

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:           |
                             |
Consolidated PUD at Fort Dupont |
Park - Nehemiah Homes         | Case No.
                             | 01-12C
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Monday,
September 24, 2001

Hearing Room 220 South
441 4th Street, N.W.
Washington, D.C.

The Public Hearing of Case No. 01-12C by the District of Columbia Zoning Commission convened at 7:00 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- | | |
|-----------------|--------------------------|
| CAROL J. MITTEN | Chairperson |
| ANTHONY J. HOOD | Vice Chairperson |
| JAMES HANNAHAM | Commissioner |
| PETER G. MAY | Commissioner |
| | Architect of the Capital |
| JOHN G. PARSONS | Commissioner |

COMMISSION STAFF PRESENT:

Alberto P. Bastida, Secretary, ZC

OTHER AGENCY STAFF PRESENT:

Ellen McCarthy, Deputy Director,
Office of Planning
David McGhettigan, Office of Planning
Derrick Woody, Office of Planning

I-N-D-E-X

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

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(7:05 p.m.)

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1 CHAIRPERSON MITTEN: Good evening, ladies and
2 gentlemen, this is a public hearing of the Zoning Commission of
3 the District of Columbia for Monday, September 24, 2001. My
4 name is Carol Mitten. Joining me this evening are Vice
5 Chairman, Anthony Hood, and Commissioners John Parsons, Peter
6 May and James Hannaham.

7 Notice of today's hearing was published in the
8 D.C. Register on June 8, 2001 and in the Washington Times on
9 July 30, 2001. This hearing will be conducted in accordance
10 with the provisions of 11DCMR Section 3020 for contested cases.

11 The subject of this evening's hearing is Zoning Commission Case
12 No. 01-12C. The subject of this hearing is the request by
13 WIN/Enterprise Fort Dupont Nehemiah Homes, Inc., a joint venture
14 of the Washington Interfaith Network Enterprise Homes, Inc. and
15 the Fort Dupont Dwellings and Additions Resident Council for a
16 consolidated review and approval of a planned unit development
17 under Chapter 24 of the District of Columbia Zoning Regulations
18 11DCMR.

19 Copies of today's hearing announcement are
20 available to you and are located to my left near the door. The
21 order of procedure will be as follows: Preliminary matters, the
22 Applicant's case, report of the Office of Planning, report of
23 other agencies, report of the Advisory Neighborhood Commission,
24 in this case, 7A, parties and persons in support, parties and
25 persons in opposition, rebuttal by the Applicant. The following

1 time constraints will be adhered to in this hearing: Applicant,
2 1 hour; Parties, 15 minutes; Organizations, 5 minutes;
3 Individuals, 3 minutes. There is no registered opposition in
4 this case.

5 The Commission intends to adhere to the time
6 limits as strictly as possible in order to hear the case in a
7 reasonable period of time. The Commission reserves the right to
8 change the time limits for presentations, if necessary, and
9 notes that no time shall be ceded. All persons appearing before
10 the Commission are to fill out two witness cards. These cards
11 are located at each end of the table in front of us. Upon
12 coming forward to speak to the Commission, please give both
13 cards to the reporter sitting to my right.

14 The decision of the Commission in this case must
15 be based exclusively on the public record. To avoid any
16 appearance to the contrary, the Commission requests that persons
17 present not engage the members of the Commission in conversation
18 during any recess or at any time. The staff will be able to
19 discuss procedural questions. Please turn off all beepers and
20 cellphones at this time so as not to disrupt these proceedings.

21 At this time, the Commission will consider any
22 preliminary matters. Mr. Bastida, do we have any preliminary
23 matters?

24 SECRETARY BASTIDA: Yes, the staff has two
25 preliminary matters. One, the Applicant has provided a

1 Certificate of Maintenance of Posting and the Applicant complies
2 with the regulation.

3 CHAIRPERSON MITTEN: Thank you.

4 SECRETARY BASTIDA: Secondly, the Office of
5 Planning's report was filed earlier today and would like to
6 waive the regulations requirement and also I would like to point
7 that I have extra copies of that report here on my right if
8 somebody would like to get copies of it.

9 CHAIRPERSON MITTEN: Thank you. Is there any
10 objection to waiving our rules to accept the Office of Planning
11 report?

12 (Chorus of no objection.)

13 CHAIRPERSON MITTEN: Without objection then, Mr.
14 Bastida.

15 SECRETARY BASTIDA: Thank you.

16 CHAIRPERSON MITTEN: Would all individuals
17 wishing to testify please rise to take the oath. Mr. Bastida,
18 would you administer the oath?

19 SECRETARY BASTIDA: Yes. Is your testimony going
20 to be the truth and nothing but the truth?

21 SECRETARY BASTIDA: Okay, thank you.

22 CHAIRPERSON MITTEN: Ms. Giordano, if you would
23 like to come forward. And I mentioned in the opening statement
24 that you'll have an hour but I think the Commission has reviewed
25 your submission and we'd really like you to just give a summary

1 presentation and hit the thing, as highlights those things that
2 may have changed. I understand there's some issues with the
3 bioretention facilities and so on.

4 MS. GIORDANO: Good evening, members of the
5 Commission, Cynthia Giordano with Arnold & Porter Law Firm for
6 the record. We're going to try and make this as short as we can
7 but we have got a number of people that are involved. The
8 Applicant is a joint venture and we'd like to hear a little bit
9 from the Applicant. But, very briefly, before we go ahead and
10 turn to the Applicant for an introduction, I will just highlight
11 the changes.

12 And the main change is that the boundary of the
13 PUD site has changed significantly from our submission. The
14 submission was the outer line, the boundary was the outer line
15 including the green area. We were under the impression
16 initially that that part up at the top that's called National
17 Park Service Property, that smaller piece there was part of the
18 Housing Authority property as is the rest of the site.

19 But we found out, over the course of our putting
20 together and processing the application, that in fact, the D.C.
21 Rec Department owns that piece there although it was never a
22 recorded document that transferred that piece to D.C. Rec and so
23 that's how we didn't know about it and it's our understanding
24 the National Park Service basically has jurisdiction over the
25 property. I could still be wrong about that but we know it's

1 not part of the Housing Authority piece, so we have, we'd like
2 to extract that part out of the application at this time.

3 CHAIRPERSON MITTEN: And will you be submitting
4 revised drawings that take that into account for all the things
5 that we have in our file?

6 MS. GIORDANO: Yes, we will. For tonight, we
7 just have this boundary change plan and we will be submitting
8 revised drawings because there's a number of drawings that are
9 going to have to change. We had located two bioretention
10 facilities in that piece that we're taking out previously and
11 now those bioretention facilities are going to move down and
12 it's going to change the grading and the utility plan and we'll
13 get into that when the engineers do their presentation in a
14 moment.

15 So if there aren't any further questions about
16 that part right now, I'll go ahead and ask Mr. More, John More,
17 who is representing the Applicant, to introduce the various
18 representatives here tonight that represent the Applicant and
19 that they would like to make a brief presentation.

20 CHAIRPERSON MITTEN: Thank you.

21 MR. MORE: Evening.

22 CHAIRPERSON MITTEN: Could you turn on your
23 microphone. Just push the button and the red light will come
24 on. There you go.

25 MR. MORE: Okay. My name is John More and I'm a

1 Co-Chair of Washington Interfaith Network and also a Board
2 Member and Treasurer of WIN/Enterprise Fort Dupont Nehemiah
3 Homes which I'll just call for short, WEFT, because it's too
4 much of a mouthful. And basically I have been working on WIN
5 which is a grassroots organizing group that has about 55 member
6 churches, labor unions, mosques, synagogues, etc. that work on
7 issues in the District and one of the things we identified was
8 the need for affordable housing. I've been working personally
9 on this for about six years, through two different
10 administrations and we're now coming to a point of coming before
11 you happily.

12 The origin and goals of this was that we had, as
13 I said, we had identified housing, affordable housing and we
14 actually obtained commitments from various mayoral candidates in
15 the last election that they would work towards building a
16 thousand affordable homes. And when we say affordable homes,
17 we're talking about homes for people, families who earn less
18 than 60,000 dollars a year. These all come within the HUD
19 guidelines for affordable housing for low income.

20 WIN is an affiliate of the Industrial Areas
21 Foundation. There are about 66 chapters in the Industrial Areas
22 Foundation across the country. And in the east coast, one of
23 the things our affiliates have done a great deal of is
24 affordable housing. We've built about 6,000 houses including
25 4,000 in east Brooklyn and also substantial developments in

1 Baltimore in Sand Town. And as we get into further, one of the
2 reasons why we chose Enterprise Homes, Inc. to be our developer
3 to coordinate the project, is that we've had such a successful
4 relationship with them in Baltimore in building affordable
5 housing and their approach to long term involvement with
6 construction of this housing.

7 We're obviously very community oriented. We work
8 very hard on working with the communities where we're operating
9 and I think that's how we first came to create this partnership
10 between WIN/Enterprise Homes which has the expertise in building
11 and selling this kind of housing and, most importantly, the Fort
12 Dupont Residents, Fort Dupont Dwellings and Additions Resident
13 Council and along with them, the owner of the land, the D.C.
14 Housing Authority.

15 And so, we came and did a presentation to the
16 Residents Council, we took them around and showed them the kind
17 of housing we were doing and also how we operated. And we have
18 operated with them and with the community in that same fashion
19 from the very beginning. It's full involvement and members of
20 the Residents Council are on the Board of WEFT and are involved
21 in all decisions that go on.

22 The other important thing, I think this is a
23 project which has widespread support. From the mayor's office,
24 who has promised 3.675 million dollars in support toward this to
25 the major religious denominations, the Catholic Church, the

1 Episcopal Church, the Methodist Church, the Lutheran Church,
2 also the oblate religious orders and we're bringing on the
3 Presbyterians and also Jewish groups. So they are providing a
4 no-interest construction loan in at least the amount of three
5 million dollars. We also have support from financial
6 institutions led by Riggs Bank who are putting together another
7 consortium for a three million in no-interest construction
8 loans.

9 We had the luck, I would say luck, because we
10 didn't really lobby for it but the House Sub-committee on
11 Appropriations gave us a grant of one million dollars for
12 infrastructure. And you'll hear later there's a timetable on
13 that which is one reason why we're interested in as speedy a
14 deliberation as you all can do on this. It needs to be spent by
15 the end of the year. We also have a grant from the Federal Home
16 Loan Bank of Atlanta for 500,000 and there will be additional
17 lending from, at market rate, from a financial institution to do
18 whatever remains on the financing.

19 So this is a big, big support. And you will
20 hear, I think, that the Housing Authority has also worked very
21 closely with us on this project. And finally, I would just say
22 that one of our purposes here and the reason why we chose
23 Enterprise is that when we build this, we will stay around, we
24 will stay around to make sure that the amenities in the area get
25 improved. There's issues about getting a street light at the

1 entrance. There are issues about the bus routes. We're going
2 to stick around with the community to make sure this is a long-
3 term relationship.

4 So, and then finally, I think one of our
5 important things is coordinating all of the different parts of
6 this and one of, I think a really important part to us is WIN
7 and also for this project and for the District, is that we chose
8 Enterprise because they have always managed to exceed the goals
9 in hiring minority firms, meeting the first source requirements
10 of the District and the apprenticeship. And we are actually
11 allying ourselves with one of our members to come up with a
12 laborers agreement for this project that will be make use of the
13 laborers approved apprenticeship program for people on this
14 project.

15 So, this is a very important part of this and
16 they, actually they've agreed to come up with an innovative,
17 basically labor agreement for this project recognizing that this
18 is going to be built for, this is affordable housing. So, we're
19 really pleased to be able to do, have that part of it, too. So,
20 with that, I would like to introduce Ben Contee who is another
21 member of the Board of WEFT but is also a leader in WIN and he's
22 been working as long as I have on this project. Thank you very
23 much.

24 MR. CONTEE: Good evening, Members of the Board.

25 As John said, my name is Benjamin Contee, Sr. Dupont Commons,

1 the first of 147 Nehemiah Homes of the District of Columbia from
2 an income of 15 to 60,000 dollars. The WEFT has been, has a
3 goal of 1,000 homes so we hope that this first venture will work
4 out and will be quite successful so that in the future, we can
5 look for affordable homes.

6 When I say affordable homes, we're looking at
7 families who cannot afford market rate homes within this income
8 area. That includes single family parents in homes who make,
9 who can qualify for this. This is what we plan to do and this
10 is what the idea of this program is all about. I personally
11 have, going to have a few relatives who have taken a very big
12 interest in working with the development so that WIN and
13 Enterprise and the Fort Dupont people, we can put this together
14 and we can work together with the community and also work
15 together with the Zoning Board on this. Thank you.

16 MR. MORE: I'd like to also introduce Ms. Delores
17 Wade who is the acting President of the Residents Council and
18 she'll say a few words also about their role and what she looks
19 at.

20 CHAIRPERSON MITTEN: Thank you.

21 MS. WADE: Good evening. I'm Delores Wade and I
22 have been a resident of Fort Dupont for the past 26 years. I've
23 worked closely with Ms. Phoebe Scott, who was President of the
24 Resident Council until she passed away in February of this year.
25 She has been on board with us and we worked very hard with WIN

1 from the beginning when they approached us about this project.

2 One of the biggest problems facing our
3 neighborhood is the lack of affordable housing. It's not only
4 in our neighborhood but it's all over the city. And, as you
5 know, DCHA has demolished a lot of our units and the housing
6 crunch is just really severe for all of us. The Resident
7 Council has addressed this issue and many more because we're
8 interested in doing what we can to better our community, to help
9 the residents.

10 One of the reasons why we picked, what is that
11 Bozzuto, who would be building the homes and we worked with WIN
12 and Enterprise because they took the time to, they addressed our
13 concerns more so than another contractor did and they took us
14 around to Baltimore where they had built houses and we liked
15 what we saw, we liked the layout, the floor plan, the site plan
16 and everything, we just liked them better and they addressed our
17 concerns more so than the other one did.

18 I just want to say that the residents of Fort
19 Dupont have worked very hard with WIN and Enterprise to get this
20 project going and we really need your approval so that we can
21 get some affordable housing for our residents. I thank you for
22 your time.

23 CHAIRPERSON MITTEN: Thank you, Ms. Wade.

24 MS. GIORDANO: I'd like to introduce now Ray Nix
25 from Enterprise.

1 MR. NIX: Good evening.

2 MS. GIORDANO: He is the project manager.

3 MR. NIX: Good evening. It is a pleasure to come
4 before you this evening representing the partnership of
5 WIN/Enterprise Fort Dupont Nehemiah Homes, Inc. I promise I
6 won't say that again. The Dupont Commons Home Ownership
7 Development is very special. Enterprise Homes was selected in
8 partnership with WIN by the community in the fall of 1999 to
9 bring this vision to a reality. As a partner in this effort,
10 just to give you a brief background, Enterprise Homes is excited
11 about the transformation of the Fort Dupont community and
12 especially about being a part of this development team.

13 Our organization is a subsidiary of the
14 Enterprise Foundation which was created in 1982 by the late
15 James W. Rause and serves as a leader in the development
16 industry of affordable housing. Since 1985, Enterprise has
17 completed, or has presently under construction, over 2,000 units
18 of affordable housing. This is largely in part to successful
19 public and private partnerships that involve complex and multi-
20 layer financing.

21 In downtown Baltimore, as an example, we have
22 just recently broken ground on a Hope Six project that was also
23 a PUD which is replacing a former public housing complex. We're
24 also developing 236 units of home ownership development in Sand
25 Town, Winchester, Baltimore as an extension of a flagship

1 program that we started in 1993 over the Nehemiah Homes
2 development. And we're doing that in partnership with BUILD
3 which is Baltimoreans United In Leadership Development which is
4 also an affiliation of the IAF as WIN is. So we try to work
5 well with community partnerships and make sure that grassroots
6 is at the utmost importance of our concerns when we're doing
7 development.

8 In Ward 8, bringing it locally, as you may
9 recall, the former Valley Green and Skytower Apartments was also
10 a PUD application and our Willow Creek development is a prime
11 example of a public private partnership at work to revitalize a
12 neighborhood and provide for over 300 units of affordable
13 housing of which 104 are home ownership. And I'm pleased to
14 report that our goal is to, by the close of October, to settle
15 all of the remaining units. We're just a handful away. So
16 that's a success and we thank you.

17 Our mission at Enterprise Homes is parallel to
18 the partnership and the community residents of the Fort Dupont
19 neighborhood. We're in business to provide high quality and
20 affordable mixed income communities which provide residents with
21 opportunities for upward mobility. As John More stated earlier,
22 we're very proud of our track record at Enterprise Homes of
23 exceeding NBE, WBE and local small business disadvantage
24 participation in all of the projects that we're involved with.
25 We look for that. That's a strong part of our RFQ and our RFP

1 process when selecting any contractor.

2 The development plan that you're going to see
3 unveiled before you today is a product of a comprehensive
4 community planning process. Many lawyers were involved. This
5 first step of the planning development process was a two day
6 community planning process conducted by an urban design
7 specialist, design collected the same consulting firm that
8 worked on the Willow Creek project. The goal of the charrette
9 was two fold. The first thing was to gain a real understanding
10 of the physical and social challenges in the neighborhood. We
11 like to look at things not as problems but as challenges and
12 turn them into opportunities.

13 The second goal was to establish a community
14 vision for this housing development that creates a sustainable
15 and inclusive community. I'd like to submit, as a part of the
16 record, a participation log that we developed just to track
17 internally of the time that we're spending in the communities
18 seeking participation, feedback and valuable input as well as
19 the time that we have to spend with the District government
20 agencies.

21 As a part of the planning process, the
22 development team now, we've been doing this for about a year and
23 a half, holds monthly steering committee meetings on site at 155
24 Ridge Road which is the Fort Dupont Stoddard Community Center
25 which is directly across the street. On this graphic, it would

1 be to the south of the subject site. And we meet there on a
2 monthly basis and it's a critical meeting. It's open to the
3 public. It's open to government officials. We've had plenty of
4 people from the housing, community development department.
5 We've had the Office of Planning come by and pay a visit but
6 most of all it's an opportunity for prospective home buyers,
7 members of the Fort Dupont Resident Tenant Council, neighborhood
8 residents and community and civic leaders to discuss ongoing
9 issue and stay informed on the project status.

10 This meeting was crucial in our interaction with
11 the Office of Planning because as we would go in with designs
12 and concepts that were community based, as well as based on the
13 design constraints of the site, we would have to bounce them off
14 the community to get an understanding of what their feedback was
15 before we went back to the Office of Planning and spent dollars
16 on doing a civil engineering required to actually make the site
17 viable. So it plays an intricate role in making sure that the
18 community is clearly aware of the development of this site
19 because this is, as was said earlier, a community joint venture.

20 Ms. Wade alluded to the fact that we're working
21 with Bozzuto Construction and we're really pleased to have
22 Bozzuto on board. This project is a result of a design build
23 exercise. In our past experience, we have dealt with architects
24 under one contract and general contractors on another contract
25 and what we found was that the architects would come on board

1 early on in the process and plan out the site basically.

2 And then we would bring the general contractors
3 in to build out the site. Well, the general contractors would
4 be stuck based on the way that our program is set up with a ten
5 year warranty and a two year obligation to fulfill any problems
6 that developed on site as a result of home ownership and just
7 general maintenance. So we thought that it would make sense if
8 we brought the architect and the contractor on board at the same
9 time and worked with a contractor that was in the business of
10 providing homes and Bozzuto floated to the top.

11 The selection of Bozzuto was an extremely
12 comprehensive process. We did many site visits. We had the
13 community, all with a board of representation and we are at
14 Chouteau, I think that might have been omitted, Community
15 Housing Development Organization with over 51 percent
16 representation of the community on the board and they were
17 involved every step of the way, all the way to the selection.
18 In fact, the Board was the actual vote for the selection of
19 Bozzuto Construction and along with Heffner Architects who is
20 the architect which you'll later be hearing from representatives
21 of their firm.

22 The partnership has appeared before Board 7A ANC
23 a number of times. And I'd like to pride myself on having
24 worked with the ANC, along with members of WIN and Fort Dupont
25 Residents Council, at each of the critical moments in terms of

1 design. We met with them when we had nothing but what you see
2 before you, a generic survey of the property outline and we
3 talked with them about what our concepts were, what came out of
4 the design planning charrette. They said come back to us and
5 take these issues with you. We took those issues, matched them
6 up against some of the challenges and opportunities on the site
7 and met with Office of Planning repeatedly and came back with
8 the design concept and they gave us feedback again.

9 And we went back and we tried to incorporate that
10 feedback. And what it resulted in is what you're going to see
11 tonight. I met with them last Tuesday and again, I thanked them
12 for their participation and alerted them to the fact that we're
13 not going anywhere and we're going to be with them as a part of
14 the community and actually invited them to take part in the
15 homeowner's association that will govern this site as a way of
16 intricately involving the community leadership.

17 As was previously stated, we've worked very hard
18 and closely, almost intimately with the Office of Planning,
19 members of DPW, as well as other municipal agencies involved
20 with this project from the very beginning. The affordability
21 structure is as such, 20 of the units will be dedicated to
22 families earning between 15 and 20,000 dollars annually and the
23 remaining units will be sold to families earning up to 60,000
24 dollars. John talked a little bit about the financing structure
25 so I won't go into that then in terms of saving time but I will

1 say that our timetable is to close on the financing before the
2 close of the year so that we begin to break ground.

3 The million dollar federal appropriation grant
4 it's a federal appropriation that comes out of Congress but it
5 involves the District of Columbia Inspector General's Office and
6 the Bureau of Treasury. So the coordination that goes into
7 that, you can imagine, in trying to get a Certification of
8 Requisition through the process that evidences the work that
9 we've done on site and the consultants that brought us to this
10 point are approved and paid. So we have to have that expended
11 by the close of the year. And with that I'll turn it back over
12 to Cynthia, thank you.

13 MS. GIORDANO: Thank you. Does the Commission
14 want to hold questions until the end of the presentation.

15 CHAIRPERSON MITTEN: Okay.

16 MS. GIORDANO: We're going to move along now to
17 the engineers. I'd like to submit for the record copies of
18 their resumes. I'd like to ask the Commission to take a glance
19 at those so we can qualify our two representatives from Ben Dyer
20 and Associates as expert witnesses. First, Kevin Caillouet is
21 an expert in civil engineering and you'll have his resume
22 momentarily. And Gerhard Stossier is an expert in site planning
23 and landscape architecture.

24 CHAIRPERSON MITTEN: Can you just give us a
25 moment to review their resumes?

1 MS. GIORDANO: Sure.

2 CHAIRPERSON MITTEN: Any objections to qualifying
3 them as experts? Without objection.

4 MS. GIORDANO: Okay, then we'll proceed, thank
5 you, with Mr. Stossier who will present the site plan and the
6 landscape architecture for the project site.

7 MR. STOSSIER: Good evening. My name is Gerhard
8 Stossier. I'm with Ben Dyer Associates and I'm the site planner
9 for this site. Basically, the site is a unique parcel of land.
10 It's best described by rolling terrain, scenic views and an
11 existing road system. We tried to keep the existing road system
12 just the way it is because there are some great street trees on
13 that C Street, the street coming up from Bird Street. So we
14 kept the existing roads to preserve all the trees. We also
15 designed the site not to create too much disturbance, minimal
16 grading because, and we kept a large amount of open space. I
17 think we have 40 percent common area and open space.

18 The primary goal was to have a minimal amount of
19 disturbance and this development plan allows the site to dictate
20 what should happen naturally on a site. I think the challenges
21 of the site have been met to successfully transform into
22 opportunities. The solution works out very well and the
23 grading, as I said, is minimal on the site. I think that's
24 pretty much the whole plan.

25 MS. GIORDANO: Thank you Mr. Stossier. Kevin?

1 MR. CAILLOUET: Good evening. My name is Kevin
2 Caillouet. I'm the project manager and the project engineer for
3 this development. We were met with some interesting challenges,
4 if you can notice by the first site plan of record, the site
5 changes very tremendously from the Ridge Road, D Street
6 intersection going north or catty corner to the upper lefthand
7 corner by approximately 60 feet in grade. We had issues with
8 preliminary with soils, the D.C. soils map has this area being
9 underlayed with christiania urbanland complex soils which have
10 been known in the city to be of a high shrink swell causing
11 issues with foundation stability and wall stabilities.

12 We found, through our geotechnical reports that
13 these clays were deep and should not impact our development
14 areas where it was in question. We've incorporated additional
15 underdrainage to keep the water away from these clays to prevent
16 them from drying out and then subsequently getting wet and
17 swelling.

18 The stormwater management we originally, and
19 still are going to utilize for the project, was bioretention.
20 It fit this site very well because the areas in question, the
21 Park Service property was very flat which lends itself to the
22 use of bioretention as opposed to underground storage via sand
23 filters which are commonly used throughout the city. We've met
24 with the Department of Health, Stormwater Management Branch, on
25 a number of occasions to go over potentially stormwater

1 management objectives and uses and it was determined that
2 bioretention fit this site and the city was excited in
3 incorporating that. There's been a big push to incorporate what
4 we call soft stormwater management through vegetative measures
5 as opposed to the standard brick and mortar and underground
6 concrete structures.

7 Issues arose when the Park Service showed us that
8 they had some interest in a portion of the property and so
9 subsequently deemed that it was under their jurisdiction. We
10 met with them to try and come up with a, I guess a usage,
11 recreational use of the bioretention which can, in other
12 jurisdictions they use it for passive recreation through
13 educational opportunities for children and through birdwatching
14 or meditation. They did not agree with this so we are currently
15 in the process of revising the plans to pull the bioretention
16 completely back into what we consider our new boundary, the 16.4
17 or 16.6 acre site. And I can show you that graphically where
18 that will essentially lay out.

19 CHAIRPERSON MITTEN: Can you just pick up the mic
20 so we can keep you on the record.

21 MR. CAILLOUET: Okay. This is the site plan that
22 you have before you now showing the bioretention in this area
23 and this area. Right through here, you can see we split these
24 bioretention areas almost in half with the National Park Service
25 boundary. What we've done is we've primarily come through and

1 moved these further uphill onto the site to be outside of this
2 easement area.

3 And this graphic shows you, not in a grading
4 method but just graphically where we believe we can put these.
5 We've gone through some preliminary grading studies and we see
6 no major obstacles to locating them there. Before, we had no
7 retaining walls. Right now, we're going to have a minor
8 retaining wall here. It has also caused the relocation of the
9 sanitary sewer outfall which used to flow through this area.
10 We're going to be abandoning a portion and redirecting the flows
11 out another direction. So those would be the major changes to
12 the utility plans that you have before you.

13 I guess one other non, minor grading issue is the
14 Office of Planning has requested that we articulate the building
15 facades more than what we have in the document, more than what
16 you see in the documents before you. That's going to cause some
17 minor grading changes on pretty much all the sticks. We're
18 talking no more than two feet.

19 CHAIRPERSON MITTEN: Very good.

20 MR. CAILLOUET: I guess at this point what we'd
21 like to do is ask the community for some flexibility on the
22 grading issues as presented for the articulation of the actual
23 townhouse units themselves.

24 CHAIRPERSON MITTEN: Do you anticipate being able
25 to submit a grading plan that would show, I understand the issue

1 related to the facade changes but how about as it relates to the
2 new locations of the bioretention facilities?

3 MR. CAILLOUET: Yes, we can.

4 CHAIRPERSON MITTEN: You'll be able to provide us
5 plans for that grading plan?

6 MR. CAILLOUET: Yes, we will.

7 CHAIRPERSON MITTEN: Great.

8 MR. CAILLOUET: And what time schedule.

9 CHAIRPERSON MITTEN: Well, that's going to --

10 MS. GIORDANO: We'll get to that. I think I'll
11 get to that issue.

12 CHAIRPERSON MITTEN: Okay.

13 MS. GIORDANO: But we're going to need to submit
14 a new grading plan and a new utility plan.

15 CHAIRPERSON MITTEN: Okay.

16 MS. GIORDANO: And also the landscaping around
17 the bioretention facilities, the materials will be approximately
18 the same as what was shown previously but obviously the
19 configuration of that is going to change as well.

20 CHAIRPERSON MITTEN: Okay. Anything else?

21 MS. GIORDANO: We're ready to move on to the
22 architect, if you're ready. I'm going to hand to you a profile
23 of the architectural firm which is Heffner Associates and a
24 resume of their representative here tonight, Jim Bryan, and I'd
25 like you to, his resume is page two of this packet. I'd like

1 you to please, if you would, just take a glance at that and
2 qualify him as an expert in architecture.

3 CHAIRPERSON MITTEN: Thank you.

4 SECRETARY BASTIDA: Madame Chair, is there any
5 other information that is going to be introduced. I would
6 rather have it at this time.

7 CHAIRPERSON MITTEN: Thank you. Any objection to
8 qualifying Mr. Bryan as an expert in architecture. Without
9 objection.

10 MS. GIORDANO: Okay, Mr. Bryan, you're up.

11 MR. BRYAN: Good evening. My name is Jim Bryan
12 and I'm an architect with Heffner Architects and our entire
13 professional focus is housing. We've been designing housing
14 projects in and around Washington for about the past 18 years.
15 During the course of that, we've been able to work with most of
16 the largest developers and contractors in the area including
17 quite frequently Bozzuto Development. So we're very comfortable
18 with them and they with us.

19 Before we began designing the units, Ray and his
20 team spent an inordinate amount of time with the prospective
21 home buyers and the focus groups and in a two day charrette to
22 discover what they were looking for in their new homes. We also
23 met with Derrick Woody and David McGhettigan with the District's
24 Office of Planning whose vision was instrumental in helping
25 shape the architecture of Dupont Commons. Everyone's

1 recommendations and suggestions were direct and exceedingly
2 helpful and we've tried very hard to incorporate as many of the
3 comments as we could and so far, the feedback has been quite
4 positive.

5 With a project like this, constructability is a
6 major component of affordability. That means using standard
7 techniques and methodologies in order to make it consistent and
8 simple for the people who are building it to keep the cost down.

9 And to that end, we were given this framework from which we
10 could design blueprints and the facades and materials and in
11 order to maximize the quality as well as the quantity of the
12 space within each of these units. The units have a consistency
13 about them that will work to contain the cost but not at the
14 expense of livability. Each unit has a gracious foyer and a
15 powder room on the main level, defined living and dining rooms
16 and a staircase that will open up to the second floor and give
17 them a great sense of openness between the two levels as they,
18 as light filters up and down between them.

19 The eat-in kitchen at the back of the house will
20 have a lot of light from the window at the sink and a sliding
21 glass door on the back and also pass through that opens up into
22 the dining room and also the walkway into the dining room as
23 well. There's also plenty of storage in the upper cabinets in
24 the pantry that's there and that's pretty much it for the main
25 level. The upper floor there are three comfortably sized

1 bedrooms with two full baths. The secondary bedrooms have
2 appropriately sized wardrobe closets with a linen closet on the
3 landing. The master bedroom has a fullsize walk-in closet and
4 its own bath with a window to add more light to the space.

5 And depending on location on the site, the units
6 will have either basements or garages on them. Some of them
7 will have a walkout, some will be English basements. But
8 perhaps the best way to enhance the livability of any home is
9 the generous use of windows and daylight. Large amounts of
10 glass on both levels as well as in the front and the rear
11 guarantee that the interior of the units will be as light and
12 airy as possible. The end unit, the side elevations will have
13 significantly more glass than comparably sized townhouses being
14 built anywhere in the metro region also guaranteeing that the
15 stairways and the landings will be filled with light.

16 CHAIRPERSON MITTEN: Can you put it on the other
17 easel there.

18 MR. BRYAN: Many of the comments from the home
19 buyers with regard to the elevations had to do with the
20 perceived value of a brick front elevation. Reality of the
21 construction budget is that we were allocated only so many
22 square feet of brick coverage. Our task was to apply and locate
23 the brick in a way that would give one sense of the buildings of
24 the community were substantially brick covered. We felt that
25 blocks of solid brick front facades and strategically placed

1 brick covered in facades would have more heft and weight than
2 small short wainscotting which is just a band across the bottom
3 of the unit.

4 As it's designed now, over 40 percent of the
5 units are brick and 29 of the 54 end facades are brick from top
6 to bottom. As you can see from this site plan, the red
7 designates locations of the brick. As you can see from the site
8 plan, the end units are placed to articulate the intersections
9 of the street to present a strong visual element as one enters
10 from either street off of Ridge Road. And even though the brick
11 is the material of choice here, the simple massing and the
12 composition of both the front and the sides as you can see and
13 that elevation over there still lends itself to a nice elevation
14 even when it's rendered in siding and wood trim.

15 We worked hard to create a balance of materials
16 and a rhythm buildings up and down the street terminating at
17 the, as you can see, down at the community overlook and also the
18 courtyard at the end. Thanks.

19 CHAIRPERSON MITTEN: Thank you.

20 MS. GIORDANO: I would just note that the Office
21 of Planning report indicates that they would like to see, that
22 they indicated that they would like to see more brick usage also
23 in the range of 50 to 75 percent and we discussed, you know, the
24 budgetary constraints with them and they indicated that it's
25 possible that linkage funds could be identified in the future to

1 cover the cost of that so we would ask for flexibility to
2 increase that to 50 to 75 percent of the facades should linkage
3 funds be identified to finance that.

4 And, at this point, we have two additional
5 experts that are part of our team, Mr. Osborne George, who is
6 the traffic consultant for the project. He's been qualified as
7 an expert by this Commission previously.

8 We submitted a written report as part of our
9 supplemental submission and we don't want to take any time here
10 to ask him to make a presentation but if there are any questions
11 about his report, he can certainly come to the table and respond
12 to those questions. And also Nate Gross from our firm Arnold &
13 Porter is an expert planner who has been qualified as an expert
14 by the Commission in the past and he can respond to any
15 questions about consistency with Comprehensive Plan or city
16 planning policies of the project.

17 So that concludes are presentation at this time.

18 As far as the issue of the additional grading plans and the
19 utility plans, what we were hoping to do was to ask the
20 Commission for a decision on the project at your October 15th
21 meeting and the engineers have indicated that they could have
22 those plans completed for submission on October 9th which would
23 be seven days prior to that time.

24 So, that's what we'd like to do. And as far as
25 the changes in the grading plan needed to support the change in

1 the articulation of the townhouses, we're talking about shifting
2 the townhouses two feet front to back to give some more rhythm
3 along the frontage of the sticks and the zoning regulations
4 allow the Zoning Administrator the flexibility to shift
5 buildings within five feet of an approved location by the Zoning
6 Commission.

7 So we're thinking presumably that means the
8 Zoning Administrator would have the flexibility to also make
9 changes, corresponding changes in grading plans and the changes
10 that we're talking about are very minor here. So, we'd like to
11 see if we could accomplish that flexibility by textual language
12 in the order rather than doing all that grading at this point
13 which is going to be very tight timeframe for the engineers to
14 submit by October 9th.

15 CHAIRPERSON MITTEN: Okay.

16 MS. GIORDANO: So with that, I would like to
17 invite the Commission's questions.

18 CHAIRPERSON MITTEN: Any questions for any of the
19 witnesses that have been presented or any of those whose reports
20 we have. Mr. Hannaham?

21 COMMISSIONER HANNAHAM: I really enjoyed your
22 presentation. I'm very happy to see this project in that
23 community which I am very, very familiar with. I was interested
24 in one of the ideas that was proposed, I believe it was by
25 Arnold & Porter in their report with respect to an educational

1 format around the bioretention area and I wonder how far you had
2 thought that through and to what degree you may have been
3 coordinating with other environmentally related kinds of
4 resources in the area.

5 MR. NIX: When it was first brought to our
6 attention that the Department of Recreation and Parks owned that
7 land in the northern portion of the property, we consulted with
8 the staff of National Park Service and we had a really good
9 meeting and what came out of that meeting was that this doesn't
10 have to be a stormwater management facility. It could also
11 contribute towards the educational welfare of the children and
12 the residents in that neighborhood. So what we thought about
13 doing was to place signs in using indigenous wildlife and
14 identifying that wildlife but also putting up a protective
15 screen so that it didn't borderline on any safety problems. But
16 we're still kind of working through that right now and the
17 Department of Recreation and Parks has stepped forward in
18 cooperation with us in trying to look for different ways to
19 articulate some of the educational aspects of the bioretention
20 area.

21 COMMISSIONER HANNAHAM: Okay. The Department of
22 Health, there's some people there who have been doing this kind
23 of thing, too. I don't know whether you have had contact with
24 them.

25 MR. NIX: I just got off the phone with Tim

1 Carey, Carey and Mussod Charles and they are certainly a part of
2 this process. We actually did a site visit two Fridays ago and
3 explained to them the revisions and they seemed to be amenable
4 to it.

5 COMMISSIONER HANNAHAM: Right. Those are great
6 people. I know them. Park Service also, Kenilworth is a sort
7 of a facility that's gotten worldwide attention as a wetlands
8 demo in the anticostial basin and I think you might find those
9 folks over there very helpful, too, and the Park Service,
10 Capital East Park Service officials. I was thinking that you
11 could really build on that to have a really beautiful additional
12 amenity, an educational component, not only for the people who
13 live immediately there but also in the larger community
14 surrounding.

15 MR. NIX: Excellent, thank you.

16 MR. MORE: If I may add just on, for WIN and
17 WEFT, since we're going to be working closely with the
18 homeowner's association, one of the things that comes out of
19 that is community amenities and working to get additional grants
20 and other things like that. I just remember meeting a lady who
21 came from East Brooklyn and she said one of the unusual things
22 that in the stores near the housing development we'd done there,
23 they were selling binoculars and I said why, said, well, they'd
24 formed birdwatching clubs and this was in an area of East
25 Brooklyn that looked like a bombed out zone before these houses

1 were built. So we're also very interested in that point and we
2 think that's very good.

3 MR. HANNAHAM: Okay, we'll look forward to what
4 you can develop on that the next time we meet. The other thing
5 I wanted to ask is in a different area and it has to do with
6 some 20 percent of the houses would be allocated to people with
7 incomes less than 25,000 or some lower range. How was that set,
8 how was that determined?

9 MR. NIX: The 20 units who house, the 20 units
10 that are going to be between 15 and 20,000?

11 MR. HANNAHAM: Yes.

12 MR. NIX: That was actually a part of the
13 commitment that came out of an agreement with the District of
14 Columbia Housing Authority. Something I failed to mention was
15 that not only are there financial constraints in terms of the
16 families that can live in this community for a period of four
17 years, I think, as a matter of fact, there's also priority of
18 who these homes will be available to and in what order.

19 So the commitment came in cooperation with DCHA
20 and that was one of the ways that the Residents and Tenants
21 Council along with WIN was able to move forward with the
22 disposition of this property. The other piece is the priority
23 listing and the first priority goes to current and former
24 residents of Fort Dupont Dwelling and Addition. The second
25 priority goes to residents of public housing in the Fort Dupont,

1 Stoddard Terrace community and then the third is opened up
2 areawide.

3 So a concentration has always been focused out of
4 the gate long before Enterprise Homes came on board. Our goal
5 was just to carry the torch on that.

6 MR. HANNAHAM: Okay, thank you.

7 CHAIRPERSON MITTEN: Mr. Parsons, did you have
8 some questions?

9 COMMISSIONER PARSONS: Yes, there was a diagram
10 over here on the far easel to the right before you put up the
11 elevations, a site plan, is that still available?

12 MS. GIORDANO: The illustrative one?

13 COMMISSIONER PARSONS: That's the one. There's a
14 label that I can read I think says Pedestrian Access to
15 recreation facilities. What is meant by that?

16 MR. NIX: Hopefully you can read the black and
17 white graphic. I'm going to try to just explain the connection
18 so it'll ease your, I think it's on here. Oh, it is, okay. The
19 pedestrian pathway connection that you see on the fully rendered
20 graphic simply illustrates the tie-in of a proposed pedestrian
21 pathway that incorporates this community as a part of the whole
22 community and ties back into an existing pedestrian trail system
23 that's currently on site. There is a tennis court facility
24 here, very nice, paved every year, basketball court facility
25 here and an open recreation area that I was at the other day and

1 the kids were playing touch football.

2 So what we tried to do in cooperation with the
3 Office of Planning is to strategically locate the pedestrian
4 pathway so there would minimum disturbance throughout the
5 community but also allow people to traverse because this is an
6 open community, that's one of the things that came out of the
7 charrette planning process. So what you see is a connection
8 that hits our property limits and it doesn't extend on and show
9 you graphically how that connects with the system that's already
10 in place which is asphalt, I believe, Kevin?

11 COMMISSIONER PARSONS: The indication is that it
12 would go along your border with the school, is that accurate, is
13 that where the pedestrian way goes?

14 MR. NIX: Yes, the proposed pedestrian pathway
15 would lie along the northern edge and connect into the existing
16 pathway that currently stops right here.

17 COMMISSIONER PARSONS: So that's something you're
18 going to construct and set your buildings back so that can
19 occur, it's on your property then?

20 MR. NIX: Yes. That is a consequence of the one,
21 losing the Park Service area and the realignment of the
22 bioretention facilities, that's the difference between what the
23 paths as shown on this graphic versus the paths shown on the
24 colorized site plan.

25 COMMISSIONER PARSONS: But if we allowed a five

1 percent, I think you asked for, flexibility in moving the
2 buildings, we wouldn't want to lose that pedestrian access.

3 MR. NIX: No, that would be, the pedestrian
4 access would be part of the open space that is going to be
5 controlled by the homeowner's association so the individual
6 adjusting of the homes would not impact those paths.

7 COMMISSIONER PARSONS: Now, I wanted, one more
8 question I wanted to ask about what I see here is called Square
9 5401 which is this appendage that hangs off here to the right.
10 Is that part of the PUD?

11 MR. NIX: Yes.

12 COMMISSIONER PARSONS: And how should we
13 designate this, open space or --

14 MR. CAILLOUET: That's how it is as part of
15 application.

16 COMMISSIONER PARSONS: As you don't intend to
17 build on it so, as a part of the PUD, this would be declared
18 open space, is that right?

19 MS. GIORDANO: We're not showing anything on the
20 plans so the building permit department could not grant a permit
21 unless we came back here for a modification. So without any
22 designation, it's open space and that's the intent.

23 COMMISSIONER PARSONS: So you wouldn't intend to
24 come back here for a revision?

25 MS. GIORDANO: I can't say ten years from now

1 that that wouldn't happen but it could not happen under this PUD
2 without coming back to this Commission.

3 MR. MORE: This whole area will be controlled by
4 the homeowner's association which will eventually have the
5 running of it. I think there's a thought there'd be community
6 gardens or various other open space type uses up there but to my
7 knowledge, there are no plans for, we have no plans, and also,
8 that one area up there has got very steep slopes and they're a
9 lot of problems so it would be extremely expensive to build up
10 there anyway.

11 COMMISSIONER PARSONS: So currently, what is the
12 condition of that property. Is it open fields?

13 MR. MORE: It's been cleared of the buildings, it
14 was cleared of the buildings that were there, there were garden
15 apartments up there and it's just sort of an open space. That
16 is something that the homeowners are going to working on is
17 whether they make it community gardens, walk spaces but we don't
18 have either the money this time, it's open controlled space but
19 other than that, there's no specific plans.

20 MR. NIX: I will add, if I may, that we are
21 showing a planting of a clustering of significant shade trees
22 preferably white oaks, red oaks, cruces illustrious and cruces
23 rebra and then that came as part of our cooperation with staff
24 at the National Park Service and I was going to mention this
25 earlier but in terms of being expeditious I didn't want to but I

1 will. Another part of the educational process is, it's
2 interesting as it was explained to me, is that there is a green
3 corridor that circles the District of Columbia and it was
4 pointed out to us early on in this process that by planting
5 shade trees in a significant cluster on that parcel of land
6 that, we would, in fact, be bolstering the effect of this green
7 corridor.

8 So possibly, along the pedestrian pathway on the
9 lower portion of the site by the bioretention area there might
10 be a sign that says turn around and it shows a graphic of the
11 green corridor and how these plantings, obviously which will be
12 one and a half inch caliber, we can't afford two inch caliber
13 immediately, will be a part of this. And in five or ten years
14 on down the line, it will be a significant massing of trees on
15 this portion of open space that will do a couple of things. It
16 will help solidify the soil because there are extreme erosion
17 problems in this neighborhood and you're familiar with Ward 7
18 all over. And then also help to mitigate from the stormwater
19 runnage, stormwater drainage and the run off that's going to
20 come off that portion of the site.

21 COMMISSIONER PARSONS: Well, it might be helpful
22 then in your submission by October whatever it was, that you
23 could start to talk about the treatment of that area because
24 right now, I think it's pretty void as to, in the submission, as
25 to what might happen there. White and red oaks sound good.

1 CHAIRPERSON MITTEN: Mr. May, did you have some
2 questions?

3 COMMISSIONER MAY: I do. I heard, I'm not sure
4 who can answer this one but I heard a reference earlier to an
5 ultimate goal of building a thousand units somewhere. Where is
6 that, where are they all going to go?

7 MR. MORE: That's a very good political question.

8
9 COMMISSIONER MAY: Clearly not on this site.

10 MR. MORE: There is a general commitment on the
11 part of the city and the mayor to build affordable housing. We
12 have been in long-term discussions with the, our group has been
13 in discussions with the Housing Authority, DHCD, the mayor's
14 office and others on other possible locations. One, for example
15 but it's nowhere, I mean we're not even in on the process yet
16 but we have been in discussions on the southeast, southwest that
17 a portion of the 3,000 homes there could be affordable. And
18 there are other folks doing affordable housing.

19 COMMISSIONER MAY: So it's throughout the city,
20 it's not --

21 MR. MORE: Yes, it's throughout the city.

22 COMMISSIONER MAY: Okay.

23 MR. MORE: But we, if WIN is involved with it, we
24 like to build communities. So 150 is sort of the minimum size
25 we like to do. As I say, in New York, we've done 2,500 and we

1 even actually have our own factory for building prefab houses up
2 in New York.

3 COMMISSIONER MAY: Okay.

4 MR. MORE: But yes, as I said, where it goes,
5 it's political, lot a work.

6 COMMISSIONER MAY: I just wanted to make sure, I
7 understood from the records --

8 MR. MORE: No more on this site, not on this
9 site.

10 COMMISSIONER MAY: Well, I was wondering whether
11 there was some space that was contiguous to this in some way
12 because of the way it was referred to.

13 MR. MORE: No.

14 COMMISSIONER MAY: Okay. There was a reference
15 also to the howeowner's association in the management of a
16 common space so there is going to be some additional fee
17 associated with this that every homeowner will have to pay.

18 MR. NIX: Yes.

19 COMMISSIONER MAY: Any sense yet of what that's
20 going to run?

21 MR. NIX: We haven't, there's no finite number on
22 that but our preliminary affordability analysis with mortgages
23 ranging from anywhere from 38.5 to 115 based on our market
24 study. You're probably looking at a homeowner's association
25 monthly fee of about 35 dollars. At Willow Creek, it's 42, I

1 believe, about 35 dollars.

2 COMMISSIONER MAY: All right, a bargain. The
3 major variance from the zoning code here has to do with side
4 yards and looking at the plan, and I guess this goes to the
5 engineers who laid this out, I'm a little bit puzzled as to why,
6 with so much square footage, that there is this need for the
7 variance in the side yards or for the, excuse me, exception.
8 Why is the side yard, the minimum side yard not achievable?

9 MR. CAILLOUET: I guess this came about through
10 our coordination with the Office of Planning. Fairly early on,
11 we did not have the second connection to Ridge Road from Burns
12 Place and the future street A or B, excuse me, was a court so
13 that allowed more spacing between the units to accomplish our
14 goal of 147 units. The inclusion of a future street B and
15 future street A has forced us to tighten our separation between
16 the units. What we've accomplished is essentially an eight foot
17 side yard between each unit but we've taken out an area of
18 approximately five feet to allow the middle units access around.

19 COMMISSIONER MAY: Access, okay. It did, the way
20 it kind of looked and I was --

21 MS. GIORDANO: Right and it's somewhat deceiving,
22 I might add, because the side yard requirement works is if you
23 have townhouse units, you can build lot line to lot line. But
24 if you provide any space --

25 COMMISSIONER MAY: Any side yard, it has to be

1 eight feet.

2 MS. GIORDANO: Exactly.

3 COMMISSIONER MAY: I understand. I do have one
4 other site question and that is there was a reference to moving
5 the bioretention ponds essentially uphill.

6 MR. CAILLOUET: Yes.

7 COMMISSIONER MAY: And that's an interesting
8 trick. I assume that means there's going to be some regrading
9 involved.

10 MR. CAILLOUET: Yes.

11 COMMISSIONER MAY: And you're going to cut the
12 slope.

13 MR. CAILLOUET: Right.

14 COMMISSIONER MAY: Try to keep it uphill of the
15 tennis courts or something.

16 MR. CAILLOUET: Yes.

17 COMMISSIONER MAY: All right, okay.

18 MR. CAILLOUET: That was an unfortunate
19 consequence.

20 COMMISSIONER MAY: All right. I'm a little
21 confused, this is an architectural question so if you want to
22 bring your architect back up. The units that have, we saw a
23 side elevation that was actually was the front elevation, I'm
24 not sure where that one went but the side entry where the side
25 has now been made into the front if you will. And then we just

1 had the brick diagram up there and these are the two things that
2 we needed together. My question is where do we find that
3 elevation, is it all the brick or just some of them.

4 MR. BRYAN: There are six units like that.

5 COMMISSIONER MAY: Six units.

6 MR. BRYAN: And then the rest of the side
7 elevations are --

8 COMMISSIONER MAY: So those are ones that are
9 actually facing streets, is that the plan?

10 MR. BRYAN: I believe they are here, here, here,
11 here, and then also these two here. Just sort of in these --

12 COMMISSIONER MAY: Those are like the last six I
13 would have expected. The reason I say that is that, I mean,
14 typically in the District when you have a building like this on
15 a corner and you have a side entry, I mean, it literally is on
16 the corner, it's not opening up into some common space, it's not
17 facing a street, so it seems a little odd. What was the logic?

18 MR. NIX: Well, if I may, a large part of the
19 site planning process involved not only the neotraditional and
20 new urbanistic principles but also the protection of common open
21 space and defensible space. And it's interesting that you asked
22 that question because I asked that question to Derrick Woody
23 early on in the process and what he convinced me was that it was
24 important if we were going to boast about the amount of green
25 space that we had on this site, that we also protect it. And

1 it's important to align the houses, and I understand what you're
2 saying living in the District of Columbia, so that there are not
3 only windows that front onto these open space areas of land but
4 there are also doors so that you're creating a traffic
5 generation and you're also having a sense of ownership along the
6 property lines. And you can't see it from there but the
7 subdivision lines actually articulate that and call for the
8 properties to be expanded on those end portions, which is a
9 bonus because you get a little more grass to cut.

10 COMMISSIONER MAY: That's very interesting. I'm
11 familiar with the concept of defensible space but I'd never seen
12 this kind of an application. I was just thinking in terms of
13 urbanistic principles and what we see already in the city.
14 There are a number of elevations that, where we see a steep
15 slope so you get a real good look at the foundation. What is
16 that foundation material?

17 MR. BRYAN: That would be concrete that's formed
18 with a brick pattern and then painted.

19 COMMISSIONER MAY: Okay. Make sure they do a
20 good job of cleaning up it so you don't see the panel edges
21 where that preformed panel. And there are a number of houses
22 with complete below grade basements with no windows. Did I read
23 that correctly?

24 MR. BRYAN: No, yes, you did read that correctly.

25 COMMISSIONER MAY: There are some units that are

1 like that?

2 MR. BRYAN: Yes.

3 COMMISSIONER MAY: That really is a basement but
4 okay, a cellar, excuse me, is probably the right definition.
5 The only other question I have is seeing the sample boards which
6 we will ask for later on. Thank you very much.

7 CHAIRPERSON MITTEN: Mr. Hood?

8 VICE CHAIRPERSON HOOD: Yes, Madame Chair. I
9 have a question, I believe the architect can answer this. The
10 bioretention pond, I believe they have to be cleaned
11 periodically or whoever, the bioretention pond, I believe they
12 have to be cleaned periodically.

13 MR. CAILLOUET: Yes, they have to be maintained.

14 VICE CHAIRPERSON HOOD: What is the maintenance
15 schedule. How often?

16 MR. CAILLOUET: Generally, it's twice a year just
17 like with your normal yard flower beds. You check it in the
18 spring to see if there's been one, any trash accumulation, any
19 growth that died over the winter that may or may not need to be
20 replaced, maybe remulching, that is the general maintenance.

21 VICE CHAIRPERSON HOOD: So I guess that once it's
22 turned over the homeowner's association, that would be included
23 in the price that was quoted.

24 MR. CAILLOUET: Yes.

25 VICE CHAIRPERSON HOOD: For 35 dollars for right

1 now.

2 MR. CAILLOUET: Yes.

3 VICE CHAIRPERSON HOOD: I'm sure that that is
4 going to go up. Hope not but 35 dollars is definitely a good
5 price. At what percentage is the project going to be turned
6 fully over the homeowners?

7 MR. NIX: Traditionally, we will go until 70
8 percent.

9 VICE CHAIRPERSON HOOD: Seventy?

10 MR. NIX: Seventy percent. That has not been
11 established at this point. We are trying to put a show on the
12 ground as we work on a number of the marketing related
13 documents. There will be a full blown declaration of covenants,
14 articles and bylaws and that will actually be crafted out of
15 some similar examples that we've had in Baltimore City but I can
16 think of one off the top of my head, that is 236 units directly
17 in the center of Sand Town Winchester and we are 36 units into
18 the 200 and our projection is that when 70 percent of the site
19 is developed fully out, that the entire ownership will be vested
20 in the homeowner's association.

21 VICE CHAIRPERSON HOOD: You provided us with an
22 agenda of how many meetings you've had which is very impressive,
23 community meetings with input from the community. What was the
24 attendance, the average attendance at each one of these
25 meetings?

1 MR. NIX: The average attendance, let's start
2 with the ANC. The average attendance at the ANC was very
3 healthy. We had significant interest that were in the audience
4 both representation of prospective home buyers, members of the
5 WIN organization as well as community residents and the ANC
6 commissioners. The steering committee, you know, it's touch and
7 go. The development team is always is in full attendance and
8 that consists of, again, all of the community representatives of
9 the WEFT board and I would say that on average maybe ten to
10 twelve people show up.

11 The charrette planning processes, I'm very
12 pleased to report that we've had at the first charrette planning
13 process, we had 100 people, over 100 people. And the second
14 one, as a follow up, the people that came back to hear what we
15 had done with their observations and their input, it was about
16 120 to 125. I think those are the only three meetings that I've
17 enumerated on there for you. But significant contribution by
18 the community all the way through I would definitely say.

19 VICE CHAIRPERSON HOOD: Okay.

20 MR. MORE: And we have also had potential
21 homeowners come to the steering committee and we have a home
22 buyers club we've already started up with a large number of
23 people have been participating in that, learning about the full
24 process and having something to say.

25 VICE CHAIRPERSON HOOD: Thank you, thank you.

1 Mr. More, while you have the mic, I guess my colleagues and I
2 was going to ask about the training and the minority contractors
3 so I don't want you to feel like I'm picking on you. I think
4 they've heard it a few times from me. They left that question
5 for me. That's my question. I noticed you expounded some on
6 that but could you give me a little more detail in your plans
7 and I would also like to see upon finality, when we decide to do
8 the vote or whatever, I would like to see more detail on how you
9 plan to accomplish this. And let me tell you why. I, too, was
10 like Ms. Wade and I came down to testify in support of a project
11 in the city. And once it was approved by this Board, at the
12 time I was down there, I wasn't up here, after while, after
13 everything went through the approval process, all that never
14 existed. So having been burnt, myself personally, in my
15 community, I want to make sure that communities that come behind
16 me, as long as I'm here, don't go through the same process. But
17 I will tell you this, you have one up on the rest of them.
18 You're with WIN so I had a lot of faith in you all carrying out
19 what you said you were going to do. So, if you can expound on
20 that for me.

21 MR. MORE: I think, as far as some of the more
22 specific details, I mean, other than the fact that we will
23 obviously enter into a first source agreement, we have allied
24 with the laborers union and their existing apprenticeship
25 program. We think this is extremely important. One of WIN's

1 other agendas within the city is jobs. And, in fact, I won't
2 get into a lot of detail but we have been working, or causing
3 maybe problems over at GW over the fact that they, Miller &
4 Long, has not complied with the apprenticeship program and so we
5 would be really amiss if we didn't fully implement it here. But
6 I think we could give you more detail and Ray, if you want to
7 say anything further about that but we're absolutely committed
8 and we'll do that.

9 VICE CHAIRPERSON HOOD: If you want to provide it
10 later when you provide the rest of your material, that would be
11 good.

12 MR. MORE: Yes, I mean, as far as other than we
13 are going to have an agreement with the laborers union that will
14 provide for this and, again, what I would say is we've chosen
15 Enterprise precisely because we know from experience in
16 Baltimore that they more than fulfill these commits on these
17 things that you want to have committed and we do, too. So I
18 welcome your question and we will certainly make sure we live up
19 to what your expectations are.

20 VICE CHAIRPERSON HOOD: Sounds good. Hopefully
21 we can use this as the model.

22 MR. MORE: Yes, well, and that's one of the
23 discussions with the laborers union and also taking with Bozzuto
24 is how do you create the partnership to do for the District what
25 it needs to have in jobs.

1 VICE CHAIRPERSON HOODS: Okay, thank you. No
2 further questions.

3 COMMISSIONER MAY: Madam Chair, can I, one more,
4 sorry, I forgot one.

5 CHAIRPERSON MITTEN: Certainly, sure.

6 COMMISSIONER MAY: Could we also look at that
7 elevation board again with the side elevation and the reason
8 that I wanted to see that again is I want to say that the
9 elevation on the left there of where we have the side entry is
10 significantly better than what we had in our packets and I
11 really think that's very good.

12 MR. BRYAN: You can thank Mr. woody for that.

13 COMMISSIONER MAY: Well, thank you, Mr. Woody. I
14 can still see a little bit there, I'm sure that you know the
15 sort of thing that I'm talking about but I think that striking
16 that balance between what's going on on the inside and what's
17 happening on the outside and making the outside really make
18 sense because this really didn't make sense and it didn't look
19 good and it just, that's a lot better. I hope the rest of the
20 elevations which I'd also tagged to look at made similar
21 improvements.

22 MR. BRYAN: They will all, the consistency of the
23 unit plan will allow for that to happen and my renderer got a
24 little carried away with his tree there because you're missing a
25 window here and a big window over there.

1 COMMISSIONER MAY: Yes, I saw that. X-ray
2 vision.

3 MR. BRYAN: I mean because when it goes into the
4 English basement and when this door is on the front, this will
5 be a window as well.

6 COMMISSIONER MAY: Right.

7 MR. BRYAN: Into the powder room. And so as it,
8 as the grade slopes away, you'll get the compositions.

9 COMMISSIONER MAY: Right. Now, if you can get
10 things to just line up a little bit here, anyway, that's all
11 beside the point. When it comes to some of the other
12 elevations, I think it's a slightly more difficult puzzle but I
13 think this has been a big improvement and there's nothing wrong
14 with stealing a window from that triple in the front elevation
15 and moving it to the side or things like that. And so, anyway,
16 I think that's a very big improvement and keep going.

17 MR. BRYAN: Thank you.

18 CHAIRPERSON MITTEN: Any other questions? Thank
19 you all very much. I think we'll move now to the Office of
20 Planning Report.

21 MS. MCCARTHY: Thank you, Madame Chair. Good
22 evening, Madame Chair. As was indicated in the letters of
23 support you received and in the presentation you've heard
24 tonight, the District government does regard this as an
25 exemplary project and our report noted that the amount of relief

1 requested is really quite minimal, just from the side yards and
2 it's not even that the side yards aren't being provided, it's
3 that it's common space and not private side yard space.

4 In the interest of time, if you would like, I
5 have with me tonight, Derrick Woody, who is our urban design
6 expert at the Office of Planning and David McGhettigan who was
7 the project manager for this from the Development Review
8 Division of OP. They'd be happy to either make a presentation
9 or answer questions and I should note, as I noted in the cover
10 memo when we faxed the original version of our report out to
11 you, because it was a work in progress and because the numbers
12 were being recalculated as we went, that was one thing that we
13 had been waiting for in our report. We went with some
14 preliminary numbers and some of them are not entirely correct.
15 Mr. McGhettigan could correct them for you this evening if you
16 would like. But anyhow, whatever your pleasure is, we'd be
17 happy to either make a full presentation or just respond to
18 questions.

19 CHAIRPERSON MITTEN: Okay. I think unless of my
20 colleagues want the full presentation, we'll just stick with
21 questions but are you intending, would you like to just walk us
22 through the numbers that have changed or would you like to
23 submit a revised report that just represents the numbers
24 accurately. What's your choice.

25 MS. McCARTHY: I don't think that the new numbers

1 would materially change any of our conclusions so we would be
2 happy to just submit an updated version of the, it basically
3 addresses the matrix that was on page four and it's just an
4 updating of some of the numbers there so we could easily just
5 redo that and submit that to the Commission.

6 CHAIRPERSON MITTEN: That would be great. That
7 would be great. Are there any questions for the folks from the
8 Office of Planning?

9 VICE CHAIRPERSON HOOD: Madame Chair, I have just
10 one quick question and I have never seen this before so
11 basically I don't know so I need to ask it. Mr. McHettigan, I
12 noticed you referred to the, and I believe I know the answer but
13 I want to hear it from you, I believe you also referred us to
14 the Board of Education. Can you tell me why? It was under
15 agency referrals.

16 MR. MCGHETTIGAN: I believe just because it was
17 adjacent to the school.

18 MS. MCCARTHY: It's also typical for planned unit
19 developments, we refer things to the D.C. schools to hear back
20 from them whether they have sufficient capacity in the schools
21 around there or if what's being proposed would present any
22 problems to them.

23 VICE CHAIRPERSON HOOD: Okay.

24 MS. MCCARTHY: But this project was actually
25 reducing the density of what had been there previously so there

1 was no problem for the project.

2 VICE CHAIRPERSON HOOD: I just had never seen
3 that before so I was wondering. I guess maybe it's on all of
4 them, it's just oversight, thank you.

5 CHAIRPERSON MITTEN: Any other questions. Mr.
6 Hannaham?

7 COMMISSIONER HANNAHAM: I was interested, I
8 believe there's a housing project across on the southern side of
9 Ridge Road, is that occupied. Is that occupied and if so, what
10 are the plans, what's the interest in that community when they
11 see these things happening across the road from them. Have they
12 been participants in this whole exercise and what's the long
13 range look in terms of that site actually having, being open for
14 the same kind of development?

15 CHAIRPERSON MITTEN: Could you turn on your
16 microphone, Ms. Wade?

17 MS. WADE: Well, one thing, Fort Dupont and
18 Stoddard are different. They might be right across the street
19 from each other but the land that they're building on is on Fort
20 Dupont. Now some of the residents from Stoddard have been
21 coming to our meetings and expressed concern. They don't have
22 any lands up on Stoddard that I know of that they, you know,
23 that they can build on. But, I mean, they're perfectly welcome
24 to come to the meetings and like some of them have been doing
25 and coming to the workshops.

1 COMMISSIONER HANNAHAM: I was just wondering if
2 the Office of Planning might be able to answer this. Is there
3 any plan to remove Stoddard and to open that up as a
4 possibility, too, for further development.

5 MR. MCGHETTIGAN: Chris Regan is here, he might
6 be able to answer that from the Housing Authority.

7 CHAIRPERSON MITTEN: Just identify yourself for
8 the record when you start.

9 MR. REGAN: My name is Chris Regan, I'm a project
10 manager with the Office of Planning and Development at D.C.
11 Housing Authority. Right now there are no plans for a major
12 revitalization of Stoddard Terrace. Stoddard Terrace is a 142
13 unit public housing project that sits across the street from
14 Fort Dupont Dwellings. The Housing Authority over the past
15 couple years has performed major revitalization on the interiors
16 of the units and we're doing some sidewalk and landscape
17 improvements but there are no plans right now to demolish any
18 additional units over at Stoddard Terrace and do any major
19 redevelopment.

20 There is an approximately four acre parcel of
21 land that sits vacant right now. We demolished 40 units there
22 three years ago and we are in discussions with the Stoddard
23 Terrace Resident Council on the redevelopment of that parcel of
24 land. So that could potentially be redeveloped over the next
25 couple of years. But, again, we'd have to partner with the

1 residents, partner them with a developer and decide what should
2 be done.

3 COMMISSIONER HANNAHAM: Okay. Thank you very
4 much.

5 CHAIRPERSON MITTEN: Thank you. Any other
6 questions for the Office of Planning? Mr. Regan, did you have a
7 report from the housing agency or the Housing Authority?

8 MR. REGAN: I am here to testify on the part of
9 the Housing Authority. I think I wrote you a letter. I'm
10 assuming you got my letter in support of this project.

11 CHAIRPERSON MITTEN: You know, I'm not sure that
12 we did.

13 MS. MCCARTHY: I believe it's in the package that
14 you received this evening.

15 CHAIRPERSON MITTEN: Oh, it's in their latest
16 submission. Okay, sorry.

17 MR. REGAN: That's all right. Again, I'm with
18 the Office of Planning and Development at the Housing Authority.

19 And one of the main responsibilities of the Office of Planning
20 and Development is to work along with the residents on working
21 towards the revitalization of some of our larger, more difficult
22 to manage, run down public housing developments throughout the
23 District. The Housing Authority tore down over 250 units at
24 Fort Dupont Dwellings and Fort Dupont Addition beginning in
25 1995. And the Housing Authority, with the full intention of the

1 Housing Authority, to partner and work along with the residents
2 to find an appropriate developer and some appropriate financing
3 to redevelop the site for affordable housing.

4 And that decision was made even before the
5 demolition began. And fortunately, we had a very good resident
6 group including Ms. Wade and the late Ms. Scott who contributed
7 a lot to this. And the Housing Authority facility, the
8 partnership with WIN and Enterprise Homes and we're very
9 supportive of this project and we're very excited.

10 CHAIRPERSON MITTEN: Thank you. Any questions
11 for Mr. Regan? Thanks very much. Is there anyone here from the
12 Department of Parks and Recreation. We have a letter from them
13 for the record. Any other government agencies represented here
14 tonight? We also have a letter from the council member from
15 Ward 7, Mr. Chaves, in our package of letters in support.

16 Is there anyone here representing Advisory
17 Neighborhood Commission 7A? Okay, we've been informed that they
18 were not able to, they didn't get a quorum at their last meeting
19 and were unable to make a formal report but all indications are
20 that they are in support of the project. Any persons wishing to
21 testify in support? Any persons wishing to testify in
22 opposition? Did you want to make a closing statement?

23 MS. GIORDANO: I won't repeat myself but it's our
24 great desire to get a speedy decision. The one million dollar
25 federal grant money is dependent upon our ability to spend it

1 for infrastructure and if we can get a PUD approval, I think we
2 can at least get some excavation permits, some permits that
3 would allow us to start infrastructure improvements on the site
4 by the end of the year.

5 CHAIRPERSON MITTEN: Very good. And if we were
6 to take this up for decision on October 15th, you said that will
7 work with your schedule. Let me just review some materials that
8 we're going to need and let me run the date first by Mr. Bastida
9 because he told me a little bit different date that we would
10 work with but I am sure we are more than willing to accommodate
11 whatever you need. So is that date of October 9th going to work
12 for us, Mr. Bastida?

13 SECRETARY BASTIDA: Yes, that's Tuesday, October
14 the 9. I remember that I want to emphasize that the new time
15 for the deadline is 12 noon.

16 CHAIRPERSON MITTEN: Okay. So the additional
17 materials that we will be expecting then would be revised
18 drawings that show the modified boundary now that the Park
19 Service property has been eliminated, a new grading plan, a new
20 utilities plan, something that along the lines of, at a minimum,
21 this shaded, the colored site plan that you have up here that
22 would flush out the landscaping treatment on Square 5401. I'd
23 like to have in the record because I don't recall seeing it in
24 my materials, the drawing that shows which buildings will have
25 the brick fronts. I don't believe we had that in our materials.

1 We're going to need material samples for the exterior building
2 materials.

3 And then, I assume you're going to submit
4 proposed findings of fact and conclusions of law. If you would
5 include in those references to your first source agreement and
6 so on because that really hadn't been included specifically in
7 your submissions and then the kind of language that you would
8 look for that would grant you the kind of flexibility that you
9 need regarding the grading as it relates the articulation of the
10 facades and increasing the amount of brick on the frontages.
11 And also, if we could get some language in there that relates to
12 protecting that pedestrian access along the, I don't know which
13 side of the site, but the side of the site I guess it's adjacent
14 to the school.

15 Did I overlook anything, Mr. Bastida?

16 SECRETARY BASTIDA: No, you didn't, Madame
17 Chairman. One thing that usually the Commission requests is an
18 outline of the homeowner's association guideline.

19 CHAIRPERSON MITTEN: Okay. Would that be
20 available or a sample that you would use, that would be helpful.

21 And Mr. McGhettigan, we're going to be looking for some revised
22 pages to your Office of Planning report.

23 MR. MCGHETTIGAN: Also the revised elevations
24 that the Applicant showed to the Office of Planning which has
25 the different composition on the end units.

1 CHAIRPERSON MITTEN: Thank you. Thank you for
2 reminding us about that because I know that Mr. May in
3 particular is going to be looking for that. That would be very
4 helpful.

5 VICE CHAIRPERSON HOOD: Madame Chair, also, well,
6 I know it's going to be included in the findings of facts and
7 conclusions of law, I still would like to see just a summary of
8 the action plan that we had agreed to previously on the BOES and
9 also the training program. Thank you.

10 CHAIRPERSON MITTEN: Very good. Anything else
11 that you all can think of or anything that I was unclear about?

12 Okay. Ladies and gentlemen, the other members of the
13 Commission and I would like to thank you for your participation
14 in this hearing this evening. The record in this case is closed
15 except for the information that we just delineated and which
16 must be filed no later than 12 noon on Tuesday, October 9 in
17 Suite 210 of this building. Any party to the case may file a
18 written response to any information or report filed after the
19 close of the hearing. The Applicant is invited to submit
20 proposed findings of fact and conclusions of law. Again, that
21 would be no later than 12 noon on October 9th.

22 The Commission will make a decision in this case
23 at one of its regular monthly meetings and our target will be
24 October 15th. If any individual is interested in following this
25 case further, please contact staff to determine whether this

1 case is on the agenda of a particular meeting. I now declare
2 this public hearing closed.

3 (Whereupon, the foregoing matter was concluded at
4 8:30 p.m.)

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