down at the northeast corner, and it backs
12 up to an existing house, and there's a shaded pattern
13 in its rear yard. So, I wondered, what was going on
14 there? Are you following me where that is?

15 MR. JARVIS: Yes.

16 COMMISSIONER PARSONS: One, why the parking
17 lot, and, two, what is the shading? Is there some
18 kind of a land exchange going on here?

19 MR. JARVIS: The shading portion is a land
20 exchange, yes, Mr. Commissioner.

21 COMMISSIONER PARSONS: So, he or she gets
22 a backyard.

23 MR. GLASGOW: Yes.

24 COMMISSIONER PARSONS: They also have a
25 parking lot, so why is there this one parking lot in

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1 the whole facility?

2 MR. FERRELL: The parking lot is there for,
3 simply put, extra parking. That's a little increment
4 for this concentration of townhouses, guest parking,
5 et cetera.

6 There's a factor of topography which makes
7 that set of head-in parking spaces not offensive to
8 that homeowner. So, there's a significant break at
9 that point.

10 COMMISSIONER PARSONS: Because they are
11 above them or below them?

12 MR. FERRELL: Above him, and we are also
13 planting hedge material, so there will be screening in
14 addition to the change in topography.

15 COMMISSIONER PARSONS: So, this becomes a
16 visitor parking, rather than resident overflow
17 parking, is that the intent?

18 MR. FERRELL: Or resident parking, it's
19 there to be used. We are trying to add to that 83,
20 unassigned.

21 COMMISSIONER PARSONS: So, is there a
22 retaining wall along the rear yard of this land
23 exchange?

24 MR. JARVIS: Yes.

25 COMMISSIONER PARSONS: I see, so there's

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1 substantial elevation. All right. And then on top of
2 the retaining all would be some evergreen plant
3 material or something to screen the bumpers of the
4 cars.

5 MR. JARVIS: Yes, sir.

6 COMMISSIONER PARSONS: Thank you.

7 CHAIRPERSON MITTEN: Commissioner Turnbull.

8 COMMISSIONER TURNBULL: Thank you, Madam
9 Chair.

10 I just wanted to get back to, I think, Mr.
11 Parsons had some very good comments about some of the
12 public spaces and the landscaping, and how they are
13 really -- some of them work really well.

14 I guess getting back to an earlier concern
15 that I had, I look on S05, which is the next one after
16 the general plan, which talks about Peabody Place, and
17 again, you see this wonderful progression of material
18 and the trees, and then you end up at the smaller
19 remodeled or renovated existing building, and for lack
20 of a term we could call it Mount Peabody, and you see
21 the beginnings of a wonderful lawn out here in front
22 of that building, but I guess what irritates me is
23 then when I go back to S04 I look at that building
24 with -- it's got mainly a parking lot around it, but
25 I see in the corner of it, and I don't know what you

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1 call it, I think it's a single-family detached row
2 house. Is that a new term for us, a single-family
3 detached row house.

4 And, I just wonder, I want to take my
5 eraser and erase it.

6 MR. SUEN: We did.

7 COMMISSIONER TURNBULL: And, I want to
8 erase the one across from it that stands on Chillum
9 Place. It looks like they are single-family --

10 CHAIRPERSON MITTEN: I think Mr. Suen said
11 they --

12 MR. SUEN: In the June 28th supplement
13 plan, I think it's on the same sheet number, that
14 house is gone.

15 COMMISSIONER TURNBULL: That house is gone.

16 MR. SUEN: So, we erased that.

17 MR. FERRELL: There a revised site plan of
18 that, SO4 on the submission, dated June 28th.

19 COMMISSIONER PARSONS: I guess we need a
20 score card to keep up with the revisions.

21 COMMISSIONER TURNBULL: Very nice, thank
22 you.

23 What about the one across from it, any
24 chance you want to get rid of that one, too, while you
25 are at it? I don't know what that does over there.

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1 MR. SUEN: That's your eraser, not ours.

2 COMMISSIONER TURNBULL: I see.

3 MR. GLASGOW: I think that the thought
4 there, Commissioner Turnbull, was since that one was
5 put on its side, it more looked like a single-family
6 house on there, as opposed to just looking into the
7 site into a parking area for the senior citizen
8 housing project. So, there was some thought given to
9 that. We had a discussion with the Office of
10 Planning, it was determined that -- so, what the
11 Commission does with it is one thing, but it's not --
12 it didn't just fall out of the sky there. There was
13 some discussion about that.

14 COMMISSIONER TURNBULL: Okay.

15 MR. GLASGOW: And, the purpose that it
16 served.

17 COMMISSIONER TURNBULL: Thank you.

18 CHAIRPERSON MITTEN: Anyone else? Okay.

19 Commissioner Whiting, did you have --
20 where did you go, did you have any questions at this
21 time, cross examination? Okay.

22 And then, Yvonne Jefferson, you need to
23 come forward, and you can ask cross examination
24 questions.

25 Give those to him. And, they made room

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1 for you at the table there, and I'm just going to give
2 you a tiny bit of coaching, since I think you might be
3 new to this, is you are asking them questions, you are
4 not making statements about your own opinions, okay?

5 Okay, just turn on the mic and state your
6 name for the record for us.

7 MS. JEFFERSON: Yvonne Jefferson.

8 CHAIRPERSON MITTEN: Go ahead.

9 MS. JEFFERSON: I would like to go back to
10 the issue of community benefits. If the Applicant can
11 identify the community center that they pose to give
12 funds to and the location, name and location of that,
13 and what other benefits the Applicant is offering the
14 community.

15 CHAIRPERSON MITTEN: Did you provide the
16 list of community benefits to Ms. Jefferson on behalf
17 of the party? Did you guys, when you passed it out to
18 us, did you give it to them?

19 Did you want to ask specific questions
20 about it, or you just want to get a copy of it?

21 MS. JEFFERSON: I have a copy now, I did
22 want to know what community center they were giving
23 funds to, proposing to give funds to. So, I guess
24 it's answered in this attachment?

25 CHAIRPERSON MITTEN: Would you turn your

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1 mic back on, please?

2 MR. JARVIS: Sure, if you would like for me
3 to speak to it, it was to the Riggs LaSalle Recreation
4 Center, and to the Lamont Youth Program, in care of
5 the Lamont Community Development Corporation, and to
6 the Lamont-Riggs Athletic Association, and with
7 additional computers to LaSalle Elementary School, to
8 Whittier Elementary School, to Coolidge High School,
9 and signage for the community developed in conjunction
10 with the Lamont Community Action Group.

11 MS. JEFFERSON: Thank you.

12 CHAIRPERSON MITTEN: Okay, are those --

13 MS. JEFFERSON: That's it.

14 CHAIRPERSON MITTEN: -- that's it, okay,
15 great, thank you.

16 Okay, thank you all very much.

17 Now we are ready to move to the report by
18 the Office of Planning, Ms. Thomas?

19 MS. THOMAS: Good evening, Madam Chair,
20 Members of the Commission. I'm Karen Thomas, with the
21 Office of Planning.

22 The West*Group Development Company and
23 Jarvis Company propose a planned unit development, to
24 develop the subject site with 187 residential units,
25 with 61 of those to be assigned as senior housing in

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1 the existing structures, 27 single-family detached
2 homes, and 99 town homes on 55 lots, designed to
3 create a diversity of residents of varying income
4 levels.

5 Our report describes the type of housing
6 proposed, and outlines where requested flexibility was
7 required from several provisions of the Zoning
8 Regulations, including lot occupancy for the town
9 homes, new side yard requirements including the side
10 yards for the town homes, FAR and flexibility from
11 Sections 410 and 2516 of the Zoning Regulations.

12 OP did not have any objections to the
13 flexibility requested, since we did not believe that
14 they would adversely affect on the privacy, light and
15 air to each unit. We are satisfied that decks have
16 been included in the design, since this would
17 eliminate future homeowners building and obtaining a
18 variance or special exception approval to add a deck.

19 Further, as the Applicant sights some
20 ratios, the total lot occupancy, and so the ratios are
21 well within the range of the requirements.

22 The PUD process provides a comprehensive
23 public review, that a proposal is reviewed according
24 to its design, architecture and site planning, which
25 would not otherwise be available if the project were

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1 to be built as a matter of right.

2 The Applicant was informed that the
3 project design should be able to achieve a development
4 that would provide open space with additional shade
5 tree plantings not currently on the site, on-site
6 parking, pedestrian access, on-site storm water
7 management control and erosion control.

8 Specifically, Chapter 24 provides that
9 public benefits and project amenities may be exhibited
10 and documented to its urban design. The Applicant has
11 addressed the amenities, to its design environmental
12 features, and affordable housing components.

13 At the request of the Commission and the
14 Office of Planning, the Applicant was asked to address
15 the density of the proposal, as well as to improve the
16 open space features of the site, and an updated plan
17 was submitted reducing the number of units from 199
18 shown at set down to 187, with about 11 park areas
19 identified including its accessories.

20 A number of shade trees are proposed, not
21 currently on the site, and this is a significant
22 benefit to the community when it reaches -- when the
23 canopy reaches maturity.

24 We supported the retention of the existing
25 buildings on site, since they have been there since

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1 1924, and to be used as senior housing seems
2 appropriate.

3 The two-entry story town homes have an
4 urban quality receptive of row house development in
5 the District.

6 All vehicular access to the homes provided
7 through a 16-foot wide alley system.

8 Seventeen affordable units are proposed,
9 and DHC provided a recommendation regarding its
10 distribution.

11 OP focused on DDOTs comments, since the
12 community expressed concerns regarding the potential
13 to increase traffic due to the development. First
14 off, OP is satisfied that there is sufficient off-
15 street parking provided and some on street for
16 visitors in the neighborhood, and this would mitigate
17 overflow parking in the existing neighborhoods.

18 DDOT requested, and the Applicant has
19 agreed, to pedestrian enhancements, including upgraded
20 sidewalks and reflective striping, street crossings,
21 and the installation of a traffic light at Quackenbos
22 and New Hampshire, as well as signs to prevent
23 blocking at street intersections. The narrow streets
24 would also slow potential speeding to the
25 neighborhoods and OP is satisfied that the new streets

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1 provide connectivity to the surroundings.

2 This is also a dispensable space issue,
3 since dead-end streets present hazardous situations
4 for law enforcement. More importantly, streets would
5 be paved to DDOT standards and the maintenance
6 agreement would have to be legally binding, as stated
7 in DDOT's reports.

8 The generalized land use map recommended
9 the subject site for low density residential, and the
10 map amendment would rezone the site. OP understands
11 that this has raised concerns with the community and
12 overall site density of 0.77 FAR as proposed is within
13 the range for the lower density zoned districts.
14 Therefore, OP believes that if the development meets
15 the intent of the Comp Plan elements, and objectives,
16 and the density for the site overall, it's within the
17 range that could be supported by the land use map.

18 OP, therefore, supports the project as
19 providing home ownership to a variety of potential
20 residents, some of whom are seeking starter home,
21 which seems to have become non-existent throughout the
22 District and the Metro Area for low to middle income
23 families. The variety of housing types would
24 encourage long-term residency among middle income,
25 first-time home buyers, to provide neighborhood

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1 stability to this new development which would be
2 situated among the long-established, stable
3 residential neighborhoods that abut the proposed
4 development.

5 Thank you.

6 CHAIRPERSON MITTEN: Thank you.

7 Questions for Ms. Thomas? Questions?

8 Okay, I just wanted to ask a question to
9 follow up on the issue that I raised at set down, and
10 the Applicant did provide us some additional
11 information about the amount of the site, the area of
12 the site net of the private streets and alleys, and
13 they did that on page 4 of their latest submission.
14 And, by my calculation the number of units per acre is
15 21 and a fraction, and at set down you represented
16 that you were comfortable with the density on the
17 site, because it was between the R-2 and R-3 density,
18 and at the time it had been calculated at 17 units per
19 acre, R-2 being 14 units per acre, and R-3 being 22
20 units per acre. Now it's really at the extreme of
21 that range, which is, if R-3 is 22 units per acre this
22 is 21 units per acre. How is it that you are
23 comfortable with it, given that it's leaning very
24 heavily in the R-3 direction?

25 MS. THOMAS: Well, again, we went back, we

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1 looked at the FAR. If you did an R-2 PUD, R-2 PUD has
2 an FAR of 0.6, an R-3 PUB has an FAR of 0.8, and the
3 .77 proposed with this development falls between the
4 R-2 PUD and the R-3 PUD.

5 CHAIRPERSON MITTEN: Well, I think some of
6 the concern that's being expressed is the, not density
7 in terms of mass of buildings, but in terms of number
8 of families and people. And, you know, we have this
9 kind of unusual condition where we have these
10 structures that, clearly, it's in everybody's best
11 interest to reuse them, and so we have some -- you
12 know, we have some density being created by those
13 structures. But then, in addition to that, we have,
14 you know, a lot of townhouses that are being
15 introduced to the site, and, you know, there's concern
16 being expressed, I mean, the Commission, I think, was
17 pretty clear about this originally, and the community
18 has only served to reinforce that as we've been able
19 to get their concerns on the record, about changing
20 the character of the neighborhood.

21 So, that's why I'm pressing you on this,
22 because number of units does bear on the character of
23 the neighborhood.

24 MR. GLASGOW: Madam Chair, could I ask --

25 CHAIRPERSON MITTEN: I'm asking them right

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1 now about their views, and you can add something on
2 rebuttal.

3 MR. GLASGOW: I just wanted to make sure
4 with the math, just because we have 11 acres times 17
5 units, and I think 11 times 17 is like 187.

6 CHAIRPERSON MITTEN: Let me tell you the
7 calculation that I did. I took the total lot area
8 without alleys and driveways of 384,811 and did the
9 calculation, units per acre using that number.

10 MS. STEINGASSER: I'm going to take a stab
11 at answering that. We didn't feel the project as
12 proposed would change the character of the existing
13 neighborhood. The existing neighborhood is very well
14 established. It's got wonderful urban fabric. I
15 think most of these units were built in the '40s and
16 '50s, and it's just got an overwhelming warmth to
17 being in there. The old detached garages with the
18 gates that open, and it's just -- it's a beautiful
19 neighborhood back in there, and we were very sensitive
20 to it. And, whenever I go back in there I'm really
21 impressed by this neighborhood.

22 That was one of the reasons why we
23 stressed so much for the single-family residential
24 facing single family, and why I think the developer
25 was very sensitive to that same juxtaposition of

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1 having the single-family homes facing the single-
2 family homes, and the row houses being internal.

3 It's a very large site, and the
4 neighborhood is much larger than the site, and goes a
5 great deal to the east and to the north, before we hit
6 the Maryland line. And in containing the row houses
7 within the center, with these variety of open spaces,
8 we felt provided the housing opportunities that the
9 District needs as a whole, but still protected the
10 character of the neighborhood around the edges.

11 Another gesture that was made that we
12 found highly significant and without -- I don't want
13 to diminish the economic impact of it, is that these
14 will be 100 percent masonry. They are not going to be
15 a suburban model, where they've got a pastel vinyl
16 siding around the back, they are going to be 100
17 percent masonry, which is the overwhelming material of
18 the surrounding neighborhood. So, they were very
19 sensitive to bringing that in.

20 We didn't feel the internal part of the
21 lot, or of the project, was over dense, while we
22 agreed there were some awkward units, and many of them
23 have since been removed. We thought about
24 neighborhoods like up on middle Wisconsin, where
25 you've got Glover Park that has a mixture of 1910,

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1 1920 homes with the 1890 row houses, and they are
2 really together, and it's a really wonderful
3 neighborhood. And, if you stepped back and tried to
4 describe the neighborhood we'd all cock our heads as
5 if it was something odd to have this combination of
6 units and opportunities with open spaces. This
7 particular park and this relationship is very common
8 throughout D.C. It's a very familiar pattern
9 throughout the City. We see it up in parts of Ward 4
10 especially, the east side of the park where you've got
11 blocks of row houses, a central park, detached single-
12 family units, and they are all of masonry materials,
13 and it's very familiar.

14 Capitol Hill is just littered with these
15 central parks in the neighborhoods, especially if they
16 come through on the diagonal. So, we felt this was a
17 familiar pattern to Washington. We felt the density
18 wasn't too great, it was contained within the project,
19 not on the edges, and so they kind of bore their own
20 transition internally.

21 We felt it also opened itself up, as Mr.
22 Ferrell was explaining, by continuing the grid
23 wherever they could. They are pulling it in, it's not
24 a grid site. It's not rectilinear, it's not in the
25 original L'Enfant, it doesn't naturally lend itself to

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1 a full continuation, without the demolition of some of
2 the buildings that the Applicant and the City was
3 hoping to see reused.

4 So, we had a more -- I guess we had less
5 concern about the density than the Commission does.
6 We felt that some of the units without yards were
7 opportunities for people who don't want to maintain
8 the yards. They've still got more open space, they've
9 got a garage and a drive through, than an apartment
10 dweller would have, or a condominium owner who has no
11 outdoor space.

12 We were also pleased to see, since the set
13 down, that the developer reoriented most of those
14 units so that faced directly onto the open space, so
15 that there was at least a visual sense of openness,
16 and they weren't necessarily tucked away in some areas
17 where they had been before with no direct link to the
18 open space.

19 I think also as the Applicant had offered,
20 some of the concerns about the use of the larger lawn,
21 and I hadn't really thought through the soccer issue,
22 but can be resolved by putting in some small groups of
23 trees. It still makes the lawn open, but it divides
24 the lot up so that it's not available for that kind of
25 public soccer, baseball use, and creates smaller areas

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1 but still maintains that kind of majestic open lawn
2 that would welcome the neighborhood in.

3 CHAIRPERSON MITTEN: Thank you.

4 Anyone else?

5 COMMISSIONER JEFFRIES: I'd just ask Ms.
6 Steingasser, so, in terms of Madam Chair's concern
7 about Peabody Street, could you comment at all on sort
8 of this whole notion of Peabody Street, and not sort
9 of doing that sort of likeness across from it?

10 MS. STEINGASSER: I guess when we looked at
11 -- at least the piece of Peabody between 1st and
12 Chillum, there as a transition that was needed between
13 the existing smaller building that's there, at the
14 corner of Chillum and Sligo Mill, and how to
15 transition from this building to the single-family
16 detached on Peabody. And, Peabody seemed to be a
17 natural breaking point, and again, the transition
18 happened on the site with the row houses.

19 In this particular case, there's only the
20 four row houses and then the -- I'm still confused
21 whether the detached row house is in or out. I got a
22 little confused.

23 MR. GLASGOW: It's in.

24 MS. STEINGASSER: It is in?

25 MR. GLASGOW: That one is in.

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1 MS. STEINGASSER: And, on this one, this
2 one OP had originally asked that this unit come out,
3 and as the planning philosophy was explained to us
4 about having eyes on the street, connecting to the dog
5 park across which is in the corner of Chillum Place,
6 it kind of was connecting the neighborhood out, it was
7 kind of an important unit as it turned out to pulling
8 the neighborhood across Chillum, as opposed to had it
9 been out then there would just be -- there would be an
10 open space, or parking, or just a big landscaped
11 space, and the dog park would seem more of kind of a
12 detached afterthought than actually being relative to
13 the street.

14 The other four units we saw as serving
15 that transition between the single family and this
16 larger multi-family mid-rise building.

17 CHAIRPERSON MITTEN: Thank you.

18 Anyone else?

19 Mr. Parsons?

20 COMMISSIONER PARSONS: I find it curious
21 that they haven't included a playground for small
22 children. Is there one in the neighborhood?

23 MS. STEINGASSER: I don't know.

24 COMMISSIONER PARSONS: I'll ask the
25 Applicant. I'm sorry.

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1 CHAIRPERSON MITTEN: Mr. Glasgow, did you
2 have any questions for the Office of Planning? This
3 is not a time to answer the questions, just to -- we
4 actually have some like order to it.

5 MR. GLASGOW: I have no questions.

6 CHAIRPERSON MITTEN: Okay.

7 Commissioner Whiting, did you have any
8 questions for the Office of Planning?

9 Okay, and, Ms. Jefferson, any questions
10 for the Office of Planning?

11 Okay, thank you.

12 The next is Government Agency reports,
13 there are a number of Government Agency reports
14 attached to the Office of Planning report, and we have
15 the DDOT report in the record separately.

16 Is there anyone here representing any of
17 the agencies that submitted reports? Okay.

18 No, ma'am, if you have a procedural
19 question you can ask Ms. Schellin, you can walk up and
20 ask Ms. Schellin.

21 Okay, then we will skip over the time for
22 the ANC report, as we said, and now we'll take folks
23 in support, and I have Mr. White representing the
24 Lamond Community Action Group, Stan Vondrie, you can
25 come forward folks, if you intend to testify you can

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1 come forward now.

2 Anyone else who would like to testify in
3 support? If you'd hand your two cards over to the
4 court reporter there.

5 Are you Mr. White?

6 MR. WHITE: Yes, I am.

7 CHAIRPERSON MITTEN: Okay, would you turn
8 on the mic and introduce yourself, please?

9 MR. WHITE: Good evening, my name is Keith
10 White. I'm the Vice President of the Lamond Community
11 Action Group.

12 The Lamond Community Action Group is a
13 non-profit, non-partisan organization consisting of
14 home and apartment residences within the 4B07
15 community of the District of Columbia. Our community-
16 based organization has been in existence since 1965,
17 and consists of approximately 175 single-family homes,
18 duplexes and apartments. We are committed to
19 improving quality of life for our residents.

20 Please note the LCAG is bounded by Kansas
21 Avenue, Eastern Avenue, New Hampshire Avenue, Peabody
22 Street and Chillum Road. Currently, we have about 40
23 active participants in our organization.

24 The LCAG is in support of Case No. 0530,
25 our decision is based upon a community survey within

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1 the organization and conversations with the West*Group
2 and based among ourselves. We have spent a lot of
3 time conversing and surveying also to determine what
4 we would like to see in a development, and how it will
5 affect our neighborhood.

6 We view this development as a positive
7 addition to a community and the City that is changing
8 for the better.

9 Many concerns were raised and submitted to
10 the West*Group for implementation into their design of
11 the property, and they have responded to our
12 recommendations. The concerns raised were density,
13 appearance of the homes, cost of the homes, road
14 infrastructure, traffic capacity, green space and
15 commercial or retail components in a development.

16 They reduced the overall housing stock
17 from 287 units down to 187 units. Ideally, we would
18 have liked to have seen a better mix of single-family
19 homes and townhouses, i.e., 50 single-family homes, 70
20 town homes.

21 The increase in the green space and a
22 guarantee to the community that it will be open for
23 public use alleviated our concerns of a closed
24 development and de-permanization of the community. We
25 also recommended that all of the homes should be brick

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1 with town homes having some green space, similar to
2 duplexes in the neighborhood. The West*Group complied
3 as it ensured that the houses will have at least one
4 dedicated parking space on the property of the home.

5 Finally, the commercial and retail
6 components were removed from the project, as we
7 requested.

8 The LCAG has always known that the
9 West*Group was seeking a PUD, and in essence asking
10 for a zoning change in exchange for community input
11 and benefits. We have worked with the West*Group,
12 their team and the community leaders, to ensure that
13 the project would reflect the surrounding community
14 and be a positive impact upon us.

15 We ask that the Zoning Commission approve
16 this planned use development.

17 Thank you.

18 CHAIRPERSON MITTEN: Thank you, Mr. White.

19 Questions from the Commission for Mr.
20 White? Any questions?

21 VICE-CHAIRPERSON HOOD: Mr. White, you said
22 that your organization consists of residents who live
23 in ANC 4, what was it, 4B07?

24 MR. WHITE: That's correct, sir.

25 VICE-CHAIRPERSON HOOD: Okay, thank you.

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1 Thank you, Madam Chair.

2 CHAIRPERSON MITTEN: Is there overlap
3 between the area of your group and the area
4 represented by Citizens Aware Block Organization?

5 MR. WHITE: No, we are separated by New
6 Hampshire Avenue.

7 CHAIRPERSON MITTEN: Okay. Okay. And, how
8 did you all, given that you said that you had a
9 preference, initially there was a preference expressed
10 for more single-family dwellings, how did you all come
11 to sort of resolve among yourselves that the density
12 was acceptable?

13 MR. WHITE: We debated, and we talked about
14 the number of units, ideally we would have liked to
15 have seen more. We saw a benefit in having a mixed-
16 used development, and that different price ranges and
17 different folks coming into the community, a much more
18 diverse community, than in an all single-family
19 development.

20 CHAIRPERSON MITTEN: So, that's how you --

21 MR. WHITE: Yes.

22 CHAIRPERSON MITTEN: -- got comfortable
23 with it?

24 MR. WHITE: Yes.

25 CHAIRPERSON MITTEN: Okay. Anyone else?

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1 Okay, Mr. Glasgow, any questions?

2 MR. GLASGOW: No questions.

3 CHAIRPERSON MITTEN: Commissioner Whiting,
4 any questions for Mr. White?

5 Okay, Ms. Jefferson, any questions for Mr.
6 White?

7 Okay, thank you very much.

8 Anyone else who would like to testify in
9 support?

10 Okay, now we will take the party in
11 opposition first. Ms. Jefferson, as a party, you have
12 15 minutes to make a presentation, and you can call
13 the witnesses that you indicated on your party status
14 application as you wish.

15 MS. JEFFERSON: Good evening. My name is
16 Yvonne Jefferson, and if I could I'd like to have my
17 witnesses called up.

18 CHAIRPERSON MITTEN: That's fine.

19 MS. JEFFERSON: That would be Lawrence
20 Martin, Archie Pritchard, Mr. Johnson, Dr. Martin,
21 Rabiha Matin, if she's here, and if I've forgotten
22 anyone, and you know you are a witness if you would
23 please come up.

24 Can I call witnesses that I hadn't
25 previously asked --

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1 CHAIRPERSON MITTEN: Do you have any
2 objection to that, Mr. Glasgow?

3 MR. GLASGOW: No, Madam Chair, as long as
4 they keep within their time limit.

5 CHAIRPERSON MITTEN: Right.

6 MS. JEFFERSON: Okay.

7 CHAIRPERSON MITTEN: You have to manage
8 your time.

9 MS. JEFFERSON: Okay.

10 And, Ms. Griffin and Judi Jones.

11 CHAIRPERSON MITTEN: And, since this is an
12 awful lot of people to get into 15 minutes, I'll just
13 say that anybody that you don't get to can testify as
14 an individual on their own, if we don't get to them.
15 Okay? So, hit it hard in your 15 minutes, okay?

16 MS. JEFFERSON: Okay. I am Yvonne
17 Jefferson, and I am representing Citizens Aware, which
18 is in the 4B08 community. We have previously
19 submitted a testimony and attached to that testimony
20 were 272 signed petitions by members that live in the
21 community that may or may not be part of an organized
22 group that are in opposition to having the West*Group
23 build a project that is a PUD.

24 West*Group stated that they have held 20
25 meetings in our community, and I would proffer that

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1 someone from Citizens Aware would have been at any one
2 of those meetings. I probably attended at least 18 of
3 them myself, and they probably made changes to their
4 proposal at at least 17 of those meetings. So, you
5 had to go to the meeting, because at each meeting they
6 would change their proposal.

7 We got -- I live right across the street
8 from the property on New Hampshire Avenue -- I
9 received a notice of zoning change on the property in
10 August, 2005. We had been in negotiations with
11 West*Group for about a year before I was informed that
12 there would be a zoning change that would come along
13 with this planned unit development.

14 West*Group was wrong about the commercial
15 strip, and in one of their plans they proposed that we
16 should have a commercial strip, that we might have a
17 cleaners, a store, the community resoundingly did not
18 want that.

19 They were wrong about a park. They came
20 in and proposed that maybe we wanted a park on this
21 PUD. We've had a lot of problems with drugs in our
22 community and parks being one of the places where they
23 are sold and used. And so, that idea left a bad taste
24 in our mouths.

25 We also, I think, negotiations kind of

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1 broke down, and the reason we had to have so many
2 meetings is because West*Group negotiated with
3 individual members of the community and they
4 negotiated with this group one month, that group the
5 next month. Originally, we had been led to believe
6 that there would be an ad hoc committee of community
7 leaders, and we think that would have been a better
8 way to negotiate the process.

9 This project, we are against this project
10 because the zoning variance would dramatically
11 increase the community population. It would double the
12 number of households in our community.

13 According to West*Group, 80 single-family
14 homes could be built on that property were the two
15 buildings allowed -- they would be allowed to stay
16 there. If they demolish those two buildings then 100
17 single-family homes could be built on this property.

18 We agree with Commissioner Turnbull's
19 testimony earlier that a zoning for variance under the
20 PUD would result in crammed buildings or buildings
21 that look crammed together, where alleys in the back
22 and front entrances would be cut off, they would not
23 be uniform, you might have one that has a backyard and
24 then another that does not.

25 And also, the private streets would make

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1 it -- private streets don't exactly conform to streets
2 that would normally be built in a community, so you
3 would have a tight fit there.

4 This project cannot be everything to
5 everybody. The City, as we all know, has adopted a
6 pro development strategy, and you can see the
7 development coming up all over the City. It seems
8 that Ward 4 has been especially targeted at an
9 alarming rate for new development. There are a number
10 of mixed use housing developments, condos and
11 townhouses that are being considered for construction
12 in our area, not more than four to six blocks away
13 from this project. Some of that construction, or
14 proposed construction, is taking place at South Dakota
15 and Ridge Road, N.E., over at the Fort Totten Metro
16 they are actually turning dirt to make these projects
17 happen.

18 Accordingly, we are concerned about
19 increased density in the short and long term in our
20 community. With the increased density there would be
21 lots of concerns that may come up. One of them would
22 be more traffic. In the last ten years we've had the
23 subway come in, and it's probably been longer than
24 that, but we have more traffic coming through our
25 neighborhood streets, the side streets off of New

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1 Hampshire Avenue. We have a post office over on the
2 Kansas Avenue side that causes traffic. Two streets,
3 Peabody Street and Quackenbos, going for a two-block
4 area you get to Eastern Avenue, which becomes like a
5 gateway to Maryland, and people are using these side
6 streets more and more to commute into D.C. from
7 Maryland and then go back into Maryland in the
8 afternoon hours.

9 Also, there is a proposed light to be
10 built at Quackenbos and New Hampshire. We think that
11 will further exacerbate traffic, because once you come
12 into D.C., at the Eastern Avenue point, from Eastern
13 Avenue to North Capitol Street is about a six-block
14 area, North Capitol is a busy thoroughfare, and
15 there's a light there. So, that light, and it's kind
16 of a dead end in the sense that there's a house on
17 North Capitol, it's kind of a T-shaped, New Hampshire
18 Avenue, you are coming in going south in D.C., and
19 then North Capitol runs along, it would be the top of
20 the T. And, in rush hour it tends to back up traffic,
21 because it has no where to go until you wait for those
22 lights.

23 In addition, there will be more pets, more
24 children, more waste, more water to consider, more
25 emergency services. We have had the police come into

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1 our community meetings and tell us they did not
2 anticipate any increased crime in our area, and we all
3 know what a farce that is after the crime tragedies
4 that have occurred in our neighborhoods these last few
5 weeks, where the police have been diverted from parks
6 in our neighborhood to go down to the Mall area.
7 We've also had police come in and tell us that the
8 crime rate is not as high in the New Hampshire Avenue
9 Gateway as it is in the Georgia avenue Gateway, so
10 when there is something going on in Georgia Avenue
11 they pull the police out of our neighborhood and send
12 them over to the Georgia Avenue neighborhood.

13 CHAIRPERSON MITTEN: I'm just going to help
14 you manage your time a little bit, you are about
15 halfway done, and you haven't called any of your
16 witnesses.

17 MS. JEFFERSON: All right.

18 CHAIRPERSON MITTEN: So, I just want to
19 help you.

20 MS. JEFFERSON: And so, with that, I would
21 wrap up, because I do want to have the testimony of my
22 other members. We want to thank West*Group for
23 presenting their project and thank the Zoning Board
24 for hearing us on this.

25 One of the big lessons that we have

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1 learned is that home is where the heart is, home is
2 right up there with mom and apple pie. One of our
3 members said they intend to die in that community, and
4 it has been a strong, stable community, and we would
5 like to keep it like it is.

6 We would propose that West*Group, and we
7 would work with them to develop this project as a
8 matter of right, as all single-family homes.

9 And, at this time I'll call on Dr. Martin.

10 CHAIRPERSON MITTEN: Would you turn on your
11 microphone?

12 DR. MARTIN: Because I signed up as an
13 individual, I think because of time I would like to
14 let, you know, Mr. Martin go.

15 CHAIRPERSON MITTEN: However you want to do
16 it.

17 DR. MARTIN: And, I'll come back as an
18 individual.

19 CHAIRPERSON MITTEN: That's fine.

20 DR. MARTIN: Okay.

21 MR. MARTIN: Commissioner --

22 CHAIRPERSON MITTEN: You can bend it, you
23 can move it around. There you go.

24 MR. MARTIN: -- Commissioner Mitten, and
25 Members of the Zoning Commission, good evening. I am

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1 Lawrence L. Martin, a member of Citizens Aware, a
2 block organization since 1962, of the Lamond-Riggs
3 Citizens Association. I have been presently a
4 resident of the District of Columbia some 85 plus
5 years, 48-1/2 of those at my present location, 301
6 Quackenbos Street, N.E., Washington, D.C. 20011-1653
7 in Ward 4, Single Member District 4B08.

8 I am homeowner living one block from the
9 proposed West*Group development. One of my major
10 concerns involving the project is population density,
11 resident occupancy. For the proposed development,
12 which would be located in Census Tract 4505 in Ward 4,
13 the proposed development would include 27 single-
14 family homes, approximately 100 townhouses, and 60
15 condominiums. Research, using suggested national
16 standards of approximately three persons per single-
17 family home, two and a half persons per townhouse, and
18 one and a half persons per condominium would total
19 between 371 and 401 persons residing on 11.2 acres of
20 land and building.

21 I have a map, an Office of Planning map,
22 dated July 17, 2006, which depicts population density
23 of Ward 4 as 13 persons per acre, and for Census Tract
24 9505, Ward 4, in which the development is proposed, is
25 10.5 persons per acre.

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1 Noting the density figures just given, the
2 population density for the project would range from
3 31.5 to 35.8 persons per acre, more than three times
4 the current population density for Track 9505 and
5 almost two and a half times the population density for
6 Ward 4, creating a disparity that in my view
7 exasperates, not only the housing situation, but other
8 related problems associated with proposed development.

9 This situation is germane to the traffic
10 problem. Increased traffic to an over-burdened
11 system, which currently and in the foreseeable future
12 is unable to adequately handle the a.m./p.m. rush hour
13 traffic that flows to and from the downtown area of
14 our City.

15 The proposed project is bounded by local
16 streets, New Hampshire Avenue, Peabody, Chillum Place,
17 and Sligo Mill Road, respectively. Rittenhouse,
18 between New Hampshire and Kansas Avenue, would also be
19 affected by the proposed development. Local streets,
20 by definition, are supposed to offer lowest level
21 mobility and service to through traffic movement,
22 usually deliberately discouraged. This is from a DOT
23 printout.

24 Homes adjacent to the proposed
25 development, older homes, have plastered walls.

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1 Excess traffic causes, on some streets, to develop a
2 corridor effect, thereby causing cracks in walls in
3 homes that the District Government will not repair.
4 An example, 60 23rd St., N.E., the local streets in my
5 view are not designed to carry excess traffic.

6 In order to circumvent the heavy traffic
7 on New Hampshire Avenue, N.E., during the rush hour
8 periods, many drivers violate established "do not
9 enter" signs, electronic or posted, which are supposed
10 to deter entry of traffic into the community during
11 the 7:00 a.m. and 9:30 time period. Demographics have
12 changed remarkably in terms of population density,
13 traffic patterns and systems, and in other areas since
14 the 2000 Census, as suggested in terms of accuracy in
15 the D.C. Atlas publication dated November, 2005.

16 The proposed cost of housing for persons
17 buying into the proposed development may require the
18 additions of more persons per unit than anticipated to
19 meet high mortgage obligations.

20 In conclusion, members of Citizens Aware,
21 and residents beyond our immediate block organization
22 boundaries, as supported by 272 signed petitions, are
23 trying desperately to maintain the integrity of our
24 community, by asking that the Commission give great
25 thought before making a determination to grant the

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1 zoning from current R-1-B to 5-R-A or B. We truly
2 love our community, and hope that R-1-B zoning will
3 remain.

4 Thank you. Respectfully submitted,
5 Lawrence L. Martin.

6 CHAIRPERSON MITTEN: Thank you.

7 Did you have anyone else you wanted to
8 call at this point, or will they just testify as
9 individuals?

10 MS. JEFFERSON: We don't have much time, so
11 I think they'll just testify as individuals, they
12 have, what, two minutes?

13 CHAIRPERSON MITTEN: Three minutes, and I
14 need you to pull that microphone closer as you
15 respond.

16 MS. JEFFERSON: Okay.

17 CHAIRPERSON MITTEN: Okay. So, you'll
18 close out now, and then we can pick these other folks
19 up as individuals.

20 MS. JEFFERSON: Okay.

21 CHAIRPERSON MITTEN: Okay.

22 MS. JEFFERSON: Do you want me to close
23 out?

24 CHAIRPERSON MITTEN: Do you have -- you can
25 just give us your final thought.

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1 MS. JEFFERSON: We are concerned about, as
2 the Commission testified, about the condo association
3 being responsible for certain items. We don't think
4 it's likely to have people coming into the community
5 and wanting to have to pay for that.

6 Also, private streets are proposed, that
7 means those condo residents would have to pay for snow
8 removal, repairs of streets, and such like that, and
9 you may have people cutting through the development to
10 duck some of the traffic that we know that they will
11 face. And so, that is a concern for us.

12 CHAIRPERSON MITTEN: Okay. Let's -- we'll
13 have our questions for Ms. Jefferson and Mr. Martin,
14 and then we'll hear the testimony from the other
15 folks.

16 Any questions for either of these folks?
17 Any questions?

18 Mr. Jeffries?

19 COMMISSIONER JEFFRIES: I have a question.

20 Ms. Jefferson, you state 272 residents, I
21 mean, can you just give me a sense of exactly what was
22 -- what did you ask of these 272 residents, as it
23 relates to this development? I'm trying to get a
24 sense of what it means that 272 residents, you know,
25 stated that they were against a zoning change, is that

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1 what you said?

2 MS. JEFFERSON: Actually, Dr. Martin
3 initiated that project. She is a member of Citizens
4 Aware, and I would defer the question to her, but I
5 would just say first of all, everybody that is
6 affected and lives in the community is not part of an
7 organized community organization. So, I think the
8 benefit of those petitions is the voice of those
9 people that are not part of an organized group are
10 being heard through their signature on these
11 petitions, and at this time I will pass --

12 CHAIRPERSON MITTEN: She hasn't testified
13 yet, so if you can incorporate that into your
14 testimony -- that response into your testimony.

15 COMMISSIONER JEFFRIES: It's really around
16 -- I just want to understand the methodology, in terms
17 of, you know, how you came about, you know, because
18 272, I mean, that seems pretty large, but so, it makes
19 you sort of wonder exactly how you went about that.

20 And, my other question, Ms. Jefferson, is
21 that I think the Applicant has testified that, you
22 know, because of the PUD, and the map amendment, that
23 the community will get a number of benefits. I mean,
24 the pocket parks, the green lawn, the great lawn, I'm
25 sorry, affordable housing, so all those things, you

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1 know, might go away if we were looking at a matter of
2 right development. I mean, have you sort of
3 considered, you know, the attractiveness of some of
4 the benefits and amenities that are being offered
5 through this PUD?

6 MS. JEFFERSON: Actually, there is, there's
7 been a number of questions about the parks, and just
8 how much benefit they will be to the community. It
9 has to be worked out, I believe, with the new
10 residents that will be coming in and having to pay the
11 condominium fee to maintain those green spaces and
12 that shrubbery that's there.

13 And, the issue of affordable housing, when
14 West*Group came in and presented their PUD, they had
15 no affordable housing. They did not offer that. That
16 was a suggestion of the community.

17 The community voted for ten affordable
18 housing units, and at that time were hoping that
19 women, children would benefit from that. A recent
20 development has been that 12 of the 17, I believe,
21 affordable housing units are going to seniors. So,
22 that leaves out a number of people that would benefit
23 from the affordable housing units, and those 12 are
24 being offered as condominiums. You have five
25 townhouses that really would be available to the

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1 public as affordable housing units, and I don't think
2 that's significant when you are talking 200
3 households.

4 CHAIRPERSON MITTEN: Thank you.

5 Anyone else?

6 Mr. Hood?

7 VICE-CHAIRPERSON HOOD: I have question.

8 Ms. Jefferson, you mentioned about,
9 roughly, 18 meetings, and 17 changes. Was that due to
10 the group being conscientious of what the community
11 input was, and they made the changes because of the
12 input that they got? Would you say that's a fair
13 assessment?

14 MS. JEFFERSON: I think that's a fair
15 assessment, and I will quantify that the 17 and 18
16 figures that I used were just kind of like off the top
17 of my head. But, the point I was making was that
18 there were several revisions to these changes, and,
19 yes, the changes were made as a request of individuals
20 that might have come to a meeting in January. And
21 then, somebody didn't come in January may have come in
22 February, and it went on like that. A group may have
23 come in March.

24 VICE-CHAIRPERSON HOOD: Right, so this
25 developer changed, trying to work with the input of

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1 the community.

2 MS. JEFFERSON: Yes, he did.

3 VICE-CHAIRPERSON HOOD: Thank you.

4 CHAIRPERSON MITTEN: Anyone else?

5 Mr. Glasgow, any questions?

6 Ms. Whiting, did you have any questions
7 for either Ms. Jefferson or Mr. Martin?

8 Okay, thank you. You both can go back and
9 have a seat, and then we'll just have this panel.

10 I don't know everyone's name, so maybe we
11 can work from -- Dr. Martin, if you want to go first,
12 that's fine, too.

13 DR. MARTIN: Okay. I'm Dr. Oralisa Martin,
14 a D.C. resident, located across the street from the
15 said property at 6101 New Hampshire Avenue.

16 It's important to understand that on
17 September 22, 2005, I, with Dr. A. Kelly, on behalf of
18 the citizens who comprise this community of the
19 Lamond-Riggs subdivision, submitted to the District of
20 Columbia Zoning Commission 272 adult-signed petitions
21 in opposition to Zoning Application Case 0530.

22 The process used, in answer to the
23 question, was door to door, knocking on doors, talking
24 to people about the new development as was presented
25 to us, and to be clear, we went almost a whole year of

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1 a PUD image that looked like a glorified spider web
2 placed on a screen, with us supposedly commenting on
3 what we liked and what we didn't like, whether we
4 liked the trees and all of this stuff, and then
5 revisions. So, we are constantly reacting, just as
6 coming in here.

7 When I sit in this assembly, and listen to
8 the experts, yourselves, asking pertinent questions
9 that people like myself and those behind me were
10 expected to catch in order to make a decision, we
11 understood that we needed that piece of property to
12 remain R-1-B zoning, because it protected us and it
13 protected our rights.

14 We also felt that we were violated,
15 because we went through a process looking at a PUD a
16 whole year, and it wasn't until August 31st that we
17 learned this required a changed in zoning. And, for
18 people who oppose, we really didn't get much of a
19 voice.

20 Okay, and when I realized that we weren't
21 getting much of a voice in organizations, moved out
22 with several people and we did door-to-door knocking
23 until 10:00-11:00 at night.

24 And, because I don't really work an 8:00
25 to 5:00 job, and Dr. Kelly had time off, too, and

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1 three other persons with me, we worked it and talked
2 to people, and discussed it with them on the street,
3 in the household, risking life on what was going to
4 happen to our community.

5 And, we need to say to the Zoning
6 Commission, we looked at the project as a monster,
7 sitting in the middle of our community. When people
8 talk about not wanting to cut grass and a lawn, that's
9 part of our character, and the value.

10 And so, this project looks like a monster,
11 and which many people who are elders feel terrorized.

12 CHAIRPERSON MITTEN: Dr. Martin, I need
13 your closing thought.

14 DR. MARTIN: Okay. My closing thought is
15 that we, the hard-working residents of D.C., continue
16 to look to our Zoning Commission, and the elected
17 officials, to protect us from the violation of our
18 rights. And, we urge you to not grant a rezoning of
19 the said property, and to vote that it retains its
20 zoning R-1-B.

21 CHAIRPERSON MITTEN: Thank you.

22 Ma'am, are you Dr. Kelly? No, okay. Well
23 we'll have you go next. I'm sorry. You can stay
24 right there, we'll just slide the mic over.

25 MS. GRIFFIN: Yes, my name is Pamela

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1 Griffin. I live at 6119 New Hampshire Avenue, and I
2 am very concerned about the amount of traffic it's
3 going to bring to our community, which is already
4 overly burdened. There are a lot of accidents.
5 People are hurt very badly at the intersection, right
6 at New Hampshire and Rittenhouse. That's where my
7 house is, right on that corner, and you hear
8 ambulances.

9 I know people personally who have been in
10 accidents on that corner, and I think adding that many
11 people to that area right there could only make it
12 worse. I don't see how anything that's being done
13 there can make that situation any better.

14 And, the houses do -- they do shake, and
15 I'm really worried with this magnitude of a
16 construction over at that site, what it's going to do
17 to the houses below. There's a big construction going
18 on on South Dakota Avenue, at the end of South Dakota
19 Avenue, next to Fort Lincoln, and when it rains that
20 area is just mud, just comes down over there. One
21 time they had to close the street off. I'm very
22 concerned with what's going to happen, because that is
23 on a hill, what is going to happen with that
24 magnitude, and this is probably going to happen with
25 any type of development over there.

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1 But, we've done a lot to our houses in
2 that neighborhood to waterproof and that type of
3 thing, I know I have with my house, and I'm very
4 worried about runoff and that type of thing,
5 especially during the construction phase of the
6 project.

7 And, it was given that zone for a reason.
8 Every neighborhood has a zone for a reason, and I
9 don't see a reason to change our zone. There are
10 other communities all over the City that have a zone,
11 they stay that zone, and when there is a change about
12 a lot of people are opposed to it, because we moved
13 there for a reason, we moved there because that was
14 the zone, and that's where we wanted to live.

15 So, I don't see a valid reason for
16 changing the zone.

17 CHAIRPERSON MITTEN: Okay, thank you, Ms.
18 Griffin. Just hold your seat, and then we'll take
19 questions for the whole panel together.

20 Sir?

21 MR. JOHNSON: Good evening, my name is
22 Willard Johnson. I have lived at 6128 New Hampshire
23 Avenue, N.E., for 42 years. As a matter of fact, I
24 live in one of the three houses that you saw on the
25 map down at the bottom of the hill.

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1 I just learned today that that is a 50-
2 foot slope that's coming down toward me, and so I
3 didn't know exactly what the slope, you know, how much
4 of a slope it is.

5 But, I will say this, I have noticed over
6 the years a tremendous increase in the volume of
7 traffic coming out of Maryland into the District,
8 particularly, during the morning and evening hours
9 between 6:30 and 9:00 a.m., and 3:30 to 6:30 p.m.

10 To complicate things, New Hampshire Avenue
11 is a bus route to Fort Totten. There are several bus
12 stops southbound and northbound inside the District
13 line between Eastern Avenue and North Capitol Street.
14 Buses, as you know, make frequent stops, and will
15 delay traffic in an already crowded situation.

16 I have not been able, of course, to count
17 the traffic, but there is a steady flow of traffic,
18 bumper to bumper, coming into the District, blocking
19 driveways and streets, and sometimes, you know,
20 intersections. When the light turns green, they are
21 already out there, and so they are blocking that.

22 Now, travelers, as I heard my neighbors
23 mention, they make an effort to avoid the delay by
24 negotiating through other streets in the community in
25 order to get downtown.

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1 Currently, with bumper-to-bumper cars,
2 buses, heavy-duty trucks, and other types of
3 conveyances, now additional traffic entering New
4 Hampshire, N.E. Corridor would only serve to add to
5 the pollution problem. I haven't heard pollution
6 mentioned here, but there is a tremendous pollution
7 problem, you know, with the slow trucks coming
8 through, and it's definitely having an effect on human
9 health. I haven't heard that mentioned.

10 But, this proposed development would add,
11 with an additional 400 new residents in my view would
12 add an additional impact on the above-mentioned
13 problem.

14 Now, it was mentioned that those five
15 exits, you know, it sounds good on paper, but actually
16 they can't go through there because it's going to --
17 they'd be blocked up over there trying to get out on
18 the cycle of Kansas, because it's already bumper to
19 bumper.

20 CHAIRPERSON MITTEN: I need your closing
21 thought, Mr. Johnson.

22 MR. JOHNSON: Thank you.

23 CHAIRPERSON MITTEN: Okay.

24 MR. JOHNSON: All right, thank you.

25 CHAIRPERSON MITTEN: Okay, thank you.

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1 Ms. Jones, Commissioner Jones?

2 MS. JONES: Yes. I want to, I know that I
3 have to at the end of the meeting talk about my area,
4 but I'd like to stop for a minute and ask Ms.
5 Jefferson what she wanted me -- I was an impromptu
6 witness, so I wanted to know what you wanted me to
7 talk about at this point.

8 CHAIRPERSON MITTEN: Well, I want to
9 clarify something. You can -- the ANC will have
10 official testimony, and that will take place at our
11 hearing on the 7th. If you desire tonight to testify
12 as a Single-Member District Commissioner or as an
13 individual, you can do that, and it's whatever you
14 want to say.

15 MS. JONES: And, that's what I understood
16 that you were going to, at the end of -- after
17 everyone's testimony, have that. So, I'm asking --

18 CHAIRPERSON MITTEN: No, the official ANC
19 testimony is what is being held out of order.

20 MS. JONES: -- so I can testify now.

21 CHAIRPERSON MITTEN: As an individual you
22 can testify now for three minutes.

23 MS. JONES: Right. Well again, I wanted to
24 ask what -- I can talk all day as a resident, but Ms.
25 Jefferson called me up as a witness, so I wanted to

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1 know if she had anything specific she wanted me to
2 say.

3 MS. JEFFERSON: I just wanted your
4 thoughts.

5 CHAIRPERSON MITTEN: Okay, the answer is
6 no. Okay, thanks. Go ahead.

7 MS. JONES: Okay. So, as a resident, I
8 have been involved in this, I've lived in D.C. all my
9 life, but I moved into the area in 1999, and I really
10 like the community. I live in the Parkview area, Park
11 Morgan area, for ten years previous to that, so I'm
12 really happy with the community in which I live.

13 And, we are a community of neighbors, and
14 even though I'm a representative, I'm also a resident,
15 and this is going to be in my backyard, and so I have
16 a vested interest for two reasons.

17 There are, on that property, that is a
18 huge green space which the community has enjoyed since
19 I've been there, and they have enjoyed it over time,
20 but to have them -- what you didn't see on the screen
21 over there was that -- or didn't notice, was that
22 there are two single-family dwellings on that lot, and
23 they plan to tear them down to enlarge a building that
24 we don't want. And so, the traffic, he has not been
25 asked about the parking spaces behind his house, those

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1 parking spaces that one of the Commissioners asked
2 about on the drawing on S04, that he wasn't asked
3 about it. I asked him if he knew anything about that,
4 and there was no permission.

5 So, I'm saying there is -- there should be
6 -- our community is much more than houses. It's much
7 more than a homeowners' fee, or a virtual gated
8 community, and we have a lot at stake, and I would not
9 like to see that materialize into a battle over a
10 green space.

11 I appreciate the green space, but it is --
12 our conversations within my community have been halted
13 at the homeowners' fee, and what is probably going to
14 be a battle in the future.

15 Our community gets together once a year
16 for community day, we have a Gospel Festival, we just
17 opened a rec center, and by the way, they just paved
18 our street. I feel like we have the last paved street
19 in Washington. So, in that way, we are a country
20 town, in that we are just now getting the street
21 scapes, the alleys, and our entire community together.

22 So, this plan, as a resident, doesn't know
23 the outside of that 11.2 acres, and so I wish that my
24 recommendation as a resident is that you reject this
25 plan and allow the West*Group to come back to the

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1 community and negotiate a more community-friendly
2 plan.

3 CHAIRPERSON MITTEN: Thank you.

4 Questions for this panel from the
5 Commission? Any questions?

6 Mr. Jeffries.

7 COMMISSIONER JEFFRIES: A question for Dr.
8 Martin. I just want to make certain I'm clear, did
9 you tally those individuals that you discussed with
10 the development who are supportive?

11 DR. MARTIN: Did I tally?

12 CHAIRPERSON MITTEN: You need to turn the
13 microphone on.

14 DR. MARTIN: I need clarity to the
15 question, I'm sorry.

16 COMMISSIONER JEFFRIES: You stated that 272
17 residents, and we got the big folder, voiced
18 opposition. I'm wondering whether, were there a number
19 of people that you spoke with who were supportive of
20 the development?

21 DR. MARTIN: The support that I heard was
22 what you heard today, and so I did not tally the
23 number of persons who were in support, nor did I tally
24 the number of persons who were was it in favor or what
25 was his position.

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1 COMMISSIONER JEFFRIES: Okay, thank you.

2 DR. MARTIN: You are welcome.

3 VICE-CHAIRPERSON HOOD: Madam Chair?

4 CHAIRPERSON MITTEN: Yes, Mr. Hood.

5 VICE-CHAIRPERSON HOOD: Let me just ask
6 something of Dr. Martin.

7 You said you went door to door, you and,
8 I can't remember who else you named, that you all went
9 door to door, and I applaud your efforts in doing
10 something that shows that you take a lot of initiative
11 in your neighborhood for doing this. But, let me ask
12 you, when you went door to door, did you have a
13 discussion or did you let people just read the
14 language that you have here on this three-sentence
15 petition, or did you have a discussion with each
16 individual?

17 DR. MARTIN: I had a discussion, all of
18 those petitions don't represent just Oralisa, but I
19 even tallied which ones came through me, which ones
20 came through Dr. Kelly, which ones came through, I
21 think it was a Ms. Reed and someone else. I talk a
22 lot. Okay. So, I tried to present to the signer what
23 the issue was, I didn't just stick -- because this
24 happens to my people all the time, folk come in and
25 stick something in front of us and tell us sign. So,

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1 I tried to present what I understood the issue to be,
2 and then I tried to succinctly put it on a sheet of
3 paper so that when there is a signature, if we had to
4 go to court, people would understand what they signed.

5 VICE-CHAIRPERSON HOOD: Because again, when
6 I look at what I see here, it does not expound upon
7 what's actually happening. If I read this, I, too,
8 would be outraged, if I just read this. That's why I
9 wanted to know did you have a discussion.

10 DR. MARTIN: I did.

11 VICE-CHAIRPERSON HOOD: Okay, thank you.

12 DR. MARTIN: I did.

13 CHAIRPERSON MITTEN: Anyone else for the
14 panel?

15 COMMISSIONER JEFFRIES: Yes, I just, you
16 know, want to just make certain that, I mean you are
17 the messenger, you are the person that's, you know,
18 speaking to these individuals versus the Applicant or
19 the developer. So, I guess I'm just a bit leery up
20 here as relates to, you know, some of the methodology,
21 because I'm not certain I know exactly what you
22 presented to them, even beyond what Vice-Chair Hood
23 has said. Do you see what I mean?

24 DR. MARTIN: I do.

25 COMMISSIONER JEFFRIES: And, it's --

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1 DR. MARTIN: And, I --

2 COMMISSIONER JEFFRIES: -- excuse me, and,
3 Dr. Martin, I'm not -- I mean, I'm not going to
4 question, you know, your motives or anything, but I'm
5 just dealing with methodology, and I just want to --
6 you know, because when you come up and say 272
7 residents, I need to understand fully how you got that
8 information and what was presented, because, you know,
9 it just calls into question process.

10 DR. MARTIN: Okay. Let me lay it out as
11 succinctly as I can. Having gone through several
12 meetings, be they ANC, little cluster group meetings
13 with West*Group presenting images that we didn't
14 understand, many people in the community not having
15 even the language. If you ask them, they wouldn't
16 know that we were in an R-1-B zone.

17 Okay. So, understanding that we were in
18 trouble, that a monster was about to enter the
19 community, okay, I didn't use that term "monster," I'm
20 using it to you, okay, then it was important to go and
21 first of all let the community know that the property
22 had been sold, which many did not know. Okay. And
23 then secondly, to let the community know that those of
24 us within the 200 square foot radii received a letter
25 that said the new owners wanted to change the zone.

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1 Okay.

2 And so, then to define what that was, and
3 then to say, in changing the zone we have been
4 presented with several models. And so, several models
5 meaning we want to move from single-family housing,
6 single-detached homes, to townhouses, condominiums, I
7 never used the word row houses, I should have used
8 that, too. But anyway, and apartments, these
9 apartments, condominiums, and that we, and I named us
10 the citizens, are asking you, are you -- would you
11 like to keep the zone as is, which would be single-
12 family units, detached. Okay.

13 So, that's the content of the discussion.

14 COMMISSIONER JEFFRIES: Thank you.

15 CHAIRPERSON MITTEN: Anyone else?

16 Mr. Turnbull.

17 COMMISSIONER TURNBULL: Dr. Martin, do you
18 think, do most people understand that the zoning
19 change is just for the area in question, it doesn't
20 affect the rest of the neighborhood, or were they
21 concerned about that also? I mean, maybe -- it
22 sounds like there's a lot of confusion.

23 DR. MARTIN: There is a lot of confusion by
24 virtue of the fact that first of all many people had
25 not heard of a PUD, they didn't know what that was.

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1 That's number one. There's a lot of confusion because
2 people were commenting on the PUD plan, the trees,
3 whether McDonald's paper was going to fall in front of
4 my house, never seen the schema of things which is
5 what the Commission asked tonight. You asked, how
6 does the big picture look? What does this mean?

7 And so, yes, there's confusion, there's
8 confusion because, first of all, a year goes by with
9 discussion and no mention of a zone change, so when I
10 did I was silenced. And then secondly, once there's
11 the mention of the zone change, the education of what
12 that means.

13 See, you all are privy, because you do
14 this, this is your profession, but for the community
15 out there, the one thing we knew that if we keep the
16 zoning as it is we could look and see across the
17 street what looks like to my left, my right, in front
18 of me and behind me.

19 So, we understood that this particular
20 project didn't fit us, that foreigners that come in,
21 we called it an invasion. We don't have the language
22 you have, but we knew it didn't fit, and they kept
23 changing on us.

24 So, one week we were responding to a
25 certain number of condominiums, and the next week we

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1 were responding to something else. One week we were
2 responding to a park on the corner, and now we come
3 today and found out there's a dog park. They never
4 heard of a dog park before, and this is what's been
5 happening to us consistently, and, you know what, we
6 feel violated. We really do. We feel violated,
7 because we are talking about people, not just the
8 materials, we're violated.

9 COMMISSIONER TURNBULL: Let me ask you
10 something. If the process is to continue, what
11 changes or what do you think the Applicant could
12 better present to you, how do you see this going
13 forward to better address your concerns?

14 DR. MARTIN: I think at this point, now
15 first I need to ask for a functioning definition. Are
16 you asking me as an individual, are you asking in
17 light of the community, because I will answer you on
18 two levels, I promise you.

19 COMMISSIONER TURNBULL: I guess I just want
20 to see the needs of the community addressed here.

21 DR. MARTIN: Okay. In direct answer to your
22 question, the community has voiced the need for that
23 property be developed within the constraints of an R-
24 1-B, so whatever the West*Group needs to do in order
25 for that to happen, then that's what we are open to.

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1 When we asked them the possibility of
2 that, we need to back up to say initially there was an
3 option of a development within an R-1-B, as I
4 understand from Ms. Judi Jones, and somewhere or
5 another that dropped, so we didn't see that anymore.

6 So, we are going to all of these meetings
7 that we no longer have the option of an R-1-B in the
8 meeting. So, we are cut out, but we continue to go to
9 the meetings.

10 So, the Commission needs to be aware of
11 the fact, and it depends on who has the mic at the
12 time at the meeting, because some hands aren't
13 recognized, mine being one of them.

14 COMMISSIONER TURNBULL: Okay, thank you.

15 CHAIRPERSON MITTEN: Okay. I had just one
16 question for Ms. Griffin. Did you have any accident
17 statistics that you could provide, or could you get
18 those, because you were mentioning the frequency of
19 accidents at New Hampshire and Rittenhouse, and DDOT
20 maintains statistics.

21 MS. GRIFFIN: No, no, I haven't got, I
22 don't have any. Since we are going to have another
23 hearing, I can get some.

24 CHAIRPERSON MITTEN: Yes, if that's
25 something that you could get, it's either MPD or DDOT

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1 that has it, and submit it to the record, that would
2 help just round out your testimony.

3 MS. JONES: Okay.

4 CHAIRPERSON MITTEN: Thank you.

5 Mr. Glasgow, any questions?

6 MR. GLASGOW: I think that what we'll do is
7 we'll cover a lot of these allegations next time.

8 CHAIRPERSON MITTEN: That's fine.

9 Commissioner Whiting, did you have any
10 questions? Okay.

11 Thanks to the panel very much.

12 Yes, sir.

13 MR. MARTIN: I want to know if it's clear
14 in my statement when I said I just learned today that
15 it's a 50-foot drop, I knew there was a slope back
16 there, I just want to make certain that --

17 CHAIRPERSON MITTEN: You were saying you
18 didn't know --

19 MR. MARTIN: -- I didn't know how much of
20 a slope it was.

21 CHAIRPERSON MITTEN: -- yes, I understood
22 that when you said it.

23 MR. MARTIN: I just wanted to clear that
24 up.

25 CHAIRPERSON MITTEN: Thanks for the

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1 clarification.

2 MR. MARTIN: Thank you.

3 CHAIRPERSON MITTEN: Okay, thanks,
4 everyone.

5 Okay. Also on the witness list I have
6 Rodney Foxworth, representing the Lamond-Riggs
7 Citizens Association, Dr. Avis Kelly. Are you going
8 to testify? Okay, please come forward. Terry Goings,
9 for the Lamond CDC, Gloria Mobley.

10 You need to give the cards to the reporter
11 who is over here.

12 Mr. Foxworth, why don't you go ahead and
13 get started.

14 MR. FOXWORTH: Okay, good evening,
15 Commissioners, and thank you for this opportunity to
16 testify on behalf of the Lamond-Riggs Citizens
17 Association. I am Rodney Foxworth, President, and I
18 live at 5714 5th Street, N.E. I'm also an economic
19 development professional, having been the Manager of
20 an 11 state technical assistance project funded by the
21 Department of Justice for the National Congress for
22 Community Economic Development, that revitalize
23 communities across the country.

24 I've spent three years as a project
25 manager for the National League of Cities, managing a

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1 project that provided assistance of non-profits and
2 local governments across the country to revitalize
3 communities.

4 And lastly, I spent three years as the
5 Town Administrator for Bladensburg, Maryland and
6 initiated and implemented their historic strategic
7 planning process to revitalize the town.

8 I also have a Masters in Public Policy.
9 Although I did not submit my resume as part of my
10 testimony, I hope that you will consider me as an
11 expert witness on behalf of the community in
12 opposition to the proposed development.

13 Since 1948, LRCA has represented all of
14 Lamond-Riggs, and we have been active in everything
15 from the proposed highway through our community in the
16 1970s, to building of a library, a rec center in the
17 '80s, from issues of crime and co-sponsoring the city-
18 wide Youth Summit last year, to holding our first
19 annual bazaar last Saturday, from advocating for a
20 small aerial plan to guide overall development in
21 Lamond-Riggs, and to working on proposed development
22 projects like the West*Group PUD.

23 Although we acknowledge that The Jarvis
24 and West*Group attended numerous community meetings to
25 explain the proposed project, we still oppose the PUD.

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1 We sent correspondence to the Zoning Commission early
2 this year opposing the project, based on land use
3 decisions and policy. Having done an analysis of the
4 PUD, along with Citizens Aware, Lamond Community
5 Action Group, these are two block associations of the
6 Lamond-Riggs Citizens Association, and the ANC 4B
7 Commission Bowser, opposition was not an emotional
8 response.

9 We did, however, state that we would
10 revisit that decision after reports from appropriate
11 City agencies were available, so that we could benefit
12 from their review and comments.

13 CHAIRPERSON MITTEN: Mr. Foxworth, if you
14 are going to read your whole statement you are not
15 going to get through it, so could I ask you to kind of
16 hit the highlights?

17 MR. FOXWORTH: Sure.

18 CHAIRPERSON MITTEN: Thank you.

19 MR. FOXWORTH: We've done an analysis of
20 the reports from the City agencies, and we have some
21 comments about those reports.

22 CHAIRPERSON MITTEN: That would be great.

23 MR. FOXWORTH: With the fire and EMS, it
24 clearly states, and I quote, that "The turn rate of 20
25 feet is going to be somewhat tight, and it depends

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1 upon parking. Residents of our community and
2 residents of that development should not have to
3 depend upon appropriate parking to get emergency
4 services."

5 From the DDOT report, we don't see any
6 evidence of similar proposals like this working in the
7 District, and, in fact, when the developer mentioned
8 this model really couldn't cite two or three examples
9 of where this has worked in Washington, D.C.

10 Traffic was bad on New Hampshire Avenue
11 before the bridge work, and, in fact, DDOT's traffic
12 study only includes the four streets around the
13 development. It doesn't go four blocks over to New
14 Hampshire and N. Capitol Street, which is a major
15 thoroughfare, and it doesn't go 12 blocks over to
16 Riggs Road and New Hampshire Avenue, which is also a
17 major thoroughfare. So, we get traffic jammed up in
18 the morning coming through our neighborhoods, and I
19 live like four blocks away from the project. And, in
20 fact, DDOT confirmed today that their study only
21 includes the four blocks that are adjacent to the
22 actual project itself.

23 With the DHCD report, there's no way that
24 the density of this proposed development replicates
25 the massing and density of the housing units in

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1 Lamond-Riggs. There are no townhouses and condos in
2 our community, none at all.

3 In terms of the public spaces serving as
4 public front yards, until there is a codified
5 homeowners agreement these are public spaces in a
6 public development funded by -- I'm sorry, these are
7 private spaces in a private development funded by
8 private funds.

9 The number of proposed units that are
10 affordable are also insufficient. We understand that
11 projects like this in the City, the City considers
12 about 20 percent as an appropriate affordable housing
13 number.

14 In addition, if this was raised to 28
15 units, then they should not be limited to the
16 townhouses, the affordable units should be spread out
17 throughout the development.

18 I'm going to skip some of the ****WASI****
19 concerns that's in my testimony. Let me get to the
20 Office of Planning concerns.

21 Just as the Office of Planning and DDOT
22 wants to make sure that the legal language is there
23 for the homeowners association, regarding the
24 management and infrastructure, similar concerns need
25 to be placed with the public place. I think some of

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1 the Commissioners mentioned that earlier today as
2 well.

3 The project is still too dense, and that's
4 been echoed by several of the Commissioners. The
5 project was proposed at 199 units, 187 units really
6 doesn't make any significant difference in the
7 project.

8 The project does not comply with Sections
9 410 and 225 sections of the Zoning Regulations.

10 CHAIRPERSON MITTEN: Would you just wrap it
11 up, and we'll read the detail in your written
12 statement.

13 MR. FOXWORTH: Sure.

14 We see no significant community benefits
15 in the proposal. The sheet of the community benefits
16 were offered as talking points by the developer, not
17 ever a firm offer in any of the meetings that I
18 attended. And so, we know, therefore, developments
19 like this, perhaps, \$400,000 is a more appropriate
20 figure from estimated home sales totaling half a
21 billion dollars, or close to a billion dollars in
22 total home sales, \$400,000 only represents like .053
23 percent of the total realized as sales.

24 The last point I'd like to make is that if
25 the developer offers additional materials for

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1 consideration of the PUD, the Lamond-Riggs Citizens
2 Association would like to have a chance to look at any
3 additional materials that are being offered, and have
4 a chance to offer some public testimony for the record
5 as well.

6 CHAIRPERSON MITTEN: Thank you.

7 Dr. Kelly.

8 DR. KELLY: Good evening, ladies and
9 gentlemen. My name is Avis Kelly. I am a resident of
10 the Lamond-Riggs community. My property adjoins the
11 property in question, and I am directly affected by
12 this project. Hence, my need to speak to you today.

13 I am here to appeal the Zoning Commission
14 to deny the request of the West*Group in their
15 application for a zone change from an R-1 to R-5-B.

16 I see this building, this project, as I
17 have recently lost my husband, and because of that I
18 was not able to be in on the early planning and
19 presentations that were made by the West*Group.
20 However, I did receive nine letters from the Holland
21 Company, stating their decision to change the zoning
22 from R-1 to R-5. And, as soon as I saw that
23 communication, I started right away to make a
24 petition.

25 I am a citizen of the Lamond-Riggs

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1 community. I do not want the zone changed from R-1 --
2 I want the zoning to stay R-1-B, I do not want the
3 zone changed.

4 And we, Dr. Martin joined me in the
5 solicitation of support for this petition, hence the
6 number that we acquired.

7 I see this project as an invasion, I
8 really feel invaded. As I look out, I look right out
9 into the property, and I see the value that the
10 West*Group in their presentation places on the
11 greenery, how it means much to them. And, in the same
12 way it means much to me, too. Where I am placing that
13 project is a big wall right in front of me, and the
14 back of these houses 30 feet in front of me, that's
15 what I'm getting, instead of the greenery. It's
16 therapy for me, and I didn't want to be selfish, I
17 don't want to be selfish and say I'm looking out for
18 myself alone, but I got around to many of the
19 neighbors and I realized that they shared the same
20 view as myself, and hence, I wanted to go out more and
21 talk about it, and I tried to talk up for them because
22 they asked me to.

23 And, it reminds me of a piece of property
24 that I have in Tacoma Park. I have 1,200 feet of
25 empty space in the basement, I tried to convert that

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1 -
2 - I petitioned to convert that spot to apartments, but
3 it was turned down because Tacoma Park cannot afford
4 to have anymore accommodation, they can't afford
5 anymore accommodation, hence I cannot convert it.

6 CHAIRPERSON MITTEN: I need your closing
7 thought now.

8 DR. KELLY: This property is the same as
9 that piece of property I have there, it is a big piece
10 of greenery, it cannot -- we can't afford to have
11 anything there, because the place is already
12 congested. In the morning, it is so dense it's a
13 traffic jam every morning along New Hampshire Avenue.

14 And, I feel that we ought to take this
15 into consideration, and we should not approve this
16 petition.

17 Thank you.

18 CHAIRPERSON MITTEN: Thank you very much.

19 Mr. Goings.

20 MR. GOINGS: Good evening. My name is
21 Terry Goings, and I am a member of the Lamond
22 community. I've been living in the Lamond community
23 now for 47 years. I was raised and born there, and
24 I'm now living in the house that I grew up in.

25 Really, I'm here to talk about the

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1 community benefits, where they have been proposed for
2 the community benefits. If nothing else, I would ask
3 that you all reject this proposal just on community
4 benefits alone. I don't think there's enough community
5 benefits for the size project that they are proposing.

6 Another thing, I don't think that the
7 proper people was in the negotiation for these
8 community benefits, even though they proposed a
9 community benefit package, I think it should have been
10 more leaders of the community in here.

11 While I'm looking at the Coolidge High
12 School, and here I am PTA President of Coolidge, and
13 I wasn't in the negotiation, and they say they are
14 going to give us 14 computers, and we are not able to
15 receive 14 computers at this time because of
16 electrical capacity. So, therefore, the proper people
17 were not in the negotiation of these community
18 benefits.

19 One thing that I'm thinking also is that
20 the whole plan should have been negotiated a little
21 bit different, that's why we are having the problem
22 that we are having now. I'm believing that the
23 West*Group probably went to too many people, that it
24 should have been an ad hoc committee, maybe they
25 should have took one representative from each

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1 community group, sat down with them and negotiated, or
2 come to one meeting.

3 Now, Ms. Jones was having a community
4 meeting with the West*Group. She is the ANC --
5 affected ANC Commissioner, and she was having a
6 community meeting with the West*Group, and was
7 inviting everybody in.

8 I believe the problem came and the
9 West*Group was trying to accommodate all these small
10 community groups that we do have here, so I've got to
11 commend them for that, but I think that was the
12 mistake when they decided to go to all these single
13 groups to negotiate. So, if you go to ten different
14 groups you are going to get ten different ideas, and
15 that's where the problem come from.

16 I believe they need to come back to the
17 community, and I believe that they can negotiate
18 something that community can live with, and, of
19 course, as it stands right now, the community is not
20 going to be able to live with this, it's going to be
21 too compact of a community, and I don't believe that's
22 what you all want.

23 And, that's my testimony right there.

24 CHAIRPERSON MITTEN: Thank you very much.

25 Ms. Mobley.

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1 MS. MOBLEY: Good evening. My name is
2 Gloria I. Mobley. I reside at 6030 Sligo Mill Road,
3 N.E., Washington, D.C. 20011. I am within the 200
4 square foot radius that people have been talking
5 about.

6 I'm a native Washingtonian, one of four
7 generations, and I have lived on Sligo Mill Road for
8 48 years. Believe it or not, I'm 52. Okay, so let's
9 get that cleared up right now.

10 CHAIRPERSON MITTEN: You did swear in.

11 MR. MOBLEY: I did swear that in the
12 beginning, it's all in the genes.

13 In addition to being pretty much -- my
14 family moved to Sligo Mill Road when I was four years
15 old, and we were the first Black family, African
16 American family, in the 6000 block of Sligo Mill Road.
17 So, I've watched the community evolve, develop,
18 change, and change is not necessarily a bad thing, and
19 I do not wish or want the Commissioners to think that
20 I'm against change.

21 Everybody, and I concur, with the three
22 major issues that you've heard, which are density, the
23 impact on the community, as well as the lack of
24 communication with community members.

25 In the time that I've known about this, I

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1 admit, I have not been able to attend meetings, and
2 that's primarily because I'm caring for my 83-year old
3 mother who has significant health concerns.

4 As a result, though, I have had an
5 opportunity to get a few bits of information,
6 primarily, through Judi Jones, and through the one
7 correspondence that I got, or my mother and I
8 received, as a result of the letter that you talked
9 about with the zoning change. That's, basically, the
10 only thing that I've heard.

11 There are some fundamental flaws with
12 respect to the design, and with all due respect to the
13 Office of Planning I think you all need to go back out
14 there and look at the community.

15 At the intersection of New Hampshire and
16 Rittenhouse, not only is there a row of three houses,
17 there's also a bus stop, and if you are talking about
18 trying to increase the number of houses there, as well
19 as the green space, and you are taking away the green
20 space that people would have had to wait for the
21 buses, that is a safety concern.

22 We have several charter schools in the
23 neighborhood. With the density of this particular
24 property, what will happen is that a lot of the
25 children will not have a safe way to go to and from

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1 the bus stop. Specifically, I'm referring to the bus
2 stop at Peabody and New Hampshire Avenue, and there's
3 also another bus stop between -- excuse me, let me
4 verify, there are three bus stops between New
5 Hampshire and Rittenhouse up to approximately New
6 Hampshire and Oneida Street, and it's Oneida, we don't
7 use the Native American pronunciation of Oneida, and
8 it's Quackenbos. Okay? Just want to clarify that.

9 CHAIRPERSON MITTEN: Thank you.

10 MS. MOBLEY: Okay. So, I'm concerned about
11 the issues of density, because it's not only traffic,
12 as you said, Commissioner, it's not just building
13 mass, it's people mass, and what that number of people
14 will do to change the character of the community is
15 significantly so that I am urging you to reject the
16 proposal.

17 CHAIRPERSON MITTEN: Thank you.

18 MS. MOBLEY: I do -- could I answer a
19 question, because someone asked what would we want.
20 What we want is -- am I allowed to respond to that?

21 CHAIRPERSON MITTEN: As long as you keep it
22 brief.

23 MS. MOBLEY: Okay then. I say we don't
24 need a dog park. Most of us walk around in the
25 neighborhood, and the only people who are going to

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1 benefit from the dog park would probably be three or
2 four houses that are on that side of Peabody and
3 Chillum, and that's it.

4 The other thing is, I also have a survey,
5 or not a survey, a petition, and it includes 20
6 individuals, my neighbors, I walked door to door, and
7 I have what I said to them, and I also presented to
8 them from the zoning application, I told them exactly
9 what was on the notice, so people would know what I
10 was talking about. And, I didn't just stuck it under
11 their noses, I explained to them what it was, and I
12 got 20 signatures. If I had more daylight I probably
13 would have gotten more.

14 Out of those 20 only two declined to sign.
15 Okay? And, I will give it to the Secretary, and I
16 have copies if you wanted them, too.

17 CHAIRPERSON MITTEN: That would be great,
18 yes, that would be very helpful.

19 All right. Questions for the panel.

20 Mr. Jeffries?

21 COMMISSIONER JEFFRIES: Mr. Foxworth, I'm
22 sorry I had stepped out when you started your
23 testimony, but two really quick questions. One, you
24 stated that there were no townhouses or condos
25 anywhere in the community.

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1 MR. FOXWORTH: That's correct.

2 COMMISSIONER JEFFRIES: So, in a four-block
3 radius, or when you say community, how big is that?

4 MR. FOXWORTH: The Lamond-Riggs community.

5 COMMISSIONER JEFFRIES: Okay.

6 MR. FOXWORTH: That covers the entire
7 development and X number of blocks on all sides, there
8 are no condos, nor townhouses.

9 COMMISSIONER JEFFRIES: Okay. And then,
10 the second question I had is that you mentioned here
11 under the community benefits in the PUD, you didn't
12 think there was any significant community benefits,
13 and then you listed that you thought the home sales
14 were likely to rate close to \$1 billion. You should,
15 you know, probably circle back to the developer, I'm
16 pretty certain that if that's the number they are
17 giving, but you might want to circle back if you are
18 really trying to figure out, you know, community
19 benefits as a subset of what the intended sales will
20 be.

21 MR. FOXWORTH: All I did was take 189 units
22 times average sale price of \$400,000, and that came up
23 to be \$750 million, unless I missed a zero.

24 COMMISSIONER JEFFRIES: Yes, yes.

25 CHAIRPERSON MITTEN: Anyone else?

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1 VICE-CHAIRPERSON HOOD: Madam Chair, yes,
2 I also wanted to ask Mr. Foxworth, the Lamond-Riggs
3 Citizens Association, do you meet in the Lamond-Riggs
4 Library?

5 MR. FOXWORTH: No, we outgrew that several
6 years ago. We actually meet at the Faith Moravian
7 Church.

8 VICE-CHAIRPERSON HOOD: Okay. So, we have
9 a citizens association in Lamond-Riggs and you have a
10 civic association in Lamond-Riggs, right?

11 MR. FOXWORTH: No, it's the Lamond-Riggs
12 Citizens Association.

13 VICE-CHAIRPERSON HOOD: Okay.

14 MR. FOXWORTH: Some of our predecessors may
15 have been called civic association, but the name
16 changed in like 5748, so it is now citizens
17 association.

18 VICE-CHAIRPERSON HOOD: Okay. What are
19 your boundaries?

20 MR. FOXWORTH: We go from all the way
21 behind the Lamond Rec Center, I don't know the street
22 names, but Terry Goings, he knows, in general, better
23 than I do, could I ask him to respond?

24 VICE-CHAIRPERSON HOOD: Sure, just give me
25 your boundaries.

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1 MR. GOINGS: Yes, they are starting from
2 Lamond area, it runs down the B&O Railroad, it runs
3 down to Underwood Place to the B&O Railroad, down the
4 B&O Railroad all the way to, I think that's South
5 Dakota Avenue, and it runs down South Dakota Avenue to
6 Fort Totten Metro. The Fort Totten Metro cuts off
7 there, and it runs down to the Ward 5 area down there
8 to --

9 VICE-CHAIRPERSON HOOD: Yes, I know where
10 it stops right there, I know where that is.

11 MR. GOINGS: Back to Eastern Avenue, down
12 Eastern Avenue, all of that is considered part of our
13 service area.

14 VICE-CHAIRPERSON HOOD: Right, okay, I'm
15 familiar with that end.

16 Okay, and, Mr. Goings, I appreciate, I had
17 heard that about Coolidge High School, I'm glad you
18 brought that up. Thank you.

19 Thank you, Madam Chair.

20 CHAIRPERSON MITTEN: Thank you.

21 Dr. Kelly, you mentioned that you were
22 immediately adjacent to the development, but you
23 didn't say precisely where you live. Could you just
24 give us your address?

25 DR. KELLY: Oh, I'm sorry, I'm at 5900 New

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1 Hampshire Avenue, that's at the corner of Oneida and
2 New Hampshire.

3 CHAIRPERSON MITTEN: Okay, great, thank
4 you.

5 Anyone else on the Commission, questions
6 for the panel?

7 Mr. Glas --

8 MR. FOXWORTH: I'm sorry, I just wanted to
9 make sure that the Commissioner realized that the ANCs
10 did take a vote on this, and that vote was no.

11 CHAIRPERSON MITTEN: Yes, we understand.

12 MR. FOXWORTH: Okay.

13 CHAIRPERSON MITTEN: And, we also
14 understood that they wanted time to digest additional
15 information, which is why we are organizing it this
16 way.

17 MR. FOXWORTH: As do we all.

18 CHAIRPERSON MITTEN: Okay.

19 Mr. Glasgow, did you have any questions?

20 MR. GLASGOW: Just one clarification. I
21 didn't hear that Mr. Foxworth was accepted as an
22 expert in any particular field.

23 CHAIRPERSON MITTEN: No, he -- he -- I
24 don't think a non-party can even proffer an expert.

25 MR. GLASGOW: Okay.

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1 CHAIRPERSON MITTEN: Yes, that's fine,
2 although we do appreciate knowing your background. I
3 didn't know that.

4 Commissioner Whiting, did you have any
5 questions?

6 Ms. Jefferson, any questions for the
7 panel?

8 Okay, thank you all very much.

9 Okay, I also have Floyd Smith and
10 Josephine Smith on the witness list, if they'd like to
11 testify. If you'd like to testify.

12 Anyone else who would like to testify in
13 opposition, now is the time to come forward.

14 Anyone else?

15 So, Mr. Smith, you are flying solo?

16 MR. SMITH: What?

17 CHAIRPERSON MITTEN: Are you flying solo?

18 MR. SMITH: Yes.

19 CHAIRPERSON MITTEN: Okay. Please, go
20 ahead.

21 MR. SMITH: I live at 51 Peabody Street,
22 N.E. I am directly in front of the main building
23 where the road goes up is my house.

24 CHAIRPERSON MITTEN: Okay.

25 MR. SMITH: I listened to one of the people

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1 that was here, and my house sits where he said the
2 other -- he's turning houses, their backs to me.

3 When they talked to us before, they said
4 the houses would all be toward Peabody Street. If
5 they put the houses to my -- if they will have the
6 wall in front of me, the back, I thought they were
7 going to put the houses out toward Peabody Street. I
8 understand now that they are going to put them -- the
9 backs to me.

10 And, he was saying that it's what it is,
11 it's the front of my house that they are talking
12 about. They were very insensitive to what I see.

13 Do you understand me?

14 CHAIRPERSON MITTEN: Yes.

15 MR. SMITH: I know they've got the slide
16 rules and they do all the things, but they are turning
17 these houses against me. Do you know what I mean?

18 CHAIRPERSON MITTEN: I understand your
19 concern completely.

20 MR. SMITH: Yes. And, the insensitive
21 nature of his statement bothers me.

22 That's all I want to say.

23 CHAIRPERSON MITTEN: Mr. Smith, could you
24 just describe, if I want to look on a plat so I can
25 see specifically where you live, just so I'm sure I

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1 understand, so orient us with Chillum Place.

2 MR. SMITH: I live at 1st and Peabody.

3 CHAIRPERSON MITTEN: Oh, you are at 1st and
4 Peabody, so you are right in that corner right before
5 the --

6 MR. SMITH: I'm right across the street
7 from the entrance to the building.

8 CHAIRPERSON MITTEN: I see, oh, okay, okay,
9 okay. Okay. I believe the side will be shown, you
10 will see a side, not a back, just so you understand.
11 No, I just wanted you to understand.

12 And, the Applicant can show you more
13 explicitly what that elevation would look like. Okay?

14 Any questions for Mr. Smith? Any
15 questions?

16 Okay, thank you very much.

17 MR. GLASGOW: Okay, we'll go ahead and
18 reply, because that's a front.

19 CHAIRPERSON MITTEN: That's fine. And, did
20 you want to do that tonight, or do you want to wait
21 and do that after the ANC has a presentation?

22 MR. GLASGOW: It probably makes more sense
23 after the ANC.

24 CHAIRPERSON MITTEN: I think that's -- I
25 think that's best.

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1 I did just want to say something, because
2 I know folks are going to be weighing in on the
3 community benefits proffer, and I just want to remind
4 everyone that, you know, a lot of these are open-ended
5 kinds of contributions, which is not what we favor.
6 We don't favor contributions to be -- the use of which
7 to be determined by, you know, a community center's
8 management, you know, we want to see something
9 tangible.

10 So, just as you work through this with the
11 community, I would just urge you to make it more
12 definite.

13 And, Ms. Whiting, I'm just going to ask
14 you to come forward for a minute, because I do want to
15 remind folks, you know, clearly we've heard from a lot
16 of disparate groups, I do want to remind folks that
17 it's the ANC to which we give great weight, and the
18 ANC will have an additional opportunity to, you know,
19 to digest this material. I just wanted to ask if you
20 would put the time, date, location of your July
21 meeting on the record, so that everybody here can come
22 and join you if they would like.

23 MS. WHITING: Our July meeting is July
24 27th, at 7:00 p.m., at Paul Public Charter School.

25 CHAIRPERSON MITTEN: And, do you have an

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1 August meeting?

2 MS. WHITING: We are off the month of
3 August.

4 CHAIRPERSON MITTEN: Okay. So, the
5 opportunity that they have to influence the ANC will
6 be the 27th of July.

7 MS. WHITING: Yes, that's correct.

8 CHAIRPERSON MITTEN: Okay, I just wanted to
9 have that on the record.

10 MS. WHITING: Well, the ANC has already
11 taken a vote.

12 CHAIRPERSON MITTEN: I know that, but I
13 assume you are going to digest this additional
14 material and, perhaps, revisit your position, since
15 your position was contingent on having this material.
16 I'm not presupposing what the position will be, it's
17 just that it was pretty explicit that the Commission
18 wanted this additional material before taking a final
19 position.

20 MS. WHITING: Some of the Commissioners
21 voiced that they had not heard, because they don't
22 live within the surrounding area, that they had not
23 attended some of the meetings where DDOT or the Office
24 of Planning had did their final presentations.

25 CHAIRPERSON MITTEN: Okay. I see you as

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1 pulling all of it together, so that's why I was urging
2 people to come and, you know, pros and cons, just come
3 and make sure you all heard it.

4 MS. WHITING: Okay, thank you.

5 CHAIRPERSON MITTEN: Okay.

6 Mr. Glasgow, anything before we adjourn?

7 Okay, I'd just remind folks then that we
8 will reconvene for a short session to hear the ANCs
9 presentation and their cross examination of the
10 Applicant's witnesses on September 7th, which is a
11 Thursday, and we'll start that session at 7:30,
12 because we do have a hearing before that at 6:30 on
13 another matter.

14 So, I thank you all for staying with us
15 this evening, and we are now adjourned.

16 (Whereupon, the above-entitled matter was
17 concluded at 10:13 p.m.)

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