

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission

Public Hearing

Case No. 16-17 [EYA Development, LLC - Consolidated  
PUD and Related Zoning Map Amendment for 1200 Varnum  
Street, N.E. (Square 3917, Lot 800).]

6:30 p.m. to 11:36 p.m.  
Thursday, April 27, 2017

Jerrily R. Kress Memorial Hearing Room  
441 4th Street, N.W., Suite 220 South  
Washington, D.C. 20001

OLENDER REPORTING, INC.  
1100 Connecticut Avenue NW, #810, Washington, DC 20036  
Washington: 202-898-1108 • Baltimore: 410-752-3376  
Toll Free: 888-445-3376

1 Board Members:

2 ANTHONY HOOD, Chairman

3 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 MATT JESICK

13 JOEL LAWSON

14 JENNIFER STEINGASSER

15

16 Department of Transportation:

17 EVELYN ISRAEL

18

19

20

21

22

23

24

25

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

2 CHAIRPERSON HOOD: all right were ready to  
3 get started. Good evening ladies and gentlemen, this  
4 is a public hearing of the Zoning Commission for the  
5 District of Columbia. Today's date is April the  
6 27th, and that's approximately 6:30 p.m. We're  
7 choose we are located in the Jerrily R. Kress  
8 Memorial hearing room.

9 My name is Anthony Hood, I'm the Chairperson.  
10 I'm going to let my Commissioners introduce  
11 themselves.

12 MR. MILLER: Thank you, Mr. Chairman. I'm  
13 vice chair, Rob Miller, mayoral appointee.

14 MR. TURNBULL: Michael Turnbull, representing  
15 the Architect of the Capitol.

16 MR. MAY: Peter May, representing the National  
17 Park Service.

18 CHAIRPERSON HOOD: Okay, also were joined by  
19 Miss Sharon Schellin from the Office of Zoning, as  
20 well as the Office of Planning staff, Mrs.  
21 Steingasser, Mr. Lawson, and Mr. Jesick.

22 This proceeding is being recorded by a court  
23 reporter and is also web cast live. Accordingly, we  
24 must ask you to refrain from any disruptive noises or  
25 actions in the hearing room, including the display of

1 any signs or objects.

2 Notice of today's hearing was published in  
3 the D.C. Register, and copies of that announcement  
4 are available to my left on the wall near the door.

5 The hearing will be conducted in accordance  
6 with provisions of 11 DCMR, Chapter 4 as follows:  
7 preliminary matters, applicant's case, report of the  
8 Office of Planning, report of other government  
9 agencies, report of the ANC, organizations and  
10 persons in support, organizations and persons in  
11 opposition, rebuttal and closing by the applicant.

12 The following time constraint will be  
13 maintained in this meeting. The applicant has up to  
14 60 minutes. I see they requested 45. And  
15 organizations five minutes, individuals, three  
16 minutes.

17 The Commission intends to adhere to the time  
18 limits as strictly as possible in order to hear the  
19 case in a reasonable period of time. The Commission  
20 reserves the right to change the time limits for  
21 presentations if necessary, and notes that no time  
22 shall be exceeded.

23 All persons wishing to testify before the  
24 Commission in this evening's hearing are asked to  
25 register at the witness kiosk to my left, and fill

1 out to witness carts. If you have any problems you  
2 can see Ms. Schellin who is sitting to my left.

3           Upon coming forward to speak to the  
4 Commission, please give both cards to the reporter  
5 sitting to my right before taking a seat at the  
6 table. When presenting information to the  
7 Commission, please turn on and speak into the  
8 microphone, first stating your name and home address.  
9 When you're finished speaking please turn your  
10 microphone off so that your microphone is no longer  
11 picking up sound or background noise.

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

18           In addition, there should be no direct  
19 contact whatsoever with any Commissioner concerning  
20 this matter, be it written, electronic, or by  
21 telephone. All materials received directly by a  
22 Commissioner will be discarded without being read,  
23 and any calls will be ignored. The staff will be  
24 available throughout the hearing to discuss  
25 procedural questions.

1           Please turn off all electronic devices at  
2 this time so not to disrupt these proceedings. Would  
3 all individuals wishing to testify please rise to  
4 take the oath? Ms. Schellin, would you please  
5 administer the oath?

6           MS. SCHELLIN: Yes. Please raise your right  
7 hand.

8           [Oath administered to the participants.]

9           MS. SCHELLIN: Thank you.

10          CHAIRPERSON HOOD: At this time, before I go  
11 to you, Ms. Schellin, for preliminary matters, the  
12 only preliminary matter that I have is if --  
13 sometimes we get out the mics, when we turn them this  
14 way and that way. So if you don't hear us and we are  
15 out of the mic and you cannot hear, just raise your  
16 hand so we can make sure that everyone is able to  
17 hear us.

18          Ms. Schellin, do we have any preliminary  
19 matters?

20          MS. SCHELLIN: We do. There is a party  
21 status request in opposition from Robert and Kelly  
22 Perl, that we need the Commission to consider. The  
23 applicant has filed their response at Exhibit 33.  
24 They have no opposition to the request.

25          CHAIRPERSON HOOD: Okay. Commissioners, I

1 have reviewed the submission. I believe that the --  
2 what was the name? Perl? Perl?

3 MS. SCHELLIN: The Perls.

4 CHAIRPERSON HOOD: The Perls. The Perls  
5 have, what I saw in this submission they've asked for  
6 three minutes. I would suggest, and I think the  
7 applicant noted this, I would suggest either they  
8 combine or we hear their -- I just don't think that  
9 their submission warrants anything different from  
10 what the case -- what the other party that we granted  
11 party status on Monday night, they can either join  
12 that party, because they all have pretty much the  
13 same issues. Or, we can hear their testimony as a  
14 party -- I mean, as a person in opposition, because  
15 they've only asked for three minutes. So, that's  
16 where I am. I'm not sure if they want to combine, but  
17 I would not be inclined to grant them party status.  
18 They can join the party that we've already made, or  
19 they can just give us their presentation as a party  
20 in opposition.

21 Any discussion on that? Does everybody  
22 agree?

23 [No audible response.]

24 CHAIRPERSON HOOD: Okay, Mr. Perl, you can  
25 come forward. You can identify yourself.

1 MS. PERL: Yes, I'm Kelly Perl. I just want  
2 to know if I join, if I join the other party am I  
3 allowed to testify? Or, would I be precluded from  
4 doing that?

5 CHAIRPERSON HOOD: I'm not sure what their  
6 presentation is. A lot of times -- I'm not really  
7 sure. You want to talk to whoever the person is of  
8 the Reasonable Development Party. I think that was  
9 the name of them. I'm going off the top of my head  
10 right now, but you want to talk to them and see if  
11 whatever your issue is can be hitched along with  
12 whatever their presentation is going to be.

13 MS. PERL: Okay. Under that I will withdraw  
14 and I will testify.

15 CHAIRPERSON HOOD: Okay. But still, find out  
16 because you --

17 MS. PERL: Yeah.

18 CHAIRPERSON HOOD: You know, you could  
19 probably join their party because you all have the  
20 same interests.

21 MS. PERL: Yeah. Well, I had that  
22 opportunity and decided not to a while ago. So, I  
23 can --

24 CHAIRPERSON HOOD: Okay.

25 MS. PERL: If you deny it, I understand.

1 CHAIRPERSON HOOD: Okay. Well, we'll still  
2 hear your testimony.

3 MS. PERL: Okay.

4 CHAIRPERSON HOOD: Okay? All right. So I  
5 would move that we deny the Perl's party status, and  
6 ask for a second.

7 MR. MILLER: Second.

8 CHAIRPERSON HOOD: It's been moved and  
9 properly seconded. Any further discussion?

10 [Vote taken.]

11 CHAIRPERSON HOOD: Ms. Schellin, would you  
12 record the vote?

13 MS. SCHELLIN: Yes. Staff records the vote  
14 four, to zero, to one to deny party status to Robert  
15 and Kelly Perl. Commissioner Hood moving,  
16 Commissioner Miller seconding, Commissioners May and  
17 Turnbull in support of denial, Commissioner Shapiro  
18 not present, not voting.

19 And the only other preliminary matters is the  
20 expert witnesses that have been proffered by the  
21 applicant. Daniel VanPelt has previously been  
22 accepted as an expert by the Commission, and there's  
23 one other witness, Sandra Clinton. She is from  
24 Clinton and Associates and she's being proffered in  
25 landscape architecture.

1 MR. TUMMONDS: We just have one -- Ms.  
2 Clinton is not going to be testifying, so our only  
3 expert witness this evening will be Mr. VanPelt.

4 CHAIRPERSON HOOD: Okay, so, we don't have to  
5 deal with that. Anything else, Ms. Schellin?

6 MS. SCHELLIN: That's it.

7 CHAIRPERSON HOOD: Okay.

8 MR. TURNBULL: So, not your architect?

9 MR. TUMMONDS: No, not our architect.

10 MR. TURNBULL: Oh, okay.

11 CHAIRPERSON HOOD: Your architect is not  
12 being proffered as an expert.

13 MR. TUMMONDS: That is correct. We know that  
14 in the past there have been concerns about  
15 registration in the District, so, we didn't want to  
16 have to deal with that this evening. So, Mr. Schron  
17 will be presenting his testimony.

18 CHAIRPERSON HOOD: I don't think that's an  
19 issue because they are not going to proffer him so,  
20 we won't have to deal with that. And let me just,  
21 for the record, we don't necessarily just look at  
22 education. We also look at experience. Okay. All  
23 right. So, that's something that we know now. Well,  
24 we already knew that, but I just want you to know,  
25 that's not the major factor. Okay.

1 All right, Mr. Tummonds, you want to bring  
2 your team up?

3 In this case we have two ANCs. I see, okay I  
4 see Chairman Edwards here. I think someone else,  
5 another person, is representing 5B. I do remember  
6 reading that. Okay. Mr. Feeley, Commissioner  
7 Feeley. Okay. All right.

8 Mr. Tummonds, you all may begin.

9 MR. TUMMONDS: Wonderful. Good evening, Mr.  
10 Chairman, members of the Commission. Paul Tummonds  
11 with Goulston and Storrs. My colleague, Dave Lewis,  
12 is also with me here this evening.

13 On behalf of the applicant and the  
14 development team we are very excited to be here and  
15 to present this very important project. The project  
16 that you will be reviewing this evening has gone  
17 through a series of changes. Changes from its  
18 initial planning stages, which occurred prior to the  
19 filing of this PUD and zoning map amendment  
20 application, changes made in response to community  
21 comments, changes made in response to OP and HPO  
22 comments, and also changes made in response to your  
23 comments.

24 We will walk you through the evolution of  
25 this project and we will note the specific changes

1 that we have made. The Office of Planning report  
2 supports this application, but it noted that it  
3 needed additional information on three issues. One,  
4 OP requested a more robust tree preservation plan.  
5 We've been working with representatives of the Urban  
6 Forestry Administration and we have produced a more  
7 robust tree preservation plan that we filed earlier  
8 in the day today and we will discuss this evening.

9 Second, OP requested the installation of  
10 openings in the fences that are proposed at the end  
11 of the private alleys. We have agreed to that and we  
12 will present those this evening.

13 And finally, OP requested that the applicant  
14 confirm that local artists will actually be creating  
15 the public art that is proposed as an amenity of this  
16 project. That is true, the local artists will be  
17 actually creating such public art.

18 Finally, the report of the Department of  
19 Transportation also supports this application. Mr.  
20 VanPelt will walk through the parking and  
21 transportation demand onus of this project, as well  
22 as the traffic calming measures that we are proposing  
23 this evening.

24 I will now have Evan Goldman, of EYA,  
25 introduce the rest of the members of the development

1 team and start our presentation.

2 CHAIRPERSON HOOD: Before you get started,  
3 let me just acknowledge Ms. Israel from the District  
4 Department of Transportation. I want to make sure  
5 that's on the record.

6 You may begin. I'll give you that minute  
7 back at the end.

8 MR. GOLDMAN: Thank you. Good evening, my  
9 name is Evan Goldman. I'm sorry. Good evening, my  
10 name is Evan Goldman. I'm a partner in the  
11 Development Group at EYA. Up here with me are Aakash  
12 Thakkar from EYA as well, Greg Schron, who is a  
13 partner and is in-house architect, Paul Tummonds from  
14 Goulston Storrs, Dan VanPelt from Gorove/Slade, Brian  
15 Ruhl and Kyle Oliver, both from Vika, and from the  
16 Josephites we have Bishop Ricard, as well as Father  
17 Frank.

18 Since this is my first time presenting to the  
19 DC Zoning Commission, I just wanted to take one  
20 minute to give you a little bit of my background. I  
21 have a design degree from Cornell University and I  
22 worked in architecture for four years before  
23 returning to business school to study real estate.  
24 I'm a DC resident residing in Adams Morgan with my  
25 wife and three kids. For the past 15 years I've done

1 quite a bit of work in Alexandria, Arlington, and  
2 Montgomery County, and have developed a reputation  
3 for community outreach and community engagement. And  
4 really, working with the community to have their  
5 feedback influence projects.

6 Most recently I spent the past seven years  
7 working -- before EYA, working at Federal Realty on  
8 the entitlement of the (garbled speech) plan and on  
9 the development of Pike and Rose, a three-and-a-half-  
10 million square foot project up in Montgomery County.

11 I'm really excited to be here tonight for the  
12 first time, presenting to the Zoning Commission about  
13 this project.

14 This image just shows the site, an aerial  
15 view of the seminary. To the south is Varnum Street.  
16 To the north is Allison, to the west is 13th, to the  
17 east is 12th Street. It's an approximate eight-acre  
18 site with beautiful tree canopy along 12th Street,  
19 which we will be preserving. And as well as the  
20 seminary historic -- seminary building, which we will  
21 be declaring historic in the middle of the site as  
22 well.

23 I'm going to now hand this over to Father  
24 Frank to give a brief background on the Josephites.  
25 And, Father Frank, if you want to use that light

1 right here, that might help you.

2           BISHOP FRANK: There we go. Good evening,  
3 Commissioners. I'm Father Tom Frank. I'm the  
4 consultor general of the Josephites. That's the  
5 third person in the executive team of our society.  
6 I'm also a local pastor of Our Lady of Perpetual Help  
7 Roman Catholic church in Anacostia, Ward 8.

8           I live at 1600 Morris Road Southeast. I also  
9 have been a former rector for four years of St.  
10 Joseph's Seminary prior to Bishop Ricard, and he was  
11 intended to be the speaker this evening but he's a  
12 little bit under the weather and has laryngitis. I  
13 was planning to be here for this meeting anyway as  
14 the consultor general of the society to help  
15 represent the Josephites.

16           We believe the proposed residential  
17 development on a portion of our seminary property at  
18 1200 Varnum Street Northeast will be a wonderful  
19 addition to the neighborhood. Since 1929 the Society  
20 of St. Joseph of the Sacred Heart, the Josephites,  
21 have been a part of the Michigan Park community. But  
22 to stay in place and continue serving our mission we  
23 need a substantial infusion of capital. Increasing  
24 costs associated with not only maintaining the  
25 building and the grounds diverts precious resources

                  OLENDER REPORTING, INC.  
1100 Connecticut Avenue NW, #810, Washington, DC 20036  
Washington: 202-898-1108 • Baltimore: 410-752-3376  
Toll Free: 888-445-3376

1 from our core mission of serving the African/American  
2 community and working for social justice in a high  
3 school and 40 parishes across the country, several of  
4 which are here in the District of Columbia.

5           After much prayer and reflection, the  
6 Josephite General Council, upon which I sit,  
7 overwhelmingly adopted a resolution to explore the  
8 sale of a portion of our land so that we could both  
9 remain in the neighborhood as well as continue our  
10 sacramental, educational, and pastoral ministry  
11 service to those in need.

12           Our ideal partner would give great  
13 consideration to the following three principles.  
14 First, respect for the rich history associated with  
15 the property and building. Second, a track record  
16 for building high-quality for-sale housing that is  
17 compatible with the neighborhood. And third, someone  
18 who would commit to extensive community outreach to  
19 our neighbors to craft a plan that is both respectful  
20 and appropriate.

21           After much review, we were very comfortable  
22 that we had found the right partner in EYA for this  
23 endeavor.

24           Over the past 18 months EYA has been working  
25 with our adjacent neighbors, local residents, civic

1 groups, planning staff, and our elected ANC members.  
2 They've engaged hundreds of community members and  
3 presented the project on more than two dozen  
4 occasions.

5           In August EYA filed a Planned Unit  
6 Development application with the District of Columbia  
7 Zoning Commission to build 82 townhouses north of the  
8 seminary and preserve almost 2.5 acres of open space  
9 that will be made formally accessible to the public.

10           In February, EYA further updated the plan by  
11 reducing the unit count to 80 homes, breaking up the  
12 scale of the homes, directly across the street from  
13 existing houses, and modifying architecture to better  
14 fit within the neighborhood.

15           The seminary predates almost all the homes  
16 north of Brookland. Through the years we've seen and  
17 respected the changes that have happened around us.  
18 In 1956, a hospital was built directly next to our  
19 seminary, and like a good neighbor, we partnered with  
20 Providence Hospital through the years, providing  
21 support to their patients.

22           We, more than most, understand how hard  
23 change can be, and it is fair for residents to wonder  
24 about the impact of new development and experience  
25 the anxiety that comes with change.

1           We believe that the plans, as modified with  
2 great community input, are respectful of the  
3 neighborhood and appropriate both in design, scale,  
4 and context.

5           We have faith that the residents of these new  
6 homes, including the 10 much needed affordable units,  
7 will come to be a part of the Michigan Park  
8 neighborhood, just as the existing residents who have  
9 come and gone through the years have equally called  
10 Michigan Park their home.

11           We respectfully request that the Zoning  
12 Commission support the PUD and zoning map amendment  
13 application. And the approval of this application  
14 will allow us then, to remain a strong and faithful  
15 member, not only of this beloved community and this  
16 city, but allow us to carry out our mission of  
17 service.

18           Sincerely, Father Tom Frank on behalf of  
19 Bishop John Ricard, Rector of the Seminary.

20           MR. GOLDMAN: Thank you, Father Frank. So,  
21 continuing the presentation we'll give you a very  
22 brief background on EYA. I know that you're familiar  
23 with our company. We're locally based. We were  
24 founded 25 years ago. We've done 46 projects, all  
25 within the D.C. region. And if you were to look at a

1 map of D.C. Metro system, that's essentially where  
2 all of our projects exist. Our tagline, "Life within  
3 walking distance," really influences everything we  
4 look at and everything we do. And we were, you know,  
5 when people were going out and tearing down farms and  
6 building projects out in Prince George's, Montgomery  
7 County in Virginia, we were doing projects in the  
8 city and close in, and walkable neighborhoods,  
9 because that's important to us.

10           We're fully integrated, meaning we  
11 development -- we both do the development, we  
12 purchase, we build the homes ourselves, we sell the  
13 homes ourselves. And why this matters to the  
14 community is that when they're dealing with EYA in  
15 the front end, they're dealing with us all the way  
16 through. It's not a general contractor or somebody  
17 else on the site that they have to create a  
18 relationship with.

19           We have a major focus on community outreach.  
20 That's part of the reason I joined the team almost  
21 two years ago. And, just a few quick projects. You  
22 are familiar with some of these, but Chancellor's Row  
23 is in the neighborhood where we do two different  
24 styles of architecture. Brian Square is one of our  
25 kind of favorite projects. It's won a number of

1 awards for historic -- from historic societies for  
2 the work we did there in Capitol Hill. Harrison  
3 Square and the U Street Corridor, that project was  
4 before really anything had happened in that  
5 neighborhood. And then we are continuing our work on  
6 McMillan as you are all aware.

7           Just a few quick -- oh, it's not going.  
8 There we go.

9           I threw up a few testimonials. I won't  
10 belabor this point, but we judge ourselves based upon  
11 our home purchaser's willingness to refer us to a  
12 friend. Our rate is consistently north of 95  
13 percent. Right now we're at 100 percent for the  
14 year. Typical industry is 70 to 80 percent. And why  
15 that matters, once again to the community, is that we  
16 care deeply about warranty, customer service,  
17 construction, quality.

18           And so, once again, for the community,  
19 knowing that they're getting a product that's quality  
20 in their neighborhood is important for people to  
21 know.

22           We spent a little bit of time talking about  
23 community outreach, and so as you've already heard  
24 over the last 18 months, we've held about 25  
25 community meetings about the project, in addition to

1 a number of smaller meetings on top of that. We've  
2 presented to our ANC, ANC 5A, six times. And in  
3 addition to traditional community outreach, we also  
4 did kind of nontraditional community outreach to  
5 reach audiences that weren't typically at the table.

6           And so, for example, when we thought of this  
7 idea or worked with the community about creating a  
8 playground, we actually did a number of webinars and  
9 evening meetings for parents who really couldn't get  
10 out of the house late at night because they have  
11 kids. They had the ability to come work with us and  
12 give us feedback and input on the designs of the  
13 playground, the things that they cared about, even  
14 though they weren't at the meeting itself. And so,  
15 we did things like that just to engage as much of the  
16 community as possible.

17           We pride ourselves in reaching out to the  
18 community, but then also using that feedback to  
19 modify the project. And I'll walk you through all  
20 those changes we've done tonight.

21           We do want to address one issue quickly up  
22 front. Despite the community outreach we've done, we  
23 have from the very beginning of this effort, have a  
24 group of strong opponents, most of whom actually  
25 never would meet with us. And it's come to our

1 attention just recently that this group has sent  
2 letters, e-mails, and even visited the homes of  
3 supporters over the last two weeks with the hope of  
4 changing supporters into opponents, in many cases  
5 making false claims about both the project as well as  
6 EYA.

7           And in one particular case, evidenced by  
8 Exhibit 161 in the record, an opponent took the time  
9 to do research online about a supporter and then sent  
10 a harassing e-mail questioning that person's  
11 expertise on the subject matter at hand, and the  
12 legitimacy of their support for the project.

13           The e-mail also implied that EYA had  
14 committed fraud. We believe in open and honest  
15 community dialog and we've been doing that nonstop.  
16 And when it comes to community outreach our project  
17 is a testament to this effort. Those who are willing  
18 to work with us have seen most of their input taken  
19 into account and those changes in the project.

20           We have submitted, for the record, an  
21 affordable confirming the date, time, and method of  
22 submission for the support of letters in question,  
23 and we do recognize that a small number of our more  
24 than 150 supporters have changed their minds about  
25 the project and we 100 percent encourage them to let

1 people know that. But any suggestion that EYA in any  
2 way submitted support of letters on behalf of people  
3 without their knowledge is false.

4           Okay. We're really proud, as I said, about  
5 our community outreach efforts to date and we're  
6 committed to continue working with the community,  
7 even those who opposed us as we go through  
8 construction on this project one day. We want to  
9 thank some of the leaders in the community for their  
10 work with us, current and past members of the ANC who  
11 have worked really closely with us over the last 18  
12 months. We also want to thank the Office of  
13 Planning, Historic, DDOT, Environmental, and housing  
14 staff. They've been extraordinarily helpful. We've  
15 had a kind of really good collaborative and iterative  
16 process getting to what really is a beautiful project  
17 now with a lot of architectural changes.

18           As you heard, for over the last 100 years,  
19 the Josephites, they've been a really generous  
20 neighborhood -- neighbor with their land. They've  
21 allowed neighbors to use their property for off-leash  
22 dog walking, for playing sports, and support for the  
23 project largely comes from people who recognize that  
24 the Josephites are in their time of need, that  
25 understand that the project is likely to get

1 developed, but understand that a PUD provides them  
2 the opportunity to weigh in, to make comments on  
3 architecture, and to get public benefits for the  
4 community versus a by-right option.

5           With feedback from the community, Office of  
6 Planning, and the Zoning Commission, we've modified  
7 our original plan in architecture substantially, and  
8 believe that we now have a great project before you  
9 with beautiful design, grand open spaces, much needed  
10 affordable housing, and extensive list of community  
11 benefits.

12           Most importantly, the project will deliver 80  
13 three and four-bedroom homes for families in the  
14 District, 10 of which will be affordable.

15           While the city is witnessing a construction  
16 boom in condos and apartments, there's been  
17 relatively little development in family-size  
18 projects, and this has created a crisis that was  
19 noted in President Obama's 2016 Housing Development  
20 Tool Kit, and validated by numerous economists  
21 locally. While demand for new family-size housing in  
22 the District and close to transit continues to grow,  
23 supply is constrained due to the fact that we don't  
24 have a lot of land near transit left, and long drawn  
25 out entitlement battles.

1           Mayor Bowser has identified this as one of  
2 her major priorities of her administration, and in  
3 addition, in Council Member McDuffie's letter of  
4 support for the project which was submitted today, he  
5 noted to be sure, I share many residents' concern  
6 with the initial proposal to place approximate 150  
7 units on the site. However, the applicant reduced  
8 the number of homes to 80, the height from three to  
9 four stories, and has proposed an affordable housing  
10 plan that will add 10 much needed affordable units  
11 for families with three and four-bedrooms each.

12           The last component is critical because I've  
13 recently introduced legislation to increase the  
14 amount of family-sized affordable units in the  
15 District.

16           As noted in the letter, while our original  
17 plan was larger, with 150 units, and would have  
18 contributed to help the supply/demand issue in the  
19 city, the revised plan at 80 units is a compromise  
20 that provides much needed housing for the city while  
21 being respectful of the character of Michigan Park  
22 neighborhood.

23           We're going to walk you through some of the  
24 plan changes we've made. So, the image to your far  
25 left was our original presentation to the community

1 back in December 2015, when we just had put the  
2 property under contract. And we proposed originally,  
3 150 to 180 townhomes, covering the sides and rears of  
4 the seminary site. And the community immediately  
5 raised concerns about this design.

6 So, we went back, we retooled, we met with  
7 Office of Planning staff again, and we came back out  
8 to the community in February with a revised plan that  
9 had reduced it to 90 to 100 homes. We removed all the  
10 homes from the sides of the seminary, that's the  
11 middle image. We agreed to pursue historic status  
12 for the seminary itself. We met with Casey Trees and  
13 agreed to preserve the trees on 12th Street, as well  
14 as the sides and fronts of the seminary. We proposed  
15 different styles of architecture to get feedback from  
16 the community, and we proposed different types of  
17 public benefits to get feedback as well.

18 We then spent another three months working  
19 with the community and working with staff, modifying  
20 the plans again, and the image that you see all the  
21 way to your right is what we submitted as our PUD  
22 this past summer with 82 homes. We reduced height  
23 from four to three stories at this point. We changed  
24 most of the homes to 20-foot-wide homes. Twenty of  
25 which, which is 25 percent of the homes, have rear

1 yards and will park on the street and on the private  
2 streets within the development.

3           The 20-foot-wide homes that are three and  
4 four-bedroom townhomes now, that much better with the  
5 surrounding community. Most of the homes in the  
6 community are 20 feet, 18 to 20 feet wide, 34 feet  
7 deep, approximately the same square footage as the  
8 homes we're now providing and largely three and four-  
9 bedrooms. So, you know, they'll fit much better with  
10 the housing type that's existing.

11           We proposed architecture that was in keeping  
12 with the design of the existing homes in the  
13 neighborhood, so red brick and white trim. We  
14 proposed a draft list of community benefits and  
15 agreed to pursue traffic calming measures and keep  
16 Webster a one-way street to avoid cut through traffic  
17 at that time.

18           Since then, based upon the feedback we heard  
19 from all of you at the set down hearing, feedback  
20 from, further feedback from Office of Planning staff  
21 and the community, and our recommendation from our  
22 ANC, we've made additional changes. And so, the  
23 image on your left is what we submitted initially.  
24 The image on the right is the new image. And I'll  
25 walk you through the changes.

1           We reduced unit counts from 82 to 80, but  
2 more importantly reduced density by six percent. So,  
3 we now have 64 20-foot-wide units, and 14 16-foot-  
4 wide units. The affordable units are distributed  
5 between 20 and 16-foot-wide units as well. So,  
6 they're not all smaller units. The homes in the  
7 neighborhood, as I said, are typically in this range.

8           The yellow images, the yellow highlights, are  
9 in response to community comments. Especially from  
10 Commissioner Hood at set down. We broke up the  
11 building blocks that face the other homes in the  
12 neighborhood, so instead of having strings of five  
13 homes in a row along Sargent and Allison, these are  
14 now triplex is and duplexes, more in keeping with  
15 what's in the neighborhood.

16           We did the same for the string of houses  
17 closest to the hospital as well, just to break down  
18 the massing, even though those don't front existing  
19 homes.

20           The red areas are the areas where we focused  
21 a lot of new architectural detail. We'll show you  
22 that shortly. But in response to our set down report  
23 and from feedback from the Commission, we got rid of  
24 the garages and the driveways that were fronting on  
25 the street. Those now all of the garages front

1 alleys and that just makes for a much more pleasant  
2 public realm.

3           We added wraparound porches, which you'll see  
4 shortly in our renderings, and we broke up the  
5 massing of what were the bigger buildings. Let's see  
6 if you can see it here. There used to be two units  
7 at the end of both the alleys, which made those  
8 buildings wrap all the way around, almost like  
9 multifamily. We got rid of all four of those unit  
10 and that just breaks up the image of that block.

11           In addition, we changed the roof design for  
12 all of the units to make them symmetrical, and we  
13 added architectural detail throughout which we'll  
14 highlight shortly.

15           In response to Commissioner May's comments  
16 about the two units right here, that front the  
17 seminary area, we changed the roof design on those  
18 units and then carried that through to all of the  
19 roof designs of the other units in the project. We  
20 also changed the architectural style of those units.  
21 And you'll see those shortly.

22           The blue areas are two other final changes  
23 we've made. Webster Street now, is a two-way street  
24 all the way through, and that is based upon the  
25 request of our ANC that felt it was unfair to have

1 one street one-way while all of the other streets in  
2 the community carry traffic equally. And so, we made  
3 that change as DDOT also made that request.

4 And then at the bottom what was going to be  
5 kind of a very passive park or playground for kids is  
6 now a true active playground for kids with playground  
7 equipment.

8 The only design oriented comment we received  
9 from DDOT and OP was how we treated the condition at  
10 the end of the alleys. And so you can see right now  
11 an elevation, there is kind of a metal fence and  
12 landscaping so that people are looking directly into  
13 the alleys. What we have now added at the bottom  
14 right, the bottom you can see it in plan, I haven't  
15 had a chance to do it in elevation, is we've added an  
16 opening to connect those alleys out to the sidewalk  
17 so that pedestrians can have access into the alley.  
18 And that was one of OP's requests.

19 We have also agreed -- we've also worked with  
20 DDOT, and they've agreed to accept the alleys as  
21 designed, given that the alleys and streets are  
22 private, and our chosen contractor for trash and snow  
23 removal has approved of the condition. They  
24 originally wanted those alleys to come all the way  
25 through to the street and we were worried that would

1 create too many curb cuts.

2           So as a result of the reduction in units we  
3 are now at 10.1 units per acre, and while we stand by  
4 that 10.1 units per acre metric, after reviewing the  
5 testimony of the group that has been granted party  
6 status tonight, we modified the calculation to remove  
7 the land under the seminary building. And even with  
8 this loss in total land area we're at 10.5 units per  
9 acre; clearly consistent with the density of the  
10 surrounding blocks, as you can see from the slide.  
11 If it's hard for you to see the numbers from where  
12 you're sitting, the ranges are from 7.8 units per  
13 acre on the smallest block, to 12.3 units per acre  
14 for the existing homes to the north of us, generally  
15 are in 8 to 11 units per acre range.

16           The key difference as we've always stated, is  
17 that we're clustering the homes on the northern side  
18 of the site, and in return allowing for 2.5 acres of  
19 public open space in a public access easement that  
20 will be accessible to the greater Michigan Park  
21 community.

22           This slide really tells the story. It is our  
23 overall site plan, and today this is 100 percent  
24 private property as you know. We will be preserving  
25 everything in green. 2.4 acres of open space in a

1 public access easement from dawn until dusk, 365 days  
2 per year. This land can never be developed in the  
3 future, and protects the community from further  
4 changes while providing much-needed publicly  
5 accessible open space in Michigan Park.

6           The light green areas are passive. That's  
7 almost 2 acres. The dark green areas are more active  
8 spaces, an eighth of an acre -- I'm sorry, quarter  
9 acre playground and an eighth of an acre neighborhood  
10 green. In total, the lot coverage after completion  
11 of the project will be approximately 26 percent, well  
12 below the 40 percent maximum allowed under R-2.

13           We think this really could be a model for how  
14 development of private open space on institutional  
15 lands in the city should be developed, where in  
16 return for right to develop a portion of the land,  
17 the community gets preservation of open space in  
18 perpetuity and protection from future development of  
19 the site.

20           In response to questions from Office of  
21 Planning, as well as from the Commission, we've  
22 created a whole bunch of additional images to really  
23 show you the project. And so, these are two bird's  
24 eye views. The first one is looking north, towards  
25 the seminary. And the idea is that OP wanted to see

1 how our houses fit within the context of the homes  
2 around us. And as you can see from this bird's eye,  
3 the massing, the scale, the height, the feel of the  
4 buildings very much fits in with the houses that are  
5 around it. And what's really even more striking is  
6 how much open space is now being preserved on the  
7 site in perpetuity.

8           The next image looking from the south to the  
9 north -- I'm sorry, north to the south, shows how  
10 we've tented up the density with smaller buildings,  
11 the broken up units, the triplexes and duplexes close  
12 to the community, and the longer string of townhomes  
13 closer to the hospital where they're not directly  
14 across from existing homes.

15           And now I'm going to walk you through our old  
16 renderings and our new renderings based upon the  
17 changes we've made. This is a rendering looking at  
18 Sargent, the one we initially submitted six months  
19 ago. You can see five homes in a row. And we've  
20 come back with a modified design that is a triplex  
21 and a duplex with a side yard in between. And you  
22 can see in response, they were 43 feet from the  
23 existing home to our right. So, a nice breathing  
24 room. And you can see our scale relative to that  
25 home.

1           In response to Commissioner May, and the  
2 Office of Planning staff, we've increased the level  
3 of architectural detail on all the homes. We added  
4 dormers on a number of units, we've increased the  
5 width of decorative brick courses, we've added brick  
6 details throughout that are consistent with the  
7 neighborhood, we've increased the size of the fascia  
8 board under the cornice in some places and added  
9 dental moldings, doubled the size of window headers  
10 and sills, and we have some images that will show you  
11 that in more detail.

12           This next slide is probably the one that  
13 shows the changes we've made the most. This is  
14 looking southbound at the intersection of Allison and  
15 the new Street A. That's the old view and you can  
16 see how the building really wrapped the whole corner.  
17 And the new plan really is much more townhome  
18 oriented and scale. We've taken out those units at  
19 the end of the alley. It breaks up the feel on  
20 Street A. We've added wraparound porches to really  
21 make this entrance to the project prominent. We've  
22 changed the roof detail as well, into a true triangle  
23 and symmetrical in nature, and then we've added the  
24 same level of details that we've talked about in the  
25 last slide.

1           This image is looking at the park, the kind  
2 of town square park. The old design looked like  
3 this. The new design, relatively similar scale but  
4 different architecture. And you'll see some of those  
5 details in a moment. But the added dormers make a  
6 nice big difference, as well as the wraparound porch.

7           Off in the distance you can see the homes,  
8 the existing homes on Allison Street, and how they  
9 relate.

10           This is an image looking at the seminary  
11 itself, and it highlights -- this is the old image,  
12 sorry. Let me go to the new image. What's nice  
13 about this is it highlights the neighborhood green,  
14 which will have a public access easement. And then  
15 you can see, which is in the foreground. In the  
16 foreground you can see the seminary's private  
17 contemplative garden surrounded by their building.  
18 And in the middle, we've created a public  
19 contemplative garden so that there's this series of  
20 open spaces that connect to each other. This was  
21 something that when we met with the Office of  
22 Planning and with historic, they really liked that  
23 progression and the way it framed the cupola in the  
24 back of the seminary building.

25           As you'll also note, the architectural style

1 of these units to the south of Webster are different  
2 from the units to the north. They have a similar  
3 roofline, with more shallow angled gables that have  
4 relationship to the angles found on the seminary  
5 building itself, and the details are still of the  
6 neighborhood but adapted so that they stand unique  
7 and apart as the units that surround the seminary,  
8 versus the units to the north of Webster Street.

9           And this was work we had done along with  
10 Historic and OP.

11           We have a rendering of an alley, just to give  
12 everybody a sense of what our alleys will look like.  
13 And so, from any -- this is showing what it would  
14 look like from the more public view. We wrapped the  
15 brick around the back of the homes. You can see that  
16 the sides of these homes have brick and detail, and  
17 then you can see how we transitioned to siding as you  
18 get further into the alley. You'll also notice we've  
19 included downspouts, we've included everything you  
20 would see in an alley in this rendering so you really  
21 get an image for what it's like. And if you have  
22 questions about that were happy to bring that image  
23 up back again.

24           The next series of renderings are generally  
25 new renderings we've created at the request of the

1 Office of Planning, as well as, I think it was  
2 Commissioner Hood, with the idea of showing how our  
3 homes relate to the existing homes in the  
4 neighborhood. So, this image is looking east bound  
5 from the exit from the hospital. On the right are  
6 our new homes being proposed. And on the left you're  
7 seeing the existing homes on Allison Street.

8 This next image is looking northbound on 12th  
9 Street with the hospital entrance on the left, our  
10 new homes on the right, and the existing homes going  
11 off in the distance. And what we tried to create  
12 here is obviously the repetition of the porches,  
13 similar setback from 12th Street, so the front yards  
14 are very similar to the houses that are beyond, and  
15 similar color and style of architecture.

16 One of my favorite images, this is looking  
17 from the middle of the street, westbound on Allison  
18 Street. And you can see how our homes directly  
19 across from the homes on Allison Street relate to  
20 each other in color and height, and in size and  
21 style.

22 And then the last perspective is looking at  
23 the only -- there are only six units that are  
24 directly contiguous to the property that are off an  
25 alley on the northeast side of the site. And so, we

1 are going to widen that alley and improve it. It  
2 will be 18 feet now. But you can see how we've  
3 wrapped brick around all of the sides of these homes  
4 and into the alley so that the view from these homes  
5 is attractive. And the distance between the back of  
6 that home and our home is 37 feet. As you go further  
7 down the alley it gets to 67 feet because of the kink  
8 in the road, the way it angles.

9 With that, I'm going to hand it over to Greg  
10 Schron to talk about architecture and details. Thank  
11 you.

12 MR. SCHRON: Thanks, Evan. Good evening, Mr.  
13 Chairman, Commissioners.

14 My name is Greg Schron. The Vice President  
15 of Architecture for EYA, and I'd like to start with  
16 just a couple of context slides. If you wouldn't  
17 mind, Evan. Thanks.

18 In the first one, these are per the key plan  
19 in the center of the page, are the buildings  
20 immediately surrounding the site. And some of the  
21 trends that you see as you look around the prevalence  
22 of triplexes, the consistent use of redbrick, white  
23 trim, porches, and some you know, interesting brick  
24 another masonry detailing that goes on, on these  
25 homes. So that's something that I want to keep in

1 mind as we move through the details that we're  
2 proposing on our site.

3           The next slide shows context in a little bit  
4 broader radius in the community. And this was an  
5 idea that we credit Commissioner May for giving us.  
6 It really helped us as we broadened our search to  
7 generate a greater sense for the richness of detail  
8 that existed in the surrounding community. And  
9 there's also a newly constructed home down in the  
10 bottom left-hand corner where another builder  
11 attempted to start to pick up some of the existing  
12 details to bring that contextualism into new  
13 development.

14           One thing I want to point out in particular,  
15 is that in some of the building forms we are  
16 proposing, we are referencing a condition that exists  
17 a number of times in D.C. And I'll describe it as  
18 the peaceful coexistence between triplexes and longer  
19 rows of townhomes.

20           This is a couple of streets just north of the  
21 site near Fort Totten, and we have a terrific example  
22 of directly across the street from each other,  
23 triplexes and longer rows of townhouses. And what's  
24 so interesting about the way these are composed, is  
25 that in the longer rows of townhouses they still are

1 in groupings of three, architectural groupings of  
2 three. Each of them tends to be -- to follow the  
3 model of a center unit, which is the focal point  
4 flanked by two symmetrical units on either side. So  
5 whether they stand individually as triplexes, as they  
6 do on one side of the street on the bottom of the  
7 slide, or grouped as longer strings, they still  
8 maintain that same rhythm.

9           North of Webster the homes are -- these are  
10 some of the details we're proposing, and this goes  
11 back to what Evan mentioned about a lot of the  
12 details from the contextual studies we did that were  
13 now incorporated into the design, you see the use of  
14 the shed dormer, you see the increased size and  
15 prominence of some of the masonry features and  
16 medallions, the dental moldings, the increased fascia  
17 size, the detail where we pick up the brick banding  
18 as it closes the gable with the trim detail at the  
19 bed board, and the increased header and sill heights,  
20 etc. All this was taken from specific studies that  
21 you see on the left side of the screen in the  
22 neighborhood.

23           And then, when you put that all together and  
24 you look at the elevations, what we've done wherever  
25 we face existing homes in the neighborhood across the

1 street from the site, we have limited the massing of  
2 the buildings to triplexes and duplexes. We also  
3 added, in response to comments that we received,  
4 third porch style, which you can see on the upper  
5 right hand corner of this screen. So now, in  
6 addition to the flat roof porches and the shed roof  
7 porches, we have these gables over the front doors,  
8 and we have the wraparound component as well, that  
9 was introduced in the last go around.

10           And I also want to point out on this slide,  
11 two things regarding color and material. The sort of  
12 complementary two shades of red brick, very prevalent  
13 in the community, and that's what we based our color  
14 selections on. And one thing that's not shown in the  
15 slide, which I think, you know, is something we may  
16 introduce, is some variety and front door color.  
17 Right now they're all shown is a very monochromatic.  
18 But we can introduce a little bit of individual  
19 variety through that.

20           As we move to the units south of Webster,  
21 again, looking at how we brought details from the  
22 surrounding context into the homes, here you'll see  
23 this unique lower angled gable, which reflects what  
24 is going on in the seminary building. You'll see  
25 this very distinctive detail where the brick parapet

1 backs up the gable. And this again, really plays on  
2 what is surrounding the building in their proposed  
3 locations, and then going to what that looks like in  
4 elevation.

5 We have the longer strings internal to the  
6 site, but going back to the slide we showed just a  
7 couple of minutes ago, this groupings of three. And  
8 there's always a -- groupings of two and three. And  
9 there is always, in the grouping of three, prominent  
10 unit in the center flanked by two symmetrical units  
11 on the side. You can see more balance has been  
12 brought into the design through the introduction of  
13 additional projected bays. And what's also  
14 interesting, that I love that this slide points out,  
15 is the prominence of one of the affordable units, one  
16 of the IZ units, which is actually the center unit in  
17 that entire string; totally indistinguishable,  
18 totally integrated into the rest of the housing  
19 stock. And in fact, given one of the most prominent  
20 locations.

21 Also, this slide demonstrates this slightly  
22 more formal composition that we've opted for and  
23 pursued on the south side of Webster, framing the  
24 park, the green, with two symmetrical buildings that  
25 are highlighted in red on the plan. And they're both

1 going to look like that image there, up at the top,  
2 giving that a very formal façade.

3           Yeah, and all these units, because these  
4 units are visible all around, you can see this  
5 building is brick all the way around, and these units  
6 all have rear yards behind them as well.

7           Just spend one second on materials. These  
8 are the complementary red brick colors that we  
9 discussed. You'll see here some of the white trim  
10 obviously, some of the darker colors that we will use  
11 for porch railings and doors and things like that, as  
12 accents. And then we'll spend a couple minutes  
13 briefly talking about landscape and open space.

14           So overall, I think what strikes me anyway,  
15 first when I look at that, this slide is in light  
16 green, the number of trees that have been preserved.  
17 There are more than 50 trees that are being left in  
18 place surrounding the seminary grounds to the south,  
19 to the south, east, and west. And we are preserving  
20 11 mature oak trees along 12th Street, and this very  
21 grand 54-inch oak just to the west of the seminary  
22 building.

23           And going through this intensive tree  
24 preservation effort has won us the support of Casey  
25 Trees for the application. And we now have, working

1 with Sharon, right? Sharon Dendy at DDOT, we have  
2 submitted a revised tree preservation plan to the  
3 District.

4 Focusing in on a couple of the key open  
5 spaces here, we have the playground. It was  
6 originally designed as something very sculptural that  
7 maybe kids could climb on. Feedback from parents and  
8 families in the neighborhood was that they wanted  
9 more traditional play structures. That's what it's  
10 been changed to reflect. We're going to pursue muted  
11 earth tones, not like the color of the swing set that  
12 you see there. That was just the image we could  
13 find.

14 There will also be a decorative fence that  
15 for safety, that encloses part of the playground and  
16 that will also be used to showcase local public art  
17 as a display surface.

18 And then finally, we have the two public open  
19 spaces flanking Webster Street. On the left, you  
20 have the community green, which is a little bit more  
21 active and can be used for play. And on the right  
22 you have this contemplative garden leading to the  
23 Josephite's courtyard, which is going to be a very  
24 quiet restful place.

25 And the other thing to point out on this

1 slide, is you see the green strips that flank Webster  
2 Street between the curb and the sidewalk, those are  
3 going to be lined with bio swales which will be  
4 similar to what you see at the Casey Trees building,  
5 and will pick up all the storm water runoff from both  
6 the street and the sidewalk surface. Thank you very  
7 much.

8 MR. VANPELT: Good evening, Commissioners.  
9 For the record, I'm Dan VanPelt, a principal with  
10 Gorove/Slade Associates. I'm going to review the  
11 transportation aspects of the project.

12 As shown here, the existing seminarian  
13 project site are located northeast, just a block or  
14 two from South Dakota Avenue. It's bound by 12th on  
15 the west, 13th Street -- Sargent Road on the east,  
16 Allison Street on the north, and Varnum Street to the  
17 south. Providence Hospital is located immediately to  
18 the west.

19 There are five Metro bus lines shown here in  
20 blue that connect the site to the neighborhoods  
21 within the District and Maryland, and also to the  
22 Brookland Catholic University of America Metro Rail  
23 station, which is 8/10ths of a mile to the south with  
24 Redline service.

25 There are on and off-street bicycle

1 facilities, including the Metropolitan Branch Trail.  
2 There's shared lanes on 12th Street and Sargent Road,  
3 and there are signed bicycle routes through the  
4 Michigan Park and Brookland neighborhoods.

5 In the majority of the sidewalks surrounding  
6 the site the DDOT and ADA requirements with a few  
7 deficiencies identified in our study.

8 Okay, now we can go to the next slide.  
9 Vehicular access to the site will be provided by four  
10 curb cuts that will connect to private streets and  
11 alleys. Two curb cuts are associated with the  
12 extension of Webster Street. Webster presently ends  
13 at 13th Street, Sargent Road, but will be extended  
14 through the site as a private street connecting to  
15 12th.

16 One curb cut on Allison Street will be used  
17 to access a second new -- second north/S. private  
18 street through the site resulting in an additional  
19 vehicle or porosity.

20 The final curb cut is really a modification  
21 to the existing public alley that connects to  
22 Allison. As part of the development, the existing  
23 alley and curb cut will be widened to 18 feet, and  
24 extended in order to improve circulation for both  
25 existing and site related vehicular traffic that use

1 the alley.

2           Parking will be provided in the individual  
3 garages for the majority of the townhomes, and those  
4 that do not have garages will have dedicated on  
5 street parking spaces along the new private streets.

6           Loading and trash servicing will take place  
7 curbside along the new private streets and alleys.

8           And then bicycle activity on site will be  
9 accommodated by short-term bike parking located along  
10 the perimeter and within the site. There will be a  
11 new Capitol Bikeshare station to be installed, and  
12 the final location will be determined in consultation  
13 with DDOT, but is expected to be on 12th Street.

14           Pedestrian connectivity and porosity is an  
15 important component of the plan. All new streets  
16 will have five-foot sidewalks and six-foot landscape  
17 buffers open to public use. The new streets and  
18 walks will tie-in with the existing transportation  
19 fabric, improving connectivity for the surrounding  
20 neighborhood.

21           Although the sidewalks along the perimeter of  
22 the site meet DDOT requirements, the development will  
23 include upgrades to the pedestrian infrastructure at  
24 some locations. A full set of ADA compliant curb  
25 ramps will be added on the west side of 13th Street,

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 Sargent Road, with the construction of the Webster  
2 Street extended. And then crosswalks will also be  
3 re-striped at this location to enhance visibility  
4 where necessary.

5 The applicant will work with the community  
6 and DDOT to determine if there is additional  
7 crosswalk treatments are appropriate at this  
8 location, such as rectangular rapid flash beacons or  
9 potentially and all-way stop.

10 ADA ramps and crosswalks will also be added  
11 to other site-related curb cuts at Allison Street and  
12 the new private streets, and at Webster Street and  
13 12th Street.

14 The applicant will prove the sidewalks along  
15 portions of 12th, 13th, Varnum Street adjacent to the  
16 seminary, returning the sidewalks to good repair and  
17 addressing any accessibility issues. Substandard  
18 pedestrian infrastructure was identified at the  
19 intersection of 12th and Allison streets. As such,  
20 the applicant will install a curb ramp on the PUD  
21 side of the property, and then will work with DDOT to  
22 install a corresponding ramp on the western side of  
23 12th Street, next to the hospital driveway to  
24 implement this missing crosswalk.

25 A comprehensive transportation review or a

1 CTR was completed for this project. As with all  
2 CTRs, the study was scoped with DDOT before it was  
3 completed. It included a study area composed of five  
4 intersections in addition to all of the proposed  
5 driveways.

6 Given community concerns that were being  
7 voiced to EYA, a traffic common review was added to  
8 the CTR, which included 48-hour speed studies at six  
9 locations following DDOT's criteria. This isn't  
10 usually a typical component of a CTR, and it wasn't  
11 necessarily something that DDOT requested.

12 The vehicular capacity analysis showed no  
13 detrimental impact as a result of the development.  
14 There are some existing movements with high levels of  
15 the vehicular delay, but the number of new trips  
16 generated by the PUD will have very little impact.

17 Snow study area intersections triggered  
18 mitigations based on the threshold set forth by  
19 DDOT's criteria.

20 Although the site is not expected to  
21 generate a high number of non-auto trips, several  
22 improvements and amenities pertaining to pedestrian  
23 facilities, bicycle facilities, and transportation  
24 demand management measures were identified, and I'll  
25 go over those a bit more in just a moment.

1           We are pleased to have DDOT's support. Their  
2 report states no objection on the condition that the  
3 applicant implements the proposed TDM plan. The  
4 applicant agrees to this condition and the applicant  
5 will continue to coordinate with DDOT on public space  
6 and traffic operation matters.

7           As mentioned earlier, the CTR looked at  
8 potential traffic calming measures and assessment of  
9 vehicle speeds and crashes was undertaken on several  
10 roadways around the site in order to determine the  
11 appropriateness of the traffic calming measures in  
12 response to the community concerns, particularly  
13 along Sargent Road and 13th Street.

14           While none of the study locations met all of  
15 DDOT's traffic calming criteria, there are several  
16 traffic calming applications that could be suitable  
17 for Sargent Road and 13th Street, and traffic calming  
18 measures will be further coordinated with DDOT and  
19 the community.

20           So, to summarize, some of the main  
21 recommendations of the CTR include the general  
22 streetscape improvements and enhancements around the  
23 site, the addition of the missing crosswalk over 12th  
24 at Allison Street, crosswalk and curb ramp  
25 improvements at Webster, 13th Street, along with

1 exploring other potential treatments at this location  
2 with DDOT, speed humps on the Webster Street  
3 extended, and all way stop at the internal  
4 intersection of the two private streets, enhanced  
5 pedestrian safety, proposed right-in/right-out  
6 operation of Webster and -- Webster extended and 12th  
7 Street, a new Capital Bikeshare station on 12th  
8 Street and a dedicated Carshare space on Webster  
9 Street, and then new bike lanes on 12th Street in  
10 keeping with the Move D.C. plan.

11           And lastly, a transportation demand  
12 management plan was developed for the project. It  
13 was DDOT's one condition in the staff report, and the  
14 applicant agrees to that condition. I won't go  
15 through all the elements, but you can see them here  
16 on this slide. Appreciate you listening to my  
17 testimony. I'll pass it back over to Evan.

18           MR. GOLDMAN: So, thank you. In closing,  
19 just a few quick slides. A summary of our community  
20 benefits, new public parks spaces. We've talked  
21 about the almost 2 1/2 acres of public open space,  
22 including the playground and the two major spaces,  
23 historic preservation of the existing seminary  
24 building, tree preservation, transportation benefits  
25 which were just handled, Bikeshare, Carshare, as well

1 as traffic calming.

2           Affordable housing, I'll touch about -- talk  
3 about in a minute. We'll be doing some employment  
4 and training opportunities, working with Phelps A.  
5 High School as well as local Luke Seymour High  
6 School, try to get internships and get those people -  
7 - get those students on to the site to get educated  
8 about construction.

9           We're also going to work with the Brookland  
10 Business Association to assist local contractors to  
11 get work on the project. We'll be doing a tax  
12 assistance fund, which I'll talk about in a moment.  
13 And then as Greg mentioned, public art and sculpture  
14 associated with the playground.

15           This slide is really all about affordable  
16 housing. So, as you may be aware, there are only 11  
17 3 and four-bedroom affordable units that have been  
18 delivered in D.C. under IZ program to date. Our  
19 project will nearly double this number. We're  
20 providing 12 and a half percent of our units, and  
21 11.2 percent of our square foot as affordable. But  
22 more importantly we're providing six of these units  
23 at 50 percent AMI, which are three and four-bedroom  
24 houses that will sell for \$200,000 for a three-  
25 bedroom house.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1           And four of our units will be at 80 percent  
2 AMI, selling for 350 to 400. So, that deeper level  
3 of affordability is something we're really excited  
4 about.

5           And then finally, when we reduce the unit  
6 count from 90 to 80, we did not reduce the affordable  
7 units and that's why we have a slightly higher  
8 percentage than the 10 percent required.

9           As you'll see on this slide, we've now also  
10 distributed the affordable units throughout the  
11 entire project, whereas before they were grouped.  
12 That was a change we made.

13           The tax relief fund, this is a new --  
14 something new we're proposing in the District. It  
15 was recommended by a local resident who takes care of  
16 his neighborhood, who is elderly. And we worked with  
17 housing counseling services, it's a local non-profit.  
18 They'll administer the plan. And so essentially  
19 we're going to give them a grant, and they will  
20 market this program to the local residents, the 221  
21 houses that surround the seminary. And to qualify  
22 you need to be at 50 percent AMI or lower, or which a  
23 lot of the seniors in the neighborhood will be. You  
24 must be owner occupied, live within the boundary that  
25 I've just mentioned. You need to be current on your

1 taxes, or the assistant grant will get you current  
2 with your taxes. And most importantly, you need to  
3 do a long-term housing plan.

4           And so, while the, you know, two to \$300 a  
5 year for up to three years will help these people  
6 certainly deal with the short-term impact of  
7 potential increase in their property taxes, the more  
8 important thing is getting them meeting with a  
9 professional that can help them figure out how to  
10 stay in their house. What we often find is people  
11 who have inherited their houses, haven't changed the  
12 title to their name, and by the time it gets too late  
13 they've lost the house. People don't realize the tax  
14 assistance programs the city already offers. And so  
15 for seniors, balloon mortgages are options. So,  
16 getting people into that counseling session so that  
17 they can actually come up with a long-term plan is  
18 the ultimate goal. And if this is successful, it's  
19 something that housing counseling services would like  
20 to roll out on other projects as a public benefit.

21           And then finally, our last slide, we're  
22 really proud, as I said, of our community outreach to  
23 date. That's the most in my career for a site plan,  
24 but most importantly we're proud of how that feedback  
25 impacted the plan dramatically, and then outreach

1 resulted in support from Councilmember McDuffie,  
2 unanimous ANC support, 7,0, and 1, with one  
3 abstention, support from Office of Planning, DDOT,  
4 positive feedback from environmental and housing  
5 staff, support from Casey Trees, which we're very  
6 proud of, support from Coalition for Smarter Growth,  
7 WABA weighed in on our bike infrastructure and was  
8 very excited about that in support. Support from  
9 Queens Chapel Civic Association and qualified support  
10 from the Brookland Civic Association, as well as just  
11 today getting support from the Brookland, Greater  
12 Brookland Business Association.

13 In addition, you have 149 letters of support  
14 and counting. I think there were another three or  
15 four just submitted today. So, as I said, we're  
16 proud. Obviously, it's rare that you can get  
17 everyone to support your plan. We didn't expect  
18 that, but we're really happy that so many key  
19 community leaders in the city weighed in to support  
20 our proposal, and we look forward to all your  
21 questions.

22 MR. TUMMONDS: That concludes our  
23 presentation. We're happy to answer any questions  
24 that you may have.

25 CHAIRPERSON HOOD: Okay. Want to thank you

1 for your presentation. We greatly appreciate it.  
2 I'm not going to go first, but I am going to ask, I  
3 appreciate the attempt of trying to show me a  
4 rendering of what exists, but I want a rendering with  
5 what's being proposed to what really exists. You  
6 know, it's been done. This surrounding housing  
7 stock. And I want to see your project in there, and  
8 I want to see views from 13th Street, Allison, 12th  
9 Street, as well as Varnum.

10 I see the attempt that you made, but that's,  
11 I'm not going to say cartoonish, but it's something  
12 that you -- I want to see it with what's there now.  
13 The homes that are there now, with your project  
14 sitting there. I want to see different street level  
15 views.

16 And I think, Mr. Tummonds, you know what I'm  
17 kind of looking for. Am I correct? You know what  
18 I'm looking for?

19 MR. TUMMONDS: [Speaking off microphone.]

20 CHAIRPERSON HOOD: I saw it. He actually  
21 mentioned what I asked for at set down, but that  
22 didn't do it for me.

23 MR. GOLDMAN: [Speaking off microphone.]

24 CHAIRPERSON HOOD: You want to turn your --  
25 turn your mic back on.

1           MR. GOLDMAN: I'm sorry. Thank you. So,  
2 just to make sure I understand what we'd be coming  
3 back with. So, for example, this is looking at  
4 Allison Street, the homes to the right are the  
5 existing homes, and the homes to the left are the  
6 proposed homes.

7           CHAIRPERSON HOOD: Yes, but I want to see the  
8 exact scenario. Like, hold on, let me see. What  
9 sheet is that?

10          MR. GOLDMAN: That's sheet 30. There's four  
11 images. I can walk you through all four of them if  
12 that's helpful. I went really fast.

13          CHAIRPERSON HOOD: I don't necessarily need  
14 to be -- I just want to see the existing. To me,  
15 that is not the -- I mean --

16          MR. TURNBULL: Let me help, Mr. Chair. I  
17 mean --

18          CHAIRPERSON HOOD: Okay.

19          MR. TURNBULL: -- is that really an  
20 architectural interpretation of what's there?

21          MR. GOLDMAN: Well, it's based upon photos of  
22 what's there. But those --

23          MR. TURNBULL: I think what the Chair is  
24 looking for is an actual photo montage that would  
25 show what's really there.

1 MR. SCHRON: That's exactly how this image  
2 was generated. They start the -- renderer started  
3 with a photograph looking down the street.

4 MR. GOLDMAN: Right.

5 MR. SCHRON: And then worked the digital  
6 model of the proposed homes into the left side of the  
7 photograph.

8 CHAIRPERSON HOOD: Okay, here's what I want.  
9 Maybe, let me -- you know, I'm not all that savvy on  
10 architects, but I do know what I need. I need a  
11 picture --

12 MR. TUMMONDS: Yeah.

13 CHAIRPERSON HOOD: Let's start off like this;  
14 go out there and take a picture of how it looks now.  
15 And once you do that, the field, the open area, then  
16 I don't know how you get your project in there, but  
17 it's been before. I've been here long enough to see  
18 it. That's what I want.

19 MR. TUMMONDS: Okay. I understand.

20 CHAIRPERSON HOOD: Okay. Is that helpful?

21 MR. TURNBULL: Yes.

22 CHAIRPERSON HOOD: And I want to see views  
23 from all four sides. And especially I'm concerned  
24 about the view on the 12th Street side. And I do  
25 need to find out, is the playground on 12th Street?

1 Okay. I'm not going to get into my questions. I  
2 usually yield to my colleagues, so. But that is one  
3 of my -- maybe it will be asked before it gets to me.

4 All right, Commissioners, any questions?  
5 Comments? Commissioner May?

6 MR. MAY: Okay. Well, I appreciate the fact  
7 that your presentation was specifically focused on  
8 the questions that we had raised, and I especially  
9 appreciate the fact that you did do investigations  
10 into the architecture of the neighborhood, and you  
11 know, addressed some of the specific concerns that I  
12 raised. So, that's good to see. Very often we don't  
13 see that that's that specific or what we see is not a  
14 very good attempt to address a concern.

15 So, I appreciate what you've done. I think  
16 you've made a good attempt in almost all of it. I  
17 just have a couple of questions, only some of which  
18 are architectural.

19 So, for the end units I see a number of them  
20 you've -- yeah, okay. Leave that one up. So, you've  
21 done the wraparound porch, and that -- I mean, are  
22 there a number of other houses in the neighborhood  
23 that have the wraparound porch? Did you see that?

24 MR. GOLDMAN: It's not a common feature in  
25 the neighborhood.

1 MR. MAY: Yeah.

2 MR. GOLDMAN: It was something we did to  
3 highlight this intersection.

4 MR. MAY: Right.

5 MR. GOLDMAN: And then when we met with staff  
6 they actually really liked it, so we ended up doing  
7 more of them.

8 MR. MAY: Yeah. Well no, I think it's a very  
9 attractive thing on its own. I just, it seems  
10 slightly at odds with --

11 MR. GOLDMAN: Yeah.

12 MR. MAY: -- what the way I would perceive  
13 the architectural style of the neighborhood.

14 Did you actually, and not specific to this  
15 set, but for any of the other ones where we have end  
16 units in sort of prominent locations, did you look at  
17 using the long façade as the front façade, the  
18 entrance there, because I know you've done that in  
19 other projects?

20 MR. GOLDMAN: Yeah, it's interesting. So, in  
21 this condition, this kind of developed into this  
22 façade. When we first designed it, it was actually  
23 exactly what you said, where there was a door -- we  
24 actually had two doors in that case. We had a front  
25 door in the middle, as well as the door in the front

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 of the house, and the wraparound porch was connecting  
2 both. And that door would actually lead into the --  
3 in that case, the issue we have, obviously, is with  
4 the garage and the depth of the garage. The door  
5 would end up being off-center --

6 MR. MAY: Oh, right.

7 MR. GOLDMAN: -- to go to the living room.  
8 So, we ended up going back to where we were because  
9 we thought that that would seem odd and not be  
10 symmetrical.

11 MR. MAY: Right.

12 MR. GOLDMAN: And then of course, with the  
13 bedrooms and the bathrooms on the upper levels, you  
14 end up with that space on that second level in the  
15 middle, or the third level in the middle, where if we  
16 had made that a front façade you'd want that to be a  
17 prominent window.

18 MR. MAY: Uh-huh.

19 MR. GOLDMAN: And it's a prominent window  
20 into your two bathrooms on that third level where  
21 your bedrooms are.

22 So then we said, instead of trying to force  
23 it, let's make the front façade really nice, but make  
24 the side a really nice side façade that's decorated  
25 appropriately and that, you know, you see all over

1 D.C.

2 MR. MAY: Yeah, that's fine.

3 MR. GOLDMAN: So, that's where we ended up.

4 MR. MAY: Yeah, I was just wondering because  
5 it's some, again, something I'd seen that you had  
6 done in previous developments and was wondering why  
7 that was not attempted here.

8 MR. SCHRON: It generally requires a much  
9 larger footprint.

10 MR. MAY: Right. Right.

11 MR. SCHRON: Townhouse footprint.

12 MR. MAY: I understand. Or it requires that  
13 you not park --

14 MR. SCHRON: Right.

15 MR. MAY: -- cars in the house, but you know,  
16 that's your model and not my choice of models, but  
17 that's okay.

18 I appreciate the fact that not every one of  
19 them has that garage, that you have some rear yards  
20 on some of them because I think that is a much more  
21 traditional approach to rowhouses and semi-detached  
22 houses.

23 So, for the parks that are interior to the  
24 development, within the development, as opposed to,  
25 you know, the front yard of the seminary -- yeah,

1 okay, any one of those images. So, I assume those  
2 are all fully public. There's nothing that controls  
3 any of the access or anything like that and it's not  
4 going to be signed for neighbors or any of that kind  
5 of stuff.

6 Now, if I -- you know, if I live, you know,  
7 not immediately there, but not too far, you know, far  
8 enough that I might want to drive over there to go  
9 and sit in the park, can I park on that street, or am  
10 I going to -- is that all reserved parking?

11 MR. GOLDMAN: That's a great question. So,  
12 we have 43 spaces. I believe it's 43 spaces, on the  
13 street. Twenty of them will be dedicated one space  
14 to the units that are there. The others will be,  
15 they'll essentially be parking for the neighborhood  
16 for visitors, essentially, to the project.

17 MR. MAY: Right.

18 MR. GOLDMAN: And they'll be signed as short-  
19 term visitor parking, or for people that live in the  
20 neighborhood, they'll be able to have a pass for  
21 visitors that can keep their cars there longer. So,  
22 we'll allow people to come and park as visitors  
23 and --

24 MR. MAY: So, it will still be essentially  
25 private parking, but -- and others can come and park

1 there.

2 MR. GOLDMAN: Yeah. It would be almost like  
3 an RPP where you can park there two hours if you  
4 don't live in the development.

5 MR. MAY: Right. Okay. But if I just want  
6 to go up, you know, pull up because I'm, you know, on  
7 the way home and I've got my kids in the car and we  
8 want to stop in the park, I can pull over, park, and  
9 so on.

10 So, how do you police the you know, people  
11 parking properly in those public spaces? I mean --

12 MR. GOLDMAN: Sure. So, our HOA actually  
13 will have language about all of that. And one of the  
14 main things we do is enforce forcing the residents of  
15 the project to use their garages.

16 MR. MAY: Uh-huh.

17 MR. GOLDMAN: And so, often the biggest  
18 violators are the people that live in the project  
19 themselves.

20 MR. MAY: Right.

21 MR. GOLDMAN: And want to use their garage  
22 for storage. So, those license plates, the homeowner  
23 association will know, and if there is, you know,  
24 regular violations or this car is regular on the  
25 street, it's somewhat of a self-reporting model where

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 the people living in the project will obviously  
2 report it when there's shortages. And so, the HOA  
3 will ticket the people, and then they can start  
4 fining them as part of the HOA if they're doing that.

5 MR. MAY: Okay. But that's enforcement for  
6 people who are within the --

7 MR. GOLDMAN: Right.

8 MR. MAY: -- homeowner's association. What  
9 about for somebody from the outside?

10 MR. GOLDMAN: I'll need to get back to you on  
11 how we handle it for people on the outside. Whether  
12 we call the city to give a ticket, or whether we have  
13 the right to give a ticket, I don't know. Let me get  
14 an answer for you that one.

15 MR. MAY: Yeah, I'm just curious about it. I  
16 don't know that, you know, what difference it  
17 necessarily makes, but that is always a question on  
18 private streets.

19 So, can you bring up that diagram where you  
20 showed the dwelling units per acre?

21 MR. GOLDMAN: Yeah.

22 MR. MAY: Okay. So, you have a slightly  
23 different calculation in that where you took out the  
24 footprint of the seminary itself, but you left the  
25 lawn of the seminary in there. Have you done a

1 calculation that's just for the area where the homes  
2 will be developed?

3 MR. GOLDMAN: Yeah. Yeah, I'm sorry. I  
4 should have mentioned that in my presentation. It's  
5 right around 20 units per acre for the home area on  
6 the north side of the seminary.

7 MR. MAY: Right.

8 MR. GOLDMAN: Because it's, the site is about  
9 eight acres, and the development is on about four.

10 MR. MAY: Okay. And what is the -- what's  
11 the -- did you do an Far calculation as well?

12 MR. GOLDMAN: We did. No, what was -- for  
13 the whole property it was around 1 FAR.

14 MR. MAY: Yeah, .95.

15 MR. GOLDMAN: Yeah.

16 MR. MAY: Yeah, I would be curious to see  
17 what the FAR calculation, based on the current rules  
18 on how we do that, which I think in terms of the area  
19 that gets calculated, it includes the alleys but it  
20 doesn't include the streets.

21 MR. TUMMONDS: Correct.

22 MR. MAY: Right. Oh, thank you.

23 MR. GOLDMAN: And that is how -- that's  
24 how --

25 MR. MAY: I'm glad you know. You're

1 confirming my -- I appreciate your confirming my  
2 understanding. Thank you.

3 MR. TUMMONDS: That is how we did it.

4 MR. MAY: So, but for just for the area where  
5 the homes are, so if we can understand what the FAR  
6 and --

7 MR. TUMMONDS: Taking that 20 units per acre  
8 to an FAR number.

9 MR. MAY: Right. Yeah, just for that small  
10 area. I think it's important for us to understand  
11 that, to understand how this is different. And, you  
12 know, certainly looking at it in aggregate, that's  
13 the whole point of doing a PUD, and you're preserving  
14 open space by clustering the houses. Again,  
15 completely valid concept, but we need to understand  
16 what that net is in just the area where you were  
17 developing the homes.

18 I don't know if you showed it in this, but  
19 you had a picture somewhere of the fence.

20 MR. TUMMONDS: Uh-huh.

21 MR. MAY: Sort of typical fence.

22 MR. GOLDMAN: Yeah. So, you're talking about  
23 the fence where the park is --

24 MR. MAY: Not the layout of the fence, just  
25 sort of the sample of what a board-on-board fence

1 looks like.

2 MR. GOLDMAN: Yeah. I have that right there.

3 MR. MAY: No. The board fence.

4 MR. GOLDMAN: Oh, the wood board fence.

5 Sorry. I do have that in the submission. You know  
6 what, I don't have that in the PowerPoint, though, I  
7 don't think.

8 MR. MAY: Okay. So, if you could look at  
9 that.

10 MR. GOLDMAN: Yes.

11 MR. MAY: And then tell me, would you go and  
12 buy that fence, because that kind of looks like the  
13 lowest of the low-end of the fences down at the home  
14 improvement center. Right?

15 MR. GOLDMAN: Got it. We can look at that,  
16 definitely.

17 MR. MAY: Yeah. And I'm not saying it has to  
18 be, you know, a very fancy thing. I certainly  
19 wouldn't want anything that's, you know, vinyl or any  
20 of that. But just a wood fence that doesn't look  
21 like the cheapest in the line.

22 MR. GOLDMAN: Yeah. Are there --

23 MR. MAY: Because it's --

24 MR. GOLDMAN: Are there neighborhoods in city  
25 where you -- other examples or areas we should look

1 for a sample?

2 MR. MAY: No, no, no. I don't want to be  
3 that specific about it. I'm just you know, really  
4 just thinking about -- I mean you can tell it's, you  
5 know, the thickness of the board and it's the fact  
6 that they've got the Chamford tops and their wide  
7 boards and things. I mean, you know, it's, like I  
8 said, go to the Home Depot and look at the line,  
9 right? And at the cheap end of the line, that's  
10 where you'll find your fence. It's perfectly fine in  
11 many circumstances, but these are going to be fairly  
12 prominent in certain locations, so I think that they  
13 should look very good.

14 So, unless you can, you know, tell me that  
15 it's really only visible to the people who live in  
16 those houses, then yeah. So, you answered the  
17 concerns of the Office of Planning. Would any of  
18 these homes actually wind up being eligible for RPP?

19 MR. GOLDMAN: So we have it -- most of the  
20 neighborhood around here is not RPP. To the south of  
21 us it's RPP, as you get towards Brookland. Most of  
22 the streets around here aren't RPP.

23 MR. MAY: Right.

24 MR. GOLDMAN: We weren't intending to exclude  
25 them from RPP, although we do have a lot of visitor

1 parking and each of the homes have one to two spaces  
2 as well.

3 MR. MAY: Right. So, I mean, I think I would  
4 be curious -- I mean, if there's no RPP, obviously  
5 there's no restriction on people within this  
6 development parking in the neighborhood. But if  
7 there are blocks that are RPP that your houses face,  
8 I assume they would wind up being eligible.

9 MR. GOLDMAN: Yes.

10 MR. MAY: So, it would be useful to know how  
11 many of the 80 might wind up actually being in the  
12 RPP program, or potentially in the RPP program. It  
13 might actually be helpful to see a map of what's RPP  
14 and what's not in the immediate vicinity.

15 I think that's probably it. I had a question  
16 about the penthouse setbacks and -- but I did see  
17 that section, section drawing.

18 MR. GOLDMAN: I have that slide if you want  
19 me to pull that up.

20 MR. MAY: Yeah, I mean, I guess, you know,  
21 the -- have you looked at that to see if there's any  
22 way to sort of push the doorway further to the center  
23 of the building, or push down the height of it so  
24 that you wind up -- I mean, I know it's -- I mean,  
25 we're only talking about nine feet, right?

1 MR. GOLDMAN: Yeah.

2 MR. MAY: And the best you can do is like a  
3 seven-foot setback? Okay.

4 MR. GOLDMAN: Did you want to address that?  
5 So, as you can see it's -- you know, so one thing we  
6 try to do is obviously the pitch of that stair  
7 enclosure is lower than the top of the gable, so you  
8 don't see it from the front.

9 MR. MAY: Right.

10 MR. GOLDMAN: But you're right that you do  
11 see it from the back. And so, given you know, the  
12 fact that we're not trying to go higher with our main  
13 roof it's hard to hide that full enclosure.

14 MR. MAY: Right.

15 MR. GOLDMAN: And so you end up with that  
16 little corner of it exposed.

17 MR. SCHRON: It's really driven, you know, in  
18 a house that's got this shallow a footprint, the  
19 stair really has to be centrally located.

20 MR. MAY: Right. Right.

21 MR. SCHRON: And, in order to get a room in  
22 front and a room in back.

23 MR. MAY: Right.

24 MR. SCHRON: Which then drives the landing  
25 location and therefore that wall location.

1 MR. MAY: Right.

2 MR. SCHRON: So, we'll look at it in section  
3 and see how much we can tighten it up.

4 MR. MAY: So I, you know, I think one of the  
5 things that would -- I mean, theoretically, every one  
6 of these houses could have that kind of a rooftop --

7 MR. SCHRON: Right.

8 MR. MAY: -- treatment right? So, it would,  
9 I think, be helpful for me to understand what that  
10 would look like, to see it sort of in three  
11 dimensions and not just in elevation. So, if we can  
12 do a little bit of an aerial view, it doesn't need to  
13 be a fancy rendering, but something that shows kind  
14 of the massing of that from higher up, just so we  
15 could -- you know, because there are things that are  
16 happening in three dimensions that you can't  
17 necessarily get out of the plan in this section.  
18 Right?

19 MR. GOLDMAN: And this we did, in some of our  
20 perspectives, we included some roof decks so you  
21 could see what it would look like.

22 MR. MAY: Oh, yeah. Okay.

23 MR. GOLDMAN: So, you can see it on that  
24 second row of homes.

25 MR. MAY: Yeah. Yeah.

1 MR. GOLDMAN: And so, the concept is for the  
2 color of the -- for the color to be kind of dark gray  
3 to match, kind of blend in with the roof, for the  
4 railing to be black.

5 MR. MAY: Right.

6 MR. GOLDMAN: So that it doesn't stand out  
7 and jarring.

8 Initially we actually started with it as  
9 white and white trim to highlight it. And then based  
10 upon, you know, meeting with historic, I think they  
11 felt like that really wants to blend in and --

12 MR. MAY: Right.

13 MR. GOLDMAN: So that does blend in.

14 MR. MAY: Can you make it so the end units  
15 aren't eligible for the roof decks?

16 MR. GOLDMAN: We did do that in the units  
17 that flank the seminary, where that kind of --

18 MR. MAY: Yeah.

19 MR. GOLDMAN: -- what we think of as a sacred  
20 space --

21 MR. MAY: Yeah.

22 MR. GOLDMAN: -- we did make it so you can't  
23 get them on those two end units so that it wouldn't  
24 you know, make the seminary view unattractive.

25 MR. MAY: Right. Yeah. I mean, because you

1 know, now that you point it out I'm not sure it  
2 really looks that great here either. But you can  
3 give that some thought. I'm not pushing that point.

4 One last thing. On the dormers, and you can  
5 see them here but you have other views that show  
6 them, you have the -- yeah, that set of dormers, as  
7 opposed to the shed dormer, because the shed dormer  
8 is something that I saw in a number of your precedent  
9 photos.

10 MR. GOLDMAN: Right.

11 MR. MAY: But I didn't see that. That sort  
12 of treatment. And this is typical of some of the  
13 other developments that you've done. What inspired  
14 that?

15 MR. SCHRON: There were a couple of  
16 precedents that had the individual gabled dormers.  
17 It was not as prevalent to your point --

18 MR. MAY: Right.

19 MR. SCHRON: -- as the shed. And I think it  
20 was an opportunity to maybe add a little bit more  
21 variety in the rooflines within the community.

22 MR. MAY: Yeah. I'm not sure that it really  
23 adds anything. I think one of the things about the  
24 shed dormer is that it doesn't -- I mean, it gives  
25 you a little bit of that variety, but it also doesn't

1 -- you know, it doesn't pretend that there's a floor  
2 there.

3 MR. SCHRON: Right.

4 MR. MAY: And here, I mean, we know there's  
5 not a floor there. And, you know, even those little  
6 shed dormers are very common, even when it's just  
7 like a false mansard to see there's something in  
8 that. That sort of treatment. So, I would encourage  
9 you to stick with that vocabulary.

10 One last thing is that, when you're dealing  
11 with building widths that are 20 feet, the  
12 proportions of the windows, and you see it here  
13 again, with the sort of the ganged windows, they wind  
14 up looking kind of squat as opposed to looking like  
15 ganged tall windows. And I don't know if that's -- I  
16 mean, I don't really want to say, you know, put less  
17 window up there, but I would look at -- I would study  
18 that carefully just to see that it's -- that the  
19 proportions of the individual units look good,  
20 because again, you know, it's almost easier to do  
21 this with an 18-foot house because then it's, you  
22 know, it's easy to do three windows across.

23 MR. GOLDMAN: Right.

24 MR. MAY: Easy to do two and one. When you  
25 get to 20, you want to have two sets of windows

1 because you've got two rooms.

2 MR. GOLDMAN: Right.

3 MR. MAY: And then the proportions get a  
4 little wonky. So.

5 MR. GOLDMAN: Do you prefer where they're --  
6 so on the houses to the right where you would have  
7 the units connected, and it's two sets, is that the  
8 ones where you feel like they're squat more than the  
9 individual windows?

10 MR. MAY: Yeah. Yeah, I think so. I mean,  
11 it's -- when you have the four across, again, you  
12 just -- it's just an area to study. It's not --

13 MR. GOLDMAN: Okay.

14 MR. MAY: I mean, this is not the biggest  
15 deal. So.

16 MR. SCHRON: I think if we changed the aspect  
17 ratio of each window a little bit, that's going to  
18 help, if we make each window a little bit narrower.

19 MR. MAY: Right.

20 MR. SCHRON: And we potentially look at it in  
21 the twin windows, increasing the thickness of the  
22 mull (phonetic) that separates them.

23 MR. MAY: Right. Exactly. Yeah. I mean,  
24 even the paint colors can help you in that too. So,  
25 all right. I appreciate everything else, the detail

1 that you went into, showing the downspouts and things  
2 like that. That all helps to show the true detail of  
3 what's on there. And the study of what happened in  
4 the neighbor -- you know, what's happening in the  
5 neighborhood in terms of brick detailing and so on.  
6 I think that's all very helpful.

7           Yeah, I mean, I think we're going to hear a  
8 lot about the density of it, and so that's why it's  
9 important to understand what the actual density of  
10 where you're building the houses is. So, I want to  
11 understand that very well. All right. Thank you  
12 very much.

13           CHAIRPERSON HOOD: Thank you. Commissioner  
14 Turnbull?

15           MR. TURNBULL: Thank you, Mr. Chair. Thank  
16 you again for your presentation, and I would too -- I  
17 appreciate the integration you've done on the massing  
18 and some on the sensitivity and the scale that you've  
19 done since set down, and I think listening to our  
20 comments and the neighborhood studies, I think have  
21 been worthwhile.

22           I just want to get back -- maybe a couple of  
23 things. Getting back to the penthouse issue. There  
24 was a couple of sections when I looked at it, in the  
25 drawings. It doesn't really show up there on the

1 PowerPoint, but on some of the sections it almost  
2 looked like where the door was, you could almost  
3 bevel the edge of it a bit. And I don't know if  
4 that's possible. To try and soften the edge. But  
5 the PowerPoint doesn't really show that. It looks a  
6 little bit different.

7 MR. SCHRON: The upper edge.

8 MR. TURNBULL: Yeah, the upper. And you'd  
9 still need relief no matter what, but I mean, it's  
10 trying to soften that edge a bit. I don't know if  
11 that's maybe something you could look at to see what  
12 it could do.

13 I guess the only other -- I guess I need to  
14 talk about brick, right?

15 MR. MILLER: That's your middle name.

16 MR. TURNBULL: It's my middle name. That's  
17 an inside joke here.

18 You've used a very, a sort of a rough brick.  
19 It's not as rough as some of the plumb bricks we've  
20 seen, like almost like an alley brick. But is there  
21 any reason why you didn't go with a more smoother  
22 finish brick?

23 MR. GOLDMAN: You know, it's interesting.  
24 We, so we looked in the neighborhood, we took images  
25 of a whole bunch of the bricks that were in the

1 actual neighborhood.

2 MR. TURNBULL: Uh-huh.

3 MR. GOLDMAN: And then we had a whole bunch  
4 of samples in. And for some reason we, when we  
5 looked at them, we felt like those bricks were more  
6 reminiscent of what is in the neighborhood versus the  
7 smooth faced ones that would look maybe a little more  
8 modern and less kind of old brick.

9 MR. TURNBULL: Okay.

10 MR. GOLDMAN: But, I'd love to know your  
11 thoughts on it.

12 MR. TURNBULL: Well, you know, we've often  
13 had some projects where they try to put in old brick.

14 MR. GOLDMAN: Uh-huh.

15 MR. TURNBULL: And it just looks like a very  
16 bad alley brick, and it just looks almost too rough.  
17 It looks like you're almost theatrical look that  
18 you're trying to achieve, rather than something that  
19 would really fit in. So, I just throw it out.

20 I mean, it's not as -- really, they're not as  
21 bad as some of the bricks that we've seen that are  
22 really rough.

23 MR. GOLDMAN: Okay.

24 MR. TURNBULL: But it's just something to  
25 think about.

1 MR. GOLDMAN: Okay.

2 MR. TURNBULL: I guess the other thing -- I  
3 appreciate the IZ map, because I hadn't seen one  
4 before and I was looking for one and maybe I missed  
5 it. But, you have 18 units and 20-foot units.

6 MR. GOLDMAN: Sixteen and 20.

7 MR. TURNBULL: Or 16 and 20. But can you  
8 break down which ones on the map are 80 percent and  
9 what are at 50 percent?

10 MR. GOLDMAN: Oh, okay. Once second. Let me  
11 get to that image. Here we go.

12 So, okay, so obviously you can see in the map  
13 the ones that are 20-foot wide versus 16 wide. The  
14 20-wides are the wider ones. But as far as the way  
15 we're breaking out the units, all of the 20-wides are  
16 at 80 percent, and those are four-bedroom units. And  
17 then of the 16-foot-wides, one is at 80 percent and  
18 six are at 50 percent. We have not --

19 MR. TURNBULL: Wait a minute, could you say  
20 that again? Of the --

21 MR. GOLDMAN: Yeah. Of the 16-foot wide  
22 units, one is at 80 percent AMI, and six are --

23 MR. TURNBULL: And the rest --

24 MR. GOLDMAN: -- at 50 percent AMI. Sorry.  
25 And we haven't selected which unit of the 16-foot-

1 wides would be the 80 percent AMI unit yet, but it  
2 would be one of those.

3 MR. TURNBULL: Okay.

4 MR. GOLDMAN: I will point out one thing  
5 that's nice too. The two IZ units that are in the  
6 seminary strings of homes --

7 MR. TURNBULL: Uh-huh.

8 MR. GOLDMAN: -- that have the back yard and  
9 parking on the street, those are units where you come  
10 into a living level on the first floor, and you go up  
11 to two bedroom levels. So, those actually could all  
12 -- even though they're 16 wide, could be four-bedroom  
13 affordable units, which will be really nice. So, in  
14 truth, we have five four-bedroom affordable units,  
15 and five three-bedroom affordable units.

16 MR. TURNBULL: Okay. It would be good if you  
17 just could identify that --

18 MR. GOLDMAN: Sure.

19 MR. TURNBULL: -- maybe on a plan.

20 MR. GOLDMAN: We'll give you something  
21 that's easy to --

22 MR. TURNBULL: Okay. I guess the other, one  
23 other came up and I was looking at your -- is this  
24 going to be phased? You're going to phase this  
25 development, or --

1           MR. GOLDMAN: So, we typically don't phase a  
2 project of this size. But the way we build it is  
3 based upon the market and how we sell homes. So,  
4 we'll do the land development up front.

5           MR. TURNBULL: Okay.

6           MR. GOLDMAN: And then we'll start building  
7 sticks of homes. We haven't come up with that, you  
8 know, how we're going to build the homes yet, in what  
9 direction. But the idea is we would build a stick of  
10 let's say 10 homes, and then as we get to selling the  
11 third or fourth, we'll then build the next deck and  
12 we just kind of keep going right down the line.

13          MR. TURNBULL: Okay.

14          MR. GOLDMAN: And that's what we did at  
15 Chancellor's Row as well.

16          MR. TUMMONDS: But all the land development  
17 would occur at one time.

18          MR. GOLDMAN: Yeah.

19          MR. TURNBULL: At one time.

20                 One of the questions, in your summary of  
21 public benefits, which is Exhibit No. 30, 30F, Item  
22 No. 2, you talk about I guess the Josephites will  
23 retain ownership of the land.

24          MR. GOLDMAN: Uh-huh.

25          MR. TURNBULL: The applicant will maintain

1 the space. Improvements will be complete upon  
2 delivery of one half of the newly constructed  
3 townhomes. Could you explain that a little bit more?

4 MR. GOLDMAN: Right. For the playground.  
5 Yeah, so the -- we just, we wanted to pick a timeline  
6 where the playground would be guaranteed to be built.

7 MR. TURNBULL: Okay.

8 MR. GOLDMAN: And so, we said when we get 50  
9 percent of the houses done, the playground will  
10 officially be done by that date. Ideally, actually,  
11 we would deliver it earlier than that because we want  
12 the playground amenity in as soon as possible for the  
13 homeowners.

14 MR. TURNBULL: So, that would also include a  
15 percentage, a substantial percentage of IZ units,  
16 then.

17 MR. GOLDMAN: Yes.

18 MR. TURNBULL: Half of the IZ or --

19 MR. GOLDMAN: Yes.

20 MR. TURNBULL: Maybe you could clarify that  
21 just --

22 MR. GOLDMAN: Sure.

23 MR. TURNBULL: -- in writing and put it in  
24 the --

25 The other thing, which Commissioner -- well,

1 getting back to the -- I guess all the trash units  
2 are in the garage. So, they're not in the alleys,  
3 they're in the garage and they're brought out.

4 MR. GOLDMAN: So, for the 80 units that have  
5 garages, they're in the garage. And, sorry, 60 units  
6 that have parking and garages, the trash will be in  
7 the garage and be brought into the alley.

8 MR. TURNBULL: Yeah.

9 MR. GOLDMAN: On trash day. And picked up by  
10 a private trash company.

11 MR. TURNBULL: Okay.

12 MR. GOLDMAN: For the, I'll try to show it in  
13 this plan and actually -- for the 20 units that have  
14 back yards, we've created, you can see it in this  
15 plan -- oh, you know what? It doesn't show up really  
16 well there. I'm sorry. But let's see. No.

17 Oh, you can't see my pointer on there. Oh,  
18 I've been assuming you can see that. Well, can I get  
19 up and point to it? Is that something that's done?

20 So, anyway, in the back of the -- there we  
21 go. Thank you. There we go. Okay. Perfect. Wow.

22 So, in the back yards we've created, you can  
23 kind of see these doors, these gates.

24 MR. TURNBULL: Right.

25 MR. GOLDMAN: And there will be a double-

1 sided trash area in the back yard of those 20 units.

2 MR. TURNBULL: Okay.

3 MR. GOLDMAN: Where the homeowner can access  
4 it from the inside of the back yard, and the trash  
5 company can access it from the outside.

6 MR. TURNBULL: Okay.

7 MR. GOLDMAN: And on trash day the trash  
8 company will actually roll the bins out to the street  
9 and take the trash away.

10 MR. TURNBULL: Okay. Thank you.

11 MR. GOLDMAN: Uh-huh.

12 MR. TURNBULL: Getting back to the far and  
13 the density, the party in opposition in their paper,  
14 I don't know if you've had a chance to look at that  
15 and respond to it but -- you haven't responded to it.  
16 But, and you talked about now, you've taken out the  
17 land from underneath the seminary. And they make a  
18 big -- their argument is a lot about the density,  
19 that your calculations are incorrect, that you're  
20 really underplaying the land of the seminary and the  
21 density of the seminary, and not including that in  
22 the overall count in the application on this  
23 property, in the -- so, I wondered if you might maybe  
24 expand on that.

25 MR. GOLDMAN: Sure. Do you want to -- MR.

1 TURNBULL: Sure. I can start. You know, I think  
2 some of the ways is because we are in a -- you know,  
3 especially when we're trying to look at this R-2 Zone  
4 that surrounds us, it's not a zone that is guided by  
5 FAR.

6 MR. TURNBULL: Okay, right.

7 MR. TUMMONDS: Right? So, we had to kind of  
8 come up with what is a rubric or a metric that we can  
9 use to try and give a sense of what is the density,  
10 intensity of use really, in the surrounding zones.  
11 So, we came up with this idea of dwelling units per  
12 acre.

13 MR. TURNBULL: Okay. I've got you.

14 MR. TUMMONDS: And so, that's how we --  
15 because it is not something we normally see.

16 MR. TURNBULL: Right.

17 MR. TUMMONDS: Down here. So, we said okay,  
18 we can look at that and then give us a sense of the  
19 intensity, density of use, we think the 10.5 units  
20 per acre is an appropriate way to look at this  
21 because in fact that -- if this is an idea to measure  
22 density, intensity of use, and we are putting the  
23 permanent public use easement, keeping those spaces  
24 open in the 2.4 acres, then this is an appropriate  
25 way, we think, because on the entire eight acre site,

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 there will be 10.5 units per acre.

2 MR. TURNBULL: Okay.

3 MR. TUMMONDS: If in fact, if the concern is  
4 then I think maybe what the opponents are saying, the  
5 concern is about the look, the feel, the urban  
6 design. Well, I think those are questions that we  
7 address with maybe Commissioner Hood's question  
8 about, show me how these buildings look when I look  
9 down --

10 MR. TURNBULL: Right.

11 MR. TUMMONDS: -- Allison Street, on the  
12 right-hand side, with the existing buildings on your  
13 buildings you're proposing.

14 So, in some regards, I know that the  
15 opponents talk about apples to apples and oranges. I  
16 think that we are in fact -- we are measuring apples  
17 to apples when we talk about 10.5 units per acre,  
18 because that's what's going to be from an intensity  
19 of density use on this site. If there are questions  
20 about, if it looks -- we're not sure that the amount  
21 of units that we're putting on that northern part  
22 don't fit into the neighborhood, we thought that was  
23 really an issue of design.

24 MR. TURNBULL: Design, right.

25 MR. TUMMONDS: And we addressed that with

1 some of the things that Mr. --

2 MR. TURNBULL: The separation, the three --

3 MR. TUMMONDS: Separates the duplexes and the  
4 triplexes.

5 MR. TURNBULL: In the scale. Right. Okay.

6 MR. GOLDMAN: I will note, just so you know,  
7 we did include the FAR of the seminary building in  
8 our FAR calculation in our application. So, when we  
9 talked about FAR of the site, it included the new as  
10 well as the existing building, not just the new.

11 MR. TURNBULL: Okay.

12 MR. GOLDMAN: And it was around -- that was  
13 the .95.

14 MR. TURNBULL: Okay. All right. Thank you.  
15 Had a question from Mr. VanPelt, I guess in the  
16 traffic. There is, in your report you have some  
17 information about crashes. And there's one  
18 intersection which is on 12th and Varnum, which has  
19 had 19 crashes. And you sort of intimate that a lot  
20 of that information, that's over a two-year period, I  
21 think.

22 MR. VANPELT: Yes, I believe so.

23 MR. TURNBULL: I think it's a two-year. But  
24 part of that, you say, is that it's not a reliable  
25 number because a lot of that could be tied in with

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 hospital accidents. It's difficult to pull out. Is  
2 that what I'm --

3 MR. VANPELT: Yeah, the difficulty thing, the  
4 difficult thing with crash data in the District is,  
5 is that it's often times tied to the nearest  
6 intersection regardless of where it happened. So,  
7 it's very difficult for us as transportation  
8 professionals to go back and really understand fully,  
9 did this crash happen at this location at this  
10 intersection? It could have been somewhere -- it's  
11 likely somewhere in the vicinity of that  
12 intersection. But we just don't even have even  
13 access to the crash reports themselves to get a real  
14 good granularity to understand a lot of this data.

15 So, we kind of use it as best we can.

16 MR. TURNBULL: Okay. But I guess, even  
17 looking at the crash data, and there was some -- one  
18 of your papers, one of your things said vehicles for  
19 that intersection was, and I forget what that is,  
20 it's 8,822 vehicles. But I don't know if that's on  
21 an annual or how you were counting that.

22 MR. VANPELT: I'm not sure where that number  
23 is. If you could find it and point me to it, I could  
24 try to help you out with it a little bit.

25 MR. TURNBULL: Sure. I knew you'd ask me

1 that.

2 MR. VANPELT: Yeah. It sounds like a daily  
3 volume of some sort.

4 MR. TURNBULL: Leave it to the traffic guys.  
5 Page 40.

6 MR. VANPELT: Page 40.

7 MR. TURNBULL: That's your big -- that's  
8 Table 10.

9 MR. VANPELT: Oh, okay.

10 MR. TURNBULL: Uh-huh. And down at the  
11 bottom it says, oh, minimum -- I don't understand  
12 this. Minimum daily volume greater than 1,000? Yes,  
13 6,841 vehicles. What does that represent? What does  
14 that actually mean?

15 MR. VANPELT: Oh. So, what you're looking at  
16 here is a little bit -- this is something that we  
17 don't typically include in our reports, because what  
18 the --

19 MR. TURNBULL: See, you included it so I  
20 asked a question because I --

21 MR. VANPELT: Yeah. Well, and that's  
22 perfectly fair. But I think that this is -- what  
23 we're looking at here is our valuation of the traffic  
24 calming criteria that DDOT gave to us and said, how  
25 do we look to determine whether or not there are

1 traffic calming measures that are warranted at the  
2 locations that we looked at.

3           So, what this Matrix is, is really going down  
4 through and we looked at a combination of different  
5 things, the speed limits and the -- we collected  
6 operating speed data. We looked at the volumes. We  
7 looked at the crashes. And then what we did go down  
8 through here is, we were trying to figure out then at  
9 the very bottom, are we meeting the thresholds.

10           So, you're seeing at the bottom there where I  
11 guess the 8,300 on the right, is that the one that  
12 you were picking out, Commissioner Turnbull?

13           MR. TURNBULL: Yeah.

14           MR. VANPELT: Was the --

15           MR. TURNBULL: Right.

16           MR. VANPELT: Yeah. So, that's the volume  
17 that is on that link, daily volume on that link. And  
18 yeah, and so -- right. I'm sorry. The vehicles  
19 entering -- vehicles -- yes. The vehicles in that  
20 volume, that daily volume, is more than 1,000. So  
21 that was --

22           MR. TURNBULL: I see.

23           MR. VANPELT: We have -- that is one of the  
24 things, one of the just minimum criteria. We have  
25 more than 1,000 vehicles per day on that, so that was

1 a yes.

2 But then you keep going down through the rows  
3 that are below it.

4 MR. TURNBULL: Okay.

5 MR. VANPELT: And then to try to determine  
6 whether or not we're actually going to meet the  
7 criteria. As you can see in the bottom row --

8 MR. TURNBULL: Are all no.

9 MR. VANPELT: -- none of them are -- none of  
10 them actually met all of the tests.

11 MR. TURNBULL: Okay. Okay, thank you.

12 MR. MILLER: Thank you, Mr. Turnbull. I  
13 guess I'll call on myself.

14 Thank you for your presentation, and thank  
15 you for all of the changes and improvements and  
16 refinements that have been made since the beginning  
17 of the project, the original proposal presented to  
18 the community and the dramatic changes from that  
19 original proposal, it's half the number of units and  
20 one less story which fits in more with the  
21 neighborhood.

22 And the more recent architectural changes  
23 that you've made in all the community -- in response  
24 to community outreach, and the Office of Planning and  
25 DDOT conversations. And the questions that some of

1 my colleagues raised at the set down.

2           This is a unique project. I mean, that's  
3 kind of a unique word to use for it, but I mean, all  
4 three and four-bedroom units, that's a real need in  
5 the city. Is it half and half, or what is the  
6 proportion?

7           MR. GOLDMAN: Sorry. Thank you. It's mostly  
8 four-bedrooms. So, it's of the 80 units, there  
9 are -- how many? Hold on, let me get my notes. I  
10 don't want to quote it wrong.

11           Yeah, so it's 64 of the units are the 20-foot  
12 wide units, where they'll have three bedrooms on the  
13 upper level, and then on the first floor an optional  
14 den or bedroom. So, all of those units can be four-  
15 bedrooms if people want them to be. And then of the  
16 other 16 units there are three-bedroom units.

17           But even two of those 16 units will have the  
18 option for -- well, with the affordable units that  
19 could be four bedrooms. So, I guess that makes 66  
20 can be four-bedroom, and the other 13 would be three-  
21 bedroom. So, almost all four-bedroom.

22           MR. MILLER: So, that's a very exciting  
23 component, especially the affordable housing set  
24 aside that is greater in amount at 12 and a half  
25 percent than what Inclusionary Zoning would require,

1 and much deeper in affordable at 50 percent AMI than  
2 what Inclusionary Zoning requires, and even what the  
3 new Inclusionary Zoning will require. So, that's  
4 really to be commended that those -- you said almost  
5 half of those -- it's four units are set aside for  
6 the 10 affordable units are three-bedrooms, but you  
7 said one of them could be a --

8 MR. GOLDMAN: Yeah. So, three of the units  
9 are four-bedroom affordables, but there's two more  
10 that actually are the 16-foot-wides that can be four-  
11 bedrooms as well. So it makes half. So, five of the  
12 10 can be four-bedroom affordables and the other five  
13 would be three-bedroom affordables.

14 MR. MILLER: That's an excellent component of  
15 the project.

16 And the public -- the perpetual easement,  
17 public space access easement for all the open and  
18 green spaces which totals what, 2.4 acres?

19 MR. GOLDMAN: Two-point-four acres.

20 MR. MILLER: And that includes the front lawn  
21 and the playground and the other green spaces. Do we  
22 have a draft yet of that easement, or has one yet  
23 been drafted? Or, I guess we would want to see that  
24 before we ever got to final action.

25 MR. TUMMONDS: We'll submit that in our post-

1 hearing.

2 MR. MILLER: So, that's a very important  
3 component as well.

4 And you did the development and construction  
5 management agreement, which we -- is not enforceable  
6 by zoning, but it's something that we do -- we're  
7 happy to see has been worked out with the community  
8 and in reference in our zoning orders.

9 Was there any -- I don't think -- I'll ask  
10 Office of Planning this, but I don't think we have  
11 any report from the Department of Energy and the  
12 Environment. Have you all had any discussions with  
13 them, and can you just briefly state what sustainable  
14 level? I mean, I saw some of the renderings with the  
15 bio swales or whatever. But can you just briefly  
16 state what environment level this is being planned  
17 to?

18 MR. TUMMONDS: First, DOEE participated in  
19 the interagency review meeting that OP held. I think  
20 there were no concerns from Mr. Wilson from DOEE on  
21 this, and I will look to my civil. Just a second.  
22 I'll get the answer on the sustainability.

23 [Pause.]

24 MR. TUMMONDS: We can -- in a post hearing  
25 session we can get back to you. We haven't yet fully

1 gone into it with LEED communities, LEED ND, that  
2 kind of thing. But we will provide that information  
3 for you in a post-hearing submission.

4 MR. MILLER: Okay. I thank you. And I think  
5 it might be useful and I'll ask Office of Planning  
6 about it for us to get something formal from DOEE as  
7 well.

8 Another unique aspect is that Housing  
9 Counseling Service grant to deal with any pressures  
10 on surrounding neighborhoods that might result from  
11 property values increasing and pressure on their  
12 taxes or their payments, or whatever. It is only  
13 \$10,000 and over a three-year period and there are  
14 250 households in that boundary area, but it's only -  
15 - it's for eligible -- you're only eligible if you're  
16 a senior and 50 percent AMI, I think, or something  
17 like that.

18 MR. GOLDMAN: Either/or. You're only  
19 eligible if you're 50 percent AMI. But the  
20 assumption is that some of the seniors would qualify.  
21 Housing Counseling Services want to make sure that  
22 there was a -- originally, we thought it would only  
23 be for seniors, quite frankly, and then Housing  
24 Counseling Service said their preference is, make it  
25 a target based on AMI because those are the people

1 that need it the most.

2 MR. MILLER: And you referenced, you know, in  
3 your verbal testimony that, you know, envisioning  
4 that it could be 200 or \$300 a year per household.  
5 So, that's like 10 households a year if it's -- you  
6 only can do 3,000 one year and 3,500, 35. So, you're  
7 only -- but do you have any sense of how many of  
8 those 250 households might be eligible in either the  
9 senior or that lower income category?

10 MR. GOLDMAN: Yeah, so we did an analysis.  
11 We looked at the 221 homes that are served by the  
12 easement. We actually originally had a tighter  
13 radius, then we increased it slightly at the urging  
14 of Housing Counseling Services. And their sense was,  
15 based upon those number of homes, you know, you would  
16 have a percentage, maybe it's 10 percent of the homes  
17 that end up being in the 50 percent AMI in this  
18 neighborhood, versus obviously the whole city.

19 And so, and then of those, you know, how many  
20 are owner occupied, own the house itself, and you  
21 know, fit those qualifications. And so, when we did  
22 the numbers it seemed to be that the 10,000 could  
23 handle, you know, that 10 percent of the period of  
24 three years. But more importantly for them was  
25 really the ability for them to market and get the

1 door open and get people to solve the greater  
2 problem, versus the actual grant. You know, their  
3 feeling was, the grant is fine. You know, a few  
4 hundred dollars a year is fine. But it's more of,  
5 how did they get an introduction to the people  
6 because one of the biggest issues they have is just  
7 people aren't educated about the options and the  
8 programs that the city already has.

9 MR. MILLER: Right. I was thinking that. I  
10 hope that that -- is that in the memorandum  
11 agreement, that they would provide -- educate about  
12 the existing programs that --

13 MR. GOLDMAN: Yeah.

14 MR. MILLER: -- do help fixed income seniors,  
15 particularly, meet their property taxes. Or they're  
16 frozen or whatever. I can't remember what. But  
17 there are existing programs. So, that's part of the  
18 memorandum of agreement with housing.

19 MR. GOLDMAN: It is. So, the only way you  
20 can get access to the grant is to do a long-term  
21 housing plan with the housing counseling services  
22 person. So, you would meet with them and work on a  
23 plan for your house, and that to them, is the real  
24 benefit, right, of figuring out how to help these  
25 people long-term.

1           The grant, to them, is kind of the way to get  
2 that marketing introduction.

3           MR. MILLER: Well, it's a small amount but  
4 it's something new that you're trying, so maybe like  
5 other aspects of this project it can maybe be a model  
6 to build on for the future. I mean, and I think the  
7 -- you know, the clustering of the hotels is to the  
8 north of the seminary, to maintain all that open  
9 space around the cemetery and to the south is very  
10 important.

11           Of course, that we've seen in other projects.  
12 But so, I think that's all my questions for now.  
13 Thank you for your presentation.

14           CHAIRPERSON HOOD: Okay. Let's pull up the  
15 rendering. I'm trying to figure the best way to do  
16 this. I want to do the whole site.

17           MR. GOLDMAN: Okay.

18           CHAIRPERSON HOOD: Let's put up a rendering  
19 showing me the streets around the whole site. And,  
20 Mr. VanPelt, I think I'll start with you. Any  
21 rendering that shows all the streets, Allison.

22           MR. GOLDMAN: Do you want to see a site  
23 plan --

24           MR. VANPELT: Oh, a site plan. Sorry, sorry,  
25 a site plan. A site plan.

1 MR. GOLDMAN: -- the site plan itself?

2 CHAIRPERSON HOOD: The site plan that shows  
3 me all the streets. That will be sufficient.

4 MR. GOLDMAN: Great.

5 CHAIRPERSON HOOD: And one thing I didn't  
6 see, I'm really concerned about the relationship with  
7 Providence Hospital. I want to know how all that's  
8 going to work.

9 So, let's go around. Let's start where the  
10 playground is.

11 MR. GOLDMAN: Okay. You know, what, I'll  
12 switch to the landscape plan because that's probably  
13 a better plan for this.

14 CHAIRPERSON HOOD: Okay.

15 MR. GOLDMAN: There we go.

16 CHAIRPERSON HOOD: Okay. Before we get into  
17 those details, who presented to the community?  
18 Somebody -- so, you did most of the communications  
19 with the community. Who do you have on your  
20 development team that's from the community?

21 MR. GOLDMAN: On behalf of our development  
22 team, that's --

23 CHAIRPERSON HOOD: Do you have anybody that -  
24 - and this is a typical new question that I'm asking  
25 all over the city.

1 MR. GOLDMAN: No, we don't. I mean, I live  
2 in Adams Morgan. I'm probably the closest.

3 CHAIRPERSON HOOD: Okay. So, nobody in the  
4 surrounding area is part of your community. But you  
5 are entering into the agreement with the Brookland  
6 Business Group?

7 MR. GOLDMAN: Yes.

8 CHAIRPERSON HOOD: And what is that agreement  
9 about?

10 MR. GOLDMAN: So, we've met now with the  
11 Greater Brookland Business Association three times,  
12 and Eddie Johnson actually just submitted his letter  
13 of support today. And what they wanted to do was  
14 figure out a way for, you know, a way for obviously,  
15 for us to use Ward 5 businesses. We actually already  
16 use Atlantic Electric as one of our main contractors  
17 for --

18 CHAIRPERSON HOOD: Okay.

19 MR. GOLDMAN: -- our projects.

20 CHAIRPERSON HOOD: Good.

21 MR. GOLDMAN: So, that was great because  
22 they're right in Brookland.

23 And so we came up with this idea and we  
24 actually met with them last -- two weeks ago, and  
25 we've kind of come up with a list of all the bids

1 we're going to be doing, all the requests for  
2 proposals, and we had our head of purchasing meet  
3 with the Brookland Business Association to help  
4 people in that community understand how best to  
5 position themselves and prequalify themselves to do  
6 work on our projects. So, that that way when they're  
7 coming in for you know, to bid on work, we already  
8 know who they are, we already know that they're  
9 prequalified. At that meeting we actually met an  
10 electrician that could be really good for us to use,  
11 which was really cool.

12           And so, we've done two things. Number one,  
13 we've kind of created this better communication. And  
14 what Eddie is going to help us do is -- or sorry, Mr.  
15 Johnson, is going to help us do is, whenever we have  
16 a bid going out we will give them notice in advance,  
17 and so that they can communicate it to all of the  
18 Ward 5 businesses, or really the Brookland  
19 neighborhood businesses that they communicate with,  
20 and that those people don't miss out.

21           And I think what happens a lot, according to  
22 our meetings with them, is that the project is under  
23 construction and all of a sudden someone is like, you  
24 know, I would have bid on that, I do framing. I do  
25 drywall. Whatever the contracting work might be.

1 And so, we're going to make sure that people don't  
2 get left behind and missed.

3           What we did say is, they need to be  
4 qualified. You know, they need to do good work.  
5 They need to have good references. Obviously, we're  
6 not going to hire people just for the sake of hiring  
7 them. But they said they would even help us vet them  
8 to some extent, and then we'll do our own vetting as  
9 well.

10           CHAIRPERSON HOOD: Here's what I suggest, and  
11 I do this for a lot of developers. We need to start  
12 that pool as soon as possible, because a lot of times  
13 we miss out. I see it all the time down here in the  
14 city. I mean, in the city. We missed out. The  
15 local folks miss out because by the time you get  
16 advanced notice, we have things we have to get in  
17 order.

18           MR. GOLDMAN: Yeah.

19           CHAIRPERSON HOOD: And by the time that --  
20 you don't have time to wait on us. So, as much  
21 advance notice as Mr. Johnson and that group can get,  
22 I think will be better. And I actually would like to  
23 see how that goes, depending upon how we move along  
24 in the status. So, that's something I'll be looking  
25 for, depending upon which way we go, especially

1 before I take a final vote.

2 MR. GOLDMAN: Great.

3 CHAIRPERSON HOOD: I want to see how that's  
4 going.

5 I'm really concerned about the playground.  
6 Now, I kind of know a little bit about this area, and  
7 that playground, if I'm not mistaken, is off of 12th  
8 Street, right?

9 MR. GOLDMAN: Yes.

10 CHAIRPERSON HOOD: So, in front of that is a  
11 bus stop. It used to be a bus stop, unless they  
12 moved it. It was there last night when I went --  
13 okay, I kind of know a little bit about it.

14 So, how did we come up with the orientation  
15 to put the bus stop -- I mean, put the playground  
16 there?

17 MR. GOLDMAN: So, that's a great question.  
18 So, first of all, we looked at a bunch of different  
19 options for the playground. Oh, sorry. I'm pointing  
20 to the screen here. That doesn't help you. So, we  
21 looked at a few different options to the playground.  
22 One of the options we looked at was this side, and  
23 the problem with that side is it's a really steep  
24 hillside. And so, it's maybe difficult to make a  
25 playground really work.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1           And then secondly, we have existing homes  
2 directly across the street. And so, we were trying  
3 to find a part of the project where we weren't  
4 directly across from homes, because some existing  
5 residents wouldn't want the noise of the playground  
6 directly across.

7           And then what we did is we met with the  
8 police chief in the neighborhood, and we tried to  
9 find out, where would be a good location for a  
10 playground and how would they handle it from a  
11 policing perspective. And they really liked this  
12 location.

13           And the reason is that, whenever there's a  
14 car crash, whenever there's an emergency, the police  
15 actually go to the emergency room which is across the  
16 street. And that gives them the ability to just know  
17 on their regular routes that they're going to look in  
18 that park, they're going to look in the playground to  
19 make sure that they're policing it as part of the  
20 regular rounds.

21           They also gave us ideas on how to design the  
22 furniture -- sorry, the play equipment to make sure  
23 that it's not creating places for people to sleep, as  
24 well as places that is well-lit. You can notice that  
25 all the seating that we're providing is out by the

1 edge on 12th Street. And we do the 30-foot --

2 CHAIRPERSON HOOD: So, let me --

3 MR. GOLDMAN: Sorry.

4 CHAIRPERSON HOOD: Walk me slowly.

5 MR. GOLDMAN: Uh-huh.

6 CHAIRPERSON HOOD: So, we're going to put a  
7 fence up.

8 MR. GOLDMAN: So, the bus stops here down at  
9 Varnum, and we're going to put a fence up here.  
10 That's 30 feet set back from 12th Street. So, you've  
11 got a 30-foot setback from the curb.

12 CHAIRPERSON HOOD: Thirty-foot setback.  
13 Okay.

14 MR. GOLDMAN: And then you have a fence, and  
15 the playground is on the other side of that fence.

16 CHAIRPERSON HOOD: I'm sure that the  
17 community -- that's going to take some getting used  
18 to.

19 MR. GOLDMAN: Uh-huh.

20 CHAIRPERSON HOOD: To put a fence up now.  
21 And I'm just trying to figure out, in relationship  
22 with the hospital being across the street, and the  
23 playground, and hopefully we did a noise study.

24 MR. GOLDMAN: We actually, we also met with  
25 the hospital about this concept.

1           CHAIRPERSON HOOD: Did the hospital -- I saw,  
2 did they put a letter in support?

3           MR. GOLDMAN: They are neutral. They decided  
4 to stay neutral to not take a side on this project,  
5 but we met with them a few times, three times. And  
6 one of the nice things about the playground location  
7 is that they do have people in the hospital who come  
8 with kids, or children, and to have the ability to  
9 kind of break out and go take the kids somewhere to  
10 play while their, you know, loved ones are visiting  
11 with sick people, was something that they saw as a  
12 benefit.

13           CHAIRPERSON HOOD: Okay. Come on. Come on,  
14 everybody, let's hold tight.

15           MR. GOLDMAN: And there is a fence out there  
16 today, there's a chain link fence along 12th Street  
17 in that almost exact location. So, if you drive by  
18 it you'll see the chain link fence that's there  
19 today. Instead, it will be a lower wrought iron, you  
20 know, metal fence.

21           CHAIRPERSON HOOD: So, the fence that's there  
22 today is lower in scale. It's lower in height.

23           MR. GOLDMAN: No, it's six-foot chain link  
24 around the whole property today. And so, this would  
25 be a lower you know, 42-inch fence.

1 CHAIRPERSON HOOD: I must not pay too much  
2 attention when I ride by there. Okay. I guess I  
3 should be focused on driving.

4 Now, the bicycle stand, where is that going  
5 to be?

6 MR. GOLDMAN: So, the Bikeshare would be  
7 located near the bus stop. So, the bus stop is down  
8 here on Varnum, the Bikeshare would be -- we're  
9 hoping for it to be right here, but we haven't  
10 identified that exact location. We'll work with DDOT  
11 to confirm it, but that's what we've talked to them  
12 about. So that it relates to the bus and it relates  
13 to the hospital.

14 CHAIRPERSON HOOD: Okay. So, it's going to  
15 be near the bus stop.

16 MR. GOLDMAN: Uh-huh.

17 CHAIRPERSON HOOD: Okay. And those neighbors  
18 who live on Varnum, across the street on Varnum in  
19 those houses, they -- have you been in touch with  
20 them? Or maybe some of them may be here. I'm not  
21 sure.

22 MR. GOLDMAN: There may be.

23 UNIDENTIFIED SPEAKER: [Speaking off  
24 microphone.]

25 CHAIRPERSON HOOD: Okay. Okay. No, that's

1 all right. I'm asking the applicant right now. I'm  
2 asking the applicant.

3 MR. GOLDMAN: We are proposing for it to be  
4 on the upper side. So, if you look at the plan, so  
5 if that's the bus stop right there and then this is  
6 Varnum with the houses, the concept is for the  
7 Bikeshare to be here or here. So, that's a little  
8 bit divorced from the corner and not directly across  
9 from people's houses.

10 CHAIRPERSON HOOD: Okay. One of the things  
11 that I found missing, and you probably could help me,  
12 I do miss a few things. This is not our only case.  
13 One of the things that I didn't see in the  
14 submissions, show me the relationship between the  
15 hospital and how that's going to function with -- it  
16 seems like we cut off 12th Street. And that hospital  
17 is very germane and very important in that community.

18 And I didn't see -- and I know how those  
19 ambulances come in there, and I understand,  
20 especially Allison Street. When I look at the  
21 renderings, this is not the same Allison Street I  
22 see. So, we really need to -- as Mr. VanPelt will  
23 tell you, I'm a realist when it comes to traffic.

24 MR. GOLDMAN: Yeah.

25 CHAIRPERSON HOOD: So, what I want to see is

1 the relationship of how all this is going to work,  
2 and that's why I wanted to see a place down in the  
3 existing situation; how all this is going to work  
4 with the hospital on the west side. You know, the  
5 hospital to your west of your project. I want to see  
6 how all that's going to work.

7 So, Mr. VanPelt, let's do a run-around.

8 MR. GOLDMAN: You want me to go to the  
9 aerial, or what image? What would you like me to go  
10 to?

11 CHAIRPERSON HOOD: One of the things I think  
12 we're missing is the -- when the relationship to your  
13 project and the new street, which I think eventually,  
14 at some point in time, you're probably going to try  
15 to make that a public street.

16 MR. GOLDMAN: No.

17 CHAIRPERSON HOOD: You're not?

18 MR. GOLDMAN: No.

19 CHAIRPERSON HOOD: The extension to -- never.  
20 You're going to never make it a public street?

21 MR. GOLDMAN: No.

22 CHAIRPERSON HOOD: Would you have a problem  
23 with us putting that in the order?

24 MR. TUMMONDS: That's fine.

25 MR. GOLDMAN: Yeah, that's fine.

1           CHAIRPERSON HOOD: So, let me ask the HOA, so  
2 the city wouldn't be picking up the trash. They  
3 wouldn't be picking it up because you don't have  
4 public streets.

5           MR. TUMMONDS: Correct.

6           MR. GOLDMAN: The black and white site plan?

7           UNIDENTIFIED SPEAKER: Yeah, I think so.

8           MR. GOLDMAN: Okay. Hold on a second.

9           CHAIRPERSON HOOD: And I don't know, let me  
10 just say this, I don't know if you have something in  
11 relationship to the entranceway to the hospital.  
12 That's kind of what I'm looking at. The alley,  
13 street, that whole little area which is congested  
14 now.

15                   And I think one of the commissioners, one of  
16 the ANC commissioners, I think it was 5B. It may  
17 have been 5A. Mentioned that when the shifts change,  
18 if you ever go by there when the shifts change, you  
19 never know who's going to move next, even though I  
20 know you -- this person gets to the stop sign, this  
21 person. Sometimes that creates a problem and so the  
22 mitigations that I guess you have looked at, Mr.  
23 VanPelt.

24                   So, that's why we're going to -- I'm going to  
25 come to you in a minute as soon as we get it up

1 because I want us to do a full run-around.

2 MR. GOLDMAN: There we go. Is that a useful  
3 plan for you?

4 MR. TUMMONDS: I can't see it up there.

5 MR. VANPELT: I can't see it. Yeah. Not  
6 yet.

7 MR. GOLDMAN: Oh, that's weird. Is it not --  
8 oh, there we go.

9 MR. VANPELT: I guess it -- I think that kind  
10 of shows -- I don't know if any of the plans we have  
11 actually show all of the curb cuts on the other side,  
12 but --

13 CHAIRPERSON HOOD: Well, here's what we're  
14 going to do. We need to get one. I want to see how  
15 this whole thing is going to work with the hospital  
16 across the street, because I think we're missing a  
17 major element with how this whole project is going to  
18 work with the cross-street.

19 Now, I will give you one point, I appreciate  
20 the reducing the housing. I think I mentioned this  
21 at set down. The case that we did up in Albemarle  
22 (phonetic) some years ago. I think you remember me  
23 saying that.

24 MR. GOLDMAN: I do.

25 CHAIRPERSON HOOD: We went from all these

1 townhouses to six single-family homes. And our  
2 former colleague was the one who came up with that  
3 solution. So, I just really want to see how that's  
4 going to be working with the hospital across the  
5 street. I think, to me, that's very important.

6 Now, let's look at 13. Well, that's really  
7 not going to do it for me, so I'll just talk about  
8 13th Street.

9 13th Street, let's put up some -- so, Webster  
10 Street is going to go all the way through. It's  
11 going to be, what is it? It's public, and then when  
12 we get into the development, it's private. So,  
13 anybody can go through Webster Street.

14 MR. VANPELT: Yes.

15 CHAIRPERSON HOOD: Now, when I get ready to  
16 go up Webster Street and I get ready to come out on  
17 12th Street, Mr. VanPelt, what kind of traffic  
18 problems am I going to create?

19 MR. VANPELT: Well, one of the things that  
20 has been proposed is that we were going to look at  
21 that, is a right in/right out movement only. So, to  
22 really eliminate the lefts. I think that's something  
23 we'll have to discuss further with DDOT, but that's  
24 one of the things that we have proposed to try to  
25 manage that as a right in/right out intersection so

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 that we're reducing the number of movements and  
2 conflicting movements, particularly lefts.

3 CHAIRPERSON HOOD: Okay. So, you all have  
4 obviously been to the site. So, if I'm going the  
5 opposite way, if I'm going east from 12th Street to  
6 13th Street, what are we going to do there, because  
7 you can't -- it's hard to make a left coming up 13th  
8 Street. Well, I wouldn't recommend it.

9 MR. VANPELT: Uh-huh. You're saying coming  
10 north on 13th.

11 CHAIRPERSON HOOD: If you're going east.

12 MR. VANPELT: To turn left.

13 CHAIRPERSON HOOD: If you're coming off of  
14 12th Street using 12th and the new private Webster --

15 MR. VANPELT: Uh-huh.

16 CHAIRPERSON HOOD: You're making a right, and  
17 I cut through the private street going to 13th  
18 Street, left or right?

19 MR. VANPELT: Well, that, what we are looking  
20 at there is a full movement intersection. And one of  
21 the things that we have proposed at that location is  
22 to control that intersection as a all-way stop. One  
23 of the reasons why we like that is we think from a  
24 pedestrian standpoint it helps traffic calm it and  
25 makes it more pedestrian.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 I don't know that DDOT agrees with us, but  
2 that's one of the things that we have recommended in  
3 our review.

4 CHAIRPERSON HOOD: A four-way stop?

5 MR. VANPELT: A four-way stop.

6 CHAIRPERSON HOOD: Now, are we -- do you know  
7 that the two-way stop now causes traffic backups?

8 MR. VANPELT: We do understand that the --

9 CHAIRPERSON HOOD: So, a four-way stop is  
10 going to do even worse. So, I would just encourage  
11 all of us to look at that and see, because I think  
12 from what I've seen, a lot of the problem is going to  
13 be how we move around on Allison Street. It probably  
14 should be a one-way now. So, what do we have to do  
15 with that? What are we going to do with Allison?

16 And I look at the reports. You know, I read  
17 the report. You know.

18 MR. VANPELT: Yeah. No, I think that's  
19 something that we understand there are concerns about  
20 how Allison operates. We looked at it and analyzed  
21 it from a capacity standpoint is two-way. I think  
22 that there are some -- DDOT will tell you there are  
23 some benefits to it being kind of a nice tight cross-  
24 section like that; that it calms traffic. And I  
25 think you'll hear from the community, and you

1 probably will tonight, that there's concerns about  
2 what that means. People are -- cars are getting  
3 sideswiped and the like.

4 I think one of the things that we looked at  
5 when we did our report, as we do for any projects,  
6 any PUD is, is that we're trying to determine whether  
7 or not we are going to have a detrimental impact.  
8 There's no doubt that there are concerns, there are  
9 issues within the community today. I think the test  
10 that we're trying to figure out is, is what sort of  
11 impact will we have. And in the process are the  
12 things that we can do to enhance the transportation  
13 network.

14 I think we're certainly doing that from a  
15 pedestrian porosity and connectivity standpoint, for  
16 a vehicular standpoint.

17 One of the reasons why EYA asked us, Gorove  
18 Slade, to take a look at traffic calming and made  
19 that an important point of this study is because we  
20 heard very loud and clear that that was a concern to  
21 the community and we wanted to try to figure out what  
22 might those options be that we can use in the tool  
23 kit to try to address some of those concerns.

24 A lot of those concerns are there because of  
25 the commuter traffic, because of the hospital

1 traffic. Those are concerns that are going to be --  
2 they're there today, and whether this project goes  
3 forward or not, continue to be concerns. So, we're  
4 trying to see if there's opportunities here.

5 CHAIRPERSON HOOD: Well, my issue is, a part  
6 of our job, first of all, is not to exacerbate an  
7 issue. There's already a problem, so we don't want  
8 to add to that problem.

9 MR. VANPELT: Correct.

10 CHAIRPERSON HOOD: So, we need to make sure,  
11 even though the issue is there today, we don't want  
12 to make it too much work because it's going to be a  
13 problem, I agree. But we don't want to make it much  
14 more worse to the point where it starts causing  
15 adverse impacts and detriments to the community. So,  
16 that's kind of where I am. I want us to really look  
17 at that traffic.

18 MR. VANPELT: Understood.

19 CHAIRPERSON HOOD: Especially going around  
20 the whole area. For me, that's the number one issue.  
21 And especially in relationship with the emergency  
22 apparatus.

23 MR. VANPELT: Uh-huh.

24 CHAIRPERSON HOOD: Because I noticed that  
25 whole side, I haven't seen a view showing me anything

1 in relationship to Providence Hospital and that  
2 concerns me. Okay?

3 So, I think you mentioned in your -- somebody  
4 mentioned that you couldn't build on the other side  
5 down by Varnum, in perpetuity. I think your  
6 mentioned that. And I'm sorry, what's your name?

7 MR. GOLDMAN: Evan.

8 CHAIRPERSON HOOD: Evan.

9 MR. GOLDMAN: Mr. Goldman. Evan Goldman.

10 CHAIRPERSON HOOD: Evan Goldman. Mr.  
11 Goldman, you mentioned on the side by Varnum, the  
12 open space.

13 MR. GOLDMAN: Uh-huh.

14 CHAIRPERSON HOOD: Down there on the other  
15 side, where the playground, in that area.

16 MR. GOLDMAN: Yeah.

17 CHAIRPERSON HOOD: That you couldn't build  
18 there. You wouldn't be able to build there. Is that  
19 -- did I get that correct?

20 MR. GOLDMAN: Yes. Yeah.

21 CHAIRPERSON HOOD: Okay.

22 MR. GOLDMAN: So, there would be a public  
23 access easement forever. The seminary as well as the  
24 grounds around it would also be part of the historic  
25 application. So, nothing could ever be built there

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 in the future, which is great.

2 CHAIRPERSON HOOD: And that unequivocally  
3 could not be changed?

4 MR. GOLDMAN: Yes.

5 CHAIRPERSON HOOD: Okay. And again, this is  
6 being done to help financial issues with the church,  
7 everything. With the -- okay. All right. All  
8 right.

9 Let's see. I think that's all I have.  
10 Really, we've got to really look at that traffic.  
11 That's a major issue for me, and especially in  
12 relationship to the neighborhood. Okay?

13 Any other questions up here? Vice Chair  
14 Miller.

15 MR. MILLER: What is the status of that --  
16 it's probably on your submission, but of the historic  
17 landmark application, or the timing of that?

18 MR. TUMMONDS: I think you know, we -- we  
19 would -- truly, it's very close to being ready to  
20 submit. It's been drafted. We've been working on it  
21 with Historic Preservation Office. More importantly  
22 we've been working on it with members of the  
23 Brookland community to get their kind of review of  
24 it. And the goal is that we would say, as a  
25 condition of issuance of a building permit, we would

1 have filed it.

2 MR. MILLER: Thank you.

3 CHAIRPERSON HOOD: Okay. Let's see if we  
4 have any cross-examination of -- and what's the name  
5 of the party in opposition? Did we get the party in  
6 opposition?

7 MS. SCHELLIN: Residents of [Speaking off  
8 microphone.]

9 CHAIRPERSON HOOD: Residents of Response --  
10 that sounds close to another -- let's --

11 MS. SCHELLIN: Just call it Residents.

12 CHAIRPERSON HOOD: Residents of --

13 MS. SCHELLIN: [Speaking off microphone.]

14 CHAIRPERSON HOOD: -- of Michigan. Can we  
15 say Residents of Michigan Park? What can we call  
16 you? Let's get a name. I don't want to confuse it  
17 with the other -- there's another name that I --

18 MS. SCHELLIN: [Speaking off microphone.]

19 CHAIRPERSON HOOD: Residents party. Can we  
20 come up with a name?

21 MR. BROWN: Residents for Responsible  
22 Development of St. Joseph's. It rolls off the  
23 tongue.

24 CHAIRPERSON HOOD: Residents for  
25 Responsibility of St. Josephs.

1 MS. SCHELLIN: For St. Joseph's.

2 CHAIRPERSON HOOD: For Responsibility of St.  
3 Joseph's. That's very close to -- I'm getting ready  
4 to get it mixed up. Okay, but we will -- I'll just  
5 call you for the sake of this hearing. I'll just  
6 call you residents, because I don't want to slip and  
7 call you another group that's in the city.

8 MR. BROWN: Fine.

9 CHAIRPERSON HOOD: If you don't mind. No  
10 disrespect intended.

11 MR. BROWN: Thank you, Mr. Chairman.

12 CHAIRPERSON HOOD: Sure.

13 MR. BROWN: I'm Dave Brown.

14 CHAIRPERSON HOOD: But, I haven't got to you  
15 yet. I just wanted to get your name straight, but  
16 you can hold a seat for a moment. I have to go to  
17 the ANC first. They're frontline elected officials.  
18 Okay?

19 Let's go to Chairman Evans. You have any  
20 cross-examination? You have any cross?

21 MR. EVANS: No.

22 CHAIRPERSON HOOD: Okay. Commissioner  
23 Feeley, you have any cross-examination?

24 MR. FEELEY: I don't.

25 CHAIRPERSON HOOD: Okay.

1 MR. FEELEY: I did want one clarity.

2 CHAIRPERSON HOOD: Well, you have to come  
3 forward. Come forward. Whoever you want to ask the  
4 question to. I'm sure he may not ask you, the Father  
5 who is with us, but somebody at the priesthood. So.  
6 Yeah, you need to come up and identify  
7 yourself.

8 MR. FEELEY: So, I'm John Feeley, and I am  
9 the representative for Single-Member District 5B-05,  
10 and I'm representing Commission 5B this evening.

11 And the one thing in the renderings that I  
12 wanted clarification on is when I look at some of  
13 your renderings, this seems to be a three-story  
14 building. But when I look at the back views and we  
15 look at the, what I think you call penthouse setback,  
16 they look like four-story buildings sometimes. Am I  
17 seeing some -- am I misinterpreting the renderings?

18 MR. SCHRON: Yeah, as we pull that up on the  
19 screen, so the habitable space in the home is three  
20 stories. And then in order to gain access to the  
21 rooftop terrace we bring a stair, an internal stair,  
22 up. And then of course in association with that,  
23 there is a structure that rises up so that you can  
24 physically get out of that space, and it forms the  
25 edge of that rooftop terrace space.

1 MR. FEELEY: Right.

2 MR. SCHRON: I think that --

3 MR. FEELEY: I think it was that cross-  
4 section that gives --

5 MR. SCHRON: Correct.

6 MR. FEELEY: -- a very --

7 MR. SCHRON: Yeah. Do you want to pull up  
8 the --

9 MR. FEELEY: A cross-section certainly does  
10 make it look like a four-story building.

11 MR. GOLDMAN: Yeah, and you can see it --  
12 sorry. You can see it here, where obviously it's  
13 one, two, three stories and then that's the roof  
14 right there.

15 MR. FEELEY: Yeah.

16 MR. GOLDMAN: And what we do is we actually  
17 just cut out the back of the roof, and the stair is  
18 actually set back from the edge of the roof itself.  
19 And so, it's really not a fourth story. It's really  
20 an open space up on top of the roof with the  
21 penthouse for the stair.

22 MR. FEELEY: And the apex doesn't have  
23 storage space or --

24 MR. GOLDMAN: No.

25 MR. FEELEY: Okay. That was my question.

1 CHAIRPERSON HOOD: All right. Thank you.  
2 You have any questions? We're going to now the party  
3 in opposition.

4 MR. BROWN: Thank you, Mr. Chairman. I'd  
5 like to start with Mr. Schron, is it?

6 MR. SCHRON: That's correct.

7 MR. BROWN: I want to clarify just a little  
8 bit about a couple of the trees. There are a couple  
9 of significant trees over I the vicinity of Buildings  
10 12 and 13, which I believe under your plan are going  
11 to be removed and replaced with buildings. Is that  
12 correct?

13 MR. SCHRON: Uh-huh. Yes, that is correct.  
14 There is three trees.

15 MR. BROWN: All right. I just want to make  
16 sure I have this straight. Under the existing law,  
17 if these trees were subject to the existing law, they  
18 would be considered heritage trees that would -- that  
19 every effort would have to be made to preserve them.  
20 Is that right?

21 MR. SCHRON: So, the Heritage Tree law came  
22 into effect on July 1, 2016.

23 MR. BROWN: Yeah, I'd like an answer to my  
24 question.

25 MR. SCHRON: And the application -- yeah, I'm

1 going to. And then the application for the removal  
2 of these heritage trees, we filed prior to that law.  
3 So, in discussion with -- so, in fact, that heritage  
4 tree law does not apply to this project.

5 That being said, we've had discussions with  
6 the Urban Forestry Administration with Sharon Dendy,  
7 and they acknowledged that while we could pursue the  
8 validly filed applications for those tree removal  
9 permits, they asked, would we wait and not do  
10 anything until this -- until the Zoning Commission  
11 had the ability to review this. And we said,  
12 absolutely.

13 MR. BROWN: Thank you for that clarification.  
14 Mr. Schron, I understand that in addition to seeking  
15 rezoning to RA-1, you're also seeking variances from  
16 the RA-1 Zoning development standards. Is that  
17 right?

18 MR. TUMMONDS: You know, again, Mr. Schron  
19 didn't testify about that. I think if Mr. Brown  
20 wants to you know, bring up those in his case-in-  
21 chief he's absolutely available to do that.

22 MR. BROWN: Well, it's part of your  
23 application, whether you spoke about it tonight or  
24 not. I'm asking questions about the application.  
25 Are they out of order? I don't think so.

1           CHAIRPERSON HOOD: I think that question is  
2 appropriate, Mr. Tummonds.

3           MR. BROWN: Okay.

4           CHAIRPERSON HOOD: Okay. You can continue to  
5 ask it and get an answer.

6           MR. GOLDMAN: Yes, so as part of the concept  
7 for the plan we are clustering the homes on the  
8 northern side of the site, and leaving all the open  
9 space on the southern side of the site. And so by  
10 doing that we're creating townhomes on the northern  
11 side of the site.

12           And so, the relief that we're asking for is  
13 side yard and rear yard setback, in order to group  
14 the homes the way we're grouping them as townhomes.  
15 And, then in order, especially in the rear yard, to  
16 have alleys with garages that go directly into the  
17 homes themselves, that necessitates the rear yard  
18 setback relief.

19           But from an open space percentage, it's  
20 similar to -- obviously exceeds what would be  
21 required under that zone.

22           MR. BROWN: Is there any documentation in the  
23 application as to the degree of rear yard relief that  
24 you want?

25           MR. TUMMONDS: Sure, there was a -- in our

1 prehearing statement, there is a table.

2 [Pause.]

3 MR. TUMMONDS: Page 18B of our prehearing  
4 statement dated February 6th, 2017, goes through, and  
5 for all 80 of the townhouse units, we have the chart  
6 that talks about the rear yard provided, which is the  
7 second to last chart you can see. Second to last  
8 column on the right it says, rear required. We show  
9 that rear yard provided. We show that similarly we  
10 have the analysis of the side yard required, side  
11 yard provided.

12 MR. BROWN: Is there any documentation of  
13 what the -- what a zoning compliant RA-1 subdivision  
14 would look like?

15 MR. TUMMONDS: No, we did not prepare that.

16 MR. BROWN: Okay. Just a couple of questions  
17 for Mr. Goldman.

18 MR. GOLDMAN: Mr. Goldman, at the point in  
19 time when this project is -- has all of its necessary  
20 approvals and everything is ready to go forward with  
21 the development, would you please clarify for me who,  
22 in terms of fee simple ownership of this land is  
23 going to own what at that point in time?

24 MR. TUMMONDS: Sure. So, once we're fully  
25 approved we would close on the back portion of the

1 land, the northern four acres of the property. We'd  
2 put the easements in place on the southern portion of  
3 the property, which would be retained by the  
4 Josephites and their ownership. And then as we sell  
5 houses the individual homeowners would take ownership  
6 to the fee simple land underneath their homes.

7 The HOA would continue to maintain all the  
8 public areas. Those would be in separate lots that  
9 would be -- or a separate lot that would be  
10 controlled by the HOA and maintained. Owned by the  
11 HOA. Sorry.

12 And then in in addition, the HOA will  
13 maintain the playground as well, even though that's  
14 on the Josephites' property.

15 MR. BROWN: Thank you very much. That's all  
16 I have.

17 CHAIRPERSON HOOD: Thank you, Mr. Brown.  
18 Okay. Let's go to the Office of Planning, Mr.  
19 Jesick, and then we'll go to the District Department  
20 of Transportation, Ms. Israel.

21 MR. JESICK: Thank you, Mr. Chairman and  
22 members of the Commission. Since the time of set  
23 down, the applicant has made several changes in  
24 response to commission and staff comments that would,  
25 we feel in our view, improve the project. They've

1 also worked with the Historic Preservation office  
2 staff to refine the architecture of the buildings as  
3 we've heard this evening. And even in the past week  
4 or so they've continued to make refinements in  
5 response to the Office of Planning report.

6 So, with all those changes, which have  
7 addressed our concerns in the report, the Office of  
8 Planning can recommend approval of the application.

9 As noted in our report, the project would not  
10 be inconsistent with the Comprehensive Plan that  
11 would include the Future Land-Use Map, the  
12 Generalized Policy Map, and the written policies of  
13 the plan.

14 The applicant has requested some areas of  
15 zoning flexibility, some of which would allow for the  
16 preservation of the public open space on the southern  
17 part of the site, and OP recommends approval of that  
18 zoning flexibility.

19 Regarding benefits, the Office of Planning  
20 finds that the level of benefits and amenities that  
21 have been proffered with the project are commensurate  
22 with the degree of flexibility being sought through  
23 the PUD process.

24 So again, the Office of Planning recommends  
25 approval of the application and I'd be happy to take

1 any questions. Thank you.

2 CHAIRPERSON HOOD: Okay. Thank you, Mr.  
3 Jesick. Ms. Israel?

4 MS. ISRAEL: Good evening, Chairman Hood and  
5 Commissioners. My name is Evelyn Israel from DDOT.  
6 DDOT wants to confirm with the applicants assertions  
7 regarding the heritage trees and alley stubs.

8 With regard to the traffic calming measures  
9 and mitigations that are proposed here this evening,  
10 several of those are new mitigations that are  
11 proposed and would ultimately need to be studied,  
12 including the discussion about Allison Street, for  
13 example, as a one-way roadway as opposed to a two-  
14 way. What that would ultimately require is a traffic  
15 calming application with 75 percent of the block  
16 signing off on the application, as well as an ANC  
17 resolution.

18 But otherwise DDOT rests on the record if you  
19 have any questions.

20 CHAIRPERSON HOOD: Okay. Thank you. Thank  
21 you, both.

22 Commissioners, any questions or comments?  
23 Vice Chair?

24 MR. MILLER: Thank you, Mr. Chairman. Mr.  
25 Jesick, I'd ask the applicant to provide -- they're

1 going to be providing a post-hearing submission on  
2 the environment sustainability of the project, and I  
3 think if we can get a summary report from DOEE I  
4 think that would be helpful. And so, if you can  
5 assist the applicant in getting that from DOEE, that  
6 would be great.

7 CHAIRPERSON HOOD: Okay. Ms. Israel, you  
8 mentioned that some of the mitigation traffic issues  
9 would need to be studied. How are we going to move  
10 forward? I'm just curious. How are we going to move  
11 forward on this as far as studying this and whether  
12 or not Allison needs to be a one-way or a two-way on  
13 Webster Street. Well, the new private street. From  
14 our standpoint, because for me I need to have a  
15 comfort level that some of the questions I asked  
16 about traffic, at least while it's not going to go  
17 away as Mr. VanPelt mentioned, because it's there  
18 now, that I want to feel a comfort level that we have  
19 not added to it. Well, add to it as much as we --  
20 it's probably going to add to it, but not add to it a  
21 whole lot, to the point where we just have  
22 devastation over there. We have major issues,  
23 because I know what I -- believe me, I've been down  
24 Allison Street. It's basically a one-way now. It's  
25 only one -- but anyway.

1           What do we need to do going forward to make  
2 sure that we mitigate this?

3           MS. ISRAEL: Well, as far as Allison Street  
4 specifically, there's several ways that can go about  
5 advancing the project. One, the applicant can  
6 certainly conduct a study, and going according to  
7 DDOT standards for traffic calming measures to  
8 determine whether the appropriateness of the study.

9           The other way, as I had mentioned is if, say  
10 the application is ultimately approved, then it would  
11 be incumbent upon --

12           CHAIRPERSON HOOD: Oh, okay. Ms. Israel, you  
13 might want to get closer to your mic. They can't  
14 hear.

15           MS. ISRAEL: Shall I repeat?

16           CHAIRPERSON HOOD: Yes.

17           MS. ISRAEL: Sorry. As I was saying, there  
18 are a couple of ways in which ultimately the project  
19 can move forward while determining the  
20 appropriateness of one-way traffic down Allison  
21 Street.

22           One way is for the applicant to ultimately  
23 conduct a study approved by DDOT, following DDOT  
24 specifications for a traffic calming study. There  
25 are a whole series of criteria in terms of one-way

1 traffic calming and a warrant that's necessary.

2 Another process that can also be done, either  
3 concurrently or separately after, prior to or after,  
4 if this application is to move forward and be  
5 approved, is for the community ultimately, those who  
6 are on the block that specifically want a signal  
7 direction of one-way traffic, it would need to be --  
8 there's a specific traffic calming application, and  
9 75 percent of members of the block would have to say  
10 that they would -- that they are looking for one-way  
11 operations, sign off on the application, as well as  
12 get ANC and ANC resolution for DDOT ultimately to  
13 conduct that study.

14 CHAIRPERSON HOOD: And as far as DDOT, and I  
15 know you all have reviewed the applicant's  
16 transportation studies. As far as 13th Street is  
17 concerned, DDOT does not have any issues.

18 MS. ISRAEL: That is correct. I just want to  
19 actually clarify one thing. One of the things that  
20 was noted on one of the proposed measures was  
21 actually an all-way stop at Webster and 13th Street,  
22 and actually DDOT concurs with Chairman Hood in that  
23 we don't think that that's an appropriate measure at  
24 that intersection.

25 CHAIRPERSON HOOD: Okay. And you all -- but

1 you all are experts. Chairman Hood just is a  
2 realist. He just goes -- knows why it shouldn't  
3 probably be. But you all are experts. Why is it  
4 that DDOT doesn't believe this should be --

5 MS. ISRAEL: I'm not a safety expert, so I  
6 don't want to speak fully on their behalf. But my  
7 understanding, the brief synopsis of it is my  
8 understanding is that ultimately it's not warranted.  
9 And because of the fact that it's not warranted it  
10 actually can potentially induce the whole problem  
11 that it's hoping to resolve, which is a safety issue.

12 CHAIRPERSON HOOD: Okay. Okay. All right.

13 MS. ISRAEL: And that impact actually cause  
14 crashes as opposed to preventing them.

15 CHAIRPERSON HOOD: Okay. All right. So, we  
16 really need to look at those areas. I think we've  
17 got some areas that I'm not saying that it's not  
18 fixable. We need to figure out how we can take care  
19 of those areas and not to exacerbate what's already  
20 going on. I think the community has learned to live  
21 what's going on. We don't want to make it worse. If  
22 we do, we want to make it very minimal. That's where  
23 I am. Okay?

24 All right. Any other questions? Thank you  
25 both, we appreciate it.

1           Let's see if there's any cross. Does the  
2 applicant have any cross?

3           MR. TUMMONDS: No cross.

4           CHAIRPERSON HOOD: Okay. Chairman Edwards,  
5 you have any cross?

6           MR. EDWARDS: No.

7           CHAIRPERSON HOOD: Commissioner Feeley, you  
8 have any -- are you the chairman? No, you're not the  
9 chairman. No. Okay. Commissioner Feeley, you have  
10 any cross?

11          MR. FEELEY: I have one.

12          CHAIRPERSON HOOD: Okay. Come forward. And  
13 I'm going to ask Mr. Brown if you can come forward  
14 too so you -- you don't have any cross? Okay. So,  
15 I'm going to ask Commissioner Edwards to come  
16 forward. Mr. Feeley is going to already be here.  
17 He's going to do his cross, and then we'll go to the  
18 ANCs.

19          MR. FEELEY: So, I had a question for Office  
20 of Planning. And my question was the statement you  
21 made concerning the Comprehensive Plan and the  
22 application. And did you say that the request for  
23 RA-1 zoning was in agreement with the Comprehensive  
24 Plan?

25          MR. JESICK: Yes, we felt that the

1 application as a whole was not inconsistent with the  
2 Comprehensive Plan, including the request for the RA-  
3 1 Zone.

4 MR. FEELEY: But doesn't the Comprehensive  
5 Plan actually identify a different kind of zoning for  
6 that whole area? R-2?

7 MR. JESICK: The Comprehensive Plan  
8 identifies the site for institutional uses. And when  
9 those uses -- when those sites undergo redevelopment,  
10 the plan states that the new development should have  
11 a density similar to the surrounding neighborhood.  
12 So, that's the basis of our assessment.

13 MR. FEELEY: Yeah, I'm sorry. That's the  
14 clarification I wanted to make, that the surrounding  
15 neighborhood is zoned differently and so the change  
16 to RA-1 wouldn't seem to be in agreement with the  
17 Comprehensive Plan.

18 MR. JESICK: Is that a question?

19 MR. FEELEY: Yeah. I'd like you to enlighten  
20 me, you know. If yeah. Just reading the Comp Plan  
21 it seems to not be in agreement.

22 MR. JESICK: Well, the Comp Plan doesn't  
23 state that the zone has to be identical. It states  
24 that the density should be similar to the surrounding  
25 neighborhood.

1 MR. FEELEY: Okay. Thank you.

2 CHAIRPERSON HOOD: Hold your seat,  
3 Commissioner, because I'm going to go to the ANCs  
4 next.

5 Okay, Chairman, you may begin and then we'll  
6 hear from Commissioner Feeley.

7 MR. EDWARDS: Good evening, Chairman.

8 CHAIRPERSON HOOD: Is your mic on?

9 MR. EDWARDS: Okay. Yes. Good evening,  
10 Chairman Hood and members of the Zoning Commission.  
11 My name is Ronnie Edwards. I'm a chair of ANC 5A.  
12 My address is 122 Michigan Avenue Northeast.

13 On March 22nd, 2017, ANC voted unanimously,  
14 following one abstention, to support the development  
15 of the St. Joseph's Seminary site, identified in  
16 Zoning Commission Case No. 16-17.

17 During the past 18 months ANC 5A has  
18 participated in, and/or hosted a number of meetings  
19 regarding the proposed development. The applicant  
20 appeared before ANC on six occasions, and additional  
21 SMD meetings were held where applicant -- where the  
22 residents of the neighbors were allowed to speak in  
23 support of, or opposition to the project.

24 The applicant has been diligent in its  
25 efforts to engage the community. But more

1 importantly, dramatically change their design concept  
2 in response to resident's concern, and as part of  
3 their ongoing efforts to obtain support of the  
4 community and ultimately ANC.

5           As you have heard today, the original project  
6 was planned for 150 or more units, but was  
7 substantially reduced in stages to 80 units. In  
8 addition, ANC 5A realized that on certain conditions  
9 this could have been a matter of right development of  
10 the site with the considerable impacts on the  
11 community and limited to no public benefit in return.

12           As it turned out, as it turns out, it's a PUD  
13 project potentially netting some key benefits and  
14 amenities for our neighborhood.

15           With regard to the affordable housing, 10  
16 units, three and four-bedroom -- 10 three and four-  
17 bedroom affordable housing units will be provided.  
18 Six of those units are reserved for households at 50  
19 percent of the AMI that will sell around \$200,000.  
20 And four of those units have been reserved for  
21 households at 80 percent of AMI that will sell  
22 between 300 and \$400,000.

23           With regard to Historic Preservation and the  
24 discussions that have been had here today, the  
25 Josephite Seminary building would be preserved and

1 established as a historic landmark, and the  
2 Josephites will obtain funds to continue to support  
3 their important mission.

4           Public space and tree preservations,  
5 approximate 2.5 percent of -- 2.5 acres of open space  
6 will be preserved through a public access easement  
7 that will be placed on the property. These open  
8 spaces will include a new playground, park with  
9 playground equipment for kids.

10           Employment and job training. The applicant  
11 will work with the Greater Brookland Business  
12 Association to assist local contractors with RFPs,  
13 and will partner with Phelps ANC -- Phelps ACE High  
14 School, and reach out to Luke C. Moore High School  
15 for construction education. The ANC recommend that  
16 they reach out to Luke C. Moore.

17           Tax fund relief. The applicant is partnering  
18 with housing counseling service to create a tax  
19 relief fund, which will assist residents on  
20 restricted incomes who own a house in close proximity  
21 to the property, in order to offset possible  
22 increases in property taxes.

23           Public art and sculpture. The applicant will  
24 commission \$25,000 of public art sculpture from a  
25 local artist.

1           And application benefits. The applicant will  
2 contribute funds for the creation of a Capital  
3 Bikeshare station along 12th Street, as well as new  
4 bike lanes along 12th Street. The project will  
5 provide a Carshare space, traffic calming measures,  
6 and pedestrian improvements.

7           I'd like to also add that we'd be very  
8 interested in the follow up, I guess, in terms of  
9 DDOT with regard to transportation and the impacts  
10 that the project is going to have. As you know, ANC  
11 5A, this is an issue that we have been complaining  
12 about for a long time, the need for a comprehensive  
13 traffic study, and we have not that. And we keep on  
14 having to deal with each one of these projects  
15 individually as they come before us.

16           So, some kind of a comprehensive  
17 transportation study would be beneficial, we think,  
18 as we look at this continuing development of projects  
19 throughout our ward.

20           ANC 5A appreciates that the applicant has had  
21 over 25 meetings with members of the community,  
22 starting before this application was filed, and then  
23 throughout the past 18 months. The applicant and its  
24 design team have made numerous presentations at  
25 publicly announced ANC 5A meetings. The project

1 initially started with over 150 townhouses. After  
2 hearing concerns from ANC 5A commissioners and from  
3 members of the community, the number of townhouses  
4 has been reduced to just 80.

5 In addition, the heights of the townhouses  
6 were reduced to three stories, and the string of  
7 townhouses that fronted on Allison Street and Sargent  
8 Road were replaced with duplexes and triplexes,  
9 similar to the mix of existing housing types across  
10 the street from the property.

11 ANC 5A originally has some concerns regarding  
12 whether this project was consistent with the  
13 Comprehensive Plan. After further research of this  
14 issue, and based on information submitted by the  
15 Office of Planning, ANC 5A concluded this project is  
16 in fact consistent with the Comprehensive Plan,  
17 including the Comprehensive Plan Future Land-Use Map.

18 ANC 5A also finds that the proposed townhouse  
19 provides a type of housing unit that is consistent  
20 with the housing stock found in the area, surrounding  
21 the project, and that the duplexes and triplexes  
22 units in the project which front on Allison Street  
23 and Sargent Road, are entirely consistent with the  
24 surrounding community.

25 ANC 5A also appreciates the steps that the

1 applicant has taken in order to make sure that the  
2 architecture of these new townhouses take cues from  
3 the neighboring homes.

4           ANC 5A believes that the community benefits  
5 provided as a result of this application are  
6 appropriate and sufficient for the project that is  
7 proposed. These amenities will benefit the immediate  
8 neighborhoods which will be impacted by the project.  
9 ANC 5A encourages the applicant to reach out to the  
10 Luke C. Moore Academy, which is located in 5B, as  
11 another educational institution which could be the  
12 beneficiary of the construction education.

13           ANC 5A understands that ANC 5B adopted a  
14 resolution in opposition to this project. However,  
15 ANC 5B's resolution was adopted in October 2016.  
16 Since that date the application has been revised and  
17 the number of townhouses has been reduced. We  
18 believe that the revised project currently proposed  
19 by the applicant addresses the issues noted in ANC  
20 5B's resolution.

21           We recognize that some members of the  
22 community are strongly opposed to the development of  
23 the rear portion of the seminary site. The  
24 Josephites have been good neighbors in Ward 5 for  
25 almost 100 years. This is their time of need. We

1 appreciate that the Josephites have chosen a  
2 developer who is clearly committed to community  
3 outreach and who has been willing to work with the  
4 community and ANC to improve the project such that we  
5 could provide our unanimous support.

6           After extensive review and discussions  
7 regarding this project, including discussions with  
8 our Ward 5 councilmember, support recommendation from  
9 civic associations in Ward 5, support from the former  
10 commissioner for this SMD, and the recommendation of  
11 the current commissioner, Commissioner Cofield-Lynch,  
12 the SMD in which this project is located, my fellow  
13 commissioners have granted me the authority to act on  
14 behalf of ANC 5A at this hearing tonight.

15           As a chair of ANC 5A, consistent with the  
16 resolution that we previously submitted, we request  
17 that the Zoning Commission give ANC 5A's  
18 recommendation support the great weight which it is  
19 entitled to receive per D.C. Code, and approve this  
20 project.

21           Thank you for your time.

22           CHAIRPERSON HOOD: Okay. Thank you. If you  
23 can hold your seat, Chairman Edwards, we may have  
24 some questions for you.

25           Commissioner Feeley.

1 MR. FEELEY: Oh, I understood everything was  
2 in --

3 CHAIRPERSON HOOD: Can you talk in the mic so  
4 we can hear you? Identify yourself, and you may  
5 begin.

6 MR. FEELEY: Okay. Yeah, Commission 5B is  
7 the home of many residents within 200 feet of the St.  
8 Joseph's Seminary site that is the subject of this  
9 application. And listening to our constituents at  
10 single-member district meetings, and at our community  
11 meetings, we've heard quite a bit of opposition to  
12 the project. So, Commission 5B opposes the EYA  
13 Development, LLC consolidated PUD and associated map  
14 amendment at Square 3917, in Zoning Commission Case  
15 16 to 17.

16 Commission 5B proposed a resolution in  
17 opposition to this submission, and it was supported  
18 unanimously by the Commission as a whole, and we do -  
19 - we have registered that resolution with the Zoning  
20 Commission and we ask for great weight in opposition  
21 to the project.

22 Commission 5B considers the proposed granting  
23 of a PUD for a RA-1 Zone project to be against the  
24 best interests of residents of Advisory Neighborhood  
25 Commission 5B and the city. The current provisions

1 in the Comprehensive Plan for the upper Northeast  
2 area, are much better served by the goals of R-2  
3 zoning.

4           And in the zoning handbook it states that R-2  
5 zones are intended to protect neighborhoods like the  
6 one that surrounds St. Joseph's Seminary, and to  
7 encourage development of semi-detached houses and on  
8 moderately sized lots, as well as some detached  
9 dwellings, and we feel that this project is out of  
10 character with that.

11           This mix of housing that's described in the  
12 Comprehensive Plan has served the affected area near  
13 St. Joseph's Seminary very well throughout the years,  
14 and up zoning to RA-1 will not serve the  
15 neighborhood. And once again, not be in synch with  
16 the Comp Plan.

17           RA-1 zones permit flexibility in design, and  
18 this is a concern for 5B. And, looking at the  
19 applicant's testimony tonight, our concerns are  
20 confirmed. Specifically, the flexibility requested  
21 along this PUD would be unacceptable to our  
22 commission. The applicant's request for multiple  
23 structures on a single record lot, the request for  
24 rear yard relief, and also for lot occupancy relief  
25 for all 82 townhouses, as well as side-yard relief

1 for 26 units is unacceptable. And these requests for  
2 relief allow for a density that the Commission feels  
3 is unacceptable.

4           The Commission 5B also is concerned about  
5 increased traffic accompanying a development of this  
6 size at this site, especially as it is beside  
7 Providence Hospital's emergency room entrance, and  
8 its parking lot entrance at shift time. I think it's  
9 going to be a big problem.

10           Advisory Neighbor Commission 5B is  
11 experiencing a great increase in matter of right  
12 development all through out single-member -- all  
13 through our Commission area. On 12th Street in  
14 particular, we're seeing lots of small multi-unit  
15 development, and CAS Riegler Development Company is  
16 proposing more than 300 units in mixed-use buildings  
17 at the Brookland CUA Metro station at this time.

18           Also, Douglas Development is building a 1,500  
19 car garage project at 818 Michigan Avenue, which is  
20 all well with -- very close to the proposed project.

21           The Commission doesn't see any need to  
22 support a project of this size for a planned unit  
23 development not in keeping with the guidance provided  
24 in the upper Northeast section of the Comprehensive  
25 Plan.

1 And that finishes my testimony.

2 CHAIRPERSON HOOD: Okay. Let me -- we want  
3 to thank you both, both ANC 5A and as well as 5B.  
4 Let's see if we have any questions or comments.

5 Okay. Well, I don't have a -- anybody?

6 Let me just ask, the way I understand it, 5B  
7 is the bordering ANC?

8 MR. FEELEY: Yeah, our northern boundary is  
9 Varnum Street, so we're right across from it.

10 CHAIRPERSON HOOD: So, you're right across  
11 the street. Okay. Okay.

12 MR. FEELEY: That's why we have so many  
13 people that are within 200 feet.

14 CHAIRPERSON HOOD: Okay. And I heard in 5A's  
15 statement, that when you all looked at this, was this  
16 when the 130 or 50 -- so you've looked at it in its  
17 current status?

18 MR. FEELEY: Yeah, we looked at it in its  
19 current status, with the reduced number.

20 CHAIRPERSON HOOD: And I saw where you all  
21 are saying that the R-2, to go to the zone proposed  
22 is just out of character. I think I read that in  
23 your letter.

24 MR. FEELEY: Right. Yeah. Yeah.

25 CHAIRPERSON HOOD: Okay. All right. Okay.

1 I will say that even though both ANC and 5B are in  
2 different positions, the resolutions that we got are  
3 very well done. I want to commend you all in Ward 5.  
4 These are some of the better resolutions I've seen.  
5 And my colleagues will probably hear this when I get  
6 to other wards, so, but these -- 5A was very well  
7 done and 5B. I've seen a lot of them and these were  
8 very well done, even though they are -- you know, one  
9 is a proponent and other one is an opponent.

10 Let me ask, Commissioners, when did you all  
11 look at this? Was it recently? You've had a shift  
12 in commissioners for this area, correct? Or, who is  
13 the commissioner for this area?

14 MR. EDWARDS: Commissioner Cofield-Lynch is  
15 the current commissioner.

16 CHAIRPERSON HOOD: Current commissioner.  
17 Okay. And when did you -- you all looked at it in  
18 its current status as well?

19 MR. EDWARDS: Yes.

20 CHAIRPERSON HOOD: Okay.

21 MR. EDWARDS: Matter of fact, we had the  
22 applicant to come back and make a presentation at  
23 our --

24 CHAIRPERSON HOOD: I see.

25 MR. EDWARDS: -- March meeting, I believe it

1 was.

2 CHAIRPERSON HOOD: So, the issue with  
3 contacting Luke Moore, did they agree to that?

4 MR. EDWARDS: Yes, they did.

5 CHAIRPERSON HOOD: Okay. So, everything in  
6 your testimony --

7 MR. EDWARDS: And I think they've included it  
8 in their updated testimony tonight.

9 CHAIRPERSON HOOD: All right. The public art  
10 and sculpture, did you all make recommendations?

11 MR. EDWARDS: We did not make  
12 recommendations, but we did have some of the same  
13 kind of concerns I think that I heard you talk about  
14 tonight, with regard to making sure that we have  
15 local artists. And also the same with regard to the  
16 construction in terms of making sure that we have  
17 local businesses involved in that project. We had  
18 those discussions with them as well.

19 CHAIRPERSON HOOD: Okay. We need to make  
20 sure, if we move forward, and I haven't heard from  
21 everybody, depending upon where the Commission goes,  
22 but I'm saying this across that. I just did it in  
23 Ward 7 a couple of weeks ago. We need to start  
24 making sure that our pools are ready. So, the excuse  
25 about, we don't have pools ready, and I'm not talking

1 about just this case, I'm talking about all of them,  
2 that we don't have people ready, that we have our  
3 folks ready, so we can start capitalizing and we  
4 don't have missed opportunities.

5 And I'm going to follow up with the applicant  
6 depending upon how we go. I'm going to follow with  
7 them anyway, to push this, dependent upon what else  
8 we hear and where we go in the transportation piece.  
9 So, any other questions up here?

10 Okay. Not seeing any, let's see if the --  
11 the applicant, you have any cross? Okay. Okay.

12 ANC 5A, you have any cross of 5B?

13 MR. EDWARDS: No.

14 CHAIRPERSON HOOD: 5B, do you have any cross  
15 of 5A?

16 [No audible response.]

17 CHAIRPERSON HOOD: Mr. Brown, do you have any  
18 cross of either one of the ANCs?

19 MR. BROWN: No.

20 CHAIRPERSON HOOD: Okay. Thank you all very  
21 much. We appreciate it.

22 Okay, you know what, everyone, I usually do  
23 assessment about 9:00. I'm always prepared to go to  
24 11:00. Now, here's what we're going to do -- or  
25 after. We want to go before Metro closes and before

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 they go on strike. So, here's what we want to do.  
2 We're going to try to make it so we don't have to  
3 come back down here. Everybody, we're going to work  
4 together so we can get it done tonight. That's Ward  
5 5. Okay.

6 Let's go to any other government reports that  
7 I may have missed? I think we've covered it.

8 Okay, let's go to the persons -- I mean, I'm  
9 sorry, we'll go to the persons in support first.  
10 Yeah, because I can't see it right now. I might have  
11 to look on the -- okay. I got it.

12 Persons in support. I'm going to call your  
13 name. If it sounds close, please come forward and  
14 forgive me. I'm asking that in advance.

15 Luke Sargent, come forward. Hayden Wetzel.  
16 Hayden. Okay. Terrance McEachern. Andy Kish.  
17 Kristin Taddei. Adrian Jordan.

18 Is that all we have in support?

19 [Discussion off the record.]

20 CHAIRPERSON HOOD: Okay, here it is. Frank  
21 DeSiano. And I can get one more person. Cheryl  
22 Cort. Okay. Okay.

23 [Discussion off the record.]

24 CHAIRPERSON HOOD: Okay, Robert Oliver.  
25 Angel Moore. Oh, I just need to push it up. That's

1 what I need to do. Okay, that's it. I'm sorry. Did  
2 I call -- we'll start off with Ms. Moore.

3 Okay. We're going to start.

4 [Discussion off the record.]

5 CHAIRPERSON HOOD: We're going to start to my  
6 right. You may begin.

7 Ms. Schellin, make sure I get Queens Chapel  
8 in this next round.

9 MR. SARGENT: All right. My name is Luke  
10 Sargent. I live on 13th Place, just one street over  
11 to the east of 13th Street, and I'll be honest, I  
12 wish I was going third or fourth here, but then I  
13 could just say ditto to whatever everybody else is  
14 going to say.

15 But I feel like I have three points I'd like  
16 to make. The first point is, is that this has been a  
17 very emotional process in the last year and a half  
18 and I want to say I'm proud of everybody in our  
19 neighborhood and our community. We're all very  
20 passionate and I really appreciate that. And  
21 although we might not be in agreement, you know,  
22 that's okay. So, I'm not going to hold it against  
23 you and I appreciate you not holding it against me.

24 I'm looking at you, Roland. But, yeah,  
25 Roland is in the back.



1 them the same benefit of the doubt that everybody  
2 that welcomed me to this neighborhood five years ago.

3 Last but not least, I want to make it -- I  
4 feel like a point has not been made enough for the  
5 seminary and the Josephites. They're not happy about  
6 having to sell this either, about this transition.  
7 They're giving away a piece of themselves, and I'm  
8 just thankful that they're not giving away the whole  
9 thing.

10 So, although I'd prefer it remain a park or -  
11 - I don't know if that's possible at this point. So,  
12 again, I just ask you support the development as it  
13 stands at the current plan.

14 CHAIRPERSON HOOD: Okay.

15 MR. SARGENT: Thank you very much.

16 CHAIRPERSON HOOD: Thank you very much. Let  
17 me say this, the first beep you hear means you need -  
18 - and you actually were very good for me not to make  
19 this announcement. But the first beep means you need  
20 to start winding it up. The second beep, I would ask  
21 that you stop. Okay? Next.

22 No, no, you actually were fine. That was  
23 right. That was the model, that was the model. You  
24 were the model. A lot of times I don't get the  
25 model. You were the model. Next.

1           MR. WETZEL: I'm Hayden Wetzel. I live in  
2 Brookland. I'm a 37-year resident there. I am a  
3 retired federal worker. Since about 2000 I've been  
4 very active with historic preservation issues as a  
5 volunteer with the D.C. Preservation League. I'd  
6 like to be clear that I'm speaking only for myself,  
7 not for the Preservation League or any organization,  
8 and that although I am not an architect, I have had a  
9 good deal of experience with preservation issues here  
10 in the city.

11           I would simply like to say that in terms of  
12 preserving the historic seminary and its grounds,  
13 this project seems quite fine indeed. All of the  
14 work is in the rear of the building, which would, I  
15 believe, be allowed under -- if it was a landmarked  
16 building. The whole front of the building and the  
17 historic lawn will be kept in good condition, and I  
18 do not believe that preservation of the Josephite  
19 Seminary should be a concern whatever.

20           CHAIRPERSON HOOD: Great. Thanks. Next.

21           MR. KISH: I'm Andy Kish. I live directly  
22 across from the seminary, so I'll be directly  
23 affected by this. I'm at 4419 13th Street Northeast.  
24 I'm a 200-footer, I guess they're calling them.

25           I do also want to acknowledge, like Luke,

1 there are a lot of strong opinions and convictions  
2 about this and I definitely understand people are  
3 passionate about it. My main hope is this doesn't  
4 drive a wedge in the community and I've really found  
5 this community to be very uniquely welcoming, and I  
6 would say one of the best in the city, although I'm  
7 clearly biased because I live there.

8           So, my understanding of why we're here is the  
9 Josephites need money, and if they don't get money,  
10 that's what I'm mainly concerned about, what's going  
11 to happen to them. They have decided to sell a  
12 portion of their property as the best path forward.  
13 I'm sure they've looked at many options with the  
14 church, and this is the most feasible option they  
15 have.

16           From my three years in the community I've  
17 watched people come and go into what everyone has  
18 used as basically a public park, even though it's  
19 private property. So, I do want to note that and  
20 they've been gracious in letting folks use it for  
21 walks, picnics, ball games, pet exercise and so on.  
22 And I also see Maryland plates drive up and walk  
23 their dogs there all the time, and go play in the  
24 park. So, that's also noted that they have not  
25 complained about that.



1 down this traffic. I don't know if you know the old  
2 video game, Frogger, but that's what it feels like  
3 getting into my car every morning and getting out  
4 every evening. And I do park on 13th Street.

5 I'm also very supportive of the proposed tax  
6 assistance fund for the community, for those who are  
7 on restricted incomes that pay for potential tax  
8 increases. This is something I specifically asked  
9 for in the neighborhood and they addressed it. I  
10 know it's not a big fund. I do ask if the city could  
11 be creative in helping to contribute to the fund, or  
12 generate interest in adding to this fund.

13 So on balance, I do find this development to  
14 be fair, and I think EYA is a good developer, and I  
15 would be really concerned if this is turned down and  
16 we have an alternative come forward that is much  
17 worse for the community. Thank you.

18 CHAIRPERSON HOOD: Thank you. Next.

19 MS. TADDEI: Good evening, Chairman Hood and  
20 Commissioners. My name is Kristin Taddei, and I am  
21 the planning advocate with Casey Trees.

22 As you know, Casey Trees is a Washington,  
23 D.C. based nonprofit with a mission to restore,  
24 enhance, and protect the tree canopy of the Nation's  
25 Capital.

1           To fulfill this mission we plant trees,  
2 monitor the city's tree canopy, and work with  
3 developers to encourage tree planting and protection.  
4 We are dedicated to helping the District reach its 40  
5 percent tree canopy goal by 2032.

6           As a city we will achieve this goal when  
7 development projects ensure no net loss in tree  
8 canopy. As you know, Casey Trees typically testifies  
9 undeclared, as our recommendations focus on the  
10 preservation of tree canopy and not on the proposed  
11 structures or renovations.

12           We advocate for sustainable developments.  
13 Therefore, it is my pleasure to testify tonight in  
14 support of the proposed townhouse development at 1200  
15 Varnum Street Northeast.

16           Over the past year and a half EYA openly  
17 sought and considered feedback from local residents  
18 and organizations, including Casey Trees.

19           The first design, which included 150 to 180  
20 townhouses, would have impacted many of the mature  
21 trees that make this site beautiful, historic, and  
22 unique. This design would have removed 65 percent of  
23 the tree canopy that exists on the St. Joseph's  
24 Seminary property today.

25           EYA received and incorporated feedback from





1           Near the end of summer 2015, rumor and  
2 speculation began to echo throughout the neighborhood  
3 with regards to development at the site of St.  
4 Joseph's Seminary. At the time, I had no community  
5 with any interested party, so my position was the  
6 only act (garbled speech) for official word.

7           In October 2015, representatives of EYA  
8 contacted me, and within days I held a special  
9 meeting, which took place on Wednesday, October 14th,  
10 2015 at Providence Hospital to address any  
11 speculation and begin the community dialog process.

12           At this meeting, I outlined the process that  
13 I, as a commissioner, would follow, including taking  
14 an initial survey. EYA also presented seeking that  
15 they would seek a -- stating that they would seek a  
16 PUD, and that they typically develop between 20 and  
17 25 homes per acre. The site, apparently, is six to  
18 eight acres.

19           In an attempt to make this process as  
20 transparent and open, I created a Cloud account where  
21 meeting notes, surveys, and other documents would be  
22 available for anyone to see. With regards to the  
23 survey, it asks residents to list their initial top  
24 three concerns, and that was available online and in  
25 paper, and it had a December 1st deadline.

1           The survey was extremely important throughout  
2 the process. This has allowed me to advocate for  
3 mitigation or wholesale changes to the initial PUD  
4 based on these concerns of residents.

5           The community was very concerned with the  
6 potential for increased traffic, the loss of green  
7 space that the community could enjoy, as well as  
8 wider impact of zoning changes to the neighborhood.  
9 Using these concerns I let this guide the process and  
10 the many changes to the initial design and PUD.

11           Over the next 15 months, initial speculation,  
12 over 150 plus townhomes is now 80, with 12 percent,  
13 or a little more than 12 percent, being marketed as  
14 affordable. The addition of 2.5 acres of open green  
15 space being made public, which is important because  
16 the land was once private.

17           Also, the funding of pedestrian safety  
18 improvements and the inclusion of Capital Bikeshare  
19 station expands multi-modal transportation options on  
20 the neighborhood. The addition of Capital Bikeshare  
21 will connect us to the greater Brookland Community at  
22 Brookland Metro, Fort Totten Metro, and the 12th  
23 Street retail corridor.

24           The plan to program open space to include  
25 formal play equipment for children is great expansion

1 of youth play space in the area, and gives us a  
2 wealth of community play space with Turkey's Thicket  
3 being a quarter of a mile away, and North Michigan  
4 Park being a half a mile away.

5           It was important to keep the lines of  
6 community open because there was a lot of  
7 misinformation. I understand that there is  
8 opposition, and I do not believe it's all unfounded.  
9 However, I do believe this is exactly what the PUD  
10 process is about. For those that have serious  
11 concerns about the density on the northern portion of  
12 the lot, that is the trade-off in order to have 2.5  
13 acres of public open space. For those concerned with  
14 the ramification of zoning changes and what that may  
15 mean for the seminary, we have the commitment from  
16 EYA to protect it through historic preservation.

17           Traffic is a major and valid concern, however  
18 the bulk of the traffic throughout the neighborhood  
19 is morning and evening commuters.

20           By encouraging funding of multi-modal  
21 transportation expansion, this would help alleviate,  
22 and not too much. I will conclude and say thank you  
23 for the opportunity to testify.

24           CHAIRPERSON HOOD: Good. Next.

25           MR. DeSIANO: Thank you. My name is Father

1 Frank DeSiano. I am a Paulist Father. I want to  
2 speak in behalf not only of this project but to put  
3 all the situations of religious communities into a  
4 broader context just so people understand why we're  
5 doing what we're doing and how reluctantly we're  
6 doing what we're doing.

7 Religious life, I think, emerges from a  
8 variety of surprises. Somewhere around 1880 to 1900  
9 many people were attracted to religious life, and  
10 religious communities bought farms and empty land, et  
11 cetera, not far from Catholic University, and we put  
12 up buildings that would hold 50, and then we added to  
13 60, 70, 80, et cetera. And then in 1960, the spirit  
14 of God brings a reversal and a lot of the things that  
15 were done by religious people are now being done by  
16 lay people. And the amount of people in these large  
17 buildings is very small.

18 So, religious communities which do not have a  
19 lot of money, have to try and preserve these  
20 buildings with diminishing resources, diminishing  
21 income, and diminishing personnel.

22 And so, to sell this land is a way for us to  
23 perpetuate our mission and to right-size what we're  
24 trying to do. None of us thought our mission was to  
25 provide acres of green space for the City of

1 Washington, or anywhere else. Our mission was to  
2 preserve a religious vision and to prepare people to  
3 serve a great sacrifice for the good of other people.

4 The changing circumstances have caused  
5 religious communities to try and assess, and say what  
6 can we do to preserve our mission to continue  
7 serving, and to do that in a way where we can  
8 survive. And so, decisions like this I really  
9 support, because I think in the long run they not  
10 only help that institution, but they help the good of  
11 the city and society itself. Thank you.

12 CHAIRPERSON HOOD: Thank you. Next.

13 MS. CORT: Good evening, Commissioners. My  
14 name is Cheryl Cort and I'm with the Coalition for  
15 Smarter Growth, and I've submitted more detailed  
16 comments, and I'll just try to highlight those.

17 We're here because we're very pleased to  
18 express our support for this carefully designed  
19 proposal that will bring 80 new family-sized three  
20 and four-bedroom homes, including 10 of which will be  
21 affordable to a neighborhood within walking and  
22 biking distance of the Brookland Metro Station.

23 Located across the street from the Providence  
24 Hospital and less than a mile from Brookland Metro  
25 station, this development of family-sized housing is

1 a welcome addition to D.C.'s significant housing  
2 need, and a careful fit into the Michigan Park  
3 neighborhood.

4 We'd like to make a couple of specific  
5 comments on the project. First, regarding design and  
6 open space, the design fits new homes in a way that  
7 uses similar densities to the neighborhood, but  
8 preserves the St. Joseph's Seminary building and  
9 landscaping, and preserves most of the mature trees.

10 Clustering open space, rather than allocating  
11 it into individual lots, offers a trade-off worth  
12 making to preserve the character of the historic  
13 seminary site, and provide a playground and common  
14 open space within a few feet of each home, each new  
15 home, as well as amenities for the entire  
16 neighborhood.

17 The playground is a particularly good fit for  
18 family-sized homes. Being the parent of two small  
19 children, I really appreciate that.

20 Regarding transportation, we commend the  
21 installation of a new Capital Bikeshare station and  
22 the other sidewalk improvements, car sharing space,  
23 bike lanes, potential traffic calming, and the  
24 Webster Street connection.

25 The street connection not only enhances the

1 overall street network to improve accessibility for  
2 all modes, it specifically helps neighborhood  
3 residents access the new playground that will be on  
4 the west side, on the 12th Street side of the  
5 property.

6           We ask the Commission and DDOT to ensure that  
7 the design of the Webster Street extension is  
8 seamless with the adjoining roadway segments, rather  
9 than suggesting that users are entering a private and  
10 different space. While the street segment is  
11 technically private, it will be publicly accessible  
12 and help complete a street network. I'd say that a  
13 right in/right out is not consistent with fabric of a  
14 D.C. street network.

15           I wanted to specifically highlight the  
16 importance of a Capital Bikeshare station. This is  
17 going to be a great asset to the neighborhood and to  
18 Providence Hospital, and help make a very -- really  
19 improve the accessibility to the nearby Metro  
20 stations and the 12th Street Business District.

21           The 12th Street bike lanes are potentially a  
22 very beneficial improvement, given the poor design of  
23 this street segment on 12th Street, and offers an  
24 opportunity to build a broader bike network.

25           Allowing on-street parking might also be

1 considered an opportunity for 12th Street to buffer  
2 the street to slow down motorists and be more  
3 consistent with the blocks that are north and south  
4 of this site.

5 Overall, the transportation improvements are  
6 helping to reduce vehicle travel and pollution,  
7 locating the same homes in a less walkable, bikeable,  
8 and transit accessible location would mean more  
9 vehicle travel, pollution, greenhouse gas emissions,  
10 and traffic crashes.

11 Regarding affordable, among the most  
12 important features for this proposal are the 10  
13 affordable three and four-bedroom homes. We commend  
14 the proposal for offering six of the units at 50  
15 percent AMI, which translates into \$200,000 for a  
16 three-bedroom home.

17 The new IZ rules will be in effect, would  
18 require that all of the IZ units be at the 80 percent  
19 AMI level, so the provision of the six 50 percent AMI  
20 units is substantially better than the new IZ policy.  
21 Ironically. So, it's a tradeoff we made in the deal  
22 with improving IZ for rentals.

23 So the provision of the six units is actually  
24 an additional unit at the 50 percent AMI level, which  
25 we really appreciate. It does -- the GFA is 11.2

1 percent, which exceeds the 10 percent requirement,  
2 and the unit count is 12 and a half percent.

3           While we would always like to see additional  
4 affordable units, we recognize that the project  
5 offers an important level of affordability of much  
6 needed three and four-bedroom units, especially the  
7 50 percent AMI level.

8           We are extremely concerned about losing more  
9 IZ units in the face of opposition from some  
10 community members. We appreciate the project has  
11 maintained 10 units, even as the overall project has  
12 been reduced at the PUD stage from 82 units to 80  
13 units. But further reduction in the number of  
14 overall units risks the loss of the affordable units.

15           Therefore, we urge the developer to retain  
16 the 10 units and the six 50-percent AMI units, and we  
17 in turn urge the Commission to support the 80 units,  
18 which will allow the provision of 10 affordable units  
19 with six of them at 50 percent AMI. Thank you.

20           CHAIRPERSON HOOD: Thank you. Next.

21           MR. OLIVER: Yes. My name is Robert Oliver,  
22 and I live at 614 Emerson Street Northeast.

23           First, I would like to say that I am  
24 testifying on behalf of EYA and the project  
25 referenced as Zoning Commission No. 16-17, the parcel

1 at 12th and Varnum Street Northeast.

2 EYA has negotiated with Phelps High School in  
3 Ward 5 to provide real world construction experience  
4 to the Phelps students. EYA and its construction  
5 manager will allow Phelps students on site access to  
6 the construction site. This opportunity allows the  
7 students to view major electrical, plumbing, welding,  
8 and other disciplines.

9 Phelps is a D.C. public school dedicated to  
10 providing construction trade education. The school  
11 is located at 704 26th Street Northeast, Washington,  
12 D.C. Since architecture, construction, and  
13 engineering, or ACE, are at the core of its  
14 curriculum, Phelps is the ideal partner.

15 Whatever the outcome of this hearing, I hope  
16 that EYA will continue its relationship with Phelps  
17 Senior High School, because we can all agree that  
18 student exposure to the latest construction  
19 techniques, beyond the classroom setting, is  
20 priceless. I am glad that EYA supports this effort.

21 And let me also add that I also want to thank  
22 Ronnie Edwards for adding in Luke C. Moore as part of  
23 this. One of the reasons why Phelps was chosen is  
24 because it's an ACE school. Its students are steeped  
25 in this, and they would get the most out of visiting

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 a construction site.

2           However, I am not opposed to other schools  
3 being drawn in, and I think that this is something  
4 that all developers should consider, is bringing in  
5 our trade schools and showing our students how, the  
6 latest techniques in construction, so that when they  
7 get out of school their skills are more relevant.

8 Thank you.

9           CHAIRPERSON HOOD: Okay. Thank you. I think  
10 you all -- hold your seats. Let's see if we have any  
11 questions up here of any of the panel.

12           Mr. Turnbull.

13           MR. TURNBULL: Thank you, Mr. Chair. Ms.  
14 Cort, I zoned out when you were talking about right  
15 in and right out. Could you repeat your comment  
16 again? What were your concerns?

17           MS. CORT: Oh, I mean, it seems like -- I  
18 question the right --

19           MR. TURNBULL: I think you said it wasn't  
20 appropriate or something.

21           MS. CORT: Right. I mean, it would be  
22 completely out of character for the traditional  
23 street network, so I would just question it as an  
24 appropriate treatment for --

25           MR. TURNBULL: Well, I think the applicant's

1 traffic expert was worried about the traffic and the  
2 volume, and that's where I think, where people are  
3 coming from. But, you don't see that as an issue,  
4 then, or --

5 MS. CORT: What's really beneficial is to  
6 have a very connected street network that is  
7 generally two ways.

8 MR. TURNBULL: Right. No, yeah.

9 MS. CORT: They're fully connected,  
10 basically. So the right in/right out sort of would  
11 limit some of the connectivity. And also sort of the  
12 character of the street. I mean, I flag it as  
13 something to evaluate. I think it's out of character  
14 with traditional street grids in D.C.

15 MR. TURNBULL: All right. Okay. Thank you.  
16 And, from --

17 MS. TADDEI: Taddei.

18 MR. TURNBULL: All right. I think I was  
19 going to screw up your name on that. I didn't want  
20 to do that.

21 Thank you for coming. Now, there's going to  
22 be several trees removed.

23 MS. TADDEI: Right.

24 MR. TURNBULL: Which of significant size.  
25 But you're not that concerned from the long run

1 because the canopy is going to be restores. But what  
2 about the actual individual trees? Are you --

3 MS. TADDEI: I'm not as familiar with them  
4 individually. I know a number of them are oak trees  
5 and then some of them are pine trees. But yeah, we  
6 take the long view and I know EYA is planning to  
7 plant a number of trees on the interior. The new  
8 interior streets that will be there. And also some  
9 in the play areas as well, in the park areas.

10 And we've also planted about, I think, three  
11 years ago Casey Trees planted a number of trees. At  
12 least 20, I believe, in the -- fifty. There you go.  
13 Fifty trees in the lawn space in front of the  
14 seminary building. And those are very young still,  
15 so those will also gain canopy.

16 So, in the long-term, we have no net loss in  
17 canopy on this site.

18 MR. TURNBULL: Oh, okay. So, I mean, I guess  
19 what you're saying is that the trees that are going  
20 to be -- the new trees planted will be, when they're  
21 mature, will be of a similar scope and size as to one  
22 that will be removed?

23 MS. TADDEI: When you look at canopy as a  
24 total area for the site.

25 MR. TURNBULL: Right.

1 MS. TADDEI: Yes. So, not -- I don't know,  
2 necessarily, the species that are being selected.

3 MR. TURNBULL: Right.

4 MS. TADDEI: And whether they're comparable  
5 at this point. And I don't think that has been  
6 selected at this point.

7 MR. TURNBULL: Okay.

8 MS. TADDEI: But if you look at the total  
9 area of canopy on this site in the future, compared  
10 to what's there today, it's comparable.

11 MR. TURNBULL: Is it going to be more, or is  
12 it going to be about the same?

13 MS. TADDEI: About the same.

14 MR. TURNBULL: About the same.

15 MS. TADDEI: Yeah. This is about a rough  
16 estimate, but it's about the same.

17 MR. TURNBULL: Okay. Thank you.

18 MS. TADDEI: Sure.

19 CHAIRPERSON HOOD: Any other questions up  
20 here? Commissioner May?

21 MR. MAY: Yeah. Mr. Jordan, we received a  
22 number of letters in the record having to do with  
23 letters that I think that were written addressed to  
24 you that were submitted into the record. And the  
25 people who wrote these letters were disclaiming that

1 they had agreed to those letters being sent on their  
2 behalf, or that they never sent them, or anything  
3 like that. Can you explain that, what happened in  
4 that situation at all?

5 MR. JORDAN: I know I received several form  
6 letters. I want to say probably in October of last  
7 year. Just standard. If you go to EYA's website  
8 today they have a thing where you can put your name,  
9 your address, and --

10 MR. MAY: Right.

11 MR. JORDAN: -- hit send and it came to me.  
12 I received hundreds of those. I can't tell you I've  
13 read all of them. If some were fraudulent or people  
14 don't remember, you know, I can't really speak to  
15 that. I just know that I could go to EYA's website  
16 today and put my name, and it would go to --

17 MR. MAY: So, you didn't solicit these at  
18 all.

19 MR. JORDAN: No.

20 MR. MAY: But they were just generated  
21 somehow through an online system?

22 MR. JORDAN: That's correct.

23 MR. MAY: Okay. All right. Thank you.

24 CHAIRPERSON HOOD: And let me come back to  
25 you also, Mr. Jordan. I think you brought another



1           Whoever you're probably not going to answer a  
2 question to, they can just -- they can just excuse  
3 themselves. Whichever seat you want, who you're not  
4 going to ask a question to. Okay.

5           He ran away, so he's all right.

6           MR. FEELEY: I just had a question for our  
7 two members, or two people who testified for not for  
8 profits. Has Casey Trees or Coalition for Smarter  
9 Growth, either of your organizations received any  
10 financial benefits from the developer?

11          MS. TADDEI: No.

12          MS. CORT: Yes. It's, EYA is a corporate  
13 contributor to us.

14          MR. FEELEY: Oh, okay. Thank you.

15          CHAIRPERSON HOOD: Okay. Thank you. Let's  
16 see, Mr. Brown, you have any cross? No questions?

17          Thank you all very much. We appreciate it.

18          Let's call the next panel up. Tim Thomas.  
19 My board has gone again. What was the -- Angel  
20 Moore. Moira McCauley. Darren Flusche. Terrance  
21 McEachern.

22          Does it keep starting all over? I'm already  
23 mixed up.

24          MS. SCHELLIN: Some of them preregistered and  
25 then when they came in tonight they registered again.

1 CHAIRPERSON HOOD: Okay.

2 MS. SCHELLIN: So, that's why you're seeing  
3 the same names.

4 CHAIRPERSON HOOD: Okay. So, we're at 26.  
5 It keeps jumping back. So, 26 must be it. If it  
6 jumps back again then that's it. Okay.

7 Is there anyone else who is here who would  
8 like to testify in support? Brian Becker. Okay. Is  
9 there anyone else who would like to testify in  
10 support?

11 Okay, Mr. Thomas, we'll start with you. Is  
12 your mic on? Turn your mic on. Believe it or not,  
13 we want to hear you.

14 MR. THOMAS: Thank you. My name is Timothy  
15 Thomas. I'm a lifelong resident from Ward 5, over 60  
16 years. I was the president of the Queens Chapel  
17 Civic Association when the project was first brought  
18 to our attention. I'm sitting in for our new  
19 president who had to leave to go out of town on  
20 emergency.

21 Queens Chapel Civic Association, like other  
22 civic groups, have participated in dialog information  
23 with EYA staff for over the past two years regarding  
24 the development of the Josephite project.

25 The civic association feels comfortable when

1 dealing with ERA (sic) regarding the new project and  
2 feels that ERA (sic) has listened to the community  
3 and the Queens Chapel Civic Association regarding  
4 their concerns about the project at the Josephites.

5           One of the biggest problems we had, and EYA  
6 had agreed to an amenities practice, is to safeguard  
7 the traffic from coming through the 1600 block, 1700  
8 block of Webster Street, and the 1600 block of Varnum  
9 Place Northeast. Varnum Place Northeast, yeah.  
10 Varnum Place Northeast. And we'll coordinate it with  
11 DDOT to make sure that the trucks will stay on the  
12 main street on Michigan Avenue, hit South Dakota,  
13 where the project is, so that it would not be cutting  
14 through the neighborhood.

15           Those two main fares are -- have been paved  
16 by the federal government, so we hope they will abide  
17 by that and not come through the neighborhood with  
18 dust, as it did with the project up on 9th Street.

19           Regarding the ANC, I'm in ANC 5B. Our ANC  
20 representative never came one time to talk to us  
21 about EYA project, the last two years. Never. Not  
22 one time.

23           We only got word from 5A about the project  
24 after talking to them, and they asked us to support  
25 them. They had been to their meeting several times.

1 We have actually went to their meeting.

2 To this day, our ANC person never asked us to  
3 vote up or down, but yet we understand that she voted  
4 for the project. Thank you very much.

5 CHAIRPERSON HOOD: Thank you. Next.

6 MS. MOORE: Good evening, Commissioners. My  
7 name is Angel Moore and I live on Sargent Road  
8 Northeast. I'm a long-term resident of Michigan Park  
9 neighborhood, in which the St. Joseph's Seminary and  
10 proposed 12th Street and Allison townhouse  
11 development is located.

12 I would like to express my strong support for  
13 EYA's proposal for 80 townhouses, and more than 2.5  
14 acres of open park space that will be made formally  
15 accessible to the public.

16 Over the past year and year and a half, EYA  
17 has engaged hundreds of community members, and  
18 presented the project on more than two dozen  
19 occasions, and have made numerous of dramatic design  
20 changes to meet the requested modifications and  
21 suggestions by the community.

22 As a single mother I understand the district-  
23 wide need for the new housing units for single  
24 household and young families. As a mother who wants  
25 to raise her child in the same neighborhood and

1 empowering environment that I was raised, providing  
2 him with a positive view of community is my vision  
3 and goal. I resisted the temptation to stereotype  
4 older homeowners. For they have been the foundation  
5 on which this community was built and sustained on.

6           The EYA development will provide the  
7 opportunity for the legacy of community to continue.  
8 Like several other of my neighbors who support the  
9 project, I am also concerned that if the PUD  
10 application request for a zoning variance for this  
11 project is rejected, it would lead to the seminary  
12 having to partner with another developer who would  
13 not include any community design input, park space,  
14 or other affordable housing.

15           With this project, EYA will set a new  
16 standard in providing affordable housing in the  
17 District of Columbia. Six of the affordable units  
18 will be three-bedroom units, affordable for residents  
19 making less than 50 percent of the area median  
20 income. For the four will be affordable for  
21 residents making less than the 80 percent AMI.

22           The affordable units will sell between  
23 200,000 and 350,000, a price range that is in reach  
24 for someone like myself.

25           If this development is not approved it would

1 be a missed opportunity and heartbreaking in  
2 proportions. The townhouses in the existing  
3 neighborhood. The plan is respectful of the historic  
4 seminary and preserves open space for the public  
5 while enhancing Michigan Park.

6 Thank you again.

7 CHAIRPERSON HOOD: Thank you. Next.

8 MS. McCAULEY: Good evening. My name is  
9 Moira McCauley and I'm a neighbor of the project, a  
10 few blocks to the south.

11 I am well aware, as the niece of the head of  
12 a religious order, about all of the challenges that  
13 face religious orders in this century. And so, I  
14 really feel for the Josephites. I think they've been  
15 incredibly generous with their land, allowing people  
16 from Brookland and Michigan Park and neighboring  
17 communities to use their open space, which was  
18 private and remains private at this moment.

19 I am so happy that given their need to sell  
20 their property, that they have partnered with a  
21 developer like EYA that has been so respectful to the  
22 community, working with -- or holding a number of  
23 meetings to get feedback from the community and  
24 adjusting their designs accordingly. I'm incredibly  
25 impressed with what they've come up with and how the

1 plan has changed over time.

2 I am here in support of the plan to build 80  
3 townhomes that, to my mind, resemble the houses all  
4 around them very well. And to also provide such a  
5 generous open space in the 2.5 acre southern and side  
6 portions, in addition to the green inside the  
7 community and the playground, and I'm especially  
8 excited about the Capital Bikeshare station that will  
9 connect this community with the 12th Street business  
10 strip.

11 I am here tonight speaking on behalf of  
12 myself, but I happen to represent Ward 5 on the  
13 Pedestrian Advisory Council, and so I think that the  
14 plan is very good at making this a more walkable  
15 connected community. One of the challenges to living  
16 in Ward 5 is that there's so many institutions and it  
17 can be hard to walk through an institution. And so,  
18 I really enjoy that this project has reconnected  
19 Webster Street and has actually activated 12th Street  
20 by putting the playground there and leaving the open  
21 space to the south.

22 So, I think it's got a lot of benefits for  
23 pedestrians. The cross-walk improvements and corner  
24 ADA improvements will also be really helpful for the  
25 neighborhood.

1 I also want to just say briefly, on 12th  
2 Street we've seen many businesses close over the past  
3 year or two, and to my mind something that our  
4 community needs is a little bit more density done  
5 respectfully so that we can support those businesses  
6 and provide clients for the retail shops, the  
7 restaurants, the corner stores that have been closing  
8 lately. So, that's another benefit that I see to  
9 this development. Thank you.

10 CHAIRPERSON HOOD: Thank you. Next.

11 MR. FLUSCHE: Hi. I'm not going to use the  
12 full three minutes, but I'm a neighbor. I live on  
13 Perry Street and 12th, right by the Yes organic  
14 market. I'm sure everybody knows.

15 And so, I'm excited about the bike lanes. I  
16 think the bike lanes on 12th Street will be really  
17 good for my commute. I might use them instead of the  
18 Met Branch Trail.

19 The District is adding about 10,000 residents  
20 a year, and I think as we add those, it raises demand  
21 for the housing that we have, so adding housing is  
22 good. And placing those new residents near Metro  
23 stations is really important. So, I think that this  
24 project serves those goals really well. Thank you.

25 CHAIRPERSON HOOD: Can you identify yourself?

1 MR. FLUSCHE: Yes, Darren Flusche.

2 CHAIRPERSON HOOD: We just want to know who's  
3 going to be riding that bike, okay?

4 MR. FLUSCHE: Yeah.

5 CHAIRPERSON HOOD: Next.

6 MR. BECKER: Good evening. My name is Brian  
7 Becker and I'm with the Washington Jesuit Academy.  
8 For those that don't know, we're located at 900  
9 Varnum Street, so right around the corner.

10 We serve a population, it's a tuition-free  
11 private school, and we serve 100 percent of our  
12 students on the free reduced lunch scale. So, the  
13 portion of this project that speaks to me,  
14 personally, as well as the mission of the school,  
15 happens to do with the affordable housing units.

16 In my prior position at the school, I was in  
17 charge of student affairs. And so, I often was  
18 working with our social workers to find housing for  
19 families that had been displaced. And so, that  
20 speaks to me on a very powerful level. And the size  
21 in particular, being three and four-bedroom units, is  
22 something that I know our families would benefit  
23 from, should they be so lucky.

24 On a more personal note, we used the baseball  
25 field of St. Joseph's, and I was elected to break

1 then news to our coach that the field was being  
2 repurposed. And as a former prosecutor that took a  
3 little bit of courage on my part. But I've been  
4 supremely impressed with the conscientious attempts  
5 by EYA to reach out in the community. On a number of  
6 occasions they've taken the time to tour our school,  
7 to find out about our mission, and to talk to some  
8 students in some cases to see who we are and what  
9 makes us tick.

10 I had to say, that was unexpected. And so,  
11 when addressing the need to find a new baseball  
12 field, they even offered to help us kind of look  
13 around Google Maps and see if there might be  
14 somewhere else. Turkey Thicket is pretty busy these  
15 days, but otherwise in the area, that we could use.

16 So, like I said, I've been impressed with  
17 their approach from the beginning, and I think that  
18 for the needs of the families that we serve, they're  
19 very much in line with our mission. So that's why I  
20 support it.

21 CHAIRPERSON HOOD: Thank you all very much.  
22 Let's see if we have any questions, comments up here.  
23 Vice Chair Miller?

24 MR. MILLER: So, Mr. Becker, did you find a  
25 baseball field yet?

1 MR. BECKER: Not yet, but I actually -- the  
2 delay so far has benefitted. So, I think we're 0 and  
3 2, but we're working on it. So, if anybody has  
4 suggestions, we'll talk offline.

5 CHAIRPERSON HOOD: Okay. Any other questions  
6 or comments up here?

7 Okay. Let's go to the applicant. You have  
8 any cross? Okay, I think Mr. Chairman Edwards has  
9 left.

10 Commissioner Feeley, you have any cross?

11 [No audible response.]

12 CHAIRPERSON HOOD: And, Mr. Brown?

13 [No audible response.]

14 CHAIRPERSON HOOD: Okay. Thank you all very  
15 much. We appreciate it.

16 Okay. That was our individuals in support.  
17 Let's to go to the party in opposition. Mr. Brown,  
18 if you could come up, you have up until 45 minutes.  
19 Just let me know if you need all 45 minutes.

20 Now, how many people do I have who are still  
21 remaining who are here to testify in opposition? If  
22 you'll just raise your hand?

23 Okay. We're going to finish tonight for  
24 sure.

25 Okay, just raise your hands again because

1 some hands still going up. Okay. Okay. We can  
2 finish tonight. I think we can. There's only about  
3 -- Mr. Brown, how much time do you need? You have up  
4 until 45 minutes.

5 MR. BROWN: I'm going to take about 15 and  
6 the other seven witnesses are going to divide up  
7 about 30 minutes. So, I think we're going to need  
8 all the time, I'm sorry to say.

9 CHAIRPERSON HOOD: Okay.

10 MR. BROWN: But we'll move along as quickly  
11 as we can.

12 CHAIRPERSON HOOD: Okay. So, let me just say  
13 this to those who are waiting. I probably won't get  
14 to you until about 10:35 or 10:40. And I'm sorry  
15 about that, but we should finish tonight. I don't  
16 want you to have to come back down for another night,  
17 if you can just hold tight.

18 Okay. Mr. Brown.

19 MR. BROWN: Good evening again, Mr. Chairman  
20 and members of the Commission. David Brown for the  
21 Residents for Responsible Development of St. Joseph,  
22 about 10 homeowners within 200 feet of the part of  
23 the St. Joseph Seminary property proposed for  
24 redevelopment.

25 They have come together to voice their

1 collective concerns about the project. I want to  
2 first emphasize what it is about the project that the  
3 residents do not object to, as this establishes the  
4 framework for their concerns, and it is no accident  
5 that their name is a positive sounding name. They  
6 are for responsible development of this property.

7 First, they acknowledge and respect the  
8 Josephite desire to further their mission with the  
9 economic gain from selling, for development, the four  
10 acres, have open space north of the seminary.

11 Second, the residents recognize that despite  
12 the tremendous community amenity this open space has  
13 been over the years, it is not public space and it's  
14 not a likely candidate for becoming a public park.

15 This leads to a third point. Responsible  
16 context sensitive development of this four acres is  
17 the appropriate end result, one the residents  
18 support.

19 Fourth, by-right development of this four  
20 acres within existing R-2 Zoning development  
21 standards simply could not be deemed objectionable.

22 Fifth, it follows that townhomes at three  
23 stories and 40 feet in height, the development  
24 standards for that zone, could be built by-right  
25 without objection, even if the surrounding R-2 Zone

1 properties are predominantly lower at two stories.

2 Sixth, it is not unreasonable to expect  
3 single-family dwellings built for the 2017 market to  
4 be larger than those built 70 or 80 years ago during  
5 a very different time. So, while residents would  
6 love to see a perfect match between the established  
7 neighborhood, and the newcomer development, they  
8 recognize that that is simply unrealistic.

9 Nevertheless, the residents are not here to  
10 be a cheerleader for the EYA project. Their concerns  
11 about it have been detailed in their prehearing  
12 statement, and I want to briefly summarize those  
13 concerns tonight.

14 First on density. The residents' principle  
15 concern is about the density of the project, the  
16 sheer number of townhomes proposed to be jammed into  
17 the 44 acres. Eighty.

18 Residents do not applaud EYA for coming down  
19 from higher three-figure numbers in earlier  
20 iterations of the project. They were unrealistic to  
21 begin with.

22 Eighty units on four acres is 20 units per  
23 acre. But EYA's project sheet, which has been  
24 slightly modified tonight, project sheet 29, shows  
25 that they have looked at the density of surrounding

1 R-2 squares. They are mostly below 10 units per  
2 acre, and a few squares to the north are in the 11 to  
3 12 unit per acre range. But EYA shows the PUD site  
4 at, well, initially 10, but tonight 10.5 units per  
5 acre, not 20.

6           How do they get to this figure? They use the  
7 eight acres of the PUD site, including the four acres  
8 where no development will occur, so 80 divided by  
9 eight, is 10. OP has agreed with this arithmetic.  
10 Here's a quote from their report. Sheet 29 of  
11 Exhibit 15-H shows that the proposed density of the  
12 PUD site, 10 units per acre, would be compatible to  
13 the density in surrounding squares.

14           That's at page 9 of Exhibit 36. This would  
15 make sense if the southern half of the eight acres  
16 were all open space. But that's not the situation.  
17 That four acres contains the Josephite Seminary,  
18 which is quite massive in its own right, adding  
19 greatly to the overall density of the PUD site. It  
20 cannot be ignored in determining an appropriate level  
21 of density for the rest of the property.

22           Now, our prehearing statement addressed this  
23 problem by first looking at the density of the four  
24 acres itself, slated for development. And we did  
25 that in all three ways density may be counted,

1 dwelling units per acre, FAR, and lot occupancy. No  
2 one else has done the math for you.

3 On dwelling units per acre, residents show  
4 that the actual number is more like 28 units per acre  
5 than 20, because it is appropriate to exclude the  
6 area devoted to private streets, which here is more  
7 than an acre.

8 On FAR, residents show that the FAR is  
9 actually 1.45, which is not only a lot more than the  
10 .96 claim, it's also well beyond the stated IZ  
11 maximum under the RA-1 Zone, which is 1.296.

12 On lot occupancy residents have shown that  
13 lot occupancy of the four acres to be developed would  
14 be over 72 percent, well above the RA maximum of 40  
15 percent, as well as above the R-2 maximum of 60  
16 percent.

17 Now, these numbers, of course, are not the  
18 end of the story. EYA seeks to add to the density of  
19 the developed area by leaving the open space on the  
20 southern half of the property open space, dedicated  
21 so in perpetuity.

22 In fact, EYA effectively seeks the double  
23 benefit of counting this space to add to density on  
24 the northern half and also characterizing the open  
25 space as a PUD amenity. Even so, the density credit

1 here should be no more than what is due from the open  
2 space. Not the entire area given the substantial  
3 footprint and gross floor area of the seminary  
4 building, which will remain.

5           Again, residents have done the math in their  
6 prehearing statement. They show that with an average  
7 townhome floor area of a little over 2,200 square  
8 feet, the seminary building adds the equivalent of 46  
9 units to the 80 proposed for an eight-acre average of  
10 80 plus 46 over eight, or 15.75 units an acre.

11           This is substantially higher than the square  
12 on sheet 29, with the greatest number of dwelling  
13 units per acre, 12.3 in the area just north of the  
14 property.

15           So, generously to EYA, residents used this  
16 12.3 neighborhood maximum density as a yardstick, and  
17 multiply it by the acreage of the entire PUD site,  
18 after deducting from the eight acres, the amount of  
19 land needed to legitimize the seminary in the RA-1  
20 Zone at .9 FAR. That is more than just the  
21 footprint, which is the result of the figures that  
22 you see here. They eliminated the footprint. What  
23 we reduced it by was the amount of land necessary to  
24 legitimize that building at .9 FAR, which is roughly  
25 115,000 square feet, rather than 20,000 square feet.

1           So, what they really have is open space  
2 available for density credit is 5.36 acres. We  
3 multiplied that number times 12.3, the highest  
4 density in the neighborhood, and we came out with 66  
5 units, 14 less than proposed.

6           So, we've looked closely at the current site  
7 plan to determine whether it can be tweaked to reduce  
8 the number of units from 80 to 66, rather than  
9 completely redone. These are not architectural  
10 experts here, but the results of this effort are  
11 shown in in an attachment to the prehearing  
12 statement.

13           Residents believe the plan does not have to  
14 go through major revision. They've indicated with a  
15 black X on that exhibit, the 14 units they believe  
16 would not just reduce the density, but at the same  
17 time greatly improve the compatibility of the project  
18 with adjacent and confronting existing homes in the  
19 neighborhood, as well as I might add, address a  
20 number of the concerns I've heard from the Commission  
21 tonight.

22           Now, my other witnesses will speak to the  
23 particular choices made, but their rationale is also  
24 included in our prehearing statement. Now, of course  
25 this is hardly a take it or leave it suggestion.

1 Residents would be very pleased to work with EYA to  
2 achieve the best possible 66-unit plan. We think it  
3 could be done with no real material change in the  
4 DDOT approved site design and access endorsement that  
5 this project already has.

6 Next, on the issue of Comprehensive Plan in  
7 consistency. The FLUM states that when an  
8 institutional use is redeveloped, the new zone  
9 designation should be comparable in density or  
10 intensity to those in the vicinity. You heard that  
11 from Mr. Jesick earlier.

12 FLUM consistency in this case would be  
13 redevelopment as an R-2 property, not RA-1 as Mr.  
14 Feeley said. But if density is kept under control,  
15 and within reason as suggested by the mathematics of  
16 a reasonable density crediting process here, yielding  
17 66 instead of 80 units, I think the RA-1 designation  
18 is a plausible outcome under the FLUM.

19 As for the various policies highlighted by  
20 EYA as being furthered by the project, in just about  
21 every instance, to the extent EYA is correct, and  
22 they may be largely correct, a project with  
23 appropriately reduced density would further the  
24 designated policy more fully and strongly.

25 Just as one example, EYA says that under the

1 environmental protection element, trees and  
2 landscaping will be included in project design.  
3 Great. But currently EYA is seeking a permit to  
4 remove two trees that would be heritage trees under  
5 existing law, claiming they're not protected because  
6 they got their -- they applied for their special tree  
7 permit removals before the deadline.

8           There is no -- there would be no need for  
9 such permits under the resident's reduced density  
10 proposal because among the units that we slated for  
11 removal were the ones that would no longer be  
12 necessary to take the trees down.

13           Other concerns about Comprehensive  
14 inconsistency are detailed in our prehearing  
15 statement and in our testimony.

16           On the issue of variances, the residents  
17 oppose the variance request for relief from the rear  
18 and side yard requirements and lot occupancy. It's  
19 not clear whether any of these variances would be  
20 needed with a 66-unit plan, but residents would  
21 likely not object at that level of density if the  
22 revised plan did a good job of addressing  
23 compatibility concerns.

24           At present, as to all three variances, EYA  
25 fails on all three prongs of the variance test.

1 First, there's no showing that the part of the  
2 property to undergo development is unique, or quote,  
3 affected by an exceptional or extraordinary situation  
4 or condition that would impair conventional RA-1  
5 development in any way.

6 Second, there's no proof EYA would encounter  
7 practical difficulty in building a zone complaint RA-  
8 1 development on that part of the property. Third,  
9 granting variances to achieve a density well in  
10 excess of what would be permitted under R-2 zoning  
11 will substantially impair the zone plan.

12 The prehearing statement presents our  
13 analysis of the deficiencies in the variance  
14 applications in greater detail.

15 Finally, the prehearing statement briefly  
16 discusses a few other issues that the residents feel  
17 merit attention, which they will also address in  
18 greater detail.

19 Very briefly, it should be a condition of  
20 approval that all the townhouse facades visible from  
21 a public or private street will be brick. It should  
22 be a condition of approval that the HOA would control  
23 the use of the rooftop decks, both as to hours and  
24 noise.

25 Third, the residents favored DDOT designation

1 of Allison Street Northeast as a one-way eastbound  
2 street.

3 Fourth, the new homeowners in the project  
4 should be deemed ineligible for the RPP program given  
5 their exclusive use of the private streets for  
6 parking.

7 Fifth, residents do not object to a  
8 characterization of the preservation of the open  
9 space around the PUD building as a PUD public  
10 benefit, despite the double-counting, so long as  
11 appropriate adjustment is made. Call it double-  
12 counting within reason.

13 Six, residents hope to participate in the  
14 public art process.

15 Seventh, the bikeshare station should be  
16 along 12th Street between the bus stop and the  
17 seminary building.

18 And lastly, the residents' prehearing  
19 statement details several ways in which they would  
20 like to see the construction management program be  
21 modified to enhance protection of neighboring  
22 properties during construction.

23 And I'll let my witnesses identify themselves  
24 if that's all right.

25 MS. MELGAREJO: Dear Commissioners, thank you

1 for letting me speak to you this evening. My name is  
2 Carrie Hubbell Melgarejo, and I live at 4614 12th  
3 Street Northeast, within 200 feet of the seminary.

4 We need you to know that in case 16-17  
5 Advisory Neighborhood Commissioner 5A should not be  
6 granted great weight. Its resolution regarding this  
7 case should be disregarded entirely. According to  
8 the District of Columbia's website, the ANC's main  
9 job is to be their neighborhood's official voice in  
10 advising the District Government and federal agencies  
11 on things that affect their neighborhoods.

12 The ANC 5B commissioner, as you've seen  
13 tonight, does a great job at being his neighborhood's  
14 voice. We hoped that our then commissioner of 5A-03  
15 would do the same, but he did not. And when we tried  
16 to involve the previous 5A chair, she also declined  
17 to do so, despite being listed on the Zoning  
18 Commission's website as point of contact.

19 We hoped things would improve with the  
20 replacement of those two representatives, but they  
21 seem to have gotten worse. The new 5A-03  
22 commissioner, Keisha Cofield-Lynch, elected in  
23 November, has been even more remiss in representing  
24 us. She's held no 5A-03 meetings despite requests on  
25 at least four occasions from constituents.

1           On March 7th, she said she'd plan to have one  
2 soon, but then we heard nothing more from her until  
3 the March 22nd ANC meeting when she showed a flyer  
4 for a meeting that nobody we know had heard about.

5           We're unaware of any efforts on her part to  
6 obtain the neighborhood's input before that March  
7 22nd meeting when 5A unanimously approved the  
8 application. At that meeting, constituents were not  
9 allowed to take the floor, and those present could  
10 see and hear, anybody who was there could see and  
11 hear that that vote was not 5A representing the  
12 neighborhood's voice.

13           For reference, every time the neighborhood  
14 has voted, the outcome has been strongly in  
15 opposition. Like, 80 percent against, 90 percent  
16 later. Ninety percent against. And they voted in  
17 favor.

18           In summary, examples of our lack of  
19 representation by 5A, threatening the community if  
20 they speak up, providing information to the applicant  
21 before providing it to the community, allowing the  
22 applicant to advertise on 5A-03's behalf, inviting  
23 the applicant to community meetings, creating what  
24 felt like a preemptive mock Zoning Commission  
25 hearing, absence from the 5A Commission as a whole

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 role, and the single-member district role, lack of  
2 timely notification to community, and lack of timely  
3 notification to Zoning.

4           One example in detail, when asked to try to  
5 obtain a list of 200-footers, the former 5A-03  
6 Commissioner threatened us. He said, "I have  
7 counseled a course of action. You have obviously  
8 organized to continue a course of action I disagree  
9 with and that I truly believe will hurt your end  
10 goal. Asking DCRA to provide a list of 200-footers  
11 prior to an actual submission of a PUD will only  
12 serve to diminish 5A's great weight when it comes  
13 time to testify in front of the Zoning Commission."

14           He also falsely indicated at a 5A-03 meeting  
15 that if we, or 5A opposed the application, we lose  
16 our ability be heard. Knowing the majority of the  
17 community is against the application, the 5A-03  
18 Commissioner repeatedly decided that he didn't want  
19 to voice that.

20           5A's unanimous vote to support the  
21 application makes a mockery of the ANC system. In  
22 contrast, the 5B-05 commissioner is the voice of the  
23 200-footers on that side of the property, and he put  
24 forth a resolution in opposition, and his colleagues  
25 supported him.

1           It is in fact disturbing that 5A tried to  
2 take away the voice of 5B, and that the 5A resolution  
3 erroneously claims that the primary concerns  
4 mentioned in the 5B opposition resolution had been  
5 resolved.

6           In stating this, 5A is trying to take away  
7 the voice of 5B-05 residents, who have been  
8 represented by their commissioner. When the 5A-03  
9 commissioners, both of them, the old one and the new  
10 one, have -- the 5A commission have refused to do so.

11           Therefore, ANC 5A should not be given great  
12 weight in this matter, and the only ANC that should  
13 be given great weight is the one representing the  
14 other 200-footers. That is ANC 5B. Thank you.

15           MR. PEASE: Mr. Chairman and fellow  
16 commissioners. My name is Greg Pease. I live at  
17 4630 12th Street, a half block away from EYA's  
18 proposed development of 80 new townhomes. I've been  
19 there for 37 years.

20           And so I want to say a few words about  
21 traffic and parking problems in the neighborhood, and  
22 our fears about the project's potential to make them  
23 worse.

24           In recent years, our neighborhood has  
25 experienced a severe increase in traffic congestion,

1 caused by commuter use of neighborhood streets and  
2 multiple additions to Providence Hospital. EYA's  
3 traffic study does not reflect the traffic intensity  
4 that we neighbors on 12th Street, Sargent Road, and  
5 13th Street, and Allison Street, experience every  
6 day. Traffic backs up for several hours during the  
7 morning rush, as commuters use 12th and 13th Streets  
8 en route to downtown destinations, and as hospital  
9 employees use those streets in getting to and from  
10 work.

11 Part of the congestion problem is inherent in  
12 the city's street grid, because 12th and 13th Streets  
13 bear the brunt of north/south traffic in upper  
14 Northeast. The lack of alternative north/south  
15 thoroughfares forces much through traffic on to 12th  
16 and 13th. And the traffic burden on these streets is  
17 aggravated by the hospital, whose employees,  
18 patients, and visitors access hospital parking areas  
19 through the entrance driveway at 12th and Allison.

20 I live right down the block from the corner  
21 of 12th and Allison. EYA's transportation study  
22 acknowledges that this four-way stop intersection has  
23 multiple failures. It awards this intersection the  
24 most Es and Fs in a grade range where A is the best  
25 and F is the worst.

1           The study states that the southbound  
2 approaches to the intersections of Sargent and  
3 Allison, and 12th and Allison, quote, operate at  
4 unacceptable conditions. But then it concludes that  
5 quote, since all of these unacceptable conditions  
6 predate the development, and the incremental increase  
7 in delay at each location is below DDOT's traffic  
8 impact thresholds, the development is determined to  
9 have no detrimental impacts. In other words, the  
10 situation is already bad, so adding 80 townhouses is  
11 negligible.

12           As neighboring homeowners, we see the  
13 situation somewhat differently. We know that new  
14 developments, like the huge complex at Fort Totten,  
15 will add to the existing north/south traffic burden.  
16 To us, adding yet another burden right here in our  
17 midst will only exacerbate a bad situation. To us,  
18 it defies common sense to conclude that 80 new  
19 housing units with two-car garages and on-street  
20 parking will not add to the quote, "unacceptable  
21 conditions" identified by the study.

22           The traffic study's queuing analysis also  
23 seems inadequate. Table 5's display of peak hour  
24 queuing results reveals that for the most egregious  
25 intersection in the study, 12th and Allison, the data

1 for queuing conditions are quote, not available. Yet  
2 somehow that assessment leads to the conclusion that  
3 EYA's project will have no detrimental traffic  
4 impacts.

5           The study also claims that the extension of  
6 Webster Street from 12th to 13th, will provide  
7 porosity to the street grid, while ensuring that the  
8 homeowner's association remains control over this  
9 private street. But then it goes on to say that  
10 there will be minimal cut through traffic from  
11 through vehicles or ambulances, citing traffic  
12 calming measures like speed bumps.

13           So, which is it? An enhancement of  
14 neighborhood traffic flow under the rubric of greater  
15 porosity? Or an interior private street that will  
16 primarily serve the new residents? We think it's the  
17 later and we believe EYA should not be given credit  
18 for adding greater porosity to the street grid.

19           I'd like to say a few words about parking.  
20 Currently there's unrestricted parking on the blocks  
21 of 12th and Allison nearest the hospital. Employees  
22 and visitors help themselves to on-street parking  
23 places despite the acres of parking lots created by  
24 the hospital. So residents around the proposed  
25 project are worried that new houses will add to our

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 parking problems. EYA professes to have adequate  
2 garage spaces and interior street parking spaces for  
3 its own residents. It intends to restrict parking in  
4 the new development to residents only. However,  
5 nothing would prevent those new residents or their  
6 visitors from parking on nearby unrestricted streets.  
7 The result would be that outside neighbors like me,  
8 who park on the new development's private streets,  
9 could be towed by the homeowner's association, but  
10 homeowners and visitors in the new development could  
11 park on nearby public streets with impunity.

12 In sum, we believe that a densely packed  
13 cluster of 80 new townhomes is just too big for the  
14 neighborhood and would create additional traffic and  
15 parking problems on an already stressed street grid.

16 I'd also like to point out that EYA's  
17 collection of letters of support for their project  
18 indicates very little support in their relevant  
19 neighborhood. As of this morning, I counted 141  
20 letters of support in the record. I heard earlier  
21 this evening, 149. Only 15 of these letters are from  
22 neighbors who reside in ANC 5A-3, the single member  
23 district where the project lies, or within 200 feet  
24 of the project's southern boundary in ANC 5B. And  
25 the few of those letters are reiterations of support

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 by the same person.

2           The vast majority of the support letters in  
3 the record are form letters. And a large portion of  
4 them come from far flung locations in the Northwest,  
5 Southwest, and Southeast quadrants.

6           So, we hope that the Zoning Commission will  
7 focus on the location and appropriate size of the new  
8 development at issue, not on generalized expressions  
9 of support for more housing resources in the city.  
10 Thank you.

11           MR. MELGAREJO: Good evening, Mr. Chairman.  
12 My name is Pablo Melgarejo. I live on 4614 12th  
13 Street Northeast, and tonight I'm reading a statement  
14 for one of our neighbors, Larry O'Neil (phonetic),  
15 who lives on 1312 Webster Street Northeast.

16           I live within 200 feet of the property EYA  
17 development site. While I recognize the right of St.  
18 Joseph's Seminar (sic) to sell its property, and I  
19 understand the need for housing in the city, I'm very  
20 concerned about the impact 80 homes will have on  
21 traffic and the overall character and safety of the  
22 neighborhood.

23           I have lived in on Webster Street for over  
24 three years, and drive to work daily. Every morning  
25 13th Street and 12th Street north of Michigan Avenue

1 experience significant congestion until approximate  
2 9:00 a.m. On any given day I can sit in traffic for  
3 over 10 minutes simply to travel two blocks. Taylor  
4 Street and 12th Street are one lane in each direction  
5 and are consistently clogged with cars moving at  
6 barely five miles per hour. Daily, I witness drives  
7 speeding through alleys, swerving around trash cans  
8 and open gates to avoid the congestion of these  
9 roads.

10 The addition of 80 households will not be  
11 without impact on these one-lane roads. The increase  
12 in the number of vehicles will make driving in the  
13 neighborhood more difficult and dangerous.  
14 Furthermore, it is unreasonable to think 80 new homes  
15 will not have an impact on the street parking. The  
16 area around the proposed development does not require  
17 residential parking permits for street parking. This  
18 allows anyone to park in the neighborhood, regardless  
19 of whether they live here.

20 On any given day, cars, many with tags from  
21 outside the District, line the east side for 13th  
22 Street from Varnum to Buchanan. Additionally, parked  
23 cars frequently obstruct the view of Webster Street.  
24 Drivers attempting to turn left or right on to 13th  
25 Street, Sargent Road, created a dangerous

1 intersection.

2 I feel the increase in traffic, combined with  
3 the greater number of cars parked on the street will  
4 only exacerbate the dangers of these intersections.  
5 EYA cannot guarantee that no under each residence or  
6 their guests will not park on 13th Street, or Webster  
7 Street, or any nearby streets. EYA cannot guarantee  
8 currently available street parking will remain  
9 available to current residents.

10 I moved from the Bloomingdale neighborhood  
11 where I would rush home from work. Not to spend time  
12 with friends and neighbors, but to secure parking on  
13 my street. I do not want to experience that level of  
14 stress again.

15 Without restricted residential parking for  
16 residents on streets neighboring the EYA development,  
17 there is nothing preventing EYA residents and their  
18 visitors from parking through the neighborhood, thus  
19 limiting access to parking for the rest of us. The  
20 neighborhood cannot accommodate the additional cars  
21 from residents and the guests of 80 households.

22 Thank you, Mr. Chairman.

23 MS. BRYANT: Good evening. My name is  
24 Astaire Bryant. I live at 4515 Sargent Road,  
25 Northeast. Right across the street from St. Joseph's

1 Seminary. I am writing to express -- or testifying  
2 to express my opposition to the EYA proposed PUD,  
3 case 16-17.

4 I'm a native Washingtonian, raised in the  
5 Brookland neighborhood behind the monastery. I have  
6 owned my present residence across the street from St.  
7 Joseph's Seminary, since 1982. I have raised my own  
8 family in this home.

9 Over the years this neighborhood has remained  
10 stable, even during the challenges of drugs and  
11 violence in nearby neighborhoods. The proposed  
12 development of the St. Joseph's Seminary property by  
13 EYA poses an equal threat to that stability.

14 13th Street turns into Sargent Road on my  
15 block. It is a major commuter route in the morning,  
16 going south toward Michigan and Rhode Island Avenues,  
17 in the evening beginning around 3:00 p.m. until about  
18 8:00 p.m., those same commuters are leaving the  
19 center city, going back to Maryland.

20 During the weekends, if there is an event at  
21 the Verizon Center or Nationals Park, there is the  
22 same amount of traffic coming and going.

23 Across the street, on the property of the  
24 proposed development, there are two very large  
25 healthy beautiful heritage trees. I believe you have

1 pictures of these trees. In the Department of  
2 Transportation report, heritage trees are defined as  
3 a tree with a circumference of 100 inches or more,  
4 and are protected by the Tree Canopy Protection  
5 Amendment Act of 2016. Non-hazardous heritage trees  
6 may not be damaged or removed.

7           The Department of Transportation report  
8 describes the status of heritage trees on this  
9 property. The applicant has proposed that all of the  
10 heritage trees, except the ones on 13th  
11 Street/Sargent road, will remain. EYA applied, as  
12 they said, for permission to remove these trees  
13 before the Tree Canopy Act, Protection Act, took  
14 effect.

15           However, these trees cannot be removed  
16 without the permission of the mayor and the Urban  
17 Forestry Administration. This permission will not be  
18 granted unless the PUD is approved. The Office of  
19 Planning hearing, public hearing report has cited  
20 until today, that the applicant's tree protection  
21 plan was unresolved. That was cited until today.

22           These heritage trees and other greenery  
23 helped to ameliorate the carbon monoxide fumes from  
24 the traffic that idles in a line, the length of my  
25 entire block while people stop at the stop sign at

1 Sargent Road and Allison Street. The project  
2 proposed by EYA would cut down those heritage trees  
3 and build townhouses almost right up to the sidewalk,  
4 that would be taller than my house and my neighbor's  
5 house. The gas fumes would be trapped. And like the  
6 cars, would just sit there in front of our houses.

7 This scenario is unacceptable because it  
8 would be contrary to the Comprehensive Plan and  
9 zoning regulations for the District of Columbia.  
10 Sorry. It would violate my right as a tax paying  
11 citizen of the District of Columbia to sufficient  
12 air.

13 Additionally, the proposed project with  
14 houses built on Sargent Road, would deprive me and my  
15 neighbors of afternoon daylight and evening twilight.  
16 Again, this is a violation of our rights as citizens  
17 of the District of Columbia to adequate light.

18 It is with great concern for the health,  
19 well-being, and quality of life for me and my  
20 neighbors that I respectfully ask that you deny the  
21 PUD application, Case 16-17, submitted by EYA.  
22 Simply stated, it is a violation of the zoning code  
23 of the District of Columbia with regard to citizens'  
24 rights to proper and sufficient air and light.

25 I would like to make further references to

1 the Comprehensive Plan. With regard to the quality  
2 of the environment, the city-wide comprehensive plan  
3 calls for an improvement in the environmental quality  
4 in the upper Northeast area, with particular  
5 attention given to the reduction of emissions and  
6 particulates from trucks and industrial uses.

7           With regard to open spaces, the city-wide  
8 comprehensive plan recognizes the particular  
9 importance of institutional open space to the  
10 character of upper Northeast, particularly in and  
11 around Brookland and Woodridge. In the event that  
12 large institutional uses are redeveloped, it  
13 recommends the pursuit of opportunities that would  
14 dedicated substantial areas as new neighborhood parks  
15 and open spaces.

16           With regard to neighborhood conservation, the  
17 Comprehensive Plan says, I quote, "Protect and  
18 enhance the stable neighborhoods of upper Northeast,  
19 such as Michigan Park, North Michigan Park,  
20 University Heights, Woodridge, Brookland, Queens  
21 Chapel, South Central, Lamond Riggs, Arboretum. The  
22 residential character of these neighborhoods shall be  
23 conserved." End quote.

24           The Comprehensive Plan also says that there  
25 are concerns that the large institutional open spaces

1 or glades of the area may someday be lost to  
2 development. These properties are important to the  
3 health of the community. They are the lungs of the  
4 community. Thank you.

5 MR. POST: Good evening, Chairman Hood and  
6 Commissioners. My name is Jan Post. I live at 4624  
7 12th Street Northeast. I've been a neighbor to the  
8 seminary for the past 13 years and live within 200  
9 feet of the seminary property.

10 When my wife and I bought our house 13 years  
11 ago, we were starters in the housing market, looking  
12 for an affordable and pleasant place to live within  
13 the city.

14 After looking at numerous properties in the  
15 surrounding areas, we ended up settling in Michigan  
16 Park, finding it the perfect combination of being  
17 located within the city, while at the same time  
18 giving the impression of being far away from it all.  
19 Due to the neighborhood's ample green spaces, large  
20 tree canopies, and (garbled speech) of two-story  
21 housing stock.

22 When I step out my front door each morning I  
23 look down the street to my right, I'm immediately  
24 drawn by the large oak trees that lines 12th Street  
25 on the side of the seminary. Through the trees I see

1 the large grassy open space behind the seminary,  
2 providing light, air, and natural space and openness.  
3 As cars and city buses trudge their way through my  
4 block during the morning rush hour, past the stops at  
5 Allison and 12th Street, their impact is almost  
6 immediately neutralized by the green park-like space  
7 behind the seminary.

8           Therefore, when I try to imagine looking down  
9 12th Street, if and after EYA's intention to build  
10 these 80 townhomes are to be approved, I worry  
11 immensely about the environmental impact of this  
12 project as a result of its high-density design.

13           Number one, an essentially salt row of  
14 housing will be constructed on 12th Street with a  
15 series of five townhomes on a short stretch of  
16 Allison Street, right on the corner, taking away  
17 light and air from our streets, houses, and gardens.  
18 In addition, noise pollution would increase, as the  
19 sounds of the heavy morning and afternoon traffic on  
20 12th and Allison Streets would no longer be absorbed  
21 by the seminary space, but bounce off the new housing  
22 stock instead.

23           Number two, two large heritage trees on the  
24 side of the property adjoining 13th Street will be  
25 cut down to make space for a set of five homes.

1           Number thee, the high density of the  
2 development as currently proposed would significantly  
3 increase the amount of built surface space, houses,  
4 streets, and alleys, on a single block of city  
5 property. This would not only have a devastating  
6 impact on the trees and plants on the property  
7 itself, but on the existing houses and gardens  
8 surrounding the property as well, as less water would  
9 infiltrate the soil and be retained by the Seminary  
10 land, ground water levels will decrease, leading to  
11 soil compaction, less water for our existing trees  
12 and surrounding streets, and increased flooding  
13 during rain storms.

14           Number four, the high building density of the  
15 proposed development would reduce the property's head  
16 dissipating capacity during the summer months, as  
17 well as increase the property's heat retention  
18 through an increase in built surface space. As a  
19 result, the neighborhood's temperature would likely  
20 rise.

21           And last but not least, an important  
22 environmental benefit of the openness of the seminary  
23 land is the calming influence it has on residents and  
24 visits alike. This benefit would be significantly  
25 reduced by the design of the current construction

1 proposal. Less green space on the perimeters of the  
2 property, longer rows of built housing on existing  
3 streets with fewer breaks in between, and taller  
4 housing structures. This is something that the  
5 neighborhood can ill afford to let happen right  
6 across from Providence Hospital. In many ways,  
7 Providence Hospital has already grown a couple of  
8 sizes too large for being located right in the middle  
9 of a residential neighborhood, reachable only by  
10 residential streets.

11 The traffic, noise, and pollution generated  
12 by Providence Hospital are currently only bearable to  
13 its neighborhoods due to the calming influence of  
14 seminary land right across from it, providing a  
15 sorely needed counterweight by offering light, air,  
16 and space.

17 The high density design that EYA is currently  
18 proposing would not only add more pollution to the  
19 neighborhood due to increased traffic and land use,  
20 but would also eliminate the environmental benefits  
21 that the seminary land currently provides its  
22 neighbors with. Essentially amounting to a double-  
23 whammy for the neighborhood.

24 Fortunately, I believe that many of these  
25 adverse environmental effects can be mitigated by

1 adopting a better design for the property development  
2 with decreased density through a reduction in the  
3 number of built units, more green space at the  
4 parameter areas of the property, deeper building  
5 setbacks, shorter rows of housing facing existing  
6 streets, and the preservation of heritage tree  
7 canopies. Thank you.

8 MR. STALEY: Chairman Hood, members of the  
9 Commission, my name is Jon Staley. I live actually  
10 right on the corner of Sargent and Allison, so I'm  
11 right in the thick of a lot of the stuff that's being  
12 discussed here. Our position is that this property  
13 should be developed consistent with the zoning that  
14 surrounds it for many, many acres, which is R-2 as  
15 you know, and it's valued, you know, that has a lot  
16 of value to the residents and we request that it not  
17 be changed in order to benefit EYA and its investor  
18 LLC groups.

19 I, myself, have been living in the  
20 neighborhood with my family for about five years, and  
21 I've been very pleased to find an exceptionally  
22 friendly and welcoming community for a big city,  
23 where people undoubtedly make a real effort to know  
24 their neighbors. And talking over back fences,  
25 barbeques as people tend to their gardens or shovel

1 their snow together is very commonplace, and it's the  
2 kind of glue that effectively brings this community  
3 together and I think is really valued by everybody  
4 who lives there.

5 I'm concerned, myself, as are many of my  
6 fellow residents, that that dynamic which is  
7 explicitly valued by us, but ostensibly valued as  
8 well by D.C. in its Comprehensive Plan and related  
9 bits of planning, specifically the upper Northwest  
10 element, is at real risk from the kind of development  
11 that EYA is proposing here.

12 Prior to moving here, I had lived in D.C. for  
13 over 10 years, mostly in Capitol Hill and Columbia  
14 Heights, and those are both neighborhoods where  
15 residential density is similar to what EYA has  
16 proposed here, upwards of 20 units per acre, in both  
17 of those places where I previously lived. And the  
18 lower density here is the primary reason why I moved  
19 here to where I currently live.

20 To enjoy all the advantages of that,  
21 including a stronger community, easier parking, less  
22 traffic, more air and light, knowing all your  
23 neighbors well. And I know that many of my neighbors  
24 feel the same, and that's both those that have moved  
25 here recently and those who have lived here 50 years,

1 of which there are many in that neighborhood as you  
2 guys know, and even including families who have lived  
3 in the same home for two or three generations, which  
4 is also not uncommon there.

5           Notwithstanding Mr. Jesick's rather credulous  
6 statement earlier, this development is clearly  
7 inconsistent with the plain language of the  
8 Comprehensive Plan, and you know, I don't know what  
9 the legal maneuverings are, but you know, make no  
10 make mistake that development of the type EYA is  
11 proposing will substantially alter the nature of the  
12 neighborhood, which is zoned R-2-A for miles around,  
13 excepting the hospital, of course, for good reason.

14           R-2 zoning and, you know, the type of  
15 community that it creates and fosters is a big  
16 attraction to the residents of the neighborhood and  
17 prospective residents alike, and it's a very rare and  
18 valuable thing to find in a big city like D.C.

19           In addition, Comprehensive Plan Policy LU-323  
20 speaks quite directly to the situation at hand here,  
21 and I'll quote briefly, to ensure that large  
22 nonprofits, service organizations, private schools,  
23 seminaries, colleges and universities, other  
24 institutional uses that occupy large sites within  
25 residential areas are planned, designed, and managed

1 in a way that minimizes objectionable impacts to  
2 adjacent communities. The zoning regulations should  
3 ensure that the expansion of these uses is not  
4 permitted if the quality of life in an adjacent  
5 residential area is significantly adversely affected.

6 EYA of course has also made efforts to  
7 characterize its application as being consistent with  
8 the plan's land-use priorities. And I think they're  
9 rather unconvincing. EYA's application cites  
10 policies LU-141, and 142, which are dedicated to  
11 directing development to in-fill properties and long-  
12 term vacant sites. The seminary parcel is clearly  
13 not representative of the hundreds of small vacant  
14 lots, most of which were less than one acre in size  
15 that those two sections are designed to address, and  
16 that they include many vacant and abandoned  
17 structures. And that's the focus of those policies  
18 that they cite.

19 EYA of course also conveniently ignores the  
20 very next policy section, LU-143. Even if the  
21 seminary parcel could be considered in-fill  
22 development, 143 instructs that the zoning of in-fill  
23 sites should be compatible with the prevailing  
24 development pattern in surrounding neighborhoods.  
25 The developer's request for zoning variance would

1 permit significantly, approximately double or more as  
2 we've pointed out, density in the surrounding  
3 residential parcels.

4           Finally, you know, I have to say I do resent  
5 this sort of misleading characterizations that you  
6 guys made about the development, the density  
7 particularly. They frequently insisted in the many  
8 community -- I wouldn't call it community meetings,  
9 more presentations, that the density was about 10. I  
10 won't go over the numbers again because we've been  
11 over them, but I will point out that there is no R-1  
12 zoning anywhere near this site, until you get to the  
13 metro stations, which are, you know, about a mile  
14 away in each direction. And that's where it belongs.

15           As EYA noted earlier, a map of their D.C.  
16 development is a map of the Metro systems, and that's  
17 where development of this density belongs.

18           I have a couple of other points, but I think  
19 I'll pass it along at this point. You know, the one  
20 thing that I would ask, that I do hope that the  
21 Commissioners will take the advice of my fellow  
22 witnesses here and pay close attention to the letters  
23 of support in EYA, in EYA's favor, which are mostly  
24 form letters submitted from people who live nowhere  
25 near this development.

1           CHAIRPERSON HOOD: Okay. Stop the clock.  
2 Now, I'm not sure if you all planned this, so your  
3 testimony is only about two minutes and five seconds.  
4 Okay. I just wanted to make sure that you knew you  
5 had two minutes and five seconds. Okay.

6           MS. CURTIS: Good evening. My name is  
7 Heather Curtis and I live at 4519 Sargent Road, so  
8 I'm one of the 200-footers. I moved in to this  
9 neighborhood five months ago, so this has been an  
10 overwhelming experience.

11           I moved from Bloomingdale where I lived for  
12 seven years and watched the large amount of  
13 development that's occurring there, and then saw the  
14 strain of the infrastructure. I lived a half a block  
15 away from Rhode Island Avenue. I stood in the street  
16 and watched the floods, like with everybody else in  
17 the neighborhood. I got the sandbags for my basement  
18 because it started flooding because the amount of  
19 development in that neighborhood could not -- the  
20 water could not go anywhere and so it went down Rhode  
21 Island Avenue.

22           I then lived through the D.C. Water  
23 construction project to help mitigate those issues,  
24 and it was a year and a half project that turned into  
25 three years. It turned into closing of roads and

1 alleys, and just a constant stress of construction  
2 and delays.

3           And so now, moving into Michigan Park, there  
4 is now a concern for me having just survived the  
5 construction and the problems we had in Bloomingdale,  
6 the stress this is going to place on the  
7 infrastructure. According to some neighbors, we're  
8 already starting to see some strain, some sewage  
9 backup a couple of blocks away. So, if we add 80  
10 more houses to it, how is it going to affect the  
11 sewer and the water?

12           Also, just the actual amount of construction  
13 as EYA said tonight, that they were going to build  
14 one segment as they sell. So, how long are we going  
15 to have to listen to the construction and live with  
16 the construction. One of the impacts we've looked at  
17 is for social. So, as this construction is going on  
18 six days a week, this Michigan Park neighborhood is  
19 very much a community. We sit on our front porches.  
20 We talk to our neighbors. And now with six days a  
21 week construction we will not be sitting on our  
22 porches. We will be in our houses or leaving our  
23 neighborhood.

24           And so, as they slowly sell, how long is this  
25 construction going to actually last. And one area

1 said 30 months. But is that 30 contiguous months, or  
2 is that just as it goes, and that's also the best-  
3 case scenario?

4 Finally, as you mentioned sir, about the  
5 park, the park is very close to the current bus  
6 station. That bus stop is where people tend to  
7 congregate that aren't residents of the neighborhood.  
8 And so, with this park there, we feel -- I feel, have  
9 great concerns it's going to invite these  
10 nonresidents to come spend time at the park and no  
11 longer for the community. Thank you.

12 CHAIRPERSON HOOD: Thank you. Mr. Brown,  
13 obviously, you all are finished, right? Okay.

14 Because the reality of it is, so we won't  
15 have any problems, whatever the applicant does,  
16 that's what the party in opposition gets. And you  
17 all have 45 minutes, and you all have 40 -- so that's  
18 equal time, and that's written in our regulations.  
19 If I go beyond that, if anybody appeals, then there  
20 is an issue and it's my fault.

21 Any questions or comments up here?

22 I do want to -- okay, Vice Chair. I do want  
23 to ask you a question. How long have you been living  
24 in Bloomingdale?

25 MS. CURTIS: I moved into Bloomingdale April

1 of 2010, and then I moved out.

2 CHAIRPERSON HOOD: Okay. Do you know the  
3 floods have been going on since I was small?

4 MS. CURTIS: Oh, I believe it.

5 CHAIRPERSON HOOD: And I'm 53 years old. I  
6 mean, it just doesn't happen. So, it wasn't no  
7 construction going on when the floods were going -- I  
8 just -- but I think it's important to know what was  
9 going on because there was no construction when I was  
10 a small lad, as you want to say, a young fella. I'm  
11 still young.

12 MS. CURTIS: Five years ago. Five years.

13 CHAIRPERSON HOOD: But the flooding was going  
14 on. It's just that nothing got done about it until  
15 recent years. Okay.

16 MS. CURTIS: Okay.

17 CHAIRPERSON HOOD: All right. Any questions  
18 up here? Vice Chair?

19 MR. MILLER: Thank you, Mr. Chairman. Thank  
20 you each for your testimony. I'm sure we'll be  
21 asking the applicant to address several of your  
22 concerns.

23 On the parking issue, a few of you raised  
24 that issue about the unrestricted streets. Is there  
25 opportunity for the neighbors to petition for RPP on

1 those streets, because I think Mr. Brown mentioned  
2 that one of the conditions that he wanted was to  
3 restrict the new townhome residents from having RPP.  
4 So, is that being worked on?

5 MS. MELGAREJO: We have some long-term  
6 residents who have had really negative experiences  
7 when there was zoned parking, and are really strongly  
8 against it. And then we have others who have started  
9 petitions. But a block by block process where you  
10 have to get a certain portion of your neighborhood to  
11 sign, and they have to verify that the traffic is --  
12 the parking is really that bad. And with the shift  
13 change at the hospital and so on, I don't know that  
14 we'll actually get anybody to ever tell us it's  
15 really that bad that we have a right to have it.

16 MR. MILLER: Thank you.

17 CHAIRPERSON HOOD: Questions, comments? Does  
18 the applicant have any, Mr. Tummonds, any cross?  
19 Commissioner Feeley, you have any cross? And Mr.  
20 Brown -- thank you all very much, we appreciate it.

21 Let's go to the persons in opposition. David  
22 Conrad. Linda Jefferson. Lorenz -- oh, Lorenz.  
23 What I say, Lorenz? Lorenz Wheatley. Dr. Joshua  
24 Bell. Kelly Perl. Roland Thompson. Nicole Corbett.  
25 And Charles Locket.

1           We're going to start to my right and you can  
2 go ahead and get started.

3           MR. CONRAD: Good evening. I am David  
4 Conrad. I am current President of the Michigan Park  
5 Citizen's Association. I live at 1216 Upshire  
6 Street. I've been an active member for the past 22  
7 years of the association's almost 100-year history.

8           The St. Joseph's Seminary is prominently  
9 located within our boundaries. Eight of our current  
10 members live within the 200-foot of the seminary  
11 property, and several more live just beyond, and all  
12 of our members will be affected by the proposed  
13 development.

14           We respect and value the work and mission of  
15 the St. Joseph's Seminary and wish for them all the  
16 best, and hope they can realize an appropriate return  
17 on their long investment in their building, property,  
18 and neighborhood. But, after months of debate in our  
19 association, we unanimously arrived at a position to  
20 oppose the EYA PUD.

21           Our letter in opposition is your Exhibit No.  
22 14. First, on open space and historic preservation,  
23 the Comprehensive Plan notes that there is a dearth  
24 of publicly owned open space in Ward 5, and we urge  
25 the D.C. Government to rise to opportunities to

1 purchase privately held open land to augment the  
2 inadequate stock of public open land in Ward 5.

3           We applaud the intention of St. Joseph's to  
4 apply for historic preservation landmark status for  
5 the seminary building, easements dedicated front and  
6 side yards to open space and public use in perpetuity  
7 are significant contributions to the public good of  
8 our neighborhood.

9           Two, on zoning and architecture. The current  
10 zoning, as you know of the property, is R-2. The  
11 introductory section of Chapter 3 of the 2016 Zoning  
12 Code reads, "The purpose of the R-2 Zone is to A,  
13 provide for areas with semi-detached dwellings, and  
14 B, protect these areas from invasion by denser types  
15 of residential development."

16           We oppose the change in zoning to R-1-A as  
17 invasive and inconsistent with this primary intention  
18 of the Zoning Code.

19           EYA has chosen a contextual approach to  
20 architectural design, however, their deference to  
21 context is limited to surface matters. The proposed  
22 design ignores context in terms of density and the  
23 number of stories and building height. In  
24 significant contrast to the surrounding residential  
25 context, the current façade designs present a full

1 three stories plus an attic, to the street.

2 We note, however, that EYA has now  
3 articulated the originally proposed row dwellings  
4 into smaller building groups and we acknowledge that  
5 this is an improvement.

6 On traffic. Amendments to the traffic  
7 section of our opposition letter are included in your  
8 Exhibit No. 39. Michigan Park currently experiences  
9 significant through and also cut-through traffic that  
10 worsens at rush hour and hospital shift changes.

11 About the intersection of Webster extended,  
12 and 13th Street. This intersection is currently  
13 treacherous on exiting Webster westbound. A rise in  
14 13th Street and parked cars block sightlines while  
15 exiting from Webster Street. Its extension will  
16 increase traffic volume and will add cut through  
17 traffic and worsens these conditions. We proposed a  
18 four-way stop at this intersection, together with  
19 bulb outs or curb extensions to place pedestrians,  
20 cyclists, and cars in a position to observe and be  
21 seen by crossing traffic.

22 About the intersection of Webster extended  
23 and 12th Street, the revised PUD documents change  
24 Webster Street, extended from one-way east to two-  
25 way, at this intersection. This is immediately

1 adjacent to emergency room entrance to the hospital,  
2 adding crossing traffic to this section of 12th  
3 Street worsens an already congested and periodically  
4 hazardous emergency room approach.

5           If Webster Street must be extended two ways  
6 it's entire length, we propose a right in/right out  
7 design for this intersection. This intersection  
8 requires careful consideration.

9           We conclude that for the long-term good and  
10 health of our neighborhood we cannot support the  
11 current PUD application unless and until the above  
12 concerns regarding density, apparent height of the  
13 new houses, and traffic mitigation are significantly  
14 addressed.

15           As you balance the competing demands of our  
16 evolving city as a whole, the rights and privileges  
17 of the landowner, the feasibility and financial goals  
18 of the developer, we rely on you to keep us, the  
19 citizens --

20           CHAIRPERSON HOOD: I'm going to have to --  
21 I'm sorry, I'm going to have cut you off. That's the  
22 second bell. Next. We have your testimony, so we're  
23 good.

24           MR. CONRAD: Thank you.

25           MR. BELL: Hi. Yes, my name is Dr. Joshua

1 Bell and I live at 1310 Webster Street, which is  
2 within the 200 foot of the planned construction, with  
3 my wife who is here, and our then -- we moved here  
4 with two children, now have three, nine, four, and  
5 two.

6 And we moved to Michigan Park in October 2013  
7 and were drawn by the region's racial diversity,  
8 long-term middle class residents, historic  
9 architecture, and beautiful green spaces.

10 And my job, in my three minutes is a bit  
11 easier because I'm going to reiterate a lot of  
12 things. What I'm going to end up focusing I think in  
13 this short time I have, mostly on I think the impact  
14 of my children and the traffic.

15 So, while my wife and I respect St.  
16 Josephite's right to explore the development of the  
17 property, we're concerned about the following.  
18 You've heard a lot about the density and I'd just  
19 reiterate that I think, you know, 80 townhomes at the  
20 very least means 80 people to the neighborhood, but  
21 more likely around 160 to 200 or more people.

22 And then also, when you think about the cars,  
23 maybe one car per person, but probably most likely  
24 two cars per person. So, we're looking at maybe 160  
25 cars potentially.

1           Now, I think this development needs to be  
2 placed in a wider context, which we've heard a little  
3 bit about because I think it's very easy to get  
4 caught up in the impacts just of this to us  
5 immediately, but I think it's part of a larger  
6 development in our region, so I'm thinking of the art  
7 place at Fort Totten, which has 520 rental apartments  
8 on South Dakota coming, the Com stock Totten Muse  
9 (phonetic) with 35 townhomes near For Totten, as well  
10 as a variety of projects in and around Providence  
11 Hospital.

12           So, we worry that what will happen, we've  
13 already seen over four years of living there, an  
14 increase in traffic. And I worry that with all of  
15 these new residents from this proposed project, plus  
16 these other developments, we're going to see an  
17 increased travel through our streets, and illegally  
18 through our alleys. These are alleys that my  
19 children play in, that other members of our  
20 neighborhood play in. On 14th Street alone we have  
21 14 children all under 14 years old. And there are  
22 more kids if I did more systematic census.

23           The amount of times that I've had to watch  
24 and make sure my children haven't been killed by D.C.  
25 and Maryland drivers, cutting through the alleys, is

1 increasing. And my problem with apps like Wayz and  
2 other mobile technology, as I've watched, people  
3 increasingly find different ways. In the alleys,  
4 people cut through them. I live on Webster and I'll  
5 admit it, I don't turn on to 13th Street anymore.  
6 It's just too difficult, so you have to go down to  
7 13th Place.

8           So, I really, I worry about the safety of our  
9 children with the traffic, but then also as you have  
10 rightfully raised, issues about this park. The park  
11 is a great idea but it's in the wrong place and it's  
12 not properly thought through.

13           Being next to a bus stop with lots of public  
14 people with just a fence, that is a recipe for  
15 disaster.

16           So, I ask you as a resident of the immediate  
17 project area, as a father of three small young  
18 children, as an avid bicyclist, and someone who is  
19 committed to sustainable and smaller development, to  
20 oppose this project. Thank you.

21           MR. WHEATLEY: Good evening, Commissioner  
22 Hood and other commissioners. My name is Lorenz  
23 Wheatley, and I live at 1302 Allison Street  
24 Northeast.

25           Please note that as a 200-footer of the

1 proposed development of the Josephite Seminary  
2 property, I am against EYA's proposed planned unit  
3 development. For the following reasons.

4 Gentrification as an aspect of the quality of  
5 community life in relationship to the Comprehensive  
6 Plan. The proposed density of this development, even  
7 scaled back to the 80 units, will be out of character  
8 with the neighborhood, which is currently zoned as  
9 being of moderate density.

10 Additionally, we will have a virtual gated  
11 community by way of a homeowner's association, which  
12 will have more than likely undue sway for any and all  
13 political and social concerns and considerations for  
14 the rest of our community and close-knit community.  
15 SMD 5A-03 notwithstanding.

16 The Josephites have, as a matter of right,  
17 the ability to sell their property for development.  
18 I take exception to the fact that EYA is acting as a  
19 proxy for them to leverage the current value of their  
20 tax exempted property under the current zoning status  
21 by way of a proposed PUD. Let the development take  
22 place under the current zoning status by a developer  
23 who respects our community.

24 With Mayor Bowser and at least one of the ANC  
25 5A commissioners being Catholic, my understanding of

1 the establishment clause within the First Amendment  
2 prohibits the government from favoring any one  
3 religion over the other. There has been much said  
4 about the benefits this PUD will bring to the  
5 Josephite community. This proposed PUD is against my  
6 spiritual, moral, and ethical values.

7           Given all the planned and current development  
8 in the immediate area, a two-mile radius from the  
9 Josephite Seminary, I am extremely concerned about  
10 the added traffic that has been -- that has not been  
11 factored into the traffic study in our already highly  
12 traffic congested community.

13           I believe the current community and/or city-  
14 wide residents will be saddled with increased utility  
15 cost to off-set the needed upgrade and infrastructure  
16 before this proposed higher density project is  
17 completed. Given the proposed or reasonably  
18 anticipated unit sale price point or market rate  
19 within this development as a current resident of over  
20 26 years, I can expect to pay higher property taxes.

21           And I just heard EYA address some of that.  
22 Even though EYA has proposed to offset an increase in  
23 property taxes for three years to those in need, the  
24 tax increase will more than likely not take effect  
25 until the development is completed in the stated time

1 frame of 30 months or so. I thank you for your time  
2 and attention.

3 MS. JEFFERSON-SHARP: Good evening. My name  
4 is Dr. Linda Jefferson-Sharp. I live at 4316 12th  
5 Street and I was born and raised in this community.  
6 My parents bought the house in 1957. I am opposed to  
7 this development.

8 I am a physician. I am a physician who  
9 resides less than 20 feet from both the potential  
10 development and from Providence Hospital. Thus, I am  
11 very aware of the unique traffic patterns in this  
12 residential area involving the hospital emergency  
13 vehicles, local and commuter traffic.

14 First, the addition of 80 townhomes with one  
15 or two cars will add more traffic to the streets and  
16 alleys.

17 Secondly, EYA plans to create two new  
18 intersections extending Webster Street with two-way  
19 traffic between 12th and 13th Street. This would  
20 introduce cars attempting to either exit or enter  
21 traffic burdened 12th and 13th Streets via Webster  
22 Street.

23 Thirdly, EYA plans to put a bike lane on 12th  
24 Street. This would dangerously reduce the width of  
25 this already crowded roadway. This would endanger

1 motorists, pedestrians, and bikers. It would also  
2 disrupt access from both ambulance and fire trucks,  
3 as they either egress or ingress the hospital. What  
4 EYA is proposing will not work.

5           This area is already struggling with  
6 significant traffic issues. There are no other  
7 developers -- there are other developers can develop  
8 this land consistent with our zoning. EYA only  
9 constructs high density developments. Therefore, EYA  
10 is just not the developer for this land.

11           Architectural features and playground will  
12 never address the major problems of placing this type  
13 of high-density development across the street from a  
14 busy city hospital, and in the center of an existing  
15 vibrant community.

16           If approved, this development has the  
17 potential to put untold numbers of lives at risk. It  
18 will make our community unlivable. There have been  
19 no actual studies to show how this development would  
20 impact the community, our community, or impact  
21 emergent care.

22           I just will say -- would like to say this.  
23 This is the only opportunity that we will get. We do  
24 not need to have this type of development in front of  
25 the hospital. But we do need to have this type of

1 development in front of the hospital. But we do need  
2 to have safe swift access to medical care. If there  
3 is just one loss of life because of this development,  
4 contribution to this area's traffic problem, that's  
5 one life lost too many. This is irresponsible urban  
6 development based on this company's profit margin and  
7 not on common sense development.

8 We must not allow EYA to continue deceiving  
9 our community by candy coating these very serious  
10 issues. The truth is that this is just not the right  
11 place for this high-density development. I am  
12 requesting the Zoning Commission not to change our  
13 zoning. And the rest of it, you have. So, that's  
14 fine. Thank you.

15 MR. COUROUBLE: Dear Commissioners, thank you  
16 for the opportunity to share with you the letter of  
17 opposition to EYA's potential development, St.  
18 Joseph's Seminary.

19 In 2008, after a 10-year waiting period, my  
20 family and I were granted permanent resident status,  
21 called green card. We were now able to purchase a  
22 house and call 1300 Webster Street Northeast our  
23 home, right at the critical intersection we talked  
24 about earlier.

25 My wife and I raised our two children in this

1 beautiful and quiet neighborhood. The predominantly  
2 African/American community of Michigan Park welcomed  
3 us warmly and allowed us to benefit from their very  
4 sound core values.

5 Today, as our daughter is graduating from  
6 college with major in chemistry, and we pursue a  
7 doctoral degree in one of the top graduate programs  
8 in biochemistry, we have not enough words to thank  
9 those neighbors for the resourcing and environment  
10 they provided for our children to thrive.

11 Unfortunately, this joyful life experience  
12 came to an end in full, 2015 when Councilmember  
13 McDuffie, Advisory Commissioner Adrian Jordan, the  
14 Josephite Order, and EYA colluded in order to  
15 forcibly transform our neighborhood. I may  
16 understand how desperate are the Josephites who  
17 financially sustained their activities. I should not  
18 be surprised EYA as a developer investigating  
19 potential projects. What I cannot accept are the  
20 deceiving actions of our elected officials which goal  
21 should have been to ensure a sincere, constructive,  
22 and respectful dialog between all parties. Sadly, it  
23 has not happened.

24 We have now put our house on the market,  
25 moving a few miles away to the Carol Island community

1 in Tacoma Park, Prince George County, Maryland. A  
2 multi-cultural, low-density, low-income community  
3 that is anchored by a beautiful park along Sligo  
4 Creek. We do miss our former neighbors.  
5 Unfortunately, today, I can only acknowledge how  
6 accurate was Mr. Aakash Thakkar, EYA Senior Vice  
7 President in predicting at the very first meeting on  
8 October 14th, 2015, that he will succeed in  
9 discarding small local community leaders like me, and  
10 that EYA will achieve building 20 to 25 units per  
11 acre as it usually does.

12           Hopefully, our former Michigan Park neighbors  
13 are still providing lessons to my family and me, and  
14 resisting with incredible strength, the potentially  
15 overwhelming developments taking place or are about  
16 to take place all around Michigan Park or Brookland.  
17 For them, Commissioner Hood, Miller, May, and  
18 Turnbull, I Xavier Courouble, beg you to carefully  
19 listen to what the impacted residents have to say.  
20 Thank you for your consideration.

21           CHAIRPERSON HOOD: Thank you. Next. Did we  
22 get your name?

23           MR. COUROUBLE: Courouble, C-O-U-R-O-U-B-L-E.

24           CHAIRPERSON HOOD: That's right. Okay.

25           MR. COUROUBLE: My system generated.

1 CHAIRPERSON HOOD: Okay. Thank you. Next.

2 MS. PERL: Good evening Chairman Hood and  
3 Commissioners. My name is Kelly Perl. I live at  
4 4427 13th Street Northeast. I have lived with my  
5 husband, Rob Perl, at that address for 12 years. I  
6 recognize that our good neighbors, the Josephites,  
7 wish to sell their private property, as is their  
8 right. It's really none of my business why they want  
9 to sell it.

10 Nevertheless, I oppose a planned unit  
11 development as listed in the application because it  
12 is extensively dense for the neighborhood, at twice  
13 the density of the surrounding area.

14 We also request the Commission be skeptical  
15 about the PUD's public benefits, either because they  
16 exist now or to be reasonably built under matter of  
17 right RA-1 Zoning.

18 Applicant proposes 80 housing units on eight  
19 acres. The measurement of density the applicant has  
20 used is approximate 10 units per acre. However,  
21 development will be limited to the northern half of  
22 the property, and the applicant admits that actual  
23 density on the built zone will be 20 units per acre.

24 Looking at their exhibit 15-H-22 of their  
25 prehearing statement, they note the surrounding --

1 the density surrounding residential blocks ranges  
2 from 12.3 houses per acre to 7.9 houses per acre. By  
3 my calculations, the proposed PUD is anywhere from  
4 1.6 times, to 2.6 times density of the surrounding  
5 blocks. The average density, of the proposed PUD is  
6 2 point times that of the neighborhood.

7           The proposed PUD will look and will be much  
8 denser than the surrounding blocks. I believe this  
9 high density is not consistent with policy 2.27 cited  
10 in the applicant's statement in support that the  
11 proposed PUD will quote "Avoids overpowering contrast  
12 in scale, height, and density as in-fill development  
13 occurs."

14           The Zoning Commission should not accept the  
15 proposed PUD whose density calculations are made with  
16 leaving half the property undeveloped. While I  
17 believe the floor area calculations were made within  
18 zoning regulations, it strains credulity that the  
19 intent of these regulations was to allow for a  
20 double-density development on such a large lot, which  
21 the applicant itself has noticed is exceptional  
22 relative to other properties in the neighborhood  
23 generally.

24           The proposed PUD will lead to the destruction  
25 of four acres of open spaces, already used by

1 residents as a park. All are welcome to the park to  
2 walk dogs, play softball, soccer, catch, or just take  
3 a walk around the property. We request that this  
4 loss of glorious open space be weighed against the  
5 benefits of the proposed PUD.

6           The notes in the prehearing statement that  
7 based on community input the applicant reduced the  
8 original proposal to 150 townhomes to 80 and four  
9 stories to three, applicant should get no credit for  
10 this reduction. The development as originally  
11 conceived would never have been approved because it  
12 would be twice as dense as the neighborhood, and two  
13 stories higher than the surrounding area. So, it  
14 should not get any credit for saying this reduction.

15           I conclude that we -- the Zoning Commission  
16 should deny the zoning change to RA-1 on -- because  
17 of excessive density. Thank you.

18           MS. CORBETT: My name is Nichelle Corbett. I  
19 oppose the proposed EYA PUD and zoning change. I  
20 live in the 1200 block of Allison Street, which is  
21 across the street from the proposed PUD. I have  
22 lived there for 13 years and I enjoy the character  
23 and charm of the neighborhood. I realize that the  
24 city is changing and that there are approximate 80  
25 ongoing and pending real estate developments within a

1 two-mile radius of St. Joseph's Seminary. I am not  
2 opposed to development, but I do not think the  
3 location of the PUD should be on the four acres as  
4 proposed. To provide an example of the blocks within  
5 the community surrounding the seminary, the block  
6 that I live in encompasses Allison Street, 12th,  
7 Buchanan, and Sargent Streets, includes 34 houses  
8 which consist of triplexes and duplexes. This is  
9 less than half of the density that is being proposed  
10 to be built within the perimeter of the four acres on  
11 the seminary's land.

12           The exit from the proposed PUD onto 1200  
13 block of Allison Street will further impact traffic  
14 flow and congestion, with Allison Street already  
15 having two intersecting alley streets. Due to the  
16 width of the roadway, the two-way traffic on Allison  
17 Street is already problematic. Especially during  
18 peak commuting hours. With residential street  
19 parking, hospital patients and workers parking on  
20 Allison Street, drivers entering the hospital as well  
21 as other commuters. It can be difficult for me to  
22 pull out of the space in front of my house in the  
23 morning to proceed to work. In January, my car was  
24 badly hit on Allison Street in front of my house  
25 while a vehicle was moving aside for oncoming

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 traffic. And that was the second time my car was  
2 hit. Some years ago, it was hit as well.

3 My neighbor's car was also hit. Two of his  
4 guest cars were hit, the side view mirrors were  
5 knocked off at separate times. And another  
6 resident's car, last month, on a Saturday, near the  
7 corner of Sargent and Allison Streets, was hit as  
8 well.

9 During the PUD process it seems as if the  
10 current and previous 5A-03 SMD representatives have  
11 been more interested in accommodating EYA than  
12 representing the comprehensive views and being the  
13 voice of its constituents in its SMD.

14 As you consider the favorable support for  
15 EYA's PUD, I hope that the integrity and validity of  
16 the support is sufficiently examined. For examples,  
17 the letters that were submitted to the Zoning  
18 Commission website from questionable persons, as well  
19 as support that has been given by citizens outside of  
20 the community and the ward. Thank you for your time.

21 MR. THOMPSON: Yes. My name is Roland  
22 Thompson. My name is Roland B. Thompson. I am  
23 presenting on behalf of my spouse and myself, Annie  
24 M. Thompson, who as well is one of the residents who  
25 resides within the 200-foot range for the proposed

1 EYA development at Josephites Monastery.

2 I am writing opposition to Case 16-17 EYA  
3 Development, LLC. I am opposed to this development  
4 based on the impact and saturation of this community  
5 with an additional 80 units will have on traffic  
6 congestion, and already failing infrastructure. And  
7 when I say infrastructure, I must be specific. Sub-  
8 based, and I was a former construction worker and  
9 roadway construction. These streets on 12th Street  
10 and 13th Street that bear the major brunt of the  
11 traffic from these, from this thoroughfare, the bases  
12 already have severe channeling, which indicates that  
13 the sub-base and base of these roadways are shot,  
14 failed.

15 Excuse me. The proposed -- there are -- I am  
16 opposed -- I lost my place. Additionally, there is  
17 traffic congestion, already failing infrastructure.

18 Proposed 6,000 units within the  
19 Brookland/Michigan Park community, specifically in  
20 two -- specifically within two miles of the Josephite  
21 development. There actually is about 7,000 proposed  
22 ongoing and occupied units will be online in the near  
23 future within two miles of the Josephite Seminary.  
24 And that, for me, is a big flag because with all the  
25 development around, and you've got that many people,

1 that many units, we're not just talking about the  
2 Josephite project.

3 In order for that traffic load to be handled  
4 by those streets, it's going to be major roadwork  
5 having to be done to 12th Street, 13th Streets, and  
6 probably a few other blocks in that neighborhood. We  
7 have what we call soft-based roads.

8 Okay. And that to me is more important than  
9 the façade on a building. I'm also more concerned  
10 about the way in which this was done in the very  
11 beginning, the way we were treated by our ANC, and  
12 the ANC commission. We were totally disrespected, in  
13 my view.

14 So, with -- we can safely estimate that about  
15 7,000 vehicles added to our community roadway, based  
16 on a single car per unit without doubts, some of  
17 these units will be occupied by residents having  
18 multiple vehicles.

19 D.C. traffic rates 8th worst in the nation,  
20 according to WTOP Transportation News. The Enricks  
21 (phonetic) are a global company that studies  
22 transportation conducted research in metropolitan  
23 areas across the country and says D.C. had the second  
24 worst congestion in 2015. The most recent --

25 CHAIRPERSON HOOD: I'm going to have to cut

1 you off. I'm going to have to cut you off. Okay.

2 All right.

3 Do we have your -- we have your testimony.

4 MR. THOMPSON: Yeah. If you don't, you will.

5 CHAIRPERSON HOOD: Okay. Just make sure we  
6 have it if we don't already have it.

7 MR. THOMPSON: Okay.

8 CHAIRPERSON HOOD: Because we do look at it,  
9 go back and look at things.

10 Okay. Any questions up here? Okay. Does  
11 the applicant -- okay. Commissioner Feeley, you have  
12 any cross? Commissioner Feeley is no longer -- hold  
13 on. Commissioner Feeley is no longer here.

14 Let me see, Mr. Brown. Okay. Thank you all  
15 very much. We appreciate it.

16 I'm going to ask the gentleman in the back to  
17 come forward, the one who I called earlier, and I'm  
18 going to ask the Vice Chair, I'm going to step out,  
19 so you can call the rest of the names. Work with Ms.  
20 Schellin.

21 Ms. Schellin, could you help the Vice Chair,  
22 you all work on that? I'll be right back.

23 MR. MILLER: Where are we with the names?

24 MS. SCHELLIN: Did we call Charles Lockett?

25 MR. MILLER: Charles Lockett. If we haven't

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 called you already.

2 MS. SCHELLIN: Dr. Anita --

3 MR. MILLER: Dr. Anita Greene. Mary Beth  
4 Christensen. Chris Otten. I think we just heard  
5 from Roland Thompson. Is that the end of that list?

6 MS. SCHELLIN: And then we have Lori King.  
7 Mary Beth for some reason is on there twice. And  
8 that would be the end.

9 MR. MILLER: Are there any other persons in  
10 the audience who haven't yet spoken who wanted to  
11 speak in opposition?

12 [No audible response.]

13 MR. MILLER: Okay. Then this is our last  
14 panel of opponents. We can begin with you, Mr. Sir,  
15 and identify yourself and -- thank you.

16 MR. LOCKETT: Good evening, Commissioners.  
17 My name is Charles Lockett. I live in the 4900 block  
18 at 11th Street Northeast, Washington, D.C. for over  
19 40 years. I am a product of East Capitol Projects in  
20 the early 50's, and I've moved up to that and  
21 graduated.

22 I'm here today on support for my community  
23 pertaining to the EYA project on 12th Street. From  
24 the beginning, going to the meetings over two years  
25 ago, up to now, the one thing that I found to be a

1 problem, and it still exists today, which the  
2 Chairman just mentioned. I don't see anything  
3 possibly having to build there without addressing the  
4 safety problems of the traffic. That is really  
5 impossible. There is no way. You have an  
6 intersection that has no control to it, and as we  
7 look at it now, it doesn't even have a cross-walk  
8 that the government don't even paint. So, that's bad  
9 on the government's part, as well as the city's part.  
10 Okay?

11 But, overall, if we'd address the traffic  
12 problem we wouldn't be sitting here today letting  
13 everybody know there's no way to do anything in that  
14 area right there without doing that. That's a major  
15 traffic problem. It increases the traffic coming  
16 through that street, and when finding out that other  
17 developments that's in the makings for that area,  
18 that also increases it.

19 And my main concern is not to sit here and  
20 watch someone try to get an emergency vehicle and get  
21 into that emergency room and die in the back by  
22 sitting in traffic there. As we say, the rush hours  
23 or the evening hours. Whatever one. That is a  
24 strong possibility. That is a bad, bad, bad  
25 intersection, and it's been that way since I've lived

1 here. But now it's even got worse.

2 I live on South, right on South Dakota  
3 Avenue, and from Providence on any given morning, the  
4 traffic is backed all the way to the McDonalds.  
5 That's six or seven blocks long.

6 In the evening it's two lanes blocked. But  
7 one question I notice when I seen for EYA here, in  
8 their drawings, I'm not sure if 12th Street is going  
9 to be a four-lane street or a two-lane street. One  
10 of the pictures showed it as two lanes, and then one  
11 came back and looked like it was four lanes. Either  
12 way, if you cut it down to two lanes, it's not going  
13 to work because it don't work already with four  
14 lanes. And D.C. Government needs to improve their  
15 street repairs as the gentleman just mention. It is  
16 a mess. We had to force D.C. Government to repave  
17 the street from 12th Street to all the way up to  
18 Gallatin after rocking our homes, and nobody from the  
19 government shows up.

20 But when a developer comes in, they come  
21 right to the developer and he can call for a tree  
22 pruning and he gets it. I be waiting two years. But  
23 as far as I'm concerned, I don't see anything able  
24 that you can build in that area without doing  
25 something with the traffic there, and the safety.

1 MR. MILLER: Thank you, Mr. Lockett. Next.

2 MS. CHRISTENSEN: Mary Beth Christensen.

3 CHAIRPERSON HOOD: Turn your mic on. Turn  
4 your mic on.

5 MS. CHRISTENSEN: Mary Beth Christensen. I  
6 live at 1201 Varnum Street. I'm a 200-footer, and  
7 I'm a nurse. And I just want to let you know what I  
8 have observed. I'm now retired, but I am very  
9 concerned about the safety of people.

10 I've witnessed several accidents. I live  
11 right across the street from the monastery, as well  
12 as Providence Hospital. The parking, the parking  
13 situation right now is being taken up by, at least on  
14 my street, by people that work at Providence. And I  
15 can just see that being taken over by the people, the  
16 overflow from this community that you've proposed.

17 The traffic, I don't need to say any more.  
18 Everybody said it before me. And I worry about  
19 someone dying in an ambulance before they make it to  
20 Providence. Varnum is used as a shortcut and I can  
21 see if Allison becomes one-way or Webster is not  
22 allowed to be used, Varnum already has a lot of  
23 traffic and heavy use vehicles on it and there's  
24 three schools at the end of Varnum that use that and  
25 people go rip-roaring down the street.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1           The police are overtaxed and overburdened.  
2 We live on the edge between four and five, and that's  
3 the excuse they give me when I call them. I already  
4 talked about that.

5           Crime, I've had people in the house where I  
6 live, two cars have been broken into. One car has  
7 been stolen on Varnum, and I can only see that  
8 getting worse.

9           Trash problem, a very small, a very small  
10 issue at this point, but that's major and that will  
11 only increase with people.

12           And my daughter is not -- could not make it  
13 here. She's sick tonight. But she wanted me to  
14 bring up, we used to live in Palisades. We were  
15 neighbors to -- we lived on McArthur Boulevard, and  
16 we were neighbors right down the street from  
17 Georgetown, another Catholic institution. And I am  
18 Catholic myself, and the students there, I can only  
19 see Catholic University, someone renting out to four  
20 or five students, and the extra cars, trash, noise,  
21 and what else goes on with college students. Nobody  
22 has brought that up.

23           Crime, parking, traffic. I think I pretty  
24 much, I think I've said it all. Thank you for  
25 listening.

1 MS. KING: Good evening, Commissioners. My  
2 name is Lori King and I live in the 1300 block of  
3 Allison Street. So, I experience the traffic that  
4 you're talking about on Allison Street. There's  
5 congestion throughout. I mean, I've lived there 26  
6 years. So, I've experienced damage to vehicles, to  
7 two of my vehicles. One was actually totaled,  
8 broadsided, and pushed up on the street.

9 So, I just, I cringe at the thought of a  
10 development going in up the street with 80 homes,  
11 because as many people have said today, okay, there's  
12 going to be most likely one, if not two vehicles.  
13 So, I work from my house 95 percent of the time now.  
14 So, I see the traffic in the morning, I see the  
15 traffic in the evenings. I see the ambulances. I  
16 see people commuting to Providence, the employees. I  
17 see people cutting through during the day. So, I see  
18 it all. I see them cutting through the alleys.

19 So, it's not strictly in the mornings and in  
20 the evenings. There still is some traffic of a  
21 lesser amount, though, during the day. So, I don't -  
22 - I can't even imagine what it's going to be when a  
23 development goes in up the street. So, I am a total  
24 opponent of 80 homes going in up the street.

25 I think -- I won't say that the Josephites

1 don't have a right to develop their land, but I think  
2 of that size and of that magnitude is just  
3 unmanageable, because what I experience today,  
4 mirrors hanging on the side of my car, to come home  
5 and find your car up on the sidewalk, and then later  
6 find out what's happened. I mean, I just think it's  
7 absolutely ridiculous.

8           So, I don't think that a development of that  
9 size is conducive to what we have going on in the  
10 neighborhood today.

11           And just, we've done a traffic study, but I  
12 think DOT just sort of, in my mind, sat on it. So,  
13 maybe because now there's a development possibly  
14 going in, and we're hearing that we need to do that  
15 again, maybe that's something that we can look at  
16 again, but we've done that. And I think we did that  
17 about two years ago. But nothing came of it.

18           So, to hear that now, maybe it can be picked  
19 up again. Maybe someone will look at it again. But  
20 it's not as if someone is telling us something that  
21 we've not already looked at because we have a traffic  
22 problem already. This is not new.

23           So, that's it.

24           MR. OTTEN: Good evening, Chris Otten with  
25 D.C. For Reasonable Development. We're a city-wide

1 organization of individuals, civics, ANCs, and  
2 people's concern about development, and some of our  
3 members petitioned us to be here tonight because  
4 they're going to be concretely impacted by this PUD  
5 project.

6           The fundamental planning and development  
7 review required for a comprehensive public evaluation  
8 of the PUD application and its adverse impacts on  
9 existing public services, transit infrastructure,  
10 community facilities, and emergency responders, as  
11 well on the environment, noise, air, water, refuse,  
12 health impacts, social impacts. And on the  
13 surrounding land values, destabilization and  
14 gentrification, makes this PUD application, as well  
15 as the Office of Planning's review, fatally flawed.

16           As such, D.C. For Reasonable Development asks  
17 the PUD application be denied. As OP notes in their  
18 April 18th, 2017 report, the site is scheduled for  
19 institutional uses expecting zone district densities  
20 comparable to those in the surrounding areas. The  
21 Commission's first act is to determine if the request  
22 to amend the D.C. Zone map is not inconsistent with  
23 the plan. That is separate and aside from the PUD  
24 project itself.

25           In this case, the applicant is asking the

1 Commission to remap the PUD site to RA-1 moderate  
2 density.

3           It is common sense that a higher density  
4 remapping in the face of the limits of the  
5 generalized policy map, and the Future Land-Use Map  
6 will bring on future projects and requests, including  
7 PUDs and other map amendments, asking for similar  
8 higher density districts and projects.

9           The specific circumstances of this case and  
10 its remapping actions will have its own adverse  
11 effects on the surrounding areas and neighborhood  
12 stability. These impacts of the zoned map amendment  
13 portion of this PUD application has not been  
14 evaluated by OP as required.

15           I want to get to the adverse impacts of the  
16 actual PUD project. I go into that a big with our  
17 contested issues in our written testimony. But I'm  
18 still not sure if the Office of Planning has read the  
19 McMillan Park Court decision, or even the PUD  
20 regulations. And I know that Jennifer Steingasser,  
21 who is the deputy director tonight at the Office of  
22 Planning, who signs off on the reports that approve  
23 the PUDs, must know through the AICP protocols, that  
24 cumulative impacts must be studied and their  
25 interrelated nature of this project.

1           The hocus pocus numbers of 10.9 units per  
2 acre measurements has no value or definition in the  
3 PUD or the zoning regulations. Even so, since the  
4 applicant is relying on this measure, what then of  
5 the evaluation of this clustering preferred by the  
6 applicant on let's say the utilities just next to  
7 this clustering. The pipes, the electric, the gas.  
8 Who's paying for the upgrade when this project comes  
9 in. The Comprehensive Plan expects that the  
10 developers will kick in some money for their project  
11 on these sort of infrastructure impacts.

12           Without an analysis, a proper analysis, we  
13 don't understand the impacts, therefore we can't  
14 mitigate the impacts, and therefore the applicant  
15 won't be asked to put any money up. Maybe that's  
16 done on purpose.

17           We read in the last page and the last  
18 sentence of the Office of Planning report, that the  
19 relevant district agencies, such as D.C. Water, DPR,  
20 Department of Public Works, and other agencies don't  
21 come into play until the permitting stage. We know  
22 now that is not the case. We know that the  
23 permitting stage at DCRA is way down the line. It's  
24 largely discretionary, behind closed doors. This is  
25 the chance for a transparent development review; now,

1 before the Commission to study the adverse impacts to  
2 the surrounding community presented by this PUD  
3 application.

4           Whether these impacts be from the act of  
5 remapping the PUD site or amending the D.C. Zone map,  
6 or impacts brought on by the PUD project itself. For  
7 the Office of Planning to make a conclusory statement  
8 that say agencies will weigh in at the building  
9 permit process at a much later state in this process,  
10 stands in fundamental opposition to the enabling  
11 statute for zoning and planning, and the home rule  
12 charter, as well as in the PUD regs, case law,  
13 McMillan Park, as well as the AICP protocols, and the  
14 Comprehensive Plan policies.

15           For example, let me just discuss quickly in  
16 the 30 seconds I have left, the flexibility requested  
17 about penthouses, lot occupancies, and yards. None  
18 of the surrounding residential homes have penthouses  
19 or optional rooftop decks. How then, would allowing  
20 this flexibility of these rooftop decks meet the  
21 prevailing character of the surrounding area? And  
22 further then, what is the evaluations of these  
23 rooftop decks on that surrounding area in terms of  
24 noise and other nuisances. These were not studied by  
25 the Office of Planning as required by law.

1           We would like to conclude, just by saying  
2 this PUD must be denied because of the lack of  
3 connection to the law. Thank you.

4           CHAIRPERSON HOOD: Thank you. Next.

5           MS. GREENE: Good evening. My name is Anita  
6 Greene, and I speak tonight on behalf of the  
7 neighbors of St. Joseph's Seminary. The neighbors  
8 group formed in November 2015, approximately, out of  
9 a deep, and as it happened, justified concern that  
10 the community's issues, even their voice, might be  
11 denied in this process.

12           I myself am a fourth-generation  
13 Washingtonian, third in Brookland and Michigan Park.  
14 I grew up here. I moved away for college and  
15 training, and returned a few years back to be near  
16 aging family members.

17           I've lived in many places in the U.S. and  
18 abroad, and I mention all of this not by way of  
19 explanation, but because those experiences have given  
20 me a unique perspective on this PUD and this PUD  
21 process.

22           The first thing I'd like to note is that  
23 applicant's request does not occur in a vacuum.  
24 There's a larger context here, and one that faces --  
25 that acts as one of the major challenges that the

1 community faces. Rampant overdevelopment.

2           There are 31 residential and mixed use  
3 development projects within two miles of St. Josephs.  
4 When all of those projects come online, there will be  
5 approximately 6,900 additional residential units,  
6 which means between 6,900 and 13,000 additional  
7 residents, and between 6,900 and 13,0000 additional  
8 vehicles on our already overcrowded and congested  
9 streets.

10           Now, the applicant is not wholly responsible  
11 for that situation. It is only one developer. I do  
12 note, however, that the applicant intends to build an  
13 additional 180 units at Fort Totton sub. So,  
14 metaphorically speaking, applicant's hands are not  
15 clean.

16           Then there are the troubling aspects of the  
17 application itself. Eighty three-story rowhouses on  
18 less than four acres. Applicant argues that this  
19 number represents a response that would be in  
20 quotation marks, to community concern following their  
21 initial plan to construct 150 units. I would assure  
22 you that few residents actually assumed that that was  
23 a viable plan at the outset. Most assume that it was  
24 an attempt to induce some sort of innervating shock  
25 in the community. Even comments made by one of the

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 Josephites at the end of the December 2015  
2 presentation would seem to undermined applicant's  
3 current narrative. As he said, with a wink, let's  
4 see how many houses they actually do build.

5           Eighty three-bedroom rowhouses in what  
6 amounts to one square block will result in a rapid  
7 population increase, with increased demand on trash  
8 collection services, already challenged public  
9 transport, and already failing infrastructure,  
10 currently insufficient law enforcement, and an  
11 overburdened public school system.

12           Applicant will not be around to address these  
13 issues when they occur. Especially once the  
14 insufficiently detailed three- year construction plan  
15 concludes.

16           All of us should carefully consider all of  
17 those implications now. Traffic around St. Josephs,  
18 as people have commented, is already dangerous, and  
19 it's getting worse every day. I won't dwell on that  
20 because it's been noted enough before.

21           I will point, however, that we're still  
22 awaiting feedback from DDOT on the traffic study and  
23 census that we conducted a year ago. And while we're  
24 glad that DDOT is supportive of the developer's  
25 interest in this, the residents would like a share of

1 your attention.

2           The applicant's PUD is inconsistent with the  
3 Comprehensive Plan as well as existing and Future  
4 Land-Use maps. That plan and those maps were  
5 developed to guide future development in this city  
6 and in this ward. Either those documents have  
7 substance and meaning and the Commission follows the  
8 guidelines of those documents, or they don't.

9           We've entered an age of alternative facts and  
10 applicant's activities over the past year, including  
11 aspects of the current application are illustrative.  
12 We can choose to close our eyes and deny obvious  
13 attempts to pillage our communities, our city, and  
14 even our national character. Or, we can resist. And  
15 I would ask that the Commission adhere to the  
16 Comprehensive Plan, protect this community,  
17 especially from overdevelopment, and respect the  
18 justified concerns of the people who live here.

19           CHAIRPERSON HOOD: Okay. I'm going to have  
20 to ask you to --

21           MS. GREENE: I have one sentence.

22           CHAIRPERSON HOOD: -- stop at that point.

23           MS. GREENE: I have one sentence left.

24           CHAIRPERSON HOOD: I'll give you the one  
25 sentence.

1 MS. GREENE: Thank you. Either deny the  
2 applicant's request, or forthrightly declare that you  
3 have no intention of doing so. Thank you.

4 CHAIRPERSON HOOD: Thank you. Commissioners,  
5 any questions or comments of this panel?

6 [No audible response.]

7 CHAIRPERSON HOOD: Okay, Mr. Tummonds, you  
8 have any cross?

9 [No audible response.]

10 CHAIRPERSON HOOD: Mr. Edwards -- Mr. Brown,  
11 do you have any cross?

12 [No audible response.]

13 CHAIRPERSON HOOD: Okay, thank you all very  
14 much. And I believe this was the last panel. What I  
15 would like to do at this point, Mr. Tummonds, and Mr.  
16 Brown, if you all can come forward, I don't know how  
17 much rebuttal. I'm not going to do rebuttal tonight.  
18 I've accomplished what I needed to accomplish and to  
19 make sure that the residents didn't have to come back  
20 down unless they just want to. And also, I'm going  
21 to make sure if they don't want to come and follow  
22 what we do after this, they can also watch it as we  
23 stream it, and you can call the office and get all  
24 the -- look at the D.C. Office of Zoning's website  
25 and you'll be able to see us.

1           Let's come up with a date. Let's come up  
2 with how much time you're going to need. How much  
3 time do you think you need for rebuttal, Mr.  
4 Tummonds?

5           Ms. Schellin, let's look at a date that we  
6 might not have nothing, a whole lot. Even if we have  
7 to come in at 5:00 or 5:30, but we'll work all that  
8 out.

9           MR. TUMMONDS: I think we'll just need 15  
10 minutes in rebuttal.

11          CHAIRPERSON HOOD: Okay. I think this is too  
12 important to try to rush this part through.

13          MR. TUMMONDS: I agree completely.

14          CHAIRPERSON HOOD: So, I just wanted to make  
15 sure the residents didn't have to -- give them an  
16 option. You're welcome to come back. I said this  
17 the other night and got in trouble, but you're  
18 welcome to come back down. But if you don't want to  
19 come back down you can watch us, stream us.

20          Mr. Brown, is that okay? Did we do this at  
21 another -- we're going to have to do this part  
22 another day.

23          MR. BROWN: At your pleasure, Mr. Chairman.

24          CHAIRPERSON HOOD: Okay. Thank you. Okay,  
25 Ms. Schellin, do we have a date? Do we have an easy

1 hearing, because we haven't had one lately? We don't  
2 have anything.

3 MS. SCHELLIN: Not until May 18th.

4 CHAIRPERSON HOOD: What did we have -- okay,  
5 Monday --

6 MS. SCHELLIN: We have nothing on May 15th.

7 CHAIRPERSON HOOD: Fifteenth is on a  
8 Thursday?

9 MS. SCHELLIN: Monday. May 4th?

10 CHAIRPERSON HOOD: What about -- you know,  
11 what? What if we do this coming Monday at about  
12 7:30, 7:00?

13 MS. SCHELLIN: 7:00, that's the McMillan  
14 night.

15 CHAIRPERSON HOOD: That should only be a --  
16 we're starting at 5:00. If we're not finished by  
17 7:00, we've got some problems. Aren't we starting at  
18 5:00?

19 MS. SCHELLIN: Yeah.

20 MR. TUMMONDS: The 15th, May 15th works for  
21 us.

22 CHAIRPERSON HOOD: Fifteenth, and 15 minutes.

23 MS. SCHELLIN: Unless you want to do 6:00. I  
24 mean, not to -- I mean, since we have nothing on the  
25 15th, if you want to do the 18th at 6:00.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 CHAIRPERSON HOOD: Yeah, let's do the 18th at  
2 6:00, because we have to be here anyway, right?

3 MR. TUMMONDS: 18th at 6:00.

4 MS. SCHELLIN: We have to be here anyway.

5 CHAIRPERSON HOOD: Okay, let's do the 18th at  
6 6:00. And for those who cannot come back down on the  
7 18th, you can watch us. You can watch us any time,  
8 stream us. Okay? And if you have any issues about  
9 the website, you can go to the D.C. Office of  
10 Zoning's website, D.C. Office -- what is it?

11 MS. SCHELLIN: DCOZ.DC.gov.

12 CHAIRPERSON HOOD: Okay. Or you can call the  
13 office and get some help, 727-6311.

14 MS. SCHELLIN: Chairman Hood.

15 CHAIRPERSON HOOD: Yes.

16 MS. SCHELLIN: Are you leaving the record  
17 open, then, for --

18 CHAIRPERSON HOOD: The record is closed,  
19 except for the things we've asked for. Mr. Turnbull  
20 -- yeah.

21 MR. TURNBULL: No, I just want to get for --  
22 the applicant's got some things we had asked for.

23 CHAIRPERSON HOOD: Yeah, except for the  
24 things we've asked for. We're going to have  
25 rebuttal, we're going to do cross on rebuttal, and

1 then we'll do closing. That shouldn't be an all-  
2 nighter.

3 MR. TUMMONDS: Yeah.

4 MR. TURNBULL: Mr. Chairman.

5 MR. TUMMONDS: And then on the 18th we'll  
6 establish the date for the post hearing submissions.

7 MS. SCHELLIN: Those submissions, yes. We'll  
8 establish those dates then.

9 MR. TUMMONDS: Yeah.

10 CHAIRPERSON HOOD: Okay, Vice Chair --

11 MR. TURNBULL: Yes, I stand corrected. Mr.  
12 Tummonds is correct. And we're just here to talk or  
13 to listen on that night, and then submissions will  
14 follow.

15 MR. TUMMONDS: Correct.

16 CHAIRPERSON HOOD: Okay. And, Vice Chair,  
17 you had something?

18 MR. MILLER: I just had a question. Is it  
19 appropriate for us to ask what we would like the  
20 applicant to include within his rebuttal, or is that  
21 appropriate more after he does his rebuttal, why we  
22 want to --

23 CHAIRPERSON HOOD: I think --

24 MR. MILLER: I mean, there are a number of  
25 things I heard, but how do you want to handle that?

1 CHAIRPERSON HOOD: Yeah, I think I want us to  
2 be fresh, first of all, and I want us to come back on  
3 the 18th, and we can do all that on the 18th, grapple  
4 all that. Unless you --

5 MR. MILLER: And we can ask for post hearing  
6 submissions. If we didn't hear in rebuttal, things  
7 we wanted rebutted --

8 CHAIRPERSON HOOD: Things we want, we can get  
9 it then.

10 MR. MILLER: -- we can ask for it then.

11 CHAIRPERSON HOOD: Right. Okay. So, we all  
12 on the same page?

13 MR. TUMMONDS: Well, in some regards, you  
14 know, if it's -- whatever you want to do. But if you  
15 want to tell us something that you want us to address  
16 in rebuttal on the 18th, that's also a beneficial  
17 thing for you, for us.

18 CHAIRPERSON HOOD: Sure. If you've got it  
19 right now, go ahead.

20 MR. MILLER: I do. So, I mean, there were  
21 eight conditions, for example, that the party in  
22 opposition requested, that if this was going to go  
23 forward, in addition to the fundamental request to  
24 reduce the units by 14. So, I would like a response  
25 to the reduction by 14, and those eight conditions.

OLENDER REPORTING, INC.

1100 Connecticut Avenue NW, #810, Washington, DC 20036

Washington: 202-898-1108 • Baltimore: 410-752-3376

Toll Free: 888-445-3376

1 I would like, if it wasn't already in at your  
2 prehearing -- any of your prehearing submissions, a  
3 response to the variance, how you have met the  
4 variance test for the flexibility that you're  
5 requesting. And we already previously asked for some  
6 certain things which you know about. The  
7 environmental, I asked for and DOEE, and if we can  
8 get something from D.C. Water, I realize that is  
9 something in -- that does get addressed in the  
10 permitting process, as one of our witnesses said, but  
11 they often do -- they sometimes do provide us with an  
12 initial letter at the time of our hearing before  
13 permitting, which says what's going to have to happen  
14 at permitting. So, if we could get something from  
15 them, since we had testimony on that subject.

16 That's it.

17 CHAIRPERSON HOOD: Okay. All that was great,  
18 but let me just say this, you're going to have some  
19 more on the 18th. I want to take my time and make  
20 sure I go through this thoroughly on that day.

21 MR. TUMMONDS: Sure. Sure.

22 CHAIRPERSON HOOD: Okay. So, that was -- he  
23 gave you a start, but I'm sure there's much more.  
24 Okay?

25 All right. Anything else up here? All

1 right. So, May the 18th at what time did we say?  
2 6:00? Do we have a -- we have another hearing that  
3 night.

4 MR. BROWN: Mr. Chairman.

5 CHAIRPERSON HOOD: Is it -- let me -- is it a  
6 major hearing? Well, I don't know --

7 MS. SCHELLIN: No, it isn't.

8 CHAIRPERSON HOOD: Oh, okay.

9 MR. BROWN: Just for clarification, you were  
10 expecting an oral closing argument at the conclusion  
11 of the rebuttal. Is that correct?

12 CHAIRPERSON HOOD: The applicant gives a  
13 closing. What's going to happen, he's going to come  
14 and give us rebuttal on a lot of whatever comments  
15 you all had. After that, we may have some additional  
16 questions. You will do cross on rebuttal, and then  
17 he'll do a closing statement.

18 MR. BROWN: So, I don't do a closing  
19 statement?

20 CHAIRPERSON HOOD: No, you don't do a closing  
21 statement.

22 MR. BROWN: Very good. All right. And then  
23 after that you'll be setting time table for proposed  
24 findings and conclusions --

25 CHAIRPERSON HOOD: Findings of fact and

1 conclusions of law, right.

2 MR. BROWN: Thank you, sir.

3 CHAIRPERSON HOOD: All right. Anything else?

4 So, with that we'll reconvene on the 18th at 6:00.

5 Thank you.

6 [Whereupon, the hearing adjourned at 11:36  
7 p.m.]

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25