

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: :

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Barry Farm First-Stage PUD : Case No. 14-

and Related Map Amendment : 02

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Thursday,

September 18, 2014

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No.

14-02 by the District of Columbia Zoning

Commission convened at 6:32 p.m. in the Jerrily R.

Kress Memorial Hearing Room at 441 4th Street, N.W.,

Washington, D.C., 20001, Anthony J. Hood,

Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- MARCIE COHEN, Vice Chair
- MICHAEL G. TURNBULL, FAIA,
- Commissioner (AOC)
- PETER MAY, Commissioner (NPS)

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ROBERT MILLER, Commissioner

OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER, Deputy Director, Development Review & Historic
Preservation

MAXINE BROWN-ROBERTS

The transcript constitutes the minutes from the Public Hearing held on September
18, 2014.

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Testimony Related to the Barry Farm First-
Stage PUD and Related Map Amendment 9

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

(6:32 p.m.)

CHAIR HOOD: Good evening, ladies and gentlemen. This is the public hearing of the Zoning Commission for the District of Columbia for Thursday, September 18, 2014.

My name is Anthony Hood. Joining me are Vice Chair Cohen, Commissioner Miller, Commissioner May, Commissioner Turnbull.

I want to welcome Commissioner May back from his incident. I'm glad to have him with us this evening.

We're also joined by the Office of Zoning staff Ms. Sharon Schellin, Office of Planning Staff Ms. Steingasser and Ms. Brown-Roberts.

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

Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room, including display of any signs or objects.

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This evening's hearing is a limited scope hearing on Zoning Commission Case Number 14-02. This is A&R Development Corporation, DCHA and Preservation of Affordable Housing, Inc and was announced that the Commission's meeting on July the 28th.

This hearing will be limited to testimony by the parties regarding the issues identified by the Commission at its deliberations on this case at the July 28th meeting.

This hearing will be conducted in accordance with provisions of 11 DCMR 3022 as follows. Presentation by the applicant, cross examination of the applicant by the Barry Farm Tenants & Allies Association.

I'm going to refer from now on to them as BFTAA and the ANC. Presentation then by BFTAA, cross examination of BFTAA by the applicant at the ANC, presentation by the ANC, cross examination of the ANC by the applicant and BFTAA, rebuttal by the applicant and cross

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examination and rebuttal by BFTAA and the ANC in that order.

The following time constraints will be maintained in this hearing. The applicant has up to 60 minutes. BFTAA and the ANC, 60 minutes collectively.

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time.

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

These card are located to my left on the table near the door.

Upon coming forward to speak to the Commission, please give both cards to the reporter sitting to my right before taking a seat at the table.

When presenting information to the Commission, please turn on the speaker to your microphone first stating your name and home address.

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When you are finished speaking, please turn your microphone off so that your microphone is no longer picking up sound or background noise.

The decision of the Commission in this case must be based exclusively on the public record to avoid any appearance to the contrary, the Commission requests that persons present not engage the members of the Commission in conversation during any recess or any time.

In addition, there should be no direct contact whatsoever with any commissioner concerning this matter, be it written, electronic or by telephone.

Any materials received directly by a commissioner will be disclosed without being read. Any calls will be ignored. The staff will be available throughout the hearing to discuss procedural questions.

Please turn off all beepers and cell phones at this time so as not to disrupt

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these proceedings. Would all individuals wishing to testify please rise to take the oath? Ms. Schellin would you please administer the oath?

MS. SCHELLIN: Yes, sir. Please raise your right hand.

(Witnesses sworn)

CHAIR HOOD: Okay. At this time the Commission will consider any preliminary matters. Ms. Schellin, do we have any preliminary matters?

MS. SCHELLIN: I do have, the applicant has handed me the testimony of their witnesses and a copy of their PowerPoint presentation.

If the Commission would like to receive those this evening, I'll pass those out.

CHAIR HOOD: Yes, I think we would like to have that in advance, if we can get it as soon as possible, that would be good. Anything else? Okay. Mr. Freeman, I guess we

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can get started.

MR. FREEMAN: Good evening, Chairman Hood. For the record, my name is Kyrus Freeman. I'm an attorney with the law firm of Holland & Knight here on behalf of the applicant.

As you noted in the outset, we, this is a limited scope hearing so we will try to limit our testimony and presentation to what we viewed as the four primary issues that the Zoning Commission outlined at the Zoning Commission meeting.

One, a presentation of our revised site plan, two, information regarding our unit count, three, clarification of our affordable housing commitment and four, more information about the relocation plan and process.

So without further ado, I will start with Mr. Feras Qumseya on behalf of ANR Development.

DIRECT EXAMINATION

MR. QUMSEYA: Good evening,

Chairman. Good evening commissioners. My name is Feras Qumseya, and I'm the Vice President of Development at the ANR Company.

I'm here to testify on behalf of ANR and our development partner, Preservation of Affordable Housing, Inc. to ask for your support of our Stage 1 PUD application for Barry Farm.

Our revised submission package of September 5th includes a thorough description of DCH's relocation planning process, a commitment to create approximately 630 affordable housing units at Barry Farm and a revised master plan that presents world class urban neighborhood design for this community.

Since we last came before you, the development team has been working intensively with the community.

We held our regular Barry Farm Steering Committee meetings in July and August, which has proven one of our most important avenues to engage key community and

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resident stakeholders.

Various resident subcommittees, including the people and education committees met to continue the planning process.

On August 21st, the Housing Authority held an evening meeting to describe the relocation process in detail to over 40 residents.

This past Saturday, September 13th, DCA organized a second bus tour of mixed income redevelopment sites so that Barry Farm residents could visit different types and sizes of units and better imagine the possibilities for their community.

We also attended the September meeting of ANC where we give a detailed relocation presentation and presented our revised master plan.

We are pleased to report that the ANC voted unanimously to support our revised plan. We are grateful for their support and will continue to cultivate a strong, working

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relationship between the Commission and the Barry Farm team.

During these months, we have also worked intensively with the master planner to incorporate input from city agencies, the community and members of the Zoning Commission.

Matt Bell, who did spend more than six weeks this time, from Perkins Eastman will give you an excellent tour of the master plan, which we are confident will guide the development of a safe, healthy, sustainable and connected Barry Farm.

In addition to the decreasing number of units proposed from 1646 to 1400, we have made a firm commitment to the following, 344 units of onsite replacement public housing, which first priority to returning Barry Farm residents, an additional 20 percent of units to be affordable to households at or below the area median income.

These units will be a mix of

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rental and home ownership units. We hope that these commitments are further reassurance to the community and to the Commission of dedication to creating an equitable, mixed income development at Barry Farm.

Commissioners, I know you are well aware of the importance of the Stage 1 PUD application for the future of the Barry Farm redevelopment.

Only when this PUD is approved can the development partners move quickly towards the next phase of development.

We ask that you approve this application so we can complete our work. Thank you.

CHAIR HOOD: Can you stop the clock for a moment, please? Mr. Qumseya, is that how you pronounce your name? Qumseya?

MR. QUMSEYA: Qumseya.

CHAIR HOOD: Qumseya, all right. I just want to, for the correction of the record, it sounded as though you were working

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with the Zoning Commission, which you meant, at least the way, you weren't exactly working with the Zoning Commission because we didn't work with you.

You took some of the comments we had from the previous hearings and worked on them along with the other comments you received from the community and everything. Okay.

MR. QUMSEYA: That's correct.

CHAIR HOOD: It came across as though you've worked with us, and I'm sure you haven't worked with us.

MR. QUMSEYA: Understood, noted.

CHAIR HOOD: Okay. I wanted to clear that for the record.

MR. QUMSEYA: Yes, we took your --

CHAIR HOOD: Right.

MR. QUMSEYA: -- comments.

CHAIR HOOD: I just wanted to clear it up --

MR. QUMSEYA: Thank you.

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CHAIR HOOD: -- because we get beat up quite a bit.

MR. QUMSEYA: We did not work with you.

CHAIR HOOD: All right.

MR. QUMSEYA: Thank you.

CHAIR HOOD: All right, thank you. Ms. Schellin.

MR. BELL: Good evening. I'm Matt Bell. As Feras said, I'm the master plan architect for Barry Farm, and we haven't worked with the Zoning Commission. But we've listened to the comments.

And what we're trying to do tonight is to show you the changes to the master plan and clarify some of the foundational themes that have helped steer us and guide us towards making what we believe will be a very significant plan, a significant new neighborhood in Washington, D.C. and something that will be quite a bit more livable.

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The first thing we did when we went back after the meeting in May was we went back and said well, what are we really trying to do here.

And we came up with four things that we felt were the most significant aspects of the revised plans. And these things are health --

CHAIR HOOD: I hate to cut you off. I think what a want to do is take about a five minute break because I want to allow the party in opposition to get here.

So, and the reason being so they'll know what to cross examine you on. And that'll make my life a little easier tonight.

So I'm sorry to cut you off. We're going to check, so if you all can give us about five minutes.

And let's kind of way for the party because that's key, so they'll know exactly what they need to be asking the

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applicant because if you're not here, then we're not retrying this whole case.

So we all on the same page? Okay.

So let's wait for the party in opposition to get here. Well, let's give them a little time to get here, and then we'll come back you.

So if you all could just take a five minute break? Okay. Thank you. Sorry for your interruption.

(Whereupon, the above-entitled matter went off the record at 6:43 p.m. and resumed at 6:50 p.m.)

CHAIR HOOD: We're going to go ahead and reconvene. I see the party in opposition has arrived, so again, I've already did the opening statement.

And I'm going to go back to the applicant. Again, we want to make sure we're in the mic so everyone can hear us tonight. Okay.

MR. FREEMAN: Just as a quick procedural matter, I'm going to give the

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representative for the party in opposition a copy of our testimony and presentation so that they can have that because we gave it to the ANC.

CHAIR HOOD: Okay.

MR. FREEMAN: So I want to make sure they have that.

CHAIR HOOD: Okay.

MR. FREEMAN: So we'll proceed with Mr. Bell to discuss the revised master plan.

CHAIR HOOD: Okay. And Mr. Bell, thank you all, and I want to thank the applicant and everyone who's here for their patience. You may begin.

MR. BELL: Great. Thank you. As I mentioned, we took a lot of the comments under consideration and have brought back to you tonight a presentation that clarifies a number of the things in the master plan.

It explains to you the changes that have been made. The first thing we did

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when we went back was we said what are we really trying to do.

And we have arrived at four very important themes to the master plan, health, safety, connections and diversity.

Health being that the community needs to be walkable, a place where people can walk to stores and walk to amenities and they have play fields.

Safety in the buildings define streets, and they define public places so they're safe places to be, which is something that I think the community is challenged by today.

Connections in that it connects well to the surrounding streets. It connects well within itself, and it connects to transit and future transit.

And also diversity. Diversity in the sense that we have a lot of different housing products that are planned for the community.

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Our experience has shown that when you have a diversity of housing products it does a great deal towards making a diverse community by making different kinds of housing available to people in different stages of their lives.

So here's the site. I think we're all familiar with Suitland Parkway and 295, the Metro station and also the planned DC Streetcar that will be built and bring new transit amenity.

The site 34.09 acres and fundamentally defined by First Sterling, St. Elizabeth's and the Suitland Parkway. The site looks today, these are pictures taken recently.

It is noteworthy that it's very difficult to discern where the private realm and the public realm exists in some of the yards and spaces between the buildings at Barry Farm.

It is this confusion of defensible

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space that is one of the characteristic problems of a safe community. Let me just walk you through some of the challenges of the site as we have received it to make an urban design plan.

Number 1, along the southeastern edge, the site has a very irregular boundary.

And so part of our plan has to adapt and recognize that we have to plan around that and plan to work with that and plan to work in with the edge where there is an existing community on one side.

The second is that there's a significant amount of topography along the southwestern side, which is difficult to use.

But it is there. It continues into the St. Elizabeth site.

The third is that there are really on three streets in the plan today, Sumner Road and two other streets. Everything else is sort of community or yard walkthrough space.

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So there are very few streets today, and we need to make sure that we provide a plan that gives greater connectivity.

And then also, many of the courtyard space, as I mentioned before, in the pictures are not defensible spaces. These are spaces that don't have really a sense of domain and privacy or boundary, whether they're public or private spaces.

And that is pervasive throughout the plan. So we also have to recognize constraints, so we do have to work with the site boundary which is regular on three sides and quite irregular on a fourth side.

We are going to be keeping Sumner Road, Wade and First Sterling, First Sterling here, Sumner Road and also Wade and portions of Eaton and Stevens Road.

So we'll be keeping those streets and building a new street grid to connect to those. The recreation center under

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construction, a new amenity in the area, really a terrific new facility.

What it does is it casts, Sumner Road is really the public street in the neighborhood from Excel Academy at the corner down to where we're hoping to provide retail opportunities where it meets First Sterling.

So this really becomes the public spine of the community. So our proposed plan begins with a centralized organization of the park.

A park designed approximately two acres but situated in such a way that nobody is more than a block or two from the park. We want everybody to be able to get to the park equally.

So it's centralized. So somebody living at the end there walks a block and a half and they get to the park. Somebody here walks a block, and they get there.

Somebody living here walks a block and they get there, and it's something equally

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accessible to all members of the community.
The second is safety, defensible space.

Are buildings in the plan front
onto streets, streets that people can walk
down, streets that people can drive down?
They can bike down.

Streets that the police or
emergency vehicles can get there. So
defensible space is a key.

We don't want to have any places
in the plan or minimize the places in the plan
that are not accessible by positive
surveillance, eyes on the street.

So that is really a very
significant portion of this plan. Mixture of
housing type, so I'm going to quickly walk you
through.

Multifamily concentrate along
First Sterling down at the lower part of the
site so as to fit the height in with the row
house buildings to the other portion.

So we'll have multifamily

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buildings along First Sterling stretching along First Sterling.

One of the things we've changed in the plan is we're including live/work units along Sumner Road. These will be units that will have retail opportunities at the ground floor and then living units above.

It's an excellent way for local businesses to engage the neighborhood. It's a tried and true method to provide for a way that the community can host people who want to have business in Barry Farm.

So that's a new addition. We have row houses with integral garages here. And one of the things we've done with the plan is broken the blocks up and changed some of the orientation to make them a little bit less run on and provide some space in between the buildings.

And row houses with detached garages, these are along here where they'll have other traditional rear yard and garage

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with the possibility of an accessory unit above.

And then two over two flats, these are buildings where those are stack units, one above the other. So we have a rich diversity of housing types based on both multifamily types and townhouse types.

So you can see just by looking at the different colors there that there is really a diversity of types.

And then when you begin to consider in the multifamily, we'll have all sorts of different sizes from studios, one, two bedrooms, et cetera in there.

We will have opportunities for people to have different ways to live in Barry Farm according to what they can afford and what they desire to live in.

We want to connect to D.C. Metro, so although we're not building street, our provides for the possibility of a connection in the future straight across to the Anacostia

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Metro station there next to the recreation center.

We also have a direct connection into the DC streetcar stop, which is right here into the park area. It's a very public way there that will connect the street car into the park.

It's very important as well that the street network be walkable. This, our street network has really compromised of small blocks and walkable streets so that I'll be easier for people to move around in the neighborhood.

The grid, we've done a sort of comparison. It compares very favorably with some of the most welcoming neighborhoods in the city in terms of small block sizes.

So people will be able, we won't have a block that's so big it'll be a deterrent for people to walk around and go see their neighborhood.

And you can see, very few of them

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get very large at all. They're designed so that they're frequent streets between blocks and connectivity into the adjacent neighborhood and down to First Sterling, very important component.

And then the streets with have sidewalks and Sumner Road will also have a bike lane. And we also have a park system. I mentioned the park in the center.

We have a wider green space that connects the park to Sumner Road and then a public parkway to the existing basketball courts and recreation center lands that are not on our property.

But we need to connect to them there so we have a very direct connection there. We have buildings facing the park that'll make it a safe place to be.

And then, of course, the streetcar and green landscape along First Sterling that will also provide green space as well. So that'll provide a diversity of park space

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throughout the community.

We also are including retail along Summer Road here. I mentioned the live/work units there at the ground level of these buildings will be retail opportunities there.

With the streetcar coming and the new multifamily buildings there, we think that could be a very pleasant neighborhood shopping street and sized for retail of different kinds.

So the proposed plan render looks like this. If you look you can see a lot of different beautiful spaces and green spaces and connectivity in the plan.

Let me just a little bit more specifically about those updates. As Feras mentioned, the number of units has been reduced to 1400 from where we were before in the 1600s.

So let me talk a little bit about what that means to each of our master plan themes in terms of the updates to the master

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plan.

Bike lanes have been added to Sumner Road. These meet standards. We have small, walkable blocks I mentioned. We've increased some of the neighborhoods serving retail and clarified some of it with the live/work units.

And, of course, the park system is a big part of health. Safety now includes, we have parking on both sides of the street, which was something DDOT had asked us to take a look at enhancing pedestrian safety.

We have parallel parking surrounding the park, and what that tends to do is decrease vehicles' speed. And we've gone back and most of our streets are now two-way, which also helps with safety.

Our connectivity has been improved as well. We've worked hard with DDOT to make sure we're meeting DDOT regulations, and I mentioned of course the street and block plan were further enhanced to provide a greater

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connectivity throughout the plan.

And I mentioned, of course, about the diversity as one of our most important master plan themes. In the plan we have really looked at sort of clarifying the mass in multifamily buildings to reflect diversity.

We don't want big slab buildings.

We have mostly four story buildings with a height of 65 feet. And I'll show you in the master plan exactly how that plays out in terms of their diversity.

We have live/work units, I mentioned, and these will be available to locally owned businesses along Sumner Road.

So we're showing the massing and the breaking up of the massing in the multifamily buildings as well. These, of course, will come in for design at a later stage.

But we feel like we've achieved a good program number while looking at a sort of very nice massing that fits in well. At least

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you can tell in the plan, with the townhouse buildings that they share blocks with and are across the street from as well.

Let me just show you a diagram that we think is really a summation of what this is really about.

In a very small plan of 34 acres, I think we have a lot of diversity of place. We have a lot of diversity of kinds of activities that will happen there.

From the park in the center to the green walkway to Sumner Road, connecting to the gateway at Excel Academy at Martin Luther King, Junior Avenue.

They're coming Sumner, central connections to the Anacostia Metro Station, the basketball courts and the play fields. We have retail, shopping on Sumner there.

So Sumner Road has a diverse character as well. We have the green space and the streetcar along First Sterling and the street car connection there.

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So for a very small neighborhood of 34 acres, I think we'll have a diverse amount of public spaces, activities and building types that will describe it.

So we think this plan is significantly improved from the last time we came to you both in concept and in detail. We think the master plan themes are well reflected in the plan.

And we believe that it's an appropriate plan for this next generation of residents at Barry Farm.

MR. FREEMAN: So Mr. Chairman, we're sticking to the scope that you guys set forth, one of the questions we had was information about the relocation process, to include it in our September 5th submission is a flow chart as Exhibit B, a narrative that describes each of the steps within that relocation process.

That's Exhibit C and then behind Exhibit F is a PowerPoint that the Housing

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Authority has used in various meetings with residents to describe the relocation process.

But what we'll do now is we'll have Ms. Burgess and her testimony describe what these materials could include and walk us through the process.

DIRECT EXAMINATION

MS. BURGESS: Good evening, commissioners. My name is Janice Burgess, and I am the Deputy Director for Planning, thank you, in the Office of Capital Programs at the District of Columbia Housing Authority, DCHA.

For the past 16 years I have been responsible for the relocation of residents from DCHA redevelopment projects such as Frederick Douglass, Stanton Dwellings, East Capitol Dwellings, Arthur Capper, Carrollsburg.

I've been involved with the successful relocation of over 3000 families from depressed public housing sites in the District of Columbia.

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All families were moved into decent, safe and sanitary housing at other conventional public housing sites and redevelopment public housing properties.

Private sector housing by way of the Housing Choice Voucher Program formerly known as Section 8, home ownership and market rate housing.

Every single resident was placed into replacement housing, and no evictions or homelessness has occurred as a result of our redevelopment and relocation activities.

96.4 percent of the families were relocated into housing in the District of Columbia. The balance of the residents, 3.6 percent, left the District by choice.

In administering relocation activities, DCHA follows federal law in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, URA.

For any family or individual that

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must move as a direct result of rehabilitation, demolition or acquisition for a project in which federal funds are used, HUD also published Relocation Handbook 1378 that provides the procedural guidance to agencies to assist with application of the URA statutory requirements.

With the assistance of affected residents, a relocation plan, I'll call it the plan, is written for each proposed redevelopment project.

The plan is the culmination of numerous meetings in the community that provide information about resident rights, required notices, costs that are paid on behalf of the tenant, the phasing of movement from the property, housing options, public and private, and advisory services that available.

Advisory services include referrals to comparable, available and suitable replacement housing, inspection of replacement housing to ensure that it meets

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established standards, helps in preparing claims for relocation payments and other assistance to help assist the residents with the move.

A copy of the plan is provided to each family. The relocation planning process for Barry Farm and Wade Apartments started with the relocation education session held on the 21st of August.

The meeting provided an overview of the relocation process, the various steps involved, establishment and role of the relocation committee, services offered and the role and responsibilities of DCHA and the residents to assure a successful process.

Residents were also asked to join the relocation committee to help develop the relocation plan. DCHA will begin convening the relocation committee meetings in October, next month.

These meetings will be held at various times that will allow full resident

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input. DCHA encourages residents to participate in this important process.

To date, eight Barry Farm/Wade residents have joined the committee. Our outreach workers will assist us as we recruit additional residents throughout the process.

With the relocation committee established, the next step in the relocation process is the completion of a relocation survey, which is a one-on-one meeting with the relocation advisor and the family.

The survey defines the specific needs of each family member and includes information about desired locations as replacement housing options.

The survey is the basis for finding the appropriate housing that complies with the family's request and any special considerations.

It is the job of our relocation staff to make this transition as smooth as possible by considering and being sensitive to

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each family's needs, adhering to school schedules, the location of medical facilities, availability of public transportation and, above all, ensuring the continued connection with existing support systems, such as places of worship and childcare.

Although the public resident community information sessions and redevelopment newsletters have always been key communication tools during the relocation process, the most effective form of information sharing and understanding between residents and relocation staff occurs during the one-on-one survey sessions with families and individuals.

It is important for the family to disclose any family issues that may impact housing options and/or locations. As part of the process, all URA relocation notices are sent by certified mail, return receipt requested or personally served by relocation staff.

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Each notice is written in plain, understandable language and appropriate translation and communication services are available for residents who are hearing impaired, illiterate or speak a language other than English.

Meetings are held with residents prior to the issuance of all required notices.

In addition, relocation staff will review all notices with residents during the one-on-one sessions to make sure they understand their rights and what DCHA's obligations are.

Housing options include the transfer to decent, safe and sanitary housing at other conventional public housing sites and redevelopment public housing properties, private sector housing, by way of Housing Choice Vouchers, home ownerships and market rate housing.

Currently there are approximately 360 occupied units on the Barry Farm site, and there are 140 vacant and available

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conventional public housing units that could be filled with Barry Farm families if they were being relocated today.

In addition, there are 133 town home units under construction at Sheridan Station Phase III. Of course, 40 are of which, I'm sorry, of which 40 are replacement units with a priority for Barry Farm residents.

Those units will begin coming online this year. DCHA's relocation and property management staff are in constant communication during the relocation process to ensure that housing assignments based on residents' location preferences accommodate the families' size and special needs.

Residents are assured that there will be ample notice once the required HUD authorization is secured for demolition and disposition.

The demolition, disposition application is currently being prepared. With

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the approval of the Barry Farm Wade Apartment disposition application to HUD, which will be submitted towards the end of the calendar year, DCHA will request Housing Choice Vouchers to facilitate the movement of families from the property.

Because of the differences between the Housing Choice Voucher/Section 8 program and the public housing program, DCHA hosts education sessions called mobility workshops that point out the new level of responsibility that comes with the voucher.

For example, in most cases, families have to pay their own utilities. Because the utility allowance is factored into the total amount the family contributes towards the housing cost, the Housing Choice Voucher Program will terminate a program participant if those utilities, gas, electric, water are shut off.

This becomes a very important difference that must be understood by the

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family prior to their selection of the Housing Choice Voucher as their housing option.

The relocation staff works closely with several realtors to assist in locating suitable housing for families, assist with the completion of the forms, pays the cost of application fees, credit checks, police clearances and security deposits.

Several families have incomes and family compositions that would make them eligible to move into housing that received low income housing tax credits.

And others may choose private sector unassisted housing. Home ownership is also a very realistic option for public housing residents.

DCHA has created home ownership programs at all of the Hope VI redevelopment projects. These programs provide intensive training that includes credit and budget counseling, information about home loan resources, home maintenance and contracting.

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Twenty four former public housing residents, who currently live at Henson Ridge, return to the redeveloped community as homeowners.

And ANR's Capital Gateway Hope VI project has seven former public housing residents living as homeowners.

Similar home ownership and counseling programs are planned for the Barry Farm/Wade Apartments. DCHA respects that many of families within the redevelopment have lived in their homes for 30 plus years.

Even with all of the support that is provided, we understand the moving is a major event for any family. DCHA and our partners have committed to making the process a positive experience for residents.

We continue to remain in contact with residents once they are relocated to make sure that they are transitioning and continue to receive project updates.

In closing, I'd like to say that

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the significance of understanding the tremendous level of stress that is associated with uprooting a family cannot be overstated.

Thank you. I'm willing to answer any relocation questions you may have.

MR. FREEMAN: Thank you, Mr. Chairman. That concludes our direct presentation. We're happy to answer any questions.

CHAIR HOOD: Okay. Thank you all for your presentation in a limited scope in which we requested.

Let me open it up to any of my colleagues who would like to ask any questions of what the applicant has testified or presented tonight. Might as well start in our regular format, Commissioner May?

COMMISSIONER MAY: I wouldn't want to disappoint anybody. I just have a couple of questions. The first is the, actually I have three questions.

The first is the overall plan in

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form is not dramatically different, but reducing the number of units by 200 and some is a pretty significant change.

Can you sort of point to the areas where the density actually dropped because a lot of looks like it's pretty much the same the way it was?

So it's all right in there? And was there a reduction in density with the conversion of what looked like commercial buildings?

MR. BELL: And also along here, in terms of live/work units along Sumner Road. We had small condo buildings here.

COMMISSIONER MAY: Right, yes. I thought they were. I mean it's hard to tell from the plan, but they look like those are more massive.

Okay. So the second question I have is the arbor walk area. I'm wondering whether, and this is not specific to the new presentation, but I'm just curious as to why

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or whether you looked at doing more town house units with garages in a location like that rather than having that public space in the front.

Because while it may be a lovely space, it also is nice to have backyards. And if you're at all familiar with the sort themes that I have in my questioning over the years, I'm not a huge fan of town houses with integrated garages because they lack that sort of outdoor backyard space.

So I mean did you look at that at all, and --

MR. BELL: We felt having a wider spacial connection between Sumner Road and the park was a significant advantage.

COMMISSIONER MAY: And you couldn't have a wider street? You had to have the walk? I mean how wide is that walk, arbor walk?

MR. BELL: It's probably about 20 feet.

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COMMISSIONER MAY: Really?

MR. BELL: 20, 30 feet in there.

I have to look at the plans.

COMMISSIONER MAY: Okay, looks bigger than that. All right, then the last question I have is you had a fairly dramatic turnaround from the ANC it seems from not supporting at all in the previous testimony to, did you say unanimous support for the plan now?

Is that what you said? Yes?

MR. FREEMAN: Sorry, yes.

COMMISSIONER MAY: Okay. So I'm curious because the previous letter we have for the ANC said that they would not support it unless the unit count were dropped to 1200.

And you dropped it to 1420 something, right? How did you manage to sort of, I mean what was it that you think persuaded the ANC to support the plan even though you didn't meet their mark for the number of units?

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MR. QUMSEYA: That's a good question. We --

COMMISSIONER MAY: I'm going to ask the same question of ANC.

MR. QUMSEYA: Sure. In the previous presentations or in previous public hearings, I think the process as the Commission indicated was a little bit rushed.

So I think a lot of it was we just needed to spend more time and give them information regarding the questions that they've asked and work with them to clarify some of the concerns, and they had real concerns.

So we've spent more time with them on answering the questions on the relocation and the integration of the community and the need for some of the density and how, what the overall story on Barry Farm is going to look like.

And that give answers to the commissioners, and then they felt, I can't

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speaking for them. But I think the Commission was on point that the process before was maybe a little bit rushed.

And so it allowed us, this delay allowed us to work closely with ANC to further clarify some of the brief concerns that they had.

COMMISSIONER MAY: Okay. Very good. Thank you.

MR. QUMSEYA: You're welcome.

CHAIR HOOD: Okay. Vice Chair Cohen?

VICE CHAIR COHEN: Thank you, Mr. Chairman. I would just like to expand a little bit on the working with the ANC. Did you go into the economics with them, so they, because that's what's driving a lot of the property and the number of units I would think?

MR. QUMSEYA: We didn't really, I mean we discussed the general infrastructure cost, but we didn't get necessarily into the

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economics.

VICE CHAIR COHEN: Okay, because I think that's always helpful when people understand how you're trying to get to the depth of subsidies and the fact that money is limited in the city and the federal government.

But whatever they accepted, I'm glad you spent the time, and that's always critical obviously. I just am, security is one of your big themes.

And I just wanted to know, ask about, I think it's called Proposed Avenue C and F or E. I'm sorry C and E, why it doesn't go through Stevens Road. It stops there. Can you remind me why that is?

MR. BELL: You're asking about Proposed Avenue?

VICE CHAIR COHEN: I think it's C.

MR. BELL: And D? No. Proposed Avenue C stops at Stevens Road.

VICE CHAIR COHEN: And E. Yes, it

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just stops. It doesn't go through to --

MR. BELL: Okay. Well, let's see.

VICE CHAIR COHEN: I just want to understand the circulation.

MR. BELL: Yes, that's a good question. These blocks, this topography's a significant constraint. And when we located the park where we, I think we felt that the geometry of these blocks work better in this direction.

So we also felt, we had a plan earlier where we just had two blocks, here and here and we ran Stevens Road through. But we felt that actually it tended to isolate this stuff down here.

So we put a street here so that these folks would have a more direct way to the park, number one.

And number two, by having three blocks instead of two, it tends to break the blocks up more and make it a little bit more walkable and make it less, one of those things

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about grid plans is that you don't want to make it so that there's so many straight shots through it that people can kind of pick up speed and go through them.

So sometimes providing a little bit of a break like that actually slows cars down quite a bit.

And so we felt that was an advantage, having shorter strings of town houses and also not isolating these and giving these folks a street that goes directly through to the park was an advantage.

We did study it and look at it.

VICE CHAIR COHEN: Did you have any discussions with the metropolitan police department about your design? I asked this question of OP, but I'll ask, I'll throw it out to you, too.

MR. BELL: I didn't, no.

VICE CHAIR COHEN: Okay. And then just the courtyards on the flats, they, what will go there that shows the white between the

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flats?

(Simultaneous speaking)

VICE CHAIR COHEN: You have each one facing a street.

MR. BELL: Right.

VICE CHAIR COHEN: What's between the, move over to your right.

MR. BELL: Here?

VICE CHAIR COHEN: Yes, or even above the park, those. Aren't those flats?

MR. BELL: These are town houses.

VICE CHAIR COHEN: Town homes, so what's between the town homes then?

MR. BELL: In which? Oh here?

VICE CHAIR COHEN: Both columns of the town homes.

MR. BELL: That would be alley access for parking --

VICE CHAIR COHEN: For parking.

MR. BELL: -- in the center of the block.

VICE CHAIR COHEN: All right, is

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there anything delineating your parking space from my parking space?

MR. BELL: Well these, those particular units there that you see would have integral garages.

VICE CHAIR COHEN: Okay.

MR. BELL: So you drive in the alley, your garage door opens up and you go in. In this particular group they would have individual garages here.

And the two over two's also have garages built in with them.

VICE CHAIR COHEN: Yes, I could see the garages.

MR. BELL: In other words, in the town house blocks we're not doing group parking lots.

VICE CHAIR COHEN: Yes, okay.

MR. BELL: The parking is specific to the unit.

VICE CHAIR COHEN: Good. Okay. All right, and I just want to say something

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that again, my past experience with the Housing Authority has done an incredible job with the relocation of individual Hope VI projects.

And I just want to say thank you to Janice Burgess for her testimony.

CHAIR HOOD: Okay. Thank you. Mr. Turnbull?

COMMISSIONER TURNBULL: Thank you, Mr. Chair. I guess I just wanted to go back and in light of Ms. Burgess said, with the housing availability, I'm trying to remember how that corresponds with the phasing.

I mean we were talking about so many units are occupied now, and there's 140 available. How would that work out with your phasing that you're looking at and how many would get removed at one time?

I mean how does that, I'm trying to remember. At one point you did present a phasing, and you've talked about so many being units. But in light of, can you accommodate

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everybody?

MR. FREEMAN: Feras will answer that.

COMMISSIONER TURNBULL: Oh okay.

MR. QUMSEYA: Janice, do you want me to take it?

MS. BURGESS: I mentioned the number of vacancies to give you some idea of what we could do today.

COMMISSIONER TURNBULL: Right.

MS. BURGESS: I also mentioned in my testimony the Housing Choice vouchers that we're going to request on behalf of the residents.

So it was just to give you some idea of how many families we could accommodate with the 360 plus families on the site currently.

COMMISSIONER TURNBULL: Yes, and I guess my next thing is given that and your initiative to do that, which I think is very admirable, how does that compare then with

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your phasing plan and how you're going to work, I mean is that a workable plan for you?

MR. QUMSEYA: Good question. So the thought process has been to date is once the Housing Authority applies for demo and disposition application from HUD, they receive that approval to relocate the families there.

The Housing Authority will relocate. The plan is for the Housing Authority relocate the families off the site so we can start beginning work on the infrastructure.

COMMISSIONER TURNBULL: Well, how many units would be needed in Phase I?

MR. QUMSEYA: It seemed the plan, I don't want to speak for the Housing Authority, but the plan is to move everyone off the site.

COMMISSIONER TURNBULL: In Phase I?

MR. QUMSEYA: In Phase I because the infrastructure currently on the site is

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interrelated, and it's very hard to begin infrastructure on partial of the site.

COMMISSIONER TURNBULL: Okay.

MS. BURGESS: I would add to that also that HUD rarely allows us to do that phasing that is so disruptive to the families because of the danger involved.

So most of the demolition disposition applications that we have gotten back from them requiring us to actually clear the site before we actually begin any work.

COMMISSIONER TURNBULL: Okay. The green space at the far bottom of the site looks like it's tree. That's basically existing now, and it's basically the topography of the land. And so that's just remaining?

MR. BELL: Yes, that's very steep.

COMMISSIONER TURNBULL: Yes, you're not really doing anything to that site? Are you clearing out some dead wood?

MR. BELL: Well, hopefully we'll

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make it look better, I mean --

COMMISSIONER TURNBULL: I guess that's what I'm going at. I mean well what would that existing area, how much improvement is going to happen down there?

MR. BELL: I think it should be improved. I don't know that we've had very specific conversations about the nature of what improvement would be.

COMMISSIONER TURNBULL: Okay.

MR. BELL: Other than it ought to be part of the public infrastructure improvements.

COMMISSIONER TURNBULL: Okay.

MR. QUMSEYA: True, we haven't really examined it, but the goal is we would look at it and see what's the trees there that we can support to continue to survive and add additional planting given what's there.

But we will not, it will not remain in a condition that is not conforming with any of the rest of the development.

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COMMISSIONER TURNBULL: Okay.

Thank you.

CHAIR HOOD: Okay. Commissioner Miller?

COMMISSIONER MILLER: Thank you, Mr. Chairman. Let me first, I concur with a lot of the comments of my colleagues.

I want to thank the applicant, the DC Housing Authority and the development team for going back to the ANC and working with them and engaging with the community on the relocation education and doing the second tour, bus tour of the other recently developed public housing, appreciate that.

Appreciate all the changes that have been made as a result of the comments made at the public hearings, including the substantial reduction in the number of units that the ANC specifically was concerned about.

And I think all of the changes, the architectural, the design, I think the design changes you made are all improvements.

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And the live/work units, the I can't remember if the arbor walk was there before or not but the bike lane on Sumner Road and the other improvements.

So let me, there's one concern that I have, and may be you can clarify and alleviate the concern that I have.

And that is that in terms of the diversity, which is one of your core themes, the diversity of the mixed income housing, which is to be developed on the site, that, I mean that's the goal here, to have a diversity of housing.

You say that you're going to have 344 units of onsite replacement public housing with first priority to the returning Barry Farm residents.

And that's about 24 percent now. That's up to 24 percent of the total, which I think before it was only 20 percent.

Since you produced the total number of housing for the replacement housing

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units the percentage has gone up.

The additional 20 percent of units, which I guess amounts to 285 units, to be affordable to houses at or below 80 percent of area median income.

And you say these units will be a mix of rental and home ownership units, I'd ask for clarification on the different levels of AMI and how many actual units were going to be provided at each level.

I thought there was, at the earlier hearings, there was testimony from the applicant, at least in the written materials, that half of the additional affordable housing would be at 50 percent AMI and half would be at 80 percent AMI.

This seems to imply that all will be at or below 80 percent AMI which I guess could mean that it could be, that could be inclusive at that 50 below AMI.

But I'm concerned that any of the affordable housing on this particular site in

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this particular neighborhood at an 80 percent AMI level would be considered affordable because it's my impression that 80 percent AMI is probably market rate in the district.

In this neighborhood it's probably well above market rate, so I wonder if you could address, provide some clarification to me as to what those additional units beyond the 344 replacement units, the 285 affordable units before you get the market rate units, how they are going to be addressing the income levels of 30 to 80.

How will they be addressing when particularly, I don't really think they need to be above 60 in, well I don't think they need to be 60 if they're going to be called affordable.

But if you could just address that issue. What is the intention? What is the commitment?

MR. QUMSEYA: Well, the intention is the commitment so far is what we've put in

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here. The intention, commissioner, is we wanted to remain flexibility between healthy mix between home ownership and rental even with the affordable.

Most likely if we're going to do rental, whatever the rental we do most likely the only way that if we were to do it today will be financeable through the low income housing tax credit program, which would restrict it at 60 percent AMI.

The reason we wanted to maintain the flexibility up to 80 percent AMI is if we want to do home ownership at an affordable, we wanted to most likely, as you said, 80 percent AMI is more than market rate for both rental and home ownership.

But we don't know what the home ownership programs will be at the time, and so the reason, if we are saying we're going to do only rental product, we would have, there's no real sense it creating the distinction between 60 and 80 percent AMI.

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But just because we know there is a need. The home ownership level in that ward is low. It's at 24 percent, and so this is a significant project in that community.

And we want to try to increase the home ownership program, but we wanted to maintain the flexibility because at 60 percent home ownership, it requires significant subsidy.

And we just don't know at the time when we introduce the home ownership. And we've committed to introduce some home ownership in Phase I. We just won't know what the flexibility will be at the time.

COMMISSIONER MILLER: Okay. I understand that need for flexibility. I still would want to see when we get to the proposed findings of fact and conclusions of law a little more clarity that this additional 20 percent of the units, which are being called affordable, are really affordable.

To me, that's not above 60 percent

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AMI, so I just would like to see a little more clarity in that. But other than that, I am very pleased with the progress that's been made in this long awaited transformational project for this neighborhood and this ward and this city.

MR. QUMSEYA: Thank you, commissioner. The only response I would say is restricting the additional affordability to 60 percent AMI would most likely end up from a financing perspective reducing the home ownership from that percentage just because the subsidy required for home ownership at 60 percent is significant.

COMMISSIONER MILLER: Okay.

MR. QUMSEYA: And so that is the trade off that I just want to mention.

COMMISSIONER MILLER: I recognize that. I appreciate that. Thank you.

MR. QUMSEYA: No problem.

CHAIR HOOD: I also want to associate myself with Commissioner Miller's

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last comments. In the findings if you can identify exactly, I don't need to repeat it.

I think he's eloquently stated concern, and I want to share my concern along with that. My biggest thing was relocation. Ms. Burgess, let's talk about relocation.

We don't want to make the mistakes we've made of Montana Terrace to McQuartz. We don't want to do that. I'm actually, I like what I have in front of me.

My problem though is, and maybe it's not to you, Ms. Burgess. Maybe it's to Mr. Green or to Mr. Freeman. Why was this not presented at first?

Why did it have to come to, was it already there and it had to come to the Commission for us to ask for it? I mean why we didn't get this at first, this relocation plan and these activities?

Why did not that happen prior to coming down in front of the Zoning Commission?

MR. FREEMAN: I'd say it was done

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in a fashion that wasn't as clear and concise as it's been presented here tonight.

I'd say the information has evolved and improved over the past couple of months, and obviously coming here and working with, going to the community meetings has helped us improve the way we've presented the information in a way to make it clear and concise and understandable.

CHAIR HOOD: Okay. Because I think this is so much more detailed. Now I didn't say --

MR. QUMSEYA: Commissioner, may I add something to the timing issue? Before when we filed, I think this is noted similar to Commissioner May's comment is initially about the timing.

We were working within the schedule of the Choice program. We wanted to, in order to be competitive for Choice, we wanted to submit and try to get a PUD for Stage I approved in order to be competitive.

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And so we worked through some of these things rather quickly in order to, using last year's time frame when HUD issued the Choice program is to come before you and try to be approved.

Since then, Choice has delayed that and you have sent us back to work more. So we had more time to evolve and try to get deeper into some of these.

And so I just want to comment on the timing of it, thinking of it in related to Choice and timing with that.

CHAIR HOOD: Sometimes it's better not to say anything because now I'm going to peruse my view.

So basically what you did, you came in front of the Commission and you gave us a half baked proposal and wanted to get it on through?

No, you said it. I was going to Ms. Burgess.

MR. QUMSEYA: We understood the

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need for Stage I at the time was that we have provided what we thought was sufficient to meet the Stage I.

And at the time we thought for Stage I we needed to come up with a conceptional plan for what the massing and density on the site is going to be.

And then we're going to come back and work out the phasing and the relocation and things like that. That was our --

CHAIR HOOD: I really wish that you wouldn't have told me because this was going to be, I really like what I saw.

But honestly, I didn't care for that last comment because this Commission works hard. We work hard up here to try to make things and do things right.

And to tell me that because you were meeting a time frame you gave us a half baked proposal, which just really just took my whole evening downhill. But let me go to you, Ms. Burgess.

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MS. BURGESS: Please.

CHAIR HOOD: Let's talk about this relocation. I'm concerned, curious about the credit application. I know that's some of the concern in this day and time, including me.

We all have issues. How strict is the credit application? I mean how does that work? Is it like a normal credit application because I think about when you mentioned it in your testimony.

I thought about when I was growing up my father, I didn't have to work about the credit card company taking the credit card. He took it because I messed it all up completely.

And I'm probably the only person in here who's ever done that, so how strict is that? Is it like the typical normal process?

MS. BURGESS: I think it depends on what you are pulling your credit for. If I am a landlord and I am trying to rent someone, and this is a property that I own, so I would

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certainly want to pull a credit report to see how someone is paying their bills.

However, for the public housing program as we move our families around from one public housing unit to another or if it is even a redevelopment site where the community has developed their own reentry criteria, then it doesn't play such a very large role.

As a matter of fact, the reentry criteria that was established at all of the Hope VI sites was really criteria that was written with residents at the table and considering also where they wanted their community to go and what they wanted for residents.

So the importance of having that support to work with residents on the budget and the credit counseling and that sort of stuff is key to all of this because I think we all suffer from that not having the best in the way of credit.

And currently on the site there's

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a service provider who is working with residents today to help them clear up their credit problems and issues.

MR. FREEMAN: I don't mean to testify, but I do want to recall that at our last hearing Mr. Green said the only return requirement for this is lease compliance.

So I know we had a long conversation --

CHAIR HOOD: Okay.

MR. FREEMAN: -- with Ms. Belt about that, and I just wanted to make that clear.

CHAIR HOOD: Thank you. Well, I will tell you that I know I was one of the biggest advocates about the relocation.

What I see written here is very satisfactory to me. I say satisfactory because I want to see it work.

But I can tell you, I was very happy with, I had some pleasant reading in reading the relocation program and how it's

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spelled out and the changes from what I saw previously.

So I'll be waiting to hear from the ANC and also the Parnell position, but I just want you to know from my standpoint, I think this is very well refined when it came back to us.

So I want to commend you all for presenting this, and I can tell you, I'm very satisfied with what I have here as far as the relocation plan.

I said satisfied because I'm still looking as we have those other bites of the apple during the second stage PUD for status.

MS. BURGESS: Thank you.

CHAIR HOOD: Okay. Thank you. Any other questions up here? Okay. Let's go to the cross examination of the applicant.

Let's do the, again I asked earlier, referred to it as the BFTAA if they don't mind me just using the acronym I appreciate it.

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So you all may begin with cross examination on the limited scope of what we heard tonight.

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MS. BELT: Good evening, Commission. Okay. My first question, in your September 5 filing related to this limited scope hearing, isn't it the case that under Section 1A you and accountant typology that your revisited number of units constructed would decrease from 1646 to 1423 and that this reduction was "inspired by best practices in world class urban neighborhoods?"

MR. FREEMAN: That's what it says, but since September 5th we met with the ANC and have agreed to a further reduction to 1400 units.

MS. BELT: Doesn't your September 5 filing state on Page 4, last paragraph "the applicant notes that the Barry Farm small area plan recommended the development of 1100 units on the PUD site?"

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MR. FREEMAN: Yes.

MS. BELT: And for complete accuracy, your September 5 filing is referencing the Barry Farm small area plan as put on the record by the DC Office of Planning as Exhibit 12A-1 and 12A-2. Correct?

MR. FREEMAN: I don't know the exhibit numbers --

(Simultaneous speaking)

CHAIR HOOD: Before you answer that, could you, I'm sorry. I missed something. Can you identify, ask that question again, but could you identify yourself for the record? I missed that.

MS. BELT: Okay. I'm Detrice Belt, and I'm the chair of the Barry Farm Tenants and Allies Association.

And for complete accuracy, your September 5 filing is referencing the Barry Farm small area plan as put on the record by the DC Office of Planning as Exhibit 12A-1 and 12A-2. Correct?

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MR. FREEMAN: I don't know the exhibit reference, but it is the Barry Farm/Parkchester/Wade Road redevelopment plan that statement references.

MS. BELT: Is it true your understanding of the PUD site includes the area containing Barry Farm dwellings?

MR. FREEMAN: Yes.

MS. BELT: As well as the area containing Wade Road Apartments?

MR. FREEMAN: I can look at the boundaries, but I believe the answer is yes.

MS. BELT: How about the area containing Parkchester Apartments?

MR. FREEMAN: Yes. No. I mean I can look at the plan and get a copy of the boundary.

MS. BELT: So your PUD site does not include Parkchester Apartments. Correct?

MR. FREEMAN: If I could just get a second to look at the plan, I can answer the question.

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MS. BELT: It's the second question. I asked the first one.

MR. FREEMAN: I'm pretty sure the answer is no, but I want to make sure I reference the plan correctly. The answer is no.

MS. BELT: So your PUD site does not include Parkchester Apartments?

MR. FREEMAN: Our site, no. It does not.

MS. BELT: That means your PUD site only consists of two out of the three subdivisions referred to in the Barry Farm small area plan, right?

MR. FREEMAN: Our PUD site consists of the areas shown on our plan as presented here tonight.

MS. BELT: So if the Barry Farm small area plan requires 1100 units to be built across three area subdivision, but your PUD site proposes 1400 units to be constructed on a smaller area consisting of only two of

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these three subdivisions, isn't it fair to say that your proposal is intensifying the density of the PUD site much further than the intentions of the law?

MR. FREEMAN: No.

MS. BELT: Why did your "best practices" lead to a revised unit count of at least 123 units more than what the zoning commissioners suggested as a maximum unit count at the July 28, 2014 hearing?

MR. FREEMAN: I can have Mr. Bell walk through the revised plan and where the units are located if that would be helpful.

MS. BELT: No. You can go to the next one. Isn't it the case that your September 5 filing does not address at all other contested issues regarding, let me start.

Is it the case that your September 5 filing does not address at all our contested issue regarding retaining the rear yards behind the housing units, particularly the

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public housing units as they exist now at Barry Farm?

MR. FREEMAN: Our September 5 submission addresses the issues that were raised by the Zoning Commission at the July 28th public meeting.

MS. BELT: Isn't it the case that your September 5 filing related to this limited scope hearing has a Section 2 entitled Information Regarding Affordability Commitment?

MR. FREEMAN: Yes.

MS. BELT: Since this application, okay. You again refer to 344 replacement units. Correct?

MR. FREEMAN: Yes.

MS. BELT: Since this application is a moving target, would you please elaborate again what you mean by "replacement unit?"

MR. FREEMAN: 344 replacement public housing units for the existing Barry Farm.

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MS. BELT: Are you intending to construct 344 ACC public housing units, or will there be a mix of ACC replacement units and some non-ACC replacement units?

MR. FREEMAN: When we refer to replacement, 344 replacement units, we are referring to the public housing units that are currently on the site.

MS. BELT: Are they ACC or not?

MR. FREEMAN: They're public housing.

CHAIR HOOD: Before we go --

FEMALE PARTICIPANT: ACC and public housing --

CHAIR HOOD: I'm sorry. Before we get started, one person, Ms. Belt is asking the questions. Let's try to keep some order here.

Ma'am, I want you to work with me now. You and I work well together.

FEMALE PARTICIPANT: It's the same thing.

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CHAIR HOOD: And I know, and I've been hearing some comments. I've been letting them go, but let's make sure we all are silent so we can hear what's going on. Okay.

MR. FREEMAN: So public housing and ACC are the same thing?

FEMALE PARTICIPANT: Are they ACC? I'm sorry.

MR. FREEMAN: Yes.

MS. BELT: And is it still the case that a replacement unit is different than an IZ unit. Correct?

MR. FREEMAN: If I understand your question correctly, the answer is yes.

MS. BELT: Will replacement units be available in three, four and six bedroom unit sizes for returning Barry Farm residents?

MR. FREEMAN: So we didn't talk about bedroom sizes, but the testimony from Mr. Green a month or so ago was that replacement units would be of a size necessary to accommodate the needs of the returning

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Barry Farm residents.

MS. BELT: Where is that in writing?

MR. FREEMAN: It's in the hearing transcript as well as our prior submissions in this case.

MS. BELT: Will there be four and six bedroom units returning for Barry Farm residents?

MR. FREEMAN: I believe the testimony of the Housing Authority was that if there is a need for four and six bedroom units, there will be four and six bedroom units.

MS. BELT: Isn't in the case that Section 2 of your September 5 filing refers to 285 units affordable to households making 80 percent AMI or below?

MR. FREEMAN: Yes.

MS. BELT: In your proposed PUD, how many units will be constructed which are affordable to those making less than 80

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percent AMI? Say for example 30 percent AMI, how about 40 percent or 50?

MR. FREEMAN: So what we just heard was that at least one commissioner would like to see that issue addressed.

We heard Mr. Qumseya suggest that if it's rental, it would most likely be up to 60 percent of AMI.

And to the extent that there were further reductions, which we'll look at, we will submit that as we move forward.

But as of now, up to 20 percent would be at 80 percent, up to 80 percent of AMI.

MS. BELT: Do you happen to know what the household income would be to qualify for these affordable units at 80 percent AMI?

MR. FREEMAN: We can get the specific numbers. I don't have it immediately available.

MS. BELT: No, he was supposed to say that. It's \$82,000. Isn't it the case

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that --

FEMALE PARTICIPANT: \$82,000 a year, in case you didn't hear that, \$82,000 a year.

MS. BELT: Isn't it the case that for affordable studio, one bedroom units set at 80 percent AMI, an individual making \$60,000 could qualify for that affordable unit?

MR. FREEMAN: I'd have the check the math but --

MS. BELT: Want me to read it again?

MR. FREEMAN: -- if the math is correct, then that answer would be yes. But again I have to check the math. I didn't hear your numbers.

MS. BELT: And could you tell us how much rent your private developer partners could charge per month for one of these "affordable units?"

MR. FREEMAN: It would be whatever

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the maximum percentage of the AMI that we've committed to.

MS. BELT: Since this type of rent is expected to be generated by the affordable units, what do you foresee market rate studios/one bedroom units renting at per month?

MR. FREEMAN: We don't know what the rents for a market rate studio would be at the time today.

MS. BELT: Are you aware of the average market rent for the units at Barry Farm and in the surrounding community right now?

MR. FREEMAN: Yes, the answer is they prepared a market study that has looked at rental rates in the neighborhood.

MS. BELT: Doing some quick math, 344 replacement units plus 285, 80 percent AMI units would equal 629 "affordable units," right?

MR. FREEMAN: 344 units will be

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public housing AMI units, and they will be at 30 percent or below. So just to be clear, the public housing replacement units are 30 percent or below.

The 20 percent will be up to 80 percent of AMI, and the remaining will be market rate.

MS. BELT: Doesn't that equate to 44 percent of your revised unit count of 1423 units?

MR. FREEMAN: Yes.

MS. BELT: That would be mean more than half of the units you anticipate to build are considered market rate rental or home ownership units. Correct?

MS. BELT: Doesn't this contravene the mixed income ratio policies of the new communities initiative and Barry Farm small area plan, which require one third replacement units mixed with one third affordable and workforce housing units and mixed with one third market rate housing?

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MR. QUMSEYA: No. The minimum affordable will be 44 percent. It could be above that. But the minimum that we're committing to is 44, just wanted to clarify that.

MS. BELT: On Page 4, looking at your table, which shows the revised unit mix, you state the 20 percent of the units will be "affordable rental and home ownership units." Correct?

MR. FREEMAN: Yes.

MS. BELT: Please breakdown that figure, like you did with the market units.

MR. FREEMAN: We haven't identified yet what the breakdown will be between rental versus home ownership, if that's your question.

MS. BELT: In other words, what percent of the so-called affordable units will be rental, and what percent will be home ownership units?

MR. FREEMAN: As I just said, we

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haven't identified the breakdown between the rental versus the home ownership at this point?

MS. BELT: Isn't it the case that your September 5 filing claims that each ACC replacement unit will cost \$250,000 to build?

MR. FREEMAN: I think you're referring to the discussion on Page 5 when we're talking about total infrastructure cost and how those costs are supported by and spread across the project.

MS. BELT: But you don't actually provide any citations or supporting documentation to prove this, right?

MR. FREEMAN: So those numbers are based on the developer's development experience, and their history of constructing projects throughout the District of Columbia, frankly, throughout the country.

MS. BELT: So you have citations or supporting documentations to prove this?

MR. FREEMAN: Not within this

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submission, no, ma'am.

MS. BELT: Further, the public cannot find in your September filing any supporting documentation demonstrating that the infrastructure costs for your proposal will be \$51 million, right?

MR. FREEMAN: Yes.

MS. BELT: How many times has DCHA applied for Choice funding?

MS. BURGESS: Is the question specific to this project? If it is, none.

FEMALE PARTICIPANT: Period, in DC?

MS. BURGESS: We have applied for Choice planning funds, and we have applied for Choice implementation funds.

We have two Choice planning grants, and we've applied for, and that would be in Kenilworth and in Barry Farm.

We've applied for three planning grants for three different developments, to include Barry Farm, which of course we were

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awarded.

We've only applied for implementation in Kennilworth, and we applied twice I believe.

MS. BELT: Has DCHA ever won Choice funding to actually build affordable housing units in DC?

MS. BURGESS: Again, if we're talking about implementation, no we have not.

MS. BELT: Has DCHA applications for Choice funding been denied on previous occasions?

MS. BURGESS: I think I just answered that.

MS. BELT: So has DCHA applications for Choice funding been denied on previous occasions because I didn't hear it? Yes or no?

MS. BURGESS: We have not been awarded an implementation grant under the Choice program. Our applications have never been denied when we submit them.

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It's a very competitive process, and only maybe three or four actually are awarded throughout the country, a country that has over 3000 plus Housing Authority.

MS. BELT: So doesn't that mean there, the real possibility that the Choice funding may not come through for this proposed PUD project?

MR. FREEMAN: So we haven't really talked about Choice funding tonight, so --

CHAIR HOOD: Let just say this. I allowed that because we did mention Choice, but I think we're going too far as far as the questioning. So I would ask you to go to your next question.

MS. BELT: And then doesn't that mean each time your September 5 filing mentions any protections for current residents conveyed by the Choice funding, those protections are not guaranteed?

MR. FREEMAN: Our September 5th filing references protections that are

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governed by a number of regulations that govern the Housing Authority, the relocation process and how the Housing Authority manages its property.

So when we refer to regulations, we are referring to, again, I don't know your specific point. But with respect to relocation, we site the specific regulations that we're referring to.

MS. BELT: Isn't it the case that you state that you have already started the process to apply for demolition of Barry Farm, right?

MS. BURGESS: Yes, we have.

MS. BELT: And isn't it the case that Exhibit 83C you don't have a phasing/return plan already cooperatively developed with Barry Farm yet, but rather you mention a "process" that will lead to a plan in six months, right?

MS. BURGESS: I'm not certain the exhibit you're speaking of. I'm sorry.

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Certainly my testimony, which is what we intend to do is begin the relocation planning with the residents in earnest in October.

And we have already eight residents, of course you're welcome to join the committee, on that committee. And we'll start working to write that plan.

MS. BELT: Do you intend to tear down Barry Farm before you get full financing for the project?

MR. FREEMAN: We haven't really testified to that.

MS. BELT: Do you foresee tearing down Barry Farm before you apply for the second stage PUD?

MR. FREEMAN: Again, we haven't testified to that. We're trying to get through the first stage PUD, and then we'll make decisions about how we will move forward with the second stage.

MS. BELT: You testified that everyone needs to be cleared out in Phase I.

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Correct?

MS. BURGESS: In response to a question that was asked of me, I said that HUD generally requires us to clear the property if there is any possibility that people will be in danger or that the residents will be inconvenienced or possibly harmed if we do a phasing of the demolition.

MS. BELT: You claim that you must clear everyone out in Phase I first because of dangers. Correct?

MS. BURGESS: That is certainly one of the reasons.

MS. BELT: But you have provided no evidence on the record whatsoever to back this assertion, right?

MR. FREEMAN: Mr. Chair, that's not what she said. What she said is that HUD requires relocation, what she just said, dependent upon the condition of the site.

That dictates how folks are relocated. She didn't say they move them

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because of dangers. That's not what she said.

MS. BELT: Isn't there a very large recreation center being torn down and rebuilt right now in the middle of Barry Farms, right?

MS. BURGESS: There is a recreation center being built on Sumner Street, yes.

MS. BELT: Why isn't there concerns about danger with this major project happening right now?

MR. FREEMAN: She didn't testify regarding danger on the recreation center site, which the recreation center is not within our PUD boundaries.

CHAIR HOOD: Ms. Burgess, could you respond to that? Do you know anything about that? If not, we have to go to the next question. Can you speak on the recreation center?

MS. BURGESS: No, I cannot.

CHAIR HOOD: Okay.

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MS. BELT: Yes, she didn't say dangers on the recreation center, but she said dangers to the community for redevelopment and building in phases.

You testified each unit will cost \$250 to construct. Correct?

MR. FREEMAN: No, we didn't testify to that.

MS. BELT: I'm done with my questioning, with the cross examine.

CHAIR HOOD: Okay. Thank you. Ms. Cuthbert, you want to come forward. You have any cross examination?

I see we have Bishop Hudson, who I requested, and I'm sure you have some information for me. Ms. Cuthbert, you're going to ask the questions? Okay.

This gentleman, your other commissioner wants to come up. Can you all make way for him or let him, can you give your seat up? Okay. That's fine.

MS. CUTHBERT: Good evening. I'm

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Mary Cuthbert, chair of Advisory Neighborhood Commission 8C. This has been really a trying project for us, for the commissioners, but we have come to --

CHAIR HOOD: If you can speak into the microphone.

MS. CUTHBERT: We have come to some conclusion. We have some minor questions we want to cross examine. It's the relocation that Commissioner Cohen, the Vice Chair, has really been concerned about.

And Ms. Burgess has said she was going to deliver that as soon as possible. And I believe she just gave one to you, but she hasn't given it to the commissioner.

That's the only question that we're concerned about. It's very important that we understand the relocation because when you lose your home or have to move into a new environment, it's very frightening.

It's a big adjustment, so that's what we need. That's all, Ms. Burgess.

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CHAIR HOOD: Let me just ask you, Mr. Freeman, were they served what we have in front of us?

MR. FREEMAN: Yes, and I think what you're thinking about is this, her testimony which is in the packet that I handed to you. So what we just gave them is this.

MS. CUTHBERT: It's this?

MR. FREEMAN: Yes, ma'am.

MS. CUTHBERT: Okay. I will have to copy it and give it to my commissioners.

CHAIR HOOD: Ms. Cuthbert, make sure you talk right into the mic.

MS. CUTHBERT: I would have to copy it and give it to the commissioners who are not here tonight. That's it.

CHAIR HOOD: Okay. All right, okay. Thank you. Let's go to the presentation by the Barry Farm Tenant Alliance Association.

MS. CUTHBERT: Well, you skipped over us.

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CHAIR HOOD: Hold on a second.

MS. CUTHBERT: How you skip over the ANC?

CHAIR HOOD: Ms. Cuthbert, you know you and I go way back. I don't want to get into no trouble with you. Let me do this first. Don't go nowhere.

You know I didn't skip over you. But the announcement, the way it was written -
-

MS. CUTHBERT: I know. That's okay. I understand.

CHAIR HOOD: -- has you all last, but the ANC is technically supposed to go first.

MS. CUTHBERT: Right.

CHAIR HOOD: I don't have a problem switching.

MS. CUTHBERT: Let them go first so we can rebuttal as need be.

CHAIR HOOD: Okay. But let me ask Mr. Turnbull. He had a question. Hold tight

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for a second, and we'll figure this out. Mr. Turnbull.

COMMISSIONER TURNBULL: Well, I want to go back. I'm confused. I got, we talk about 344 units, and we talk about 360 occupied units, which is in this presentation by Ms. Burgess.

If I understand this document, if we were going to move people today, there's only 180 replacement units available for people.

MS. BURGESS: 140.

COMMISSIONER TURNBULL: There's only 140 available.

MS. BURGESS: Right. Yes, today.

COMMISSIONER TURNBULL: You say there's 140 vacant, but there's going to be 40 replacement units that could be available in the other development.

MS. BURGESS: You're right.

COMMISSIONER TURNBULL: Okay. But if we're going to clear the site, do we

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expect, that's what you got now, but are you going to have 340, 360 units available --

MR. FREEMAN: I think what the Housing Authority would say, and maybe this wasn't clear, is that before everyone has to be relocated --

COMMISSIONER TURNBULL: Well that's what I'm getting at.

MR. FREEMAN: Yes, everyone will have to be relocated. These numbers were just as of today. So yes, everyone will have to be relocated into one of these options or other options.

COMMISSIONER TURNBULL: Okay.

MR. FREEMAN: But these are just the numbers as of today.

COMMISSIONER TURNBULL: All right, that's what I'm concerned, I mean right now these numbers don't add up.

MR. FREEMAN: I know. They don't add up to 360.

COMMISSIONER TURNBULL: But they

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will when the time comes --

MR. FREEMAN: Yes.

COMMISSIONER TURNBULL: -- is okay. Thank you.

CHAIR HOOD: Okay. Let's go back to who's going to go first in their presentation. Typically it is ANC, Ms. Cuthbert. Are all your witnesses going to be able to stay here for your presentation?

Have you all decided among how much time? I don't know. How much time did they have? It's 30 minutes apiece. Have you all worked that out?

I mean both parties, ANC and the parties. You all have worked that out, about 30 minutes apiece? Okay. You have? Okay. Good. Okay.

And all your presenters are going to be able to stay, particularly Bishop Hudson because I want to hear his testimony.

MS. CUTHBERT: He's going to come up with us.

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CHAIR HOOD: Okay. Good. All right, I have some questions. Okay. We will go to Ms. Belt. You all want to bring your case on.

MS. BELT: Thank you zoning commissioners for being here tonight. My name is Detrice Belt, and I am presenting this testimony --

MS. SCHELLIN: Excuse me, Ms. Belt. You guys were not here to be sworn in, so we need to swear you and any witnesses that were not here.

MS. BELT: Okay.

CHAIR HOOD: Do you have more than just you? You can stand behind the table, but you have some more people? I'm going to ask Commissioner Cuthbert and your colleague if you all could step back so they can come to the table.

MS. SCHELLIN: Have all your people come.

MR. FREEMAN: Mr. Freeman, if you

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all could step back also.

(Simultaneous speaking)

(Off microphone comments)

MS. SCHELLIN: You need to serve the ANC and the applicant a copy of everything that you give, so I just gave him one copy. You got ten, so he can have that one. Okay.

The cards need to go to the court reporter. Is this the same thing, or is this different? Okay. Are they part of your testimony because we're not taking anything from individuals.

This is only from the parties. This is not anything from the, okay. So she's going to be part of your, okay. That's why I'm asking.

(Off microphone comments)

MS. SCHELLIN: It's only your presentation. It's not from the public. We're not taking anything from the public. It's only from the party. Then she's not part of your presentation.

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If she's not part of your presentation, we're not taking public testimony. What about this one?

MS. BELT: This is, what about experts, so anybody who submits this, they have to come up?

MS. SCHELLIN: They're part of your presentation.

MS. BELT: Do you want to be part of the presentation?

MS. SCHELLIN: Yes, but I think we're only having you testify, one person, right? She can have a panel?

(Off microphone comments)

MS. SCHELLIN: And this person is at the table, too. Okay. Here's an extra copy of this one.

MS. BELT: This is also part of our presentation.

MS. SCHELLIN: You have to provide seven copies of that. We can't take this without multiple copies. We don't have any

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way to put it in the record.

You have to make copies and put it in the record. This is an electronically filed case. We don't have any way to put that in.

(Off microphone comments)

MS. SCHELLIN: Doesn't matter. You can print it out or whatever, but we don't have any way to put it in the record.

FEMALE PARTICIPANT: How long do we have to put it in the record?

CHAIR HOOD: Are we ready? Is the party in opposition ready?

MS. SCHELLIN: They need to be sworn in.

CHAIR HOOD: Oh, you need to be sworn. Okay.

MS. SCHELLIN: You guys ready? Those that need to be sworn in, please stand.

CHAIR HOOD: If you need to be sworn in, could you rise so we could give you the oath? Those that need to be sworn in, can

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you rise so we can take the oath.

MS. SCHELLIN: Please raise your right hand?

(Witnesses sworn)

MS. SCHELLIN: Thank you.

DIRECT EXAMINATION

MS. BELT: Thank you zoning commissioners for being here tonight. My name is Detrice Belt.

And I am presenting this testimony and materials tonight on behalf of the Barry Farm Tenants and Allies Association, an unincorporated non-profit located at Barry Farm to protect the current and future interests of the Barry Farm community.

We have been granted party status to these hearings and following on direction from commissioners since the June hearings and July meeting.

We have worked hard to seek an agreement that would indeed make our future more predictable given the displacement this

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proposed PUD presents to all our neighbors.

Tonight we would like to update you on our progress or lack thereof in seeking a collective agreement between our party, the ANC and the applicant.

Towards that end, we have witnesses and materials that we'll present which demonstrate our good faith effort to meet the direction of the Commission to forge a collective agreement.

None of the testimony and materials we present tonight dismisses any of our prior testimony or contested issues.

And in fact we may clarify with more detail and add critical contested issues to address the information provided to the record by the applicant on September 5, 2014 pertaining directly to the issues under the limited scope hearing we are participating in now.

Let's begin. On the density issue, the applicant has said they used "best

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practices" to determine that 1423 units is what they should be allowed to build on the PUD site.

They don't site what or by whom these so-called best practices have inspired them to settle on 1400 plus units in this proposal.

What we do know is that the applicant is attempting to confuse the actual area boundaries of the PUD site and unfairly attempting to tell the Zoning Commission that the PUD site is equal to the area boundaries of the Barry Farm small area plan.

The Barry Farm small area plan, a plan passed into law by the DC City Council calls for the redevelopment of 1100 new units to be constructed across three subdivisions in this subject area, the Barry Farm dwelling subdivision, the Wade Road apartment subdivision and the Parkchester Apartments subdivision.

The applicant is proposing to

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build their 1423 units across only two of the three subdivisions, redeveloping the Barry Farm dwellings and Wade Road apartments.

Therefore, the applicant is proposing to construct 300 units more than required by the Barry Farm small area plan on two thirds the area size of what was expected in the law.

This is an amazing intensification of the density of this site, and we contest that this level of density contravenes the DC future land use map and underlying zone districts even if employing more flexible PUD standards.

This level of density intensity also demonstrates the applicant's disregard of the current usage of this public land for Barry Farm residents, residents who enjoy and maintain rear yards and front lawns to grow food, host guests and build a sense of individual ownership even if they are renters.

The applicant does not address

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this concern whatsoever, instead presenting a residential typology which paves over yards with dense housing units and constructs a couple of large public parks, which individuals may not grow food on or host more private events.

We contest that the proposed level of density destroys our current use and enjoyment of this public land and contravenes comprehensive plan policy, Parts 435, Policy LU-2.1.5, Policy LU-2.1.4, Policy IM-1.2.2 among others as testified to in other documents and hearings.

The applicants on affordability. The applicant's revised matrix of unit mix found in their September 5 filing show that 54 percent of the proposed 1423 units to be constructed will be considered market rate units.

The applicant's proposed ratio of "market rate" units versus "affordable units" flies in the face of the policies of the New

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Communities Initiative, which the applicant says this project is supposed to adhere to, as well as contravenes the Barry Farm small area plan, which was enacted as DC law.

Both New Communities and the Barry Farm small area plan expect a ratio mix of one third of "replacement public housing units," one third "affordable units," and one third "market rate units."

The applicant's proposed PUD application does not adhere to the underlying policies of the programs that this project is permitted on.

Also, the applicant never addresses the concern about phasing, i.e. which units get built first.

Will the market rate units be built first while construction of the replacement units languish as was the case with the New Communities program at Sursum Corda and the Hope VI program at Capper, Carrollsburg.

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Further, to claim that the "affordable units" set at 80 percent AMI is actually affordable is a sad joke. Clearly, the developer is aiming to make all of these so-called affordable units to individuals who make \$60,000, of families which make \$80,000 a year.

We contest that by allowing the applicant to choose to set the so-called affordable units to 80 percent AMI they won't create a spectrum of affordable units set at say 30 percent, 40 percent and 50 percent to 60 and up to 80 percent.

This prevents the upward mobility for those returning Barry Farm residents who may ascend in their careers incomes and thus opportunity to rent or own across the spectrum of potentially constructed affordable units.

This is a direct contravention with Comprehensive Plan Policy H142, and this PUD proposal will not truly create a mixed income community as directed by the New

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Communities Initiatives and other city programs.

This is simply unacceptable. Privatization of public land. The applicant has claimed that to push forward this PUD application they must seek a development incentive which privatizes this large tract of currently public land yet won't provide any details about the scope of privatization of the value of the loss of public land at question.

This direct contravenes Comprehensive Plan Policy CSF 113. The applicant has not addressed how much of our land they desire to privatize.

They have not explained the financial rationale to do so nor demonstrate the loss of financial value to the public portfolio of assets.

And the applicant has not demonstrated how this won't permanently and adversely affect the redevelopment phasing and

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return planning for current Barry Farm residents.

We contest the fact that the applicant has not shown this Commission how this development cannot be accomplished without short or long term leasing arrangement through non profit land trust or other creative financing measures as called to be examined by Comprehensive Plan policies.

Another consequence of the privatization of the Barry Farm public land, land which was given to formerly enslaved people, will be the limiting of constitutional right who those who live, work and play on that public land currently and into the future.

This is an adverse impact which must be examined. The privatization incentive should be analyzed against the backdrop of a racially divided history whereupon private owners of deeded land have used covenants to prevent certain people access to that land in

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the future.

Access to Barry Farm in the future or a clear and predictable return plan with home ownership opportunities for current and future Barry Farm public housing residents is of utmost importance in the analysis of this PUD by the Zoning Commission as well as all city officials.

Phased planning protecting Barry Farm residents. At the June zoning hearings and July meeting regarding this proposed Barry Farm PUD application, the Commission directed the applicant to cooperatively work with Barry Farm residents to develop a "predictable plan for our future."

Instead of an actual plan, the applicant has brought back a process to in the future discuss an actual phasing and return plan with Barry Farm residents.

This flies in the face of what Chairman Hood has asked of the applicant by not demonstrating any predictability at all.

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The only thing certain is that the applicant "has started preparing an application for demolition/disposition of Barry Farm," further heightening the threat of dislocation of our community or major disruption and personal hardship to lives of Barry Farm families, elders and children.

See Page 1, last paragraph of the applicant's Exhibit 83C. This is direct contravention of what the Zoning Commission has asked of the applicant as well as Comprehensive Plan Policy FSS 231.

The applicant admits that if the Barry Farm/Wade families were being relocated today, 140 units would be available for Barry Farm residents to move in today.

There are 344 units currently occupied by Barry Farm families and residents today. That would mean 200 units of Barry Farm residents and families would be permanently displaced by the applicant's plan right now.

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See Page 2, last paragraph of Applicant's Exhibit 83C. The applicant refers to the Housing Choice Voucher Program to handle the additionally displaced units.

However, as we understand, once a Barry Farm resident or family accepts housing vouchers, it is on them to find landlords and sign leases within 180 days of accepting that voucher.

Once signing a new lease, these residents will not find any easy path to readily come back to Barry Farm. Let me get some water.

The applicant admits that if the Barry Farm/Wade families were being relocated today, 140 units, no, I'm here.

Okay. The applicant refers to the Housing Choice Voucher Program to handle the additionally displaced units.

However, as we understand, once a Barry Farm resident or family accepts housing vouchers, it is on them to find landlords and

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sign leases within 180 days of accepting that voucher.

Once signing a new lease, these residents will not find any easy path to readily come back. The applicant admits to the more onerous imposition and hurdles Barry Farm residents who accept the voucher will face.

Because of the differences in the public housing and the voucher program, mobility counseling workshops will highlight additional responsibility and expectations that may be imposed by private landlord.

See Page 3 under Point 7 of Applicant's Exhibit 83C. Further, it is the fact that the applicant has not always had success at securing HUD's Choice Neighborhood funding streams.

Therefore, anywhere the applicant refers to rights conveyed to Barry Farm residents under this Choice program, those rights do not exist except but if the

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applicant actually wins that funding from HUD.

What the applicant has presented in response to zoning commissioners is neither predictable nor an acceptable phasing/return plan to allow this PUD to move forward.

The lack of predictability or an actual plan developed cooperatively by the applicant now with Barry Farm residents directly contravenes Comprehensive Plan policy.

This type of opaque, top down DCHA decision making and "dispersal planning" has led to less than stellar results enacted over the past decade or so under the Hope VI and New Communities Initiative, which was recently reported to fail to meet its overall objectives in protecting the public housing residents like those at Barry Farm.

See Attachment C. And now, I would like to introduce my first witness, Brett Williams, to discuss the impact of dislocation without predictable planning to

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public housing residents like the folks living at Barry Farms.

CHAIR HOOD: Can we stop the clock for a moment? You gave us a resume of Brett Williams. Was that informative? Are you trying to proffer? I mean I'm just curious.

MS. BELT: It was a resume given.

CHAIR HOOD: What did you give us the resume for? Just so we can know who was speaking? I mean something about the person. I'm just curious.

MS. BELT: Yes.

CHAIR HOOD: Okay. You weren't trying to --

MS. BELT: To proffer, I'm a laborer, so I don't know. But yes, to proffer I guess.

CHAIR HOOD: You're trying to proffer this person as an expert.

MS. BELT: Yes.

CHAIR HOOD: In what? I figured that's what you were trying to do because this

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case has already started. All this stuff probably should have been upfront.

But because you don't know I'm going to work with you. So you want to proffer him as an expert in what?

MS. BELT: To discuss the impacts of the dislocation process.

CHAIR HOOD: A bit more of a historian from what I read. Am I correct? So I'm saying, I'm trying to take you along. So you want to proffer him as a historian?

MS. BELT: Yes.

CHAIR HOOD: Colleagues, any objections? Okay, not seeing any, we'll accept him as an expert in history.

MS. BELT: You can turn on your thing.

CHAIR HOOD: I'm sorry. Oh, does the applicant have any objections?

MR. FREEMAN: I'm just not clear. Who is Brett Williams?

MS. WILLIAMS: I'm Brett Williams.

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I'm an anthropologist.

MR. FREEMAN: Okay. Have you done any projects in the District of Columbia regarding --

MS. WILLIAMS: Yes, I've done many projects in DC.

MR. FREEMAN: Have you studied the District of Columbia Housing Authority's relocation process?

MS. WILLIAMS: I was the HUD manager for the Ellen Wilson redevelopment process.

MR. FREEMAN: Okay.

MS. WILLIAMS: And since then I've followed it more informally, but I did do that one.

MR. FREEMAN: No objection.

CHAIR HOOD: Again, we're going to proffer as a historian.

(Simultaneous speaking)

CHAIR HOOD: Actually he has a right to what he just did.

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MS. BELT: Okay.

CHAIR HOOD: Okay. All right, let's proceed. Let's start the clock then. Oh, make sure you speak in the mic so everybody can here you?

MS. WILLIAMS: Is this better?

CHAIR HOOD: I'll find out in a minute. Go ahead and start, and then we'll see.

DIRECT EXAMINATION

MS. BELT: Please tell us about your experience and expertise on the issue of public housing, in particular, the redevelopment of public housing sites.

MS. WILLIAMS: I'm an urban anthropologist. I've worked in DC for about 30 years on all kinds of issues related to development and displacement, gentrification and homelessness.

And as I mentioned, I was the monitor on the Ellen Wilson town homes, which were so depressing to me that I got really

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interested in the whole Hope VI and New Communities process.

And I've been following the research carefully ever since.

MS. BELT: In your opinion, how does the dislocation of entire public housing communities like Barry Farm affect one, the social networks and family bonds of the residents?

MS. WILLIAMS: I think that a lot of the Hope VI and New Communities projects are in some ways fundamentally misguided because they rest on this idea that you've got to break up concentrations of poor people.

It's sort of like poor people are like contagious or something and that they shouldn't live together, that they need role models to show them how to act better.

And I think that's very misguided, and I think that once people are dispersed, they lose the support systems that allow them to function and survive, allow them to cope

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with poverty.

And I think they don't, I'm sorry.

Do you want me to talk about social --

MS. BELT: Yes, social and then the health of the displaced residents and children and also the future life outcomes of the displaced residents.

MS. WILLIAMS: One thing I've learned over all these years is that you don't cope with poverty by being isolated and disorganized.

People cope with poverty by pooling, sharing resources, sharing time, sharing childcare, helping each other with rides to dialysis, rides to clinics.

There's a whole lot of support systems that go on in poor communities, and I think emptying them out is very misguided.

I think that when people are relocated they're often, they often report being lonely. There's a lot of research on this.

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Their educational attainment doesn't improve. Their incomes don't improve, and their health above all goes much, much worse. They report greater problems with asthma, diabetes, obesity, stress, depression.

It just doesn't help, and I worry about this idea that concentrated poverty is bad and you've got to disperse poor people.

And then I worry about what happens to them once they're dispersed. The research is very grim. It's very depressing.

But I think the point is that neighborhoods don't cause poverty, and dispersing poor people is not an anti-poverty policy.

It doesn't make people not poor. What it does is make people isolated and lonely, and I'm really, really worried in this case that they're not going to be able to come back if there won't be affordable units.

There's a bit loophole in the plan because if you're not in compliance with your

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lease, you won't be able to come back.

And I'm just really worried that there will not be enough affordable large units to allow people to come back and resume the community they've worked really hard to build over all these years.

MS. BELT: Is there anything else you would like to add about the Barry Farm PUD and the future of the Barry Farm residents?

MS. WILLIAMS: No, I think that's it.

MS. BELT: Thank you. I can go on with the second witness. Okay. Thank you, Ms. Williams. The applicant must recognize the consequences of tearing up and reconstituting community and the failure of projects that disperse long established communities.

The Zoning Commission has not been presented with any social impact statements by the applicant to enact my mitigation efforts in any order that approves this PUD let alone

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to evaluate whether the proposed dispersal of such important social networks at Barry Farm is even acceptable under the PUD standards.

Local legal scholars focusing on a property and human rights support contest the issue in that they suggest for projects threatening the level of upheaval as that for Barry Form.

The applicant should be compelled to produce social impact statements, which would allow zoning commissioners to assess the true, not imagined utility of development projects to those who will be the most affected by them.

Rebuke attempts at finding common ground. Okay. BFTAA has consistently attempted to forge an agreement with the applicant to determine a predictable future for our residents.

See Attachment B. And now I would like to introduce my second witness, Leonard Watson, to discuss the impacts of dislocation

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without predictable planning to public housing residents like the folks living at Barry Farm.

CHAIR HOOD: Ms. Schellin, if you could just stop the clock for a moment. I just want to make sure we know we have ten minutes and 44 seconds left. Okay.

DIRECT EXAMINATION

MR. WATSON: Good evening Zoning Commission. My name is Leonard Watson. I've submitted a personal affidavit, ten copies, to the Commission.

And I'd like to give a comprehensive overview of my, it's not a testimony, it's a summation observation as what this Commission was trying to arrive at in the previous hearings.

My name is Leonard Watson. I'm over the age of 18, and I'm a 40 year resident of Ward 8, Washington, D.C.

As a former employee of DCHA for approximately 14 years and as a former advisory neighborhood commissioner in Ward 8

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serving two terms and a former member of the DC Housing Production Trust Fund board for eight years and a former staff member of Marion Barry's for 28 years and current Ward 8 community activity, I have thorough knowledge of the issues being explored through review of the proposed Barry Farm PUD, Zoning Commission Case Number 1402.

On June 16, 2014 I sat with ANC 8C before the Zoning Commission and presented testimony across many issues with the proposed Barry Farm PUD, particularly focusing on the broken promises seen in other DCHA projects regarding the relocation and return of public housing residents.

Subsequently, at the hearing, Chairman Hood and Commission asked that that parties, the applicant and ANC 8C and BTFAA seek to find common ground and agree on critical planning issues like the phase and return plan.

I took the initiative and sat both

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the ANC and BFTAA down together to develop strategies as to how collectively they could safeguard and protect Barry Farm residents throughout the proposed redevelopment of Barry Farm.

I met with ANC 8C and BFTAA on many occasions since the June hearings. From these meetings, documents were drafted, joint resolution, memorandum agreement, certified letter to the director of DCHA dated August the 20th that was jointly signed by the ANC 8A chair and BFTAA representative setting forth issues, concerns and questions in search of finding the common ground this Zoning Commission asked us to seek out.

The applicant did respond to ANC 8C and BFTAA joint resolution on July 21st, Exhibit 68 on the Zoning Commission record.

But as Commissioner Turnbull noted at the July 28, 2014 deliberation meeting at the Zoning Commission, there was "a lot to be desired" in the applicant's response and that

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there was still "a lot of room here between the parties."

In my role here, I assisted the ANC 8C and BFTAA to close this arduous gap as noted by the commissioners. Subsequently, we as in the ANC 8C and BFTAA sent a memorandum agreement by mail to DCHA and their lawyers, which streamline the main points of the joint resolution and compiled them into agreement form by which all parties can sign and present to the Zoning Commission in a clear, defined way.

The applicant has never responded to this memorandum agreement, jointly signed by BFTAA and ANC 8C. We did not stop there.

I assisted the ANC 8C and BFTAA to review the applicant's 21st response to the joint resolution to pull out points of negotiation and questions that would further the conversation and discussion to get to an agreement as directed by the Zoning Commission.

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On August 20, 2014 a certified letter was sent jointly by the ANC 8C, BFTAA to the director of DCHA, Adrienne Todman.

This letter was received by Ms. Toddman, yet neither the ANC 8C nor BFTAA has ever received anything in writing in response to this inquiry.

Soon thereafter, in fact, the next day DCHA hosted a hastily called meeting about "relocation" at Mount Carmel Church on August 21, 2014.

I personally attended this meeting and saw that no one from ANC 8C was in attendance, but there were representatives from BFTAA there.

When I arrived, I saw Ms. Janice Burgess speaking. Ms. Burgess, as I understand it, is the deputy director of DCHA's Office of Capital Programs and has direct oversight of relocation planning for public housing residents in the District of Columbia.

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Ms. Burgess was giving a general overview of typical DCHA relocation proceedings through a PowerPoint presentation.

Her presentation was quite limited in detailed facts, simply showing pictures of other public housing renovations that were Hope VI projects.

There was little mention of New Communities, but she did speak in very general terms about the Choice funding.

Soon into the presentation, Ms. Burgess brought up to the microphone a woman identified as a guest speaker to share her experiences with DCHA regarding the relocation process after being displaced from Hilltop Terrace.

This woman went on to insult those in attendance from Barry Farm by saying that they were destroying their own public housing units, and as a consequence, she would not want them to move next door to her new residence.

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Needless to say, her negative comments about Barry Farm residents were interrupted by those in attendance for approximately 20 minutes.

At that point, the meeting was unofficially over. The minister of the church had to take the microphone and restore order, agreeing with the sentiments of the people and ordered the meeting over.

That was it for DCHA's August 21, 2014 meeting about the critical issue of relocation and return for Barry Farm residents.

Still yet, since this meeting DCHA has not sent anything in writing to follow up the jointly signed ANC 8C and BFTAA memorandum agreement and subsequent certified letter asking clarifying questions and seeking further negotiations to get to a collective agreement as directed by the Zoning Committee.

Additionally, I'd like to add I was present at the ANC 8C monthly meeting on

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September 11, 2014 at the Petey Greene Center
in Ward 8.

Naomi Cartherns, the ANC
commissioner that represents the Barry Farm
single member district committee was not
present in this meeting.

Therefore, she did not vote on the
applicant's revised plan, and as was stated by
the applicant that the vote was enormous, I
beg to differ. I was there.

I attest to the above statements
to be true to the best of my knowledge,
information and belief per the penalty of
perjury under law as attested to on this 17th
day of September 2014 by my name, Leonard
Watson.

I live 2437 Wagner Street SE,
Washington, D.C. 20020. My telephone number
is 202-706-2231.

And I'm here to answer any
questions from the applicant, BFTAA, the
public, ANC 8C or this Commission. I stand at

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the ready. Thank you.

MS. BELT: I just have one question. Tell us how these compliance and return planning are directly connected.

MR. WATSON: When you look at the, let me preface by saying I'm a certified model public housing manager. I was a manager for approximately eight years.

At the time it was in place it was our responsibility to make sure that all residents pay their rent, and we speak of the word compliance. That's been a keyword.

The compliance issued was predicated from the fact that each manager had to do their job by collecting the rents of each tenant.

That came about as a direct result of HUD subsidizing annual contribution contract. They were doing 100 percent at one time. Then the market took a move.

You know what they start doing? They were subsidizing as a percentage of the

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amount of money that was reported by the Housing Authority that was collected --

CHAIR HOOD: You want to move back so we can make sure we hear you clear.

MR. WATSON: -- from the rent that was collected across the board. And at the same time, it was the housing manager's responsibility to make sure that if any tenant was late or did not pay their rent, they were requested by and directed by the supervisor at the Housing Authority to do what is called a CJP, which is a Consent Judgment Praecipe.

They had to file with an administrator to take these tenants in the superior court, landlord/tenant and seek an agreement whereby they would, let's for example, if they was paying \$50 a month in rent and they owed \$5000 in arrearage, they would pay the \$50.

Then they would make an agreement to pay the arrearage amount, and I've been involved in direct negotiation with tenants.

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And I've seen some agreements last for ten years because when you look at that, you have to look at the income level.

You had people making money. You also, there were paying 30 percent of their rent. And you also had what is called zero rent.

And people weren't making any money, so then the Housing Authority came up with a sophisticated plan to say hey, well, how do you exist in your house?

Do you pay for toilet paper, toilet tissue, whatever? And what the tenants would do to not be further embarrassed, they would agree to pay the minimum of \$25 per month towards the arrearage.

And that's what they did. At this point I've not heard anybody from the applicant's side demonstrate to this Commission that they, in fact, have canvassed the Barry Farm community, identified the tenants who are in arrearage.

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Have they set forth repayment plans at the property level, which they had in place when I was a manager? Or have they taken them to landlord/tenant court?

This way you assure compliance if you are relocated, because as it stands now, if you get in Sheridan or you get in Matthew Memorial and you have criteria which states that the private management companies, their criteria in place is awfully stringent and highly unacceptable for any relocation tenant to come back if he owe.

For example, let's assume that I owed the Housing Authority \$10,000 in arrearage. I have no repayment agreement on file. I'm in Sheridan.

They look at my file, say you owe DCHA \$10,000, application denied. Next question.

MS. BELT: Can I just read this last thing, and then I'm done?

CHAIR HOOD: One last sentence.

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MS. BELT: The applicant must not be rewarded for their disrespectful, dismissive, unethical and ultimately discriminatory behavior.

To that end, we ask the Zoning Commission to protect the people of Barry Farm and reject this PUD.

CHAIR HOOD: Okay. Thank you all for your presentation. Let's see if it's any questions up here. Vice Chair Cohen.

VICE CHAIR COHEN: Thank you, Mr. Chairman. Ms. Williams, you follow what's going on with relocation and Hope VI and the city.

Did you read any of the Urban Institute reports about Hope VI because they did indicate improved health benefits to Hope VI project residents and returnees?

So I'd like to know what your reaction to those --

MS. WILLIAMS: I did read the Urban Institute reports.

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VICE CHAIR COHEN: Marjorie Turner.

MS. WILLIAMS: Susan Popkin.

VICE CHAIR COHEN: And Susan Popkin.

MS. WILLIAMS: They did a lot of research in Chicago on the Moving to Opportunity, and they document worse and worsened health conditions.

VICE CHAIR COHEN: No, I'm talking specifically about the DC because yes, you're right. There are some issues in other cities. I'm talking specifically about their work in DC.

MS. WILLIAMS: I don't think I read that. I'm sorry.

VICE CHAIR COHEN: Okay. You might want to look into it.

MS. WILLIAMS: But I have followed a lot of people who have been displaced.

VICE CHAIR COHEN: No. I'm not questioning anything that you've testified to.

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I just wanted to know if you knew of that.

MS. WILLIAMS: Thank you for telling me about that report.

VICE CHAIR COHEN: Yes, please look at it. Mr. Watson, for many years you obviously worked at the Housing Authority, you said for 14 years, eight of which you worked in the rental office.

MR. WATSON: The roads.

VICE CHAIR COHEN: Yes. My question to you though is I understood the testimony of Ms. Burgess that the in depth information with regard to one off meetings and coming up with repayment plans and whatever is going to happen.

And I just want you to know in the process for your experience being really in the office, embedded in the office, didn't that occur with other projects that it happened at a later date?

This is very early look at the project.

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MR. WATSON: In response to your question, Commissioner Cohen, it's the responsibility of the Housing Authority manager to collect the rent regardless of any redevelopment projects.

And like Mr. Hood indicated earlier, they putting the cart before the horse.

They're giving you a comprehensive relocation plan that in fact does not exist because if you look at the numbers and you look at seven Hope VI projects throughout the Housing Authority they've been awarded, if you do a tracking, and I talked to a lot of people across this city, you can count the people that return to these communities.

They're being dislocated all over the place, and then what they're not taken in consideration is that before you start moving people to dislocation procedures, you have to be mindful of the fact of what coordinated are you dealing with.

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Because if you move someone from Barry Farm to Montana Terrace in Brentwood, which Mr. Hood is very familiar with, that's a war. And it's a turf war throughout this city.

It's real, and public Housing Authority from the Office of the Public Housing police officers they are not galvanized and tracking.

So you have people right now who are just waiting patiently with Barry Farm, some of their tenants to be relocated so wars can escalate across this city because of beats they had ongoing for the past 20 years.

VICE CHAIR COHEN: Okay. In your estimation and experience then, you really feel that all of the Hope VI projects are failures? Is that correct?

MR. WATSON: Well, I'm not going to advocate that at all. They did not be a failure or else they would not got that funding.

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I think that they need to do a better job with the relocation. They need to do a better job in tracking where the tenants are going. They need to do a better job.

I understand that they have been doing it a long time, so I think it adds insult to injury to come before this Commission with drawing circles and advanced that before this Commission as the relocation plan when they have experienced in seven prior Hope VI redevelopment projects.

So they should be able to give you a comprehensive overview as to where they're at, how they doing, what's the opportunity for home ownership. Are any of them tenants in home ownership?

What's the job ratio? They should be able to prepare a comprehensive report and submit to you, not to come before this Commission today like Mr. Hood advocated earlier and say hey, you should have did this way back then.

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VICE CHAIR COHEN: All right, that was then. Did you read the September 5th submission?

MR. WATSON: Of course I did. I read it all.

VICE CHAIR COHEN: Okay.

MR. WATSON: I've been to the meetings. That's why I took it upon myself as a person that's been a former member of the Housing Authority.

I know the players at the table. I know the ANC Commission and ward, and I just used my expertise to try to bring the entities together so they could move forward in a comprehensive and civil manner to get at the gist of the issues that this Commission was asking for them to collectively come together and find common ground and move forward.

VICE CHAIR COHEN: Thank you, Mr. Watson.

MR. WATSON: And that's what I tried to do.

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VICE CHAIR COHEN: Thank you very much.

CHAIR HOOD: Any other questions? Okay. Mr. Watson, let me just ask, and I want to thank you for doing that. I saw here in the testimony that you were kind of the leader out front in trying to bring everybody together.

So I really appreciate you doing that. The testimony I heard from Ms. Burgess talked about, you know, we talked about the credit and stuff like that and leasing.

The way I took it, and that's why I guess it's five of us up here, was maybe a little different from the Vice Chair.

I thought that was already in process. I'm not sure what you thought. I thought from Ms. Burgess' testimony that was already in process. I can follow up with her.

But I thought her testimony said that was already in process as we speak. This was not a plan. This had already started.

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And I may have gotten it wrong Ms. Burgess.

Okay. I didn't get it wrong.
Okay. Good. So that means I'm paying attention. So I understood that was already started. What different information do you have?

MR. WATSON: From my observation attending the meetings from the Housing Authority, it's not in plan. It's nothing in plan. As a matter of fact, the relocation plan had to be submitted simultaneously with the demolition proposal that goes to HUD.

And that's predicated upon the Choice funding. So the question is whether or not, what would happen should you not receive this funding?

I understand you had to submit these documents simultaneously, but everything seem to be hinging on the funding, which will drive the relocation process.

CHAIR HOOD: All right, okay. I'm going to have some more questions. Thank you,

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and thank you all for your testimony. We appreciate it.

Oh, cross. I'm sorry. Don't go nowhere. I'm so busy trying to get back to the applicant. Does the applicant have any cross? Okay. Chairperson Cuthbert, do you have any cross examination?

MS. CUTHBERT: Yes, I do.

CHAIR HOOD: Okay. And let me just say this. We have two young people. Are they with one of the parties? Okay. That's all I wanted to know. I know they have school.

Let's let Ms. Cuthbert do her cross examination, and then we'll see what the questions are.

CROSS EXAMINATION

MS. CUTHBERT: Good evening. I'm Mary Cuthbert. I'm the chair of the Advisory Neighborhood Commission 8C.

Mr. Watson, you said a letter was sent to Ms. Toddman, and you have not seen a

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written response yet?

MR. WATSON: That's absolutely correct. I have not received a response.

MS. CUTHBERT: Did you ask me did I receive a written response?

MR. WATSON: No, from my understanding you told me that you met with her personally without --

MS. CUTHBERT: But you didn't ask me did I receive a written response.

CHAIR HOOD: What we're going to do Ms. Cuthbert and Mr. Watson, here's what we're going to do.

MS. CUTHBERT: The second question --

CHAIR HOOD: Ms. Cuthbert?

MS. CUTHBERT: Yes.

CHAIR HOOD: Listen. Ask him the question. Just give him a chance. And Mr. Watson, move back a little bit so we can hear you. But make sure you speak up loud enough.

Okay.

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MS. CUTHBERT: At the Advisory Neighborhood Commission 8C meeting which was held on September 10, 2014 you said that we voted?

MR. WATSON: No, I did not say that. The applicant said that they had unanimous vote from your ANC that you had reversed the decision and now you support this PUD. I did not say that.

MS. CUTHBERT: I don't believe the applicant said that.

MR. WATSON: Well, we can ask the applicant.

MS. CUTHBERT: We were in the meeting. The applicant did not make that announcement.

MR. WATSON: He made it tonight. I didn't say that. He made it tonight.

MS. CUTHBERT: Okay. I just want to get clarification on that. Okay.

MR. WATSON: No, he did not say that at your meeting. He said it tonight.

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MS. CUTHBERT: Okay.

FEMALE PARTICIPANT: Sit back.
You're too close to it.

MR. WATSON: All right, I'm sorry.
(Off microphone comments)

MS. CUTHBERT: Those were the only
questions we wanted to get a response at this
moment.

CHAIR HOOD: Okay. Thank you. I
want to thank the panel for your testimony and
opposition, we appreciate you coming down and
providing it to us.

MS. BELT: So do I get to ask the
ANC a question?

MR. WATSON: Not just yet.

CHAIR HOOD: You will after they
finish their presentation.

MS. CUTHBERT: Are we done up
here?

CHAIR HOOD: Yes, you're done for
now. We'll call you back.

MR. WATSON: Put a fork in us.

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We're done.

CHAIR HOOD: Okay. Ms. Cuthbert, you have all your witnesses up?

MS. CUTHBERT: I'm not bringing a lot of witness because we, Bishop Hudson. He's coming.

CHAIR HOOD: That's what I was kind of alluding to. Okay.

MS. CUTHBERT: Yes, Bishop Hudson, he's coming up.

CHAIR HOOD: We're ready to hear your presentation. Always when I get to priests and bishops and ministers, I always feel funny when have to swear them in.

(Witnesses sworn)

DIRECT EXAMINATION

MS. CUTHBERT: Good evening. On September 9th, Councilmember Barry called a meeting, a private meeting with the ANC commissioners.

It was held at 2100 Martin Luther King Avenue. At that meeting we had the

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developer. We had housing and ANC commissioners.

It was a private meeting, which we did not know. We received an email to attend this meeting. Someone from the tenant association came in.

It wasn't Ms. Belt, and Councilmember Barry told her it was a private meeting. And he asked Ms. Cuthbert as the chair, I said it was a private meeting.

If anybody it would be Ms. Belt, who we knew we've been working with. At that meeting, our councilmember asked several questions about the relocation, the housing unit, all those different questions.

And we commissioners, we were toying with him regarding our great weight and his position. A councilmember made it clear to us he wanted more home ownership.

And he raised the ANC as you all see in the records, we voted for 1100 units. The ANC in the record show that we voted for

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1100 units.

Councilmember Barry said he wanted 1400, that it would be, 1423, I'm sorry, that he wanted more home ownership. Well, and we talked with the housing, and we toyed with it.

The Commission left the meeting, some agreeable, some disagreeable because we had voted on what we felt that was appropriate for the 25 acres.

But then when I explained to some of the commissioners the procedure of zoning, we have the great weight as a group. And we have to vote as a group.

The chair has no more power than the other six commissioners. At our ANC meeting on the 10th, that's when Mr. Watson heard the 1423.

FEMALE PARTICIPANT: And Ms. Hamilton.

MS. CUTHBERT: And Ms. Hamilton.

FEMALE PARTICIPANT: And me.

CHAIR HOOD: Miss, I know Maya.

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We been doing good tonight. We don't have but a few more minutes, maybe a couple more minutes, maybe an hour or so. So let's work.

We've been doing real good tonight.

(Off microphone comments)

CHAIR HOOD: Maya, come on now. You and I have an agreement from the last meeting. Okay.

MS. CUTHBERT: So at that meeting we had a quorum but we didn't vote completely on the resolution. We didn't vote on the resolution of 1423.

But that has to take place as soon as possible at our executive committee meeting to discuss it more in detail because we had three commissioners at the meeting with councilmember.

And we had four commissioners at our ANC meeting. So we have to go in more detail. One of the biggest concern we had, and especially Mr. Colbert is the relocation.

That's my biggest concern is

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relocation. We know there's going to be building on the Barry Farm property, but I intend to work very closely with housing with this relocation piece.

That's the most important part to me, Mary Cuthbert, and Mr. Colbert is concerned about that, too, Commissioner Colbert.

We want to see the relocation, the process and who get the Choice to move where they would like to move. A lot of them don't understand that, is it the voucher, that you can purchase houses. They can purchase a house.

FEMALE PARTICIPANT: But the real estate agent said it's no value on the house on the voucher.

CHAIR HOOD: Maya. Work with us here.

MS. CUTHBERT: Excuse me. You have to work at it. That's what I understand.

I have a neighbor, and like they said, I

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don't live in Barry Farm.

I only live ten blocks away, doesn't make that real difference. Just because I don't live in that immediate vicinity, I'm not that far away.

CHAIR HOOD: Ms. Cuthbert, you want to put your testimony to us.

MS. CUTHBERT: Yes, I'm putting it to you because I'm reading some things.

CHAIR HOOD: You were answering. Oh okay. That's what I'm saying.

MS. CUTHBERT: And I'm reading some things that I feel that you all need to understand. I've been a commissioner a long time, and I have to choose my battles.

I choose my battle. I have no intentions of fighting housing, Ms. Toddman. My thing is I want to compromise and work with her and get the best for my neighbors.

Now that's my concern. I don't care how they feel about Mary Cuthbert, but when that task is finished, I can say to

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myself job well done. That's my concern.

And I'm not playing no games. I don't care if you don't like Ms. Toddman or housing. That's not my responsibility.

That's not. It's my responsibility to work with my commissioners.

What they want is affordable, quality housing. That's what we want, and I understand the fear.

None of us can walk in another person's shoes, but I do understand. Thank you. Bishop?

REV. HUDSON: Mr. Sangston, how are you?

MR. SANGSTON: I'm fine, thank you. I'm trying to be quiet.

DIRECT EXAMINATION

REV. HUDSON: My name is Bishop C. Matthew Hudson. I am pastor of Matthews Memorial Baptist Church on 2616 Martin Luther King, Jr. Avenue.

We have been celebrating 93 years

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of community service to our community. I have been living in this area for nine years now. I live on 2511 Stanton Road, right next to the church.

You should know that a good part of Barry Farm residents, we claim all of Barry Farm, but we have members there.

I would say to you that we have been involved in the New Communities initiative since 2006 where we partnered with DMPED and the Housing Authority to build offsite housing.

I want you to know that we have always been supportive of transforming our community. I've always said to Housing Authority and DMPED it's about the people.

It's about helping us understand what we are doing. I did not get involved in this particular PUD because I have a development partner company, and I bid for Barry Farms.

And I did not win the bid, so I

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thought it appropriate that I would sit back and listen and work with Housing Authority as I am on their committee.

I don't get to the meetings as I should, but they do inform me. The only problem I had with this phase of the process was the density.

And I shared that with the Housing Authority, with Marion Barry. We had a discussion. I see that they have come down in the numbers.

I did not get involved in terms of checking to see if it is appropriate. I just knew that 1800 and 1600 was too much density, and so I'm here to say that I continue to work with the Housing Authority.

I see that a lot of things have changed. I see that the 344 replacement units, they're in Barry Farms now as opposed to initially they counted Sheridan Station and Matthews Memorial Terrace as replacement units.

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So it's good that they have come to this point that they're going to replace those 344 units in Barry Farm.

So I'm happy with the things that have progress. I do believe that the next phase of this will, they will have to work closely with the community in terms of community benefits agreement to make sure that we're working together with rebuilding our community.

And that's what I wanted to say. I do support our community, of course, our residents. I don't get into too much of the fights because I have to pray for all of us.

VICE CHAIR COHEN: You're including us?

REV. HUDSON: Yes, all of us.

CHAIR HOOD: I sure hope you're including us.

FEMALE PARTICIPANT: I got a question --

CHAIR HOOD: Maya. Come on. Work

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with me, Maya. Ms. Cuthbert, are you finished with your presentation?

MS. CUTHBERT: Let me read our, you want to read our resolution? Let me read our resolution, the resolution approving Barry Farm/Wade Farm Apartment Master Plan.

Whereas DCHA and its development partner, ANR/PO, is that the way you pronounce it, flow? Please. I respected you all when you were speaking. Please give me that respect.

CHAIR HOOD: Hold on. I don't want to repeat what I said the last hearing, but I think this is very important to have to take a five minute break and have people taken out of this room.

So let's not do this. We've been doing fine. We've been in here now since about 6:30, and it's now about 9:15. So let's work with it.

There will be time for cross examination. Maya, you want to ask Ms. Belt

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to ask your questions that you may have because you can't cross examine.

So if you can be working on that, Maya, and we can finished in what we're doing here. Okay.

MS. CUTHBERT: Whereas ANC 8C has continued to engage the Barry Farm redevelopment team to better understand the plan and to advocate for the community interest.

Whereas on September 10th, Department of Community Housing, DCHA, and the developer presented a revised plan that include 1400 units, including 344 replacement public housing unit and additional 20 percent affordable housing unit.

Whereas on September 10th, DCHA provided a detailed relocation process and has committed to provide the ANC with a copy of the relocation plan upon completion within the next six months.

Whereas the ANC has highlighted

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key issues to which DCHA committed. Whereas DCHA has committed to the ANC key issues including the following.

In conjunction with the District of Columbia New Community Initiatives, DCHA has or will produce 100 units of replacement housing units, 35 units at Matthews Memorials, 65 units at Sheridan Station for the Barry Farm community.

But you all, Department of Community Housing, DCHA, will replace the balance of the 344 public housing unit on the Barry Far/Wade Road apartment footprint.

DCHA will give former Barry Farm/Wade Road apartment residents first priority to occupy the 344 replacement housing unit.

And I hope they hear that because I'm, as long as I'm living, I'm going to make sure they hold to that. They get first choice. Are we agreeing to that?

When you get up in age, you have

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to say as long as I'm living, because I want to see that 344 housing unit replaced.

DCHA will survey all current Barry Farm families to determine their housing need, preference and special circumstances within the next 60 to 90 days.

DCHA is committed to provide a relocation housing option that will include public housing units and other developments, and for those who qualify, Housing Choice voucher.

DCHA will apply to the U.S. Department of Housing and Urban Development for voucher pursuant subsequently to the demo/dispo application approval.

DCHA will conduct and submit the environmental site assessment to the DC Department of Housing and Community Development within the next 60 days to 90 days and collaborate with DHCD to ensure the completion of the review within 90 days post submission.

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DCHA will request \$13 million from the Office of the Deputy Mayor for planning and economic development under the New Community Initiative for FY 2014 and request an additional of at least \$17 million for FY 2015.

DCHA will request funding from the district to fund a local rent supplement program for the Barry Farm/Wade Road apartment residents.

Now, therefore, be resolved the Commission hereby adopt resolution to approve the Barry Farm/Wade Road Master Plan. Let me say this, this came from the meeting with councilmember with us compromising.

FEMALE PARTICIPANT: Without the residents.

CHAIR HOOD: Okay. Anymore testimony, Ms. Cuthbert?

MS. CUTHBERT: No. Thank you.

CHAIR HOOD: Okay. I want to thank this panel, and I also want to thank

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you, too, Bishop Hudson.

I wanted you to come back because my question the whole time we were having the hearing, and I know about Matthews Memorial, and the development and what went on because that came in front of the Commission.

And I thought I saw you raise your hand in opposition at the time, but I know now it's some concerns of the density.

So I was trying to figure out at that time, we're talking about Matthews Memorial. And then I saw your hand go up as opposition.

And I was curious because I thought at that time there was a partnership or something going on. And I may have gotten that wrong, but I'm glad to hear your testimony.

And I'm glad, appreciate you taking the time to come back because that was one of the things I mentioned at the end of the hearing.

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I knew you probably had to leave, but I was concerned about that. That was a big concern to me. I kept hearing Matthews Memorial, and I remember seeing your hand go up.

REV. HUDSON: Yes.

CHAIR HOOD: And I might have gotten something wrong, but I'm glad you came in and clarified it and put me at a little better ease because that was a concern of mine that was presented to this Commission.

So I appreciate you taking the time and coming back. I really do.

REV. HUDSON: Thank you for having me.

CHAIR HOOD: Okay. Any questions for this panel? Mr. Turnbull.

COMMISSIONER TURNBULL: Thank you, Mr. Chair. I just had one question for Ms. Cuthbert. This resolution, you haven't voted on it though yet?

MS. CUTHBERT: No, we vote on it

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next week.

COMMISSIONER TURNBULL: Is anything going to change, or is this basically --

MS. CUTHBERT: This is basically because of the commissioners who come to meeting support Councilmember Barry and what he's saying.

We have one commissioner who's a little questionable about the numbers of units. That was our original vote, which was 1100, and it moved up to 1423.

COMMISSIONER TURNBULL: Okay. Thank you.

CHAIR HOOD: Okay. Vice Chair Cohen.

VICE CHAIR COHEN: Thank you, Mr. Chairman. I have a question for Bishop Hudson. First of all, I want to commend you for the property that you have developed for Matthews Memorial, the housing project.

How many units? I don't recall

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how many units.

REV. HUDSON: 99.

VICE CHAIR COHEN: 99, and of those how many were replacement for Sheridan? Weren't they replacement for Sheridan?

REV. HUDSON: No, 99 units, 35 of Matthews Memorial Terrace are for Barry Farm residents.

VICE CHAIR COHEN: Have any Barry Farm residents moved there yet?

REV. HUDSON: It's been full ever since.

VICE CHAIR COHEN: Okay. I had heard that some of them, the residents that moved there were not happy. Can you enlighten me more on their residency there?

REV. HUDSON: Well, I don't know if people are unhappy in Matthews Memorial Terrace. I believe people are unhappy about being able to move back into Barry Farm.

That's what I have heard. So that's the complaint to move back into Barry

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Farm. When they found out that they may not be able to move back into Barry Farm, that has been the complaint.

But everybody in Matthews Memorial Terrace, they are happy.

(Simultaneous speaking)

CHAIR HOOD: Let's have some order please. Thank you.

REV. HUDSON: I think that far as I'm concerned, people are happy at Matthews Memorial Terrace. We are very engaged with our community.

You should know we have a child development center. We have a senior center, and we're very engaged in the community.

VICE CHAIR COHEN: I did, some of that. I just forgot the number of units, and then I just wanted to have you give me additional background information as far as the people who have relocated there.

And just, I understand what you're saying about their hopes and dreams. But I

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think it's a great project.

REV. HUDSON: Thank you.

CHAIR HOOD: Okay. Commissioner May.

COMMISSIONER MAY: Yes, Chairman Cuthbert, so I will go ahead and ask you the question I asked of Mr. Qumseya before about what changed, even though it seems that a lot of what changed is that you had a meeting with a councilmember and he persuaded you that there should be some negotiation, if you will, on the number.

MS. CUTHBERT: Yes, there should be some, he want more home ownership.

COMMISSIONER MAY: Right. So did the actual home ownership number change from his perspective? I mean I thought it was, I don't recall what the difference was.

That's okay. I mean, but if you don't know --

MS. CUTHBERT: I don't know.

COMMISSIONER MAY: Okay. But he

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wanted more home ownership, but he also wanted more units. Or he was willing to accept more units overall, Councilmember Barry?

MS. CUTHBERT: The response to us was he want more home ownership. Now as far as the increase in the units, that would be, he really wanted increase in the town houses -

COMMISSIONER MAY: Right.

MS. CUTHBERT: -- because he wants it for sale.

COMMISSIONER MAY: Right, more for sale units.

MS. CUTHBERT: More for sale.

COMMISSIONER MAY: Got it. Okay.
So I mean in your sense of things at this moment though is that even though you haven't had the official vote on the resolution --

MS. CUTHBERT: Right.

COMMISSIONER MAY: -- that it's likely to pass at this point?

MS. CUTHBERT: It's likely to

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pass.

COMMISSIONER MAY: Okay. And your views on this, are you willing to compromise at 1400?

MS. CUTHBERT: I'm willing to compromise because in many ways I can't win the battle, so at least get some of what you need rather than nothing of what you want.

COMMISSIONER MAY: Right.

MS. CUTHBERT: So that's the way I'm looking at it.

COMMISSIONER MAY: Okay. All right, well thank you very much.

MS. CUTHBERT: Okay.

CHAIR HOOD: Any other questions? Let's see if we have any, Maya, we're going to come to your party. And Ms. Belt is going to ask your questions.

I'm sure you already had that already worked out before we get there. Does the applicant have any cross? Okay. Ms. Belt, do you have any cross?

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CROSS EXAMINATION

MS. BELT: Yes. Is it a fact that Mr. Leonard Watson took the initiative and put our organizations together after comments from Chairman Hood in the July 2014 meeting to work together and find a common ground to move our case before the Zoning Commission.

MS. CUTHBERT: No, he did not. I took the initiative, the Commission. When Mr. Hood, Commissioner Hood say we need to work together, we had several commissioners here.

And I said we need our next meeting. We have to make sure, and that's when I found the clarity on your name, Ms. Belt, for us to meet.

And we met at the library. Now Mr. Watson did some writing proposal for us, and I called that meeting with the commissioners and you.

MS. BELT: Isn't it a fact that our organizations have never signed any joint documents agreeing to do whatever our

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councilmember wanted in this case before the Zoning Commission?

MS. CUTHBERT: Let me make it clear. That was a private meeting that we were unaware of. We received a email that the councilmember wanted to meet with us.

We didn't know it was a private meeting until the young lady walked in there say she was from the tenant association. And that's when the councilmember said this is a private meeting.

We thought we was just meeting with housing, the developer, and that's when he said it was a private meeting.

MS. BELT: Ms. Mary?

MS. CUTHBERT: No, we did not sign nothing together.

MS. BELT: Okay. The meeting was not private. I was sent an email in the BFTAA account from the councilmember.

MS. CUTHBERT: Well, let me say this. That young lady who came in, I was

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looking for you. I had not seen that young lady before.

FEMALE PARTICIPANT: And she couldn't make it because she had to work.

CHAIR HOOD: Wait a minute. Let me say this. Cross examination, let me tell you all how cross examination is done. You ask a question.

Ms. Belt is asking the question of Ms. Cuthbert. Ms. Cuthbert is going to respond, and then Ms. Belt is going to ask either a follow up question or another question.

Everybody is not going to ask the question, so if you have a question, and I'm going to say again, Maya, because you and I have gotten to be very good friends, Maya and others, make sure you give it to Ms. Belt because we're going to do this organized.

We're going to do this in an organized structure.

FEMALE PARTICIPANT: Okay.

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CHAIR HOOD: We have structure down here. We're going to make this structure. Okay. We're not going to do that yelling out, not tonight, and it's getting late.

MS. BELT: Isn't it a fact --

MS. CUTHBERT: Now, wait a minute. Let me finish answering my question. Mr. Lindsay, the Chief of Staff for Councilmember Barry, I asked him the other day did you invite Ms. Belt to this meeting.

He claimed no, so I'm not going to argue that part, okay.

MS. BELT: Yes, he did not invite me. He invited BFTAA. And she's a part of BFTAA.

The next question, isn't it a fact that you attended a meeting in Councilmember Barry's office on September 9, 2014 along with DCHA and DC government officials to discuss our case that is currently before the Zoning Commission.

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MS. CUTHBERT: That's the private meeting the Councilmember Barry called.

MS. BELT: Okay. Which ANC commissioners were there?

MS. CUTHBERT: All of them. No it wasn't. It was Commissioner Colbert, Commissioner McCoy, Commissioner Cuthbert.

MS. BELT: Isn't it a fact that you and Councilmember Barry's Chief of Staff had my representative, Skyler Poindexter Moore, removed from this said meeting when you knew full well that Skyler, a member of my organization with party status in this case before the Zoning Commission?

MS. CUTHBERT: Let me make something very clear to you Ms. Belt. I don't know who Skyler is, and I don't remember seeing Skyler.

The only person we've been working with closely was you, Ms. Belt. Whatever her name is, I don't remember seeing her. I worked directly with you.

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I've had your phone number, and I don't know about anybody else. Your mother would be with you sometime, and I would respect that. But this other lady, I didn't know who she was.

MS. BELT: Isn't it a fact that as of the present date, our organization have not received any writing correspondence from the director regarding our certified letter to her dated August 20, 2014?

MS. CUTHBERT: That is correct. Let me say this. Mr. Watson wrote a letter and certified it to Ms. Toddman. I have to choose my battles.

I've worked with Ms. Toddman for many years, and Number 1, they don't know the relationship between Ms. Toddman and Mary Cuthbert.

We had coffee together. We discussed that letter, and I made the recommendation. I, Mary Cuthbert, made the recommendation don't respond in writing. I

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made that recommendation.

FEMALE PARTICIPANT: Why?

MS. CUTHBERT: Because I choose
to.

CHAIR HOOD: Ms. Cuthbert, any
questions --

(Simultaneous speaking)

MS. BELT: I'm ready for the next
question for her.

CHAIR HOOD: Okay.

MS. BELT: Did you say at your ANC
meeting September 11th that Councilmember gets
what he wants?

MS. CUTHBERT: No, I didn't say
that at no, we didn't have a meeting at
September 11th --

MS. BELT: The 13th, your meeting?

MS. CUTHBERT: The meeting was not
on the 13th. The meeting was on the 10th.

MS. BELT: The 10th, okay.

MS. CUTHBERT: No, I did not. The
councilmember --

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CHAIR HOOD: Let me just say this.

All this, let me just say this. We're now in here to try to deal with a project that's being proposed.

The Commission, in every meeting, trust me. I've been to a lot of meetings where we go back and forth, and we have issues.

But let me say this. When you come downtown in front of this board, the ABC Board or any board, you want to hash the issues out that are germane because I can tell you.

I've been to a whole lot of meetings where I said something. Somebody else said something. That doesn't work down here in front of this Commission --

(Simultaneous speaking)

MS. BELT: Is this on the record?

And we're just asking a question.

CHAIR HOOD: But what I'm saying is --

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MS. BELT: And it's exposing private meetings.

CHAIR HOOD: I'm trying to help you. I'm talking now. What I'm saying is make sure, you might not like it. But I'm trying to help you.

Make sure that what you're talking about on any issue that's dealing with zoning that who said this and who said that, get to the points.

Convince this Commission of the points. That's all I'm trying to do. Let's refocus it. Let's come back.

MS. BELT: No, that is the point because you told us at the last hearing to get together. Come together and work, and her statement was he only told me to work with you.

No, it's BFTAA who got party status, so these are the issues of zoning. They had a private meeting with the councilmember, and then they come back with

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different numbers.

CHAIR HOOD: Let me help you on that, too. By law, I've overextended what I'm supposed to do. By law, I was not supposed to even really technically do it.

But I do it all the time to try to bring neighborhoods and communities together.

It's usually successful.

But if this applicant challenges Anthony Hood in court, I can tell you, I've lost personally because what I've done to ask them to do typically won't hold up.

But Mr. Freeman and a lot of the legal counsel come down here. They understand what we're trying to get at and trying to bridge the gap.

But by law, I asked for something I wasn't supposed to ask for. And that's on the record.

MS. BELT: I just want to say one last piece. With new info from the ANC and the applicant, we need more time to respond

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appropriately. Thank you, Commissioners.

CHAIR HOOD: Okay. Any other questions? Okay. Thank you very much. We appreciate your testimony. Bishop, again, thank you.

And let me say this. I want to thank everybody who worked with putting that group together, whether it's Mr. Watson, Ms. Cuthbert or whomever.

I want to thank everybody for at least trying to put that group together. Okay? I appreciate it. Okay. Ms. Schellin, what else do we have?

Oh, let's do rebuttal by the applicant and closing. But let me just say this. The parties can cross on rebuttal. Is there going to be any rebuttal?

MR. FREEMAN: We did just want to have Ms. Kimberly Black King make two points about New Communities.

CHAIR HOOD: Okay. Whatever's on rebuttal can be crossed.

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MR. FREEMAN: Were you sworn in?

MS. BLACK KING: No.

(Witness sworn)

DIRECT EXAMINATION

MS. BLACK KING: Good evening, Commissioners, Kimberly Black King with the Deputy Mayor's Office for Planning and Economic Development.

I'm here tonight representing the Executive Office of the Mayor. I want to comment on some of the New Community goals.

I was here earlier this summer to testify in support of this project, that it is consistent with the New Community goals.

New Communities has four guiding principles, the mixed income guiding principle. This project obviously supports mixed income.

The one third, one third, one third notion that was in the original redevelopment plans was a guide, not an actual concrete recommendation.

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The thought behind the one third, one third, one third is that there's a balance within the mixes of incomes.

The one-for-one replacement as testified, we are committed to replacing 444 units, which is the number of units that are currently in Barry Farm apartments and Wade apartments.

Unbuilt first, another guiding principle. We have adhered to that in building first. We have a total of 346 units that are in Barry Farm within the Barry Farm redevelopment area of the New Communities Plan.

That's, I sure will, that is inclusive of Sheridan Station Phase I and Sheridan Station Phase III and Matthews Memorial Terrace.

We have 100 units in those properties that are a priority for Barry Farm residents. We have the opportunity for residents to return.

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We've heard a lot about that tonight. To demonstrate our commitment to that, we can talk about how we've leased up Sheridan Station and Matthews Memorial, the units that have come online already.

And Matthews Memorial, you heard Bishop Hudson testify that there are 35 units there with a priority for Barry Farm residents.

And 35 Barry Farm residents are in those units. In Sheridan Station Phase I, there are 25 units with a priority for Barry Farm residents.

There are currently 19 Barry Farm residents in those units. I think that demonstrates our commitment to making sure that we're working with the residents to make sure that they have the opportunity to return to these replacement units.

Lastly, I would like to say that the District is committed to seeing the redevelopment at Barry Farm. That is with or

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without the Choice.

So this has been a plan that has been in place before Our Choice was introduced at HUD. So we are very supportive of moving this project forward with or without the Choice funding.

Choice certainly would go a long way in helping us realize the goals in this redevelopment plan. So that's very, very important.

But I want to emphasize that it does not by any means mean that this project will not move forward without Choice funding.

We have to move the development forward. And that concludes my testimony.

CHAIR HOOD: Okay. Thank you. Let's see. Does the ANC have any cross?

MS. CUTHBERT: No, sir.

CHAIR HOOD: Ms. Belt, do you have any cross?

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MS. BELT: Yes. Hasn't DMPED

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recently released a report about New Communities and how it has not met its long term goals and policies?

MS. BLACK KING: We released a report that was done by independent consultants. In that report they state a number of recommendations to improve the program. They do not state that New Communities has been a failed program.

MS. BELT: And in response, isn't DMPED actually considering dropping the one-for-one replacement and build first policies?

MS. BLACK KING: No.

MS. BELT: Was that in the recommendation?

MS. BLACK KING: No.

MS. BELT: I'm done.

CHAIR HOOD: Thank you. We appreciate it. Thank you. You have any closing? Mr. Freeman, do you have any closing?

MR. FREEMAN: We do. We just have

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a quick statement. With respect to a lot of the information that was included in the submission from Barry Farm Tenants, Allies and Association, much of that obviously goes beyond the scope of what we were here to talk about tonight.

But with respect to the substance, our submission on July 14th covers much of that, covers how we comply with the Comprehensive Plan, covers how we meet all of the applicable requirements.

We've heard a lot of testimony about a lot of issues, some of which are related to zoning, many of which are not.

But we believe we have submitted all of the information required by the zoning regulations for approval of the First Stage PUD.

And we believe that the information that we submitted here tonight adequately responds, fully responds to the questions that the Zoning Commission set forth

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at the July 28th public meeting.

And, therefore, we believe that the record is complete and full and is an application which we would respectfully ask the Zoning Commission to approve. Thank you.

CHAIR HOOD: Okay. Thank you. Ms. Schellin, I'm not sure if we've asked for anything. Do we have a list? Did we ask for anything? Colleagues, did we ask for anything?

COMMISSIONER MAY: No, but we need to see the ANC's report when it's been voted on.

CHAIR HOOD: Oh, yes. We do need to get the, once it's voted on.

MS. SCHELLIN: She's saying she can get that. When are you guys meeting?

CHAIR HOOD: Tomorrow?

MS. CUTHBERT: We're going to have the meeting next week.

MS. SCHELLIN: Next week. Okay.
Can we --

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CHAIR HOOD: We need to get some dates to receive the ANC report.

MS. SCHELLIN: You mean next Tuesday?

CHAIR HOOD: Hold tight. Just give us five more minutes.

MS. SCHELLIN: Okay. So next Tuesday is the 23rd. Could we have it by next Friday, the 26th, 3:00 p.m.?

MS. CUTHBERT: Yes.

MS. SCHELLIN: Okay. So that would be 9/26, 3:00 p.m. And that's the only thing we're waiting for.

CHAIR HOOD: Okay. Do we have a projected date of when we're probably hear this case, I mean probably have our meeting on it and deliberate it some more, additionally?

MS. SCHELLIN: Our next meeting would be the 29th. Do you want to do it that soon? The next meeting after that would be October 20th.

CHAIR HOOD: Colleagues, you want

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to do the 29th of September? Do we have a lot on the agenda that night?

MS. SCHELLIN: We have McMillan and a couple other things.

CHAIR HOOD: I think these are two big cases that are important. We tried it once before. I don't know.

I guess we could go ahead and do it that night. Any objections? Okay. All right, we'll do it for the 29th.

MS. SCHELLIN: 9/29.

CHAIR HOOD: I don't know how both of them always end up in the same meeting.

MS. SCHELLIN: They've both been postponed, or deferred rather.

CHAIR HOOD: Because we asked for additional information, and we did a limited scope. Okay. Anything else?

MS. SCHELLIN: All right, so Ms. Cuthbert will submit the ANC report. Other than that, the record is closed, and we'll put it on the 9/29 meeting at 6:30 p.m.

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CHAIR HOOD: Okay.

COMMISSIONER MILLER: I have a question.

CHAIR HOOD: Commissioner Miller?

COMMISSIONER MILLER: So are we going to get proposed findings of fact and conclusions of law? I know we had it previously, but the project changed since then.

MS. SCHELLIN: Then we'll have to move this to October then.

CHAIR HOOD: We'll have to move it to October because I think Commissioner Miller brings up a good point.

We need to have an updated, the findings of fact and conclusions of law need to be updated to what's being proposed, what's in front of us now.

And we already have a set, but it's not what's in front of us now.

MS. SCHELLIN: So based on that then, I need to have the draft. The parties,

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if they choose to do so, can submit.

The applicant definitely needs to, but the parties, ANC and BFTAA, if they choose to do so can submit draft findings of facts and conclusions of law by 9/9 3:00 p.m.

FEMALE PARTICIPANT: 10/9?

MS. SCHELLIN: I'm sorry, 10/9.

MR. FREEMAN: Ms. Schellin, we can actually turn it around in relatively short order if that helps keep us on September 29th.

FEMALE PARTICIPANT: No.

(Off microphone comments)

MS. SCHELLIN: It'll be up to the Commission.

VICE CHAIR COHEN: Can I, will that give everybody sufficient time to review it if we do the 29th? No?

CHAIR HOOD: Let's do October 20th, like we said. It gives everybody a chance. Let's not get bogged down with that.

MS. SCHELLIN: Right. It's really OAG that needs the time, so we really can't do

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the 29th. And then we'll take it up on October 20th at 6:30 p.m.

CHAIR HOOD: Anything else?

MS. SCHELLIN: Again, that's 10/9. My mistake, 10/9 at 3:00 p.m. and then 10/20 would be the meeting date at 6:30 p.m.

CHAIR HOOD: Okay. Do we have anything else, Ms. Schellin?

MS. SCHELLIN: No, sir.

CHAIR HOOD: Okay. I want to thank everyone for their participation tonight, and we appreciate the cooperation. And with that, this hearing is adjourned.

(Whereupon, the above-entitled matter went off the record at 9:43 p.m.)

NEAL R. GROSS

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