

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF:

CONSOLIDATED PUD
@ SQUARE 4325 -
FORT LINCOLN HOUSING

CASE NO. 99-1C

Thursday,
June 24, 1999

Room 220
444 4TH Street, N.W.
Washington, D.C. 20001

The hearing in the above-entitled matter was
convened, pursuant to notice, at 7:00 p.m.

ZONING COMMISSION MEMBERS PRESENT:

ANGEL F. CLARENS	Chairperson
HERBERT M. FRANKLIN	Commissioner
ANTHONY J. HOOD	Commissioner

COMMISSION STAFF PRESENT:

Jerrily R. Kress	Director
Alberto Bastida	Secretary
Stefanie Brown	Office of Zoning
Vincent C. Erondou	Office of Zoning

OTHER AGENCY STAFF PRESENT:

Dave Colby	Office of Planning
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ALSO PRESENT:

Phil T. Freola
Robert Jeffers, Jr.
William J. Collins
William Devereaux
Michele V. Hagans
Victoria Erickson
John Lutostanski

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

7:06 p.m.

CHAIRPERSON CLARENS: Good evening ladies and gentlemen. I am Angel Clarens, and I am chair of the Zoning Commission for the District of Columbia. Joining me this evening are Commissioners Herbert Franklin and Anthony Hood. I declare this public hearing open.

The case that is the subject of this hearing is Case No. 99-1C, the applicant The Fort Lincoln Housing L.L.C. requested consolidated review and approval of a planned unit development for Parcel No. 173 and 143 or 173 to 143 I assume, slash 143 in Square 4325. The site will developed with either 95 single-family detached dwellings or, in the alternative, 80 single-family dwellings and 30 condominium units. The site is located in Ward 5 between Fort Lincoln Drive and Commodore Joshua Barney Drive, N.E. consisting of 1,025,337 square feet of land area and is currently zoned R-5-D.

Notice of today's public hearing is published in the D.C. Register of May 14, 1999 and The Washington Times on May 15, 1999. This hearing will be conducted in accordance with the provisions of 11 DCMR 3022.

This evening the order of procedure will be as follows: One, preliminary matters, (a) certification of the maintenance of posting, (b) identification of parties, (c) identification of new exhibits received into the record; second, applicant case; third, Office of Planning Report; fourth, other agency reports; fifth, report of Advisory Neighborhood Commission 5A; six, parties and persons in support;

1 seven, parties and persons in opposition.

2 The Zoning Commission intends to establish time
3 limits for all oral presentations of both parties and persons;
4 accordingly, the following time limits shall apply. The applicant will
5 have 60 minutes, other parties 15 minutes, organizations 5 minutes,
6 and individuals 3 minutes. The Commission will adhere to this
7 schedule as strictly as possible.

8 Those presenting testimony should be brief and
9 nonrepetitive. If you have a prepared statement, you should give
10 copies to staff and orally summarize the highlights only. Please
11 provide copies of your statement before summarizing. Each individual
12 appearing before the Commission must complete two identification
13 cards and submit them to the reporter at the time you make your
14 statement.

15 If these guidelines are followed, an adequate record
16 can be developed in a reasonable length of time. The decision of the
17 Commission in this case must be based exclusively on the record. To
18 avoid any appearance of the contrary, the Commission requests that
19 parties, counsel, and witnesses not engage the members of the
20 Commission in conversation during any recess or at the conclusion of
21 the hearing session. Although the conversation may be entirely
22 unrelated to the case that is before the Commission, other persons
23 may not recognize that the discussion is not about the case. The staff
24 will be available to discuss procedural questions. All individuals who
25 wish to testify, please rise and take the oath.

26 MR. ERONDU: Raise your right hands. Do you
27 solemnly swear that the testimony that you are about to give is the

1 truth and nothing but the truth? Do you? Thank you, be seated.

2 CHAIRPERSON CLARENS: Very good, let us then
3 begin with preliminary matters. Are there any preliminary matters from
4 the staff?

5 MR. BASTIDA: Mr. Chairman, I only have two
6 preliminary matters. You have in front of you a remaining schedule of
7 the hearings through September that has been set down and also I
8 have provided you with a copy of the last sua sponte decision, I mean
9 case that the Commission took for your review and understanding of
10 the forthcoming case, and those are the two preliminary matters.

11 MS. KRESS: And the certification of posting.

12 MR. BASTIDA: Yes. I am sorry.

13 MR. ERONDU: Mr. Chairman and members of the
14 Commission, staff has received affidavit of interests opposed to. We
15 have examined it, it meets our basic requirements and it is admitted
16 as No. 34 of the record. Thank you.

17 CHAIRPERSON CLARENS: Very good. Are there
18 any preliminary matters from the audience?

19 MR. FREOLA: Chairperson for the record --

20 MS. KRESS: Speak very loudly.

21 MR. FREOLA: My name is Phil Freola with Wilkes,
22 Artis, Hedrick & Lane and with me this evening is Sarah Shaw of our
23 office on behalf of the applicant for Lincoln Housing Limited Liability
24 Corporation.

25 The only other preliminary matter we would like to
26 address is the qualification of expert witnesses. We intend to present
27 one in direct testimony. It is Mr. Bill Devereaux. His resume was

1 attached to the pre-hearing submission if you need copies of it.

2 CHAIRPERSON CLARENS: We received the
3 resume. I reviewed it, and I have no problem acknowledging unless I
4 hear any recommendations, you will be accepted as an expert
5 witness.

6 MR. FREOLA: That is our preliminary matter, sir.

7 CHAIRPERSON CLARENS: And your civil engineer
8 was also scheduled to testify.

9 MR. FREOLA: He will be here to answer questions,
10 but we have chosen to not take too much of the Commission's time.

11 CHAIRPERSON CLARENS: Very good. Okay,
12 identification of parties the only party in this case as far as I know is
13 the ANC and the applicant. Is the ANC here, a representative from
14 the ANC? And are there any new exhibits that we have received into
15 the record.

16 MR. ERONDU: No, not that we have received.

17 CHAIRPERSON CLARENS: Very good. Okay. Well,
18 Mr. Freola, proceed.

19 MR. FREOLA: Mr. Chair. Fort Lincoln Housing LLC
20 is a joint venture of Fort Lincoln New Town Corporation and Horning
21 Brothers bring well over 50 years of development to this housing
22 project in Washington. With us in the audience is Michele Hagans
23 who is president of Fort Lincoln New Town and two representatives
24 from the Joint Venture who will speak this evening, Mr. Robert Jeffers
25 representing Fort Lincoln and Will Collins representing Horning
26 Brothers.

27 In very brief summary, the PUD before you seeks an

1 approval of a theoretical lot subdivision in order to develop
2 approximately 100 single-family houses in Ward 5. The site is about
3 23 ½ acres. It is controlled and owned by RLA DHCD and it is in the
4 R-5-D zone. There are two alternative plans that are before you, one
5 in the preferred plan is a 93 unit single-family detached housing
6 subdivision for single-family houses that will be for sale and the
7 second plan, the alternative plan, is a 79 unit single-family subdivision
8 with the addition of 30 condominium units in low-rise buildings which
9 would also be for sale housing and we will get into the need for the
10 two plans as we get into the testimony.

11 The project is well below the matter of right zoning
12 envelope and it is really here before you because of the nature of the
13 topography and the natural state of this land makes it practically
14 impossible to develop except for a theoretical subdivision which, as
15 you know, requires either a special exception before the BZA or
16 permission from this Commission.

17 The project is in complete conformance with the
18 Comprehensive Plan --

19 CHAIRPERSON CLARENS: Mr. Freola.

20 MR. FREOLA: Yes sir.

21 CHAIRPERSON CLARENS: Before we go any
22 further, that was one of the things that in reading your hearing
23 statement that sort of triggered a question and that is why isn't it
24 before the BZA? And both the Office of Planning and you make
25 reference to what you just said now, but I could not find what is the
26 difficulty with the special exception process. Why couldn't you go
27 through the special exception process.

1 MR. FREOLA: To develop the site plan that is before
2 you, and I have not added them all up, but there would probably -- in
3 addition to the special exception, there would probably need to be
4 about 50 variances, from a rear yard, from a front yard, from the width
5 of a lot as it sits around a cul de sac, for example, that in our judgment
6 would have been difficult to prove the practical difficulty and the test
7 you need to prove before the BZA for variances from the special
8 exception.

9 CHAIRPERSON CLARENS: Each variance needs to
10 be addressed.

11 MR. FREOLA: That is correct, and we are talking
12 about a 23-acre vacant piece of property. I think we would be hard
13 pressed to prove the practical difficulty need to do that. We could
14 have probably developed this site without those variances. I am sure
15 we could have. It is a huge site, but we do not think we would have
16 been able to retain the natural features, the topography, and do the
17 right site plan, if you will, for this development.

18 This is the second PUD that I have had that was
19 really a theoretical lot subdivision application and this is the third
20 developer architect team that has looked at those regulations and
21 found it almost impractical to work with, and I think it is something
22 maybe this Commission for another time needs to look at to -- not to
23 eliminate that review from the BZA which I think is a good review, but
24 maybe to give the BZA a little broader discretion in approving what
25 should be a good site plan as opposed to trying to nail down and dot
26 every "I" and cross every "T" which is what 2516 does. It is a very
27 difficult set of regulations to meet.

1 CHAIRPERSON CLARENS: Okay, I understand. It
2 is just that I could not find what you have said anywhere upon the
3 record.

4 MR. FREOLA: The project is though in complete
5 conformance with the Comprehensive Plan which shows the site as
6 medium density residential development. It is consistent with the
7 Ward 5 element with the plan which calls for a new for sale home
8 ownership housing in the expansion of the housing stock in Ward 5 for
9 middle income folks, and it is consistent with the urban renewal plan
10 which encourages new housing and home ownership in Fort Lincoln,
11 and I think with that I will ask Mr. Robert Jeffers of Fort Lincoln New
12 Town to give you just a brief flavor of the New Town and this project's
13 role in that ultimate development. Mr. Jeffers.

14 MR. JEFFERS: Okay. I will be brief. I am
15 representing Fort Lincoln New Town tonight, and, since we are the
16 only item on the agenda, I will go ahead.

17 With respect to Fort Lincoln New Town, as you
18 probably know, it was the former site of a federal reformatory for boys,
19 a national training school, which was removed to West Virginia some
20 years ago. Subsequent to that, it was determined that it would an
21 appropriate redevelopment area in terms of urban renewal for
22 Northeast Washington and that a point in time Fort Lincoln New Town
23 Corporation was designated the developer of Fort Lincoln New Town.
24 It is approximately 200 acres consisting of some open space which is
25 yet to be developed as well as roads that have been put in, a school
26 which is the Thurgood Marshall Extended Middle School, it has a
27 comprehensive park system with indoor/outdoor pools, tennis courts,

1 ball fields, etc. So, it is a complete community in that sense.

2 Over the course of time, since Fort Lincoln New Town
3 Corporation was designated exclusive developer, it has built
4 approximately 1,600 housing units as a part of this master planned
5 community. Of that number roughly half are in high rises which are
6 occupied by elderly citizens, most of whom are on various subsidies.
7 Effectively right now you have a income ratio of, let us say, half the
8 tenants there are low income and half are moderate income; the
9 moderate income tenants living in the existing townhouse community.

10 Effectively by doing that it has become, I would say,
11 the most successfully, economically integrated new town in the
12 country. As Fort Lincoln is continuing with its build out, there are other
13 aspects of it that have to be built. One of which is the single-family
14 component which has been planned from the beginning, but
15 effectively the economics have not been appropriate until this time to
16 really do it. We have watched the city population decline by 40
17 percent since Fort Lincoln was conceived and development started.
18 We are just beginning to see an influx back into the city of certain
19 kinds of moderate income individuals into the northeast quadrant of
20 the city, so this is why we are moving forward at this time with this
21 single-family home development.

22 With respect to the way we intend to develop this, we
23 have formed a joint venture with Horning Brothers which is a locally
24 based, D.C. company which is experienced in single-family home
25 building. We do not pretend to have that particular expertise at this
26 point in time. Fort Lincoln in the past has built its own buildings. We
27 do not do that at the present time, so we have joint ventured with

1 Horning Brothers because of their sensitivity and particularly their
2 ability to build a Northeast Washington. As you ride around Northeast
3 Washington, you will see various projects they have built, both multi-
4 family and residential home ownership, both have been built by them
5 in Northeast Washington.

6 We have also attempted over the last several years
7 certainly and, in fact, over the entire history of Fort Lincoln to make a
8 substantial outreach to the community as we go forward in the
9 development of the project. Obviously, as time moves on certain
10 things change, so we have met with a number of the residents acting
11 as presidents of the existing condo associations, with the ANC
12 Chairman, Mr. Robert King, who has submitted a letter to you all
13 indicating their approval and acceptance of this project, as well as the
14 Fort Lincoln Civic Association in an effort to have an on-going
15 dialogue to keep them informed of what is going on and to assure that
16 we continue to follow with the master plan. As we do that also, we
17 have held public meetings with them, one as recently as April of this
18 year where we made a presentation with respect to this specific
19 project as well as others and they were roundly approved and
20 accepted at that public hearing.

21 In terms of this project and how it fits into Fort Lincoln
22 New Town, one of the more positive aspects of this is that Fort Lincoln
23 New Town under the master plan, it was envisioned that there would
24 be a 70/30 split in terms of economics in terms of the households:
25 roughly 70 percent would be moderate income, 30 percent would be
26 lower income. Currently we are at a 50/50 split. This housing allows
27 us to start pushing towards that 70 percent on the moderate income

1 side; so, from that perspective, it is a key component to what people
2 moved into Fort Lincoln over time have thought would happen with the
3 project, and that is one reason we are moving forward with it to keep
4 up the master plan and to basically do what we said we would do
5 there.

6 That is it unless anyone has any questions.

7 CHAIRPERSON CLARENS: We are going to
8 proceed and then finish up the last --

9 MR. FREOLA: Yes, thank you sir. Mr. Collins, would
10 you care to tell about Horning Brothers' role in this project.

11 MR. COLLINS: Good evening. My name is
12 Will Collins, and I am director of development for Horning Brothers. I
13 want to thank you for your time this evening.

14 Horning Brothers is extremely excited about the
15 opportunity to work with Fort Lincoln New Town Corporation to bring
16 new home ownership opportunities in the District of Columbia.
17 Horning Brothers is a District-based real estate development firm with
18 over 40 years of experience. We have built approximately 3,000
19 multi-family units and, within the past 6 years, we have built 400 for-
20 sale homes throughout the Washington metropolitan area with a
21 diversity of products: single family, townhome, and condominium. We
22 are extremely eager to begin this project in this upcoming fall which
23 would be approximately 93 single-family homes or a potential mix of
24 single-family and townhome condominiums.

25 What we are proposing are single family homes
26 ranging between the upper two living areas, 1,700 square feet to
27 2,000 square feet of finished living space with the products priced out

1 at approximately \$170,000 to \$180,000. We are also putting before
2 you tonight an alternative plan which would call for the flexibility to
3 build townhome condominiums that range between 1,300 square feet
4 of finished space and 1,700 square feet of finished space priced in the
5 range of \$120,000.

6 One of the reasons that we come before you with two
7 alternatives is what we view today is a lack of reasonable market
8 comparables in the northeast corridor of Washington, D.C. In 1998 in
9 a market -- Washington metropolitan market that produced over
10 21,000 new homes, there were no new single-family homes built in
11 1998 in northeast. Given that fact, while we are very eager to move
12 forward on this project, we go forward with a slight degree of
13 trepidation in terms of what the level and the depth of the market is for
14 this product. While we are extremely optimistic, we want to leave
15 ourselves the opportunity to build a variety of different products, and
16 that is why we come before you today to put two plans in front of you.

17 It is our preference at this time to move forward with
18 the single family, the full single-family project. We are hopeful that we
19 will see a level of demand that will allow us to sell between three to
20 four homes a month, very comparable to the pace of absorption that
21 we see in the surrounding communities of Prince George's County.

22 Within the Office of Planning report presented to you,
23 there was a concern regarding the facades of the homes in terms of
24 materials used and a strong preference to use brick. While we do not
25 oppose using brick facades, we want to be on a level playing field with
26 other builders in the surrounding market, principally, the Prince
27 Georges County market, and what we find in that market is that brick

1 is an option which is chosen by the home buyers as they come in. We
2 are extremely concerned that if we are dictated to in terms of what the
3 elevation should be in terms of materials, that we will be put in the
4 situation of having the prices at a level that will be not competitive with
5 the surrounding market, principally, homes in Prince Georges County.

6 The general partners in this project are going to be
7 making a substantial investment up front in this project. They will be
8 putting over \$3 million of infrastructure in up front in terms of streets,
9 roads, concerns with the geotechnical issues on the site. It will be a
10 very difficult site in terms of the dirt work on the site, but the general
11 partners have made a commitment to move forward and put those
12 dollars in. There is a strong belief that there is a demand for housing
13 in this market, and we do plan to move forward with it.

14 We think it is going to be an exciting new community
15 in the District. It is the largest for-sale single-family community built in
16 the District in many, many years, particularly in the northeast region.
17 We are excited about the opportunity. We would like to field any
18 questions that you may have tonight.

19 MR. FREOLA: Our last set of witnesses, Mr. Chair,
20 are design professionals, and maybe we can get them up here
21 together.

22 While they are setting up their boards, Mr. Chairman,
23 we have put together a little package of materials that are actually in
24 your pre-hearing statement and sort of follow the outline of the
25 presentation that the architect and land planner are going to go
26 through. I can pass these in and it may be easier to follow.

27 CHAIRPERSON CLARENS: Sure.

1 MR. FREOLA: Thank you. Mr. Devereaux, would
2 you state your name and address for the record please.

3 MR. DEVEREAUX: Yes, my name is Bill Devereaux
4 and I am principal of Devereaux & Associates. We are architects and
5 planners, and I would just like to make a couple of comments and then
6 I am going to turn it over to Victoria Erickson who will walk you
7 through the site plan and landscape plans. But as Mr. Collins was
8 saying, we are also very excited because we think this is an
9 opportunity that the District really has not seen for a long time and
10 that idea of coming in and doing a single-family neighborhood within
11 the community of Fort Lincoln to us is really a once -- almost a once in
12 a lifetime opportunity to do something that really has not been done.
13 And I think as you get a tour through the site plan from Mrs. Erickson,
14 you are going to see how this is all pulled together, the different parks,
15 the different things that are happening in the community that I think
16 are really going to make this an enjoyable neighborhood to live in and
17 something that we really, I think, need in Fort Lincoln and in
18 Washington, D.C. in general.

19 So with that, I would like to introduce Mrs. Erickson.

20 MRS. ERICKSON: Thank you. Okay, first off, I am
21 sure you know where the site is, but just to orient you, this is
22 Commodore Barney Drive.

23 CHAIRPERSON CLARENS: You need to say your
24 name, and perhaps I have not said that to the other people that
25 testified. You have to identify yourself and give your address, your
26 home address, for the record.

27 MRS. ERICKSON: Oh, the address too. Okay, my

1 name is Victoria Erickson. I am a land planner at Devereaux &
2 Associates. Home address, 1481 Chain Bridge Road, Apartment No.
3 5, Alexandria, Virginia 22314.

4 As I was saying, our site is here between Fort Lincoln
5 Drive and Joshua Barney Drive. The topography on the site is very
6 steep here near Theodore Hagan Recreation Center. It drops off very
7 extreme and then it takes on a bowl effect. Given that, --

8 CHAIRPERSON CLARENS: A bowl effect meaning
9 the roads are high and then there is kind of a valley between the
10 roads.

11 MRS. ERICKSON: Right. The site is very much like
12 a bowl. Given the topography that governed the site plan, we have
13 two main corridor roads, one here and one right here and two entry
14 points off of Fort Lincoln Drive, this one being the main entrance. As
15 you come into the site, we tried to create little clusters or smaller
16 neighborhoods within the larger development to try to maintain a
17 neighborhood community, a tight community feel, and, also, given this
18 site is so large, we thought it would be appropriate to anchor the site
19 with two parks so that it did establish the continuity within the site.
20 The two entrances will be landscaped and we will -- the site is not a
21 gated community, however, we will have a gate-house structure, and,
22 as you enter the site, we have planned a park view right at the
23 entrance and let me make sure that I am covering -- again we have
24 stated before that there would be 93 single-family homes for a second
25 option we will have townhomes which will be located on the northern
26 part of the site.

27 CHAIRPERSON CLARENS: And do you have the

1 alternative site plan? Can we be put the two site plans --

2 MRS. ERICKSON: Certainly, that is in your booklet
3 just after the drawings of the site. The landscape plan --

4 MR. DEVEREAUX: Could you point to the area that
5 changes in the alternate plan?

6 MRS. ERICKSON: Yes, this -- actually all the roads
7 will stay the same and the only thing that changes is single family will
8 go away, and, as you can see in your booklets we will have the
9 condominiums in this area and I will show you a floor plan of those.

10 MR. FREOLA: And Mr. Devereaux is going to get into
11 the wherefores of the condominium units as well as the single-family
12 houses in a second.

13 MRS. ERICKSON: Just to real quickly go over the
14 landscape plan, we have chosen to have red maple be the dominant
15 tree throughout the site. This is a larger view of the site. It is broken
16 in two and this is the main entrance. So, for the fall color, this will be
17 the predominant feature on the site. In the smaller clusters we have
18 chosen to change the tree type to a green ash so as to make these
19 areas more distinct. In the median strips and cul de sac, we will have
20 flowering trees (yoshino cherry, crepe myrtle) which relate back to the
21 entrances to really tie everything together.

22 And we also have some alternatives to the single-
23 family landscape plan. Again, in Washington with the cherry trees we
24 have chosen yoshino cherries and other flowering trees for the main
25 trees in the front yard, and this is the condominium plan. Other than
26 that, we have kept the colors pretty plain for the foundation as white
27 azaleas and we have hollies and other evergreen plants so that all

1 year around it is attractive.

2 And that is just a brief overview. I will turn it over to
3 Mr. Devereaux.

4 MR. DEVEREAUX: You can leave that up there.

5 MRS. ERICKSON: Okay.

6 MR. DEVEREAUX: I should leave this up.

7 MRS. ERICKSON: Okay.

8 MR. DEVEREAUX: I have trouble seeing the smaller
9 one.

10 MRS. ERICKSON: Okay.

11 MR. DEVEREAUX: Again, my name is Bill
12 Devereaux. I did not give my address at 3131 North Monroe Street in
13 Arlington, Virginia, and what I would like to do is take a few minutes to
14 talk about the proposed units and homes that we plan to build in the
15 neighborhood, and, I think, if we just start with the floor plan -- I know
16 we do not want to get into too much detail on the floor plans, but I
17 think it is important to kind of see some of the elements we are trying
18 to do.

19 We are trying to create a very efficient box to build in
20 because we want to offer the most space for the least dollars that we
21 can. We also want a very open floor plan. As you come in, we have
22 located the doors in the center and you will see how that works in the
23 elevations in this unit, and we have options for different porch
24 arrangements.

25 Another major element of the house is we have pulled
26 the garage back, and you will see on both -- as you can see on both
27 floor plans we have pulled the garage back, and that is on purpose.

1 We are trying to get the garage to be a secondary element. We really
2 do not have the option to do a whole lot of alley schemes on this site
3 with the topography, but by pulling that garage back what we have
4 found through our experience is we have been able to really get a
5 community as you drive through you feel the front doors, you feel the
6 porches, you get a sense of the house before you get the sense of
7 that garage which is pulled back. So in lieu of not an alley scheme,
8 this is the best solution and very definitely a solution that we are in
9 favor of for a community that we want people to relate to the street
10 and we see our house as forward to the street as we can.

11 Once inside the home, very open, living/ dining room
12 definitions but open with open rail here, open space across the back
13 with a kitchen and breakfast room, family room, and then we will have
14 a couple of optional second floors. We will have either a three
15 bedroom or four bedroom models that all fit within the same footprint
16 so we can give our buyers that opportunity to go with either the larger
17 three bedrooms or the four bedroom option.

18 Now I think what we have also done with the
19 architecture, we believe, is try to pull together a very neighborhood
20 type feeling, and I think as you can see from this -- now, again, picture
21 the garage as back on an elevation flat like this you do not see the
22 garage being pulled back, but it is back and this is what you are
23 seeing is the house forward, and sometimes we will have a very
24 formal arrangement as a front door with siding we are showing in this
25 location, sometimes we are going to offer a porch. We would like to
26 emphasize as many porches in the community as the purchasers are
27 willing to go for. We think that is an important element in bringing,

1 again, the house to the street.

2 You can see the symmetry going on in the house here
3 and I think a very stately feeling for not that large a house. These are
4 probably average around 2,000 square feet and yet we feel that they
5 feel very gracious and warm and inviting, and that is what we are
6 trying to accomplish here with the architecture.

7 Now I would like to draw your attention to -- where did
8 my book go? There it is.

9 MR. FEOLA: I borrowed it for a second.

10 MR. DEVEREAUX: I would like to draw your attention
11 to about the middle of your book that we gave you, we talked a little bit
12 about architecture that we have done in other communities using a
13 predominance of siding and porches where possible, some large,
14 some small. This was an article that was in Builder magazine. You
15 will see this is a community out in South Riding which was built by
16 Bazutto, and you can see the architecture is very similar to what we
17 are proposing here. This particular style of housing that we have been
18 designing has gotten a fair amount of press over the past year or two
19 and here it is one real estate here you will see it and The Washington
20 Post where they talked about how using new materials to create an
21 old-time look, and I think that is exactly what we are trying to do here
22 is to use the idea of a new house but to make it feel warm and cozy
23 and we have an opportunity here with 93 units to really create our own
24 neighborhood. We have our own community within a community
25 where we can relate to ourselves if we think this and you as a Board
26 feel that this is the appropriate direction to go in, we can make this
27 come off as a very quaint, cozy type of neighborhood all to itself.

1 representing basically that you have some kind of official approval
2 from them?

3 MR. FREOLA: The developers have an exclusive
4 rights agreement to proceed, and we have a specific authority from
5 Redevelop Land Agency to seek the zoning necessary to develop this
6 project and we can submit that resolution for the record if you like.

7 COMMISSIONER FRANKLIN: Right. Then the RLA
8 has formally given you the authority.

9 MR. FREOLA: That is right, by vote.

10 COMMISSIONER FRANKLIN: And are we then just a
11 condition that has to be satisfied before there is a land disposition
12 agreement? Is there an agreement?

13 MR. FREOLA: I am sorry.

14 COMMISSIONER FRANKLIN: Is there an agreement
15 for the price of the land?

16 MR. FREOLA: Is there an agreement for the price of
17 the land?

18 MR. JEFFERS: There is a schedule -- I am sorry.
19 This is Robert Jeffers. I am -- 6101 16th Street, N.W. There is a -- in
20 the contract with RLA, there is a schedule of prices for various parcels
21 of land depending upon the use, and we would work within that
22 schedule.

23 COMMISSIONER FRANKLIN: All right, so the price
24 is not an issue.

25 MR. JEFFERS: No.

26 COMMISSIONER FRANKLIN: With RLA.

27 MR. JEFFERS: No.

1 COMMISSIONER FRANKLIN: And price will not be
2 affected by anything that we do?

3 MR. JEFFERS: What will be affected by what you do
4 would be the price of the product, of the house itself, but not
5 necessarily the price of the land.

6 COMMISSIONER FRANKLIN: Oh, land, right.

7 MR. FEOLA: Well, except that it, for example, you
8 only approved 50 houses out of 93, that would change the price, yes.

9 COMMISSIONER FRANKLIN: Well I guess maybe
10 while Mr. Jeffers is still here, what is the proposed schedule of
11 development assuming approval from us and NCPC?

12 MR. JEFFERS: Assuming approval from you all,
13 what we would like to do is to get model houses built up and before
14 the end of this year with full construction and obviously starting the
15 infrastructure of the roads and sewers and things like that so that we
16 could start building houses for sale by spring of next year.

17 MR. FREOLA: And I will add Mr. Franklin that there
18 are permits pending for a model house which fronts on Fort Lincoln
19 Road which is a public road so we would not need this approval. The
20 developers just chose to start that process ahead of time, but now
21 maybe a couple of months before they come out and actual work
22 starts, but.

23 COMMISSIONER FRANKLIN: I will defer to my
24 architectural colleague in matters that I really should not be traversing,
25 but I find that the general character in what is proposed is very
26 appealing with one concern. I realize that you are setting the garages
27 back, but when I look at that elevation, the garage doors seem to me

1 to be very reflective of what one might see in a less “cozy” suburban
2 development and do not have the character that you would associate
3 with the rest of the house just determined is bland. I am struck by
4 what your firm Mr. Devereaux did with Sea Colony which is in the
5 packet, and I have seen other depictions of this because I think there
6 has been a general feeling that in a lot of suburban development the
7 garages have been sort of the primary face that is fronting on the
8 street and the Sea Colony development managed to put either a real
9 or apparent porch in front of the garage, and I have seen some of the
10 newer developments where basically the front porch has actually been
11 extended to cover the garage and create a portico where the garages
12 sit back in a somewhat extended porch area in front of the garage
13 which I think really modulates the impact of the garage visually, and I
14 understand you are trying to keep costs under control but I would be
15 interested in what your reaction is to taking a Sea Colony approach to
16 what we are seeing here on this sale vision.

17 MR. DEVEREAUX: I think that is probably a good
18 point. I think there are a lot of things we can do that maybe before we
19 get to actually doing the trellises and porches over top of the garages
20 there are a couple of things we can do. One, we can extend the
21 overhang of each pickup brackets at the garage to get a deeper
22 shadow line at the garage, and maybe that is a step we do on one.
23 And then maybe there is one where the roof comes out and we
24 actually get a post on one side and we actually get a deep four foot
25 reveal or something like that which would give you a lot of the same
26 type of shadow lines that you are seeing in this kind of a drawing.

27 COMMISSIONER FRANKLIN: Having a garage in

1 shadow is to be desired.

2 MR. DEVEREAUX: Yes. I cannot argue with you on
3 that and I think what you are seeing in this type of -- and you brought
4 this up and I think it was a very good point -- like on the A-2 elevation
5 you can see the shadow and that is probably pretty real as to how you
6 would feel when that garage is pushed back. We kept the drawing as
7 simple as possible because we wanted to show -- we were between
8 working drawings and design drawings so you can see it is kind of a
9 hard-line drawing. But the garages would be pulled back so whenever
10 the sunlight would hit it, there would be shadow at a certain point, but I
11 think there could be a series of details we could come up with and
12 maybe one of them is not as expensive as this one but maybe there
13 are a couple that are not as expensive as this one.

14 COMMISSIONER FRANKLIN: At what point will you
15 know which alternative you want to pursue? You say the road system
16 would be the same regardless of the options. Would it be your intent
17 to put a number of single-family homes on the market and test it that
18 way or work through a model or what?

19 MR. COLLINS: Once again, my name is Will Collins
20 and my address 15713 --

21 CHAIRPERSON CLARENS: You do not have to
22 repeat your address. It is just to identify yourself so we will know
23 where you live.

24 MR. COLLINS: Okay. All right. As I said earlier, it is
25 our strong preponderance and hope to move forward with a full site
26 being single-family detached product. That is our number one choice
27 without a doubt. We have committed to build a model that would be

1 completed by late fall of this year. As in all of our other for-sale
2 communities, we do not build spec homes. What I mean by spec, we
3 do not build a home and then try to sell it. We do make an attempt to
4 allow each buyer to customize their home.

5 The homes have a great deal of flexibility. They will
6 have bonus rooms. They will have the option of doing finished lower
7 levels that will increase the finished square footage up to 3,000 square
8 feet. In today's market, each consumer, regardless of what the price
9 range is wants the ability to customize their home to some degree, so
10 our hope is that the depth of the market is there to sell three to four
11 homes per month and we pre-sell every home. We are not in the
12 business of specing homes and hoping that people like our choices.
13 We will build model homes, and we will build one initially and follow up
14 later next spring with a second model, but we believe that we will be
15 able to pre-sell, and it is our strong hope that if we obtain an
16 absorption pace of three to four a month -- four homes per month,
17 then we will proceed towards the all single-family plan. Only in a case
18 that we find that the depth of the market does not exist that we are
19 selling say at a pace of one house to two houses per month would we
20 look at the option of the townhome condominium. The market will tell
21 us. At this point in time, we believe that the market will be there for us
22 for a single-family plan, however, the reason that we present the
23 alternative is just in a worst-case scenario to give ourselves an option,
24 but it is clearly our preference to do the single family.

25 COMMISSIONER FRANKLIN: So the infrastructure
26 that would be put in pre-sale would be all but the streets that we have

1 been shown.

2 MR. COLLINS: That is correct. We will put in
3 sanitary, sewer, water. We are putting in all storm-order management
4 facilities. Unfortunately, it is not a site that easily phases. While it is
5 23 acres, there is a awful lot of earth work and we are trying to
6 balance the site in terms of earth work so we do not get into a
7 tremendous haul-off situation. We really do have to spend the
8 infrastructure dollars up front.

9 COMMISSIONER FRANKLIN: I do recall that the
10 New Town's program, you may recall, back in the 60's or so really
11 stumbled over the tremendous front-loaded infrastructure that had to
12 be put in, but what I am hearing from you is that you are going to do
13 that on the site.

14 MR. COLLINS: It is a true commitment on behalf of
15 both the general partners. Both Michele Hagans and Joe Horning, but
16 they have made the commitment to move forward on that and that is
17 why it is a substantial investment right up front.

18 COMMISSIONER FRANKLIN: I have no questions.

19 COMMISSIONER HOOD: Mr. Chair, I just have a few
20 questions. First, if somebody could help me out on my orientation. I
21 am trying to picture where the graveyard is. What side the graveyard
22 is -- I am trying to get an angle.

23 MR. JEFFERS: On the silent side.

24 MR. COLLINS: Right here.

25 COMMISSIONER HOOD: Okay, if I am going down
26 Bladensburg Road.

1 MR. COLLINS: Going down Bladensburg.

2 COMMISSIONER HOOD: Right.

3 MR. COLLINS: Bladensburg is here.

4 COMMISSIONER HOOD: Okay.

5 MR. COLLINS: The entrance to the cemetery would
6 be back here. If you notice there is a substantial buffer between --

7 COMMISSIONER HOOD: So on the other side was
8 South Dakota Avenue.

9 MR. COLLINS: Right, exactly.

10 MR. JEFFERS: Just down from the Hagans court we
11 will set down the tennis courts.

12 COMMISSIONER HOOD: Okay.

13 MR. FEOLA: South Dakota Avenue is parallel to Fort
14 Lincoln Drive southwest of the site.

15 COMMISSIONER HOOD: I am glad to hear that you
16 are trying to push the -- is it 95 single-family homes or 93?

17 MR. FEOLA: Ninety-three.

18 COMMISSIONER HOOD: Ninety-three, okay.

19 MR. FEOLA: The confusion Mr. Hood, the original
20 application was 95. It was refined to 93 by the pre-hearing
21 submission.

22 COMMISSIONER HOOD: My concern is when you
23 see Fort Lincoln -- I also share the concern with Office of Planning --
24 when you see Fort Lincoln, you see bricks as it is developed with
25 brick, and I understand this concern about the market piece. There is
26 another development going on in Ward 5 as we speak that sold -- that

1 was doing pre-sale process and they had brick, and I was just
2 concerned about the consistency. Now, if someone was to come in
3 and want to purchase a home with brick, will they have that option?

4 MR. JEFFERS: Absolutely. Brick elevation, front-
5 brick elevation will be an option on each and every home. Really it is
6 determined by the marketplace. It is no different. Horning Brothers is
7 currently selling a community of single-family homes in Alexandria,
8 Virginia, that the base price is \$315,000. Brick is an option as far as
9 the front but it is certainly -- it will not only be welcomed and
10 encouraged, but it is truly throughout Northern Virginia and suburban
11 Maryland, it would be an option to marketplace.

12 MR. JEFFERS: Could I respond to that also, and I
13 hope I understand the product you are talking about. I think that is at
14 18th and Bryant Street?

15 COMMISSIONER HOOD: At Woodridge Place.

16 MR. JEFFERS: Right, and that -- it has brick only on
17 the front, the side.

18 COMMISSIONER HOOD: Front side, right.

19 MR. JEFFERS: But not on the rest of --

20 COMMISSIONER HOOD: Not all the way around,
21 right.

22 MR. JEFFERS: Yes.

23 COMMISSIONER HOOD: And I was looking at the --
24 and I did not see any brick or anything with what you were proposing
25 and I was just wondering if that was going to be an option up front.

26 MR. JEFFERS: Yes it is an option.

1 COMMISSIONER HOOD: Okay. Mr. Feola, can I
2 ask you why you are not doing this as a two-stage PUD as opposed to
3 -- because of the different options and flexibility you are asking for as
4 far as a single-family home and the condominium piece.

5 MR. FEOLA: I think the simple answer Commissioner
6 Hood is that the cost of pushing this thing forward is so substantial as
7 Mr. Collins has testified that in the interests to get it started in this
8 market and not wait another eight months to come back to this
9 Commission for an alternative is great enough that we wanted to
10 collapse it into one process. As Mr. Collins mentioned and I
11 mentioned, there is a permit pending for a model house, and the idea
12 is to get the model up so we can start building these things and selling
13 them now, assuming that this Commission approves the application.
14 So, it was really one of expediency and speed to deliver this product
15 and in a good market when interest rates are low and there is a
16 demand for housing and the economy is strong and in to compete with
17 Prince George's County that is building these houses not to far from
18 here right now. So it is just one of expediency.

19 COMMISSIONER HOOD: Okay. My last question. I
20 believe from what I am hearing that there is every effort to make sure
21 that this PUD, if it is approved, is built. As opposed to my colleague
22 Commissioner Franklin, a lot of times we see PUDs come back ten
23 years later, and that is one of the concerns. So from what I am
24 hearing from the commitment -- from what I am hearing, if it is
25 approved, then this will be built, will be done.

26 MR. COLLINS: Absolutely. I think best evidence of

1 that is that prior to coming before this Commission, we have filed for a
2 model home permit. We have gone forward in terms of releasing our
3 consultants to complete full working drawings for the architectural
4 work for these homes. We have spent a significant amount of money
5 in terms of landscape design, civil engineering. We are literally 90
6 percent complete as far as civil engineering drawings on this site, and,
7 subject to approval by this Commission, we will submit civil
8 engineering drawings for 100 percent of the site.

9 There is a true commitment here on behalf of the
10 general partners, and I do not think this will be a project that will sit.
11 We hope that the market demand is there and that we are going to roll
12 through this project. We have great hopes, so.

13 COMMISSIONER HOOD: Off the cuff, what do you
14 think the price of the single-family homes will be?

15 MR. COLLINS: We think the base home prices will
16 be between \$170,000 and \$180,000. It is our hope that, with options,
17 that we will obtain between fifteen -- say ten to \$20,000 worth of
18 options for each house so that the house price ends up in the
19 \$180,000 to \$190,000 range. That is our hope.

20 COMMISSIONER HOOD: Okay. Thank you. Mr.
21 Chair, no further questions.

22 CHAIRPERSON CLARENS: I have a couple of
23 issues. The first one is I read somewhere, either that or I imagined it,
24 that you said that you are going to put sidewalks on this project. I
25 read it. I know I read it. There were going to be walkways.

26 MR. COLLINS: I am not sure where you read it, but.

1 CHAIRPERSON CLARENS: I read it today because I
2 read your package.

3 MR. COLLINS: At this point in time, I can tell you the
4 civil engineering drawings do not envision sidewalks.

5 CHAIRPERSON CLARENS: It is in the Office of
6 Planning report. Okay, thank you Mr. Hood. It says the development
7 will include landscaping and street-scape with paved walkways and
8 street furniture and other details which the applicant in the applicant's
9 opinion will enhance the neighborhood character of the development.
10 Am I hearing that that is not true?

11 MR. COLLINS: Yes, there are sidewalks on the
12 outside of Fort Lincoln Drive and Joshua Barney Drive.

13 CHAIRPERSON CLARENS: Okay. Well now we are
14 really getting to the nitty-gritty.

15 MR. COLLINS: Here.

16 CHAIRPERSON CLARENS: Yes. I think that if you
17 are intending to build a community, and I do not know how much it is
18 going to cost, but I think you need sidewalks. I think that a community
19 without sidewalks is not a community. It think it is a bunch of isolated
20 homes and you do not get the children riding bikes. You do not have
21 the interaction between neighbors. You have to rely on the street, and
22 I understand that this is rather off the track and that the streets are --
23 but the streets are for cars and sidewalks are for people, and I feel
24 very strongly that that is one of the elements of community building
25 that really would contribute significantly to this thing and that is the
26 presence of sidewalks and I have no idea what the impact on the

1 infrastructure is and I do not know what it is but I think that if what we
2 are here is to look at a planned unit development that enhances the
3 quality of life or the community, sidewalks are a must, at least in my
4 humble opinion.

5 MR. COLLINS: Mr. Chairperson, I think your point is
6 very well taken and I think we could make a commitment this evening
7 that at least on one side of the street that we could get a four foot
8 sidewalk in. I would need to sit down and really study as far as the
9 ability to do both sides because I think it may have some impact on
10 the site development, but I think we have our civil engineer --

11 CHAIRPERSON CLARENS: I think that is fair
12 enough and then you can get back to us whether the sidewalk can be
13 done on both sides.

14 MR. COLLINS: I think we can make the commitment
15 towards one side.

16 CHAIRPERSON CLARENS: Okay. The second
17 issue is the nature of the parks that were referred to as the anchors at
18 both ends of the development. Those are really decorative parks.
19 They are not functional parks. They are not parks where there will be
20 playground equipment, et cetera, et cetera.

21 MR. COLLINS: That is correct.

22 CHAIRPERSON CLARENS: And so in relation to
23 that, what are the plans for connecting this community to other parts of
24 the Fort Lincoln community and to other community facilities. That is
25 to say, do we need to get in an automobile to go to a recreation
26 center.

1 MR. JEFFERS: Let me address that. Because, you
2 know, we talked about the sidewalk issues. On the existing streets
3 there, Fort Lincoln Drive, Joshua Barney Drive, there are sidewalks. It
4 is possible to take those sidewalks up to the recreation area. It is a
5 very short walk so it is possible to do that. I might also point out even
6 though we are prepared to make this commitment with respect to the
7 sidewalks, that there are many communities in Washington that do not
8 have sidewalks. Not all of Washington has sidewalks.

9 CHAIRPERSON CLARENS: Well, not all of
10 Washington is very good. I mean.

11 COMMISSIONER FRANKLIN: If we could bring them
12 up to standard, we would.

13 CHAIRPERSON CLARENS: Okay. Another issue of
14 community building and an issue that has been referred in the
15 application but not shown really in this has been referred to as
16 reference to other projects but not a part of this project, although I do
17 not see why it should not, but it is unfortunately also a cost-related
18 item and that is the idea of front porches. In at least a number of the
19 units if not 100 percent of the units, 50 percent of the units, 30 percent
20 of the units, a certain amount of front porches. And the idea again is
21 not decorative; it is a functional idea. The front porch is a transitional
22 public-private space where you establish a presence of people on the
23 street and the street becomes a habitable place. So, any thoughts on
24 that? I know that you have already made as much a commitment on
25 costs as you can make tonight but maybe you can proceed.

26 MR. COLLINS: I can give you a little bit of -- tell you

1 what our previous experience with porches -- and I do agree with your
2 point in terms of the character that porches bring not only to the
3 individual house but to the community as a whole. Each of these
4 homes will have at least porch options so we will have three homes
5 that we offer here for single-family homes and each home will have
6 two porch options. It gives you a total of six different porches.

7 In previous communities that we have done, the
8 porches are treated as an optional basis. I know of very few homes
9 in this price range that the porches are a standard feature. But we
10 have found through our experience that a minimum of 50 percent of
11 our home buyers have chosen a porch and have been willing to pay
12 for them as an option.

13 CHAIRPERSON CLARENS: At the rear or in the
14 front?

15 MR. COLLINS: At the front.

16 CHAIRPERSON CLARENS: At the front.

17 MR. COLLINS: Yes, at the front. Yes. Yes, at the
18 front.

19 CHAIRPERSON CLARENS: And what is the
20 additional cost you would guess in a \$170,000 house, \$180,000 house
21 of adding a porch?

22 MR. COLLINS: Our porches run anywhere from three
23 to \$8,000, \$3,000 to \$8,000, yes. And so we go from 3 at the low end
24 to 5 to 7 to 8,000 when they are full porches across the full front. So,
25 it is a true variety. We offer a number of different porches, and we
26 have found that the marketplace purchase 50 percent of them

1 purchase a porch. As matter of fact, in the booklet that we presented
2 to you, we show you a home -- I think it is in the back of the book --
3 that has a full porch across it and that was an \$8,500 porch that we
4 put on there and I think that is a very attractive porch and of that
5 house type that was sold which was our largest house type in there,
6 over half of those homes that were bought, people bought that porch.

7 So, I think we are very reticent to dictate to the market what
8 porches would be put on and preselecting porches. But our
9 experience tells us that they will be selected in over 50 percent of the
10 houses.

11 CHAIRPERSON CLARENS: So, what are the
12 options? The options are a porch, and what would be the typical
13 package of options. Two porches you said for each of the three --

14 MR. COLLINS: Each house will have two porches as
15 far as an option.

16 CHAIRPERSON CLARENS: Two front porches?

17 MR. COLLINS: Two front porches, yes sir.

18 CHAIRPERSON CLARENS: A patio is an integral
19 part of the house or the patio is also an option.

20 MR. COLLINS: In terms of in the rear.

21 CHAIRPERSON CLARENS: In the rear.

22 MR. COLLINS: Yes, the rear --

23 CHAIRPERSON CLARENS: There will be a basic
24 patio --

25 MR. COLLINS: Well, what we do on our single
26 families is we sod the rear yards.

1 CHAIRPERSON CLARENS: Correct.

2 MR. COLLINS: And really allow each homeowner to
3 do whatever they like back there. I mean, I think that is the one
4 important thing about this plan is when you get to an alley design, as
5 you well know, your flexibility in dealing with your rear yards is greatly
6 limited.

7 In creating a more traditional home that you see in the
8 suburbs, the backyard really takes on the personality or character of
9 the homeowner, and they have the option of doing what they want and
10 taking the landscape package that they want to put in. We put in
11 touch all of our home buyers with our landscape company and allow
12 them to customize their backyards. We sod the backyards and it is
13 theirs from there.

14 The other options you will see are porches, finished
15 lower levels. There will be a bonus room above the garage that will
16 act as a study or potentially a sitting area from the master bedroom
17 and then obviously the other things that come in terms of flooring,
18 kitchen cabinetry, --

19 CHAIRPERSON CLARENS: Fireplaces --

20 MR. COLLINS: Fireplaces --

21 CHAIRPERSON CLARENS: Appliances --

22 MR. COLLINS: Exactly, yes.

23 MR. DEVEREAUX: But a lot of times -- if I could add
24 to those -- a lot of times what we will do is in the model we will show a
25 lot of these options, and that helps to generate the purchase of them.
26 Now, I do not know whether we are going to have porch on our model

1 or we are going to have a deck on our model or what we are going to
2 have out the back or how we are going to finish the basement or
3 anything else, but that is one way that we can kind of force an issue
4 because people buy what they see.

5 CHAIRPERSON CLARENS: Can we at a minimum
6 agree to perhaps provide a porch in the model?

7 MR. COLLINS: We were already planning on doing it,
8 so that is fine. We are happy to agree. I think Mr. Devereaux is
9 correct. We treat our models, unfortunately, as loss leaders; and,
10 what I mean by a loss leader, we probably load them up in this type of
11 house with probably close to 40 to \$45,000 worth of options where
12 really it is a show house for us. We are showing the home buyer
13 everything that they can purchase in the home. We will do that with
14 this model, and a porch would certainly -- that is fine, we intended to
15 do it regardless.

16 CHAIRPERSON CLARENS: So is that what we are
17 talking about? We are talking about the top of the line model that you
18 would buy if you were to buy a fully developed, you know, money is
19 not an object. A kind of issue would be if you are talking about a 225,
20 240,000, \$230,000?

21 MR. COLLINS: We do not think that is where the
22 market is. That is just how we will treat our model home because we
23 will furnish it and deck it out with every option that we offer, and we
24 have to show it to be able to sell it. So we will --

25 CHAIRPERSON CLARENS: I understand what you
26 are saying about the market but you are saying that that is what it

1 would be if you were to --

2 MR. COLLINS: If you fully bought everything, you are
3 looking at a home that is going to be 225 to \$235,000. We do not, at
4 this point --

5 CHAIRPERSON CLARENS: But the analysis does
6 not show that.

7 MR. COLLINS: Well, one of the great difficulties as
8 we stated earlier, is that there is a real lack of comparables. Yes,
9 there is the one project, but they sold 20 homes in 1997.
10 Unfortunately, there was a pause in the development. There are no
11 homes sold in 1998. They are just back up and selling in 1999. There
12 is not a depth of comparables here in this market to tell us what our
13 pace will be and what the purchase prices will be.

14 We believe that it is going to be a very strong middle-
15 income buyer, singles, couples without children, and families. We
16 think that because of the location, the transportation available, Fort
17 Lincoln is a very excellent community. One of the great things about
18 this project is that there is a great deal of infrastructure already in Fort
19 Lincoln. There is a top-flight community recreation facility that these
20 people will be able to benefit from that you normally could not do if you
21 were doing 93 homes separately, but Fort Lincoln has a great deal to
22 offer and we think that we are going to be able to get a large cross
23 section of buyers, but we do not have enough data right now to be
24 able to tell you. We are making our best guess in terms of what the
25 prices will be.

26 CHAIRPERSON CLARENS: My last question has to

1 do with the issue of drainage. The property was described as a bowl.
2 You might describe it as a valley, but maybe a bowl is even more of a
3 problem and from the description you have two high roads and then
4 the thing sort of is a concave surface towards the middle which is
5 where the road is located, the main road, and so how are you dealing
6 -- how is this property draining?

7 MR. FEOLA: Our civil engineer from VICA, Inc., John
8 Photosowski will -- Lutostanski, I am sorry, will address that question.

9 CHAIRPERSON CLARENS: Because these
10 buildings do have a basement.

11 MR. FEOLA: Yes.

12 MR. LUTOSTANSKI: For the record, my name is
13 John Lutostanski from the VICA Engineering.

14 MR. COLBY: Excuse me Mr. Chair. I do not believe
15 Mr. Lutostanski was sworn in. He was out of the room when that
16 happened.

17 CHAIRPERSON CLARENS: He needs to be sworn
18 in.

19 MR. ERONDU: Do you affirm that the testimony you
20 are about to give is the truth and nothing but the truth?

21 MR. LUTOSTANSKI: Yes I do.

22 MR. ERONDU: Thank you.

23 MR. LUTOSTANSKI: My name for the record again,
24 my name is John Lutostanski, VICA Engineering. My home address is
25 13905 Waverly Creek Court in Chantilly, Virginia.

26 CHAIRPERSON CLARENS: And we have -- I believe

1 that you submitted your --

2 MR. LUTOSTANSKI: Yes sir.

3 CHAIRPERSON CLARENS: -- resume and we have
4 reviewed it and we will accept you as an expert witness in civil
5 engineering.

6 MR. LUTOSTANSKI: Thank you. I have been before
7 the Board before. Essentially, as Mr. Collins had mentioned, the
8 beauty of this particular site is it is part of an existing PUD and as part
9 of the New Town provisions had been made in the past for storm
10 water management, sanitary sewer and water.

11 I am just going to take one moment real quick before
12 we talk about storm water management. Existing water is in the
13 streets already. It is a very simple connection to that. Sanitary sewer
14 is there already. Simply just connecting laterals will make it a very
15 easy construction as opposed to other parts of the District.

16 As far as storm water management goes, Ms.
17 Erickson mentioned that this is sort of a bowl shape, and what you
18 have is you have a higher elevation here, a higher elevation here, and
19 it is lower down the middle and the way Fort Lincoln runs, everything
20 sort of just drains down this way towards the cemetery which is back
21 over on this piece over here.

22 As part of the original concept plans that were
23 approved for this project, there were a number of regional detention
24 facilities and one of them has a location just right about over here that
25 is intended -- basically it is in this portion over here. Once again, here
26 is a cemetery for reference. As a proposed facility over here, today

1 what exists is a 42-inch pipe which as a matter of fact is not a -- the
2 reason this alignment is as it is because it is existing 42-inch storm
3 water management pipe that is coming through the property already,
4 already in place anticipating some development happening out here,
5 and what we do is we have a series that we collect all of the -- this is a
6 little bit higher. This is a little bit lower. The lowest point of the site is
7 out here so naturally the outfall would be on this point and there will be
8 a series of little collectors that come up the road, the back yard,
9 collect, come up this way and come out into a system out this way
10 ultimately out falling this way, and they are having some conversations
11 with Prince George's County which is where the ultimate outfall is. It
12 is really off the District of Columbia property. To get everything from
13 here and out that way. So there are provisions for doing that. Even
14 though it is low, it is not as low as the outfall is in the side unit
15 cemetery. So we get storm water management there.

16 CHAIRPERSON CLARENS: So the road is going
17 down the lowest point on the side.

18 MR. LUTOSTANSKI: That is correct.

19 CHAIRPERSON CLARENS: The road becomes then
20 kind of a riverbed --

21 MR. LUTOSTANSKI: Actually there are a series of
22 inlets in the design. We have high points and some low points that
23 are created to create some sake so the road isn't exactly a conduit for
24 the water. There are inlets and you do not want to have the water
25 backing up on the roads. We have a series of inlets but below the
26 roads we do have storm water pipes that collect it and take it out to

1 the lowest point which is this corner right here.

2 CHAIRPERSON CLARENS: Any --

3 COMMISSIONER FRANKLIN: I did not hear an
4 answer to one of your questions which was is there a pathway so that
5 people can walk to any of these facilities? Did they answer that
6 question. Where is the pathway going to be?

7 MRS. ERICKSON: It would actually be along the
8 main five blocks. This is a very steep slope here so you cannot walk -
9 -

10 COMMISSIONER FRANKLIN: So you cannot
11 penetrate that.

12 MRS. ERICKSON: No, you cannot. You are going to
13 have to be along the main road.

14 COMMISSIONER FRANKLIN: I see. Now -- yes.

15 CHAIRPERSON CLARENS: So they exit the
16 community and then they exit that particular community all around.

17 COMMISSIONER FRANKLIN: Now, lighting. I am
18 looking at two drawings. One is called two of seven, one is called
19 three of seven. Are the dots supposed to indicate -- let us say two of
20 seven -- the dots supposed to indicate streetlights.

21 MRS. ERICKSON: Yes sir.

22 COMMISSIONER FRANKLIN: And in the lower right
23 circle area with houses in a circular pattern, there are no streetlights
24 around the circle?

25 MRS. ERICKSON: That is correct. The streetlights
26 go along the two main corridors are the streetlights and the park area.

1 This park area.

2 COMMISSIONER FRANKLIN: But you have one,
3 two, three, four, five houses, but there are no streetlights in front of
4 them.

5 MRS. ERICKSON: Right and we could look into this.
6 You do remember this is our first design attempt and our design was
7 to have the streetlight go on the two main corridors into the park areas
8 and then there would not be streetlight in a separate -- in
9 neighborhoods off the fingers of that main road.

10 COMMISSIONER FRANKLIN: Well, I see you have
11 streetlights in another finger as you put it. I am looking at two of
12 seven and it has got houses in a circular pattern with streetlights
13 there. I guess.

14 CHAIRPERSON CLARENS: It is the -- in the plans
15 that we have, the only place -- well, there's a couple of places. This is
16 not the avenue --

17 COMMISSIONER FRANKLIN: I just wonder whether
18 you -- I think you should revisit that.

19 MRS. ERICKSON: Certainly one of our goals would
20 be to keep the lighting of a lower in the clusters and then this be a
21 higher lighting along the main roads and the park area.

22 COMMISSIONER FRANKLIN: Well, I do not feel the
23 distinction between the clusters as you put it on the --

24 MRS. ERICKSON: Right, we are not showing any
25 lighting there.

26 COMMISSIONER FRANKLIN: Here and in the

1 cluster here.

2 MRS. ERICKSON: That is correct. That we are
3 considering those is a finger off of the main corridor that certainly we
4 can look at the options.

5 COMMISSIONER FRANKLIN: Yes. You describe it
6 as a finger, but physically it is very much like the others, and who --

7 CHAIRPERSON CLARENS: Lowering the intensity is
8 one thing, but eliminating lighting completely is something else.

9 MRS. ERICKSON: Okay.

10 COMMISSIONER FRANKLIN: It is something that I
11 think there people would regard as sort of a urbane solution. You
12 know, the District with all of its problems is better lit than most of the
13 suburbs.

14 MR. FEOLA: And that is one of the things that
15 someone just pointed out is that the public road here at Fort Lincoln
16 Drive as it walks around there is publicly lit and so that the little cul de
17 sacs that are tucked away from those public roads probably need
18 more light than the ones closer to the public roads but we will certainly
19 look at it.

20 COMMISSIONER FRANKLIN: Well, I certainly would
21 like to recommend that you consider that. Now in these circular
22 portions of the development, who maintains the landscaped area
23 which is in the middle of the circle?

24 MR. COLLINS: A homeowners association will be
25 formed.

26 COMMISSIONER FRANKLIN: I was going to ask

1 whether there would be a homeowners --

2 MR. COLLINS: That is correct.

3 COMMISSIONER FRANKLIN: Because it leads to
4 my next question and that has to do with the back yards. I see the lot
5 lines that are shown on the drawings. What kind of controls will exist
6 in terms of how owners can deal with what could be a very visible and
7 perhaps unsightly area of development.

8 MR. COLLINS: As in every homeowners association,
9 there will be architectural covenants that deal with not only how you
10 treat the structure itself but also landscaping.

11 COMMISSIONER FRANKLIN: And fencing and the
12 like.

13 MR. COLLINS: And fencing, correct.

14 COMMISSIONER FRANKLIN: And outdoor light.

15 MR. COLLINS: That is correct.

16 COMMISSIONER FRANKLIN: Because outdoor
17 lighting can also be intrusive.

18 MR. COLLINS: That is correct. There will be a
19 homeowners association formed as well as a manager of the
20 homeowners association.

21 CHAIRPERSON CLARENS: Well, it occurs to me
22 that in another PUD that came before the Commission a while back on
23 parkland, parkland in the east of the river is all parkland of where do I
24 know.

25 COMMISSIONER FRANKLIN: Parklawn?

26 CHAIRPERSON CLARENS: What is the name of the

1 PUD east of the river? It is called Park --

2 MRS. BROWN: Oxon Cove?

3 CHAIRPERSON CLARENS: Oxen -- no, no.

4 Parkland, park, it is a -- well --

5 MR. COLLINS: William C. Smith's project.

6 CHAIRPERSON CLARENS: But in any case, it came
7 for a fourth phase or a third-phase approval. They had already built a
8 couple of phases. Not Walter Washington.

9 MRS. BROWN: Walter Washington development.
10 Walter Washington.

11 CHAIRPERSON CLARENS: No, no. No, no.

12 MR. COLLINS: Well whatever.

13 CHAIRPERSON CLARENS: Something else, it does
14 not matter. It is a -- part of the issue was this whole problem of the --
15 and they had some opposition for their fourth phase, and the
16 opposition came from people in the homeowners association and part
17 of the problem was with the funding of the homeowners association
18 and whether it had been properly set up at the beginning by the
19 developer to allow them and at what point the developer walks away
20 from the project and at which point the homeowners association, you
21 know, picks up; and we do not have anything in your package that
22 talks about that and we might want to perhaps receive something from
23 you that talks about what your plans are for a homeowners
24 association: at what point are the developers going to be responsible
25 for it and which point do you turn it over, what percentage of
26 completion and what are the conditions for this turning over.

1 MR. COLLINS: We are happy to give you that
2 information. As you know, the developers will be responsible for
3 putting the infrastructure in. Normally at the time that the record plat is
4 filed for the site, the developer pays a small proportion share of the
5 monthly homeowners association fee.

6 In past communities which Horning Brothers has
7 done, we have hired an outside manager at the inception, at the time
8 that the lots have been finished. I mean finished, the roads built ready
9 to be able to deliver homes. We hire an outside manager. The
10 outside manager is responsible for collection of homeowners
11 association fees from us as the developer and then from each
12 individual homeowner as the homes are sold. So we get it right up
13 front. We charge normally three months homeowner's fees at the
14 settlement table with the individual buyer. We make sure it is properly
15 funded because it is a real issue.

16 Where the developer basically steps away is at the
17 point in time that all bonds have been approved and released by the
18 city.

19 CHAIRPERSON CLARENS: Mr. Jeffers, you want to
20 add something?

21 MR. JEFFERS: Well, I was going to point out that the
22 City has an established set of regulations and procedures regarding
23 condominium associations and homeowners associations. Everything
24 that would be done would be done in conformity with those rules and
25 regulations which are administered through DCRA. So I do not see a
26 necessity for precisely spelling out what we would do because we

1 have to do it in conformity with the existing rules and regulations.

2 COMMISSIONER HOOD: Mr. Chair, if I may add. I
3 think your point is well taken. Experienced myself dealing with
4 Woodridge Place and the citizens over there, there are some
5 problems. While those policies and procedures are in place with
6 DCRA, it is still the real world out there and those things do happen.
7 So, I think if you do it up front and it is approved, that would create
8 less problems for you, you know, as you go down the line.

9 I just had another question about the homeowners
10 association. If the 93 single-family homes -- then you have do the
11 other piece where you have got 80 and 30 I believe it is, will you have
12 two separate homeowners associations or will that all be one? How
13 many presently, Mr. Jeffers, do you have at Fort Lincoln, homeowners
14 associations.

15 MR. JEFFERS: We have five homeowners
16 associations, and then I will tell you, I have sued a developer myself in
17 the homeowners place where I live and I am a lawyer, you know, and
18 a developer and I had no problems with doing that, so I am sensitive
19 to the way they should be set up because they say, you know, we got
20 a TRO and the whole bit and that is one of the things that I always
21 choose to avoid is setting it up in a way that it does lead to that kind of
22 situation in the future because of say -- I spent \$5,000 of my own
23 money, I was not happy, but I got what I wanted. So I understand
24 that, but, again, we would do it in conformity with the law and what has
25 happened with the area you are talking about is some issue as to what
26 was not done quite properly, but that is not for discussion here and

1 this would be done properly. But there -- in answer to your --

2 COMMISSIONER HOOD: But we want to make sure
3 that that does not happen.

4 MR. JEFFERS: Right, and in answer to your specific
5 question, there are five existing condominium associations in Fort
6 Lincoln, all of which have been in existence since 1976: 23 years.

7 COMMISSIONER HOOD: So what I am hearing now
8 is the second piece is what you have to -- as a result deal with. You
9 will have one homeowners association.

10 MR. JEFFERS: And I would also say this. With
11 respect to Fort Lincoln's reputation with respect to this, we still
12 manage two of the five and that is rather extraordinary for the builder
13 to still be involved 20 odd years later.

14 COMMISSIONER HOOD: Now let me ask another
15 question about the recreation piece. People who do not own property
16 over there would still be able to come over even once you have
17 developed the single-family homes, the community would still be able
18 to utilize the recreation center over at Fort Lincoln.

19 MR. JEFFERS: I am sorry, I did not hear your
20 question. I apologize.

21 COMMISSIONER HOOD: You know how some
22 developments, once you get elaborate, you have a lot of single-family
23 homes and apartments and condominiums, you close it off to the
24 surrounding community. Now, will the surrounding community still be
25 able to come into Fort Lincoln and still use the basketball courts, the
26 tennis courts.

1 MR. JEFFERS: The recreation facilities at Fort
2 Lincoln are publicly owned. They are owned by the District of
3 Columbia. They are maintained by the District of Columbia, and they
4 are currently in use by citizens of the District of Columbia from all over
5 the City and that would remain.

6 COMMISSIONER HOOD: Okay. My last question.
7 There are some roads -- and I am familiar with two of the roads -- I
8 believe they are public. Am I correct?

9 MR. JEFFERS: All of the main roads at Fort Lincoln
10 are public. The only roads that are private are the one to go into the
11 heart of the condominiums -- of the townhome projects.

12 COMMISSIONER HOOD: And that is taking care of
13 by the homeowners association?

14 MR. JEFFERS: Precisely.

15 COMMISSIONER HOOD: And that would be the
16 same result with the single-family piece.

17 MR. JEFFERS: Precisely.

18 COMMISSIONER HOOD: Okay. What do you
19 anticipate the fees will be? Roughly.

20 MR. JEFFERS: We have not looked at that, but
21 recognizing that we are talking about a homeowners association, not a
22 condo association. So we are looking at a different kind of
23 management cost. We are talking about effectively plowing roads
24 during snow storm, maintaining the roads, maintaining a reserve to do
25 that, so your homeowners association fees are going to be
26 substantially less than a condominium fee would be. Where that is, I

1 am not sure we can tell you right now, but obviously we have to keep
2 that at some low point and if you look at the existing condo fees within
3 Fort Lincoln, they are relatively low as compared to other places.

4 COMMISSIONER HOOD: Mr. Chair, I would like to
5 add also that we get a letter from Commissioner King, Bob King. It
6 was not in the record so we want to make sure that that goes in the
7 record from the ANC. Thank you.

8 MR. JEFFERS: I have a copy of it with me if you
9 need it.

10 COMMISSIONER HOOD: I just wanted to make sure
11 one was in the record because I do not think it was in the record.

12 MS. KRESS: Could you bring it forward. We can
13 copy and enter into the record.

14 COMMISSIONER FRANKLIN: Mr. Chairman, I had
15 just one other question.

16 CHAIRPERSON CLARENS: Sure.

17 COMMISSIONER FRANKLIN: We focused on brick
18 earlier, but I am not clear in my mind what the materials other than
19 brick that are to be employed. I see the articles about modern
20 materials and the like but we have not been told much about what
21 they are.

22 CHAIRPERSON CLARENS: Vinyl siding.

23 MR. FEOLA: Mr. Chair, Mr. Devereaux is getting
24 some board with the materials on them, and I will pass in for the
25 record photographs of those boards unless you want to put those in
26 your file.

1 CHAIRPERSON CLARENS: That will be fine.

2 MR. DEVEREAUX: We actually brought three
3 different options. Whether we have more available later on, I do not
4 know, but this shows the vinyl siding, the brick option, and the roof
5 color along with the door shutter trim color. The same kind of thing
6 happens here. The siding color, roof color, door and shutters, trim
7 color, and then here. And this is picking basically three siding colors
8 and again we may have one or two more as we develop the color
9 palette through the community.

10 COMMISSIONER FRANKLIN: I was just curious
11 because if -- are we are talking about a brick veneer here?

12 MR. DEVEREAUX: Yes.

13 COMMISSIONER FRANKLIN: How deep is that?

14 MR. DEVEREAUX: I am not sure I understood the
15 question.

16 MS. KRESS: How does it turn the corner? Or does
17 it?

18 MR. DEVEREAUX: Well, ideally we would like to turn
19 the corner. A lot of times you do not see it turn the corner but whether
20 we are willing to commit to -- I guess if it is an option, we probably
21 would commit to turning the corner, at least turning it a brick and a half
22 or two bricks, you know, around the side.

23 COMMISSIONER FRANKLIN: I have no further
24 questions.

25 CHAIRPERSON CLARENS: There was some
26 discussion and just to complete it although I imagine the Office of

1 Planning is going to raise it as to -- and there were -- you presented a
2 letter dealing with the cost of brick -- partial brick, I believe, and then
3 there were three alternatives. There was a full brick facade, then at a
4 cost of almost \$15,000. Was that correct?

5 MR. COLLINS: The letter that we presented was one
6 where that if you dealt with the full elevation, front, rear and side, was
7 a brick that was a \$19,500 cost.

8 CHAIRPERSON CLARENS: Full brick all the way
9 around the house.

10 MR. COLLINS: Yes, exactly. Whereas a front
11 elevation brick actual cost is approximately about \$6,500, and that is
12 the differential.

13 CHAIRPERSON CLARENS: And what if the
14 Commission said to you that because of the market that you are trying
15 to attract and you have made a statement to that bracket in the
16 market, the probabilities of that market paying for a full brick house
17 would be probably not very high. That would be a good guess to take.

18 MR. COLLINS: Yes, that is correct.

19 CHAIRPERSON CLARENS: No one is going to come
20 out with \$20,000 to put brick around the house when they could have
21 vinyl.

22 MR. COLLINS: Correct.

23 CHAIRPERSON CLARENS: I cannot speak for the
24 Commission, but I find great offense as to brick-face houses that turn
25 the corner and become vinyl. I think that they are an abomination.
26 They are just simply a skin on the front that says I am brick but I am

1 not really brick, I am vinyl sort of around the back and that sort of
2 offends my sensitivity. I cannot speak for the other commissioners,
3 but I would rather see one or the other. Either we do not go with vinyl
4 and that is, we do vinyl and perhaps this base that Mr. Devereaux has
5 developed which is very handsome, and that is all we do and we do
6 not give the option of this brick facade because -- and obviously the
7 full brick simply because we are not going to have it, and I think the
8 community will be more integrated and more cohesive and it would
9 probably work with the economics better if we made that decision as
10 part of the PUD.

11 MR. COLLINS: I would strongly ask you not to do
12 that for the simple reason is all we are asking for is a level playing
13 field, and, while we recognize your sensitivities to the elevations --

14 CHAIRPERSON CLARENS: You are saying that
15 somebody can go to PG County and say, I can get brick in my
16 facade, why can I not get it here?

17 MR. COLLINS: We are talking about bringing 93
18 single-family homes to the District of Columbia. These issues do not
19 occur -- the discussion that we are having here tonight does not occur
20 in our competing markets, and what we are asking you to do is just put
21 us on a level playing field. If you do that, what you just stated, you are
22 putting us on an extremely poor playing field. One that I would tell you
23 right now my recommendation would be let's not do the project. I
24 mean, that is how strongly we feel about it.

25 CHAIRPERSON CLARENS: You need to have the
26 flexibility to --

1 MR. COLLINS: Absolutely.

2 CHAIRPERSON CLARENS: -- a fakey brick facade.

3 MR. COLLINS: Yes. We have, I mean, absolutely. If
4 Prince Georges County has that flexibility, and that is our competition,
5 and yet you are saying to the market we are going to dictate to you
6 what you want, then what you saying is well we really do not care to
7 compete with the market, but I would argue with you that your actions
8 are really stating that middle-income housing in the District of
9 Columbia is going to be very, very difficult to build.

10 MR. JEFFERS: May I respond to that also, and I
11 reached the same conclusion but differently than Will does and I will
12 tell you that I am an architect wanna be. I went to law school. I took
13 classes at the Harvard School of Design. They would not let me go
14 there full time because no one had ever done a joint program. So I
15 left law school and came over to practice law and did not go back to
16 do two years of architecture or whatever it was.

17 I would say that if I were building my own residence, I
18 would go with the brick waterfall and do vinyl all the way around
19 because I would agree with you, Mr. Clarens, that that, in fact, would
20 be the better esthetic point of view. Okay, but unfortunately as a
21 developer I have to look at where the marketplace is and what people
22 are looking for and what they are willing to pay for. Unfortunately,
23 they do not view a house with a brick waterfall and vinyl all the way
24 around as being something that represents the amount of money that
25 they have expended, or, forgive me, they have agreed to pay in the
26 form of a mortgage. They are looking for some brick. Now, again, I

1 would agree that a brick front -- I would call it facadism -- because it is
2 not real, but the competition that we have is in Prince George's
3 County. We do not have a good school system, so there are a bunch
4 of people we cannot get. We have other problems. We do not have
5 shopping. They drive out New York Avenue past Fort Lincoln, they go
6 to Prince George's County, they buy a house that has a brick facade,
7 three vinyl sides. If I am trying to attract them into the District, I have
8 got to give them what they are used to seeing in a certain price range
9 and a perceived value. It is all about perception and what you or I
10 may decide really makes no sense because it is an illegitimate house
11 in a sense. That is not where the market is, and we have to sell 93 of
12 these, and I cannot find 93 people like me who say brick waterfall,
13 vinyl even if it is restoration quality all the way around, they do not
14 want it because to them it does not represent \$175,000 of their
15 money, and that is the problem.

16 CHAIRPERSON CLARENS: I hear you. It hurts, but
17 I hear you.

18 COMMISSIONER FRANKLIN: I had said earlier to
19 the Chairman when we were talking when the brick subject came up, I
20 said I would be happy if there were no brick at all in this development
21 because of that very concern, but I hear you too.

22 MR. COLLINS: Please understand -- and I think Bill
23 would like to say -- is that the investment up front here is substantial
24 and the risk is not small and what we are really doing is venturing into
25 some unknown territories here. I would ask you to go back in memory
26 and to ask when was the last time someone came before you and

1 proposed 93 single-family homes anywhere in Northeast.

2 We believe in the City. Horning Brothers has been
3 here for 40 years. We have made real commitments in this market
4 and all throughout the City, but I can firmly tell you that if conditions
5 are put on like this we cannot and will not take that risk. We just
6 cannot put ourselves in that position.

7 CHAIRPERSON CLARENS: Well, it is unfortunate
8 that we are following the lead of PG County in something as --

9 MR. DEVEREAUX: Could I add something? If you
10 look in your book, this shot is taken of a similar product again, and
11 there is probably in a couple of different communities probably a
12 couple hundred of these units built. They are the same square
13 footage, the same kind of price range that we are talking about and
14 what they -- as you drive through the community, what you will see is
15 almost no brick. Now its operate is a brick front, but I am trying to
16 remember if there is a full brick front in this community. There is
17 probably 90 units in here already. In this one community, this is the
18 second or third property we built this product on.

19 Now what has happened is the buyers -- I think Mr.
20 Collins is right, they want that option. When it gets down to it they are
21 probably paying for a porch before they pay for the brick and maybe
22 they are paying for even the brick columns in the front before they will
23 pay for a brick front on the whole building.

24 The other thing we could do, we could offer a -- when
25 we get a full-brick house -- if we do get that in our community, and I
26 just do not think we are going to see a whole lot of those options --

1 there may be a standard smaller porch that goes with it which takes
2 your eye to the porch and not to the brick part of it necessarily. So,
3 there are a lot of details that can happen in even smaller porch
4 structures I think that can get your eye away from that type of thing
5 and play up the detail that we think is going to come off very nicely
6 which is the siding and the trim packages and things like that that
7 make them want it.

8 CHAIRPERSON CLARENS: Yes, but from what I am
9 hearing from Mr. Collins is that -- I am going to disagree is that he
10 wants the flexibility for the market to direct the product that is going to
11 be coming out so if somebody comes and says I want brick and you
12 say well the brick comes with a porch and it is almost like selling a car
13 and you buy a package. But you are saying that you do not want that.
14 You really -- the guy wants brick and does not want a porch, you give
15 him brick and no porch because they can get brick and no porch in PG
16 County. That is the argument. That is what I am hearing.

17 MR. JEFFERS: Precisely. That is the competitive
18 marketplace.

19 MR. COLLINS: The buyer is the boss, and that is the
20 market we live in today.

21 CHAIRPERSON CLARENS: Well.

22 MR. JEFFERS: Let me make another comment too
23 as we look at this, because I think we need to address the issue of
24 what is the surrounding community as well as Fort Lincoln.

25 Within Fort Lincoln we have several varieties of
26 siding. We have brick, we have block, we have poured concrete, we

1 have precast concrete, we have aluminum siding. All of that has been
2 built within the urban renewal environment.

3 If you look at the surrounding community which is
4 called Woodridge, and if you look at the immediately adjacent
5 community, the subcommunities of Woodridge, one of which is
6 Gateway which is just to the south of Fort Lincoln across South
7 Dakota, you will find that roughly 90 percent of those houses are wood
8 all the way around. And as you look at Northeast, as you look at it as
9 it falls away from South Dakota and Rhode Island Avenue coming out
10 in our direction, most of the houses are wood. It is something that is
11 common out there. It is something that people are used to seeing. In
12 fact, if you go down Bladensburg, we have one little street that was
13 built before Fort Lincoln that juts in, every single house is wood.
14 There is some brick on the columns holding up the porch on a couple
15 of those houses, that is it. But within the context of Fort Lincoln and
16 where it is located, it is not a part of a brick city of Washington. The
17 brick city of Washington from the late 19th Century, early 20th
18 Century, upper northwest does not exist in the far northeast
19 quadrant. It is wood and already at Fort Lincoln we have four or five
20 different kinds of siding including aluminum siding which was built ten
21 years ago in a project we did, precast, poured in place, block, and
22 brick. We have all of them and what we are proposing here is
23 something that fits in with the Northeast community, Woodridge
24 community, fits in with the Gateway community, and at the same time
25 is sensitive to concerns in the marketplace as expressed by
26 perspective buyers, and I think what we have to look at here is that

1 whatever we decide does not really matter unless the buyer wants to
2 buy.

3 CHAIRPERSON CLARENS: Okay, well we have to
4 finish,let me tell you, in an hour or less because otherwise my car gets
5 stuck in the garage. So, if there is any other question --

6 MR. FEOLA: Speaking of reality.

7 CHAIRPERSON CLARENS: Reality in the
8 marketplace, I --

9 COMMISSIONER HOOD: Mr. Chair, I just wanted to
10 ask, if I could, ask a question. I guess it is in regard to counties. I
11 would concur, I would hope, I guess, when we decide it. I would hope
12 that we would not put a stipulation in there, because, frankly, I like the
13 front piece of brick and the people whoever buy the house should
14 have that option. We should not -- I do not think we should put it in,
15 you know. That is just my opinion.

16 CHAIRPERSON CLARENS: That is okay.

17 COMMISSIONER FRANKLIN: I agree. I agree with
18 what has been said, and I also agree with the Chair, but I think that we
19 have to recognize the flexibility that the developer needs and hope
20 that the market will respond esthetically as --

21 CHAIRMAN CLARENS: We wished or hope. We
22 could agree that the model will not push the brick option.

23 MR. COLLINS: I think we can agree with that. Yes.

24 CHAIRPERSON CLARENS: We can agree that --

25

26 MR. COLLINS: We are going to have a couple of

1 different models, so we certainly. I would tell you that one of the
2 models would be of vinyl and one of the models may be of brick, and
3 that is what we do in our communities throughout the area, and I think
4 that is probably what we would do here.

5 CHAIRPERSON CLARENS: Okay. Any other
6 questions?

7 COMMISSIONER FRANKLIN: Just establish some
8 differential pricing, Mr. Collins.

9 MR. COLLINS: We will do our best.

10 CHAIRPERSON CLARENS: Make a feeling in the
11 brick.

12 COMMISSIONER FRANKLIN: I am inclined to be
13 very favorable on this application if my colleagues will permit just a
14 suggestion. I know that time is of the essence for you and --

15 CHAIRPERSON CLARENS: We need to hear from
16 the Office of Planning.

17 COMMISSIONER FRANKLIN: Yes. Well, does the
18 Office of Planning, do you want to add anything that we do not know.

19 MR. COLBY: No, actually I do not have anything to
20 add given the discussion tonight that has not already been covered,
21 and we recommend that favorably and I made a note before we
22 started that our support of this project is not conditioned on a
23 resolution of the brick issue which we raised. We wanted the issue
24 raised. It is significant and clearly discussed. We do not condition our
25 support on resolution of that issue though I think you are resolving it.

26 CHAIRPERSON CLARENS: Very good. Okay.

1 Where are we? Now, where is my guiding light here. My pieces of
2 paper --

3 MS. KRESS: Office of Planning.

4 CHAIRPERSON CLARENS: The Office of Planning
5 already reported. The ANC --

6 COMMISSIONER FRANKLIN: Has endorsed.

7 MS. KRESS: Other agencies.

8 CHAIRPERSON CLARENS: Has endorsed and we
9 have a letter and Commissioner Hood do you want to summarize that
10 letter for --

11 COMMISSIONER HOOD: Okay, as soon as I find
12 Commissioner King's letter. We have a letter here from Commission
13 5A, SMD Commissioner Robert King saying that also the Fort Lincoln
14 Civic Association is a supporter of this project and they are ready to
15 move forward with the Fort Lincoln piece.

16 CHAIRPERSON CLARENS: Very good. Okay. Very
17 good and what -- I am new in this job so if you can bear with me. The
18 next item will be the other agency reports. We have received none?

19 MR. COLBY: There are none.

20 CHAIRPERSON CLARENS: The Advisory
21 Commission, we have already done that and there are no parties
22 except the ANC and we have already dealt with that, and is there any
23 persons in opposition or any persons in support of this application?

24 MS. KRESS: Let's do persons in support first and
25 then persons in opposition.

26 CHAIRPERSON CLARENS: Persons in support of

1 this application and persons in opposition. Seeing none, we are
2 coming to the end.

3 COMMISSIONER FRANKLIN: Yes, I would like to
4 suggest Mr. Feola that, subject to any staff correction, that you
5 present us with an order so that we can act on this on July 12 in view
6 of the time constraints that also reflect, and I think we should get in
7 that order a description of how the options are, the sidings and all that
8 sort of stuff and hopefully some of the tweaking in terms of sidewalks.

9 MR. FEOLA: Yes. Yes, absolutely.

10 CHAIRPERSON CLARENS: And the sidewalks are
11 very important to me at least and the lighting that Mr. Franklin brought
12 up I think is also important, and I believe that it was mentioned that
13 some letter or agreement with the RLA was going to be needed. Is
14 that something that it is one of the items?

15 MR. FEOLA: We can submit that this evening, the
16 resolution if you like, sir.

17 CHAIRPERSON CLARENS: Okay and light plans
18 revised and the sidewalks, and what else?

19 MR. BASTIDA: Do you want to do any requests on
20 the parks as possible recreation areas that they should be acting or --

21 CHAIRPERSON CLARENS: No, the recreation areas
22 are fine.

23 MR. BASTIDA: Okay. How about the front porches?
24 Do you want any percentage of front porches?

25 CHAIRPERSON CLARENS: Well in view of this
26 hard reality of the marketplace, we want to ask the developer to push

1 the front porches, but we will not ask them to put a percentage.

2 MR. BASTIDA: How about drainage? Are you
3 satisfied with the drainage?

4 CHAIRPERSON CLARENS: I am. No.

5 MR. BASTIDA: How about a lighting plan?

6 COMMISSIONER FRANKLIN: They have a lighting
7 plan. They have to revise it somewhat.

8 CHAIRPERSON CLARENS: Yes, we have already
9 asked for a revised lighting plan to show some lighting from the same
10 level with some planning in all the areas.

11 MR. BASTIDA: And do you want a light fixture that is
12 not only the location but the shape of the light fixtures?

13 CHAIRPERSON CLARENS: There is a light fixture
14 model was presented.

15 MR. BASTIDA: Are you satisfied with that?

16 CHAIRPERSON CLARENS: We are satisfied with
17 the -- yes, and there were two models presented or was one light
18 fixture.

19 COMMISSIONER FRANKLIN: One light.

20 CHAIRPERSON CLARENS: That is it. Yes.

21 MR. BASTIDA: How about the outline of a
22 homeowners association?

23 CHAIRPERSON CLARENS: Well, I think that that
24 would be important. I think we need to get some outline as to what
25 would be the initial funding of the homeowners association, the
26 reserve fund, and who funds that or how it is created so that all of a

1 sudden we do not have 95 homeowners saddled with a major
2 repaving of the street and no funds to do it with.

3 MR. BASTIDA: You want to put on the order that the
4 models will not show brick as an option? Will not be built with any
5 brick.

6 COMMISSIONER HOOD: No, I do not --

7 COMMISSIONER FRANKLIN: No, I do not think.

8 MR. BASTIDA: One thing is, what is Mr. Franklin's
9 proffer about the garage doors and modification and embellishments
10 to the houses.

11 COMMISSIONER FRANKLIN: Well, Mr. Devereaux
12 indicated he would come back with some elevations that put the
13 garages in shadow in some way.

14 MR. BASTIDA: So that means that that would have
15 to be something to put in --

16 COMMISSIONER FRANKLIN: As a functional spec
17 so to speak.

18 CHAIRPERSON CLARENS: Yes, as well as some
19 sketches of the front porches are not included in the package. That is
20 right that we have.

21 MR. DEVEREAUX: We showed a couple on our
22 elevations, but we will blow those up.

23 MR. BASTIDA: Mr. Chairman, then there are four
24 things that they need to submit. The revision to the garage doors and
25 the modifications, to show the sidewalk on the side plat because you
26 need that to approve it so it can to the Zoning Administrator.

1 CHAIRPERSON CLARENS: At least one side,
2 hopefully both.

3 MR. BASTIDA: Yes. The lighting plans revised and
4 the outline of the homeowners association and that is all what I have.

5 CHAIRPERSON CLARENS: The revised light plan,
6 the sidewalks, the homeowners association, and the RLAs.

7 MR. BASTIDA: No, the RLAs submission. But also
8 the garage doors --

9 CHAIRPERSON CLARENS: I need garage doors
10 and embellishments.

11 MR. BASTIDA: Which is four items.

12 CHAIRPERSON CLARENS: Four items.

13 MR. BASTIDA: Okay.

14 CHAIRPERSON CLARENS: And then the proposed
15 order.

16 MR. FEOLA: Mr. Chair, I have a fifth item: the front
17 porches.

18 MR. BASTIDA: No, the front porches -- no, I said the
19 garage doors.

20 MR. FEOLA: I think the Chair would like some front
21 porches.

22 MR. BASTIDA: I asked him and he --

23 MR. FEOLA: No -- okay -- no, that is fine.

24 MR. BASTIDA: But if you want to push it, I will be
25 glad to ask him again.

26 MR. COLLINS: No. No. No, thank you.

1 MR. BASTIDA: Sure?

2 MR. COLLINS: We are positive.

3 COMMISSIONER FRANKLIN: Mr. Feola, the RLA
4 resolution approves the filing of a PUD application for the
5 development of 80 to 100 market-rate townhomes. That is what the
6 resolution says.

7 MR. JEFFERS: It is a typo. Let me address that
8 because I am the one who handled that before the RLA. It should say
9 single-family homes, they put in townhomes. That is all that is.

10 COMMISSIONER FRANKLIN: Well, could I suggest
11 that you get that corrected so that there is no --

12 MR. JEFFERS: Let me --

13 COMMISSIONER FRANKLIN: -- complication that
14 arises.

15 MR. JEFFERS: I will agree with you Mr. Franklin. I
16 can get that corrected. I do not want to get a time period on that and I
17 will tell you why. Right now there is no operative RLA board.

18 COMMISSIONER FRANKLIN: Right. I do not mean
19 to get --

20 MR. JEFFERS: But I can give you a clarification
21 comment letter from the staff.

22 COMMISSIONER FRANKLIN: Fine.

23 MR. JEFFERS: Okay.

24 COMMISSIONER FRANKLIN: Fine.

25 MR. JEFFERS: All right.

26 MS. KRESS: Why don't we add that to the list.

1 COMMISSIONER FRANKLIN: Why don't we add
2 that.

3 MR. BASTIDA: Yes, I already did.

4 CHAIRPERSON CLARENS: Very good. Okay. I am
5 getting a little coaching here.

6 Ladies and gentlemen, thank you for your testimony
7 and assistance in this hearing. The record in this case will now be
8 closed except for information specifically requested by the
9 Commission. Any special information or reports specifically requested
10 by the Commission should be filed during the period ending on June
11 30, 1999 in Suite 210 of 441 Fourth Street, N.W.

12 Any party to the case may file a written response to
13 any information or report filed after the closing of the hearing.

14 I am supposed to read this or do you close it for any
15 reason.

16 COMMISSIONER FRANKLIN: No.

17 CHAIRPERSON CLARENS: What is this?

18 MS. KRESS: No, I do not know that that is. Read it
19 all.

20 CHAIRPERSON CLARENS: Oh, read it all.

21 MS. KRESS: Yes.

22 CHAIRPERSON CLARENS: Okay. Such responses
23 should be filed no later than seven days after June 30 which is July 7.
24 Parties in this case are invited to submit proposed findings of facts
25 and conclusions of law. Any parties of these proposed findings and
26 conclusions should do so by July 7, 1999.

1 Parties are reminded that their findings of fact do not
2 include findings stating how witnesses testified. The findings should
3 be those findings the party believes the Commission should make
4 based upon the testimony and other evidence in the record. Citation
5 to exhibits and the transcripts are appropriate and encouraged.

6 To assist parties in the preparation of these findings
7 of fact and conclusions of law, a copy of the hearing transcript will be
8 available for review in the Office of Zoning in about two weeks. That
9 does not give you a lot of time. Copies of the transcript may also be
10 purchased from the recording firm.

11 When the transcript is received, the Office of Zoning
12 will contact the parties. After the record is closed, the Commission will
13 make a decision on this case at one of its regular monthly meetings.
14 These meetings are generally held at 1:30 p.m. on the second
15 Monday of each month and are open to the public.

16 Any person who is interested in following this case
17 further may contact the staff to determine whether this case is on the
18 agenda of a particular meeting. You should also be aware that if the
19 Commission proposes to approve the application, the proposed
20 decision must be referred to the National Capitol Planning
21 Commission for federal impact review. The Zoning Commission will
22 take final action at a public meeting following receipt of the NCPC
23 comments after which a written order will be published.

24 I declare this hearing --

25 MS. KRESS: The word closed.

26 CHAIRPERSON CLARENS: -- closed.

1 (Whereupon, the above-entitled matter was
2 concluded at 8:58 p.m.)