

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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THURSDAY
OCTOBER 9, 2003

+ + + + +

The Public Hearing of Case No. 03-04 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, NW, Washington, D.C., Carol Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
JAMES H. HANNAHAM	Commissioner
JOHN PARSONS	Commissioner

OFFICE OF ZONING STAFF PRESENT:

ALBERTO P. BASTIDA	Secretary
SHARON SCHELLIN	

OFFICE OF PLANNING STAFF PRESENT:

MAXINE BROWN-ROBERTS	Office of Planning
JENNIFER STEINGASSER	Office of Planning

COUNSEL ON BEHALF OF THE APPLICANT:

JONATHAN L. FARMER, ESQ.

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Preliminary Matters, Chairperson Mitten.....	3
Opening Statement on Behalf of the Applicant.....	6
Parties testifying in support	
Martin T. Towles.....	13
Clark Wagner.....	17
Questions by the Commission.....	23
Status Report, Office of Planning.....	54
Parties testifying in opposition	
Shari Dillard-Cox.....	65
Wanda Gaddis.....	67
Marty Clark.....	68
Edra Derreks.....	69
Elois Jones.....	77
Florenie Williams.....	79
Closing Statement on Behalf of the Applicant.....	82

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3 CHAIRPERSON MITTEN: Good evening, ladies and gentlemen.

4 This is a Public Hearing of the Zoning Commission of the District
5 of Columbia, for Thursday, October 9th, 2003. My name is Carol Mitten and joining
6 me this evening are Vice Chairman Anthony Hood and Commissioner John
7 Parsons.

8 The subject of this evening's hearing is Zoning Commission
9 Case No. 03-04. This is application by Belmont Partners, LLC, on behalf of Buzutto
10 Holdings, LLC and George H. Purcell for approval of a consolidated Planned Unit
11 Development under Chapter 24 of the District of Columbia Zoning Regulations 11-
12 DCMR for property located at 1437 through 1451 Belmont Street, NW

13 Notice of today's hearing was published in the D.C. Register on
14 August 22nd, 2003, and if you'd like a copy of the hearing announcement, it's in the
15 wall bin near the door.

16 This hearing will be conducted in accordance of the provisions of
17 11-DCMR Section 3022. Those are the Rules of Procedure for contested cases and
18 the order of procedure will be as follows:

19 Preliminary matters, followed by the presentation of the
20 Applicant's case, the report by the Office of Planning, reports of other Government
21 agencies, the report of affected advisory neighborhood commission. In this case it's
22 1B. Parties and persons in support, parties and persons in opposition and then any
23 rebuttal and closing remarks by the Applicant.

24 The following time constraints will be maintained in this hearing:

25 The Applicant will have 30 minutes, parties will have 15 minutes,
26 organizations five minutes and individuals three minutes.

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

5 All persons appearing before the Commission are to fill out two
6 witness cards. These cards are also on the table near the door. Upon coming
7 forward to speak to the Commission, please give both cards to the reporter who is
8 sitting to our right.

9 All individuals or organizations that would like to testify please
10 sign the witness list, which is also at the entrance on the table.

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

15 Staff will be available to discuss any procedural questions
16 throughout the hearing. You can direct those questions to Mr. Bastida or Mrs.
17 Schellin.

18 Please turn off all beepers and cell phones at this time so as not
19 to disrupt these proceedings.

20 At this time, the Commission will consider any preliminary
21 matters.

22 Mr. Bastida, any preliminary matters?

23 SECRETARY BASTIDA: Yes, Madam Chairman.

24 The Applicant has complied with the posting and maintenance of
25 posting requirements in accordance with the regulations.

26 CHAIRPERSON MITTEN: Thank you.

1 feel and a FAR of approximately 2.7. The project is located in the R5B zone and it's
2 proposed height is 55 feet. We are not seeking a zoning amendment at this time
3 and would speak to one if it would be necessary.

4 The site itself is approximately 1.98 of an acre, 810 feet short of
5 the minimum area requirement for the PUD. However, on the 2401.2 of the zoning
6 regulations, the Zoning Commission may waive not more than 50 percent of the
7 minimum area requirements provided that the project is of exceptional merit and in
8 the city's best interest. And if it is outside the central business district, at least 80
9 percent of project is used for dwelling units.

10 We believe this particular project meets those criteria.

11 I don't know if the Commission wants to rule on that particular
12 aspect of it now or should we just move forward?

13 CHAIRPERSON MITTEN: I think it would be helpful for you to go
14 through your whole case because the extraordinary of it won't be fully known to us
15 until you go through the presentation.

16 MR. FARMER: All right.

17 CHAIRPERSON MITTEN: Thank you.

18 MR. FARMER: The project also has a lot occupancy of 63
19 percent. Under the PUD regulations, we are allowed 60 percent. The extra three
20 percent of lot occupancy is, as you will see in the architectural presentation, is
21 necessary to allow for certain aesthetic values to come forth and also the use for the
22 best policy economic and physical use of the property itself.

23 The roof structure requires some variation as well. Section
24 411.5 requires that the walls be of equal height. Our proposed roof structure has a
25 varying height with two 16-foot towers with the remainder of it being at 11 feet.

26 It also requires setbacks equal to the roof height. One of the 16-

1 foot towers also does not meet the required setback. We have an even 11 feet
2 across the setback distance on the roof itself across the parapet.

3 Other than are previously described, the proposed project fully
4 complies with the PUD guidelines contained in the zoning regulations. This PUD
5 provides a significant amenities package which we will describe in further detail.

6 At our pre-hearing and on the application, we go into detail and
7 discuss how this project fosters the goals and objectives of the Comprehensive
8 Plan, including the production of new housing. The satisfaction of the urban design
9 element by creating an in-fill development that is consistent with the established
10 character of the area and furthers the Ward 1 goals and policy of creating multi-
11 family residential properties in the area.

12 The project also furthers the major themes of the
13 Comprehensive Plan, such as stabilizing District neighborhood, respecting and
14 improving the physical character of the District, as well as preserving and insuring
15 community input.

16 This input has been an integral part of this particular
17 development program. The Applicant has sought input from both the ANC and the
18 immediate neighbors to the project. Through this process, we are able to present a
19 project that has their full support as well as the support of the Office of Planning and
20 the Department of Transportation.

21 In the Office of Planning report recommending approval, there
22 were several conditions for approval. I'm going to have the following information
23 submitted into the record to address these conditions.

24 We have signed copies of a construction management plan and
25 a first sought employment agreement with the District. We have signed contribution
26 agreements with the metropolitan Boys and Girls Clubs and the Garnett-Patterson

1 Middle School.

2 We are going to submit plans depicting the the proposed PUD
3 project that we are presenting this evening, including a refined landscaping plan,
4 roof plan and revised loading areas.

5 In addition, pursuant to the desires to he Office of Planning, we
6 will obtain a three-year service plan for the computers which we are donating to the
7 school and to the Boys and Girls Clubs in lieu of a warranty, since a warranty is
8 almost impossible to obtain of that length for the computers.

9 We will also agree to provide off-site landscaping and that off-
10 site landscaping will be installed prior to the issuance of the first certificate of
11 occupancy for this particular project. We believe that that will satisfy the conditions
12 as designated by the Office of Planning.

13 And if you have no questions for me at this time, I'd like to
14 introduce our first witness, Mr. Martin Towles, our project architect.

15 I have Mr. Towles' resume here for the Commission's review.

16 CHAIRPERSON MITTEN: Are you offering him as an expert?

17 MR. FARMER: Yes. I am.

18 CHAIRPERSON MITTEN: Okay then. Let's stop the clock for a
19 second, while we review this. Just give us a moment to do that.

20 Any objection to accepting Mr. Towles as an expert in
21 architecture? Any objection?

22 COMMISSIONER PARSONS: Is Mr. Towles a registered
23 architect in the District of Columbia? It doesn't say so on his resume.

24 MR. TOWLES: I'm not, sir.

25 COMMISSIONER PARSONS: In the State of Maryland?

26 MR. TOWLES: No, sir.

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1 CHAIRPERSON MITTEN: If you're going to respond, you need
2 to get on a microphone, so just come forward and just state your name for the
3 record.

4 MR. TOWLES: I'm Martin Towles.

5 COMMISSIONER PARSONS: You're not a registered architect
6 anywhere?

7 MR. TOWLES: No, sir.

8 COMMISSIONER PARSONS: Then I would disagree that he's
9 an expert in architecture.

10 CHAIRPERSON MITTEN: All right. Anyone else?

11 COMMISSIONER PARSONS: Doesn't mean he can't present
12 the case.

13 CHAIRPERSON MITTEN: Absolutely.

14 VICE CHAIRPERSON HOOD: I would also agree with my
15 colleague. Thank you.

16 CHAIRPERSON MITTEN: All right. Then we'll just accept his
17 testimony and --

18 VICE CHAIRPERSON HOOD: Let me just ask.
19 Have you ever been accepted as an expert witness anywhere?

20 MR. TOWLES: No, sir.

21 VICE CHAIRPERSON HOOD: Okay. I will definitely agree.
22 Thank you.

23 CHAIRPERSON MITTEN: Okay.

24 MR. FARMER: Mr. Towles will present basically a walk through
25 of our proposed project.

26 CHAIRPERSON MITTEN: if it would be helpful to you, we have a

1 hand-held mike, but we need you on a mike when you're speaking.

2 MR. TOWLES: Yes. May I use the hand-held?

3 CHAIRPERSON MITTEN: And keep it up tight.

4 MR. TOWLES: Thank you.

5 As Mr. Farmer explained, the site is on Belmont Street. It's
6 adjacent to Meridian Hill Park which is just off of this site plan here to the west. This
7 is a 103-unit condominium building, which is basically a U-shape building, four
8 stores above a concrete parking structure -- underground parking structure, which w
9 raps around a courtyard, which would be landscaped somewhat as we see here.
10 This is obviously a schematic design.

11 What we wanted to do with this project was respect the
12 community and the neighborhood in which it's placed. And to do that, we did a
13 couple of things.

14 We took the bulk of the building. As you can see here, it's a
15 fairly long building and we divided it in the way we treated it on the street into a
16 piece that looks more like a traditional apartment building and then a piece that is
17 more like a series of townhouses. And the apartment building is closer to the taller
18 buildings against Meridian Hill Park and as we move down the street, these
19 townhouse looking pieces would relate back to the further townhouses along
20 Belmont Street.

21 Also to keep with the residential character, we used traditional
22 materials, which would relate to the neighborhood. We used two colors of brick. We
23 used pre-cast accents to mimic, you know, pre-cast in stone of the neighborhood
24 pieces. We then used a kind of punched window with transoms that, again, relates
25 back to the windows of the neighboring parcels.

26 To further that in this townhouse piece, these units are actually

1 two-story townhouses at the street level. This allows us to put actual entries into the
2 building which are similar to, again, the townhouse entries, which would be further
3 down Belmont Street.

4 I'm going to talk a little bit about the roof structure. The intention
5 with the roof structure is to screen the mechanical systems which will be necessary
6 on this project.

7 CHAIRPERSON MITTEN: Could you put that up higher?

8 MR. TOWLES: Sure.

9 CHAIRPERSON MITTEN: It's hard to see.

10 MR. TOWLES: The roof structure is to screen again the
11 mechanical systems which will be on the roof. The reason we varied the height is to
12 relate it back to the main elevation itself, so we have some taller parts which
13 correspond to the elevator machine room which has to come above the roof and we
14 mimic this shape, which is in front of bay on the street with another piece in front of
15 another bay on the street. The rest of the screening we want to minimize as much
16 as possible, so we reduced its height to reduce its visibility from the street.

17 We have a section through here through the project showing the
18 street front, the low one half of garage and the courtyard and the building behind.

19 And this is the typical building plan itself. Again, you'll see the
20 courtyard. We have a double row of units around this central corridor. We have an
21 elevator core, stair towers at each end and there will be on the ground floor of the
22 street a lobby off of Belmont Street, a smaller lobby off of the courtyard, one level up
23 behind.

24 The visitor parking is off the alley, which would be these spaces
25 along here.

26 CHAIRPERSON MITTEN: That looks a little different than our A-

1 3 that was submitted and with the -- let's see the date of this.

2 MR. TOWLES: I believe these are revised from what you've
3 seen and these will be submitted.

4 CHAIRPERSON MITTEN: All right.

5 MR. TOWLES: What we've done is, this is the effect of some
6 schematic design on the project.

7 CHAIRPERSON MITTEN: Okay.

8 MR. FARMER: If I may, Madam Chairman.

9 One of the major differences in this particular project is as we
10 have gone along through the development of the project, we've eliminated the
11 efficiency units and now we have one bedroom, one bedrooms with den and two
12 bedroom units. So --

13 CHAIRPERSON MITTEN: And no three bedroom?

14 MR. FARMER: And no three bedrooms.

15 CHAIRPERSON MITTEN: Okay. So, if you could submit along
16 with that what the revised unit mix will be.

17 I'm sorry, Mr. Towles, keep going.

18 MR. TOWLES: Okay. Really, unless there are any questions,
19 that would be my presentation.

20 CHAIRPERSON MITTEN: Okay. We'll hold the questions until
21 the end.

22 MR. TOWLES: Okay.

23 MR. FARMER: The next witness will be Mr. Clark Wagner from
24 the Buzutto Holdings Group, the project manager.

25 MR. WAGNER: Good evening.

26 As John said, I'm Clark Wagner. I'm director of development for

1 Buzutto Homes, Incorporated, here representing Belmont Partner, LLC>

2 I'd like to thank the staff and the Zoning Commission for working
3 with us thus far to move this project forward and thank you for your time tonight in
4 reviewing our application.

5 We've had a great experience, I think thus far, as a new
6 developer in Washington with the staff, with the neighborhood and with the ANC.
7 And we're very happy and very excited about being here tonight.

8 What I'd like to do is take a few minutes and tell you a little bit
9 about who Buzutto is, talk about the process we went through a little bit and touch
10 on just a couple of the issues that we feel should be clarified or highlighted for you.

11 The Buzutto group consists of six companies. We have an
12 apartment development company, a construction company, a management
13 company, a landscaping company, a mortgage company and then the company I
14 represent would be the last is a for-sale home building company. And we are active
15 in Washington. Our construction company is currently building for other owners at
16 Fort Dupont as well as the second project. Our management company has been
17 managing apartments in the District for quite some time, and I'm sure our
18 landscaping company, which is growing very rapidly is doing a lot of work around the
19 area and within the District.

20 Buzutto homes, the for-sale company, as I said, this is our first
21 project and from a strategic, corporate strategic point of view, we view in-fill
22 development in Washington and other urbanized areas as really a great opportunity
23 for us and something we want to do more of.

24 As you might have heard, the scarcity of land in outlying areas is
25 something everyone is concerned with and so we want to participate in the
26 revitalization of this neighborhood, which is really kind of between Columbia Heights,

1 U Street, Adams Morgan. And the neighborhood, we've heard it described as
2 transitional or pioneering. We would prefer to describe it as up and coming and
3 we're really positive on the activity that's going on in the neighborhood and we're
4 happy about the project that we're proposing, which really is a revitalization project.

5 Our focus really is, as a home-building company, is on customer
6 service. We strive to have the highest percentage of referral from our buyers and
7 that's the way we do business is that if we can make everyone of our buyers happy
8 and get a referral from them to another person, then that's really our goal. And we
9 continue to focus on a high level of design and high level of quality with our
10 construction.

11 We have participated as one of the major developers and
12 builders at the Kentlands in Maryland, the Kind Farm, Colombia, Belmont Green in
13 Loudon County and we really do have a lot of experience in urban design and a
14 more urbanized style of architecture.

15 Our last project at Kentlands was the last 30 units which were
16 stacked town homes and the same architect that we have with us tonight, SKI, was
17 the architect on that project and they really do have a flair, we think, for contextual
18 architecture and fitting the building into a neighborhood and really making it fit and
19 making everyone happy about the way it looks.

20 The process we went through, essentially, we went to the ANC
21 who asked us to go meet with the neighborhood and this really is part of our
22 corporate strategy to be proactive and to be aggressive about meeting with the
23 neighbors before we get into any project. So, it was very comfortable for us to go
24 meet with the local residents of Belmont Street and the surrounding area, which we
25 did on several occasions.

26 I think the two big issues that came out were parking and the

1 architecture or the front facade of the building and we made two major changes as a
2 result of those meetings. The first being that we added a second half level of
3 parking at their request. If you don't know, Belmont Street does have a serious
4 parking problem. All the homes on the opposite side have zero off-street parking.
5 Matter of fact, many of the homes have been parking on our property for some time
6 and having been a good neighbor, have allowed that to happen for probably the last
7 year. And I think that's exemplary of the parking problem.

8 The second issues was, what can we do to bring down the scale
9 of the building? And if you look at the architecture that Marty talked about, the entire
10 right side of the building we modified as a result of our meetings with the
11 neighborhood. We essentially created more of a townhouse scale architecture with
12 the private entrances with the -- I think it's a second empire style as far as the roof
13 goes. And what that did was, address the concerns of the neighborhood that our
14 building mass was greater than the buildings that they occupy.

15 The far left side of the building, we think, is a nice fit being closer
16 to 15th Street to a lot of what you see up and down 15th Street in terms of the more
17 traditional apartment building.

18 The issues that I just wanted to touch on briefly. I talked about
19 parking. I talked about he architecture. We currently in the plan do not have any
20 kind of roof top deck and we had talked about this and were very excited about this
21 in the beginning of the project. And to be very frank with you, we let our architects
22 and our consultants talk us out of it. And it's still an open issue. There's a lot of
23 code issues, there's a lot of constructibility issues with placing a deck on top of a
24 building with a flat roof. And when we explained this to the staff, they were a little
25 disappointed that we didn't have an observation deck, being on a hill, and I've
26 actually been on the roof of the Pitts Motel and it is a spectacular view.

1 The staff was excited about that opportunity. So, we would like
2 your guidance, approval or what have you to continue to explore the possibility of
3 adding that element to the building because we feel it would be a really nice amenity
4 for our residents.

5 One other issue is the loading dock. I think there was a lot of
6 back and forth on the design of the loading dock. I think we've resolve that. It's
7 more of a minor issue as far as how the trash pick up would work and what size
8 truck can get up through the alley.

9 And with that, I'd like to thank the Zoning Commission and the
10 staff again. The staff has been great to work with and just ask if you all have any
11 questions.

12 CHAIRPERSON MITTEN: All right. We'll hold the questions until
13 the end.

14 MR. WAGNER: Okay.

15 MR. FARMER: He is our last witness we have.

16 CHAIRPERSON MITTEN: Okay.

17 MR. FARMER: Mr. Chad Baird from Grove Slate. He is available
18 for questions as our transportation expert.

19 CHAIRPERSON MITTEN: Okay.

20 MR. FARMER: And that's the end of the Applicant's
21 presentation.

22 CHAIRPERSON MITTEN: Great. Thank you.

23 Let me just pause for a moment here. We've been joined by a
24 number of people and I'll take this opportunity to ask anyone who has not already
25 been sworn in and who plans to testify this evening, to rise now and be sworn in.

26 Raise your right hand, and Mrs. Schellin.

1 (Whereupon, additional witnesses were sworn.)

2 CHAIRPERSON MITTEN: And then I would ask if you haven't
3 already signed up on the sign-in sheet, it would be helpful to us. I don't see the
4 sign-in sheet any more. But, okay, helpful if you could sign in.

5 Thank you.

6 Now, we'll move to Commissioner questions. And I could start
7 with Mr. May. Mr. May who is not here, has given me a few questions for you.

8 I'll start with Mr. May.

9 And I believe we were handed -- one of his questions had to do
10 with the nature of the affordable housing and I believe we were handed as we came
11 in detailed draft of how that would be handled. And I haven't had a chance to review
12 this, but do you happen to know, is this modeled on the 5401 Western Avenue?

13 MR. FARMER: It is and --

14 CHAIRPERSON MITTEN: Okay.

15 MR. FARMER: -- we've been in discussions with the Office of
16 Planning and DHCD on the exact mechanism.

17 The basis of it is, we are basically providing one unit of every
18 type that's provided in the building for affordable units. We're still working out the
19 fine details of that, but I expect we'll be able to close that as an issue fairly rapidly.

20 CHAIRPERSON MITTEN: And what's the -- okay, 20-year
21 restricted selling period. Okay.

22 I'll pass along one comment that Mr. May makes and then I'll ask
23 question regarding the donation packages to the Boys and Girls Club. He thinks
24 they are minimal, so he would encourage you to increase that.

25 And then there's some question about just precisely what is
26 intended. Can you help me? Oh, here I found it. I guess this is at Tab G.

1 There's a variety of items for Garnett-Patterson such as number
2 7 where it's \$1,000 to paint the cafeteria and then it says work provided by sub-
3 contractor.

4 Is what you're providing \$1,000 or is what you're providing a
5 newly painted cafeteria?

6 MR. WAGNER: We're definitely providing the newly painted
7 cafeteria. We felt the need to put a monetary number on it so that we could value
8 the entire package.

9 CHAIRPERSON MITTEN: Okay. And is the same for repairing
10 the fence and wall and the ceiling lights and so forth?

11 MR. WAGNER: The same holds true for those and we've
12 probably gone on the low side of those evaluations.

13 CHAIRPERSON MITTEN: Okay.

14 MR. WAGNER: Just to make a conservative estimate. It's like to
15 cost more than what we said.

16 MR. FARMER: So, you understand the process that we
17 underwent with that, we visited both the Boys and Girls Club and the Garnett-
18 Patterson Middle School and basically asked them for their wish list.

19 We took a tour of the school trying to determine what their needs
20 were and basically the amenities package we are offering, basically reflects what
21 they told us were their specific needs.

22 CHAIRPERSON MITTEN: Okay. From an enforceability
23 standpoint and so that everybody is on the same page, I don't mean that you need
24 to change anything because you have signed agreements, but for the purposes of
25 the order, I think we would want to have that you will paint the cafeteria --

26 MR. WAGNER: Right.

1 CHAIRPERSON MITTEN: -- valued at \$1,000 or whatever it is
2 because then --

3 MR. FARMER: Yes. We were anticipating in providing a
4 proposed order which would be very specific in terms of amounts and time periods,
5 in terms of when these things would be provided.

6 CHAIRPERSON MITTEN: Okay. I just wanted to be clear about
7 how we would like those to be present.

8 MR. FARMER: Right.

9 CHAIRPERSON MITTEN: Mr. May also suggested, in some
10 cases, we've seen not only an itemization or an attempt at valuing as you have the
11 contributions but also valuing the other amenities and, I think, the Office of Planning
12 has worked with applicants to try and do that. So, that might be helpful as well to
13 help us determine whether the proper balance has been struck between what's
14 being requested through the PUD process and the amenities and benefits.

15 Did you bring material samples for us?

16 MR. WAGNER: No. We didn't, but the intention was that the
17 rendered drawings would indicate the feel of the materials. We haven't specifically
18 selected anything at this time.

19 CHAIRPERSON MITTEN: We're going to need specific material
20 samples submitted and, for instance, Mr. May points out that we also need a little
21 greater specificity on the drawings and it -- could one of you turn off your mike
22 because we're getting some feedback?

23 It may be in the revised drawings that you'll be providing to us,
24 but just as a for instance on A-7, there's some articulation of what the materials will
25 be but then we get to an item like number 17, which just says exterior wall finish.

26 And I know in the submission that we reviewed for set-down, I

1 said that was either going to be Ephis or some kind of Hearty Plank and if that's the
2 intended material, then that needs to be specifically stated and it will be more clear
3 when you submit the material sample, but can you tell us what the intended material
4 is on the non-brick portion?

5 MR. WAGNER: We've discussed, as you said, both Ephis and
6 the Hearty Plank System. The Ephis has a lot of concerns with water potentially
7 coming into the building and Buzutto is reluctant to use that material because, you
8 know, they are looking for a long-term project. So, we would be looking, more than
9 likely, to the Hearty Plank System --

10 CHAIRPERSON MITTEN: Okay.

11 MR. WAGNER: -- which is a monolithic, basically flat panel with
12 trim pieces that seal the gaps.

13 CHAIRPERSON MITTEN: You'd make that decision by the time
14 we finalize. And then also you have the Mansard roof, but it doesn't indicate what
15 the material will be on the Mansard roof.

16 What's the thought there?

17 MR. WAGNER: The Mansard would more than likely be standing
18 seam metal, which is a kind of traditional look for that kind of roof.

19 CHAIRPERSON MITTEN: Okay. And, again, just need some
20 more detail there.

21 This also may be resolved in your revised drawings, but Mr. May
22 points out that the site plan shows a different building plan than the architecturals
23 and he calls out the number of garage vents is different. The stairs are in a different
24 location and there's more changes in the rear facade in the way that it snakes
25 around. So, is that --

26 MR. FARMER: That will be reflected in --

1 CHAIRPERSON MITTEN: Could you turn on your mike for me?

2 MR. FARMER: That will obviously be reflected in the revised
3 drawings that we're submitting. This has been sort of an organic project and --

4 CHAIRPERSON MITTEN: Okay.

5 MR. FARMER: -- it's been up to this point.

6 CHAIRPERSON MITTEN: Okay. Will your revised submissions
7 also include the materials that you're going to be planting? I think we had some
8 information about what the species of the trees would be, but in terms of the area at
9 the rear.

10 MR. FARMER: Again, the revised drawings have a full
11 landscape plan which will also indicate --

12 CHAIRPERSON MITTEN: Do you have that with you and you're
13 just not giving it to us or --

14 MR. FARMER: I don't think -- did you bring --

15 CHAIRPERSON MITTEN: You don't have reduced sets to give
16 to us right now?

17 MR. FARMER: No.

18 CHAIRPERSON MITTEN: Okay.

19 MR. TOWLES: The revised landscape plan has plant species
20 indicated on it and the design.

21 CHAIRPERSON MITTEN: Okay. I'm sure Mr. Parsons will give
22 you some questions if he has any concerns about that.

23 Now, another thing that I think would be helpful is in the -- I think
24 the Office of Planning report has a chart in it that shows, and I suppose you all do
25 too, that shows the -- yes, you do too on page 6 and 7.

26 Mr. May was raising a question about that your side-yard

1 requirements with a 55-foot height, the side-yard requirement would be 13.75. And
2 you're providing 12.

3 Can you address that?

4 MR. FARMER: I believe that side-yard requirement was
5 calculated based on the 55 feet at 12 feet.

6 CHAIRPERSON MITTEN: Just give me a second here. I'm
7 going to do a little bit of math.

8 Anybody have a calculator?

9 It's over 12. The requirement is more than 12. That's what I'm
10 getting right now is it's more than 12.

11 MR. FARMER: Right.

12 CHAIRPERSON MITTEN: So, we'll have to -- either you need to
13 re-measure your side yards or we'll have to add that to the requested relief.

14 MR. FARMER: Right.

15 CHAIRPERSON MITTEN: Okay. So, if you could just do that
16 calculation for us officially and then if you need to amend the relief that you're
17 seeking, you can submit that to us.

18 All right, then, anyone else take over while I prepare my own
19 questions? Mr. Hood?

20 VICE CHAIRPERSON HOOD: I think I only have one or two on
21 how long they're going to be.

22 I guess this will go to Mr. Farmer.

23 In your submittal you mentioned that you all are going to
24 voluntarily go into a first source employment program and you're going to be giving
25 circulatory doing construction out to the ANC 1-B.

26 What's on those circles? What information are you providing?

1 MR. FARMER: Well, the information provided is the type of jobs
2 that will be available, obviously, salary levels and the duration thereof. Also, we
3 would note the fact that we are advertising jobs with the Department of Employment
4 Services. We will be fully compliant with MBOC requirements.

5 VICE CHAIRPERSON HOOD: Here's something that I've done
6 on every case and the problem that I have with this is, once we do that, we need to
7 do that as soon as possible, because what normally happens and I've seen it down
8 here and I sound like a broken record. What normally happens, we wait until the last
9 minute to provide that information and then guess what? Nobody from the city is
10 qualified.

11 So, as soon as we can get that information to the parties, to the
12 Department of Employment Service, to ANC and whoever, then we can start
13 making sure we have a qualified pool.

14 MR. FARMER: Absolutely.

15 VICE CHAIRPERSON HOOD: So, if you could work on that.

16 MR. FARMER: Mr. Hood, I would also like you take note.
17 Buzutto Construction is actually working in the District of Columbia at this particular
18 point. They have District of Columbia employees. I would imagine some of those
19 employees will also be employed on this particular job site as well. But, again, we
20 have pledged to go forth to ANC with the appropriate job because we will endeavor
21 obviously to do that as soon as possible.

22 VICE CHAIRPERSON HOOD: Very good. So, they have
23 already established a track record?

24 MR. FARMER: That's correct.

25 VICE CHAIRPERSON HOOD: Okay. And the track record is
26 good?

1 MR. FARMER: Absolutely.

2 VICE CHAIRPERSON HOOD: Good. That's good to hear.

3 The other thing is, I saw something about the parking spaces.

4 While I noted in the Office of Planning report, they mentioned that you had adequate
5 parking spaces.

6 I think it mentioned that each occupant is going to be required to
7 purchase one parking space?

8 MR. FARMER: There's one parking space per unit will be
9 required.

10 VICE CHAIRPERSON HOOD: Okay. And who is going to pay
11 for the other ones? How does that work?

12 MR. FARMER: As part of the condominium regime, each parking
13 space is designated as a condominium unit, if you will. They will be offered for sale.
14 If an owner desires to purchase an additional unit, he will certainly be eligible to do
15 so. If a neighbor wants to purchase a parking unit, they will be able to do so.

16 VICE CHAIRPERSON HOOD: So, if I'm an occupant, I mean, if
17 I'm an owner, I can buy five parking spaces?

18 MR. FARMER: Well, we're going to put a limit of four.

19 VICE CHAIRPERSON HOOD: Four parking spaces?

20 MR. FARMER: Right. I don't know about you, but I have
21 teenage kids which means more than two cars.

22 VICE CHAIRPERSON HOOD: Oh, yes. You definitely want to
23 have more than -- I was just wondering how all that is going to work because you
24 come home and someone else is in your space.

25 MR. FARMER: Right.

26 VICE CHAIRPERSON HOOD: But anyway that's going to be

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1 another problem. But, anyway, I'll leave that to those who -- and it looks good
2 because -- well, it looks like you did some work with the ANC as far as the
3 amenities.

4 Now, let me just ask this about Garnett-Patterson and I hope this
5 was dealt with out in the community and all those involved.

6 Is Garnett-Patterson slated to close?

7 MR. FARMER: Not to my knowledge.

8 VICE CHAIRPERSON HOOD: Okay. Because I would hate to
9 see all that work going to the school and it closes. So, if that's already been
10 investigated, we can go forward. That still would be considered.

11 MR. FARMER: Yes. As I indicated before, we went and visited
12 with the school to look at both the short-term and long-term needs. What they were
13 looking for in improvements to their physical plans with the understanding that they
14 were going to be there. To my knowledge -- for that matter, they are making
15 physical -- the school board itself is making physical improvements to the building
16 itself, so that's an indication that it's not going to close.

17 VICE CHAIRPERSON HOOD: And, Mr. Farmer, let me just say,
18 this next question I'm going to ask you because I'm not blind, but I will ask you. Do
19 you know of any opposition and what it may be because it did not -- there was
20 nothing presented to us that may have signified or signaled, at least to me, that
21 there's any opposition?

22 MR. FARMER: We have met with the community or at least the
23 immediate neighbors to Belmont Street on three occasions and appeared before the
24 ANC on three occasions. We have not had "opposition". We did have phone calls
25 beginning last week, particularly from a group called Acorn and I believe something
26 called Victory Homes.

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1 We returned the calls. We have not been able to -- we've
2 offered to meet with them but, again, we have not had any specific meetings,
3 etcetera.

4 We appeared before the ANC last Thursday and at that
5 particular point we had no opposition. We talked about affordable housing and the
6 program. They had previously seen the physical renderings of the plants. We'd
7 explained exactly how we were developing and what the development program --
8 what the expected units would be but, no, we haven't had no specific opposition.

9 We have also had inquiries from individual neighbors, particularly
10 as to parking, both for and against the amount of parking. I actually had a call from
11 a gentleman who told me I was actually building a building that was too small in
12 height. He was urging me to get more height. But, again, I mean, that's been the
13 gist of our contacts, if you will.

14 VICE CHAIRPERSON HOOD: And the nearest Metro station is it
15 Columbia Heights -- between Columbia Heights and --

16 MR. FARMER: Between Columbia Heights and U Street.

17 VICE CHAIRPERSON HOOD: -- by Howard? Oh, U Street?

18 MR. FARMER: Right.

19 VICE CHAIRPERSON HOOD: U Street. All right.

20 Thank you, Mr. Farmer, I understand. Thank you.

21 CHAIRPERSON MITTEN: Mr. Parsons.

22 COMMISSIONER PARSONS: Is there anybody here tonight
23 from the Parker Rodriguez group who prepared sheet L1-1? Maybe we could bring
24 them forward?

25 This is the landscape plan that --

26 CHAIRPERSON MITTEN: Why don't you just get him to state his

1 name for the record and then you could ask your questions.

2 COMMISSIONER PARSONS: that would be good.

3 MR. LEIDOFF: Jody Leidoff with Parker Rodriguez.

4 COMMISSIONER PARSONS: All right. This didn't come with a
5 plant list. All we have is your drawing and indication of initials next to each plant. Is
6 that available? Is that --

7 MR. LEIDOFF: Yes. It is.

8 COMMISSIONER PARSONS: And the sizes of the plant
9 material?

10 MR. LEIDOFF: Yes. We have -- there's a second sheet that has
11 all the appropriate planting details and plant schedules.

12 CHAIRPERSON MITTEN: We don't have it yet.

13 COMMISSIONER PARSONS: Well, that would certainly be
14 helpful.

15 Let's talk about the -- do you have -- is that the drawing there on
16 the right?

17 MR. LEIDOFF: Yes. It is.

18 COMMISSIONER PARSONS: Okay. So, the courtyard is an
19 area that I wanted to focus on. What are you doing there? What is this? The dark
20 green is unlabeled as to what that is.

21 MR. LEIDOFF: It's actually a combination of ground covers. It
22 will be Hostas, maybe some Liriope Mascari, Monkey Grass, bulbs.

23 COMMISSIONER PARSONS: All right, so that's so the
24 occupants cannot walk in the dark green area. Is that correct?

25 MR. LEIDOFF: Right. There's a main entrance point either from
26 the garden screen wall or the main lobby of the building. There's no direct access

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1 for many of the other units into the courtyard. COMMISSIONER

2 PARSONS: So, this is really a visual garden --

3 MR. LEIDOFF: It's a visual garden.

4 COMMISSIONER PARSONS: -- and large garden.

5 MR. LEIDOFF: Well, it's -- it was set up so that there would be
6 shared ownership of the garden that four units would not have access -- direct
7 access to the garden. It's a shared garden that everybody would come through the
8 main lobby, if you will, and into the garden, so that everybody can enjoy the garden
9 space.

10 COMMISSIONER PARSONS: So, there is no place to sit other
11 than a place called special paving where there are two tables and eight chairs. Is
12 that correct?

13 MR. LEIDOFF: No. That's not correct. What we have hoped to
14 do is create a nice generous lawn panel and then off the lawn panel, there are two
15 little scenic paths or garden nodes where we can set up --

16 COMMISSIONER PARSONS: Oh, I see.

17 MR. LEIDOFF: -- individual chairs.

18 COMMISSIONER PARSONS: All right.

19 MR. LEIDOFF: So, the hope is we have four to five different
20 spaces so that if there's a group of two or three people that want to sit by
21 themselves, we've created those and created some interest in varied experiences
22 within the fairly small courtyard, if you will.

23 COMMISSIONER PARSONS: And the architect is giving you the
24 problem of garage vents exhausting through your garden?

25 MR. LEIDOFF: He has.

26 COMMISSIONER PARSONS: So, what do you plan to do about

1 it?

2 MR. LEIDOFF: those are actually the intake vents so --

3 COMMISSIONER PARSONS: Oh, less obnoxious then?

4 MR. LEIDOFF: Right. The exhaust vent is outside the garden

5 wall.

6 COMMISSIONER PARSONS: So, you plan to plan like soldiers

7 around that in planters what?

8 MR. LEIDOFF: Since the whole garden is on structure, we have

9 a minimum of 18 feet of soil, eighteen inches, excuse me.

10 COMMISSIONER PARSONS: Oh, yes.

11 MR. LEIDOFF: And then we're going to mound up around the

12 exhaust vents and then put in maybe some spirea or a little bit larger or softer shrub

13 around the exhaust vents just to kind of shield those, if you will.

14 COMMISSIONER PARSONS: Oh, so these are not evergreens?

15 MR. LEIDOFF: Will you excuse me while I look at the plant call

16 out and I can verify that for you?

17 COMMISSIONER PARSONS: All right. Thank you.

18 MR. LEIDOFF: Currently, they are not evergreens, they are

19 spirea.

20 COMMISSIONER PARSONS: So, the HEF's and MC's --

21 MR. LEIDOFF: The MC's are the hostas.

22 COMMISSIONER PARSONS: Oh, that's the ground cover

23 below.

24 MR. LEIDOFF: Right. That's the large number -- the quantity to

25 ground covers being proposed in that area.

26 COMMISSIONER PARSONS: All right. Well, I'm getting much

1 too specific, I guess.

2 And the street trees that you call for are what size? That is the
3 street trees along Belmont?

4 MR. LEIDOFF: On Belmont.

5 COMMISSIONER PARSONS: I'm now looking at a sheet you
6 don't have the advantage of looking at. It's been passed down to me. You got
7 some Honey Locust here, three and a half calipers. Does that sound familiar?

8 MR. LEIDOFF: Yes. Yes. It does.

9 COMMISSIONER PARSONS: And Chinese Elm, you're going to
10 be using?

11 MR. LEIDOFF: Uh-huh. Just here to kind of -- closer to the park
12 on the western end of the building.

13 COMMISSIONER PARSONS: All right. Well, this has been very
14 helpful. That's really where I was going in the beginning. The sheet that you --

15 MR. LEIDOFF: Yes.

16 COMMISSIONER PARSONS: So, this is part of our record L2-1,
17 huh?

18 CHAIRPERSON MITTEN: Not yet.

19 COMMISSIONER PARSONS: and company's L1-1.

20 CHAIRPERSON MITTEN: We're going to need copies of L2-1.
21 One copy was passed down by OP so --

22 COMMISSIONER PARSONS: All right, then.

23 I want to talk about a penthouse. The penthouse. It just seems,
24 you know, it's wonderful that the artist here in the perspective view forgot the
25 penthouse and that's okay and substituted sky. That's tr additional, but this
26 penthouse has got to be too big for this building. I mean, it just -- it looks like it's

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1 housing the equipment for an office building. What happened here?

2 MR. TOWLES: I mean, what happens with a residential system
3 is we can't have too long a run between the unit and the residents and the
4 mechanical system on the roof. So, what happens is we have pods of mechanical
5 systems that sort of follow the building shape itself. And in order to screen those,
6 we provided walls which do the same thing.

7 COMMISSIONER PARSONS: Well, you've got two 16-foot high
8 structures.

9 MR. TOWLES: Yes.

10 COMMISSIONER PARSONS: What are they for?

11 MR. TOWLES: The one in the center of the building is for the
12 elevator penthouse. The overrun on the elevator.

13 COMMISSIONER PARSONS: All right. That's understandable.

14 MR. WAGNER: So, what we've done is, the second one is
15 actually to just balance out the first one. It doesn't have a function as the first one
16 does, but it's meant to mimic the shape of the first one to balance the composition of
17 the elevation.

18 COMMISSIONER PARSONS: But here you've got two separate
19 buildings you're trying to portray here, a townhouse unit and an apartment unit. Why
20 is symmetry in an elevation that nobody is going to see of importance?

21 MR. WAGNER: Well, the symmetry would be within the
22 apartment building piece itself.

23 The idea is that these penthouses are symmetrical about the
24 more apartment building piece of the structure to separate it further from what we
25 consider a more townhouse look part of the building.

26 COMMISSIONER PARSONS: All right. Now, why does the

1 penthouse have to be 11 feet high?

2 MR. WAGNER: What we wanted --

3 COMMISSIONER PARSONS: Some of these are individual air
4 conditioners.

5 MR. WAGNER: That's true.

6 COMMISSIONER PARSONS: Your housing, there's no floor
7 plan here so I can't see or roof plan --

8 MR. WAGNER: No.

9 COMMISSIONER PARSONS: -- as to why?

10 MR. WAGNER: You're absolutely right. The height is really
11 meant to try to organize based on the taller height, come up with something that will
12 organize these together.

13 Now, we're very schematic at this point. This is being looked at
14 and being adjusted as we go through schematic design, so I can't say that this is
15 what we would even intend necessarily to end up with, but right now our feeling is
16 that we want to screen the mechanical systems and this is the sort of best way to
17 deal with that situation.

18 COMMISSIONER PARSONS: But would you agree, it's much
19 too much? I mean, floor plate for what you need here?

20 MR. WAGNER: Well, again, you know, the residential system,
21 we're going to have pods of these mechanical systems. But I think the interesting
22 thing about this rendering is, I don't think this is too far from the truth.

23 If you're on the street, particularly right across the street from this
24 building, even though there is, you know, 11- and a 16-foot height, granted we might
25 see a little bit of the 16-foot, but I do not think you're going to see much more than
26 that being this close to the ground.

1 COMMISSIONER PARSONS: Well, where I'm going with this is
2 your residents are being deprived of a spectacular view of the city from this roof. I
3 mean, it has got to be one of the best views in the city and we're ripping it up here
4 with unknown need. An air conditioning system or, you know, little units like this that
5 are three or four feet high. Why can't we explore the opportunity to celebrate this
6 roof as we've done with a PUD just a couple of weeks ago?

7 It was the same thing down on Wisconsin Avenue. It's just a
8 shame that just the top floor units will have a view of the city, if they do get one, as
9 opposed to everybody being able to enjoy this upper level.

10 MR. FARMER: Well, as Mr. Wagner pointed out, Buzutto feels
11 the same way and he has indicated that we beat him up on that made him --

12 COMMISSIONER PARSONS: Let's get another floor plan in
13 here because this isn't going to work. It's just too bad, you know.

14 MR. FARMER: We agree.

15 COMMISSIONER PARSONS: Look at this. Get beyond
16 schematics and give us something us that works here.

17 MR. FARMER: We agree. We'd be happy to look at that.

18 COMMISSIONER PARSONS: Good. Good. Thanks.

19 CHAIRPERSON MITTEN: and I'll put my two cents in. I think
20 Mr. Parsons was going in this direction. The balancing with the second 16-foot high
21 structure I think is unnecessary because it's never going to be seen that way and it's
22 only going to be -- you know, if you were to see it in the rendering that you have up
23 there, then you're never going to see the other piece so why bother to, you know,
24 have the 16-foot high piece at this end? So, I would be in favor of eliminating that.

25 MR. FARMER: We'd be happy to do that.

26 COMMISSIONER PARSONS: Make sure you take Parker and

1 Rodriguez up there with you. Right? That's what this is about. It's going to be a
2 glorious garden up there and something very special. Okay. Thanks.

3 CHAIRPERSON MITTEN: We're getting very excited about roofs
4 lately. But it's a great opportunity to do something and you don't want to overlook it.

5 A couple of questions. Corporation counsel had pointed out that
6 your intention to see parking spaces to people outside the project would create the
7 need for some relief because you're creating a parking garage as a principal use
8 because the adjunct use would be for the people in the building and then you're
9 creating this sort of separate entity. And are you seeking relief for that as well?

10 MR. FARMER: If necessary.

11 CHAIRPERSON MITTEN: You need to turn on your mike.

12 MR. FARMER: If necessary, we will seek such relief.

13 Our thought was by limiting the number of units that could be
14 purchased by any individual unit, we would get away from the notion of having any
15 sort of commercial operation in that particular building. We're obviously not seeking
16 to bring a parking operator or run it as a commercial garage. Again, our only
17 purpose in providing that excess parking was to make sure that we had enough
18 parking for our own owners and residents, as well as providing for what we thought
19 the community was asking us for, for their opportunity to purchase their own parking
20 spaces.

21 CHAIRPERSON MITTEN: Right. I understand and I think it's
22 more of a technical point than something that's going to cause a problem in terms of
23 the operation that you intend.

24 MR. FARMER: Right. But as a technical point, again, by looking
25 at the size of the units and we're less than 900 square feet, I think it would be
26 something other than -- owning four units would be something other than a

1 commercial-type operation which would require such a relief.

2 CHAIRPERSON MITTEN: Okay.

3 MR. WAGNER: It should be clarified that we don't intend to lease
4 those parking spaces at all.

5 CHAIRPERSON MITTEN: But once you sell them to someone
6 else, what control will you have over them?

7 MR. WAGNER: They would be controlled under the homeowner
8 association documents.

9 CHAIRPERSON MITTEN: I'm speaking of the 35 excess
10 spaces?

11 MR. WAGNER: They would be.

12 CHAIRPERSON MITTEN: That would be controlled --

13 MR. WAGNER: All the parking would be controlled. Yes.

14 CHAIRPERSON MITTEN: -- as well?

15 MR. FARMER: Again, just so you understand how this operates,
16 each parking space is a condominium element is a separate plat file with three-
17 quarter deeds, etcetera. They are eligible for sale. They will be sold under the
18 condominium regime.

19 The rules of ownership, if you will, will be controlled within the
20 condo documents itself.

21 CHAIRPERSON MITTEN: Okay. I would encourage you that
22 what you had said already was that you would limit the number of spaces for an
23 owner and I took that to be an owner of a residential unit in the building. And if
24 you're going to be selling units, selling parking spaces to people outside the building,
25 that you might want to limit that to one per owner, so that you don't get someone
26 trying to make an investment type of thing out of it where they just buy four parking

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1 spaces and rent them out.

2 MR. FARMER: Well, thinking -- again, thinking of the common
3 family situation, if you will, it may be more desirable to have at least two available.

4 CHAIRPERSON MITTEN: Just think about it consider making
5 some kind of limitation there as well or maybe a more restrictive -- more restrictive
6 than would apply in the building itself.

7 Also, and you're going to be giving us a number of additional
8 submissions and one that I would like to see flushed out further is you mention that
9 you're committed to having the condominium units owner-occupied and that you'll
10 have something in the condominium documents that will require that.

11 First, I'd like you to flush that out a little bit more for us so we
12 know precisely what it is, how you intend to do that so we can have that as a
13 condition of the PUD.

14 MR. WAGNER: We typically do that in all of our projects, which
15 is a limitation on and I don't think we can legally say that somebody is not permitted
16 to rent their unit out, but we can limit the number of investors at the initial sale.

17 CHAIRPERSON MITTEN: Okay.

18 MR. FARMER: And that's we do is we limit all of our units that go
19 -- that are released for sale, we limit how many of those can be purchased by
20 investors. And we would prefer to start off with that at zero on this project. We
21 would have to explore some of the legalities of that, but we would attempt to set that
22 up in our condominium association documents.

23 CHAIRPERSON MITTEN: Okay. So, if you could submit either a
24 sample of what you're used before or whatever you specifically intend to use here,
25 that would be helpful as well.

26 MR. FARMER: We'd be happy to.

1 CHAIRPERSON MITTEN: All right. Anybody else have any
2 other questions?

3 VICE CHAIRPERSON HOOD: I just have one quick question.

4 I was looking here at the -- glancing at the transportation report
5 which we got prior to us coming out. And they're talking about the alley. It says
6 here, surface parking and there will be access from the public alley. The loading
7 birth apparently is -- the access is going to be from the public alley.

8 Not having seen a visual, and if there's one here, I missed it, of how that
9 whole piece is going to work and how that loading birth and maybe you can point me
10 to it -- architect?

11 MR. FARMER: Actually, we have our transportation planner, Mr.
12 Chad Berry here with us.

13 VICE CHAIRPERSON HOOD: I just want to see it. See how
14 that's going to work. And you probably need to be on a microphone.

15 MR. FARMER: And for the record, this is Mr. Chad Berry from
16 Grove Slate, our transportation planner.

17 MR. BERRY: Chad Berry with Grove Slate.

18 This is the loading birth right here. This will be either a stripped
19 median or a raised curb. It hasn't been decided yet. This is the rolling door to the
20 secondary access point. This is the 20-foot alley way and Belmont Street to the
21 bottom of the plan. Sorry about that.

22 VICE CHAIRPERSON HOOD: That's okay.

23 MR. BERRY: So, a truck would come in this way eastbound,
24 back in and pull out. We've done a diagram using auto turn and submitted it to OP.

25 VICE CHAIRPERSON HOOD: Okay. That's my question. You
26 said a truck will come in. I guess -- what is that, going eastbound?

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1 MR. BERRY: Eastbound on the other way.

2 VICE CHAIRPERSON HOOD: Eastbound.

3 MR. BERRY: It comes here.

4 VICE CHAIRPERSON HOOD: Pull out. Where is it going to pull
5 out, sir?

6 MR. BERRY: Back out into the alley. The loading and unloading
7 is within this enclosed area.

8 VICE CHAIRPERSON HOOD: Oh, it's within. Okay. Okay. So,
9 that allows for room.

10 MR. BERRY: This is enclosed. This is a wall. I don't know how
11 high. But it's enclosed here. VICE CHAIRPERSON HOOD: So, that's
12 enough room for them to turn around and then pull out?

13 MR. BERRY: Yes. You'll b ack in and pull straight out.

14 VICE CHAIRPERSON HOOD: Okay. Now, when I exist, what
15 am I going to do?

16 MR. BERRY: You go to the end of the alley and you turn right,
17 which trash trucks do now or left and right down to Belmont and then cut onto
18 Belmont and what not.

19 VICE CHAIRPERSON HOOD: Okay. Thank you. Thank you,
20 Madam Chair.

21 CHAIRPERSON MITTEN: I think at Tab F there is a couple of
22 versions of the way that the trucks would move down the alley.

23 Is there anyone here from ANC 1-B? Would you like to ask any
24 cross examination questions of the Applicant's witnesses? Okay. Thank you.

25 I think we're ready to move to the report by the Office of
26 Planning. Thank you.

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1 MS. BROWN-ROBERTS: Good evening, Madam Chairman and
2 members of the Commission. I'm Maxine Brown-Roberts from the Office of
3 Planning.

4 In order to be in the project, the Applicant is requesting relief
5 from the minimum lot area requirement, one acre for the PUD in the R5B District,
6 relief from the lot occupancy requirement, relief from the roof structure requirement
7 and approval of a consolidated PUD.

8 The site is currently zoned R5B and the Applicant is requesting a
9 development using the PUD standards of the R5B zone to accommodate multi-
10 family use.

11 The lot size is 810 square feet less than required for a PUD. The
12 OP believes that the proposed waiver should be granted as the proposal will be in
13 the best interest of the city in their development of the site. The PUD allows for
14 additional units, public amenities and design review that would not have been
15 possible under a modified project. It will further revitalize on Belmont Street and the
16 surrounding community and 100 percent of the gross floor area of the building would
17 be dedicated to residential use.

18 To accommodate the proposed development, the Applicant is
19 requesting a three percent deviation from the lot occupancy requirement to allow for
20 an improvement in the design of the building and be economically feasible and will
21 not impact adjacent residents as a required side and rear yards will be met.

22 The Applicant also requests waivers from the roof top enclosure
23 height and enclosure set back.

24 The application meet the purpose and standards of the PUD and
25 the Comprehensive Plan and the generalized land-use map as outlined in our report.

26 Section 243.5 through 243.13 discusses evaluation of public

1 benefits and amenities. Regarding urban design, architectural landscaping or
2 creation of preservation for open spaces, the building will be a transition between
3 the six-story apartment building to the west and two and three story townhouses to
4 the east.

5 The architecture and facade of the building have been designed
6 so that the western portion looks like the apartment building, while the eastern
7 facade is set back and have private entrances on the first floor to look similar to
8 townhouse entrances.

9 The brick and masonry facade and bay windows are similar
10 elements of homes in a community. The U-shaped design with essential open
11 spaces are respectful of the lower-scale townhouses to the north.

12 The on-site landscaping is predominately gardens along the side
13 and front yards where the rear will have a private courtyard wit central lawn,
14 fountain, sitting areas, walkways of different materials and gardens.

15 An off-site amenity landscaping will be provided on both sides of
16 Belmont Street for the length of the building.

17 Primary vehicular access in the building will be from Belmont
18 Street, the secondary access from the alley behind the building and existing
19 pedestrian walkway in front of the development will be improved for ease of
20 pedestrian access.

21 The closes Metro stations are the Columbia Heights and U
22 Street Cardoza Stations.

23 The Applicant is proposing to provide 165 parking spaces on site
24 to serve the residents, visitors and the condo association may sell or lease others to
25 members of the community.

26 Each condo owner is required to purchase at least one parking

1 space.

2 The provision of this excess parking ratio is to satisfy the
3 community's concern that they are no parking spillover from this development.
4 However, there are some members of the community who have expressed concern
5 on the large number of spaces.

6 The Office of Planning and DDOT believes that the parking is
7 excessive and that the community could be protected with less parking.

8 The DDOT also recommends that the garage plans be revised to
9 slow bicycle spaces, as recommended.

10 The required loading dock will be to the rear of the building
11 where trash will be collected from the loading dock along the alley. However, large
12 trailer trucks will not be able to access the loading dock. The Applicant, therefore,
13 proposes that trucks that cannot navigate the alley will use the entrance on Belmont
14 Street. The DDOT has also recommended that revisions be made.

15 The Applicant has submitted a sign first source agreement with
16 the Department of Employment Services and has also indicated that they will be
17 working with the Minority Business Opportunity Commission in ANC 1-B.

18 Work with the ANC and the Office of Planning, the Applicant has
19 agreed to provide four moderately priced dwelling units. A draft of the monetary
20 program to be conducted by DHCD was submitted earlier.

21 The OP will continue to work with the Applicant and DHCD to
22 make a final agreement and respond to the Zoning Commission in a timely manner.

23 The Applicant has proposed to make 30,900 worth of supplies,
24 improvements and facility funds and labeled improvement of the Garnett-Patterson
25 Middle School and 11,600 in funds and a computer will come into the Metropolitan
26 Boys and Girls Club.

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1 The Applicant has also provided signed agreements with both
2 the school and the Boys and Girls Club. The Applicant has voluntarily proposed a
3 construction management plan.

4 The Office of Planning recommends that the application for the
5 requested consolidated PUD be approved with some conditions that the computers
6 donated to the school should be accommodated by a three-year contract. The
7 proposed donations to the Metropolitan Boys and Girls Club and the Garnett-
8 Patterson Middle School should be provided prior to the granting of the first
9 certificate of occupancy and the off-site landscaping should be installed prior to the
10 issuance of the last certificate of occupancy.

11 The Office of Planning will also be willing to work with the
12 Applicant in revising their roof plan as indicated by the Commissioners.

13 Thank you, Madam Chairman.

14 CHAIRPERSON MITTEN: Thank you, Ms. Brown-Roberts.

15 Any questions for the Office of Planning? Any questions?

16 Does the gentleman from ANC 1-B have any questions for the
17 Office of Planning?

18 Mr. Farmer, Any questions?

19 MR. FARMER: No questions.

20 CHAIRPERSON MITTEN: All right.

21 VICE CHAIRPERSON HOOD: I do have one underline still
22 missing.

23 Ms. Brown-Roberts it states in your report and you say it will be
24 addressed in DDOT's report and unfortunately I haven't had a chance to fully read
25 and see if they addressed the concern that you have in your report about the
26 question I asked earlier about the maneuvering.

1 You said it will impact the other residents. How do you see it
2 impacting the other residents?

3 MS. BROWN-ROBERTS: You're talking about the --

4 VICE CHAIRPERSON HOOD: The trucks being able to turn
5 around in the alley.

6 MS. BROWN-ROBERTS: That alley is used by the residents
7 who live north of the site. That alley is used for trash collection and other things. I
8 think there's some parking along there.

9 My concern was that if, you know, there was a big truck,
10 because I think for the larger trucks, there is some concern about how they would be
11 able to maneuver in the alley.

12 The Applicant has said that the large trailer truck types would be
13 unloaded on Belmont Street.

14 VICE CHAIRPERSON HOOD: Okay.

15 MS. BROWN-ROBERTS: So, I suppose that does address some
16 of my concerns.

17 VICE CHAIRPERSON HOOD: So, that will take away your
18 concerns?

19 MS. BROWN-ROBERTS: I wouldn't say that it's taken away
20 completely, because from DDOT's report, I don't think that it has been addressed
21 completely, so I think that's something that still needs to be worked on a little more.

22 VICE CHAIRPERSON HOOD: Okay.

23 Madam Chair, I guess before we finalize anything, we need to
24 make sure that they be more specific and know exactly which route and how it
25 needs to be dealt with.

26 Thank you.

1 MS. BROWN-ROBERTS: You're welcome.

2 CHAIRPERSON MITTEN: Thank you.

3 And just to follow up on a point that Mr. Hood had raised earlier

4 and since we will leave the record open for a period of time.

5 Could you specifically ask DCPS if Garnett-Patterson is

6 scheduled to close?

7 MS. BROWN-ROBERTS: I didn't ask that specific question --

8 CHAIRPERSON MITTEN: Okay.

9 MS. BROWN-ROBERTS: -- but I did make a referral to them

10 and they sent back and in their referral they didn't mention anything that the school

11 was going to be closed.

12 CHAIRPERSON MITTEN: Okay.

13 MS. BROWN-ROBERTS: But I can call and make that specific --

14 and ask that question.

15 CHAIRPERSON MITTEN: Okay. Let's not just make

16 assumptions.

17 MS. BROWN-ROBERTS: Right. Okay.

18 CHAIRPERSON MITTEN: Let's just ask it specifically.

19 MS. BROWN-ROBERTS: Okay.

20 CHAIRPERSON MITTEN: Thank you.

21 Is there anyone here representing a Government agency that I

22 don't recognize. Okay.

23 Then I think we're ready from the gentleman from ANC-1B to

24 come forward.

25 Were you planning on making a report or just had the report for

26 the record. Okay. Then I'll just note that we have the support -- the Applicant has

1 the support of ANC-1B and the letter that has been provided for the record meets
2 the requirements to be given great weight and it's Exhibit Number 19.

3 Is there anyone her who would like to testify in support of the
4 Application? Okay.

5 If I could ask you to sit back and we'll have the folks who are on
6 the list in opposition.

7 I'll call forward panels of four. Try to keep only one microphone
8 on at any given time because we get feedback. But I would encourage you not to be
9 repetitive. That's not helpful to us.

10 So, if you hear something and you agree completely with the
11 person who testifies before you and would just like to say, I'd like to associate myself
12 with so and so's comments, that's fine, but repetitive testimony is not helpful to the
13 Commission.

14 So, Shari Dillard-Coy.

15 MS. DILLARD-COX: Shari Dillard-Cox.

16 CHAIRPERSON MITTEN: Oh, I'm sorry.

17 MS. DILLARD-COX: That's okay.

18 CHAIRPERSON MITTEN: At least you know who I meant I call
19 up. Shari Dillard-Cox. My mistake.

20 Wanda Gaddis.

21 Edra Derreks.

22 And Marty Clark.

23 And did you all turn in your witness cards? No, they need to go
24 to the reporter.

25 There's a button in the base that turns it on.

26 MS. DILLARD-COX: Okay.

1 CHAIRPERSON MITTEN: Who is going to claim the five minutes
2 for Acorn, because the organization just gets one five-minute slot and everyone else
3 testifies as an individual with three minutes?

4 Who would like to have the five-minute slot? Or if you want to
5 limit yourself to three, that's fine with us too. Okay, that's fine. That's great. So,
6 we'll start with Ms. Dillard-Cox here on the end and then we'll just go across the
7 table. And hold your seats until everyone is done.

8 Go ahead.

9 MS. DILLARD-COX: Okay.

10 Good evening. My name is Shari Dillard-Cox. I'm an Acorn
11 member. I've lived in Columbia heights for 40 years and I've lived on Belmont
12 Street, across the street from Buzutto's development for the last 20 years.

13 I'm going here before you today to demand that there is more
14 affordable housing in Buzutto's development.

15 I live in a building where the rent has already gone up because
16 of luxury developments on Florida Avenue, U Street and 14th Street. If Buzutto
17 builds a luxury development across the street from me, the property tax on my
18 building is going to go up and so will my rent.

19 I'm a hard-working taxpaying D.C. resident. I've lived in my
20 building for 20 years and I want to keep living there. Unless Buzutto builds a
21 significant percentage of their development as affordable, there's no way I can keep
22 living in my home. Buzutto will drive me from my home.

23 I'm a long-time resident and I will be displaced because this
24 developer wants to build luxury condos. Low and moderate income and working-
25 class people cannot afford where we live anymore and that is directly a result of
26 luxury development. If I get pushed out, that will be a direct result of Buzutto

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1 building.

2 I support growth and development but Buzutto's development
3 only benefits the rich. This development does nothing but push me out of my home.
4 Buzutto has a responsibility to be accountable to the community that is living in
5 Columbia Heights right now. We're the ones that are the most impacted by this
6 development.

7 I'm sick and tired of developers like Buzutto saying that building
8 four units of affordable housing is actually doing something to help. That is
9 unacceptable. Four units out of 105. Four units is not going to cut it. I demand that
10 at least 15 percent of their development be set aside as affordable to low and
11 moderate income working people. That's what I propose. If it takes setting down
12 their business until they meet our demands, then that's what it takes.

13 Acorn members will do whatever it takes to see that we get
14 affordable housing out of Buzutto's development.

15 I'm asking for two things from the Zoning Commission.

16 (1) That the Zoning Commission push Buzutto to meet with us as
17 soon as possible, and

18 (2) That the Zoning Commission not make any decisions about
19 granting permits to Buzutto until they are accountable to the community.

20 We need affordable housing because I deserve to keep living
21 where I'm living.

22 Thank you.

23 CHAIRPERSON MITTEN: Thank you.

24 Ms. Gaddis.

25 MS. GADDIS: Yes. Good evening.

26 My name is Wanda Gaddis. I'm an Acorn member. I was born

1 here in Columbia Heights and I've lived here on and off all of my whole life.

2 Over the past five years, I've seen a lot of changes in my
3 neighborhood. Until four years ago I was living in Anacostia. At that point, I moved
4 back up to Columbia Heights because I wanted to raise my daughter in the same
5 neighborhood that I grew up in. But I can't.

6 These rich developers are coming in and running us out. The
7 rent is going up. The taxes are going up, the rats are getting fat, the poor people
8 working class, low and moderate income folks like myself are being beaten down.
9 We've been beaten up on, we're being run out of our neighborhoods.

10 I'm for development and growth. I am for that, but I want our city
11 to grow as long as it benefits all people. We can't just cater to the rich and forget
12 about the low and moderate income people that make up our communities.

13 Right now these luxury developments are only catering to the
14 rich folks. I can't afford these luxury condos and I can't afford where I'm living now
15 because of luxury development that are driving up my rent and driving me out of my
16 neighborhood.

17 Thank you.

18 CHAIRPERSON MITTEN: Thank you, Ms. Gaddis.

19 MR. CLARK: No.

20 CHAIRPERSON MITTEN: Oh, sorry. You're Clark. Mr. Clark.
21 I'm sorry.

22 MR. CLARK: Very good. Good evening, you all.

23 My name is Marty Clark and I am also a resident of Columbia
24 Heights area and, of course, an Acorn member. And my associates, of course, have
25 made an outstanding statement about affordable housing that needs to be in this
26 Columbia Heights area.

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1 We all enjoy, we all look forward to development because the
2 area needs to be developed and development is actually good for the city, but
3 development comes with a price tag, responsibility.

4 And if we're not responsible to the residents of this area then
5 everything is lost. Diversity is one of the reasons I came from Anacostia to
6 Columbia Heights to because of so many different folks that are there.

7 If we continue on the path that we're going, not having enough
8 affordable housing in these new developments for people who want to come and
9 raise their children, the whole area is going to be lost, not only the historic portion of
10 it but, I guess, the good feeling that you're supposed to get when you come to the
11 nation's capital, because everything that happens in the world -- well, everything I
12 should say that happens in the city is viewed around the world and we need to make
13 an example for the rest of the world that affordable housing and new development is
14 a necessity.

15 So, again, as my colleagues have said, we'd like to see more
16 affordable housing in this particular development.

17 Thank you.

18 CHAIRPERSON MITTEN: Thank you, Mr. Clark.

19 Ms. Derreks.

20 MS. DERREKS: Yes. Everyone has said what I was going to
21 say.

22 CHAIRPERSON MITTEN: Okay.

23 MS. DERREKS: Good evening, my name is Edra Derreks.

24 CHAIRPERSON MITTEN: Edra Derreks?

25 MS. DERREKS: Uh-huh, and I'm a long-time Acorn member. I
26 live in Columbia Heights in my home that has been in my family since the '40s. I'm

1 retired from the D.C. Public Schools, a former ANC Commissioner, one of the first
2 ANC Commissioners and now I'm living on a fixed income. I'm living on my
3 retirement from D.C. Public Schools and my Social Security.

4 I can't afford with my income, if I was looking for a house to buy,
5 there is no way in the world I could pay \$400,000, \$700,000, what these developers
6 are asking for these new condos.

7 What I want to know from these developers is, what do they call
8 affordable? Could you let me know that? What is affordable?

9 CHAIRPERSON MITTEN: They can share with you their plan for
10 the affordable units. It's been flushed out in much greater detail, so they can share
11 that with you. I'm sure they will.

12 MS. DERREKS: When?

13 CHAIRPERSON MITTEN: They will.

14 MS. DERREKS: I want to know what they call affordable and
15 moderate prices and transition. What do they mean by transition and revitalizing?
16 These words that they throw our way, you know, and I would like to know just what
17 they mean. What does the dictionary say about these words?

18 So, I'm 83 years old and I can't afford to be -- I'm living on a fixed
19 income and as things are going now, I won't be able to stay in my own home
20 because I won't have to pay rent because the house if paid for, but my taxes go up
21 every year and every way you look in D.C. you see a crane up in the sky. And the
22 city is getting richer and richer for the rich, not for moderate and low income families.

23 And there's nothing for families. Children. These are moderate
24 and these are luxury -- if you want to raise a family, they never come to D.C.
25 because there's no consideration for families if you're not rich. If you're rich, fine,
26 but we are not rich and we would like to stay in Columbia Heights.

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1 Thank you.

2 CHAIRPERSON MITTEN: Thank you, Ms. Derreks.

3 Any questions for this panel?

4 VICE CHAIRPERSON HOOD: I just wanted to ask a member of
5 the panel.

6 When I look at the ANC letter, I know for a fact that there's some
7 affordable housing advocates on the Commission. I was just wondering, do you all
8 attend the ANC Commission meeting and maybe, Ms. Cox, you can answer,
9 because I know you live right in the neighborhood.

10 MS. DILLARD-COX: Right. Yes. I have attended meetings.

11 VICE CHAIRPERSON HOOD: Was this expressed, because you
12 were saying that you wanted the developers to meet with you and you obviously met
13 with the ANC when you were representing --

14 MS. DILLARD-COX: Well, the Acorn group as a whole, not me
15 personally.

16 VICE CHAIRPERSON HOOD: Okay. You want to meet with
17 Acorn.

18 MS. DILLARD-COX: No, no, no, no. Acorn wants to meet with
19 them.

20 VICE CHAIRPERSON HOOD: Wants to meet with them.

21 MS. DILLARD-COX: Right.

22 VICE CHAIRPERSON HOOD: But I'm saying some of your
23 concerns that you raised about the 15 percent and all those things probably could
24 have been flushed out at the ANC Commission meeting.

25 MS. DILLARD-COX: Well, I haven't attended all of them, but I
26 have been to some community meetings also with this group.

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1 VICE CHAIRPERSON HOOD: Okay. Because when I look at
2 this in other cases, I see some very hard advocates for affordable housing on here.

3 MS. DILLARD-COX: Okay.

4 VICE CHAIRPERSON HOOD: So, that would have been a good
5 venue. Maybe that opportunity -- I don't know if this Commission could mandate
6 that. We could always ask.

7 MR. CLARK: I will add for the record that I have spoken with one
8 of the developers or someone in the Buzutto office, Mr. Dubois, and I hoping I'm
9 pronouncing that right. Mr. Dubois, and he was saying that he was willing to meet
10 with us sometime next week and we're still playing telephone tag on that. And so
11 I'm thinking at that time, we'll be able to hash out some ideas and come to some
12 type of agreement.

13 Again, I think that the developers that are coming in are coming
14 and they're saying, okay, this is an opportunity and they're not understanding the full
15 impact to the community and that's why, of course, we have these types of hearing
16 so that now you can share this infinite wisdom and let them know what the
17 community actually needs.

18 I think things like this can work but, again, it's got to be a balance
19 and there has to be some accountability and some responsibility to any type of new
20 development or new undertaking, especially in this area that has been targeted.
21 And as you probably know, it has actually been targeted for an awful lot of change.

22 CHAIRPERSON MITTEN: I would just like you all to know that
23 the Zoning Commission is very sensitive to the affordable housing crisis that's going
24 on in the city and we have had one roundtable already that the planning is working
25 on a proposal for something called inclusionary zoning, which is when someone
26 would build a residential project of a certain size, that there would be a requirement

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1 of a certain percentage of units that would be affordable to a certain segment of the
2 population. And the importance for us is that we want it to apply fairly, so that an
3 individual developer is not singled out and told to bear the responsibility, but that the
4 responsibility is spread broadly. And that is something that we are already aware of
5 and we are actively working on.

6 So, I want you to know that I appreciate you all coming down and
7 we hear you.

8 Yes, ma'am?

9 MS. DERREKS: Do you think that four units out of 105 is fair?

10 CHAIRPERSON MITTEN: Well, you'll have to come for the
11 deliberation on that one. We'll flush that out when we deliberate the case.

12 MS. DERREKS: When?

13 CHAIRPERSON MITTEN: When we decide. When we make our
14 decision.

15 We don't respond to questions from the audience.

16 MS. DERREKS: Oh.

17 CHAIRPERSON MITTEN: Okay.

18 VICE CHAIRPERSON HOOD: I will say this, though, Madam
19 Chair. A lot of times when we have other case, Ms. Derreks, this doesn't
20 necessarily call for a response. But the same question you asked, I've sat up here
21 and asked. So, I guess what the Chairperson is saying to you is, we've been down
22 that road. We understand it and we're doing our best to try to deal with it, but I have
23 never asked it publicly, but I've always the question. What is affordable housing?

24 So, I just want you to understand. We live in the city too. We
25 understand.

26 Thank you.

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1 MR. CLARK: Of course, Madam Chair, before we go, if I might
2 just ask one other question?

3 CHAIRPERSON MITTEN: If I can answer it, as long as you're
4 not going to ask my opinion of something.

5 MR. CLARK: No, no, no. Not at all. Not at all.

6 CHAIRPERSON MITTEN: Okay.

7 MR. CLARK: You had spoke of a roundtable. I don't know if
8 there's actually been a date set for that?

9 CHAIRPERSON MITTEN: We had it. We had one already and
10 we may need to have another one, but we would definitely make sure that Acorn
11 was aware of it --

12 MR. CLARK: Okay.

13 CHAIRPERSON MITTEN: -- if we were to have a second.

14 MR. CLARK: Okay. And then my second question is, well, no,
15 that's again an opinion and what I'll do is I'll transfer a letter to you and hopefully we
16 can correspond in that fashion.

17 CHAIRPERSON MITTEN: Okay.

18 MR. CLARK: Thank you.

19 CHAIRPERSON MITTEN: Mr. Farmer, did you have any cross
20 examination of this panel? Okay.

21 Thank you all for coming down.

22 Elois Jones.

23 I have some people that are crossed off, so I'm going to skip
24 those, but Florence Williams.

25 Anybody else? Anyone else who would like to testify in
26 opposition?

1 Ms. Jones, did you turn in your witness cards?

2 MS. JONES: Yes. I have.

3 CHAIRPERSON MITTEN: Okay. Terrific. I'm going to ask you
4 to push the button on the base of the microphone and turn it on.

5 State your name for the record and begin your testimony.

6 MS. JONES: My name is Elois Jones and I'm also a member of
7 Acorn.

8 I've been living in Columbia Heights for over 50 years. We
9 remained in our home because it's comfortable, it's affordable, it is close to the
10 people in this community that we served and it offered stability to our family.

11 And speaking of the community, it means the part of the
12 community where you find the police Boys Club on 14th Street.

13 Now, there comes a cloud of insecurity over me because of
14 uncontrolled change taking place around us. When I drive around the city and see
15 all of the luxury complexes going up where houses used to be, I ask myself, where
16 are the working middle and low income people and their families going?

17 Where will they go when the developers like Buzutto comes into
18 our community building luxury condos and apartments for the wealthy and nothing
19 for the less affluent? There are a lot of luxury developments coming into this
20 neighborhood, pushing up taxes for those who have no relief and, perhaps, wiping
21 out relief that is currently available for the elderly, driving long-time dwellers out of
22 their homes.

23 We're here tonight and I'm speaking out tonight against approval
24 of the Buzutto development plan at 14th and Belmont until they include 15 percent of
25 the development to affordable housing. To allow this transaction to be approved will
26 be a lack of responsibility and accountability and one up for Buzutto.

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1 The people of this community are counting on this Commission
2 to protect our rights in this matter. In fact, from now on, all luxury housing
3 developers should set aside at least 15 percent of the units for moderate and low
4 income families.

5 Before I close, I want to remind you that the's a serious
6 imbalance in housing in this city. It's leading to segregation that is tantamount to
7 Jim Crow and you, as a Commission, can start now to put a stake in the heart of it
8 by protecting the rights of the poor, the middle income and those that are depending
9 on you to see that we have affordable housing in the District.

10 I thank you.

11 CHAIRPERSON MITTEN: Thank you, Ms. Jones.

12 Ms. Williams.

13 MS. WILLIAMS: My name is Florenie Williams. I'm a mother, a
14 grandmother, also a great grandmother.

15 CHAIRPERSON MITTEN: No way?

16 MS. WILLIAMS: Yes. I am.

17 I work at a job that doesn't make a lot of money. It has allowed
18 me to get by though. And I'm talking to you because I'm angry. I'm very angry. I
19 feel sold out by my city and I feel most sold out by my developer like Buzutto.

20 I'm hard-working and tax-paying, but Buzutto takes advantage
21 of me because I am a low income. If I made \$200,000 a year, maybe he would be
22 kissing my feet, but since I don't, they are trying to push me out of my home. Well,
23 I'm not going without a fight.

24 Buzutto thinks that they can just come into my neighborhood and
25 do whatever they want. Building this development on Belmont without at least 15
26 percent of the unit affordable, would push my property tax up even more.

1 I can't afford for them to go up that much. He is trying to drive
2 me out of my neighborhood. With no poor folks in Columbia Heights, they can
3 charge all they want for their luxury condos.

4 This developer does nothing but try to push me out of my homes.
5 I'm not willing to be a pawn in their big money game. They are playing with my life.
6 I demand that they be accountable to me. I'm living in Columbia Heights right now
7 and these new neighbors think they can bully me out without even talking to me, that
8 is unacceptable.

9 They say they talked to folks in the neighborhood. Well, they
10 haven't even tried to talk with me. They say the ANC approved their plan, but the
11 ANC is only a couple of people that live in Columbia Heights.

12 They did have a big community forum with a few hundred
13 people? I don't think so. If they had, I would have gone and told them that I want
14 15 percent of their unit to be affordable, not only four units.

15 It took us two weeks to get a meeting with them, scheduled for
16 next week to demand that he actually meet with us and please don't make any
17 decision about his development until they have actually addressed my concern.

18 Thank you very much. And I am the great grandmother. 18th of
19 this month, I will be 69 years old.

20 CHAIRPERSON MITTEN: Fabulous. I hope I look that good.

21 I want to see if the Commission has any questions. Any
22 questions for these ladies? Any questions, Mr. Farmer? Okay.

23 Thank you both.

24 MS. WILLIAMS: Thank you.

25 CHAIRPERSON MITTEN: Anyone else? Last call for anyone
26 who would like to testify in opposition. Okay.

1 Mr. Farmer, any rebuttal, closing remarks?

2 MR. FARMER: Madam Chair, let me begin by saying we will, of
3 course, meet with Acorn as soon as possible.

4 CHAIRPERSON MITTEN: We want them to hear that so speak
5 up.

6 MR. FARMER: Yes. We will, of course, meet with Acorn as soon
7 as possible. Obviously, we did not hear from them until late in the development
8 process. As I indicated to you before, we've worked diligently with the community,
9 the ANC and the Office of Planning and other District Government agencies to
10 develop an affordable housing program and I will see we're going to continue along
11 those particular efforts. And you can rest assured that we will have an agreeable
12 program to present before the Commission with out final submission.

13 Just a few simple remarks.

14 I think you've heard our particular program and obviously there
15 are some additional materials to be submitted, but I want the Commission to
16 recognize the fact that, again, we have been actively involved in this community for
17 about a year. We did hole large community meetings. We did hold meetings for the
18 neighbor in the neighborhood, at the Community of Hope on Belmont Street. We
19 invited all who wanted to come and we will continue to hear each and every person
20 that wants to be heard.

21 To address some specific concerns as raised by the
22 Commission. We will get back to you with specific plans on the parking and the
23 disposition thereof. I do think, however, at this particular juncture, while we will be
24 submitting final plans for the Commission's review, it would be best to add side yard
25 relief to the list of relief as requested by the Applicant at this particular juncture.

26 CHAIRPERSON MITTEN: Okay.

1 MR. FARMER: Mr. Wagner indicated to you that we are
2 exploring the possibility of a roof, that we will submit to you a more final statement
3 as to that. As Mr. Wagner indicated, there are certain code requirements as well as
4 safety requirements that we have to consider along those lines. But, again, in terms
5 of the final design of the roof structure and actual roof itself.

6 And certainly, Mr. Parsons, the notion of a green roof is not far
7 from our minds. It has not been up to this juncture, but we are obviously first
8 addressing the mechanical and design problems before we get to that particular
9 juncture.

10 I believe we can submit the requested materials within a two-
11 week time frame.

12 CHAIRPERSON MITTEN: Okay. If it would be helpful to you,
13 our October meeting -- you won't make our October meeting, which will mean you're
14 on for November, and we may end of changing the date of our November meeting.
15 But if you wanted to take a little extra time --

16 MR. FARMER: Okay.

17 CHAIRPERSON MITTEN: -- just because, you know, there's no
18 rush --

19 MR. FARMER: Right.

20 CHAIRPERSON MITTEN: -- since you're not going to make
21 October.

22 MR. FARMER: We understand -- I believe you have scheduled
23 November 17th?

24 CHAIRPERSON MITTEN: Yes.

25 MR. FARMER: So, with that in mind, then we'll go to the end of
26 the month or the first week in November, if you will --

1 CHAIRPERSON MITTEN: Okay.

2 MR. FARMER: -- if that's enough time for the Commission to
3 have to review those documents?

4 CHAIRPERSON MITTEN: They have to be circulated back to the
5 ANC for their response. We'll let Mr. Bastida give us an idea of date.

6 SECRETARY BASTIDA: I was thinking of -- I have consulted the
7 Applicant and they say that they can be ready in two weeks, which it would be the
8 23rd. And then I was going to give the ANC two weeks, which it will make it to the 6th
9 of November.

10 CHAIRPERSON MITTEN: What I was suggesting is that, there's
11 probably a little bit more leeway in there so push the Applicant's date back a week.

12 SECRETARY BASTIDA: Okay. Then we can do it to the 30th of
13 October.

14 CHAIRPERSON MITTEN: Okay.

15 SECRETARY BASTIDA: And then you have to serve those on
16 the ANC and the ANC will have until November 13 to respond to the new plans. At
17 the same time, the Applicant will provide Findings of Facts and Conclusion of Law
18 on the 13th of November.

19 CHAIRPERSON MITTEN: Okay. And I'd also ask you to provide
20 any of your revisions to the Office of Planning so that we can also get a response --

21 MR. FARMER: Absolutely.

22 CHAIRPERSON MITTEN: -- from the Office of Planning
23 between the 30th and the 13th.

24 And then for purposes of anyone here tonight that wanted to
25 submit a written statement or if you have neighbors that wanted to submit anything
26 in writing, you can do that before the date of the 30th of October. The record will

1 remain open for any additional statements that folks would like to make.

2 And let's just review. You're going to be providing us the revised
3 set of drawings as you have presented them tonight. The landscape plan as
4 presented tonight, along with a list of plants. Any color renderings and so on that
5 you presented tonight, we will need copies. The revised roof plan and those areas
6 that we talked about that require more specificity to be incorporated in a condition
7 such as the items that you'll be providing in the donation to Garnett-Patterson that I
8 specifically mentioned and any others that are sort of in that category.

9 The things that you mentioned such as the parking that you'll
10 give that some further consideration, the manner in which you will limit the units to
11 owner occupants and I'm probably missing one or two things, but --

12 MR. FARMER: I believe you asked for samples of the condo
13 documents?

14 CHAIRPERSON MITTEN: That would be toward how you were -

15 -

16 MR. FARMER: The parking?

17 CHAIRPERSON MITTEN: -- going to control, well, both parking
18 and the --

19 MR. FARMER: -- Owner occupancy.

20 CHAIRPERSON MITTEN: -- owner occupancy. And then there
21 was something else.

22 MR. WAGNER: You wanted --

23 CHAIRPERSON MITTEN: That's it.

24 MR. WAGNER: The material samples.

25 CHAIRPERSON MITTEN: The material samples. Yes.

26 And I would also just ask, since Ms. Derreks had asked for some

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1 more information about your affordable housing program, if you would just give her a
2 copy of --

3 MR. FARMER: Absolutely.

4 MR. MEADOWS: -- this then.

5 MR. FARMER: Again, we intend to meet with them and we'll,
6 obviously again discuss fully the issue with --

7 CHAIRPERSON MITTEN: Great.

8 MR. FARMER: -- all the appropriate materials.

9 CHAIRPERSON MITTEN: We applaud that.

10 VICE CHAIRPERSON HOOD: Madam Chair, also I don't know,
11 you may have already mentioned it, but the issue about the concern that the Office
12 of Planning had and also what I mentioned about the alley usage, how that's going
13 to work.

14 CHAIRPERSON MITTEN: Yes. And there were a few other
15 items that DDOT had called out like you must have bicycle parking spaces.

16 MR. FARMER: Absolutely.

17 CHAIRPERSON MITTEN: So, if you can incorporate that.

18 VICE CHAIRPERSON HOOD: I'm not going to say it.

19 CHAIRPERSON MITTEN: Thank you.

20 Any other items that the staff wants to remind me about?

21 MS. SCHELLIN: I think just the one -- this was actually for OP to
22 find out from DCPS whether Garnett-Patterson is scheduled to be closed.

23 CHAIRPERSON MITTEN: Yes.

24 MS. SCHELLIN: And are they going to need the additional relief
25 regarding those parking spaces or that was selling the parking spaces to outsiders.
26 Is that clear now?

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1 CHAIRPERSON MITTEN: I think we can visit with corporation
2 counsel further, but to the extent that it's necessary to add that to the requested
3 relief, we will and then we'll consider that as part of the whole package.

4 MR. FARMER: Okay.

5 CHAIRPERSON MITTEN: All right. So, let me just review the
6 date.

7 The submissions. Any additional submissions from the general
8 public, as well as the additional submissions by the Applicant will be made by
9 October 30th by 3:00 p.m. in the room next door, Suite 210. I said that already
10 October 30th, and then the ANC and the Office of Planning will be able to respond to
11 those additional submissions no later than November 13th.

12 And then this case will be on for consideration at one of our
13 regularly scheduled meetings of the Commission and I urge you to either check the
14 website or call the office to find out. As I said, we may be changing the date of our
15 November meeting, in particular.

16 And I'd like to thank you all for coming out tonight and your
17 participation was very helpful and we appreciate it and look forward to hearing from
18 you in the future.

19 MR. FARMER: Thank you.

20 CHAIRPERSON MITTEN: Thank you, Mr. Farmer.

21 This hearing is adjourned.

22 (Whereupon, the meeting was adjourned at 8:20 p.m.)

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