

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

IN THE MATTER OF:

FORT LINCOLN/GATEWAY VILLAGE CASE NO. 06-08
LLC, CONSOLIDATED PLANNED
UNIT DEVELOPMENT

Monday,
December 18, 2006

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

The Public Hearing of Case No. 06-08 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, N.W., Washington, D.C. 20001, Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
JOHN PARSONS	Commissioner (NPS)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN	Secretary
DONNA HANOUSEK	Zoning Specialist
ESTHER BUSHMAN	General Counsel

OFFICE OF PLANNING STAFF PRESENT:

MATT JESICK
JOEL LAWSON

This transcript constitutes the minutes from the Public Hearing held on December 18, 2006.

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

6:40 p.m.

CHAIRPERSON MITTEN: Good evening, ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia for Monday, December 18, 2006. My name is Carol Mitten and joining me this evening are Vice Chairman Anthony Hood and Commissioner John Parsons.

The subject of this evening's hearing is Zoning Commission Case No. 06-08 and this is a request by Fort Lincoln/Gateway Village LLC for approval of a consolidated Planned Unit Development for property on a site bounded by Fort Lincoln Drive to the west, 33rd Place to the south, Commodore Joshua Barney Drive to the north and Fort Lincoln Drive also to the north in northeast Washington, D.C., which is known as Lot 45 in Parcel 173.

Notice of today's hearing was published in the D.C. Register on September 8,

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1 2006 and copies of that hearing announcement
2 are available to you and they are in the wall
3 bin by the door.

4 This hearing will be conducted in
5 accordance with the provisions of 11 DCMR
6 section 3022. Those are the rules for
7 contested cases and the order of procedure
8 will be as follows: We will take up any
9 preliminary matters, then we will have the
10 presentation of the applicant's case, the
11 report by the Office of Planning, reports of
12 any other Government agencies, report by the
13 affected Advisory Neighborhood Commission, in
14 this case it's 5A, organizations and persons
15 in support and organizations and persons in
16 opposition.

17 The following time constraints
18 will be maintained in this hearing. The
19 applicant will have 40 minutes, organizations
20 will have 5 minutes and individuals will have
21 3 minutes. The Commission intends to follow
22 these limits as strictly as possible in order

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1 to hear the case in a reasonable period of
2 time. The Commission reserves the right to
3 change the time limits for presentations, if
4 necessary, and notes that no times will be
5 ceded.

6 All persons appearing before the
7 Commission are to fill out two witness cards.

8 They look like this. You can get the cards
9 on the table by the door if you need them.
10 Upon coming forward to speak to the
11 Commission, please, give both cards to the
12 reporter who is sitting to our right.

13 I would advise you that this
14 proceeding is being recorded by the Court
15 Reporter and is also being webcast live.
16 Accordingly, we ask you to refrain from making
17 any disruptive noises in the hearing room.
18 When presenting information to the Commission,
19 please, turn on and speak into the microphone,
20 first stating your name and address. When you
21 are finished speaking, we ask you to turn the
22 microphone off, so that it doesn't pick up any

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1 background noise.

2 The decision of the Commission in
3 this case must be based exclusively on the
4 public record. To avoid any appearance to the
5 contrary, the Commission requests that persons
6 present not engage the Members of the
7 Commission in conversation during a recess or
8 at any other time. Mrs. Schellin and Ms.
9 Hanousek will be available throughout the
10 hearing to answer any procedural questions
11 that you might have.

12 We would ask you to turn off all
13 beepers and cell phones at this time, so as
14 not to disrupt the hearing. And I would ask
15 that anyone who is planning on giving
16 testimony in this case tonight, now is the
17 time to stand up, raise your right hand and be
18 sworn in by Mrs. Schellin. If you would
19 direct your attention to her, she will swear
20 you in.

21 (Whereupon, the witnesses were
22 sworn.)

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1 MS. SCHELLIN: Thank you.

2 CHAIRPERSON MITTEN: Do you have
3 any preliminary matters, Mrs. Schellin? Mr.
4 Tummonds, any preliminary matters?

5 MR. TUMMONDS: Just one quick
6 preliminary matter. Paul Tummonds with
7 Pillsbury Winthrop Shaw Pittman on behalf of
8 the applicant. We had submitted our resumes
9 of proposed expert witnesses. I had noted in
10 that submission three potential witnesses on
11 behalf of the civil engineering firm. Mr.
12 Amatetti will be our sole witness on behalf of
13 our landscape architect. And we would ask
14 that those people be admitted as expert
15 witnesses in the proceeding this evening.

16 CHAIRPERSON MITTEN: Okay. So you
17 are requesting Mr. Amatetti as an expert in
18 civil engineering, Trini Rodriguez in land
19 planning and landscape architecture and Ms.
20 Milanovich in traffic engineering?

21 MR. TUMMONDS: That's correct.

22 CHAIRPERSON MITTEN: Any objection

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1 from the Commission? No objections? There is
2 no objection, so they will be accepted as
3 experts in the proffered fields. And before
4 you begin, we have a Council Member with us
5 this evening and we would like to depart from
6 our normal order and hear from him, if you
7 would like to come forward now.

8 COUNCIL MEMBER ORANGE: Thank you
9 very much, Madam Chairman. I'm pleased to be
10 here and good evening to Mr. Parsons and Mr.
11 Hood and yourself. I'm here to testify in
12 support of Case No. 06-08 Fort Lincoln/
13 Gateway Village LLC, the Consolidated Planned
14 Unit Development.

15 As you know, this PUD seeks to
16 consolidate approval to develop a 357 unit
17 townhome and townhome condominium development
18 consisting of three sizes of single-family
19 townhomes and over two townhome condominiums.

20 In total, this project will provide 576,000
21 square feet of gross floor area for
22 residential uses.

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1 Just taking back and giving just a
2 global view of the entire project, this is a
3 project that actually we have been working on
4 for quite some time and it's good to see that
5 at least 209 townhomes are under development
6 and I believe that 104 of them are under
7 contract and within the next couple of weeks,
8 at least one family will be moving in. It
9 would be great to have the other 357 units
10 approved and then to eventually get to the
11 point where we break ground for the retail
12 aspect of this development as well, which
13 would be Costco, Shopper's Food Warehouse,
14 Target and eventually four or five family
15 restaurants.

16 The D.C. Council has already
17 approved the \$12 million TIF for the retail
18 aspect of this development and so I'm just
19 here as the outgoing Council Member to come in
20 once again and place on the record my support
21 for this project. I had a conversation today
22 with the incoming Council Member who we're

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1 expecting to make an appearance today that he
2 will, in fact, also be testifying in favor of
3 this project.

4 So I just wanted to thank you for
5 allowing me this opportunity to come here and
6 place my statement on the record today.

7 CHAIRPERSON MITTEN: Thank you
8 very much. Anybody have any questions for Mr.
9 Orange?

10 VICE CHAIR HOOD: I don't usually
11 make political statements, but I want to say
12 to my outgoing Council Member for your efforts
13 and hard work and dedication, I spent many
14 nights down here and I want to thank you for
15 putting Ward 5 on the map.

16 COUNCIL MEMBER ORANGE: Okay. And
17 while you were down here, I was in the Council
18 Building, so we're working together.

19 VICE CHAIR HOOD: Yes.

20 COUNCIL MEMBER ORANGE: All right.

21 CHAIRPERSON MITTEN: Thank you
22 very much for joining us.

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1 COUNCIL MEMBER ORANGE: Thank you
2 very much.

3 CHAIRPERSON MITTEN: We wish you
4 well in your transition back to private life.

5 COUNCIL MEMBER ORANGE: Private
6 life. Thank you very much. I appreciate it.

7 CHAIRPERSON MITTEN: Okay. Thank
8 you. Mr. Tummonds?

9 MR. TUMMONDS: Good evening. As I
10 mentioned before, Paul Tummonds on behalf of
11 the Law Firm Pillsbury Winthrop Shaw Pittman.
12 We're here this evening to present our
13 application for the Village at Washington
14 Gateway Project. In order to provide a
15 complete record for this case, we filed
16 additional information with the Commission
17 this evening.

18 The first document was an updated
19 version of our community amenities package, a
20 representative of the applicants and the ANC-
21 5A Single Member District Commissioner will
22 address this updated amenities package in

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1 their testimony.

2 The second document is a hard copy
3 of the PowerPoint presentation that we will be
4 making this evening. Included in this
5 PowerPoint presentation is a plan that depicts
6 the proposed tree save area and the potential
7 location of a trail from this project to the
8 adjacent Fort Lincoln Recreation Center.

9 This document addresses the issues
10 that were raised in the OP report and comments
11 from the Department of Parks and Recreation.
12 Our landscape architect and our civil engineer
13 will address that plan in greater detail.

14 As Council Member Orange
15 mentioned, the 387 townhomes and residential
16 units in a mix of sizes and unit types with 30
17 units reserved for workforce affordable
18 housing is the project we are presenting this
19 evening. As noted in the Office of Planning's
20 report, the proposed density of this project
21 is significantly less than what could be
22 developed on the site as a matter-of-right.

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1 The materials filed in the record
2 and the testimony we are going to present this
3 evening address the issues that were raised by
4 the Zoning Commission Members at the set-down
5 hearing, the Office of Planning in their set-
6 down report and final report and in the
7 Department of Transportation's report, which
8 was filed in the record earlier this morning.

9 The project has received the
10 support of the RLARC, ANC-5A, the Office of
11 Planning and the Department of Transportation.

12 As discussed in detail in our prehearing
13 statement, the Office of Planning report and
14 the DDOT report, the proposed development and
15 use of this site satisfies all of the PUD
16 standards outlined in section 2403 of the
17 Zoning Regulations.

18 In addition, in our prehearing
19 statement, we went into great detail to
20 discuss how this project is consistent with
21 the Fort Lincoln Urban Renewal Plan and is
22 consistent with the Comprehensive Plan.

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1 We will have four witnesses here
2 this evening: Michele Hagans on behalf of the
3 applicant; Trini Rodriguez, our landscape
4 architect; John Amatetti, our civil engineer,
5 and Jami Milanovich, our traffic engineer.
6 With that, I would like to have Ms. Hagans
7 present her testimony this evening.

8 MS. HAGANS: Good evening, Madam
9 Chair and Members of the Commission. My name
10 is Michele Hagans and I'm president of Fort
11 Lincoln New Town Corporation. I'm excited to
12 be here this evening to present our Village of
13 Washington Gateway Project. Our landscape
14 architect as well as our civil engineer will
15 walk you through the plans in a more technical
16 detail regarding the site and the project.

17 I'm going to discuss the
18 applicant's goals and objectives for the
19 development of this site. And from the very
20 beginning, the design process, we have sought
21 to create high quality homeownership
22 opportunities and an attractive community that

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1 is an integral part of the larger Fort Lincoln
2 community.

3 I think that the project before
4 you clearly satisfies those goals. We have
5 stressed the importance of creating large open
6 spaces on our site and safe and convenient
7 connections to the surrounding neighborhood.
8 The large community green, the tot lots and
9 the mews greens provide recreation
10 opportunities for the residents, their guests
11 and the Fort Lincoln community as a whole.

12 This will not be a gated community
13 and we have our pedestrian connections to the
14 surrounding streets and the enhanced
15 pedestrian connection to the proposed new
16 retail center across from the project. The
17 project includes a variety of unit types and
18 sizes that will provide housing opportunities
19 to singles, couples, families and seniors.
20 And as we noted in the August 11th submission,
21 the 24 foot wide townhomes will have a
22 detached garage, back yards and an average

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1 unit size of over 3,000 square feet.

2 The 20 foot wide townhomes will
3 have an average unit size of over 2,100 square
4 feet and these units constitute almost one-
5 third of the project and our entirely suitable
6 for families.

7 As discussed in detail in Exhibit
8 B of our November 28th submission, we are
9 proposing to reserve 30 units for workforce
10 housing and we will -- those units will be set
11 aside for D.C. Public School employees. We
12 think this is a significant amenity to our PUD
13 project and we will utilize and establish
14 NCRC, DCPS programs to attract the DCPS
15 employees and institute the program.

16 In regard to the community
17 amenities package for the PUD application, we
18 have submitted an updated community amenities
19 package this evening that we believe addresses
20 OP's request for more details. I will not go
21 through the details of each of these
22 proposals, but I would like to make the

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1 Commission aware that these proposals were
2 thoroughly negotiated with the ANC-5A
3 Commissioner Bob King.

4 We will continue to work with the
5 ANC and the community to find other worthy
6 projects to achieve -- in order to achieve and
7 satisfy our financial commitment of \$180,000
8 for the community amenities package. And
9 based on my long history of working with this
10 community and these stakeholders, we believe
11 that we are asking the Zoning Commission to
12 provide us with the needed flexibility in our
13 community amenities package to adequately
14 address community needs that may arise in the
15 future.

16 In conclusion, I will note that
17 the ANC-5A adopted a unanimous resolution in
18 support of this application and NCRC and the
19 Office of Planning support our application.
20 We hope that you will agree with us that this
21 project has achieved our goals and will be a
22 wonderful addition to the Fort Lincoln

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1 community.

2 MR. TUMMONDS: Thank you. I think
3 we are ready to put on our PowerPoint
4 presentation, so if we could dim the lights?
5 And then our landscape architect, Trini
6 Rodriguez, will walk us through the project.

7 MS. RODRIGUEZ: Good evening,
8 Madam Chair and Member of the Planning
9 Commission. My name is Trini Rodriguez for
10 the record with the firm of Park and
11 Rodriguez. We have been the landscape
12 architects and the land planners for the
13 project.

14 We're pleased to be here tonight
15 after sort of a long process. It has been
16 truly a collaborative process. We have been
17 working with staff over a period of several
18 months, many months providing further details
19 as well as refinements of the plan that you
20 will see tonight here.

21 This overall plan shows you the
22 project, which is in green in the center and

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1 it's put in context shown next to it are the,
2 in blue, townhouses that are being under
3 construction and then in the red is the retail
4 and you can see all the other elements of the
5 surroundings.

6 Next, you can see the plan. This
7 is the plan for the residential component, the
8 Villages at Washington Gateway and very aptly
9 named, the idea here was really to create a
10 community with a very, very strong sense of
11 place, a community that had a strong
12 pedestrian orientation. You can see from the
13 fabric that we have created one of the things
14 that you could see at Fort Lincoln is that
15 there were roadways more in the regional
16 character and we wanted to bring the scale
17 down and create a true community with that
18 sense of scale and brought together through a
19 very, very strong streetscape proposal, that
20 you see in front of you.

21 Another component of this plan was
22 to bring a variety of units, a mix of units

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1 and you can see here that there are units
2 ranging from 16 feet, 24 footers, you know, a
3 whole range of 2 over 2 townhouses. And you
4 can see that they have been mixed throughout
5 the entire community.

6 I spoke to you about the
7 streetscape and the strong fabric of the
8 community. We have developed a very detailed
9 landscape and streetscape plan, not only for
10 the streets, but also the public spaces and
11 the treatment of alleys.

12 I had mentioned to you also
13 briefly that all units are rear-loaded, so the
14 front of all these units have, you know, the
15 very public presence with all entrances, front
16 entrances, and they have been treated, I'll
17 take you through that, with a special
18 treatment as fences, lead walks, stoops.

19 I'm going to walk you through some
20 of the major elements of the community. The
21 main public space is a community green on the
22 tot lot located in the center in the largest

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1 portion of the site. I think something I
2 failed to mention at the beginning is that
3 there are a few constraints inherent on the
4 plan, because of the shape of the land that
5 has been defined by the streets that surround
6 it.

7 So in the central component, the
8 largest component of the plan, we have located
9 a community green, which is a very large space
10 designed to provide active, more active public
11 space. It's a space that provides seating
12 areas and it has a field, sort of an open play
13 field where you can throw a frisbee or a ball
14 and it is for the community to come together
15 in these places. It's a rather large space.
16 As you can see, it's a block. And then the
17 tot lot, it's in a more secluded space in
18 between the units on the north there.

19 This is a view created of that
20 space. It's actually an accurate view. We
21 have build this on the computer model and then
22 rendered just to sort of give you the feeling

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1 of that space. It has sort of a gazebo at one
2 end that provides a shaded place for residents
3 and parents, the kids that will be playing in
4 the space and then an open play area.

5 Other elements of the plan are
6 spaces such as this pocket park. As you can
7 see, some of the entrances open and terminate
8 into these greens, which become public spaces
9 with seating areas. This one it's a little
10 more intimate in scale as you can see. With
11 units opening on it, guaranteeing that there
12 are always eyes on the space, so they are
13 safe.

14 The next type of space at the
15 mews, the green, which is a terminus of sort
16 of our main spine of the roadway, the knit,
17 sort of the community together and again, you
18 know, you can see here a model of that space
19 and render. You can see all the units that
20 have opened into it.

21 On this slide, I would like to
22 sort of point out a couple of elements. We

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1 have worked to bring in a number of additional
2 features to the plan, street monumentation,
3 done in a very sort of urban scale. These are
4 not sort of suburban treatments. It's a very
5 urban way of demarcating the entrance
6 monumentation.

7 We have shown here the pavilion.
8 It does provide a place where people can sit
9 under shade. Some of the site furnishing are
10 benches and trash cans, some bollards and
11 lighting. The lighting of the community,
12 obviously, follows sort of the Washington
13 standard. And then the addition of the
14 fences, small fences in the front yard which
15 is very much a model of Washington of how
16 Washington has developed over time. And you
17 can see a model here of the tot lot.

18 Now, I'll just walk you through a
19 few images of our plan. These are the
20 entrance monumentation and you can see the
21 feeling of these spaces as you come into the
22 community. The street is very much sort of

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1 scaled of a community size and then the front
2 of the units and a variety in the architecture
3 to animate and activate the street.

4 This is the view along Fort
5 Lincoln and you can see sort of the treatment
6 of the fences along that creating a variety of
7 spaces ranging from more public, semi-public
8 to the private exterior of the unit. And then
9 a view of that median with its enhancement
10 with DDOT and they suggested some treatments
11 to that median. You can see the enhancement
12 that we're proposing.

13 And again, this is on Joshua
14 Barney Drive, again, that same idea sort of
15 the monumentations coming into the community,
16 but sort of the neighborhood scale of the
17 spaces, front doors, people coming in and out
18 and fences creating those spaces. This is the
19 view along Commodore Joshua Barney Drive.

20 Now, the alleys, they are not
21 something that we are sort of ignoring. We
22 are also proposing those to be treated with,

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1 you know, some additional trees, but we also
2 want to make sure that they are safe, so in
3 all places, you know, in all instances we make
4 sure that there is enough eyes on them.

5 And lastly, I wanted to show you
6 then a view from the community center. There
7 is some topography on this site, so this
8 village, the Village of Washington Gateway
9 sits sort of down from it and you can see this
10 is a view from the community area, that's
11 where we have some of our taller units, but
12 you see over them, kind of see the rooftops as
13 you see there.

14 Another component of this is we
15 have been working with staff at addressing the
16 grading issues, some of the more difficult
17 situations and we have developed a system of
18 tiered walls. It only occurs in one small
19 corner of the site. But the walls have been
20 tiered, and I think you can see them there,
21 allowing for landscape to soften that
22 relationship and it also tiers, so you never

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1 have this feeling of having a larger retaining
2 wall in front.

3 And you can see that one other
4 component that Michele brought up was that in
5 many instances we are really connecting to all
6 different parts of Fort Lincoln and you can
7 see here stairs that brings you up to Fort
8 Lincoln Drive.

9 And lastly, but not least, one of
10 the components that we worked pretty intensely
11 with the staff and, you know, the designers
12 also for the retail was to provide a very
13 strong connection to that retail. The retail
14 as it was described by the Council Member,
15 it's comprised of some larger footprint
16 stores, but also we really wanted to bring a
17 smaller scale and those have been arranged in
18 a main street fashion kind of retail and you
19 can see those.

20 Many of those would be
21 restaurants, family-oriented restaurants with
22 outdoor seating. And we have revised our plan

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1 to actually make these two projects actually
2 work together and have a better integration.
3 This plan here shows you that relationship of
4 our development to the retail and also the
5 potential relationship yet to the project to
6 the left, which is not developed, but, you
7 know, in the future if that was to be
8 developed, those pedestrian connections would
9 also be possible through the community.

10 This view here is a computer model
11 that we created and rendered, so it is
12 accurate in terms of the relationships. And
13 it is a view from the plaza, the terminus of
14 that main street and its relationship to the
15 residential. We have worked with DDOT to
16 propose a crosswalk there with a special
17 treatment and we have -- you know, you have
18 read their letter that was submitted on some
19 of the pedestrian counting devices that we're
20 proposing to make that connection.

21 I think with that, I'm going to
22 let Jami take you through some of the

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1 transportation improvements that we have put
2 in place.

3 MS. MILANOVICH: Good evening. My
4 name is Jami Milanovich with Wells and
5 Associates. Wells and Associates was retained
6 to conduct the transportation impact study for
7 the Village of Washington Gateway PUD
8 application that is before you this evening.

9 Wells first began this study back
10 in July of 2005 when we first met with DDOT to
11 lay out the scope of the project and, at that
12 time, we received some input from DDOT which
13 really laid the groundwork for conducting our
14 study, and that is that they requested that we
15 take a holistic approach to the transportation
16 impact study, not just looking at the Village
17 of Washington Gateway, but looking at the
18 proposed development for the build-out of the
19 Fort Lincoln area.

20 So in addition to the Village of
21 Washington Gateway, the 357 townhomes there,
22 we also looked at Dakota Crossing, which is

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1 currently under construction and consists of
2 209 units shown in blue on the aerial that is
3 on the projector now.

4 We also looked at Washington
5 Gateway retail component, which consists of
6 425,000 square feet of retail development
7 shown in red. And, additionally, we looked at
8 the Wesley House development, which would
9 consist of 127 active adult apartment units,
10 and that is shown in the gold color on the
11 slide.

12 The study area is generally
13 encompassed by South Dakota Avenue on the
14 west, Bladensburg Avenue on the north,
15 Commodore Joshua Barney Drive on the east and
16 New York Avenue on the south. The study first
17 looked at the improvements that would be
18 required to accommodate the Village of
19 Washington Gateway, the 357 townhomes.

20 The 357 townhomes would generate
21 133 a.m. peak hour vehicle trips and 98 p.m.
22 peak hour vehicle trips. In order to

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1 accommodate these additional trips and to
2 promote the safe and efficient movement of
3 vehicles and pedestrians, several improvements
4 were recommended in conjunction with the
5 Village of Washington Gateway.

6 These improvements include the
7 installation of a left turn arrow, a
8 southbound left turn arrow at South Dakota and
9 33rd Place, the optimization of signal timings
10 at South Dakota and Bladensburg Road and at
11 South Dakota and Fort Lincoln Drive Eastern
12 Avenue.

13 Additionally, we recommended the
14 extension of the median on Fort Lincoln Drive
15 adjacent to the Premium warehouse and also
16 installing stop signs on all approaches of
17 that intersection to help facilitate the
18 traffic there.

19 As well, we also recommended an
20 always stop at the eastern most driveway to
21 the proposed development, which is where the
22 pedestrian crossing would occur between the

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1 Village of Washington Gateway and the retail
2 component that Trini alluded to earlier. And
3 along with the always stop control, we would
4 be recommending a stamped concrete crosswalk
5 to help delineate the pedestrian movement
6 there.

7 Along with those other
8 improvements, we also recommended the
9 resurfacing of Commodore Joshua Barney Drive.

10 Currently, that roadway is blocked off for
11 traffic today. When that opens up, that would
12 require the resurfacing of that roadway and
13 also per DDOT's suggestion, we looked at a
14 series of traffic calming devices being
15 installed along that roadway along with re-
16 striping the roadway to provide on-street
17 parking.

18 In addition to these improvements,
19 several other improvements are recommended in
20 order to accommodate the planned development
21 for the entire Fort Lincoln area. In
22 conjunction with the retail component, a

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1 traffic signal should be installed at Fort
2 Lincoln Drive and 33rd Place and also at South
3 Dakota Avenue and this, the new York Avenue
4 off-ramp, and P Street.

5 Other improvements required to
6 accommodate the full development of the Fort
7 Lincoln planned area would be optimization of
8 South Dakota Avenue and 31st Place, re-striping
9 the Fort Lincoln Drive roadway at its
10 intersection with Bladensburg Road to
11 accommodate an additional lane there at that
12 intersection to help facilitate traffic flow,
13 and the installation of traffic calming
14 devices along Fort Lincoln Drive.

15 In summary, as noted in DDOT's
16 report, the Village of Washington Gateway
17 residential development will have minimal
18 impact on the surrounding roadway network.
19 With the proposed improvements recommended in
20 conjunction with the Village of Washington
21 Gateway, the impact of the proposed
22 development would be offset.

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1 MR. TUMMONDS: Thank you. Before
2 we have Mr. Amatetti present his testimony, I
3 have one follow-up question for Ms. Rodriguez.

4 With regards to the terraced
5 landscaping area, will there be provided in
6 that area automated watering equipment?

7 MS. RODRIGUEZ: Yes, we had agreed
8 to. Yes, excuse me. Yes, we had agreed to
9 put an irrigation system, an automated
10 irrigation system, at the time of
11 construction.

12 MR. TUMMONDS: Thank you. And,
13 now, we'll have our final witness, John
14 Amatetti, our civil engineer.

15 MR. AMATETTI: Good evening. I'm
16 John Amatetti with VIKI Incorporated. We're
17 the civil engineers on this project. Let me
18 frame some of the site characteristics if I
19 could.

20 On the left hand side of the
21 screen, which is the western portion of the
22 property, is the highest portion. The

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1 property falls generally about 60 feet from
2 west to east and is pretty much an uneven
3 grade throughout the entire site.

4 With respect to the property, it's
5 23 acres, and as has been testified to and I
6 won't reiterate it, but it's well surrounded
7 by infrastructure, roads and so forth. And in
8 those roads are all the required utilities for
9 a development like this, water, sewer and
10 storm drainage.

11 All of the sewer, of course, would
12 flow from west to east and we have a
13 connection point up in this corner here. The
14 water lines are all in the surrounding streets
15 and we're making connections to those water
16 lines to provide the fire protection for this
17 development, and there will be fire hydrants
18 throughout the project.

19 With respect to storm drainage,
20 once again, it follows the grade and all of
21 the storm drainage would go from west to east
22 and there is a 48 inch storm sewer, which

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1 exits the site in that corner.

2 With respect to storm water
3 management, which of course is very important
4 for projects such as this, all of the quantity
5 detention is going to be provided off-site in
6 a pond to the rear of the Wholesale Premium
7 Distributors. If we can go to the overall,
8 that's in this area over here.

9 With respect to water quality,
10 which is a whole other venue of storm water
11 management, we propose to provide storm
12 filters on this project. Those are innovative
13 BMPs which are basically comprised of leaf
14 mulch filters, which the -- it's a flow-based
15 system. The water comes in. It's filtered
16 through these canisters that are comprised of
17 different types of materials, primarily
18 natural materials, leaf mulches and so forth,
19 and they provide the water quality.

20 They are very efficient. They
21 provide about a 60 percent removal efficiency
22 and we propose to put this facility under one

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1 of the open space areas. If we could go back
2 to the -- in the mews area, once again in the
3 lower eastern portion of the project right in
4 this area here where I'm pointing.

5 Obviously, when you're doing,
6 looking at storm water management, one of the
7 things you want to look at initially is to
8 prevent the need to provide as much storm
9 water management, which is now commonly
10 referred to as low-impact design.

11 In my opinion, low-impact design,
12 the most important element of low-impact
13 design is to try and minimize impervious areas
14 to begin with before you even implement them
15 and have to deal with them in a variety of
16 methods.

17 This development, as Trini
18 testified to, has rear loaded towns, which
19 tend to have very short driveways, meaning
20 there is a minimal amount of impervious areas
21 you would normally find on a lot of townhouse
22 projects. Also, there is a tremendous amount

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1 of open space on this project and the open
2 spaces are generally going to be kept in a
3 natural type environment with the very limited
4 introduction of impervious areas.

5 With respect to other methods of
6 low-impact design on a development such as
7 this, we like to consider, you know, as I
8 mentioned, the water quality device, an
9 innovative one that is very highly efficient,
10 but also if we can in certain areas to promote
11 infiltration.

12 Now, infiltration provides ground
13 water recharge and so forth and is a
14 tremendous benefit not only to the water
15 quality, but also to the environment as a
16 whole. Unfortunately, on this site, a lot of
17 this site was filled in the past and has
18 varying depths of fills that make it difficult
19 to provide infiltration unless you can get --
20 find an area where you can get through these
21 fills and provide infiltration into a natural
22 soil that is not a fill soil.

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1 Also, of course, in an
2 infiltration facility you need to be cognizant
3 of water table and so forth, because you need
4 to be higher than the water table to
5 infiltrate in. We feel that in this
6 development there will be areas that we can
7 introduce rain gardens, which are commonly
8 referred to.

9 Bioretention facilities is another
10 -- what they are called in other places, but
11 these facilities would be provided in open
12 space areas where we can get infiltration
13 through the fill in natural soils and, also,
14 it will help us reduce the amount of
15 structured BMP we need in the storm filter
16 devices and it's a great benefit, but it's
17 less expensive than storm filters.

18 So it's an obvious advantage not
19 only to the environment, but to the developer.

20 So we're going to investigate those areas,
21 but because of the varying nature of the fill
22 and so forth, it's something that we would

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1 need to do in the final design.

2 With respect to the rest of the
3 site, the pedestrian circulation systems are
4 highly developed, as Trini spoke about, not
5 only connections to the exterior portions of
6 the site, but internally as well, and we have
7 made an effort to make a trail connection up
8 to the facility to our north, oops, this thing
9 is not working, which kind of has a switch-
10 back to it because you really can't -- unless
11 you have been out there, you can't appreciate
12 the amount of grade between even the high
13 portion of our site and the community facility
14 and this area here would be an unpaved
15 connection.

16 It wouldn't be an accessible
17 connection because of the amount of grade and
18 so forth. The accessible connection would
19 have to be along the streets and so forth, but
20 that connection I think will provide a nice
21 environment, as well, for walking and so
22 forth, but it will not be accessible.

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1 It will have slopes greater than 5
2 percent. The rest of the site we have tried
3 to make as accessible as we can with respect
4 to grades and also the implementation of
5 accessible facilities, ramps and so forth.

6 The site will have some walls
7 because of the amount of grade. The walls
8 through, Trini has worked with us to carefully
9 grade the site so that we don't have any walls
10 that would be over 7 feet tall, but we do have
11 -- so they are still at a pedestrian scale.
12 We do have some portions where the walls would
13 be tiered in order to keep the height down,
14 but also to make up the grade and step them
15 back and give us some landscape opportunities.

16 That primarily happens along the western
17 side.

18 And, also, we're putting in the
19 walls to try and enhance tree save along that
20 edge, because to minimize the grading to try
21 and save the trees on the high point there,
22 because if you have been out there, that is

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1 really the best opportunity for tree save is
2 along that edge right in there. Thank you.

3 MR. TUMMONDS: Just one additional
4 follow-up question, Mr. Amatetti.

5 Have you filed, has the applicant
6 filed, any documentation with the Corps of
7 Engineers as to whether or not there are any
8 wet lands on this property?

9 MR. AMATETTI: Yes. There was a
10 wet lands survey done by WSSI, a professional
11 wet lands group, and it was determined that
12 there were no jurisdictional wet lands on this
13 property.

14 MR. TUMMONDS: Thank you. That
15 concludes our presentation. We're available
16 for any questions you may have.

17 CHAIRPERSON MITTEN: Thank you.
18 Questions from the Commission? Mr. Hood?

19 VICE CHAIR HOOD: Okay. I'll get
20 it started, Madam Chair.

21 CHAIRPERSON MITTEN: Thank you.

22 VICE CHAIR HOOD: Mr. Tummonds,

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1 I'll tell you, I was going to ask the
2 questions about the LSDBE in the first source,
3 which you know I normally do, but due to the
4 fact that I know the two commissioners that
5 you are working with, I'm sure that will be
6 taken care of, so I will leave that alone.

7 Ms. Hagans, you mentioned about
8 the DCPS and the NCRC agreement. Can you
9 expand on this dealing with D.C. Public School
10 teachers?

11 MS. HAGANS: Yes. NCRC already
12 has a program with -- that they are trying to
13 deal with in housing for DCPS teachers, and we
14 have volunteered to participate in that
15 program by setting aside about 30 units that
16 will be placed in that program for them to
17 offer to their pool of DCPS employees.

18 VICE CHAIR HOOD: Okay. Those 30
19 units won't be just set aside for them, but
20 they have a chance to maybe purchase one of
21 those 30 units? They have an opportunity.

22 In other words, if that doesn't

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1 happen, if you don't get D.C. teachers, you're
2 still going to sell them to anybody, anybody
3 in the market who is looking for a home. You
4 don't necessarily have to be a D.C. teacher.

5 MS. HAGANS: Those particular
6 units we're going to work with NCRC in that
7 particular program.

8 VICE CHAIR HOOD: Okay. You're
9 going to push for it. I'm trying to get
10 somewhere. You're going to push for D.C.
11 Public Schools --

12 MS. HAGANS: I'm trying to go
13 there with you if I can figure out where
14 you're going.

15 VICE CHAIR HOOD: Okay. Where I'm
16 going is if you don't get D.C. Public School
17 teachers?

18 MS. HAGANS: Oh, for -- if we
19 don't get 30 applicants out of that pool, will
20 there still be 30 units set aside?

21 VICE CHAIR HOOD: They are going
22 back on the market? They are going to be open

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1 to the market, to anyone?

2 MS. HAGANS: Yes.

3 VICE CHAIR HOOD: That's good.
4 Okay.

5 MS. HAGANS: Okay.

6 VICE CHAIR HOOD: We got there.

7 MS. HAGANS: Okay. Thank you.

8 VICE CHAIR HOOD: Okay.

9 CHAIRPERSON MITTEN: Just to
10 clarify, and that's at a market rate not at an
11 affordable rate. Is that correct?

12 MS. HAGANS: Well, I'm not sure.
13 Our market rates are pretty close to being
14 affordable. They are significantly below the
15 average square foot cost of District housing.

16 CHAIRPERSON MITTEN: Do you have
17 any information that you could submit for the
18 record about where the prices that you're
19 anticipating charging, what median income you
20 would be targeting with those prices, so that
21 we can judge?

22 MS. HAGANS: Right.

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1 CHAIRPERSON MITTEN: I mean,
2 people come in and they make proffers about
3 affordability.

4 MS. HAGANS: Right.

5 CHAIRPERSON MITTEN: And, you
6 know, we have some notions about that because
7 we have --

8 MS. HAGANS: Right.

9 CHAIRPERSON MITTEN: -- heard this
10 many times. But then when people come in and
11 they say, no, our prices are affordable, if we
12 can't put that in relation to the area median
13 income, it doesn't mean anything to the
14 Commission. So can you give us some hard
15 numbers on that?

16 MS. HAGANS: Well, I can speak to
17 what we're selling today and we're selling
18 today at -- townhouses, 19,000 square feet,
19 two car garage townhouses for \$460,000. And
20 if you divide it out, that is significantly
21 below the square foot cost that the District
22 is selling for today.

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1 And we have probably to date about
2 35 units that we actually in our other project
3 offered to first Fort Lincoln residents and
4 then to another group for workforce housing
5 and those we coupled with a program with NCRC
6 and HPAP funds and HOME funds. And so that,
7 all of those, are in the range of the 80 to
8 120 percent of area median income.

9 CHAIRPERSON MITTEN: Can you put
10 in that same context the price that you just
11 referenced of the \$460,000, what income level
12 of individual can afford that? You know, as
13 that mortgage payment is 30 percent of their
14 income, what affordability is that?

15 MS. HAGANS: Yes.

16 MR. TUMMONDS: Could you, please,
17 introduce yourself for the record?

18 MR. COLLINS: Yes, Will Collins,
19 Fort Lincoln/Gateway Village LLC. The program
20 that we have established with NCRC and one
21 that they have been working with DCPS is one
22 that the homes that we intend to set aside for

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1 a six month period of time to try to go to
2 DCPS employees, the program is really targeted
3 to incomes between \$54,000 and \$72,000 per
4 year annual income, median income.

5 These units are 16,000 square foot
6 townhome condominiums, the option to be either
7 two bedroom or three bedroom units. It is our
8 belief and NCRC's strong belief and it was
9 really at Michele Hagans' lead to establish
10 this program with NCRC, is that we believe
11 that we will capture these DCPS employees,
12 because when you -- if you said to us right
13 now where do we think the target prices would
14 be for a \$54,000 to \$71,000 income, interest
15 rate environment staying fairly similar to
16 where we are today, we would hope to be
17 delivering the units between \$250,00 and
18 \$275,000 for these units.

19 And that, under the ratios
20 provided to us by the Urban League, which will
21 help, has helped NCRC in the past administer
22 this program, it provides ratios on the

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1 mortgage of somewhere in the 30 percent range.

2 CHAIRPERSON MITTEN: Okay. Okay.

3 I just want to make sure. I think I
4 understood what the proposal is. What I was
5 trying to get at is, okay, if they roll to
6 market instead of going to the DCPS teachers,
7 Ms. Hagans testified that, well, the market
8 rate is pretty affordable, what does that mean
9 in terms of the income level of individuals
10 who are buying the \$460,000 townhouses?

11 That's the piece I'm missing and
12 maybe you can't answer that right now, but
13 that's one piece.

14 And then the other piece that I
15 just want to clarify since you articulated
16 some of the program is that it's not just
17 targeting a teacher, but the way I read it is
18 it's also contingent on that individual
19 teacher or family obtaining an HPAP second
20 trust and D.C. bond financing at a relatively
21 low rate. Is that correct?

22 MR. COLLINS: Well, we have been

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1 fortunate in the sense that we -- again,
2 really a program that Michele established on
3 Dakota Crossing is that we started with the
4 program that we have worked in conjunction
5 with NCRC, that we went out to Fort Lincoln
6 residents and offered a program to them to
7 provide them homes at a discounted price,
8 which we think this program is fairly similar.

9 And NCRC, through a program that
10 they already have, have been providing soft
11 seconds to help those folks in the 60 to 70
12 percent, and the idea is those folks in the 60
13 to 70 percent median income to qualify. And
14 that is something that we'll be working in
15 conjunction with NCRC on throughout this
16 program.

17 We really believe -- there hasn't
18 been a whole lot of history and a lot of
19 examples of this program, but we do believe
20 that this offering has a great chance with
21 linking up a program that NCRC has for second
22 trust that we can be successful in achieving

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1 home purchase opportunities for DCPS employees
2 for these 30 units.

3 So I hope I'm answering that
4 correctly. If I'm not providing enough
5 detail --

6 CHAIRPERSON MITTEN: Let me just
7 share with you my principal concern.

8 MR. COLLINS: Okay.

9 CHAIRPERSON MITTEN: And I
10 apologize to Mr. Hood for sort of cutting in,
11 but since you were on the subject I just
12 wanted to stay there until we finished with
13 it.

14 My concern is you're offering
15 something and you're very positive that you
16 can deliver these 30 units, and I think it's
17 great. I mean, I hope you're successful. But
18 if you're not, then it's sort of like, well,
19 we tried and then there is no -- you know,
20 there is nothing being proffered in its place.

21 So that is the concern that I
22 have. So if you're not successful or you're

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1 not as successful, then I think we need to see
2 something that you will do in place of that
3 and I would wish you well in achieving
4 success, but in failing that, I mean, I think
5 we need to have something as an alternative.

6 MS. HAGANS: Yes.

7 CHAIRPERSON MITTEN: But I still
8 would like at some point to get an answer to
9 the issue about the general affordability of
10 market rate units in Fort Lincoln. I think
11 that would just put this in context for us.

12 MS. HAGANS: Okay. Let me speak
13 to that. Fort Lincoln New Town as a community
14 has about -- 56 percent of its community is
15 low to moderate income already and it is only
16 about 44 percent of the community is what you
17 call market rate. And so, therefore, for
18 every unit that -- and this is what we have
19 found.

20 For every unit that a new
21 construction, a person -- and people come out
22 of, since they have been there 25, 30 years,

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1 they sell their unit. They buy one of the new
2 ones and then we have added another unit of
3 affordable housing and workforce housing into
4 the mix.

5 I am not so sure that with the
6 complement that will spoke about and adding
7 NCRC's program and/or HPAP funding, what it
8 does is brings the unit down to a mortgage
9 that people in that income level can afford to
10 pay, which you have talked about before, the
11 payment, because they add the cash to it is
12 what he calls the soft seconds. That is what
13 they do.

14 And so when you're talking about--
15 we started out with units in this project at
16 \$430,000, which we discounted back to \$387,000
17 to which they added soft seconds to that. I'm
18 not sure that I can say more than \$387,000 in
19 this marketplace with a soft second of
20 anywhere from \$40,000 to \$85,000 on it is
21 workforce housing.

22 CHAIRPERSON MITTEN: Do you

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1 understand my question, Mr. Tummonds?

2 MR. TUMMONDS: Yes, I think I do.

3 CHAIRPERSON MITTEN: Okay.

4 Thanks. I appreciate the additional
5 information, but I'm still just missing one
6 essential piece of it.

7 Mr. Hood, I apologize. Please,
8 continue.

9 VICE CHAIR HOOD: I've been cut
10 off. No, I'm just -- I'm looking. Ms.
11 Milanovich, I'm looking. Help me with the
12 traffic in that area, and I am familiar with
13 it a little bit. At 33rd Place, and maybe this
14 may have been a question I should have asked
15 Mr. King, but I will ask you to try to set you
16 up.

17 If I'm coming down out of Fort
18 Lincoln on 33rd Place and I'm going to make a
19 left, and I believe 33rd Place is right across
20 from the Goodwill, am I right?

21 MS. MILANOVICH: Yes.

22 VICE CHAIR HOOD: You know, when

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1 I'm riding through there -- and I should be
2 ashamed. I just -- I don't look at the
3 street. I just ride through. Okay. So if
4 I'm going to make a left, and I think DDOT is
5 recommending or maybe you guys recommended
6 that there is a left turn signal there.

7 MS. MILANOVICH: Yes. That is
8 actually on -- if you're heading south on
9 South Dakota to turn left into the
10 development. That's where we're recommending
11 the left.

12 VICE CHAIR HOOD: Oh, to turn
13 left, not coming out of the development?

14 MS. MILANOVICH: Right.

15 VICE CHAIR HOOD: Okay. Because I
16 was going to say it's usually backed up right
17 there and people are usually in the
18 intersection anyway, so that left turn signal
19 I think would cause a backup, but I'm -- we're
20 doing it the other way.

21 MS. MILANOVICH: Yes, yes.

22 VICE CHAIR HOOD: We're making a

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1 left coming. You said south and we're going
2 to -- I'm going to make a left up into the
3 development.

4 MS. MILANOVICH: Correct.

5 VICE CHAIR HOOD: Going up a hill.

6 MS. MILANOVICH: Correct.

7 VICE CHAIR HOOD: Okay. That
8 negates that question. You mentioned
9 something and I'm very concerned about these
10 measures that you propose. One of them -- or
11 not you, but DDOT. Well, I guess, are you
12 familiar with what DDOT has proposed about
13 some of the mitigations or --

14 MS. MILANOVICH: Are you referring
15 to the improvements in the report?

16 VICE CHAIR HOOD: Yes.
17 Unfortunately, we got -- yes, this report we
18 got this afternoon and skimmed through it.
19 That's probably a better -- you all didn't
20 make any of these recommendations, did you?
21 You did?

22 MS. MILANOVICH: Yes, we did.

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1 VICE CHAIR HOOD: Okay. Okay.
2 Well, good, you're the right person. Install
3 traffic calming devices such as speed humps,
4 speed tables. Are speed tables those rumbling
5 strips?

6 MS. MILANOVICH: No. Speed tables
7 are -- I guess you could think of them as
8 elongated, flattened speed humps. You would
9 go up a ramp and then you would have a length
10 of a flat area and then you would go back down
11 the ramp.

12 VICE CHAIR HOOD: So I can go
13 pretty fast over it. I know that's not the
14 purpose of it, but I'm --

15 MS. MILANOVICH: Well, the intent
16 is to slow traffic down.

17 VICE CHAIR HOOD: Slow traffic.

18 MS. MILANOVICH: To the speed
19 limit, yes. So, no, you couldn't go extremely
20 fast over them.

21 VICE CHAIR HOOD: Right.

22 MS. MILANOVICH: That's the idea.

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1 VICE CHAIR HOOD: So speed humps
2 and speed tables are totally different. Which
3 one does the most damage to your car?

4 MS. MILANOVICH: If you are going
5 over a speed hump at an inappropriately high
6 speed, I suppose you could potentially do some
7 damage to your car.

8 VICE CHAIR HOOD: Okay. Okay.

9 MS. MILANOVICH: Or the same for
10 speed tables, I suppose.

11 VICE CHAIR HOOD: I was just
12 hoping that none of this meant speed bumps, I
13 mean, rumbling strips and I'll tell you why.

14 MS. MILANOVICH: No.

15 VICE CHAIR HOOD: A lot of people
16 want rumbling strips until the summer time and
17 they open their windows.

18 MS. MILANOVICH: Right.

19 VICE CHAIR HOOD: And they hear
20 that constantly.

21 MS. MILANOVICH: Yes. There are
22 no rumble strips --

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1 VICE CHAIR HOOD: And I was
2 wondering.

3 MS. MILANOVICH: -- associated
4 with these.

5 VICE CHAIR HOOD: Okay. Are these
6 streets -- and I don't know, Mr. Tummonds, I
7 didn't see it anywhere and it may be in here
8 in the submittals, but this is eventually
9 going to be turned over to public -- these are
10 going to be public streets?

11 MS. HAGANS: No. You mean the --

12 VICE CHAIR HOOD: Everything in
13 there is going to be private?

14 MS. HAGANS: You mean the unit,
15 the streets inside the development?

16 VICE CHAIR HOOD: Inside the
17 development.

18 MS. HAGANS: Are not. No, they
19 are private streets.

20 VICE CHAIR HOOD: Okay. So the
21 city doesn't pick up the trash up there?

22 MS. HAGANS: The city doesn't pick

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1 up any trash in Fort Lincoln.

2 VICE CHAIR HOOD: Oh, okay. They
3 don't pick it up. I was starting to say
4 something, but I don't want to get in trouble.

5 MR. TUMMONDS: I would mention
6 that we have designed these to DDOT standards,
7 street widths, the construction techniques and
8 we have -- also in our materials, there will
9 be a capital contribution to the homeowners
10 association, so that they can start up their
11 reserves, such that as we do recognize that
12 there will be some ongoing maintenance costs.

13 The applicant has agreed to put some of that
14 in there.

15 VICE CHAIR HOOD: Okay. Let's
16 talk about the retention pond or filtration
17 system. How often does it have to be cleaned
18 out?

19 MR. AMATETTI: Well, there is
20 three levels of measures that we are proposing
21 to provide. The first is a quantity detention
22 which is the off-site detention pond behind

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1 the Premium Distributors. It's advisable that
2 it go through a year, at least a yearly
3 maintenance cycle. It depends on the
4 character of the storms that happen in that
5 area.

6 But usually yearly maintenance
7 will keep it from getting to the point where
8 it is a major job, rather than just, you know,
9 keeping up with it. The storm filter devices,
10 once again, it depends on how many times it
11 rains.

12 VICE CHAIR HOOD: Um-hum.

13 MR. AMATETTI: You can go through
14 some dry periods where you've got extended
15 life, but usually there is a -- maintenance is
16 about a two year cycle on those canisters and
17 so forth to keep them functioning properly.

18 Bioretention doesn't take that
19 much maintenance at all. That's that third
20 level I talked about.

21 VICE CHAIR HOOD: Yes.

22 MR. AMATETTI: Usually if you get

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1 some mud on the top, they will be less
2 effective and there is probably maybe a six
3 month or a yearly review just to make sure
4 that it is functioning properly, but it's a
5 fairly natural system that doesn't take a
6 whole lot of heavy maintenance.

7 VICE CHAIR HOOD: Okay. And maybe
8 you can help me. I know we have dealt with
9 some other projects in the Fort Lincoln area
10 since I've been here. Are any of these
11 retention ponds going to tie into each other
12 at some point in time? I know when it goes
13 out to the main system, but do they tie into
14 each other up there on the property?

15 MR. AMATETTI: Well, the retention
16 pond that we go into doesn't tie into anything
17 else. It -- basically, all of the water for
18 the -- our site kind of goes in an easterly
19 direction into the retention pond behind the
20 Premium Distributors and then through like a
21 42 inch pipe. And it doesn't flow through any
22 other ponds.

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1 I don't think any of the other
2 ponds are kind of like linked to one another.

3 I think each one is an individual separate
4 shed.

5 VICE CHAIR HOOD: Sure. Okay. I
6 had one more question. I'm not sure, Mr.
7 Tummonds, who can answer this one. But when I
8 was reading -- okay. This additional
9 community amenities, which actually I'm not
10 really too worried about it, because I know
11 some of the players who are working with you.

12 They are what we call expert community folks.
13 So, you know, just like we have expert
14 witnesses, transportation, we have expert ANC
15 Commissioners and I'm not too concerned about
16 it.

17 But I want to make sure that there
18 is some indifference -- that there is some
19 type of movement when it says additional
20 community amenities. The applicant, the ANC-
21 5A Single Member District Commissioner for the
22 area and representing the Fort Lincoln

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1 community continues to work on additional
2 projects. Is that still moving forward?

3 MS. HAGANS: Yes.

4 VICE CHAIR HOOD: Because --

5 MS. HAGANS: Yes.

6 VICE CHAIR HOOD: -- before final
7 action, I think, in our order we would need to
8 have some -- that needs to be taken care of
9 before final action, I believe.

10 MS. HAGANS: Well, we did this on
11 the Dakota Crossing Project, so we have
12 certain projects that we have done already
13 there or committed to. This is what we do, we
14 try to make sure we get a lot of input so that
15 we fund things that the community wants funded
16 and that the community is going to get benefit
17 from rather than, you know, us sitting in a
18 room thinking about well, this would be good
19 or that would be good.

20 So we have an enormous amount of
21 public amenities in this community. There are
22 ball fields, there are tennis courts, there is

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1 a great big park, there is a cultural center
2 and so we look to enhance the amenities that
3 are already there in an effort to maybe
4 contribute to something that maybe the
5 Government is not supporting necessarily and
6 those kinds of things.

7 So we will -- we have had some
8 discussions about some specifics, but we have
9 not committed the entire amount. We have
10 allocated the entire amount that will be spent
11 on community amenities, but we do not have
12 total projects that total that amount.

13 VICE CHAIR HOOD: Okay. Madam
14 Chair, I see we've been joined by Council
15 Elect. I'll hold off on my questions and
16 maybe you want to bring him up. I'll just
17 hold off on asking my questions, the rest of
18 my questions.

19 CHAIRPERSON MITTEN: Okay. Thank
20 you for deferring, Mr. Hood. Mr. Thomas?

21 COUNCIL MEMBER THOMAS: I've been
22 next to her enough.

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1 CHAIRPERSON MITTEN: We need you
2 to turn on the microphone if you would and
3 introduce yourself for the record.

4 COUNCIL MEMBER THOMAS: Good
5 evening, esteemed body. I'm Council Member
6 Elect Harry Thomas, Jr. for Ward 5. I
7 personally want to say a special hello to you
8 and also to my good friend, I don't know if
9 it's proper always to say that in these
10 settings, but Anthony Hood is a good friend to
11 our --

12 CHAIRPERSON MITTEN: I'm sure it's
13 completely unbiased.

14 COUNCIL MEMBER THOMAS: --
15 community, so I just have to say that and take
16 my chances. But to all of you and all the
17 work you do, I appreciate it and I'm one to be
18 here in support of this Fort Lincoln New Town
19 Project for a lot of different reasons.

20 I think that over my lifetime we
21 have had great promise and hope from the
22 existing development that has been there and

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1 the legacy that Mr. Hagans has left to Michele
2 and Michele is now taking this to a place
3 where our community after a long tenure has
4 had a lot of input, a lot of involvement and a
5 lot of promise and worked with groups such as
6 the ANC, Mr. King, if you have not heard from,
7 you probably will hear from, the current
8 Council Member and community groups that will
9 be affected by this.

10 I think that they have done, what
11 I think, a complete snapshot of looking at
12 what we need to happen at the gateway to our
13 city. So I'm here to lend support for a
14 couple of reasons. I think one is that we
15 will be looking at the development of 650 new
16 jobs, which my neighborhood sorely needs from
17 the total development of this project.

18 We're looking at some housing that
19 is second to none in the region, not just the
20 city that is being developed there. And
21 thirdly, I think just to look at the
22 assemblance of the team that has put this

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1 together and the attention to detail and
2 community involvement is one in which I am
3 proud of and proud to lend my support as the
4 incoming Council Member for this project.

5 I probably could go on a lot more
6 about the reasons why, but I think if you look
7 at this project and what it is doing to
8 complete the dream at Fort Lincoln, the New
9 Town, I think we would all agree with the
10 involvement from this community. We're at a
11 point where I think we should allow this
12 project to continue and to flourish in our
13 community.

14 So I'm here just to lend my
15 support, take any questions, if need be, but
16 more important to say that we have had a
17 concerted effort of many meetings in this
18 community listening to all sides and weighing
19 all options and I think we're at a point where
20 I can comfortably say I'm in support. So
21 thank you and thank you for having me today.

22 CHAIRPERSON MITTEN: Thank you

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1 very much. Any questions for Mr. Thomas? Any
2 questions? Thanks for joining us. You have a
3 great record so far in joining us and you
4 haven't even been sworn in. So we hope to see
5 a lot of you.

6 COUNCIL MEMBER THOMAS: Well, I
7 have a community that has high demand and you
8 got to meet it early. So thank you and I'm
9 running back to another meeting which I'm sure
10 I'll be before you again.

11 CHAIRPERSON MITTEN: Okay.

12 COUNCIL MEMBER THOMAS: So thank
13 you very much.

14 CHAIRPERSON MITTEN: We look
15 forward to it. Thank you. Mr. Hood, please,
16 continue.

17 VICE CHAIR HOOD: I just had two
18 more quick questions. And I have read it, so
19 I don't want you to think I don't read your
20 submittals, because I did. I just need --
21 sometimes you need further clarification. Can
22 somebody tell me about the community green,

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1 the pocket park and mews green? Are these
2 open? I think they're open space and then
3 they are going to be provided to the public
4 more than those residents who just live in the
5 area?

6 Whenever the Chairperson looks at
7 me out the side of her eye, obviously, she has
8 the answer. I could probably just ask her.

9 MS. RODRIGUEZ: Yes, that's right.

10 As you can see from the plan, the larger
11 community green, which is over an acre, is,
12 you know, located centrally to the community.

13 I think it will serve the larger sort of Fort
14 Lincoln. It is well linked through the path
15 systems. I think Mr. Amatetti talked to you
16 about the link up the hill.

17 We also created through this other
18 mews that I didn't detail in great detail
19 described has the stairs that leads up to Fort
20 Lincoln Drive and there are also a number of
21 pedestrian connections. So I mean, my gut
22 feeling is we've designed very openly. There

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1 are no fences. The idea is to invite
2 everybody.

3 It will be used primarily, I
4 think, by the immediate neighbors just because
5 that's how we all are. I mean, we're kind of
6 a little lazy as to how far we walk to places.

7 But the idea is to invite, you know, the
8 neighborhood, the larger neighborhood of Fort
9 Lincoln.

10 Some of the other spaces, you
11 know, the mews and the pocket parks tend to
12 be, you know, the smaller scale, so they are
13 really going to serve, you know, primarily
14 sort of the community.

15 VICE CHAIR HOOD: Not the
16 community as a whole, just those, that
17 specific area?

18 MS. RODRIGUEZ: Yes, that's why we
19 have sort of a variety of sizes.

20 VICE CHAIR HOOD: Okay. Are there
21 any restrictions? Did I see anything that
22 says 7:00 to 7:00? I see so much, I don't

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1 know if it's this case or another.

2 MS. RODRIGUEZ: Restrictions?

3 What do you mean?

4 VICE CHAIR HOOD: Restrictions on
5 if I wanted to use the community green. For
6 example, if I walk over there, can I use the
7 community green?

8 MS. RODRIGUEZ: Yes.

9 MS. HAGANS: Yes.

10 VICE CHAIR HOOD: Okay. And there
11 are no time frames? Okay.

12 MS. RODRIGUEZ: None.

13 VICE CHAIR HOOD: That's all the
14 questions I have, Madam Chairman.

15 CHAIRPERSON MITTEN: Thank you,
16 Mr. Hood. Any questions, Mr. Parsons?

17 COMMISSIONER PARSONS: Yes.

18 CHAIRPERSON MITTEN: Please.

19 COMMISSIONER PARSONS: Ms. Hagans,
20 I wanted to follow-up with Mr. Amatetti about
21 storm water, but I'm trying to get an
22 understanding of who owns Fort Lincoln. Now,

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1 who is in control of the whole project?

2 MS. HAGANS: Fort Lincoln New Town
3 Corporation.

4 COMMISSIONER PARSONS: And are you
5 part of that?

6 MS. HAGANS: Yes.

7 COMMISSIONER PARSONS: You are
8 that?

9 MS. HAGANS: That would be me.

10 COMMISSIONER PARSONS: Okay.
11 That's what I thought. It was not a naive
12 question, but I had to --

13 MS. HAGANS: No.

14 COMMISSIONER PARSONS: -- put it
15 into the record.

16 MS. HAGANS: Thank you.

17 COMMISSIONER PARSONS: So you then
18 are in control of the Peterson Project next
19 door. Is that correct?

20 MS. HAGANS: The retail center?

21 COMMISSIONER PARSONS: Yes.

22 MS. HAGANS: It is not the

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1 Peterson Project.

2 COMMISSIONER PARSONS: I'm sorry.

3 MS. HAGANS: That's okay. It's
4 Washington Gateway Retail Project, yes.

5 COMMISSIONER PARSONS: Yes, you
6 have oversight over that project?

7 MS. HAGANS: Well, I'm a part of
8 that development team.

9 COMMISSIONER PARSONS: Okay. So
10 there is no city agency that is overlooking
11 this. It is you?

12 MS. HAGANS: I'm not sure what --

13 COMMISSIONER PARSONS: From a
14 storm water -- I'm going after storm water to
15 let you know.

16 MS. HAGANS: Yes. No, the city is
17 heavily involved in the storm water --

18 COMMISSIONER PARSONS: Okay.

19 MS. HAGANS: -- management of that
20 project.

21 COMMISSIONER PARSONS: All right.

22 Now, Mr. Amatetti, the detail that's in this

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1 document is not what we have become accustomed
2 to here on the Zoning Commission. And the
3 only diagram that we have is entitled overall
4 site development plan. I guess you are
5 familiar with that. C3 in the book, the
6 larger book.

7 And it talks about in a note under
8 storm water management notes in the upper left
9 that all quantity control, all quantity
10 control be provided off-site in a regional
11 pond currently being designed by VIKA. What
12 is that?

13 MR. AMATETTI: There is a
14 detention pond that is being designed behind
15 the Premium Distributors that drains not only
16 this site, but other sites in Fort Lincoln.

17 COMMISSIONER PARSONS: Okay. All
18 right. And you call it a regional pond, but
19 is it going to deal with the retail facility
20 we were just discussing or just your's?

21 MR. AMATETTI: I don't believe the
22 retail facility.

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1 MS. HAGANS: It will deal with the
2 most eastern third by topo that flows in that
3 direction.

4 COMMISSIONER PARSONS: I see.

5 MS. HAGANS: Yes.

6 COMMISSIONER PARSONS: So it's my
7 recollection, we had the Premium Distributors
8 Project as a project before the Zoning
9 Commission and that storm water pond was a
10 part of that project, as I remember. I
11 remember asking questions about it. Maybe not
12 the specific design of it, but the location.

13 Ms. Hagans is saying no.

14 MS. HAGANS: No, I think any
15 discussion you had about a retention pond for
16 the Premium site is on Premium's site
17 specifically as a private one, but it's not the
18 one that you are discussing now about a
19 regional pond. There is a much larger
20 facility that is situated in the right-of-way,
21 the Eastern Avenue right-of-way that will
22 handle the storm water from this project, the

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1 villages, for the Union Wesley Project that's
2 across the street and anything that is
3 developed, I guess, south of Union Wesley
4 Project as well as the one-third of the
5 shopping center that is closest to the ramps
6 that come off of New York Avenue.

7 COMMISSIONER PARSONS: I see. So
8 there is a facility built by Premium?

9 MS. HAGANS: Premium has its own
10 storm water management facility on-site.

11 COMMISSIONER PARSONS: Okay. All
12 right. Now, I'm getting it.

13 MR. AMATETTI: I guess a picture
14 is worth a thousand words.

15 COMMISSIONER PARSONS: Thank you.

16 MR. AMATETTI: What I did was put
17 up a graphic here.

18 CHAIRPERSON MITTEN: I need you to
19 stay on a microphone or I can give you this
20 hand held if you want or you are welcome to
21 pick that one up.

22 MR. AMATETTI: A picture is worth

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1 a thousand words and the pond that we are
2 speaking of, Premium's pond, is located here.

3 COMMISSIONER PARSONS: Yes.

4 MR. AMATETTI: The regional
5 detention pond which drains this area as well
6 as you can see it graphically here a small
7 portion of the retail site is actually right
8 in this area and it's called Storm Water
9 Management Facility No. 3. The reason why
10 it's referred to as regional is because it
11 provides the tensions for multiple sites, not
12 just ours.

13 There is also a Detention Pond No.
14 2 here which does drain a significant portion
15 of the retail. None of our water goes to this
16 pond.

17 COMMISSIONER PARSONS: And that's
18 under design as well?

19 MR. AMATETTI: I'm not involved.

20 MS. HAGANS: No, that one is
21 constructed.

22 MR. AMATETTI: Yes, that one, I

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1 believe, is constructed.

2 COMMISSIONER PARSONS: And that's
3 in the ramp off the Dakota Avenue.

4 MR. AMATETTI: Right.

5 MS. HAGANS: Correct.

6 COMMISSIONER PARSONS: As it
7 approaches --

8 MS. HAGANS: Right, South Dakota
9 Avenue going up and you see this very large
10 crater, like a spaceship settled there, that's
11 the pond that he is talking about No. 2.

12 COMMISSIONER PARSONS: All right.
13 And do you know, if you're not designing it,
14 I appreciate if you don't, you wouldn't know,
15 but that regional facility we're talking
16 about, No. 2.

17 MS. HAGANS: No. 3.

18 COMMISSIONER PARSONS: Whatever,
19 the one you are pointing to, that is the one?

20 MR. AMATETTI: This one?

21 COMMISSIONER PARSONS: You are
22 going to be using, the one that you are going

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1 to be using?

2 MR. AMATETTI: Which is No. 3
3 right here.

4 COMMISSIONER PARSONS: How is the
5 water getting to the Anacostia River from
6 there? Do you know?

7 MR. AMATETTI: Well, our water
8 flows down through those into closed conduit
9 systems all the way down to a point just
10 around that, the Premium Distributors' pond.
11 Then it flows into this pond and then out
12 through a 48 inch closed conduit system. And
13 do be very frank with you, I have not taken
14 the time to chase it completely to the river.

15 COMMISSIONER PARSONS: So it goes
16 under the cemetery, I guess?

17 MR. AMATETTI: Correct.

18 MR. COLLINS: Mr. Parsons, while
19 John didn't research it, associates of his in
20 VIKI did, because there was a question that
21 you asked in a previous setting. The pipe
22 goes through the cemetery and goes all the way

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1 directly into the Anacostia.

2 COMMISSIONER PARSONS: All right.

3 All right. Thank you. I didn't mean to get
4 regional on you, but I'm trying to understand
5 it.

6 MR. COLLINS: Yes, sir.

7 MR. AMATETTI: Yes, sir.

8 COMMISSIONER PARSONS: So let's
9 back up to your -- the drawing we talked about
10 earlier called C3. And that shows these two
11 pipes, I guess, that are 10 by -- vaults they
12 are called.

13 MR. AMATETTI: Correct.

14 COMMISSIONER PARSONS: And you
15 described those as having a water quality
16 device, I think you called it.

17 MR. AMATETTI: Correct. Those are
18 storm filters, which are precast vaults that
19 are completely below grade.

20 COMMISSIONER PARSONS: Um-hum.

21 MR. AMATETTI: And inside the
22 vaults are canisters with filtering material

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1 in them.

2 COMMISSIONER PARSONS: But they
3 have nothing to do with quantity. They do not
4 delay anything?

5 MR. AMATETTI: Very little. They
6 have a small amount of detention, but its
7 primary function is to provide quality.

8 COMMISSIONER PARSONS: All right.
9 And so many of the things you said tonight
10 were good. That is they weren't in here, so I
11 was getting excited. You're not paying
12 attention to LID and those kinds of things.
13 So how far advanced is your thinking on this?
14 I mean, could you submit something back to
15 the Commission to assure us that yes, rain
16 gardens will be used and retention of some
17 kind will be part of the project?

18 MR. AMATETTI: Absolutely. As I
19 said, the location of these rain gardens has
20 to be carefully considered.

21 COMMISSIONER PARSONS: Yes.

22 MR. AMATETTI: Because doing

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1 infiltration just for the sake of doing
2 infiltration and not choosing the areas
3 properly and ensuring that the facilities are
4 going to function properly is a waste of
5 everybody's time.

6 COMMISSIONER PARSONS: Do you
7 think there is any room for pervious pavement
8 here, possibly in the driveways?

9 MR. AMATETTI: Unfortunately, I
10 would recommend against that, because in my
11 experience as we would want to use pervious
12 pavers in pedestrian areas and really the
13 primary objective in this site is to keep the
14 pedestrian areas non-impervious, you know, the
15 greens and so forth.

16 COMMISSIONER PARSONS: But why
17 wouldn't they work in the parking areas, for
18 instance?

19 MR. AMATETTI: Well, because what
20 happens is in parking areas that are -- people
21 are in the wintertime subjected to sand and
22 salt and so forth and so on, it creates an

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1 issue of maintenance and also, you know, they
2 would just stop functioning after a while
3 unless they were properly maintained in a
4 driveway setting.

5 In my opinion, it's just too
6 heavily traveled. You know, the -- too many
7 repetitions. Pervious pavement surfaces,
8 vehicular pavement surfaces, in my opinion,
9 should primarily be focused on areas where
10 there is very, very infrequent light traffic
11 and so forth and so on, because of the nature
12 of the pavements are not as durable as the
13 other impervious pavements.

14 And I don't think in a setting
15 with some houses --

16 COMMISSIONER PARSONS: Well, I'm
17 not talking about the kind of thing that's
18 used for fire access or infrequently used
19 parking lots and so forth. I'm talking about
20 pavers that are set into a gravel-base
21 beneath.

22 MR. AMATETTI: Yes, sir. The

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1 problem with driveways and so forth is once
2 again people sand them and so forth and the
3 pores in the pavement get clogged or the --
4 depending upon the paver you choose, you can
5 clog it. But with the band of stone
6 underneath the pavers in the wintertime, if
7 you don't have good ground infiltration of
8 that water, what happens is you get a hard
9 freeze and then you start popping the pavers
10 up and it can become a very, very serious
11 situation where it's not durable, doesn't last
12 and so forth.

13 And with the added repetition of
14 the weight of the cars, it contributes to
15 progressive failure that can be fairly
16 significant. Not necessarily a great idea
17 unless you are in a very sandy soil
18 environment, which we are not unfortunately.

19 COMMISSIONER PARSONS: All right.

20 Then I would go back to Ms. Hagans and ask
21 are you going to have a condominium homeowners
22 association? What's going to be responsible--

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1 MS. HAGANS: Both. Those units
2 that are proposed to be condominium will have
3 a condominium association and then you have
4 another homeowners association that sits on
5 top, because we have fee simple townhouses as
6 well.

7 COMMISSIONER PARSONS: So these
8 two associations then would contribute to the
9 annual maintenance of the common spaces and
10 the storm water facilities. Is that correct?

11 MS. HAGANS: Yes.

12 COMMISSIONER PARSONS: Okay. Ms.
13 Rodriguez, a couple of questions. The fences,
14 I find them intriguing. Maybe we could just
15 go to one sketch here. These pages aren't
16 numbered, but you probably have them
17 memorized, so I'm not worried about them.
18 It's -- the watercolors are quite attractive.

19 MS. RODRIGUEZ: Thank you.

20 COMMISSIONER PARSONS: Who is Mr.
21 Fitzhugh who did these? They're very good.
22 I'm going to a view of the entrance of the

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1 Commodore Barry -- Joshua Barney Drive and
2 here we see the fences separating the
3 sidewalks from the front yard.

4 And then we go to the next one and
5 you see it again, probably a better example.
6 Oh, good, it's on the wall. Will homeowners
7 be permitted to define their own property in a
8 perpendicular way between these?

9 MS. RODRIGUEZ: Yes, they would.
10 The idea was actually to use the fences on the
11 larger scale roads, as you can see there.

12 COMMISSIONER PARSONS: Yes.

13 MS. RODRIGUEZ: And the idea is,
14 you know, to help define this sort of
15 transition from public --

16 COMMISSIONER PARSONS: Right.

17 MS. RODRIGUEZ: -- to semi-public
18 to -- you know, to private. And, you're
19 right. I mean, in these sketches we didn't
20 show that perpendicular fence. I mean, I
21 think that is possible. Some people don't
22 necessarily like to always have them, so the

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1 idea would be to have that kind of
2 flexibility. I mean, we have seen it used in
3 the town here in the District both ways.

4 COMMISSIONER PARSONS: I like
5 this. I mean, it has got a sense of elegance
6 about it. It's really nice and I, frankly,
7 can't imagine it with people starting to carve
8 it up and put --

9 MS. RODRIGUEZ: Right.

10 COMMISSIONER PARSONS: -- their
11 own fences in, but that's human nature.

12 MS. RODRIGUEZ: Yes.

13 COMMISSIONER PARSONS: If they
14 have got a dog or whatever, you need to --

15 MS. RODRIGUEZ: That's why, I
16 mean, we encourage for them to be, you know,
17 more of this nature. The problem is that I
18 think it's very hard to dissuade somebody that
19 really needs to, you know, define their space.

20 COMMISSIONER PARSONS: Right. So
21 I assume there would be some kind of
22 architectural controls or covenants that would

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1 require the same kind of fencing.

2 MS. RODRIGUEZ: That's correct.

3 COMMISSIONER PARSONS: So you
4 don't go get chain link or something. Okay.

5 MS. RODRIGUEZ: They do, yes.

6 COMMISSIONER PARSONS: Everybody
7 is nodding.

8 CHAIRPERSON MITTEN: I got it.

9 MS. RODRIGUEZ: Yes, yes, no, no,
10 we -- definitely.

11 COMMISSIONER PARSONS: Let's go to
12 the next shot, which is a view of the typical
13 alley condition and here there are some trees
14 introduced. Maybe artistic license was used
15 that seemed problematic to me right behind the
16 garages, and I don't see those on the plan
17 view for your landscape plan.

18 MS. RODRIGUEZ: Right. Actually,
19 the reason you don't have it in the landscape
20 is just the scale of the detail that you need.
21 These trees cannot occur on every house. I
22 can tell you that. There are some of them

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1 that are too narrow. The spaces between the
2 garages are too narrow --

3 COMMISSIONER PARSONS: Yes.

4 MS. RODRIGUEZ: -- to allow it.
5 So what we have done is actually every couple
6 of garages they occur, because we can get the
7 green space between the garages to be large
8 enough to support a tree.

9 And, actually, these are very
10 successful. We have done them in a lot of
11 alleys, you know, throughout the region and
12 when you allow for them to grow in the
13 appropriate space, they really help the alley,
14 because otherwise there is a lot of hardscape.

15 COMMISSIONER PARSONS: Oh, yes.
16 It's pretty grim without them.

17 MS. RODRIGUEZ: Right. And what
18 we do is we actually work with the architects
19 to get the dexta, you can see at the upper
20 level for -- at the corners.

21 COMMISSIONER PARSONS: Um-hum.

22 MS. RODRIGUEZ: So there is enough

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1 space for the tree to move through and the
2 canopy is actually at the living level of the
3 unit.

4 So it's a nice feature. It's very
5 successful. I mean, I know that we will not
6 be able to put it in every single house, but
7 it will be every two or three houses will have
8 a tree.

9 COMMISSIONER PARSONS: Well, there
10 are very few alleys on the landscape plan that
11 show this.

12 MS. RODRIGUEZ: Right.

13 COMMISSIONER PARSONS: And if you
14 have given that more thought, maybe we should
15 get a revised landscape plan that helps us
16 with that. I'm looking at that same drawing.

17 That's good. See, in the lower left, I don't
18 know what to call that.

19 MS. RODRIGUEZ: Right.

20 COMMISSIONER PARSONS: The lower
21 section they are shown. They are shown on the
22 west edge or the left edge.

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1 MS. RODRIGUEZ: Right.

2 COMMISSIONER PARSONS: In an alley
3 there, but other than that they are pretty
4 sparse.

5 MS. RODRIGUEZ: Yes, and they will
6 be able to be interspersed in between them.
7 As I said, not in every unit, but every few.

8 COMMISSIONER PARSONS: Okay. Now,
9 Mr. Tummonds said you were going to tell us
10 about saving trees and you didn't, so I wanted
11 to pursue that a little bit. Did you hear
12 that?

13 MS. RODRIGUEZ: I thought Mr.
14 Tummonds again?

15 COMMISSIONER PARSONS: Sorry, I'm
16 not going to let you off yet.

17 MS. RODRIGUEZ: No.

18 COMMISSIONER PARSONS: Mr.
19 Tummonds said you were going to talk about
20 saving trees and you didn't do that, so I
21 wanted to --

22 MS. RODRIGUEZ: Okay.

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1 COMMISSIONER PARSONS: -- bring it
2 up again.

3 MS. RODRIGUEZ: I apologize. I
4 think Mr. Amatetti had alluded to that. We
5 spent an extraordinary amount of time doing
6 the grading in collaboration with VIKI. This
7 plan was graded back and forth I don't know
8 how many times. He mentioned to you the
9 difference in grade between one end and the
10 other and what we're trying to do is to meet
11 existing grades at the edges of the roadways,
12 which are present today.

13 So the area where we have trees
14 are mostly in the back portion of the site. I
15 think I may be able to point that out. It's
16 back in here. So what we have done is created
17 with the use of retaining walls minimize the
18 grading to preserve as many trees as we could.

19 So, basically, the tree preservation comes
20 right to the edge of the alleyways, and that
21 is the case along this entire boundary.

22 If you were to see the site today,

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1 we don't have an aerial of that, but most of
2 this plateau at the lower level is clear.
3 There are no trees. The only trees existing
4 are at this edge.

5 COMMISSIONER PARSONS: Let's talk
6 about that shape. That doesn't seem to
7 conform to the -- are the white boxes, I will
8 call them, are those tree save areas? Is that
9 what those are? Is that why they are shown
10 that way? I mean, that doesn't appear to be
11 the property line or the edge of the
12 development. Perhaps you could return to your
13 overall landscape plan.

14 MS. RODRIGUEZ: Yes, that's what I
15 want to do. Right.

16 COMMISSIONER PARSONS: So those
17 are the save --

18 MS. RODRIGUEZ: That line is just
19 the property line, but if you have seen this
20 plan here, you see the -- some of the edges of
21 the tree saves?

22 COMMISSIONER PARSONS: So those

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1 trees are part of the project?

2 MS. RODRIGUEZ: Yes, and they are
3 designated as tree save on the drawings. That
4 particular graphic that you saw is just a
5 graphic.

6 COMMISSIONER PARSONS: Right.

7 MS. RODRIGUEZ: We use the
8 property line to show a white background.

9 COMMISSIONER PARSONS: So that is
10 the property line? I mean, it's a very
11 strange configuration.

12 MS. RODRIGUEZ: Very strange. I
13 don't know. Maybe Ms. Hagans can --

14 COMMISSIONER PARSONS: All right.
15 Everybody is nodding.

16 MS. RODRIGUEZ: -- can help.

17 COMMISSIONER PARSONS: That's for
18 the record. Oh, Ms. Hagans is not.

19 MS. HAGANS: No. The property
20 line comes from the layout of the project.
21 There are no -- it is not -- the property
22 lines are not -- we don't start out with them

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1 hard and fast. We select a site and when we
2 lay it out, the property lines are laid out as
3 we lay out the project.

4 COMMISSIONER PARSONS: Okay. Now,
5 I got it. So who owns the trees adjacent to
6 the tree save areas? I mean, they are part of
7 Fort Lincoln but, I mean, are they designated
8 as open space? Is there a potential
9 development coming next door?

10 MS. HAGANS: On what side? There
11 is no development that --

12 COMMISSIONER PARSONS: To the
13 left, there.

14 MS. RODRIGUEZ: It's extremely
15 steep.

16 MS. HAGANS: No, you cannot.
17 Between the -- you mean on the other side of
18 the tree save area?

19 MS. RODRIGUEZ: Right.

20 MS. HAGANS: No, that's the one
21 that's -- it's dropping about 60 feet and at
22 the top of it is public. It's a cultural

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1 center.

2 COMMISSIONER PARSONS: Yes.

3 MS. HAGANS: And that is public.

4 COMMISSIONER PARSONS: Okay.

5 MS. HAGANS: It's owned by the
6 District Government, and then you have --

7 COMMISSIONER PARSONS: Here we go.

8 MS. HAGANS: You can see where you
9 have the tennis courts and then the park and
10 then the school.

11 COMMISSIONER PARSONS: Yes.

12 MS. HAGANS: All the way back down
13 to Fort Lincoln Drive and Commodore Joshua.
14 That is all public.

15 COMMISSIONER PARSONS: So all of
16 that that you have delineated there in that
17 amoeba shape will remain as trees or tennis
18 courts or whatever.

19 MS. HAGANS: Whatever it is,
20 whatever it is today, and then we also have
21 other sites that are not developable in Fort
22 Lincoln, and they will all remain --

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1 COMMISSIONER PARSONS: Very good.

2 MS. HAGANS: -- open space.

3 COMMISSIONER PARSONS: Now, I
4 wanted to talk about the retaining walls
5 along --

6 MS. RODRIGUEZ: Fort Lincoln
7 Drive.

8 CHAIRPERSON MITTEN: Fort Lincoln
9 Drive.

10 COMMISSIONER PARSONS: Oh, thank
11 you. And the section you showed us, here you
12 go. I can't find it. Why don't we use that?
13 So it would appear that these retaining walls
14 are to achieve four more units. Is that
15 correct? I mean, in other words, if you took
16 the four units, and I can't read the numbers
17 from here, let me see if I can find them, you
18 know the ones, boom, boom, boom. There you
19 go.

20 MS. HAGANS: The retaining walls
21 are to --

22 COMMISSIONER PARSONS: We don't

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1 need this retaining wall, right? You could
2 move the road over and -- thanks so much.
3 Yes, 28, 21, 14 and 7.

4 MS. HAGANS: Can you ask the
5 question again? Ask the question again, Mr.
6 Parsons.

7 COMMISSIONER PARSONS: Well, it
8 seems that the retaining wall is necessitated
9 by trying to max out the number of units and
10 if it's okay --

11 MS. HAGANS: No, sir. The
12 retaining wall is there because the street is
13 a lot higher than where the houses are
14 starting. In fact, we actually lost units on
15 this site trying to create, in our discussions
16 with OP, this retaining, this bi-level
17 retaining wall to step down from -- the street
18 is significantly higher than the site only on
19 the Fort Lincoln Drive side.

20 As you turn and as Fort Lincoln
21 Drive turns, it becomes much flatter and the
22 street actually meets the site. But on this

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1 corner, there is a significant distance
2 between where the street is and the houses.

3 COMMISSIONER PARSONS: What I
4 meant was if you eliminated 28, 21, 14 and 7,
5 would you need this retaining wall? Why is
6 that? There are people nodding to your right.

7 MS. HAGANS: Right.

8 MR. AMATETTI: The grade
9 differential between the road, Fort Lincoln
10 Drive, and this area here are significant.
11 Losing those four units unfortunately would
12 not remove the walls.

13 COMMISSIONER PARSONS: I meant to
14 move the road into where the four units are.
15 That's what I meant. I wasn't very specific,
16 I guess.

17 MR. AMATETTI: Let me have the
18 pointer. This road here is existing. It's
19 built.

20 COMMISSIONER PARSONS: Oh.

21 MR. AMATETTI: It's built now.

22 COMMISSIONER PARSONS: Oh.

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1 MR. AMATETTI: Yes, that's Fort
2 Lincoln Drive, N.E. That is constructed.

3 COMMISSIONER PARSONS: Oh, yes.
4 No, I mean the frontage road that you're
5 building.

6 MR. AMATETTI: Right, the frontage
7 road. If this --

8 COMMISSIONER PARSONS: Let's look
9 at the section.

10 MR. AMATETTI: This frontage road
11 here, if it moved north, then it would start
12 infringing on the community green.

13 MS. RODRIGUEZ: So you're saying
14 eliminate the four units. You still --

15 COMMISSIONER PARSONS: Well, maybe
16 I'm --

17 MS. RODRIGUEZ: You would still
18 need -- yes, I understand the question. You
19 would -- you know, you would need some
20 retaining walls not this high.

21 COMMISSIONER PARSONS: Right.

22 MS. RODRIGUEZ: Obviously, but the

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1 thing here is that this layout had been
2 changed, you know, several times to actually
3 address some of OP comments and the
4 relationships of the units.

5 What this does is it creates
6 still, you know, some kind of privacy to these
7 units while, you know, we can achieve the
8 numbers and the density that we wanted to
9 provide for this development without
10 negatively impacting the relationship to the
11 surroundings, to the roadway.

12 We worked pretty hard at stepping
13 these units. You can see here, the worst
14 condition is up on the top, but it goes down
15 to basically almost nothing as you move to No.
16 14.

17 COMMISSIONER PARSONS: Yes, I see
18 it there. So the section AA, which is in the
19 upper right of this drawing, between the house
20 and the retaining wall, that is a footpath?

21 MS. RODRIGUEZ: Yes.

22 COMMISSIONER PARSONS: Or a

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1 sidewalk?

2 MS. RODRIGUEZ: Yes.

3 MS. HAGANS: Yes.

4 COMMISSIONER PARSONS: I see. I
5 misunderstood that as being a roadway. That
6 is why we were --

7 MS. HAGANS: Oh, no, it's not a
8 roadway.

9 COMMISSIONER PARSONS: -- not
10 communicating. All right. Thank you. Now,
11 human nature what it is, I wonder about this
12 access to the retail. I won't call it the
13 Peterson Project again. Okay?

14 MS. HAGANS: Thank you.

15 COMMISSIONER PARSONS: I sensed I
16 pushed a button there. It would seem people
17 would be crossing the street just where they
18 wanted to and wouldn't make the effort to come
19 up here.

20 Are you going to do anything to
21 deter that? You have got a sidewalk all along
22 Fort Lincoln Drive, along the whole project,

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1 right, so people can come out and dash across
2 as it were. You can't control human nature
3 but, I mean, you have got this nice amenity
4 and this is where people want to go if they
5 are going to eat out or something, but if they
6 just want to run over to Target or Costco.

7 MS. HAGANS: Well, the roadway is
8 four lanes. There are two lanes on each side
9 and a median strip --

10 COMMISSIONER PARSONS: Yes.

11 MS. HAGANS: -- that is as wide as
12 a lane, and it's not necessarily flat. So I'm
13 not sure there is going to be sprinting across
14 it. What we did was, as I spoke earlier, we
15 took the -- one of the existing layouts we
16 had, redid it so that we could create
17 specifically a connection between this project
18 and the restaurant, small retail area.

19 I think the traffic consultant
20 spoke about it. It's a raised area and it has
21 a four way stop sign. And so there is no
22 traffic control again until you go all the way

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1 back to the end where Premium is or until you
2 come all the way up until there is a signal
3 traffic, signaled intersection at 33rd.

4 And so there is -- if you look at
5 the orientation, there is not an entrance into
6 the shopping center, except at -- back by
7 Premium, across from this project into the
8 small retail and restaurant and then again at
9 33rd. So it really isn't accessible for safe
10 pedestrian access.

11 MS. RODRIGUEZ: If I may, I would
12 just -- you know, because your comment is
13 well-taken. We enhanced the landscape on the
14 median to actually dissuade or not make it as
15 convenient.

16 COMMISSIONER PARSONS: Yes, that
17 was enhanced and that really looked nice.

18 MS. RODRIGUEZ: Yes. And the idea
19 is actually, you know, twofold, one,
20 aesthetics and, two, traffic control.

21 COMMISSIONER PARSONS: Right.

22 MS. RODRIGUEZ: I mean, I think we

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1 can make sure that pedestrians -- we don't
2 make it as easy.

3 COMMISSIONER PARSONS: So we're
4 all looking at the same thing. So why did you
5 decide to go to the -- I will say north, the
6 upper side on this drawing of the interchange,
7 intersection, rather than get just that much
8 closer to the center of your project? There
9 must be a reason for it to be on that side of
10 the island rather than, you know, 100 feet
11 short downstream here.

12 MS. RODRIGUEZ: Yes.

13 MS. HAGANS: Go ahead.

14 MS. RODRIGUEZ: There were a
15 couple of things. You know, the wider median
16 allowed for a refuge, a very substantial
17 refuge, so you can -- this is, you know, two
18 lanes and two lanes, so this allows you to go
19 to the middle and then stay there and then
20 continue.

21 COMMISSIONER PARSONS: So you
22 couldn't achieve that on the other side of the

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1 intersection.

2 MS. RODRIGUEZ: Yes, it's a lot
3 narrower, so this is a nicer place to stop and
4 provide, you know, two very safe crossings.
5 There are other measures also that the traffic
6 people were putting in place to, one, slow
7 traffic and also have pedestrian. I think
8 there are some pedestrian crossing measures
9 for that aside from the four street, four way
10 street crossing.

11 And, you know, at this point, this
12 is really the only connection into the site.
13 You saw on the picture and the perspective.
14 Here the sites are actually at the same level,
15 but as you move westward on this portion of
16 Fort Lincoln, the grades start shifting.

17 COMMISSIONER PARSONS: I see.

18 MS. RODRIGUEZ: And the retail is
19 lower and the roadway stays high.

20 COMMISSIONER PARSONS: All right.
21 Fine. Thanks. Will the work -- Ms. Hagans,
22 would the workforce housing be dispersed

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1 throughout the community or is it going to be
2 focused on one particular housing type?

3 MS. HAGANS: It's focused on one
4 particular housing type, but that type is
5 dispersed throughout the project.

6 COMMISSIONER PARSONS: What type
7 would that be?

8 MS. HAGANS: It's the two over two
9 townhouses.

10 COMMISSIONER PARSONS: Ah, okay.
11 I will look then.

12 MS. HAGANS: Okay.

13 COMMISSIONER PARSONS: That's all
14 I have. Thank you.

15 CHAIRPERSON MITTEN: Thank you,
16 Mr. Parsons. I just have a few things I would
17 like to clarify. Just to go back to the
18 conversation that Mr. Parsons was having with
19 Mr. Amatetti, I think you said when you
20 testified originally that the location of the
21 rain gardens would need to be determined when
22 you're doing the final design, and then I

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1 think Mr. Parsons had the impression that you
2 would come back to us in an additional
3 submission with that.

4 Do those things -- those two
5 things strike me as incompatible. Can you in
6 an additional submission, in a timely manner,
7 come back to the Commission with the location
8 of the rain gardens?

9 MR. AMATETTI: Yes, I think --

10 CHAIRPERSON MITTEN: Okay.

11 MR. AMATETTI: -- within a two
12 week period.

13 CHAIRPERSON MITTEN: Oh, okay.

14 MR. AMATETTI: We would come back
15 with locations. We have been progressing on
16 this project with final design with respect to
17 utilities and so forth and grading, as Trini
18 testified to, which allows us to come back and
19 start looking at some of these issues and
20 together with the soils conditions determine
21 the most opportune places to put these
22 devices.

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1 CHAIRPERSON MITTEN: Okay. Great.

2 MR. AMATETTI: Yes.

3 CHAIRPERSON MITTEN: Also, you
4 mentioned low-impact design. Do you happen to
5 know, are there objective standards for what
6 constitutes low-impact design?

7 MR. AMATETTI: Well, there's a lot
8 of things published about low-impact design.
9 I guess Prince George's County has published
10 some documents. Fairfax County right now is
11 working on developing particular guidelines
12 for implementation of low-impact design.

13 All of them vary but, as I
14 testified to, I think the utmost concern of
15 low-impact design should be trying to reduce
16 impervious area going in to begin with and
17 then look at other issues as you go down.

18 Each particular project has its
19 own opportunities and constraints, meaning a
20 commercial project can do certain low-impact
21 design things that a residential project can't
22 and vice versa. And so I think that you will

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1 probably see in a few years a lot of different
2 manuals or programs to try and encourage
3 different low-impact design.

4 But I think it's more of a
5 cultural thinking than it is specific things
6 that can be applied to every project across
7 the board, and it's something for Commissions
8 like this to, you know, take seriously and
9 look at each project individually to determine
10 what the most appropriate type of measure
11 might be.

12 CHAIRPERSON MITTEN: Well, that is
13 what I was getting at, which is what you
14 touched on, which I wondered if there was an
15 objective standard about the amount of
16 impervious surface, you know, that if you need
17 to have a certain percentage that is not
18 impervious to count as low-impact design.

19 So is there -- that was the
20 specific standard I was thinking of, but it
21 sounds like there isn't anything specific.

22 MR. AMATETTI: No, there isn't,

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1 there isn't.

2 CHAIRPERSON MITTEN: To the
3 traffic issues for a minute. If I understood
4 correctly, Ms. Milanovich, when you were
5 testifying you were articulating a series of
6 recommendations that you made and that DDOT
7 has accepted that relate to the Washington
8 Gateway Project, and then if I understood you
9 correctly there was a further series of
10 recommendations that you had made that related
11 to this larger study. Did I hear that right?

12 MS. MILANOVICH: Yes, that's
13 correct.

14 CHAIRPERSON MITTEN: Okay. And at
15 least one of the things I was having trouble,
16 I couldn't keep up with the things that you
17 were saying, but one of them, I think, was the
18 installation of a traffic light, for instance,
19 and I don't remember where. But what will be
20 the mechanism for implementing those
21 additional recommendations?

22 MS. MILANOVICH: Actually, there

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1 is a land disposition agreement that maybe
2 Michele or somebody else could probably speak
3 better to, but basically that agreement
4 outlines who would be responsible for the
5 improvements that are required to accommodate
6 the development of the Fort Lincoln area.

7 And things such as the
8 installation of traffic signals falls under
9 the purview of public improvement, and we have
10 talked with DDOT about that, about programming
11 those in their budget, so items such as
12 installing traffic signals would be the
13 responsibility of DDOT in this case.

14 CHAIRPERSON MITTEN: How critical
15 are those elements to achieving, you know, the
16 conditions that you described for the
17 Washington Gateway project? If those things
18 are not implemented, do the conditions that
19 you have described as being tolerable, would
20 those still obtain?

21 MS. MILANOVICH: Actually, the
22 more significant improvements are required as

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1 development of the entire area are built out.

2 With respect to the Village of Washington
3 Gateway, most of the improvements that I have
4 listed as being required in conjunction with
5 the residential component would be, in fact,
6 implemented by the applicant.

7 There are a couple that I consider
8 more minor, such as the optimization of the
9 signal timings at a couple of locations, that
10 would fall under the purview of DDOT. You
11 know, while those would be -- while those
12 would improve traffic, I wouldn't say that
13 they were critical in making the traffic
14 operations associated with the Village of
15 Washington Gateway making those -- basically
16 making those operations work.

17 CHAIRPERSON MITTEN: I do also
18 want to -- I just wanted to get the entire
19 picture of what it is that you're recommending
20 as it does relate to Washington Gateway and
21 the signal timing was one, and we know that
22 you guys don't control that. And DDOT did not

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1 repeat every recommendation that you made --

2 MS. MILANOVICH: Right.

3 CHAIRPERSON MITTEN: -- on page 44
4 and you made them elsewhere in your report.
5 But, for instance, you mentioned in your
6 testimony resurfacing Joshua Barney Drive, the
7 intersection. There is some re-striping that
8 I'm not sure has been captured and so on.

9 Can you guys just repeat in one
10 place each of the traffic improvements that
11 you're committing to making?

12 MS. MILANOVICH: Yes.

13 CHAIRPERSON MITTEN: So that it's
14 clear what is distinct from a recommendation
15 versus one that you're making a commitment to.
16 That would just help me.

17 MS. MILANOVICH: Okay.

18 CHAIRPERSON MITTEN: Because I'm
19 not sure that DDOT got everything.

20 MS. MILANOVICH: Um-hum.

21 MR. TUMMONDS: And I think we can
22 address in our agreement with DDOT whose

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1 responsibility those various improvements are.

2 CHAIRPERSON MITTEN: Okay. To the
3 amenities package, I just want to emphasize
4 what Commissioner Hood was saying, which is we
5 do need to have -- we can't have these open-
6 ended contributions that are not tied down to
7 something.

8 I mean, we don't even like when
9 they are not -- the item is not delivered by
10 the time you get your Certificate of Occupancy
11 and merely a contribution being made, but we
12 have developed a certain tolerance level for
13 that. But to have a contribution that isn't
14 even identified for a specific purpose is just
15 -- that's too broad for the Commission to
16 accept, so that will need to be delineated.

17 I just want to ask a couple of
18 questions about the specific amenities. The
19 scoreboard for the ball field.

20 MS. HAGANS: Yes.

21 CHAIRPERSON MITTEN: It says the
22 applicant will contribute, approximately,

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1 \$25,000. Is that the full cost of the
2 purchase and installation?

3 MS. HAGANS: I don't believe so.

4 CHAIRPERSON MITTEN: Can you
5 provide us with the full cost and where the
6 additional money will come from, so we can
7 have a sense of whether or not this is going
8 to be achieved?

9 MS. HAGANS: Well, we can achieve
10 it by paying for the whole thing and putting
11 it up there, but then that just means that the
12 amenities don't get spread over the larger
13 community, because if I put a scoreboard up
14 there, then it's very much about people who
15 will go up there and use the ball fields and
16 play rather than us contributing to something.

17 And, in fact, that one came from
18 the ANC and the incoming council member,
19 because they are already working with Parks
20 and Rec in order to get a new scoreboard, and
21 so we're -- and that's why we're trying to
22 enhance the things that they are trying to do

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1 that they may be falling short of from a
2 budget area standpoint, so that then we know
3 that it accomplished something.

4 But let me say that I personally
5 have been probably doing this since 1980. We
6 have probably been out there the last 30
7 years. We are in constant conversation and
8 contributing to this community as developers
9 of this community. There are lots of things
10 we have done already and this is only one
11 project.

12 This is not the in for us, and so
13 we continue to look for opportunities to
14 participate in enhancing the community
15 experience of Fort Lincoln. So we will do our
16 best to nail them down for you. We didn't --
17 we contributed, probably committed to \$150,000
18 in our Dakota Crossing Project and we did not
19 specify all of it up front and we worked
20 through it.

21 And, you know, what came out of
22 that is about an \$85,000 playground for the

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1 public school. So the more I constrict it, in
2 my view, the less flexibility and the more --
3 how I narrow down the opportunity for
4 something that comes on.

5 When we're talking about 357
6 townhouses, it's -- that period is probably
7 three to four years out before we're ever
8 finished in that, and there is probably
9 somewhere along that line where we're going to
10 have to be partners in some kind of community
11 amenity far beyond this particular dollar
12 amount.

13 Fort Lincoln has been there. Fort
14 Lincoln is not -- New Town Corporation is not
15 going away and it is -- we talk more about it
16 when I pick a project which requires me to be
17 in front of the Zoning Commission. I am not--
18 try not to often be here.

19 There are plenty of things I do as
20 a matter-of-right, but we are good partners
21 with this community and we continue to be
22 great participants in enhancing the community

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1 out there, but we will try to look and be more
2 specific about those particular items for you.

3 CHAIRPERSON MITTEN: Okay. And I
4 don't want you to misunderstand me. I'm not
5 questioning your commitment.

6 MS. HAGANS: Oh, I know.

7 CHAIRPERSON MITTEN: Or anything
8 like that. I just -- we want to nail these
9 things down because they do become elements
10 where there is an enforceability issue, and we
11 want to make sure that the item is delivered.

12 MS. HAGANS: Right.

13 CHAIRPERSON MITTEN: So don't be--
14 you know, if you don't have confidence that
15 DPR can come up with their portion of that, we
16 would rather see the scoreboard up, you know?
17 I mean, that's sort of where we are.

18 Same question for the landscaping
19 plan for the medians along Fort Lincoln Drive.

20 MS. HAGANS: Yes.

21 CHAIRPERSON MITTEN: First of all,
22 do we have the landscaping plan? Is \$20,000

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1 going to achieve the landscaping plan? You
2 don't have to answer all these right now, but
3 I would like to see the plan so we know what
4 the amenity really is. And then if you can
5 tell us what \$20,000 is going to buy and then
6 as to the enhanced landscaping and maintenance
7 of the area at the corner of Fort Lincoln and
8 33rd Place. Again, what does that mean and
9 what will --

10 MS. HAGANS: I'll speak to that
11 corner for you, because one part of it belongs
12 to the villages. Another two parts of it
13 belong to the retail center and the fourth
14 part belongs to an elderly high-rise that we
15 manage. So we will do -- I am probably the
16 center figure in all four corners, so it will
17 get done so that it matches and has some
18 symmetry for that whole area right there.

19 CHAIRPERSON MITTEN: But if we
20 could just nail down what exactly is being
21 proffered there, I think that would help.
22 Let's see.

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1 The last question just relates to
2 -- there is a number of things that the Office
3 of Planning had recommended and some of them
4 we have talked about already, but do you have
5 any objections to any of the things that the
6 Office of Planning suggested like the no
7 gates, for instance?

8 MS. HAGANS: Not now.

9 CHAIRPERSON MITTEN: Okay. Okay.

10 I just wanted to make sure that there aren't
11 any issues there.

12 MS. HAGANS: No, we don't have any
13 gates in Fort Lincoln. So it is not a gated
14 community and this project won't be the
15 beginning one.

16 CHAIRPERSON MITTEN: Okay. Great.

17 Anybody else have any follow-up?

18 VICE CHAIR HOOD: Yes, I just have
19 one for the architect. Two over two, just
20 briefly tell me what is two over two.

21 MS. HAGANS: It's a product that
22 is a townhouse that is one townhouse over the

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1 top of another townhouse. Do we have any -- I
2 think we have a rendering.

3 VICE CHAIR HOOD: Yes, or else --

4 MS. HAGANS: Well, I think we have
5 a picture.

6 VICE CHAIR HOOD: We saw the
7 rendering.

8 MS. HAGANS: You saw the picture?

9 VICE CHAIR HOOD: I saw the
10 rendering, right.

11 MS. HAGANS: Right.

12 VICE CHAIR HOOD: So it's two
13 upstairs and a downstairs, so it's --

14 MS. HAGANS: Correct.

15 VICE CHAIR HOOD: Okay. All
16 right. Thank you.

17 CHAIRPERSON MITTEN: Before I let
18 you go, Commissioner Thomas, you have the
19 opportunity to cross examine the applicant if
20 you would like. I just want to give you the
21 opportunity. Do you have any questions, or
22 Mr. King? No questions? Okay. Just wanted

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1 to make sure I touched that base. Thank you
2 all very much. Now, we're ready for the
3 report by the Office of Planning. Mr. Jesick?

4 MR. JESICK: Thank you, Madam
5 Chair and Members of the Commission. My name
6 is Matt Jesick. I am with the Office of
7 Planning.

8 The Commission set this case down
9 for a public hearing on June 12th of this year
10 and the applicant has applied for a
11 consolidated PUD approval in order to
12 construct 357 townhomes and townhome
13 condominiums on a vacant 23 acre parcel in
14 Fort Lincoln.

15 The subject property is zoned R-5-
16 D and the applicant has applied for relief
17 from front, side and rear yards that do not
18 meet the requirements of that District, and
19 the applicant is seeking relief under section
20 2516 in order to construct more than one
21 building on a record lot.

22 The Office of Planning recommends

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1 approval of the application subject to the
2 conditions laid out in the Office of Planning
3 report, including the provision of additional
4 details for the amenity package. As has been
5 established, the applicant has voiced no
6 objections to those conditions.

7 The proposal is consistent with
8 major themes of the Comprehensive Plan, as
9 well as a number of policies in various
10 elements of the plan, including the Ward 5
11 plan. The application is also consistent with
12 the Fort Lincoln Urban Renewal Area Plan or
13 the FLURA Plan. It will improve this part of
14 Fort Lincoln that is currently vacant with a
15 real urban fabric.

16 It will also enhance public safety
17 and provide family housing for a variety of
18 incomes in Fort Lincoln. There are a few
19 changes since the set-down meeting that I
20 think have already been talked about a great
21 bit. I will just list them again.

22 One is the design of the retaining

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1 walls has been, in our view, improved. Some
2 of the walls have been lowered in height.
3 Where they cannot be lowered in height, they
4 have been terraced to reduce the impact of the
5 full height and allow for landscaping to hide
6 the wall.

7 The applicant has included
8 affordable housing, as has been mentioned, and
9 it should be noted that the Office of Planning
10 does not consider this a real amenity item for
11 the community. While we feel it is an
12 important component of the community because
13 of its concentration and limited duration, we
14 do not consider the affordable housing a real
15 amenity item.

16 The applicant has provided more
17 detailed landscaping in both the community
18 green and the smaller pocket parks. There are
19 also side entrances on some of the row houses
20 to avoid presenting a blank face to some
21 streets. And, as has been mentioned, the
22 applicant will establish and provide initial

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1 funding for an HOA.

2 Now, given that the density of
3 this project is well below what is allowed as
4 a matter-of-right in the R-5-D District, the
5 Office of Planning feels that the total value
6 of the benefits and amenities package for
7 this, the applicant has proposed, is
8 appropriate.

9 But, again, just to reiterate, we
10 do need additional detail on almost all of the
11 items. For instance, on the scoreboard, will
12 the applicant be donating that money to
13 another entity or will they be directly
14 installing the scoreboard? The landscaping in
15 Fort Lincoln Drive, has DDOT seen a specific
16 landscaping plan and have they approved that
17 specific plan? This sort of information is
18 still needed.

19 The Office of Planning referred
20 this case to a number of other District
21 agencies and received no negative comments on
22 the application. The Office of Planning has

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1 not received comments from the community about
2 this application, but I have seen copies of
3 letters, which I believe the Commission has
4 also received, that express concerns about the
5 Bowman on this and adjacent parcels within
6 Fort Lincoln.

7 ANC-5A voted on October 11th to
8 recommend approval of the project. And,
9 again, OP views this project as a very
10 positive addition to Fort Lincoln and the
11 District as a whole. It will provide family-
12 sized housing. It will create an active
13 neighborhood where there is currently under-
14 utilized land and it's consistent with the
15 Comprehensive Plan, the Ward 5 Plan and the
16 FLURA Plan.

17 And, therefore, we recommend
18 approval of the application, and I would be
19 happy to take any questions.

20 CHAIRPERSON MITTEN: Any questions
21 for Mr. Jesick? Mr. Hood?

22 VICE CHAIR HOOD: Madam Chair.

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1 Mr. Jesick, I have a bone to pick with Office
2 of Planning, but were you here in 1999?

3 MR. JESICK: No, I was not here in
4 1999.

5 VICE CHAIR HOOD: Mr. Lawson, were
6 you here in 1999?

7 MR. LAWSON: I'm afraid I wasn't,
8 sorry.

9 VICE CHAIR HOOD: You wasn't?
10 Okay. Well, I'm going to say it anyway. In
11 1999 the Zoning Commission with the FLURA
12 Plan, we approved 93 townhomes and, at that
13 time, you stated your case and we approved.
14 You made a good case, the Office of Planning
15 did.

16 When I look at this, it says,
17 however, the FLURA Plan does not permit the
18 development of detached units and recommends
19 higher densities than were proposed. I guess
20 in 1999 it was okay. The FLURA Plan permitted
21 it. It was fine. Now when I'm reading this,
22 the FLURA Plan didn't and I kind of went back

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1 and looked at the old plan that was submitted
2 and I didn't see where it talked about it,
3 period.

4 But I guess my point is for those
5 folks who were here in 1999 who made that
6 argument or case and then to come back and
7 retract it, I just hope that's not the way
8 we're going to pursue up there in the Fort
9 Lincoln area. You know, one week it's good.
10 Seven months later it wasn't permitted.

11 Am I making my point? I guess you
12 guys probably weren't here, so you really
13 could care less, but I -- take it back to the
14 Office of Planning. Thank you.

15 CHAIRPERSON MITTEN: Anyone else,
16 questions? Mr. Tummonds, any --

17 COMMISSIONER PARSONS: I do. This
18 storm water system that they were talking
19 about earlier, the regional one, is your
20 office involved in that at all?

21 MR. JESICK: No, our office is not
22 involved in the review of the regional storm

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1 water management.

2 COMMISSIONER PARSONS: Not because
3 of lack of desire, but lack of jurisdiction?

4 MR. LAWSON: Yes. I believe now
5 that would fall under the purview of the new
6 Department of Environment. I believe the
7 Anacostia Waterfront Corporation has also
8 expressed some interest in just how areas
9 adjacent to the river are treating the river,
10 treating runoff that is associated with the
11 river.

12 COMMISSIONER PARSONS: Well, maybe
13 you need to stay involved and what I mean is,
14 as you may know, the National Capital Planning
15 Commission reviewed this project, the retail
16 center, asked for an environmental assessment,
17 asked for more detail on storm water. Here
18 we're doing the same thing and I just wonder
19 if anybody is looking at the overall pond one,
20 two and three and what the real impact is.

21 I know how difficult it is to
22 intrude on somebody else's turf, but I hope

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1 somebody is looking at all three of these
2 projects and all three of these storm water
3 detention facilities that are being designed
4 as a whole. I guess I'm begging or ask Ms.
5 Hagans to do -- she left. She's coming back.

6 MR. JESICK: I'm sorry.

7 MR. LAWSON: We understand your
8 concern, Mr. Parsons, and I think that we
9 would be happy to at the very least pass those
10 concerns on, and I think we would be happy to
11 also maintain some involvement in how the area
12 progresses, whether it progresses as a matter-
13 of-right or whether future developments come
14 back into the Office of Planning.

15 As you probably know, we now have
16 fairly limited involvement with the commercial
17 development across the street, but we would be
18 happy --

19 COMMISSIONER PARSONS: Yes.

20 MR. LAWSON: We would be happy to
21 express, to pass those concerns on, because we
22 share them. Thanks.

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1 COMMISSIONER PARSONS: Thank you.

2 CHAIRPERSON MITTEN: Now I have
3 lost the ANC folks, but anyway, A. Did you
4 want to ask any questions on cross
5 examination, Commissioner King, for the Office
6 of Planning? Okay. Thank you. Thank you,
7 Mr. Jesick and Mr. Lawson.

8 And I would just note that we also
9 have in the record, as has been mentioned, the
10 DDOT report that came in I guess today, and
11 before we move to the ANC report, we're in the
12 awkward position of if any of us leaves the
13 dias, we no longer have a quorum, so we need
14 to just take a little break for about three
15 minutes and we'll all get up, so you can't
16 tell who needs to leave. We'll be back in
17 three minutes.

18 VICE CHAIR HOOD: Even though she
19 looked at the person.

20 (Whereupon, at 8:36 p.m. a recess
21 until 8:42 p.m.)

22 CHAIRPERSON MITTEN: Okay. We're

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1 ready to resume. If we could have the two
2 commissioners from the ANC or whomever would
3 like to speak come forward. If you would drop
4 those cards over there with the Court
5 Reporter, it would help him. Did you fill out
6 your witness cards yet? Okay. Right. There
7 you go.

8 MR. KING: Just let me say good
9 evening to the Members of the Zoning
10 Commission. My name is, for the record,
11 Commissioner Robert King and I reside at 3102
12 Apple Road, which is in Fort Lincoln.

13 Joining me this evening is Mr.
14 Timothy Thomas, ANC Commissioner 5A Vice Chair
15 who will deliver the written statement for the
16 record on behalf of ANC-5A, and then I will
17 take a few minutes to talk about the amenity
18 package and some other things.

19 MR. THOMAS: Good evening. My
20 name is Timothy Thomas. I am ANC Commissioner
21 for 5A08 and I have the pleasure of being the
22 Vice Chair for 5A.

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1 On October, this year 2006, the
2 25th, there was an annual -- the community
3 meeting held at Mt. Horeb Church. At that
4 church there was a motion on the floor to
5 accept the Fort Lincoln New Town Project.
6 There was a second motion and the motion was
7 passed.

8 The following day, on October the
9 26th, myself, Timothy Thomas, with the
10 president of the NCRC city hall meeting, we
11 brought it to their attention again that we
12 support the project at Fort Lincoln and to
13 this day we still support the project at Fort
14 Lincoln.

15 We want to let you know this is a
16 real old project that has been around for
17 almost, I guess, 20 years and we're finally
18 glad to see it's coming to an end. This is a
19 project that is one part of northeast on South
20 Dakota and the other part going towards
21 northwest is another project, which is Fort
22 Totten that has Rocky Gorge, Kafers and Clark

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1 Construction, so they have projects meeting
2 each other.

3 The community is very much
4 supportive of these projects. They are
5 looking for new homes coming to the area, so
6 that children can stay in the community. That
7 is why Fort Ahab supported this project and we
8 thank you very much.

9 CHAIRPERSON MITTEN: Thank you.

10 MR. KING: Thank you very much to
11 Tim Thomas, our Vice Chair. Let me just
12 exercise the prerogative of recognizing Mrs.
13 Janae Grant who is the incoming commissioner
14 for ANC-5A11, which is our ANC-5A12. She just
15 happens to be sitting in the audience and I
16 wanted to recognize her presence.

17 VICE CHAIR HOOD: Can you have her
18 identify herself for the record?

19 CHAIRPERSON MITTEN: She just
20 waved at us.

21 VICE CHAIR HOOD: Oh, she did? I
22 didn't see.

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1 MR. KING: I guess, Members of the
2 Commission, the best way to describe the
3 housing development is to start with Pulte.
4 You know, Pulte just don't build homes. They
5 build quality homes and we're talking about
6 the 209 units that are under construction now
7 and I think we had the first homeowner move
8 into that project about a week ago. I think
9 we have another 15 maybe slated to move in at
10 the end of December.

11 I've been in Fort Lincoln since
12 1976. I had an opportunity under the Johnson
13 Administration and then carried out by then
14 Walter Washington to achieve homeownership for
15 many of us in Washington, D.C. and afforded my
16 family an opportunity to move there at a very
17 low interest rate.

18 And at that time, I think that in
19 keeping with the 56 percent that Michele
20 Hagans talked about, I think we have provided
21 affordable housing for just about every phase
22 of development in Fort Lincoln. I can recall

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1 back in the early '70s where we had exhausted
2 HPAP funding for a million dollars to assist
3 some first-time home buyers in Fort Lincoln.

4 We have 158 luxury apartments of
5 which there has been some form of assistance
6 given to a certain percentage of those house--
7 those who are living in those luxury rental
8 units. And while I'm speaking about that,
9 they have even transitioned into the 209. We
10 have many applications from the Overlook
11 Apartment at various stages of the development
12 of the 209 units. And I'm very excited about
13 that.

14 So when you talk about workforce
15 housing, I was very happy to hear you, Madam
16 Chair, to spend a lot of time talking about
17 that. As you well know, there is an
18 affordable housing crisis, there is a
19 workforce housing crisis, not only in Fort
20 Lincoln, not only in Ward 5, but in the city
21 and in the country. And I do believe that
22 under leadership of Michele Hagans that we are

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1 doing all that we can do to provide some
2 assistance with those 30 percent.

3 I believe we are going to extend
4 that beyond school teachers to probably
5 include fire fighters and police officers.
6 I'm very pleased with what she has done by
7 providing for existing residents in Fort
8 Lincoln some opportunities to sell their
9 existing home and move into the 209.

10 And when you start talking about
11 the amenity package and I think my reputation
12 precedes me in terms of asking somebody to
13 give until it hurts and I have done a great
14 job in working with Michele. She has been
15 very generous in considering various phases of
16 this development.

17 When you go back to Premium when I
18 was here about five or six years ago,
19 Commissioner Hood can testify that one of the
20 things I said about Premium was that they were
21 going to give an annual contribution to this
22 community. Today I am happy to report to the

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1 Commission that that has been roughly about
2 \$50,000 that they have adopted that school.
3 And I have been told by the principal without
4 that \$10,000, they would not have had a
5 Saturday class up there, which allowed them to
6 increase their math scores.

7 In doing so, Fort Lincoln is a
8 receiving school as a result of being able to
9 have a math class on Saturday to raise those
10 SAT scores. In addition to that, we're
11 spending about \$80,000 to build a playground
12 up at that school, thanks to the development
13 partners and other stakeholders in that
14 community.

15 When you start talking about --
16 there is a 6.5 acre -- when you're talking
17 about a \$400,000 home, Michele didn't tell you
18 what you get for that \$400,000 and some dollar
19 home. You get a 6.5 acre amusement park with
20 gazebos. You get eight tennis courts up and
21 down. You get an outdoor pool. You get an
22 indoor pool. You get a basketball court. You

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1 get all of that with the home. All of that is
2 inside of Fort Lincoln.

3 And that supports the amenity
4 package when you start selling the house, what
5 do you get for that, so you can see what all
6 the things that we have in there. Folks are
7 very excited about moving into Fort Lincoln,
8 standing in line. In fact, Fort Lincoln will
9 be so great that at the next census count, it
10 will probably be the only community that has
11 had two ANC Commissioners.

12 Right now, it's the only community
13 that has its own precinct. There is no other
14 community in this city that has its own
15 precinct. What I mean by that, only folks
16 that vote in Fort Lincoln are the folks that
17 live there. It's home to the largest
18 population of seniors, which makes up the part
19 of the 56 percent.

20 30 percent of those folks income
21 is paid, 30 percent towards their rent. So we
22 see that we have been doing something for a

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1 long time for over 30 years that I have been
2 involved in this project. I'm one of the
3 oldest continued commissioners, having just
4 been reelected for my 24th year term, 24 years.

5 I have been involved in this
6 project before Michele came aboard. I had the
7 first time to vote on this project when I had
8 a conversation with Walter Washington, her
9 father, at the 5th District Precinct when we
10 were voting on the plans. You can see all my
11 dreams, hopes and aspirations that this
12 project had died many times.

13 At one point, I stopped going to
14 the community telling them about this project.

15 I am happy today that its a project up to
16 date that you can smell, feel, hear and touch.

17 When you are going out Fort Lincoln Drive,
18 you can see the lights on, the first Christmas
19 ornament outside signaling that a family is
20 there.

21 Now, this is 209. Now, can you
22 imagine if I'm out at 209, I'm getting the

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1 ballpark, I'm getting about \$25 to \$50,000 for
2 the scoreboard. Now, the way that scoreboard
3 works, I'm a DPR employee. I just put into
4 the Capitol Improvement Budget \$4 million and
5 therefore our budget. That is to go up in
6 there to do some park benches, to get that
7 park ready. I'm getting that park ready, not
8 just for the ones who been there for 30 years,
9 but to -- for all of the folks who are joining
10 this community, because, you know, the mind
11 set is going to say we have to change some
12 things.

13 We are spending another \$40,000 in
14 terms of the culture center. Michele Hagans
15 is right, all those big ticket items,
16 infrastructure items, that should be DPR's
17 responsibility. She is coming back with the
18 bases loaded, hitting home runs to guarantee
19 that those projects will happen. That's
20 through our partnership.

21 We haven't even gotten to the 357.
22 I've got deep pockets. There is gold in them

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1 hills in Fort Lincoln. I'm going to be the
2 happiest Commissioner in all of Washington,
3 D.C. Now, look we're talking community. What
4 do you think Target will give me? What do you
5 think Costco will give me? What do you think
6 Home Shopper is going to give me? What do you
7 think Staples is going to give me and the two
8 set-down restaurants?

9 In terms of community benefit, I
10 have already decided, discussed it with
11 Michele Hagans, based on some sliding scale,
12 I'm going to give them the benefit of the
13 doubt. If your money is up, you get more. If
14 it's down, depending on that sliding scale,
15 that's what you're going to contribute.

16 Michele Hagans and I have already
17 talked about it. We have five condo
18 associations. We've got one civic
19 association. We have two ANC Commissioners.
20 You mean to tell me with five different condo
21 associations, they're going to be knocking on
22 our door. And we have already structured this

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1 thing.

2 We have a marvelous organization
3 called the Community Development Foundation.
4 Jimmy Ray is just happy. He just put that
5 \$10,000 in there, \$500 administrative costs.
6 That takes care of everything. Write the
7 check out and give it to the school. When all
8 of our stakeholders start feeding into that,
9 the way we envision this, we're going to
10 structure something where we're going to have
11 representatives from the senior building, from
12 the civic association, from the condo
13 associations, all of them are going to submit
14 proposals and we're going to have a structure
15 in place and we're going to have a team to
16 review those proposals.

17 And based on that, somebody said
18 well, I might want a garden club. I might
19 want to put up a fence around over here or I
20 might want to do some improvements over here.

21 We will entertain those proposals and based
22 on the request that we request that we

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1 receive, that's going to be money put in that
2 pot to handle that.

3 Now, you was just asking about
4 Michele. You wanted her to tell you where
5 we're going to put all our money. Now, we
6 can't do that right now, because we all
7 haven't told you where all the projects we
8 listed, the scoreboard. I got to go down and
9 look.

10 I just had an annual Christmas
11 dinner, over 400 seniors were there, costing
12 somewhere in the neighborhood of about \$8,000.

13 I'm doing a newsletter that comes -- it will
14 come out twice a year. There is a senior
15 dinner dance. There is a newsletter in the
16 retail space, 40,000 square feet of space up
17 there.

18 In there, Madam Chair, there's
19 going to be a community center where folks can
20 go in there and get some understanding of the
21 history of Fort Lincoln, also pick up some
22 community news, post -- go in there and do

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1 their report. I mean, that's going to be a
2 safety piece for the security and the
3 tranquility of that retail center.

4 As we said, we talked about the
5 landscaping piece. All of these projects we
6 have a partnership in Department of Rec. which
7 will tie into whatever our stakeholders are
8 doing at Fort Lincoln, so that the money is
9 coming out of -- from the stakeholders and go
10 into DPR.

11 The way we had arranged with the
12 monies coming from Premium to the school, we
13 couldn't give it to the school, because the
14 school said if you give, be it liquor money,
15 it sends a bad message to the kids. So we put
16 it into community foundation. So it's a way
17 of getting around everything.

18 Now, the thing that I'm really
19 excited about Commissioner Hood talked about
20 the sole source agreement. We have a
21 marvelous team, a superbowl team. Loretta
22 Caldwell and Associates, boy, I am --

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1 sometimes my confidence and patience grows
2 very wary with the employment service. But I
3 have no problem with Loretta Caldwell
4 monitoring the first sole source agreement, 55
5 percent, 35 percent or whatever the
6 requirements are.

7 We're going to do this in
8 conjunction with ANC-5A. Now, to stretch this
9 piece out, sometime in March, what am I going
10 to do in or what are we going to do in March?

11 We're going to have a job fair. We're going
12 to invite all of the trade people, because
13 Michele Hagans is high on this piece about
14 NCRC, Good Will, everybody doing some
15 training, so we got to get moving now and
16 bring the young folks in, take them over to
17 Good Will, train them, bring them in, so they
18 can do things other than sweep up around the
19 project. Hopefully get them in this project.

20 By then, the schools will put
21 vocational training back in there. We take
22 them out of our project and send them back to

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1 school. So we teach them how to fix the car,
2 so they won't steal a car.

3 Now, getting down to that piece.
4 So as I said, the retail project. Then we
5 have 125 adult units, so we're talking about
6 all total 691 units coming to Fort Lincoln.
7 Now, you know, when you got this type of
8 development in there, you have to have some
9 houses that will support that retail
10 development. You can't do it with just 56
11 percent of the people living there.

12 So what, we had to bring some
13 houses and some folks in there, some upscale
14 development, so it can support these anchors.

15 These, Madam Chair and Members of the
16 Commission, are tremendous anchors. If you
17 didn't hear me, let me repeat them again.
18 Target, Costco, Shoppers, two set-down
19 restaurants. I mean, come on. I mean, you
20 can go to sleep and make a song about that and
21 become a rap song.

22 You see what I'm saying? These

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1 are anchors. They will be there for 100 years
2 anchoring that Fort Lincoln with two set-down
3 restaurants and then you've got some other
4 shops coming in there. You have got your
5 LSDBE piece in place. We're going to
6 entertain some minority participation in all
7 that retail space.

8 I am excited. I'm telling you,
9 after 20 some years working on this project,
10 I'm excited. All I'm asking you all to do
11 tonight is give Fort Lincoln a Christmas
12 present. Just how you walked out here three
13 minutes ago, do it again for them tonight. Go
14 out there and vote and come back and say let's
15 go. Thank you so much.

16 CHAIRPERSON MITTEN: Thank you,
17 Commissioner King. It's easy to see why you
18 have been reelected so many times. Any
19 comments or questions from the Commission?

20 VICE CHAIR HOOD: I just want to
21 say, you know --

22 CHAIRPERSON MITTEN: You're a

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1 brave man, Mr. Hood. Brave man.

2 VICE CHAIR HOOD: I've done some
3 work with Mr. King over the years and I have
4 watched him work and I have watched a lot of
5 his S&D meetings full to capacity. Fire
6 marshals sometimes, I guess, have to come and
7 close them down. But, Commissioner King, it
8 was good to hear what you said about Premium.

9 At that time, I was the Chairperson and often
10 times we don't get the reports back on exactly
11 how these amenities come out.

12 And I know you have a good rapport
13 with Ms. Hagans. But I think where the Chair
14 is coming from and I know this wouldn't happen
15 here, that's why I didn't ask about the LSDBE,
16 because that's my normal question. I ask it
17 every PUD, because across the city it's not
18 happening. But I already knew that you
19 already probably had something in the works.

20 But the rationale is because
21 sometimes these amenities are not delivered,
22 we have other ANCs across the city, not this

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1 situation here, that come back and we have to
2 try to help solve the issue or solve the
3 problem. So that's why I think that the Chair
4 was asking you to pin it down.

5 You mentioned about the -- let's
6 go back to the scoreboard, the \$25,000. DPR
7 is already in the process, so I guess doing
8 some renovations, some capital improvements up
9 there. So this \$25,000, the way you see it,
10 is just going to help make sure that it
11 happens. It's not going to necessarily take
12 care of the full costs?

13 MR. KING: No, because we're going
14 to partnership with them. That's something
15 that should have been. We have --

16 CHAIRPERSON MITTEN: Would you
17 pull the mike over?

18 MR. KING: I'm sorry. We have a
19 \$2 million state of the art baseball field up
20 there and it should have had a scoreboard 10
21 years ago, and I'm very happy that the -- and
22 I'm saying this for the record, an incoming

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1 Council Member Harry Thomas, who we know of
2 his involvement with the baseball, has asked--
3 given that proposal. And I'm very happy that
4 Michele Hagans had received it with the other
5 stakeholders and DPR will be working with them
6 to make that happen.

7 VICE CHAIR HOOD: Yes, but, you
8 know, as much as we can, we want to nail it
9 down. But we don't exactly in Ward 5 have as
10 many problems as other wards, but I probably
11 shouldn't have said that. Okay. Thank you.
12 Thank you, Madam Chair.

13 CHAIRPERSON MITTEN: We're going
14 to try --

15 VICE CHAIR HOOD: Any ANC
16 Commissioners who are having problems with
17 their amenities, tell them to come and see me.

18 CHAIRPERSON MITTEN: We just try
19 to treat everyone equitably, that's our goal.

20 VICE CHAIR HOOD: I always do.

21 CHAIRPERSON MITTEN: Anyone else?
22 Mr. Tummonds, any questions? Okay. Thank

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1 you both.

2 MR. KING: Thank you so much.

3 MR. THOMAS: Thank you.

4 CHAIRPERSON MITTEN: All right.

5 Now, we're ready for organizations and persons
6 in support. Anyone who would like to testify
7 in support? All right. Then we're ready for
8 the folks in opposition. Anyone who would
9 like to testify in opposition? Please, come
10 forward and take a seat at the table and drop
11 your cards off with the Court Reporter on the
12 way up, if you haven't done so already.

13 Did you want to come forward? We
14 have room for everybody. I don't know exactly
15 who is who, but I know that several people had
16 signed up to testify on behalf of the
17 Anacostia Waterfront or Watershed Society,
18 sorry, and only one of you will get five
19 minutes. So can I see a hand who is going to
20 claim the five minutes, so Mrs. Schellin can--

21 MR. BOONE: Can I introduce who
22 can do the five -- four minutes?

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1 CHAIRPERSON MITTEN: One gets
2 three and one gets five. So I just want to
3 know who is going to talk longer.

4 MR. BOONE: He will talk longer.

5 CHAIRPERSON MITTEN: Okay. So,
6 sir, why don't you start and then we'll reset
7 the clock.

8 MR. BOONE: Good evening, Chairman
9 and Members, my name is Robert Boone. I'm
10 with the Anacostia Watershed Society and we
11 have been around about 20 years working and
12 praying and introducing young people to the
13 river, the Anacostia River. It's a treasure
14 here in Washington.

15 And we're actually not against
16 this project. I would just like to say that
17 to start with. We are very saddened by the
18 fact that this modern Government doesn't have
19 a way to control the storm water from 100
20 acres that is going to be developed in this
21 area. It's going to be a gigantic impact on
22 the river.

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1 And the storm water controls,
2 these storm water ponds, they are like 1950s
3 automobiles. Do I see anyone in the audience?

4 Are you guys driving a 1950 automobile? It's
5 totally obsolete technology. These storm
6 water ponds are the same. What happens with
7 them, they fill up with trash and sediment and
8 then it's like a speed bump for those 48 inch
9 pipes.

10 They are like water cannons. The
11 storm water just comes right through those
12 cannons full of sediment and it just dumps
13 right in the river. It's a joke. It's
14 obsolete, totally obsolete. That's the reason
15 we are talking green roofs, we're talking
16 infiltration rain gardens, infiltration
17 swales, that's the only way we're going to
18 have a clean river. We're going to have a
19 much dirtier river if we continue going down
20 this road with this project and all the
21 cumulative impact of the projects in Fort
22 Lincoln.

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1 And, you know, it's just
2 outrageous that we're so far behind in the
3 storm water controls. There is green roofs,
4 there is infiltration in these median strips
5 in roads, none of this is being discussed.
6 We're seeing a 1950s model for storm water
7 being trotted out here as state of the art.
8 It is sadfully, sadfully wrong, totally
9 obsolete and it's not being used anywhere
10 where there is progressive communities.

11 These anchor stores, they are
12 doing green roofs in other places in the
13 United States. Why don't they do green roofs
14 here? That's another part of the overall
15 cumulative impact that is not being addressed.

16 And so, you know, somewhere we need to stop.

17 Our cup has runneth over as we just so
18 eloquently heard, but at the same time the
19 river is choking.

20 And so some of these amenities
21 should be focused toward the larger
22 environment, because a lot of the young people

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1 are going to want to go down to the river.
2 Maybe there should be a trail down to the
3 river, so that the young people in the other--
4 and anyone that lives in these fine apartments
5 could see the river. It's a beautiful thing
6 and it's not manmade. It's a challenge and
7 it's a beautiful wondrous thing to see
8 something that God made and can enjoy the
9 wildlife and the natural area that's so close
10 by.

11 CHAIRPERSON MITTEN: I think it's
12 time to segue to your --

13 MR. BOONE: Okay. Just one last
14 thing. Whoever named Joshua Barney, Commodore
15 Joshua Barney was a brilliant move and I think
16 the Battle of Bladensburg was just over the
17 hill and the British troops marched down
18 Bladensburg Road to burn Washington and this
19 Fort Lincoln Project is right in the middle of
20 history. Some of Americas darkest days, the
21 terrorists came here in British costumes or
22 uniforms and they burned our Capital.

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1 And so Joshua Barney was a hero in
2 a way. He was wounded and so forth. And that
3 somehow should be, I think, held up in this
4 community, because it's the closest community
5 to the battlefield that was there. And Joshua
6 Barney was on the river. So that I'll segue
7 into Mr. Jim Connolly, our executive director,
8 and thank you for your attention.

9 CHAIRPERSON MITTEN: Thank you.

10 MR. CONNOLLY: Hi, I'm Jim
11 Connolly. I'm with the Anacostia Watershed
12 Society as well. As Robert said, we are a
13 local environmental group and our primary
14 focus is to restore and heal the river. But
15 to do that, we've got to look at what we are
16 doing to the land.

17 Now, this is a great example of a
18 real opportunity that we could either
19 capitalize upon or miss. We have about 100
20 acres of project. This is one piece of it,
21 this Fort Lincoln/Gateway Village. But we
22 also have the Washington Gateway Retail, the

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1 Big Box Retail Center. We have the Dakota
2 Crossing Project and then the Union Wesley
3 Project. All of which are kind of happening
4 separately from each other.

5 The storm water impacts from these
6 separate projects are not being coordinated,
7 it doesn't appear. We can't seem to find
8 anyone that has a handle on the entire 100
9 plus acre Fort Lincoln property. So we see
10 this as a potential opportunity if we can look
11 to promote incentives for low-impact
12 development, as has been mentioned, green
13 roofs, rain gardens, infiltration trenches,
14 ways to let the storm water sink back into the
15 soil. That's how we're going to clean this
16 river.

17 The ponds that Robert has
18 mentioned being outdated, we know they don't
19 work. I mean, look at the condition of the
20 river. We've got ponds all over. There are
21 not working. So we have got kind of some
22 ideas that we wanted to promote to the Zoning

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1 Commission since this is one of the few public
2 opportunities where we will be able to come
3 forward and present these thoughts, as these
4 four separate projects move forward, not
5 necessarily in tandem.

6 We would like to see this proposal
7 identify temporary erosion and sediment
8 control measures prior to the start of the
9 project. We want to have that laid out
10 clearly. There has been some mention by the
11 development team of ideas, but it doesn't seem
12 really well thought out and clearly put
13 forward of how we're going to look at
14 controlling the erosion and sediment from this
15 project as it comes down through these massive
16 water cannon 48 inch pipes.

17 And making sure that the city, the
18 person who in the city that deals with the MS-
19 4 Storm Water Permit is completely involved in
20 reviewing this plan before ground is broken.
21 Then, identify and post construction storm
22 water control measures that will help to deal

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1 with this erosion or the storm water runoff
2 problem coming from these sites and looking at
3 it in a cumulative lens.

4 I know that is hard, because you
5 are only right now today looking at this one
6 project, but these projects are connected,
7 because it's one huge site that will
8 ultimately impact the few wetlands that are
9 down on the river edge, down the hill from
10 this project and then ultimately into the
11 river.

12 We would love to see that a local
13 storm water management panel be appointed with
14 representatives from Fort Lincoln/Gateway,
15 from EPA, from residents, local stakeholders.

16 We would be very willing to serve on this
17 panel, so that we can get some outside input
18 into the storm water management plans here.

19 And then most importantly, we
20 would like to see that somehow incentives can
21 be created, that this body can maybe help to
22 recommend to the Mayor and the Council

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1 incentives that could be put forward to these
2 developers to make it more attractive for them
3 to do these low-impact developments.

4 We understand that they are
5 business people and they have bottom lines to
6 meet. But there is ways that the Government
7 can help to foster this progressive forward
8 thinking addressing of storm water control.
9 And if it's done, this can be an incredible
10 gem in the cap of the District, because it
11 will be hailed as a model for how you deal
12 with urban storm water in the 21st Century.

13 It is a prominent location. It's
14 the gateway entrance into the District from up
15 north and it really can serve to be a light in
16 how you do it right. If we don't look at it
17 in a cumulative lens, I think sadly we're
18 going to just fall to the lowest common
19 denominator of what's the minimum requirement
20 for storm water control and they are meeting
21 the minimum, but the minimum is not enough.

22 If you look at the condition of

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1 the river, it's clear, the minimum is not
2 enough. We need to take that leap to the next
3 level. So we come before this Commission not
4 to say we want to stop this project. We
5 understand the need to do, you know, retail
6 development, housing development, that's good,
7 but it can be done in a way that doesn't
8 address the river or that does address the
9 river and that's what we want to do is to try
10 to focus this development on doing the best
11 possible job in addressing storm water
12 cumulatively, so that we are not further
13 impacting the Anacostia River. Thank you.

14 CHAIRPERSON MITTEN: Thank you.
15 Go ahead.

16 MR. MORGAN: Hello. Is it on?

17 CHAIRPERSON MITTEN: Yes, it is.

18 MR. MORGAN: Okay. Yes. Good
19 evening everybody. My throat is all dry. I
20 had nothing to drink, so I'm here to not be
21 against the plan at all.

22 CHAIRPERSON MITTEN: Could you say

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1 your name?

2 MR. MORGAN: Leroy Morgan, I'm
3 sorry.

4 CHAIRPERSON MITTEN: Okay. That's
5 all right.

6 MR. MORGAN: I'm a resident here
7 from Ward 5. About the plan, I'm not against
8 it at all, but I'm concerned about the
9 environment. How global warming is. If you
10 remove the green from this plan and put up
11 concrete, black tar, asphalt and sidewalk, it
12 will be hard for me, because I'm a bicyclist,
13 I'm a runner and I'm a swimmer.

14 This summer I took a beating in
15 this heat and they showed no mercy on me at
16 all. And I need trees. I need grass for
17 bicycle riding, for running and for swimming.

18 If I don't have that, I'm in my graveyard.
19 So I like to go out and ride like 100 miles,
20 150 miles in one day, but I can't do that any
21 more, because it's too hot.

22 This weekend I was up in New York

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1 City. I did two 10k runs, start and finish
2 Saturday and Sunday. It's too dry. Now,
3 there is early in the morning between 4:30 and
4 6:30 in the morning because of poor air
5 quality, because it's too hot. I think what
6 I'm trying to say is what these gentlemen are
7 saying, we need to think about our
8 environment.

9 You can build anything you want.
10 If that roof, if you have a green roof and
11 that roof is 107 degrees hot, because I used
12 to live up there one time, you can't survive
13 that. So the plan is good. I don't mind the
14 plan. But we got to think about the
15 environment, because it's too hot. It's
16 global warming and I can -- I can't take any
17 more. So I'm worrying about the heat, that's
18 all. Thank you.

19 CHAIRPERSON MITTEN: Okay. Thank
20 you. Sir?

21 MR. HILMY: Good evening, Madam
22 Chair, Commissioners, ANC Commissioners,

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1 Council Members, incoming, outgoing. My name
2 is David Hilmy. I am a D.C. public school
3 teacher. I'm also a member of the District of
4 Columbia Environmental Educators Consortium.

5 I am the author of this packet
6 that I distributed to you about a week ago. I
7 think a lot of the points have been covered.
8 I just wanted to talk more specifically about
9 some of the things that were said this
10 evening, because it seems to raise more
11 questions than provide answers.

12 The first concern, oh, I'm sorry,
13 before that, I'm wondering if I could beg of
14 you one extra minute to address the DCPS
15 Teacher Initiative? I do have some insight on
16 that, if that's possible.

17 CHAIRPERSON MITTEN: Sure.

18 MR. HILMY: Separate to this.
19 Thank you very much. I wanted to address a
20 number of issues. First is a wetland issue.
21 According to Mr. Collins from Concordia and
22 Gateway LLC, there was a JD in 2005 by this

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1 company, I assume, WSSI that said it was not a
2 jurisdictional wetland.

3 Mr. Amatetti also referred to the
4 fact that there has been previous fill on the
5 site a number of times, which is causing some
6 problems to the planning and I'm wondering if
7 it's a question that should be asked, was this
8 fill over this particular area prior to the
9 wetland delineation? Because I have a
10 satellite map here that is pre-2005 that
11 indicates the stream tributaries and the
12 stream area that is there.

13 You see in my photographs of the
14 actual site and also I have a Fish and
15 Wildlife Wetland Delineation Map that
16 indicates very clearly. Again, I included in
17 my packet that this is a stream shrub scrub
18 wetland designated by U.S. Fish and Wildlife
19 Service prior to this JD. That's a question
20 that I can guess needs to be answered by the
21 Corps of Engineers.

22 Let me also say that the open

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1 space is a real concern. Of the million
2 square feet, only 180,000 are green space.
3 That's 17 percent of the original 23 acres.
4 Ms. Hagans says large open space. Mr.
5 Amatetti says tremendous and it will
6 incorporate the natural space into that.

7 This particular area is very, very
8 small. It's condensed in one particular area.

9 Not only that, it's raised and so, therefore,
10 there is no opportunity for water to even
11 infiltrate in that particular site. It will
12 be flowing straight into the streets.
13 Noticing on the street design, they will have
14 curbs, and so all that water is going to be
15 directed down the street, picking up the
16 pollution of airborne pollutants that have
17 settled to the ground, whatever is actually on
18 the ground and also there is thermal
19 pollution, just the heat, the urban island
20 effect.

21 That heat will be transferred all
22 the way through to the Anacostia. Even if it

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1 goes into a storm retention pond, and we have
2 already talked about the 48 inch pipe, that is
3 not an effective measure.

4 I did mention LID quite
5 extensively. Let me say for the record it's
6 low-impact development, not low-impact design.

7 And that therefore means that there is actual
8 ongoing construction that is part of the
9 construction plans. And so therefore when
10 those plans are presented to you, they should
11 be part of the plan, not an afterthought or
12 no, we'll wait until final engineering.

13 Now is the time to do it. As Mr.
14 Amatetti says, incoming is when we look at
15 where do you see impervious surface. If you
16 add this up on this particular site, that's 83
17 percent possible impervious surface. There is
18 already 80 percent at South Dakota Crossing,
19 and by the way their storm inlet protection up
20 hill are not all in place and that's joint
21 construction right now.

22 And the construction sediment

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1 problem is 2,000 times greater on the
2 construction site than forested land and it's
3 going already into the existing storm drain
4 plan that they have before even getting
5 downhill to the storm inlets that actually
6 have barriers.

7 So no one is even looking at that
8 as it's starting and this is part of the
9 problem is that there seems to be no oversight
10 by anybody over this whole complete area. If
11 you take -- so it's not just 100 acres.

12 CHAIRPERSON MITTEN: You ate up
13 your extra minute already.

14 MR. HILMY: I did? I'm sorry.

15 CHAIRPERSON MITTEN: So if you --

16 MR. HILMY: Yes, I appreciate
17 that.

18 CHAIRPERSON MITTEN: -- would like
19 to speak for a moment about the DCPS Program,
20 otherwise, we're just going to have to deal
21 with the testimony that you submitted.

22 MR. HILMY: I understand. Thank

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1 you.

2 CHAIRPERSON MITTEN: Yes.

3 MR. HILMY: Apparently the cost of
4 these homes may be \$460,000. The average D.C.
5 public school teacher salary is \$60,000, which
6 I think falls between Mr. Collins numbers. I
7 just bought a house in Mt. Ranier and I earn
8 \$70,000, my wife earns \$40,000. I had to
9 borrow \$20,000 and it was only \$360,000. It
10 takes my entire paycheck to the penny every
11 single month to pay that mortgage.

12 Now, of course, there are other
13 factors in there to deal with credit and all
14 of the other stuff, but if you actually think
15 about it, teachers are already struggling a
16 little bit to find some place to live. The
17 Teacher Next Door Program did not work. Most
18 of those properties actually went to police
19 officers, not to teachers and for four years
20 we were trying to find.

21 So you have teachers who have been
22 spending years trying to afford a house.

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1 Their credit is not perfect. I don't know
2 what the soft seconds plan is, but that really
3 has to be underlined and right up front, not
4 maybe, maybe depending on your credit score,
5 because I can tell now from the conversations
6 I have had with my colleagues, they could not
7 afford a \$460,000 house given the average D.C.
8 teacher's salary. It's simply not possible.

9 And yet on top of that, all of the
10 other costs associated with that, and if there
11 is a credit issue and a debt issue, then, of
12 course, that ends up eating away whatever
13 savings or possibilities there could be.

14 CHAIRPERSON MITTEN: Thank you,
15 Mr. Hilmy.

16 MR. HILMY: Thank you.

17 CHAIRPERSON MITTEN: Questions
18 from the Commission for the panel? Anyone
19 have any questions? Mr. Hood?

20 VICE CHAIR HOOD: Could I ask Mr.
21 Boone? You talk about this filtration and you
22 said we were operating in the 1950s. And I'm

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1 going beyond just this particular case,
2 because I'm not up to speed on all that. I'll
3 be frankly honest. But I have sat here for a
4 year and listened to that was the way to go.
5 I think, you know, that's the way I heard it.

6 Explain a little bit more to me.
7 Tell me what's the up to date way.

8 MR. BOONE: Well, the problem with
9 the ponds is that they accumulate the dirt
10 that inevitably comes off of the storm water.

11 So the pond was a pond, but then it fills up.

12 And the pond also accumulates trash. We are
13 a trashy society. And the trash ends up on
14 the street and the storm water washes into the
15 pond, so the pond ends up being a trashy area.

16 And so nobody wants to be around
17 it. So the sun is shining on this pond, this
18 holding pond with the water, the water heats
19 up and so the warmer the water is, the less
20 oxygen capacity it has and so when this warm
21 water, hot water in the summer goes into the
22 river, the fish are choking, because of no

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1 oxygen in the water.

2 So this is why ponds are obsolete.

3 We just figured out that they just don't
4 work. They don't help very much. And so --
5 but what older development firms know and they
6 are not prone to experiment with new things,
7 they want to go rely on what they did before,
8 so there is this, you know, pattern of doing
9 that. And so unfortunately, the ponds are
10 just probably not --

11 CHAIRPERSON MITTEN: Answer Mr.
12 Hood's question more completely though.

13 VICE CHAIR HOOD: Yes.

14 CHAIRPERSON MITTEN: He wants to
15 know so what's the alternative?

16 VICE CHAIR HOOD: What's the new
17 thing?

18 MR. BOONE: So the alternative to
19 the big pipe is to have source controls. You
20 have a roof top on your condominium. It goes
21 down to a little area on your property where
22 the soil will be -- absorb the water. Each

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1 property does that and if you have absorbent
2 in the median strip of the roads, you don't
3 have this big pipe that's going to run, drain
4 off huge amounts of water, because it gets
5 infiltrated in it's own site.

6 So it's called source control
7 bioretention facilities. Now, there is a
8 problem with soil sometimes, but that
9 sometimes can be remediated also and it's a
10 challenge to add these things on. You know,
11 and then they come back and say well, the
12 soils weren't right. We didn't have the space
13 for it. Infinite excuses.

14 So if you start off designing your
15 project around taking care of your
16 responsibility for the privilege of
17 developing, by protecting the river from these
18 incredible intrusion of all this storm water
19 runoff, then it works. It can work. And it
20 has been demonstrated all over this country
21 and all over Europe. It is happening all
22 over.

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1 VICE CHAIR HOOD: Is this the
2 first time you have been down in front of the
3 Commission and maybe permits? I'm not sure
4 what stays and what happens. You mentioned
5 about this source control bioretention pond.
6 And I can tell you, not being up on the
7 subject, when you say bioretention ponds, that
8 just --

9 MR. BOONE: No, no, I didn't say
10 bioretention pond.

11 VICE CHAIR HOOD: What did you
12 say?

13 MR. BOONE: Bioretention
14 facilities.

15 VICE CHAIR HOOD: Facilities.

16 MR. BOONE: Not ponds.

17 VICE CHAIR HOOD: Okay.

18 MR. BOONE: Ponds are the old way
19 of doing it.

20 VICE CHAIR HOOD: And that's where
21 I was going to go. Okay.

22 MR. BOONE: Yes, sir.

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1 VICE CHAIR HOOD: Bioretention
2 facilities. We may hit that some more.

3 MR. BOONE: And green roofs are
4 another way. You don't need to have an
5 infiltration in your yard if you have a green
6 roof. It's the first half inch of runoff
7 that's the big problem, because it's like
8 washing your dishes. The first wash gets most
9 of the stuff and we are talking here a whole
10 menu of toxic materials from our cars and from
11 the electric generator plants and so forth
12 that's up in the air.

13 It comes down subtly and
14 continuously on these surfaces. So when it
15 rains, all that washes off and it's a toxic
16 soup that goes into the river.

17 VICE CHAIR HOOD: Okay.

18 MR. BOONE: That's why the
19 brownhead catfish, the bullnose catfish have--
20 80 percent of them have tumors in them at this
21 time in the Anacostia for this very reason,
22 and that's why I'm here at 9:30 at night

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1 asking you to do something about the storm
2 waters, because there is a lot of nature that
3 can't be here tonight that is suffering from
4 it.

5 VICE CHAIR HOOD: You know,
6 unfortunately, where I sit, we have to deal
7 with what's being proffered. I understand
8 what you are saying and I agree to a point. I
9 need to be more educated on it. I don't know
10 where my colleagues are, but we have to deal
11 with what's being proffered. And I don't know
12 if the LEED-certification or anything like
13 that is being proffered in this particular
14 case. At least I didn't see it.

15 But I think you bring up a valid
16 point. I need to find out more on the source
17 control bioretention facilities. Okay. Thank
18 you.

19 MR. HILMY: Commissioner Hood, may
20 I address you on that issue?

21 VICE CHAIR HOOD: Sure.

22 MR. HILMY: I actually have the

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1 Department of Defense manual right here. It's
2 105 pages. It actually has pictures before
3 and after of a number of these LID techniques.

4 There is actually a national manual that was
5 published in 2000, so the building community
6 does already have some guidelines. They are
7 not just picking it up from communities here
8 or maybe Eugene, Oregon or PG County. There
9 is actually a set of guidelines.

10 The porous pavers and the
11 permeable pavement are two completely
12 different strategies. Porous pavers were
13 referred to by Mr. Amatetti as the separate
14 blocks in between which there is some space
15 and basically the water goes down between
16 these pavers. That can be a problem if they
17 are not cleaned properly.

18 The permeable pavement is
19 something very different. It's the road
20 surface is actually made more permeable and it
21 is easily maintained. And the fact that DoD
22 says they last longer than traditional

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1 infrastructure and they avoid sink holes, and
2 so all of this stuff has been around for
3 numbers of years.

4 I have all of the EPA fact sheets
5 on all of these LID strategies. I can pass
6 those copies on to you today if you would
7 like.

8 VICE CHAIR HOOD: Sure. I think
9 that will be great.

10 CHAIRPERSON MITTEN: Yes, if you
11 could submit that to the record, Mrs. Schellin
12 will make sure we get copies.

13 VICE CHAIR HOOD: And I have one
14 more thing to Mr., I think it was, Morgan.
15 Did you have a chance to look at the
16 landscape?

17 MR. MORGAN: Yes.

18 VICE CHAIR HOOD: Did you have a
19 chance to look at the landscape plan?

20 MR. MORGAN: No. I passed by it,
21 but I didn't stay.

22 VICE CHAIR HOOD: No, the

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1 landscape plan. The plan, what the applicant
2 is proposing for this particular project.

3 MR. MORGAN: Oh, no, I haven't.

4 VICE CHAIR HOOD: Okay. You might
5 want to look at that. I see a lot of trees
6 and I understand where you are going about the
7 breathing and the global warming, but I see a
8 lot of trees, even some other things that are
9 not offered there. You know, that gives me a
10 comfort. I don't actually ride a bike, my
11 colleague does. So when you mentioned bikes,
12 she just was tickled pink.

13 MR. MORGAN: Right.

14 CHAIRPERSON MITTEN: I have one of
15 those shirts.

16 MR. MORGAN: Right.

17 VICE CHAIR HOOD: See. So, yes.

18 MR. MORGAN: Right.

19 VICE CHAIR HOOD: But anyway, get
20 a copy of the landscape plan.

21 MR. MORGAN: I saw the new plan
22 that was on the bulletin board over there.

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1 VICE CHAIR HOOD: Okay.

2 MR. MORGAN: Some new trees.

3 VICE CHAIR HOOD: New trees.

4 MR. MORGAN: But the problem with
5 the new trees, they might grow, they might not
6 because of the environment, because I saw DDOT
7 plant some new trees in my area and also on
8 the First Avenue between Michigan and First
9 Street, N.E., and 90 -- almost 100 percent of
10 the trees died, because of the -- it was last
11 year, last summer. All the trees died.

12 I get around, because I don't have
13 a car. I have no car. My transportation is
14 my legs, my bicycle, Metro and the bus.

15 VICE CHAIR HOOD: All right.

16 MR. MORGAN: So I witness
17 everything.

18 VICE CHAIR HOOD: Okay. All
19 right. Thank you.

20 MR. MORGAN: I also look -- you're
21 welcome.

22 VICE CHAIR HOOD: Thank you.

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1 MR. BOONE: Mr. Hood, I have one
2 other thing. This is a shot of a pond. This
3 pond is behind Ikea and Ikea was allowed to
4 put a pond in. It's a huge 60 acres of
5 impervious surface. And you see the water is
6 green, that means algae is growing in the
7 pond. Algae takes the oxygen out of the
8 water. The pond was so -- is so undersized
9 that it broke through and it has flooded all
10 out into the Bark property and it's killing
11 all the trees over in this area.

12 VICE CHAIR HOOD: Is that off of
13 Route 1?

14 MR. BOONE: This is just off of
15 Route 1, right.

16 VICE CHAIR HOOD: Okay. All
17 right.

18 MR. BOONE: And it's just totally
19 not appropriate.

20 CHAIRPERSON MITTEN: Thank you,
21 Mr. Boone.

22 MR. BOONE: Thank you.

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1 CHAIRPERSON MITTEN: Any
2 questions? Mr. Parsons?

3 COMMISSIONER PARSONS: Well, I
4 just wanted to thank all of you for taking the
5 time to come down and the letters that you
6 have written us, as well. And maybe you heard
7 the dialogue we were having with the civil
8 engineer and the Office of Planning, and I
9 think we have set in motion here tonight an
10 opportunity for the applicant to respond on
11 all these things that you have described.

12 So I'm hoping to give them the
13 chance, because if we don't get some
14 resolution to this, you're right. I mean, we
15 can't let this 100 acres go to separate
16 developments without some comprehensive look
17 at it. So I think it's going to happen and
18 keep at it, but thank you.

19 MR. BOONE: Thank you.

20 CHAIRPERSON MITTEN: Thank you.
21 And I just want to join Mr. Parsons in
22 thanking you, but also to encourage you to

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1 approach the Department of the Environment to
2 get them to -- I mean, I don't know the degree
3 of functionality that they have yet since they
4 are relatively new, but they are the key to
5 having better minimum standards and it sounds
6 like you guys know a lot about it and could be
7 very persuasive, so thank you.

8 Mr. Tummonds, any questions for
9 the panel?

10 MR. TUMMONDS: No.

11 CHAIRPERSON MITTEN: Okay. Thank
12 you, gentlemen, for your testimony. Anyone
13 else who would like to testify in opposition?

14 Anyone else? Okay. Mr. Tummonds, back to
15 you.

16 MR. TUMMONDS: Okay. Thank you.
17 As noted in the materials that we have filed
18 in the record and the testimony presented this
19 evening, the proposed project will create a
20 high quality development with a range of for
21 sale townhouse sizes that will appeal to a
22 variety of consumers.

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1 The site and landscape plans
2 depict a project that provides significant
3 open and green spaces for residents and
4 guests, and it also creates a community, I
5 think that we have shown this evening, that is
6 entirely complimentary to the existing Fort
7 Lincoln neighborhood.

8 The proposed project community
9 amenities packages are significant. The site
10 planning, open areas and proposed landscaping
11 all create a project of exemplary architecture
12 and site planning. As we have heard this
13 evening, we will submit information to the
14 Zoning Commission regarding the storm water
15 management system, policies of low-impact
16 design, additional information regarding our
17 amenities package, as well as the affordable
18 housing program.

19 With that submission we believe
20 that we will be able to show that this
21 proposed project, in fact, satisfies the
22 Zoning Regulations' requirements for approval

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1 of a Planned Unit Development application.
2 With that, we conclude our presentation this
3 evening.

4 CHAIRPERSON MITTEN: Thank you,
5 Mr. Tummonds. I just want to review, because
6 there's a couple of pretty specific things
7 that we would like to get into the record.
8 One is that Mr. Amatetti, he had put up the --

9 MR. TUMMONDS: Yes, showed the
10 regional ponds.

11 CHAIRPERSON MITTEN: The label at
12 the bottom was storm water management proposed
13 conditions and we need a copy of that --

14 MR. TUMMONDS: Yes.

15 CHAIRPERSON MITTEN: -- for the
16 record. You mentioned that there will be an
17 additional submission about the affordable
18 housing proffer. I would like that
19 information about the market prices, vis-a-
20 vis, the AMI, but also I at least would like
21 you to consider what would be the alternative
22 to the what -- the affordable housing proffer

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1 in the event that you don't reach out to --
2 you successfully reach out to 30 families of
3 teachers.

4 You mentioned the additional
5 detail on the unassigned community amenities.

6 Mr. Amatetti is going to do some additional
7 work and designate the specific area for rain
8 gardens, and if you could in identifying the
9 specific proposed conditions include language
10 regarding the architectural controls
11 specifically as it relates to the fencing
12 material and design.

13 Mr. Parsons had asked for the
14 revised landscaping plan showing the full
15 complement of the proposed alley trees, and
16 then I think we would like to see a fairly
17 robust submission responding to the last
18 panel, and perhaps you could explain or you
19 could explore and explain some of the
20 suggestions that they made and respond with
21 any reasons why they are not achievable on
22 this particular site.

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1 Unfortunately, we can't in this
2 case encompass the full range of projects that
3 they suggested, but I don't think it would be
4 out of line to respond to say what you could
5 do by way of addressing the full concern that
6 they expressed.

7 Anyone else? Is there anything I
8 missed? Mrs. Schellin?

9 MS. SCHELLIN: The median
10 landscaping plan.

11 CHAIRPERSON MITTEN: Right, right,
12 right.

13 MS. SCHELLIN: There were some
14 questions about that. I think to provide the
15 plan, what the \$20,000 is going to provide,
16 who will maintain it, what exactly is being
17 proffered with regard to that.

18 CHAIRPERSON MITTEN: Right. Let
19 me just by way of inclusive statement say to
20 the specific thing that Mrs. Schellin is
21 repeating that I had asked for, and then Mr.
22 Jesick had gone through the amenities as well,

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1 you know what we're looking for in terms of
2 specificity, and so if you could just flesh
3 that out to the greatest degree possible, that
4 would be appreciated. Mr. Parsons?

5 COMMISSIONER PARSONS: Well, I
6 just wanted -- you had listed my request about
7 rain gardens as a separate matter, and I think
8 what I was looking for is that as well as the
9 other things that Mr. Boone and others were
10 talking about.

11 CHAIRPERSON MITTEN: Okay.

12 COMMISSIONER PARSONS: In a
13 comprehensive look --

14 CHAIRPERSON MITTEN: Good.

15 COMMISSIONER PARSONS: -- at
16 storm water on the site.

17 CHAIRPERSON MITTEN: Okay. Great.

18 COMMISSIONER PARSONS: So I'm not
19 expecting a special rain garden study.

20 CHAIRPERSON MITTEN: Okay. Okay.

21 COMMISSIONER PARSONS: Good.

22 MS. SCHELLIN: And I'm not sure if

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1 you had this one or not, the traffic
2 improvements, exactly what is being committed
3 to.

4 CHAIRPERSON MITTEN: Thank you.

5 MS. SCHELLIN: A separate or an
6 all-inclusive list, I guess.

7 CHAIRPERSON MITTEN: Thank you.

8 MS. SCHELLIN: And this may be
9 part of the amenities. What is the full cost
10 of the baseball scoreboard and who pays the
11 balance?

12 CHAIRPERSON MITTEN: Yes.

13 MS. SCHELLIN: I'm not sure if
14 that --

15 CHAIRPERSON MITTEN: Great. Thank
16 you. Now, Mr. Tummonds, I need a little help
17 from you to know how much time you need.

18 MR. TUMMONDS: Time?

19 CHAIRPERSON MITTEN: Um-hum.

20 MR. TUMMONDS: I mean, I would
21 think probably realistically, this would be
22 something that we would be shooting for a

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1 February decision.

2 CHAIRPERSON MITTEN: That's good.

3 MR. TUMMONDS: On your part.

4 CHAIRPERSON MITTEN: Because we're
5 very full in January.

6 MR. TUMMONDS: Yes. Well, it's a
7 lot of work in January.

8 CHAIRPERSON MITTEN: Yes.

9 MR. TUMMONDS: So I think if we
10 back out from a February decision.

11 CHAIRPERSON MITTEN: From the
12 February.

13 MR. TUMMONDS: That would work for
14 us.

15 MS. SCHELLIN: January 22nd, 3:00,
16 and then that would allow the ANC and the
17 Office of Planning to provide any responses
18 that they would like to by January 29th. And
19 other than the specific requests, the record
20 will be closed.

21 CHAIRPERSON MITTEN: Okay.

22 MS. SCHELLIN: Correct?

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1 CHAIRPERSON MITTEN: So just so
2 we're clear, because we have had some
3 misunderstanding in the recent past, is the
4 applicant will make their additional
5 submissions on the 22nd, then we will get
6 responses to the extent that the parties care
7 to, and that would be the ANC and the Office
8 of Planning and then there will be no further
9 responses after that. Okay.

10 MS. SCHELLIN: And, also, if Mr.
11 Tummonds would like to provide a draft order
12 by the 29th.

13 MR. TUMMONDS: 29th? Absolutely.

14 CHAIRPERSON MITTEN: Thank you.
15 So we're good on the dates?

16 MR. TUMMONDS: Yes.

17 CHAIRPERSON MITTEN: Very good. I
18 would like to thank you all for hanging in
19 there with us tonight until 9:33, and maybe
20 we'll see a couple of you again on Thursday
21 for the Rocky Gorge case, which is also in
22 Ward 5, and if not then we wish you a happy

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1 holiday. Thank you.

2 MR. TUMMONDS: Thank you very
3 much.

4 (Whereupon, the Public Hearing was
5 concluded at 9:33 p.m.)
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