

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION
PUBLIC HEARING

IN THE MATTER OF:

APPLICATION OF THE
Case No. 98-10C
CHALLENGER COURT

CORPORATION

Hearing Room 220 South
441 4th Street, NW
Washington, DC

Monday,
30 November 1998

The above-entitled hearing came on for public hearing, pursuant to notice,
at 7:00 p.m.

BEFORE:

JERRILY KRESS, Chairperson
HERBERT FRANKLIN, Commissioner
ANTHONY HOOD, Commissioner
JOHN PARSONS, Commissioner

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CHAIRPERSON KRESS: I would like to call to order the preliminary meeting on a preliminary matter prior to the opening statement for the Challenger Court Corporation project. We have received a memoranda, a letter, regarding the Oxon Cove Corrections and Rehabilitation Center requesting a continuance due to the Federal Bureau of Prisons revised request for proposals with a request that the continuation change from December 10th to February 25th and reviewing our calendar, March 18th seems to appear to be a better date.

I would like to ask our fellow commissioners how they feel about doing the continuance until March 18th and then putting out a press release to let the members -- I mean, the audience and the people who would testify be aware of this. Is that all right?

COMMISSIONER HOOD: It's quite acceptable to me, Madam Chairman.

COMMISSIONER FRANKLIN: It's fine with me, Madam Chairman.

CHAIRPERSON KRESS: All right. With that, we do have a quorum of the people hearing the case for the Bureau of Prisons and so we will officially change the continuance to March 18, 1999.

Hearing that, I will close our special meeting and go to the case before us this evening. And I'd like to say good evening, ladies and gentlemen. I'm Jerrily Kress, Chairperson of the Zoning Commission for the District of Columbia. Joining me this evening are Commissioners Franklin, Hood and Parsons. I declare this hearing open.

The case that is the subject of this hearing is case no. 98-10C, a

1 request for the approval of a consolidated PUD and related Map Amendment from
2 un-zoned property to R-5-B and C-3-A by the Challenger Court Corporation. The
3 property involved occupies the entirety of the Square 413, comprises 135,431
4 square feet (3.1 acres) of land, vacant land, and is currently used for surface
5 parking. The applicant seeks approval of the requested PUD and Map Amendments
6 to facilitate the construction of a residential community consisting of 93 townhouse
7 units.

8 The houses would be constructed to a height of 50 feet (four
9 floors) and marketed as single family dwellings. A mixture of natural masonry and
10 painted vinyl clapboard siding would be the dominant exterior materials. Each
11 house would include an optional exterior deck and a one or two car garage. Overall
12 the project would comprise 183,570 square feet of gross floor area and would be
13 developed to a floor area ration of 1.36. The total lot occupancy of the
14 project would be 46 percent.

15 Notice of this evening's hearing was published in the D.C.
16 Register on October 23, 1998 and the Washington Times on October 22, 1998. This
17 hearing will be conducted in accordance with the provisions of DCMR 3022. The
18 order of procedure is as follows: 1) preliminary matters, 2) the applicant's case, 3)
19 the report of the Office of Planning, 4) the reports of other agencies, 5) the report of
20 the Advisory Neighborhood Commission 2D, and then 6) parties and persons in
21 support, and 7) parties and persons in opposition.

22 The Commission will adhere to this schedule as strictly as
23 possible and we have set a schedule in the Public Hearing Announcement, asking
24 the applicants for their oral presentation to be 60 minutes, other parties to be 15
25 minutes, organizations to be limited to five minutes and individuals to three minutes.

26 Those presenting testimony should be brief and non-repetitive. If

1 you have a prepared statement, please give copies to staff and orally summarize the
2 highlights only. Please provide copies of your statement before speaking. Each
3 individual appearing before the Commission must complete two identification cards
4 and submit them to the reporter at the time you make your statement. If these
5 guidelines are followed, an adequate record can be developed in a reasonable
6 length of time.

7 The decision of the Commission in this case must be based
8 exclusively on the record. To avoid any appearance to the contrary, the
9 Commission requests that parties, counsel and witnesses not engage the members
10 of the Commission in conversation during any recess or at the conclusion of the
11 hearing. While the conversation may be entirely unrelated to a case that is before
12 the Commission, other persons may not recognize that the discussion is not about
13 the case. The staff will be available to discuss procedural questions.

14 All individuals who wish to testify please rise to take the oath.

15 (Whereupon, the witnesses were sworn.)

16 CHAIRPERSON KRESS: Ken, I'd like to start with preliminary
17 matters concerning the certification and maintenance of posting and the
18 identification of any parties.

19 MR. KARKEET: The preliminary matters I have, I put before
20 each of you -- we obtained some late correspondence and most recent one was
21 dated November 30th and that was from ANC 2D and you have that before you.

22 There were two communications from the Southwest
23 Neighborhood Assembly. One was kind of a follow-up letter to an earlier one. You
24 have that before you and there was a letter -- I don't believe it was included in your
25 package so I included this for you tonight anyway. It's from a Mr. Gary M. Young
26 dated November 19th and you have those before you. I just received the affidavit of

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1 maintenance of posting and that is in the file with the photos for the record.

2 CHAIRPERSON KRESS: And that's all in order?

3 MR. KARKEET: Right. Everything's in order. And I believe
4 that's all. I don't have any parties.

5 CHAIRPERSON KRESS: All right. No request for parties
6 status?

7 MR. KARKEET: No.

8 CHAIRPERSON KRESS: Thank you.

9 MR. KARKEET: And that's it, Madam Chair.

10 CHAIRPERSON KRESS: Thank you very much.

11 With that we'll turn to the applicant's case and I do understand
12 we're having problems with microphones and at the last meeting people needed to
13 carry around different microphones that started to work. So we'll get started and I'm
14 just kind of giving you fair warning as we get started. We need to see what we have
15 that works.

16 Good evening. Happy to have you here. Would you like to
17 begin your case?

18 MR. FEOLA: Thank you, Madam Chairperson. For the record,
19 my name is Phil Feola with the law firm of Wilkes, Artis, Hedrick and Lane. We're
20 here this evening on behalf of Challenger Court Corporation and the District of
21 Columbia Department of Housing and Community Development, the owners of the
22 subject property.

23 A couple of preliminary matters on our side, Madam Chair, I'd
24 like to clarify. One is whether or not we would be able to present the entirety of our
25 case and then be available for questions or how you want us to proceed?

26 CHAIRPERSON KRESS: We would prefer you present the

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1 entirety of your case.

2 MR. FEOLA: Thank you. And secondly, the identification of
3 experts that we filed with our pre-hearing materials, I don't know if you want to go
4 through that or not, but we intend to present two direct experts, Mr. Robert Morris in
5 Traffic and Transportation, Mr. Carlos Vasquez in Architecture. Those résumés are
6 before you. Both gentlemen are here and can answer questions about their
7 expertise.

8 CHAIRPERSON KRESS: I have reviewed both résumés. Any
9 problems with recognizing them as experts, Mr. Morris and Mr. Vasquez?

10 Okay. Both are so recognized.

11 MR. FEOLA: And finally, part of this case has become moot and
12 that is the map amendment request. When this case was filed in April the property
13 was un-zoned because it had been urban renewal property. It has now been zoned
14 effective, I think about a week ago Friday by action that this Commission took earlier
15 this month, and it was published in the D.C. Register so that the property is now
16 zoned as we speak.

17 What we are proposing, therefore, the applicant is proposing is
18 to develop on this 3.1 acre site a townhouse community of 93 townhouses. The site
19 is a disposition site from the RLA. It was part of the Southwest Urban Renewal Plan
20 and it was purchased or condemned by the City and it was put up for sale.

21 The proposal, I'd like to point out, is significantly under the
22 density of the zoning that this Commission put in place earlier this month. The
23 zoning of the site, as we speak, is currently about 1/3 C-3-A and about 2/3 R-5-B.
24 The combination of those two FARs would allow the development of the site of
25 about 350,000 square feet of housing. What we are proposing today as the notice of
26 public hearing indicated is about 180,000 square feet of housing, which is almost

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1 half of the permitted density. Significantly, the number of units that are being
2 proposed, 93, is about 1/3 of what you would build on this site as a matter -- right, if
3 you were to build a small apartment complex.

4 And finally, the project is consistent with the -- the most
5 important aspect of the project clearly is that it conforms with the comprehensive
6 plan which calls for the site to be developed in median density residential, and of
7 course it's in conformance with the urban renewal plan, otherwise they wouldn't
8 have proposed the sell list to Challenger Court.

9 I think with that I will introduce the witnesses. We intend to have
10 four witnesses on direct and a couple of them in reserve for answering specific
11 questions. And to my far right is Mr. Steven Gewirz and to his left is Mr. Bob
12 Youngentub of Challenger Court. And I'll let Mr. Gewirz introduce himself and say a
13 few words.

14 MR. GEWIRZ: Good evening. My name is Steven Gewirz and
15 I'm from Potomac Investment Properties, and I represent Challenger Court.
16 Challenger Court is a single asset entity owned by the principles of Potomac
17 Investment Properties. We currently own 2/3 of the site on the eastern portion of the
18 site and we have under agreement with the DHCD -- or excuse me, the RLA, the
19 last 1/3 of the site, the western portion of the site.

20 My company, Potomac Investment Properties, has been involved
21 in District of Columbia real estate for over 60 years and we currently own 2,000 units
22 and about 2 million square feet of office space that we have developed over those
23 past 60 years.

24 I've been involved in this piece of property since I think about
25 1991 through various transmogrifications of what was to be developed there. I have
26 been down to the ANC. They are very familiar with me and have kept them involved

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1 with the process throughout the whole thing and I think at this point we've arrived at
2 something that the community feels very good about, as you can see from some of
3 the letters that have been written. We also have support from the RLA, the DHCD,
4 the incoming and outgoing mayors, the city council, the ward councilman, Jack
5 Evans, the ANC Southwest Neighborhood Assembly to name just a few of our
6 supporters in the area.

7 My company, Challenger Court, brought EYA Eakin Youngentub
8 Associates on board to develop the project jointly because of their experience in
9 urban development and the quality that they bring to the process, developing these
10 types of units. Later on Bob Youngentub will speak more about his company and
11 his role in the development.

12 At this point, the financing is not a concern for this. We will begin
13 permitting as soon as we can get zoning, if that's available this evening, or
14 whenever. And we're ready to get going with this. I think it's a good project for the
15 City, promote home ownership, and hopefully people will move across the bridge to
16 Washington. That's what our goal is.

17 I appreciate your time. Thank you.

18 MR. YOUNGENTUB: Madam Chair, members of the
19 Commission, my name is Bob Youngentub and I'm the president of
20 Eakin/Youngentub Associates. Eakin/Youngentub was founded six years ago with
21 the sole purpose of developing urban residential communities. We're currently a
22 company with approximately 100 employees. We're based in Rosslyn, Virginia and
23 many of our projects have been in D.C., as well as Maryland and Virginia, all in very
24 close-in locations and similar settings and similar type surroundings that we're
25 proposing to develop this project here tonight.

26 We are proud of the fact that we have won more design awards

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1 than any other builder in the area since our inception and many of those awards are
2 for projects very similar to what we're proposing here. I did bring some photographs
3 tonight of some of our other communities. The one in the far left is a project called
4 Courthouse Hill in Arlington that most recently won the urban land institute's award
5 of excellence, which is a national award given to the best small-scale residential
6 project in the entire country. My partner always like to say in the world because it is
7 actually an international organization but it was just given to us in Dallas in October.
8 We're very proud of that and I think what it said on the cube that was given to us and
9 there are a number of other very prestigious Washington projects that have won this
10 award of excellence, was that it really was a model for kind of the next generation of
11 urban development and how you were able to deal with the automobile, deal with
12 the desire of pedestrian-friendly settings and creating really a quality sense of place.
13 And that's really what we set out to achieve and we were very proud to achieve that
14 award.

15 The project that's pictured in the upper right-hand corner is also
16 one of our current projects, Ford's Landing, down in Old Town Alexandria. It's a
17 project on the water front with units ranging in price from \$300,000 to over a million
18 dollars. The lower right-hand side here is a project in Old Town called Old Town
19 Village and here we developed a particular home called the courtyard home which is
20 a two-level townhouse really designed for kind of an alternative lifestyle in Old Town
21 that didn't exist before, something other than a condominium or a high rise
22 condominium or a typical townhouse.

23 The two communities that we are currently, we recently finished
24 up at Hillendale in the District of Columbia, as well as just recently completed the
25 Courts of Chevy Chase at 43rd and Military Road, a project that was recognized by
26 the Washington Business Journal as the best mixed use project combined with the

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1 retail on Wisconsin Avenue in the D.C. area in 1998.

2 MR. FEOLA: Which, as the Commission recalls, was a PUD as
3 well.

4 MR. YOUNGENTUB: Correct. So we're very proud of our most
5 recent success and I think what we really focus on when we start with any of these
6 developments is the market. We study what exists in the present market location.
7 We look at what we believe the market, if it doesn't already exist there would
8 demand or would want in the future. We very closely look at price points and where
9 we think we could be successful. And I think as we approach the Challenger Court
10 property that's where this all started. It started with a focus on the market,
11 understanding what would work and what would be effective. The last thing we want
12 to do is start something that a) either couldn't be financed or couldn't be successful
13 from market standpoint.

14 And I'm not sure if you're familiar with the Urban Land Institute's
15 study on the Southwest Waterfront but one of the recommendations in this particular
16 publication where they studied the Southwest area was for the development of new
17 market rate fee simple housing in the range of 95 to I believe 175 units designed at
18 young professionals.

19 We believe that the market goes beyond young professionals. It
20 goes to empty nesters. It goes to single professionals. It goes to people who desire
21 to live in urban settings with access to Metro, access to the work place, access to
22 recreational amenities in close-in settings where you don't always have to use your
23 car. And I think that's what has made some of our other communities basically the
24 fastest selling townhomes in the entire area. And we believe that we're bringing the
25 same type of quality, the same type of architectural design to this particular location
26 that we've done in other areas. We worked very closely with the RLA in coming up

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1 with a design concept that they felt that worked as well as architectural elevations
2 that they felt would really be an asset to the neighborhood.

3 And with that I'd like to turn it over to Carlos Vasquez, our
4 architect, who is going to go through the detail of the design.

5 MR. FEOLA: Before Mr. Vasquez starts, though, I'd like to at
6 least introduce Terry Eakin, the Eakin of Eakin/Youngentub who is in the room.

7 Mr. Vasquez, just state your name for the record, please.

8 MR. VASQUEZ: Good evening. My name is Carlos Vasquez.
9 I'm a senior vice president with a company called Lessard Architectural Group. We
10 are a residential architectural firm based in Tysons Corner, Virginia and we do a lot
11 of residential architectural work in the Washington, D.C. Metropolitan area including
12 not only the District of Columbia but also Northern Virginia, as well as Maryland. We
13 also do a lot of work in the national level, I call it the East Coast Corridor, all the way
14 from the Boston, Massachusetts area down through the New York, New Jersey, our
15 area, down to the Carolinas and into the Florida market, basically specializing in
16 residential architecture. We've also done some work in the West Coast and the
17 California and the Washington State area.

18 We've won many national awards, including what Bob
19 mentioned, the ULI Award, Builder's Choice, Bela, Aurora and Funds for Family
20 Living Award, which is a national -- a local award offered by the Washington, D.C.
21 area building association.

22 I was fortunate enough to been associated with
23 Eakin/Youngentub for over the last seven years and I've worked on the projects that
24 Mr. Youngentub just described to you. So with having -- it's a vested company, I'd
25 like to just go ahead and get started with our presentation. I thought a first hand -- is
26 it all right if I move around and --

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1 CHAIRPERSON KRESS: If you can find a mike to carry with
2 you.

3 MR. VASQUEZ: If not, I may be able to -- I can stand here. Do
4 you think that's working?

5 If I can first get started with the location of our site. As we
6 mentioned it's approximately 135,000 square feet, roughly 3.1 acres. It's located in
7 the Southwest redevelopment area of Ward 2 and we are bounded by three major
8 streets, which are 7th Street to our east, G Street to the south, 9th Street to the west
9 and the Southeast-Southwest Freeway to our north. To further orient you, this is a
10 two-way street on 7th. G is a one-way street heading east and 9th is a one-way
11 street heading out -- heading south.

12 Some of our neighbors, we've got the Thomas Jefferson Junior
13 High School and the playgrounds directly to our south, across G Street. We have
14 Bannaker Park to our west and across from 7th Street we have a development of
15 two and three story townhomes directly across from our site and then south of that is
16 a seven to eight story mid-rise condominium building and then directly associated
17 with that development there are some mixed townhomes and some lower rise
18 condominium buildings.

19 From a location standpoint, really is ideal from a residential
20 standpoint because we are also fairly close in walking distance to the Southwest
21 Promenade and Waterfront. We're also fairly close to L'Enfant Plaza and Metro
22 station, a little bit further north to the mall and the Smithsonian Institute.

23 From our site planning standpoint, we've really tried to use the
24 best principles of neo-traditional design to incorporate and create a high quality
25 residential community. By that, our first goal was really to create front facades along
26 the three major streets that boundary our site. We want to first and foremost control

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1 the cars so that was not the prominent feature in our design. We did that by
2 introducing a system of alleys, which allow the garages to load from the back, yet
3 creating a fairly clean facade treatment.

4 I'm going to get a lot more detail into the architecture but I
5 wanted to at least show it as I'm talking on the site plan so you can relate to where it
6 is. This is basically an elevation taken from 7th Street looking this way.

7 Again, the emphasis was to control the car to create a pedestrian
8 friendly community where the fronts have sidewalks, not curb cuts, and become a
9 good neighbor to our community by putting our best face forward to a certain extent.

10 Along with these units we introduced a front load product along a
11 north edge next to the Southeast-Southwest Freeway. We did this for a couple of
12 reasons. One, it allowed to create a building boundary to buffer us from the
13 freeway. If you look at our cross section, through that area, it's approximately about
14 a 20 foot drop from the back of our property to the freeway. So using that 20 foot to
15 our advantage, as well as existing vegetation, supplementing it with additional ones
16 that we will be adding, and the treating the facades with acoustical treatments, both
17 in window and door, as well as from a window -- from a wall standpoint, we're going
18 to design these units to one, be able to from an interior perspective not suffer
19 because of noise level and be able to design them to meet the noise level
20 requirements depicted by code, but at the same time create a building buffer to
21 shelter the rest of our community and the neighbors from the freeway.

22 Along with that, we also wanted to make sure that this felt as a
23 front entrance to our community, like a boulevard so to speak, and we also
24 accentuate it with what I call pocket parks for use from these locations, kind of
25 finishing off the streetscape.

26 Another concept that we worked closely with and the RLA helped

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1 us develop as well, was the idea of a front garden concept. Along with the front
2 facade treatment, we also wanted to create the feel of a garden on the fronts of our
3 units and we've got a exhibit. What we basically did is took from our property line
4 which is close to the front facade of the building all the way to where the sidewalks is
5 to introduce a wrought iron low fence detail with a gate and accentuated it with
6 additional pavers for the sidewalk, lead walk and the stoops and then added some
7 landscaping, both in the sense of flowering trees as well as other material to further
8 bring the feel of this urban setting to our community and soften it with a lot of
9 vegetation and color. Again, just a feel of what you would expect to see in Capitol
10 Hill or Georgetown.

11 From an exterior living standpoint we also have a 8'6" by the
12 width of a unit rear deck on the back of our homes, which also adds an outdoor
13 living space off the first floor of the units. And once again, to the floor plan, I want to
14 be able to describe how that works a little bit better.

15 Architecturally, we really mixed a combination of three
16 predominant styles. We've got some Georgian, Victorian and Federal. Again, this
17 was a issue that was worked on with the RLA and they were instrumental in a final
18 solution. Along with the styles we also used a lot of different mixture of materials
19 including brick, wood siding, wood trim, with some pre-cast concrete and asphalt
20 shingles in this as well as a mixture of the variations in the stoop heights, the roof
21 configurations and the colors all add to create the look of a project.

22 The same treatment was done to the front loads, which are the
23 ones, if you note on the site are on the north side of the border. We're very much
24 concerned that these felt and read similar to our units on the perimeter so we
25 brought the same architectural styles and treatment and roof configuration to make
26 sure that it was a homogenous facade treatment.

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1 The end units, the end homes, which from a site plan standpoint
2 occur strictly at the entrance to our community, we designed a special home for that
3 thinking that not only was an advantage from an end home standpoint but also
4 created kind of a gateway entry into our community, as you can see from the
5 rendering on the right-hand side. Again, I will show you from a floor plan standpoint
6 how that works in a minute.

7 The homes range in square footage between 1,800 to 2,200
8 square feet. Again, we have three different prototypes. The A unit, which is the
9 front load configuration, basically has on the lower level, foyer and a stair that takes
10 you up to the main floor, a one car garage, and then a tandem front parking space in
11 front of it. The main floor is on the second floor and it's typically configured with a
12 living room, dining room, kitchen with an island, breakfast area, and then off of this
13 area is where the deck that I was talking previously is accessed to. Then upstairs is
14 a master suite with a master bath, secondary bedroom and bath and then upstairs is
15 a loft which can be used as a bedroom, study office. It's a fairly flexible space.

16 The other home which makes up most of our project is an 18 foot
17 rear load, where you've basically got a two-car garage access from a rear alley, front
18 door with a study, typically on the first floor and then the first, second floor and
19 upstairs and configured to offer the same kind of amenities as the other home did.

20 The last unit, which I believe we've got five on the site, at the
21 corners to the entry is really a side entry condition so it really has two fronts, a front
22 on the side to create the entry and then the front to match the front facade of the rest
23 of the units. It's a little larger unit. It has a rec room on the first floor with the same
24 loading for the garage, from the back. Living, dining, breakfast, kitchen arrangement
25 on the first floor with a deck on the back. And then upstairs, fairly different floor plan
26 with a larger master bedroom, master bath configuration, a secondary bedroom and

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1 then a loft and third bedroom arrangement on the top floor.

2 And I believe that concludes my presentation.

3 CHAIRPERSON KRESS: Thank you.

4 MR. MORRIS: Good evening, Madam Chairperson, members of
5 the Commission. I'm Robert L. Morris, traffic engineer, transportation planner. My
6 home address 9109 Rouen Lane, Potomac, Maryland 20854.

7 I have prepared a traffic analysis, which I think you have in the
8 material in front of you. I would just touch on the high points. I've given in the report
9 the traffic volumes. I've shown what the peak hour of movements are through all the
10 intersections surrounding the site, find that the level of service during both peak
11 hours at all the intersections is A. Public transportation is excellent in this location.
12 We're within a block of the Metro station which provides four Metro lines, Yellow,
13 Orange, Blue and Green. We also have five Metro buses on 7th Street so that the --
14 as I say, the public transportation is extremely good in this location.

15 As has been already stated, each of these units would provide
16 two off-street parking spaces, either a two-car garage, or a one-car garage, plus a
17 second covered space. There would also be 12 designate spaces on street for
18 visitors plus additional spaces on street that are not clearly marked as such.

19 There is metered parking on G Street between 7th and 9th, on
20 both sides of the street. No parking on 9th Street, no parking on the east side of 7th
21 Street, meters on the west side of 7th Street. In my report to you, I indicated that the
22 current car ownership in the area is .93 car per unit. This is based on some census
23 data that I had.

24 Subsequently I thought it would be appropriate to make it an
25 actual measurement in the immediate neighborhood of what the automobile
26 ownership was. I went to the area, going from 7th Street to 4th Street and from the

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1 freeway, from the East-West Freeway south to M Street after midnight and checked
2 how many cars there were in that area that would be related to the townhouses, not
3 to the high rises. I assume that every garage had a car. The garages, of course,
4 were all closed. I assumed there was a car in every garage. I assumed that every
5 car that was parked on the street was owned or related somehow to the townhouses
6 in the area, and rather than the .93 that I had assumed in my first report, the actual
7 ownership in the immediate area is .75 car per unit. So where this project would
8 provide two spaces for each unit, it compares with substantially less than that in the
9 immediate area.

10 So I don't think there would be any problem of overflow parking
11 affecting the neighborhood. The proximity of the Metro station, the proximity of
12 major development concentrations, HUD, DOT, GSA, plus a lot of private
13 employment, would reduce the need for cars. So in terms of transportation
14 planning, this is an excellent project. It's a perfect location for this kind of use and
15 the bottom line is clearly there would be no adverse impact in terms of either traffic
16 or parking, as a result of this proposed project.

17 MR. FEOLA: I had one clarification question. Mr. Morris, you
18 indicated that there are 12 visitor parking spaces on the street. Did you mean the
19 public streets?

20 MR. MORRIS: Okay. On the private street, within the project.

21 MR. FEOLA: Thank you.

22 MR. MORRIS: I also checked the parking on the public streets,
23 on 7th Street and G Street in the evening to see if there would be spaces available
24 there just in case there was additional demand and found that as I recall of 25
25 available spaces on G Street, 22 were vacant after 6:00 p.m. and of nine spaces on
26 parking meters on 7th Street, five were available after 6:00 p.m. so there is

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1 considerable available parking on the public streets in addition to the parking on the
2 private streets in the project.

3 MR. FEOLA: Thank you, Madam Chair. That concludes our
4 direct presentation. We'd like to save a little bit of time for rebuttal after questions
5 and other witnesses.

6 CHAIRPERSON KRESS: Certainly. Questions, colleagues?

7 Maybe I'll start. You haven't spoken to the materials, which are
8 very -- and I thought it was strange that I kept reading painted vinyl siding. I don't
9 know why one would be painting vinyl siding but I would like to see some more of
10 your materials and also have you speak to, as you know, a concern is how they're
11 going to be used; how much brick, how much wood siding?

12 MR. YOUNGENTUB: Again, my name is Bob Youngentub, of
13 Eakin/Youngentub Associates. This is a board that we pulled out of one of our sales
14 offices that we actually represent to the buyers at one of our other jobs, to give you a
15 representative feel of some of the materials. The majority of the materials shown
16 here on the board are what we'll be using on the site.

17 There is some confusion with regard to the issue of painted vinyl
18 siding. I don't think there is anything such as painted vinyl siding. What we are
19 proposing, and this came out of discussions with the RLA, is that units such as this
20 that would have siding on the front facades of the units, would actually be wood
21 siding in one of these three color types, basically a wheat color as we refer to it,
22 almost beige, a white with gray. These are colors that we picked up from looking at
23 other historic locations throughout Georgetown and Dupont Circle, Old Town
24 Alexandria, that we have used.

25 Those would be used in the front facades, and typically we end
26 up with somewhere between 20 to 30 percent of the units with that type of siding

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1 material, depending on the string of facades. The remainder would all be brick.

2 Now, the brick units would come in either one of three unpainted
3 brick colors or these three painted brick colors as well, and again, you kind of see
4 that mixed in in the different facades, where you have not only the wood siding but
5 the painted brick. I think the confusion with regard to the vinyl siding, we actually
6 started with a somewhat different architectural scheme with the RLA. We were kind
7 of capturing history of Wheats Row and some of the other historic elements of the
8 Southwest Waterfront and I think the RLA really worked closely with us and I think
9 this is an excellent solution to come up with something that brought in other
10 elements of the District, basically Capitol Hill elements, Georgetown elements,
11 things that were more Victorian, more Georgian in nature. That's why you see this
12 as it stands today.

13 The vinyl siding, as it's proposed basically would be used on
14 certain rear elevations, and what we do in all of our communities, every single end
15 unit would have brick on the front, on the sides and on the end and we wrap all the
16 corners. So really, any visible elevation from the public right away would be brick.

17 CHAIRPERSON KRESS: Excellent.

18 MR. YOUNGENTUB: As you work your way down the alley, we
19 have found and this was at Courthouse Hill where we just won the ULI Award, we
20 mix in the siding along the rear of the elevations. The base is all brick but the upper
21 levels, because of bay windows and because of projections where it's difficult to do
22 brick, we've used vinyl siding and some of it is a cost consideration. What we have
23 done is create really a color variation as you work your way down the rear so it's not
24 all one continuous facade of one color. And that's with vinyl siding mixed in so there
25 was some confusion I think in some of the letters that went in about painted vinyl
26 siding. I've never known anybody to paint vinyl siding. It doesn't make sense.

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1 Painted wood, yes.

2 I would hope that answers the question.

3 CHAIRPERSON KRESS: I would go a just a little farther. I've
4 seen different colors and my eyes aren't very good. Are there different asphalt
5 shingle colors as well?

6 MR. YOUNGENTUB: Sure. What we're proposing is basically a
7 variety of asphalt shingle colors. This would be the type of asphalt shingle,
8 architectural grade shingle picking up some of the green colors, also some of the red
9 colors in the asphalt.

10 This particular material was a simulated slate roof that we used
11 in Ford's Landing down in Old Town Alexandria. We're not proposing to use that but
12 there would be a variety of shingle colors along the facades, again to create
13 animation and a visual variety at the pedestrian level, the street scape.

14 CHAIRPERSON KRESS: But, and I want to go back because
15 this is very important, at least to myself. You are anticipating, you say often 80
16 percent are brick?

17 MR. YOUNGENTUB: Correct.

18 CHAIRPERSON KRESS: Would you be willing to make a
19 commitment, maybe not to 80 percent but that 50 percent would be brick?

20 MR. YOUNGENTUB: Absolutely. We have no problem with
21 that. And what we do is we spec the units from the day we do the final architectural.
22 We'll do a strip drawing for every single elevation and what we try to do is have no
23 two elevations throughout the site look the same so we'll use a different brick color
24 with a different pre-cast or different front door color. Even though the elevation may
25 reappear somewhere in the site plan, it will never look the same because of the
26 combinations of materials and brick colors and yes, we'd definitely commit to at least

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1 50 percent be brick and we do not let our purchasers change a particular color. It's
2 set in stone so if a buyer comes along and they want the gray brick unit, they have
3 to go the particular lot that has the gray brick and so that way we enforce, in effect,
4 the variations throughout the site plan.

5 CHAIRPERSON KRESS: Thank you.

6 MR. YOUNGENTUB: Thanks.

7 CHAIRPERSON KRESS: Other questions? Mr. Parsons?

8 MR. PARSONS: I -- you may have heard when we set this down
9 for hearing that I was concerned about this project and I wonder if we could go to the
10 site plan?

11 My concern goes to the views that you're not showing us and
12 that is of the alleys. And I just can't get to the point where I can see people sitting
13 out on these decks looking at each other, overlooking an alley, especially the one
14 that parallels G Street and I wonder if you brought any drawings that would show us
15 what that feels like.

16 MR. YOUNGENTUB: What it parallels?

17 MR. PARSONS: Correct.

18 MR. YOUNGENTUB: This is a cross section showing the
19 relationship of the units back to back with the G Street facade basically in this area
20 here and then the units that would be here on the courtyard, facing the courtyard,
21 backing up against here, so basically a through section through this area of the site
22 here.

23 It may be -- I do not have a photograph showing an existing unit
24 that has that relationship but I guess from a market standpoint people use these
25 facilities all the time and this is not the first time we have developed this type of
26 relationship. Actually, separation between units is slightly greater here than we've

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1 done in some of our other communities and the decks are larger. What we try to do
2 for these decks is design them so they're deep enough so you can actually put a
3 table and chairs, a lounge chair out on the rear area and it becomes private open
4 space for these people.

5 Clearly, there is no doubt, it is an alley. We have found that it's
6 the best way to balance the issue of dealing with an automobile, the parking versus
7 the traditional townhouse curb cuts, coming in on off the front streets, breaking up
8 the front facade. And this combination of really a lower maintenance alternative,
9 which again something that our market has -- we have found has been very
10 successful and provides this alternative for people to have private open space on
11 the rear of the unit.

12 The cars again are hidden in the garages or underneath the
13 decks themselves, and in this particular case, we think this is actually better than
14 some other communities. We have the ability to provide the front yard open space
15 here where we haven't been able to provide that in some of our other locations.

16 MR. FEOLA: Mr. Parsons, there is a black and white elevation
17 of the alley side on the drawing number 12 in the pre-hearing submission. It isn't in
18 color, though.

19 MR. YOUNGENTUB: Let me just add what you don't see in this
20 picture. What happens is people tend to personalize these spaces. You end up
21 seeing flower boxes along the railings or the balconies. You see planter boxes up
22 on the decks themselves. They are well animated spaces and I think, you know,
23 people use them quite frequently.

24 And I wish I did have a photograph to show you some of the ones in use
25 today --

26 MR. PARSONS: Will that work for the record? I mean, I really

1 think this is a horrible space so I need some convincing here. You know, there is no
2 street trees. You say people will personalize this with their own landscaping up on
3 the decks but -- how long is this space? With no trees, it's just solid wall with row
4 after row of decks. As opposed to the other alley, as you -- you know, to the north.
5 It's just the richness of that is just wonderful and I can't understand how anybody
6 would want to sit out on that deck along that stretch. This parallels on G Street.

7 MR. YOUNGENTUB: This is actually treated as a front street,
8 the way we've treated this particular location here. In fact, we're trying to recreate a
9 similar street scape that you have in other parts of the site around the perimeter
10 where you have the front street trees, you have the parallel parking, here along this
11 main street. It's a little bit wider and obviously it does open up to the courtyards
12 here.

13 There are breaks in the units here and there is a break in this
14 particular facade here --

15 MR. PARSONS: It's a street, isn't it?

16 MR. YOUNGENTUB: There -- it is a street. It's an alley coming
17 through to serve these four units here and provide a break, a visual break through
18 the string along the back.

19 MR. PARSONS: Well, what would it do if you extended those
20 parks through to the G Street alley? You would lose six units, wouldn't you?

21 MR. YOUNGENTUB: You would lose six units. I think one of
22 the real issues that we try to prevent is shots, visual shots into the alleys. You make
23 the point about how it's not a pleasant place. I mean, people do use them and they
24 are pleasant places, but what we try to do is create that street facade, basically the
25 front elevations that we showed in this photograph here. So what you see here is
26 one of the courtyards at Courthouse Hill and by anchoring the two sides, similar to

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1 what we've done here, you actually create this courtyard and if you were to open this
2 up, and not have the units at the back of the courtyard, you'd be looking into the rear
3 garages of the units in this particular row here.

4 So we always -- we've always found from the site plan
5 standpoint we try to anchor all those elevations so you're always looking at the front
6 facades as you're driving or approaching the site from the streets or from one of the
7 main through streets, through the project.

8 MR. PARSONS: Fine. Let's talk about parking for a bit. I guess
9 this is Mr. Morris' area but there's 93 units here and 12 parking spaces for visitors. I
10 guess I'm not persuaded that that's enough, that it will have to spill onto the street on
11 Saturday nights or whatever, Thanksgiving day. What's your response to that? I
12 mean, do you think 12 is adequate for visitors to 93 units of this market?

13 MR. MORRIS: Well, since we have more than twice this many
14 parking spaces as we need for the units themselves, there are obviously going to be
15 spaces available for visitors. If you have one car, and you have two spaces,
16 obviously you have a space for a visitor on your own property. You also have space
17 on the street in front and --

18 MR. PARSONS: The visitor in the garage. Is that correct?

19 MR. MORRIS: Well, you'd have -- for one of the units you'd
20 have two garages, two garage spaces.

21 MR. PARSONS: Yes.

22 MR. MORRIS: And for the other units you have one garage and
23 one covered space, not in a garage.

24 MR. PARSONS: Yes.

25 MR. MORRIS: Okay. You also have parking on a street. You
26 have, as I say, the 12 designated visitors' spaces. You also have additional spaces

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1 on the street and you have spaces on both 7th Street and G Street.

2 MR. PARSONS: All right. So let me go back to the marketing
3 side then here. What are the price of these units? What is the price range?

4 MR. YOUNGENTUB: We haven't finally set the exact prices.
5 What we do is look at market price that's out there today. Currently there are units
6 in the neighborhood that sell anywhere from \$190,000 to \$280,000. Honestly, for us
7 to deliver this level of quality and architecture, the likelihood we're going to be at the
8 higher end, if not exceed the current market range which --

9 MR. PARSONS: \$250,000 to \$400,000, something like that.

10 MR. YOUNGENTUB: If we can get \$400,000, I think we'll all feel
11 very good about it but we -- financial opportunities in the District.

12 MR. PARSONS: So what -- you said young professionals and --

13 MR. YOUNGENTUB: Singles.

14 MR. PARSONS: -- empty nesters and so forth. But what leads
15 you to believe that these households will bring one car with them instead of two?

16 MR. YOUNGENTUB: I think that our best -- what leads me to
17 that is our best example, the fact that we delivered over 1,200 of these types of
18 homes in Arlington, Old Town Alexandria, Chevy Chase, Georgetown. Currently
19 we're developing in Silver Spring, downtown Silver Spring, and these particular
20 buyers, and it's a very consistent, although very diverse, but consistent in what
21 they're looking for, the urban setting, the proximity to Metro, the proximity to the work
22 place, the desire to live in close. The majority of these people do not have more
23 than, you know, more than one car. Now, they may have two cars and that's why
24 there is two car parking for every single home but in many cases there is only one
25 resident. There is a single professional living in these homes with one car, with a
26 bicycle, and it's our experience that parking ratios of this nature have more than met

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1 the market demand and they have not prohibited us from selling homes.

2 MR. FEOLA: And I would point out, Mr. Parsons, that the zoning
3 requirement for R-5-B if this were not a PUD would be a half a space for every unit,
4 with no visitor requirement so --

5 MR. PARSONS: That's our fault.

6 MR. FEOLA: It might be but that is the --

7 MR. PARSONS: Thank you for not blaming us.

8 Will this be operated with a homeowners' association regime, or
9 something to care for these open spaces?

10 MR. YOUNGENTUB: Correct. All of our communities, this one
11 included, they are fee simple ownership but with a homeowners' association. Again,
12 we start from the market and the market wants low maintenance. They don't want to
13 worry about the front yard or the landscaping and it does two things. One, it
14 provides consistency throughout the community of quality landscaping, always being
15 taken care of. It's not being left undone or the grass uncut. So the homeowners'
16 association is responsible, typically, for trash pickup, for snow removal on the private
17 streets, for the common yard maintenance. And we typically include even the front
18 yard maintenance on private lots as part of the homeowner package, because that's
19 what our buyers want. They don't want to have to come home and worry about
20 taking care of the yard.

21 Now, they do still have the right or the ability to plant individual
22 flowers, you know, and things like that to kind of personalize their settings, but the
23 majority of the common, all the common area and the majority of the landscaping in
24 the private yard is also maintained.

25 MR. PARSONS: Majority? What do you mean?

26 MR. YOUNGENTUB: Anything that the owner may plant

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1 themselves. Like if they put a, you know, a terra cotta planter out on their front
2 stoop and they plant flowers in that, we don't maintain that. The association doesn't
3 maintain that.

4 MR. PARSONS: But you have a service that would come in and
5 mow all these front lawns so you don't have to worry about --

6 MR. YOUNGENTUB: Mow the front yards -- mow the front
7 yards, mulch and, you know, basically take care of the whole business. Watering is
8 the owner's own responsibility.

9 MR. PARSONS: And any changes, I assume, would be subject
10 to an architectural review by the homeowners' association?

11 MR. YOUNGENTUB: Correct. There are any--

12 MR. PARSONS: Pink flamingo problem?

13 MR. YOUNGENTUB: The only thing I think we can't control is
14 dishes. I mean, that's prohibited by law. You can't control the use of satellite dishes
15 but pink flamingos, any of that stuff is protected under the homeowners' association.
16 Things that people put on their decks, things that people put in their garages, or
17 leave outside, trash removal in terms of where it's located in the alleys. It's all
18 governed by the HOA, in terms of how it's operated and they're very strict. Like I
19 mentioned before about the elevations being fixed, per se, nobody can come back in
20 and change their front door to pink after they purchased the house with a green front
21 door so that is all governed by the architectural board of the HOA.

22 MR. PARSONS: Thank you for mentioning trash because I was
23 going to talk trash here a minute.

24 What -- we don't have a dumpster situation here certainly. What
25 are the accommodations for trash?

26 MR. YOUNGENTUB: Typically there is private trash pickup two

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1 times a week. And what happens on those two designated days, the trash is put out
2 in the rear alley, similar to what you would find in other D.C. jurisdictions and the
3 private trash companies come in and basically pick up the trash through the alleys
4 on a twice weekly basis.

5 MR. PARSONS: Now, do you have a detail of these public
6 spaces or pocket parks, as Mr. Vasquez called them?

7 MR. YOUNGENTUB: This is probably the best detail in terms of
8 the hard scape, the landscaping features that we can show. It's not the specific
9 detail of what's shown here. These spaces are actually double the width of the one
10 that you see here. But what we do is brick pavers in typically some type of walkway
11 configuration. We include benches, really trying to create a passive recreation area.
12 Where we have larger spaces, such as these, we try to leave a fairly large grass
13 area so if people wanted to throw a Frisbee or something, they could still do that in
14 that green space.

15 MR. PARSONS: So there's no playground equipment, that kind
16 of thing for youngsters, grandchildren and that kind of thing? No?

17 MR. YOUNGENTUB: That's correct.

18 MR. PARSONS: I'm not promoting that. I'm just saying --

19 MR. YOUNGENTUB: We do not propose to put a playground in
20 these park areas. We believe they are better suited in this type of recreational,
21 passive recreational setting. There are significant parks in the neighborhood that we
22 feel do serve a more active recreational need, especially at the high school, junior
23 high across the street. And we have had experience where in Arlington County, for
24 example, of the county board required a tot lot in one of the communities. As soon
25 as the community was finished the neighborhood association petitioned the board to
26 have it removed and so it was taken out and replaced with a passive lot. So again, I

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1 think it's a function of who the buyers are and what their demands are.

2 MR. PARSONS: All right. I'm a little confused with drawing

3 number 3 of 15. I don't know if you gentlemen have that in front of you but I don't

4 quite understand. It's probably very simple but I don't get that.

5 MR. YOUNGENTUB: I'm sorry, Mr. Parsons, drawing number --

6 MR. PARSONS: Three of 15. The layout of the units I guess by

7 number. Building numbers.

8 MR. YOUNGENTUB: Yes.

9 MR. PARSONS: And what does that mean? Is it simply

10 identifying a structure as a building? Is that for your own use?

11 MR. YOUNGENTUB: Correct. It's for our own use and typically

12 it deals with our construction department's sequencing of how they might like to see

13 the buildings built.

14 MR. PARSONS: So there is no building to be placed in these

15 parks?

16 MR. YOUNGENTUB: That's correct. No, the building number --

17 MR. PARSONS: Unlike the other labels which are on the

18 buildings are the ones flanking the parks?

19 MR. YOUNGENTUB: Those are lot numbers. For example,

20 Building 3 refers to units 20 and 21.

21 MR. PARSONS: Okay. I just wanted to make sure there wasn't

22 a building in the park, like an underground garage or something?

23 MR. FEOLA: Trash transfer station?

24 MR. YOUNGENTUB: Pardon me?

25 MR. FEOLA: Trash transfer station.

26 MR. PARSONS: Frankly, we're used to a little more detail in our

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1 landscape plans that accompany our PUDs and we get down to species of plants
2 and sizes of plants so forth and I don't find that here yet. Is that something that you
3 had planned to present or not?

4 CHAIRPERSON KRESS: Or lighting isn't here that I can see.

5 MR. PARSONS: Lighting as well, yes.

6 MR. YOUNGENTUB: I apologize that there is not a great
7 amount of detail with regard to the landscaping. What we have done is we have
8 specified the variety of the street trees, around the perimeter of the site. We're
9 basically trying to capture the existing street trees that are there today and recreate
10 where there are gaps out there on the site, at least for the purpose of -- and I forget
11 the exact -- it is in one of the --

12 MR. VASQUEZ: It's oaks on 7th Street.

13 MR. YOUNGENTUB: Oaks on 7th Street.

14 MR. VASQUEZ: Sycamores on G and maple on 9th.

15 MR. YOUNGENTUB: Sycamore on G and maple on 9th Street.

16 MR. PARSONS: Those are the street trees the District calls for
17 on these streets? Each street has its own tree in this --

18 MR. YOUNGENTUB: Right. Correct.

19 MR. PARSONS: So where they are not in good health you're
20 going to replace them. Is that it?

21 MR. YOUNGENTUB: That's correct. We would recreate that
22 street scape in those areas. And then as Mr. Vasquez mentioned, behind the
23 sidewalk in the private yards there's to be a mixture of low shrubs as well as
24 flowering trees and then, as you work your way in along the private street, there
25 would be shade trees in the front yards of all the units that backed to 395, as well as
26 here on the corners. Again, trying to recreate the canopy of the street trees and

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1 then mostly flowering trees into the courtyards themselves. Similar to what -- the
2 landscaping flavor is similar to what you'd see in this drawing here.

3 MR. PARSONS: It would seem to be helpful, since, you know,
4 we're requiring this of frankly much lesser projects in Anacostia, that we should have
5 pretty carefully done lighting plan and the more detailed landscape plan, especially
6 for these public spaces or parklets, as you call them, particularly addressing the
7 sizes of the trees.

8 I see the quality that you're producing in Arlington. I'm not
9 questioning that you won't do the right thing but since we're requiring this of all of
10 these townhouse developments throughout the City, I don't think we should make a -
11 - an exception here that an illustrative landscape plan is going to do the job. So I
12 think it would be helpful if you provided for the record a plan that gave us the caliper
13 inch of the trees, the height of the shrubs. Not this will be an oak tree, as you do on
14 the streets, internally a kind of somewhere between crabapple and cherry kind of
15 thing so that you can take advantage of the market when you're buying the materials
16 but I want to make sure these trees are not a half inch in diameter and you know,
17 you ran out to Hechinger's to get the job done. That's as important, I think to us, as
18 the type of materials on the site.

19 CHAIRPERSON KRESS: How do you typically handle site
20 lighting?

21 MR. YOUNGENTUB: Site lighting is handled two different ways.
22 In the alleys what we do is provide lighting that's actually attached to the underside
23 of the deck area that reflects down into the alleys. And then on the streets
24 themselves, we use brighter lighting. Here we're proposing a Washington Globe
25 type fixture. See here, in the courtyard, the lights are actually pole mounted lights
26 which are what you would see here in the public or the private streets to the center

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1 and the courtyard areas as well. The lighting along the streetscapes would be in
2 accordance with MDC guidelines with regard to street lights on both 7th Street and
3 G Street and 9th Street so the interior would be pole mounted with the Washington
4 Globe. The alleys would be the wall packs in effect that are located underneath the
5 beams of the decks themselves, shining down into the alleys.

6 CHAIRPERSON KRESS: And the front door light?

7 MR. YOUNGENTUB: Front door again is typically a colonial
8 coach type fixture mounted next to the front door. In some cases they're actually --
9 the doors are recessed back slightly in and there are recessed lights up in the
10 alcove in the front door creating a kind of a very -- let me show one of our own
11 photographs.

12 I don't know if this helps from the standpoint of the type or size of
13 street trees. You know, our landscape architect who we work with also did the
14 project at Military and 43rd Street with us with the landscape architect appears to be
15 a 39 and again, you know the caliper of the trees are typically a 2 to 2 1/2 inch
16 caliper starting out on the street trees.

17 You can see here the type of pole street lights that we would be
18 proposing all along the streetscapes.

19 COMMISSIONER FRANKLIN: Is that 43rd and Military?

20 MR. YOUNGENTUB: No, this is actually Ford's Landing. It's
21 very similar to 43rd.

22 COMMISSIONER FRANKLIN: I have a couple of questions,
23 Madam Chair. I share Mr. Parson's concern about that alley. Is that typical of these
24 other developments, these photographs that are being shown to us? You have
25 photographs that show that kind of alley treatment in the other developments that
26 you've won awards for?

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1 MR. YOUNGENTUB: We do have photographs of them. It is
2 typical that there are no two sites that identical in terms of either length or the way
3 the units are broken up. In terms of typical strings of units, here you're dealing with
4 a string that's 10 units here with a break and then an additional 10 units. We do
5 have other situations, both in Old Town and Arlington that do have lengths of strings
6 of 10 to 15 units in length in terms of distance --

7 COMMISSIONER FRANKLIN: The same string across an alley?

8 MR. YOUNGENTUB: Correct.

9 COMMISSIONER FRANKLIN: Perhaps a photograph of those
10 would show us a little more character. You show automobiles as though they were
11 parked. I don't know whether they are parked or moving in that alleyway. It seems
12 to me they would not be parked.

13 MR. YOUNGENTUB: I think that's correct. They're not parked.
14 The rendering shows them moving through. The only place they are parked would
15 be in the garages themselves.

16 COMMISSIONER FRANKLIN: Where would the 12 visitor
17 spaces be?

18 MR. YOUNGENTUB: There are six located on the front of this
19 courtyard here and six located in front of this courtyard here, in the parallel
20 configuration.

21 COMMISSIONER FRANKLIN: And they're called visitor parking
22 spaces but what would reserve them for visitors as distinguished from residents?

23 MR. YOUNGENTUB: We sign them for visitor parking, either in
24 the street themselves with paint on the street, and really the HOA is the one who
25 releases it. If somebody has been there for overnight or for a day, we typically have
26 a period where if a guest was staying overnight, they could park there but if a car sat

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1 there for three or four days, then the management association would come out and
2 first put a sticker on it and then eventually tow the car. So it would be -- by the
3 association.

4 COMMISSIONER FRANKLIN: The lighting that you mentioned
5 on the underside the decks, along that alley, is that lighting controlled by the
6 homeowner?

7 MR. YOUNGENTUB: No, it's not. It's on a separate meter. It's
8 on photo cells so it comes on. That's exactly what we're using at 43rd and Military.

9 COMMISSIONER FRANKLIN: Are there basements in any of
10 these homes?

11 MR. YOUNGENTUB: No, there are not. They're all slab on
12 brick.

13 COMMISSIONER FRANKLIN: What kinds of storage availability
14 is there?

15 MR. FEOLA: While they're looking for that, Mr. Franklin, drawing
16 5 of 15 shows the visitor parking spaces located in front of the islands that Mr.
17 Youngentub pointed to.

18 CHAIRPERSON KRESS: Drawing 6 is a little easier to read.

19 MR. FEOLA: Yes.

20 COMMISSIONER FRANKLIN: In other words, those little
21 dashed lines there indicate visitor parking.

22 MR. FEOLA: They indicate automobile parking spaces, that's
23 correct. And they would be reserved for visitors.

24 MR. YOUNGENTUB: With regard to storage space, each of the
25 units handles storage in different ways. I think one of the reasons why we've won
26 design awards is because the efficiency of these units. We do not leave a single

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1 nook and cranny unutilized. In many cases, the gabled roofs -- I'll show you here.
2 Underneath the gable they've got the -- storage. The entire fourth floor is designed
3 as a third bedroom or as a kind of home office or family room area but there are very
4 large walk-in closets. There are areas -- this is a proposed laundry room but there is
5 storage in behind the laundry room. There is storage in this mechanical room here.
6 There is storage downstairs in this room here, off the garage in this particular unit
7 and again, in each of the units those types of spaces exist. This closet is actually
8 brought all the way out underneath the area. This mechanical area here provides
9 room for storage as well. They are urban homes. We do try to maximize the
10 amount of livable area in these homes but I think everybody finds room for the high
11 school yearbooks and the suitcases.

12 I think it's interesting -- this is kind of an aside but the use of
13 private storage facilities has become, I guess a great new market in urban locations
14 because many of these residents do have additional things as they move out of
15 larger homes and they are utilizing those types of facilities. But I think the market
16 has shown that they're very satisfied with the type of storage we've provided today.

17 COMMISSIONER FRANKLIN: I am interested in Exhibit F,
18 which you supplied to us. Land acquisition costs are \$3,255,000. Is that the price
19 that the RLA is charging?

20 MR. GEWIRZ: It's actually \$3 million.

21 COMMISSIONER FRANKLIN: Three million?

22 MR. GEWIRZ: Yes.

23 MR. YOUNGENTUB: I think it's roughly 1 million per acre. I
24 think the entire \$3,255,000 represent settlement costs and additional costs
25 associated with the acquisition, legal fees and so on. COMMISSIONER
26 FRANKLIN: Let me back up before I get into that. How does the -- I've heard about

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1 density and I hear you in terms of matter of right in relation to what you're proposing
2 but how does the density of this development compare with the ones you've won
3 awards?

4 MR. YOUNGENTUB: The project that won the Urban Land
5 Institute, Courthouse Hill, that is 67 units -- 69 units on just over two acres so
6 basically it's a very similar density. One of the things that's hard to measure in terms
7 of density, in terms of coverage, and open space relationships, they're all identical.

8 Where you get the variations in number of units per acre is in the
9 size of units. Ford's Landing, where the market was able to go to \$1 million, we
10 provided units that were as large as 3,200, 3,200 square feet in 24 foot wide units.
11 What we're proposing here is a combination of 20 foot wide units, 18 foot units and
12 16'8" units and it's that mix that we tend to I think come upon based on what we
13 think the market will support in terms of the values of those areas. So you know, the
14 absolute number of approximately 30 units to the acre here is not dissimilar but it's
15 the size of the units that makes the difference between 28 to the acre or 32 to the
16 acre, or 30 to the acre. So they're all very consistent in that range.

17 MR. FEOLA: And I will point out, Mr. Franklin, that the
18 comprehensive plan for median density residential calls for 49 units per acre for the
19 land use designation that this property has.

20 COMMISSIONER FRANKLIN: This is coming in at what?

21 MR. YOUNGENTUB: This is approximately 30 units per acre.

22 COMMISSIONER FRANKLIN: Thirty units per acre. So what
23 you're telling me is that you ended up with 93 units in this project as the ideal site
24 plan and it's not been driven by other considerations?

25 MR. YOUNGENTUB: I think -- I mean, I can't say that it's not
26 driven by other considerations. We start with site issues and try to come up with a

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1 site plan that fits the property and given the goal of new urbanism and the TND
2 developments of bringing the houses closer to the street, really focusing on that
3 pedestrian street scape, that's what drives the design.

4 There is no doubt that more units allows us to allocate the costs
5 further, bringing the overall costs of the individual units down, which in this particular
6 case is a concern for us. We are fearful, in spite of the \$400,000 that Commissioner
7 Parsons said we might be able to get in this location, the market currently doesn't
8 support that. There hasn't been any new housing in this particular area for quite
9 some time so we are nervous about where those price points are.

10 COMMISSIONER FRANKLIN: I think you should be. I don't
11 quarrel with that but what concerns me is that -- let me ask this question another
12 way. How was the land price set?

13 MR. GEWIRZ: It was asked by the RLA.

14 COMMISSIONER FRANKLIN: I understand that but -- they're
15 still supposed to normally ask for a land price that is in accordance with the uses
16 contemplated by the Urban Renewal Plan. And that's the so-called fair value way of
17 setting land price.

18 Let's not beat -- I don't want to beat around the bush about this.
19 If the RLA is asking too much for the land, that is going to drive the density and to
20 some degree the configuration of the houses. You're going to want to get more
21 houses on the site and I'm just curious as to why they set the land price where they
22 did. It seems to me the land price ought to be set by what we come up with as
23 something that's allowable on the site, not by what is originally contemplated by the
24 Urban Renewal Plan.

25 MR. GEWIRZ: If you look at the assessments of similar
26 properties, for instance across the street, the assessments range -- you know,

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1 they're in the \$40-65,000 range for just the land. That's a finished lot, okay? And
2 we're showing here that it's going to take probably \$30-45,000 to finish a lot. So
3 we're sort of at that right now. It's a similar -- similar price range.

4 COMMISSIONER FRANKLIN: But the land ought to be a lot
5 less.

6 MR. GEWIRZ: Yes.

7 COMMISSIONER FRANKLIN: I'm sure you're in a corner on this
8 one.

9 MR. GEWIRZ: I know.

10 COMMISSIONER FRANKLIN: I think you're being charged too
11 much for the land. And I think because you're being charged too much for this land,
12 you are ending up with a development that is less -- well, let's put it this way. It has
13 less amenity to it, in terms of open space, and maybe smaller units than would -- the
14 market might react favorably to.

15 MR. GEWIRZ: Also, part of the price is that there is a take-down
16 schedule so that we're paying for the lots as we go so that factors in. You know, the
17 cost of money on that so that brings the lot cost down for us a bit. And that certainly
18 helps. It helps us. It helps the RLA's desire to get their proper market value for the
19 land. They can sell the land for C-3-A property right now. You could have a-- how
20 many square feet -- how many FAR is on a C-3?

21 MR. FEOLA: Four FAR -- about an acre, about 160,000 square
22 feet.

23 MR. GEWIRZ: But for an acre of it, their thrust is to staff home
24 ownership.

25 COMMISSIONER FRANKLIN: I'm glad to hear that but I don't
26 think that they're being that generous with this land price.

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1 MR. YOUNGENTUB: Maybe just to address the issue about
2 square footage relative to what the market wants. We did study that and looked at
3 the other typical square footages of the townhouses in the neighborhood today and
4 they are not dissimilar from what we're offering and the ability to offer a unit at 1,600
5 or 1,700 square feet with three bedrooms is something I think that makes it more
6 affordable and really a good size for the single person and then from a family
7 standpoint, going as large as 2,200 square feet kind of puts us at the very large end
8 of what is offered in the neighborhood today.

9 The other I think point you made about starting with the site
10 design, you know, if we started from scratch, ignoring price, I'm not sure when you
11 look at what's happening around the perimeter of the property that you would do
12 anything significantly different. You know, you might decide that you're going to put
13 an extra break in one of these strings along the perimeter but I'm not sure because if
14 you look across 7th Street, that is a relatively long row of townhouses or if you go
15 through Georgetown, other places, it's not even consistent to have a relatively long
16 solid street front. And that's really where we started, with the perimeters of the site.

17 Mr. Vasquez mentioned, you know, the design goal of trying to
18 create the sound buffer, that really created the need to put units up against 395 with
19 the backyards and the separation from the highway. But what -- not to say what was
20 left over for these interior spaces, because that is one of our goals, to create these
21 interior courtyards, but it actually from a configuration standpoint worked out quite
22 well. And so I'm not sure even if we were at, you know, at 80 units and the units
23 were wider, you would see anything different than what we're proposing here. So it
24 really was a balance between the right size square footage for the market and what
25 we thought was the correct design solution for the dimensions of the property.

26 COMMISSIONER FRANKLIN: You broke the string on the

1 freeway side. How wide a break is that there?

2 MR. YOUNGENTUB: These are approximately 10 feet.

3 COMMISSIONER FRANKLIN: And the reason for those breaks
4 is what?

5 MR. YOUNGENTUB: Again, I mean, I think the point of a long,
6 continuous string of 30 units, you know, we don't find acceptable. But having breaks
7 where you can break, you know, even 10 foot in some cases. You know, in Old
8 Town we put in four foot breaks. It does kind of recreate the concept of the horse
9 alleys that historically were used to separate long strings of buildings to bring the
10 horses down into the alleys so part of it's a design as well as a kind of an historical
11 play to create the separation.

12 COMMISSIONER FRANKLIN: I have no more questions.
13 Thank you.

14 COMMISSIONER HOOD: I just have a few. I wanted to go last
15 simply because I'm going to change the field here a little bit. One of the questions
16 that I've been reading through the presentation, I notice that I -- and I don't want to
17 be a Monday morning quarterback for the Zoning Commission but I see where we
18 were zoned R-5-B and the 1/3 square of 413 also was C-3-A. My concern and I
19 understand this is residential, is I believe in the C-3-A, and maybe this needs to go
20 to Office of Planning, that there are some other elements that can come into play for
21 example, and I may be incorrect, dentists office and other things and that's just my
22 concern. It starts off this way and as it goes down the line in a C-3-A and I may be
23 incorrect, but later on down the line, one of the occupants may want to put in a
24 dentist's office which start changing that element. I don't know exactly who I would
25 refer that to but --

26 MR. FEOLA: One of the things, Commissioner, that we propose

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1 in the alternative is to zone the entire site R-5-B. We had no problem with that. I
2 was merely pointing out that the zone today, as we sit, is C-3-A, R-5-B. So if this
3 Commission chose to approve this project, we invite you to change the zoning for
4 that one acre to R-5-B because this project works within that envelope. It's still well
5 under the density as if the entire site were R-5-B so we could --

6 CHAIRPERSON KRESS: And the way the announcement is if
7 we wanted to, we could do that.

8 MR. FEOLA: That's correct.

9 CHAIRPERSON KRESS: It's a part of this case.

10 MR. FEOLA: And we have no problem with that. That's why we
11 suggested it. It was -- we were trying to stick within the guidelines of a posed zoning
12 change that was in process, started in '95 and just hadn't been completed until very
13 recently.

14 COMMISSIONER HOOD: Okay.

15 MR. BASTIDA: And Mr. Hood, the Office of Planning
16 recommends that the PUD would resort to R-5-B only, since the project can be
17 completed under that zoning category. And we have the 220 category.

18 COMMISSIONER HOOD: I must have opened up that. The
19 next simple question, the common area, do you have any greenery space that's
20 going to be common area?

21 MR. YOUNGENTUB: In terms of --

22 COMMISSIONER HOOD: Greenery? Do you have any green
23 areas, grass, whatever?

24 MR. YOUNGENTUB: Green grass. Yes. This entire area. The
25 two courtyard parks are basically all common space, common green space here and
26 here.

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1 COMMISSIONER HOOD: What method or mechanism, and I
2 heard you mention that each owner, homeowner would water their own grass and
3 whatnot. What about the common area?

4 MR. YOUNGENTUB: The common area, in some cases, we've
5 actually put in an irrigation system for the common space. In others it's been done
6 by the management association.

7 COMMISSIONER HOOD: So you're going to leave that
8 basically up to the HOA?

9 MR. YOUNGENTUB: HOA will maintain that, correct.

10 COMMISSIONER HOOD: Okay. Next question is to the traffic
11 so --

12 CHAIRPERSON KRESS: Mr. Morris.

13 COMMISSIONER HOOD: Mr. Morris, excuse me. At 5:00 in the
14 evening in that area it's very congested and I believe it's probably in your report but
15 as far as people coming home from work and people leaving the area from the
16 different agencies, Environmental Protection Agency you mentioned earlier, and the
17 GSA and other agencies.

18 MR. YOUNGENTUB: Yes, sir.

19 COMMISSIONER HOOD: Have you been down there at 5:00
20 and got some kind of realization of exactly what will happen at 5:00?

21 MR. MORRIS: Yes, sir. Certainly have. The entrance to the
22 site on 7th Street is directly opposite the ramp leading onto the freeway. It's
23 signalized. You mentioned congestion and I sometimes say that congestion is like
24 beauty. It's in the eyes of the beholder. We perceive congestion often when it really
25 isn't there. I have to tell you that the measurements I've made, and I've been there
26 from 7:00 to 9:00 in the morning and 4:00 to 6:00 in the evening on a number of

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1 occasions and the level of service at all three intersections come out to level service
2 A so it can appear congested at times but there is really plenty of capacity in the
3 system and the entrances I just mentioned off 7th Street is right opposite the ramp
4 onto the freeway. That is signalized. The signal will have to be modified but you
5 already have the control in place so there really should not be any problems, even at
6 5:00, 5:00 to 6:00, which is your peak evening period, you should not have any
7 deterioration of the existing level of service.

8 COMMISSIONER HOOD: The existing parking lot now, where
9 do those cars go? What's going to be-- I mean, I know that's probably not your
10 problem but I'm just curious where are all those cars going to park in the lot now?

11 MR. MORRIS: Where are those people going to park?

12 COMMISSIONER HOOD: Right.

13 MR. MORRIS: Well, I hope they're going to start using Metro.
14 You've got excellent public transportation. You have, I don't know how many million
15 square feet of employment right there within a block of that particular site and you've
16 got your four Metro lines and you've got five bus lines and there -- the reason you
17 have so many cars parking there, quite frankly, is because it's so cheap to drive a
18 car. You pay less for gas now than you did 20 years ago.

19 COMMISSIONER HOOD: You're going on the assumption that
20 the people who park on that lot now --

21 MR. MORRIS: Yes, sir.

22 MR. GEWIRZ: There are other parking lots, service parking lots
23 in the area.

24 COMMISSIONER HOOD: They're probably full too like this.

25 MR. GEWIRZ: No, they're not actually. I spoke with Colonial.
26 They have about 1,500 permits, monthly permits that they give that are available.

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1 COMMISSIONER HOOD: And Colonial I believe is on 4th
2 Street?

3 MR. GEWIRZ: They operate a number of lots but yes, the latch
4 museum, I believe is on 4th Street. I think that's their largest lot. And that lot alone
5 could handle all the cars from this location.

6 COMMISSIONER HOOD: There's a lot of --

7 MR. GEWIRZ: There are five --

8 COMMISSIONER HOOD: All the cars in one --

9 MR. GEWIRZ: It's close. I think they can handle about 500 cars there and
10 there's 550 cars that are currently parked on this lot.

11 COMMISSIONER HOOD: I guess my question, the reason why
12 I asked, posed it is because I wanted to know what adjustments or arrangements
13 have you made with the existing people who park in that lot? I just don't see where
14 those cars are going to go. They probably won't catch the subway. They come to
15 work like they've been doing.

16 MR. GEWIRZ: DHCD and RLA have notified them in a letter that
17 this development is occurring or hopefully will be occurring and it's not something
18 that they're not going to lose all their 550 spaces in one day. It's going to be, you
19 know, a phased thing. So they'll have ample opportunity to find other spaces,
20 obviously not as convenient because this is definitely the closest, but there is plenty
21 of other spots now.

22 COMMISSIONER HOOD: Also, the amenities, this is probably
23 the first case I've handled with a townhome development, and under normal
24 circumstances, I usually see an amenity going to the community and I kept reading
25 and kept reading and waiting and I understand about the renewal and residential
26 pieces going in. My concern is, for example, Jefferson Junior High School, which is

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1 right near this development. Have you went in and maybe offered -- and I don't
2 know if this is the process what I'm going to ask you. Have you went in and maybe
3 offered to help them with something or some amenity, kind of benefit or something?
4 And I understand this is a business venture you're making -- business to make
5 money. But also under the PUD process, I believe, Madam Chair, there is some
6 other amenities besides just saying we're adding a residential lot. Maybe go into the
7 community and kind of help them do something, especially the school. I would like
8 to put that on the table.

9 MR. FEOLA: Well, I think, Commissioner Hood, that this is in a
10 very unusual plan unit development in that it is really asking for a whole lot less than
11 it would otherwise be allowed to be built on this site and the PUD regulations are set
12 up that the amenities and benefits provided to the community and the public are
13 commensurate with the relief that the owner is seeking. What we're really seeking
14 here is an adjustment of the matter of right envelope to allow an internal
15 development, internal, off the public streets, that is, that would normally be a BZA
16 special exception.

17 The reason this is a PUD is because when we started this
18 process under pressure from DHCD, we didn't know when the end date was for the
19 Zoning Commission to actually zone this property. It started in 1995 as I indicated
20 and when we filed this application in April of '98 there was still no final action taken
21 and we can't build anything without zoning and so we were caught in this
22 conundrum. If we wait until zoning happened, then we would still have to go to the
23 BZA and go for another six or nine month process. So it was jointly decided by
24 DHCD and Challenger Court to put these two together and the only way to put it
25 together was through the PUD regulations.

26 The provision of housing, per se, though, under your regulations

1 is considered an amenity in benefit and we think providing 93 for sale townhouses in
2 a community that seems to want them and there seems to be a market for is by itself
3 an amenity. We've forgone the commercial opportunities here of the 2 1/2
4 commercial matter of right development that could go on the 9th Street side,
5 completing the urban renewal plan, which is an important piece to the City's public
6 policy. The urban design that pulls these things to the street despite some of the
7 concerns we've heard about the density, you know, this is going to look like part of
8 Washington. It isn't going to be a suburban townhouse development plopped down
9 between 7th and 9th Street. It's going to look like it's been always here. It's going to
10 be new but it's going to look like Capitol Hill. And we think all those things put
11 together with the local business opportunity commission agreement and with the first
12 source agreements that are part of this project, will be a package of benefits
13 commensurate with the relief that we're requesting.

14 So it's a little bit different from most of my clients coming here
15 and wanting an extra story or an extra floor or two or five. We're actually in a
16 different ball game but we hear you. But that, by the way, has never come up in the
17 --

18 COMMISSIONER HOOD: Is there something that maybe you
19 could help the school with? I'm just asking. You know, that's something that you
20 don't have to --

21 MR. GEWIRZ: Well, we've already been involved with the
22 school in making donations and this is on a personal level and my company, not
23 Challenger Court, with the Challenger Center at Jefferson Junior High. There have
24 been donations made there and we'll continue to do that. That's completely
25 separate from this.

26 MR. FEOLA: And also, just to throw in the last little piece is by

1 turning this into home ownership, we're probably increasing the tax revenue from
2 this site by about 1/2 million dollars a year. And not to mention, bringing real
3 residents back to the City.

4 COMMISSIONER HOOD: And to kind of piggyback on
5 Commissioner Franklin's question, how many houses could you actually put on that
6 site? Are you full capacity at 93? Could you put maybe 110 and you just kind of
7 scaled back?

8 MR. GEWIRZ: You could do 16 feet wide, I guess or maybe 15
9 feet wide and cram them in there but--

10 COMMISSIONER HOOD: That's what I wanted to know. Are
11 we crammed now or have you scaled back some?

12 MR. YOUNGENTUB: We started with plans that were denser
13 than this in terms of more unit count. We clearly, you know, you could go to
14 piggyback townhouse and then have a significantly higher number of units, you
15 know, under the existing zoning. We felt we could get as many as 200-230 units.
16 Now, they'd be a different configuration. Not necessarily a fee simple individual
17 townhouse but you could get that many units at a smaller per square foot average.
18 But we did look at townhouse schemes that had I'd say a good 10-15 percent more
19 units than what we're showing here tonight and felt that this was the best
20 combination of site design and unit size, given the market demand and the site
21 configuration.

22 COMMISSIONER HOOD: Last question. In your other projects
23 what is your general or basic -- your average homeowners' association fee, which
24 would encompass taking care of the private alleys or the streets or whatever you call
25 it.

26 MR. YOUNGENTUB: In a community similar to this, they

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1 average about \$100 a month. We have some obviously that are more. Ford's
2 Landing we do all the exterior painting of an individual unit. We almost take it to the
3 degree of a condominium where we're responsible for all the exterior maintenance
4 because the market in that particular location, you know, for \$1 million townhouse
5 demands that. In the units similar to the ones that won the ULI Award, they were
6 priced in similar price ranges, they averaged about \$100 a month.

7 COMMISSIONER HOOD: Now, will that vary due to each
8 variance of different townhomes?

9 MR. YOUNGENTUB: Correct.

10 COMMISSIONER HOOD: Per square footage?

11 MR. YOUNGENTUB: Per size.

12 COMMISSIONER HOOD: They fluctuate?

13 MR. YOUNGENTUB: Exactly. So it might be a low of \$90 and a
14 high of \$110.

15 COMMISSIONER HOOD: Okay. Thank you.

16 MR. PARSONS: I have one more question. I'm now looking at
17 Exhibit 12, which is the elevations of the alleys. I'm a little confused by Unit Type A,
18 which are the 16'8" wide units. See what I'm talking about, the ones on the right?

19 MR. YOUNGENTUB: Yes.

20 MR. PARSONS: Well, where's the garage?

21 MR. YOUNGENTUB: Those are the units that have the garages
22 loaded from the front of the house.

23 MR. PARSONS: On the freeway?

24 MR. YOUNGENTUB: Correct. On the street that cuts through
25 from 7th to 9th Street, those units have garages in the front of the homes. There's
26 an elevation that shows that.

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1 MR. PARSONS: So Type A are only the ones over the freeway?

2 MR. YOUNGENTUB: Correct.

3 MR. PARSONS: Okay. That's great. I'm curious. None of my
4 business. Where did the name Challenger come from? Why is that?

5 MR. GEWIRZ: It was originally -- the site was originally, the
6 whole three acres was slated to be given back in 1988-89 to the Challenger Center
7 for space science education.

8 MR. PARSONS: I remember that.

9 MR. GEWIRZ: And then the City said, no, we want some money
10 for the site so we did a joint venture with Challenger Center where we would build
11 townhomes on a portion of the site and pay the City some money and they would
12 get a portion of their site for free. Then they went to -- they decided they were sick
13 of dealing with the City after 9-10 years and they went away.

14 MR. PARSONS: Are they down at National Harbor now?

15 MR. GEWIRZ: No, they have locations all over the United States
16 but I believe they went to George Mason University or James Madison. I'm not sure
17 which.

18 MR. YOUNGENTUB: The community will likely not be called
19 Challenger Townhome Community. There will be a market appropriate name for it.

20 MR. PARSONS: Something Mews or something.

21 MR. FEOLA: Thank you, Madam Chair, if we could save about three
22 minutes for a concluding statement, we'd appreciate that.

23 CHAIRPERSON KRESS: Certainly. Thank you.

24 MR. BASTIDA: Good evening, Madam Chair and members of the
25 Commission. For the record my name is Alberto Bastida with the D.C. Office of
26 Planning. The Office of Planning submitted its report on November 13 and

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1 described the applicant's proposal, the site and area described and existing zoning,
2 planning and policies of consistence with the comprehensive plan, housing, urban
3 design, amenities, and public benefits, zoning, traffic and parking. The Office of
4 Planning worked with the RLA staff with the design and the material proffered by the
5 applicant and the RLA board decided to follow with the materials as proposed and
6 presented to you by the applicant.

7 The Office of Planning visited two of the sites that the applicant
8 has mentioned, one in Arlington and one in Alexandria and it found no objection to
9 the proposal of the applicant. The Office of Planning also recommended that if the
10 Commission approves this development, that the underlying zoning should be R-5-B
11 and the Office of Planning further recommends that in fact the entire site should be
12 zoned R-5-B even though it has been recently zoned R-5-B and C-3-Z. On the R-5-
13 B, if you do it under the PUD, it would be under the underlying zoning. That means
14 that if this PUD were to expire at one time, it would revert back to the -- to existing
15 zoning.

16 Regarding parking and the impact the proposal will have on the
17 Southeast-Southwest Expressway, the Office of Planning alerted the Department of
18 Public Works of the concerns of the Commissioners regarding those facts. The
19 Department of Public Works seems to have no objection. Unfortunately, they
20 addressed the issue tangentially and not regarding the bridge over 7th Street and
21 not directly so the -- the eventual repair of the Southeast-Southwest Expressway --
22 by the Office of Planning was made aware that they have no objection to the
23 proposal.

24 Also, the Office of Planning pointed to the Department of Public
25 Works the concern with the guest parking and they didn't address it directly on the
26 report but they felt that there was sufficient parking after hours from 6:00 on and on

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1 weekends to accommodate the parking needs of the guests coming to the site. I'm
2 not sure why it was not properly addressed on the report.

3 But the Office of Planning basically recommends that to develop
4 the site with the high quality townhouse development -- excuse me. The Office of
5 Planning determined that the main amenity would be the provision of the housing
6 and trying to bring it faster into line by going through the PUD process rather than
7 have waited until the zoning was established on the site and gone to the BZA. So
8 that's basically the main amenity that the Office of Planning determined that it would
9 be beneficial to the City.

10 Also, even as an R-5-B, the development does not exceed the
11 zoning requirements and the applicant is not requesting any relief regarding density,
12 height, etcetera, from the zoning regulations.

13 The applicant proposes to develop the site with a high quality
14 townhouse development, which is consistent with RLA agreements, the proposed
15 zoning for the site and the comprehensive plan. It is the opinion of the Office of
16 Planning that the applicant has met the burden of proof regarding this application
17 and the Office of Planning recommends approval of this application.

18 Regarding the Department of Public Works report. I handed to
19 the Commissioners at the beginning of the hearing a copy of that report and
20 submitted the original for the record. Basically the Office of -- the Department of
21 Public Works says in conclusion that the proposed PUD will have a positive impact
22 on the transportation system in the area, however, its implementation will require
23 close coordination with DPW regarding the construction of the bridge over the
24 Southwest Freeway and the widening of the sidewalk along the west side of 7th
25 Street.

26 That concludes my presentation. I will try to answer any

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1 questions you might have. Thank you.

2 CHAIRPERSON KRESS: Thank you. Questions for OP?

3 I guess we have no questions. Thank you. Is there anyone here
4 from -- you made all the reports for the other agencies so I guess it would be the
5 report of the Advisory Neighborhood Commission 2D. Is anyone here to testify on
6 their behalf?

7 MR. FEOLA: Madam Chair, for the record we had no questions
8 from the Office of Planning.

9 CHAIRPERSON KRESS: Oh, I'm sorry. I forgot to ask you.
10 You have the right to cross. Forgive me.

11 MR. WESTBROOK: Good evening.

12 CHAIRPERSON KRESS: Good evening.

13 MR. WESTBROOK: Since we're working.

14 CHAIRPERSON KRESS: We hope.

15 MR. WESTBROOK: The green light is on anyway. The
16 Advisory Neighborhood Commission had a special session on this on November
17 23rd mainly because when we had the full presentation that you've had, we were
18 kind of bottled up on what we were trying to get through the agenda so we were
19 carrying it over to our November meeting. The November meeting we didn't have a
20 quorum so here we are.

21 We've been looking at this project for like five years. Counting
22 the Urban Renewal Plan changes, the zoning of the urban renewal area, the site
23 plan. First it was 40 townhouses on two of the acres. First it would be the
24 Challenger headquarters on the one acre on the 9th Street and so, you know, we've
25 looked at every little bit of this site plan and I can give you all the ifs, ands and buts
26 about what we went through but, you know, at the end we had a four to zip vote in

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1 favor of the project as it is.

2 We still have some reservations on it but it's more like marketing
3 reservations, things like that, the width of that alley and the balconies and the sound
4 and the through traffic going through and so on. And what I think some of the
5 comments I got, I think I presented this like in five different times briefly to various
6 groups in the area from the assembly and the task force to the assembly and
7 townhouse associations and briefly for 700 7th Street people. So the typical
8 question is, "Gee, that's a lot of townhouses on three acres, isn't it?" And I said,
9 "Yes, but they seem to be marketing at that density in other projects that they've
10 done."

11 And if you can see on the air photo -- if I can put that up on one
12 of these boards. I live in this townhouse area over here. We've got 180 townhouses
13 and the ones that are north of G Street between 4th and 7th include two banks of
14 walk-up apartments. Okay. This is about six acres. You've got 94 townhouses and
15 I think there is maybe 40 walk-up apartments in those two. They call this the
16 Horseshoe Area. It's at the stub end of 6th Street. Right here.

17 So it is more density but when all is said and done, nobody had
18 any great objection to it. They said, "We want those townhouses." So I think it
19 would be good for the economics and the home sales of our area, which have
20 actually been increasing a little bit here in the last year or so. We kind of hit the rock
21 bottom like in about '92-93. Well, it really started going down. It hit rock bottom in
22 '96 and some of these larger townhouses that are like 2,400 square feet, they are 30
23 years old but even if they were fixed up, they were going for like \$205,000 and
24 \$215,000, \$210,000. That's the one with the garage, like the one I have. Mine was
25 assessed at \$255,500 so I challenged that and I got it reduced to \$210,000. And I
26 thought that was just about right at that time.

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1 Now, we've had a recent one that's on 6th Place which has a
2 garage. The ones with the garage and the front balcony sell a little better and for a
3 better price and one recently went for \$250,000 but it showed very well. I actually
4 didn't see the interior but this is what I was informed and it really showed well and
5 they kept it upgraded, you know, so that you're not facing a disaster when you see
6 that.

7 I could leave with you the assessment records and recent sales
8 for the 180 townhouses. If you may recall, John Wilson lived in one of those
9 townhouses. That's where he took his life.

10 CHAIRPERSON KRESS: You need to give that to our staff.
11 Thank you.

12 MR. WESTBROOK: Okay. So we were very enthused about --
13 you've kind of turned the corner on this downtrend and feel that this will put us kind
14 of back on the map and if people then want to sell their houses, they'll be able to sell
15 them quicker and at a better price.

16 So just to go over some of the details of the site plan, which we
17 were constantly questioning on and people in the neighborhood was -- about the
18 sound from the freeway. And as you can see, these townhouses back onto that
19 freeway so they, themselves, are forming a sound barrier. And you've got to
20 remember that the freeway at this location is 20 feet below the grade of the parking
21 lot so that's -- excuse me. Oh, there it is. So that's with the vegetation, and the
22 backs of these townhouses are not all glass patio windows so you're going to be
23 somewhat of a sound barrier right there.

24 Another problem we were thinking would happen is on that site
25 plan where you have this parallel street, people coming off the 9th Street tunnel take
26 to want to go down to the freeway going to the east. Sometimes that gets bottled up

1 so we're saying, okay. They'll come down here, they'll see this, they'll scoot across
2 here, take the light, go across and go down the ramp on the other side, and keep on
3 going east. And if anything, you don't have to weave traffic from if you're going -- if
4 you want to go the 3rd Street tunnel, you're already on the 3rd Street tunnel side so.

5 We also had a problem with what to do about this intersection
6 here. Cars coming up off of the freeway. There's three stop signs for three lanes of
7 traffic and a fourth coming up from this little office building which was Department of
8 Health Services. They're vacating that building. So you've got this kind of a little bit
9 of a problem.

10 Also, we were looking at those houses which were facing on the
11 9th Street side and said, "Well, why don't you consider a mid-rise apartment building
12 like you did on Courthouse Hill?" So they've got what, 68-69 townhouses, then
13 they've got these walk-up six story condominium apartments and that would be kind
14 of a little bit of a buffer here. You can have the entrances and the amenities stuff, a
15 real entrance here, maybe balconies back here. It would be less of an impact on the
16 dwelling unit and also maybe you'd do one here. Well, then you have the marketing
17 problem. They felt that you could market the 93 townhouses, all of them, all
18 townhouses. That's their judgment and so we said, "Fine. It's your judgment, go for
19 it."

20 There's another problem of these dwelling units where you're on,
21 on the old side or the townhouse side over here, have never sold very well. They've
22 always had depressed prices versus the rest of the townhouses. They have the
23 same square footage, they were all built at the same time. And so I think they've
24 actually set theirs a little further back so you have a wider sidewalk here so that's
25 pretty good.

26 And in terms of parking, of course, you've got two parking

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1 spaces on your own property, two spaces. Plus this. Then you have G Street which
2 is metered right now. So you got the whole line of G Street you're going to have
3 parking. And then when your school is out, this street, which is still dedicated H
4 Street and a stub of 8th Street, in here, is open for night and late afternoon parking.
5 It's now assigned to the teachers, by painting the pavement. They just kind of took it
6 over. It's public property so. I don't think they have a parking problem I'm saying.

7 And the people who were saying, "Hey, but where are those 500
8 cars going to park everyday? They're going to be impacting our neighborhood.
9 They're going to be parking illegal." Yeah? People are parking illegal right now so
10 you just get the enforcement people out there. Collect more money.

11 And they say, "Well, gee, how are they going to get to work?"
12 They're sitting on the center four lines of the Metro, which we spent what -- \$9 billion
13 on? Maybe we'll hit \$10 billion. The Department of Transportation is sitting over the
14 top of L'Enfant Plaza Station and they come by automobile there? That is a bad
15 symbol.

16 Let me talk about some of the things that are going on in the
17 neighborhood because we've looked at this in context of what else is going on and
18 one of them, which has not been discussed too much tonight is the repair,
19 refurbishing and expansion of the 7th Street crossing over the freeway. We don't
20 have a photo but I have whole thing of photos which I've been showing people.
21 There are two sidewalks, both sides 7th Street. They are three feet wide, three and
22 a half and one has got a grate so that when two people are walking side-by-side or if
23 they both have an umbrella, they can't have it because this thing is being knocked
24 by this.

25 Not only that, when these kids get out of school, and they're
26 going up here either to the buses or the subway, they're walking out there in one of

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1 the aisles, one of the car aisles here. I mean, three abreast. Well, that's what kids
2 want to do. They want to talk and chatter and so on. So the Department of Public
3 Works is letting a contract this fall, and they may have already done it, to fix up the
4 whole bridge, widen both sidewalks, eight feet on both sides, and what they're going
5 to do is extend this bridge this way for about eight feet so that they can shift
6 everything over through the center line and add -- there's a pier here in the middle of
7 the lanes. Add a new I-beam and then the extension will be just on the one side.
8 And we were talking about maybe if you want to make them improve their amenity
9 package, that you could get this little bridge kind of gussied up as a major entrance
10 into the residential area or major entrance into the federal employment area to the
11 north with HUD and DOT.

12 That's very encouraging so all these things are kind of coming
13 into play, including then possibility that the Nassif Associates who own the
14 headquarters for Department of Transportation will succeed in their proposal to put
15 in about \$110 million worth of refurbishing and upgrading of the DOT headquarters
16 building and keep DOT there. So of course, obviously, the community is very
17 enthused about that because we don't want to be faced with another million square
18 feet of vacant space, which we are now faced with with the EPA moving out of the
19 Waterside Mall.

20 So that and the idea that they would really do maybe some site
21 planning, fixing up the walkways, as well, and maybe they would want to contribute
22 to kind of making a really nice entryway into these two sections of I guess at one
23 time it was the largest urban renewal area in the United States. So there's a lot of
24 federal money involved here.

25 Another interesting thing is this thing called the Harbor Garage.
26 It was being used as a book warehouse for a long time. Before that it was an auto

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1 inspection station, way back. And it's all derelict property right now and the school
2 board or whoever surpluses out school properties now, it's kind of who's doing what
3 to who? That's up for possibility of private people investing in it and the
4 Southeastern University is interested in it and will, I guess, will make a next bid
5 because the first bidding was refused. Nobody could qualify or didn't want to pay
6 enough and Southeastern has talked with the community ANC and the Southwest
7 Neighborhood Assembly to see if we could have kind of like a joint use. They would
8 basically use it as an athletic facility, an indoor gym. So -- and let the community
9 use it, sponsor community space. So that could be one of the amenities that would
10 help the 93 townhouses to get sold because it's a good playground across the street
11 there, good facilities, tennis courts, softball diamond, touch football, you know,
12 rugby.

13 The other thing that is up is the possibility of Bannaker Overlook
14 Park becoming the Bannaker Memorial. That's in the process and they had a press
15 conference last weekend, I guess it was, and they have done a lot of redesigning of
16 the overlook and they've actually had a landscape architect take a look at what to do
17 about the whole strip, the 10th Street Promenade all the way down to Independence
18 Avenue. Kind of on a grandiose project but there is no reason why you can't do
19 something about that overlook because you get up that overlook after you've walked
20 up 10th Street, if you're a tourist coming from the Smithsonian, you want to see
21 what's up at the end here. You get up here, sometimes the fountain's on and it's
22 very attractive. You take a look at Washington Channel and then you say, "Gee,
23 how do I get out of here?" So what do you do, walk back three blocks in August
24 afternoon with 90 percent humidity or do you just collapse from heat exhaustion?
25 Well, that's one of the things.

26 Now, also I think some of you know that we have, the Southwest

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1 Neighborhood has contracted with the Urban Land Institute -- we contracted with
2 Urban Land Institute to do a study. That study was made available like six weeks
3 ago. I brought up 15 copies to the secretary here but this is a little summary of how
4 we put the package together and some of the -- I don't know if you all want to look at
5 it now but there is one page that has a number of bullets about what the ULI study is
6 recommending. One of which is to have like 75 or no, 75 to about 170 townhouses.
7 They say for young adults. Well, I don't care how old they are. Maybe I want to buy
8 one. I don't know, although I do own my own home, a townhouse.

9 So that's -- you got the data on recent sales and the
10 assessments of existing townhouses so the -- the question about vinyl was also
11 brought up by letter from Nadine Winter and she objected to the amount of -- well,
12 she wasn't sure how much was going to be vinyl. So I questioned the applicants
13 when they were down at our ANC meeting and I thought the figure was like no more
14 than 40 percent on the backside. So -- and I talked to the people who were in
15 townhouse 4, that's the ones that are north of G Street at a meeting just on the 17th
16 of November and mentioned that and they had no objection.

17 The question of tot lots and recreation space brought up by
18 Margaret Feldman of the Neighborhood Assembly, well of course, right across G
19 Street you got all that playground space and the question of whether it will be
20 suitable for a tot lot, well, we're not expecting too many young kids at this
21 development. We want them to be high income households, make a lot of surplus
22 tax dollars for the city, upgrade, get more people into the community, use the
23 shopping center, if and when it is redone.

24 So all I can say, we're very enthused about this project. I wish
25 you could take a bench decision and get it up to NCPC tomorrow but doesn't look
26 like you can do that but we're hoping.

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1 CHAIRPERSON KRESS: Thank you. Questions?

2 COMMISSIONER FRANKLIN: Is Mr. Feola going to share part
3 of his fee with you, Mr. Westbrook?

4 MR. WESTBROOK: What's that?

5 COMMISSIONER FRANKLIN: Is Mr. Feola going to share a part
6 of his fee with you?

7 MR. WESTBROOK: No, I'm trying to get something out of them
8 like fixing up that bridge, you know, kind of gussy it up so there's a real gateway
9 entrance but we'll work it out.

10 COMMISSIONER FRANKLIN: Actually, speaking of that bridge,
11 if one of you could monitor the DPW, we've tried to get them to put up a sign on that
12 bridge to indicate that there is only a 13 foot clearance in the 3rd Street tunnel for
13 these 18-wheelers and there is very -- almost no notice of that 13 foot clearance and
14 one of those trailers go down that ramp toward that tunnel, it's a point of no return
15 and they stop just short of the tunnel in rush hour and create just havoc along the
16 freeway.

17 MR. WESTBROOK: Well, actually, they've just been chipping
18 away at it so you might have 14 or 15 by now. I know what you mean.

19 COMMISSIONER FRANKLIN: And you're --

20 MR. FEOLA: Not to infringe on Mr. Westbrook's times, Mr.
21 Franklin, but the DPW currently has a design that's been approved and they have
22 money appropriated for redoing that bridge, as Mr. Westbrook indicated. And my
23 understanding is they're going to put the contract out for bid sometime right towards
24 the end of this year beginning of next year. It would be appropriate I think to ask for
25 your sign to be made part of that.

26 COMMISSIONER FRANKLIN: Not only that, but on the ramp at

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1 7th Street leading down into the freeway there should be a sign because trucks can
2 actually enter the freeway at that point and have no indication that they're heading
3 toward a 13 foot limitation.

4 I was amused by your reference to the 10th Street overpass
5 because it brought back a memory of mine of walking -- not the 10th Street, the
6 Promenade that was under construction and I foolishly one Sunday evening in 1968
7 decided to talk there quite late at night just to see what it would like because all of
8 those beautiful lights were lit and as I walked all the way down toward the Bannaker
9 Overlook it occurred to me I was the only person within any view or earshot and I felt
10 a little bit alarmed and discovered that I indeed had to go all the way back. There
11 was no point of escape at that point. In my judgment it's one of the worst urban
12 design catastrophes in the City, that promenade.

13 MR. WESTBROOK: My former agency probably had a little bit
14 to do with that but before I joined the staff there.

15 I'd like to leave you all a copy of what we got from the
16 Department of Public Works on the restoration of the bridge, the expansion of the
17 bridge, and also a copy of a letter we sent to Secretary Rodney Slater on
18 encouraging him to do what he could to keep DOT headquarters in the Nassif --

19 One other thing, the Urban Land Institute is suggesting that a
20 bank of stairs be considered for getting you off of the Overlook down onto Maine
21 Avenue. Of course, then you've got the problem of crossing Maine Avenue but I
22 think something could be done to assist the landscape architects that were doing for
23 the Bannaker Memorial people had kind of a series of steps going down until you get
24 closer to that 9th Street and Maine Avenue intersection. Then you can cross the
25 street but Urban Land Institute wants to do kind of a festive market there at the
26 intersection of 9th and Water Street and Maine Avenue to fill in those -- have some

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1 parking lots and really create, you know, something somewhat like Harbor Place in
2 Baltimore but with more of a Victorian red brick and that's in that pamphlet on the
3 front cover and also one of the diagrams in the Urban Land Institute study itself.

4 CHAIRPERSON KRESS: Thank you. Did you have any cross,
5 Mr. Feola?

6 MR. FEOLA: No, ma'am.

7 CHAIRPERSON KRESS: Thank you very much for coming to
8 testify and we don't need to worry since you made the presentation on behalf of the
9 ANC 2D, we don't need to waive the time frame. You have just presented it and
10 entered it into the record tonight.

11 MR. WESTBROOK: Okay.

12 CHAIRPERSON KRESS: Thank you so much for coming and I
13 found your comments very illuminating.

14 MR. WESTBROOK: Thank you.

15 CHAIRPERSON KRESS: Is there anyone else here who wants
16 to testify as a proponent? Anyone else here who wants to testify as an opponent?

17 All right. I guess we're then to the summary wrap-up.

18 MR. FEOLA: Madam Chair, I meant to pass a summary of the
19 public benefits amenities that addressed Commissioner Hood's question and these
20 are directly out of the pre-hearing statements so there is nothing new in this but it
21 just summarizes the public benefits and amenities of the project. The housing, the
22 Southwest Urban Renewal Plan completion, the urban design, the transportation
23 issues, the local business opportunities commission agreement, the first source
24 agreement, the added tax revenue and the like.

25 It's rare, as I pointed out earlier in response to Commissioner
26 Hood's questioning that we have an opportunity to pitch a project to you all that

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1 literally half the size it could be built as a matter of right. What makes this project
2 particularly interesting and exciting is that if it's approved, it will be able to provide 90
3 plus single family houses for sale for real residents of D.C. paying income taxes and
4 real estate taxes in an area that hasn't seen any new construction since the end of
5 the probably last 30 years, anyway.

6 And while it is a little bit different model, it is a model that this
7 developer has had great success with, both from an award standpoint, but more
8 importantly, from the market standpoint. The alleys that I think you're correctly
9 concerned about what they look like, have sold. They sold in Old Town, they sold in
10 Arlington and they've sold quickly. That means that the people that are looking to
11 buy these units aren't looking for a Gaithersburg townhouse. They're looking for, as
12 Mr. Youngentub said, sort of no frills, no maintenance, urban environment with the
13 amenities of the house in the house and the convenience of parking in the unit.

14 And we think that the density, while it seems like 90 units on
15 three acres is a lot, it is what an urban city is about. It is about people living together
16 in a pedestrian-friendly environment, walking to work, walking to the subway,
17 walking to shopping. And I think it's an important policy statement for this
18 Commission to recognize that there is a place, not every townhouse community in
19 Washington, D.C. should have this density but there is a place in these locations
20 that are in-town housing that are appropriate for this kind of development.

21 There is a project like this being built in Silver Spring next to the
22 Metro. You've heard about the other two that are by these developers. You've
23 heard about the two that have gotten the awards. The project at Friendship Heights
24 have been sold out almost before they were even started because it's high density
25 urban, high end living, within a block of Metro and services and jobs. And I think it's
26 important that we recognize that. And we think that the new housing and the

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1 package of amenities here are sufficient to meet the test of approval of this PUD and
2 obviously we urge that you take our views into consideration as you deliberate on
3 this project.

4 Thank you for your time.

5 CHAIRPERSON KRESS: Thank you. Any final questions or
6 comments for Mr. Feola?

7 COMMISSIONER FRANKLIN: I take it we'll be asking for
8 additional information.

9 CHAIRPERSON KRESS: I was going to -- I had a list of four or
10 five things from our discussion that we were going to ask for. Is the time frame a
11 problem for you? I believe we could probably, since there is no opposition, vote on it
12 at our January meeting. It would be a little hard, I think, to get the information back
13 to us. What I am proposing is perhaps we get the information that I'm asking for by
14 the end of December and we can vote on it by our January 11th meeting.

15 MR. FEOLA: Is it all possible that we, if we work overtime, can
16 we get it to you in time for your December meeting?

17 CHAIRPERSON KRESS: When is our December meeting?
18 That's -- 14th.

19 MR. FEOLA: Two weeks from today.

20 CHAIRPERSON KRESS: Well, I assume if you can get it to us
21 in time to come out in our packages, yes.

22 MR. FEOLA: We would like to strive for that, if that's at all
23 possible with your calendars, because that way, as Mr. Westbrook indicated, we do
24 have to go to NCPC and it's going to come back to you as well so we would like to
25 move it as quickly as we can.

26 CHAIRPERSON KRESS: All right. And you would be writing the

1 proposed findings of fact, conclusions and draft decisions?

2 MR. FEOLA: If that's -- with your permission, yes, ma'am.

3 COMMISSIONER FRANKLIN: When you do so, Mr. Feola, I
4 think you should address what we talked about earlier in terms of the degree of
5 brick, etcetera.

6 MR. FEOLA: I'm sorry?

7 CHAIRPERSON KRESS: Why don't I go through the list, if that's
8 all right, and then if I've missed anything, you can add onto it. The items that I had
9 written that we had requested more information on were the deck to deck alleys,
10 specifically any photos of other projects where you've had that deck to deck kind of
11 alley, and anything that can help to help us understand more of how that space
12 feels.

13 The size and species of trees, shrubbery, a little bit more
14 information on the landscaping.

15 I feel that relating to -- we should have a proffer in your decision,
16 the percentage of units that you're willing to commit to that will be brick and in my
17 mind it needs to be at least 50 percent. I also think there should be a commitment
18 as was made to the community to the vinyl siding in the rear. There was a
19 commitment to 40 percent there as a maximum. Brick is a minimum, the vinyl siding
20 is a maximum.

21 I personally felt that I got the lighting questions answered. Do
22 you feel we should ask for a lighting plan, John?

23 MR. PARSONS: No.

24 CHAIRPERSON KRESS: Anything else that you feel that --

25 COMMISSIONER FRANKLIN: Just that the order should reflect
26 that the lighting will be as ascribed.

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1 CHAIRPERSON KRESS: Exactly. And I would say that as far
2 as the other key items in the presentation relating to all of the materials.

3 If I've gotten everything, then I'll --

4 MR. PARSONS: Well, you mentioned the landscape plan and
5 the landscape species and so forth. I was hoping we could get a little more detail on
6 those two parklets. I mean, there are grass, trees and a path down the middle and
7 that is not what they showed us in Arlington. So it is not the same richness of quality
8 that was shown in the photographs. CHAIRPERSON KRESS: All right.

9 More details on the parklets. Is that -- new jargon I've learned for this evening.

10 Anything else? If not, I will go ahead and close the meeting. I
11 presume, can you tell me when you need to have it to us? I presume it's about a
12 week ahead for it to be in our packets for the 14th so I guess we're talking
13 December 7th. Oh, dear. That is a short period of time.

14 MR. FEOLA: We can do that.

15 CHAIRPERSON KRESS: All right. With that then, ladies and
16 gentlemen, I'd like to thank you for your testimony and assistance in the hearing.
17 The record in this case will now be closed except for the information specifically
18 requested by the Commission, which we've just gone over. We ask that that
19 information and the findings of fact, conclusions of law, and proposed decision be
20 filed during the period ending on December 7th in Suite 210 of 441 4th Street. Any
21 party to the case may file a written response to any information or report filed after
22 close of the hearing.

23 I suppose I should check there, the only other party is the ANC.
24 Is it all right with the ANC, does the ANC need time to respond to any additional
25 information that we're going to be receiving?

26 MR. WESTBROOK: Not that you've discussed as for tonight.

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1 CHAIRPERSON KRESS: All right. We're trying to expedite it
2 and you mentioned in your testimony that you would like it expedited too. So we're
3 waiving our rules a little bit.

4 I don't -- I think a copy of the hearing transcript will be available
5 for review in about two weeks. I'm not sure that's going to be too helpful. We will
6 make a decision at one of our regular monthly meetings. We're proposing right now
7 to try to make it at our December meeting.

8 And you should also be aware, which you are, that if the
9 Commission proposes to approve the application, the proposed decision must be
10 referred to the National Capital Planning Commission for Federal impact review and
11 then the Zoning Commission will take final action at a public meeting following
12 receipt of the NCPC comments after which a written order will be published.

13 I believe I have covered everything and with that, I declare this
14 hearing closed. Thank you all.

15 (Whereupon, the hearing was concluded at 9:28 p.m.)
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