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

6:36 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, January 23rd, 2006.

My name is Carol Mitten and joining me this evening are Vice-chairman Anthony Hood and Commissioner Michael Turnbull.

The subject of this evening's hearing is Zoning Commission Case No. 05-18. This is a request by Hope 7 Monroe Street, LP for approval of a consolidated planned unit development and related map amendment from C-2-A to C-3-A for property located at 1020 Monroe Street, N.W., which is known as Lot 820 in Square 2840.

Copies of today's notice of hearing was posted in the *D.C. Register* on December 9th, 2005 and copies of the hearing announcement are available to you on the table by the door.

This hearing will be conducted in accordance with the provisions of 11 D.C.M.R. Section 3022 and the order of procedure will be as follows. We'll take up any preliminary matters followed by the presentation of the Applicant's case, the report by

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1 the Office of Planning, the report by any other
2 Government agencies, the report by the affected
3 Advisory Neighborhood Commission; in this case it's 1-
4 A, organizations and persons in support and
5 organizations and persons in opposition.

6 The following time constraints will be
7 maintained in this hearing. The Applicant will have
8 60 minutes for their presentation, organizations will
9 have five minutes and individuals will have three
10 minutes. The Commission intends to adhere to the time
11 limits as strictly as possible in order to hear the
12 case in a reasonable period of time. The Commission
13 reserves the right to change the time limits for
14 presentations if necessary and notes that no time
15 shall be ceded. And you can tell how much time you
16 have by the clock up on either side of the dais.

17 All persons appearing before the
18 Commission are to fill out two witness cards. Those
19 cards are also on the table near the door. Upon
20 coming forward to speak to the Commission, please give
21 both cards to the reporter who's sitting to our right,
22 and she's holding up samples of the cards as well.

23 Please be advised that this proceeding is
24 being recorded by the court reporter. Accordingly, we
25 ask you to refrain from making any disruptive noises

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1 in the hearing room. When presenting information to
2 the Commission, we ask you to come have a seat at the
3 table and then turn on and speak into the microphone,
4 first stating your name and home address. When you're
5 finished speaking, please turn the microphone off
6 because they tend to pick up background noise.

7 The decision of the Commission in this
8 case must be based exclusively on the public record.
9 To avoid any appearance to the contrary, the
10 Commission requests that persons present not engage
11 the members of the Commission in conversation during
12 a recess or at any other time. If you have any
13 procedural questions during the hearing, you can
14 direct those to Mrs. Schellin.

15 I'd ask you to turn off all beepers and
16 cell phones now so as not to disrupt the hearing.

17 And now we'll take up any preliminary
18 matters. Mrs. Schellin?

19 MRS. SCHELLIN: Staff has no preliminary
20 matters.

21 CHAIRPERSON MITTEN: Okay. Ms. Giordano,
22 did you have any preliminary matters?

23 MS. GIORDANO:

24 (No audible response.)

25 CHAIRPERSON MITTEN: Okay. Then I'd ask

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1 anyone who's planning on testifying this evening rise
2 now, raise your right hand and direct your attention
3 to Mrs. Schellin and she'll administer the oath.

4 (The witnesses were sworn.)

5 CHAIRPERSON MITTEN: Thank you. So now
6 we're ready to have the Applicant's case presentation.

7 MS. GIORDANO: Good evening, Madam
8 Chairperson and Members of the Commission. Cynthia
9 Giordano, Arnold & Porter Law Firm for the record.
10 Just recently joining this team and I'm here more on
11 an as-needed basis.

12 CHAIRPERSON MITTEN: Okay.

13 MS. GIORDANO: So you won't hear too much
14 from me this evening.

15 With that, I'm going to turn the
16 presentation over to Mr. Hall.

17 CHAIRPERSON MITTEN: Okay. Did you need
18 the screen to come down? Do you want to project
19 something, or is that just for you?

20 MR. HALL: Actually --

21 CHAIRPERSON MITTEN: I need you to turn on
22 the microphone. Just identify yourself for the
23 record.

24 MR. HALL: Yes, my name is Rob Hall. I'm
25 the executive director of Hope 7, Incorporated, which

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1 is the general partner of the Applicant in the case.

2 Madam Commissioner, I thought that the
3 machine in here wasn't operational. If it's
4 operational, we'd love to use it because we don't have
5 our --

6 CHAIRPERSON MITTEN: You need a projection
7 device, that's all.

8 UNIDENTIFIED SPEAKER: The don't --

9 CHAIRPERSON MITTEN: Oh, you don't have --

10 UNIDENTIFIED SPEAKER: They didn't bring
11 one.

12 MS. GIORDANO: They don't have that and
13 ours is not up and running yet.

14 CHAIRPERSON MITTEN: Oh, okay.

15 MS. GIORDANO: Yes, we're not back.

16 CHAIRPERSON MITTEN: Okay. Then as he's
17 putting those up, he probably wants us to see them as
18 opposed -- it's more important that we see them as
19 opposed to the audience.

20 MR. HALL: Okay.

21 CHAIRPERSON MITTEN: So maybe you want to
22 turn around.

23 MR. HALL: Okay. All right. So what
24 we're going to do then is we're going to work from the
25 boards that we have showing floor plans and elevations

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1 essentially. And I will work from my presentation
2 here that you will not be able to see, but I'll be
3 able to communicate.

4 CHAIRPERSON MITTEN: And if you wanted to
5 print out your presentation and submit it for the
6 record, that would be fine.

7 MR. HALL: Okay.

8 CHAIRPERSON MITTEN: After.

9 MR. HALL: Thank you. Just want to have
10 a moment to set up here, if you'll indulge us.

11 All right. As they're setting up, I'm
12 going to begin the introduction.

13 Good evening. Once again, my name is Rob
14 Hall. I'm the executive director of Hope 7,
15 Incorporated, which is a 501-C-3 designated affordable
16 housing development corporation based here in the
17 District. We are presenting a project this evening
18 called the Sage. It is a mixed use and mixed income
19 condominium community, to be that, we're presenting
20 obviously to the Zoning Commission for the District.

21 And the purpose of our presentation is for
22 considering Case No. 05-18 application byu the owner,
23 which is Hope 7 Monroe Street, Limited Partnership for
24 a consolidated planned unit development and related
25 map amendment at the site of 1020 Monroe Street, N.W.,

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2 The development team, we have members of
3 our development team here tonight. Of course, Hope 7,
4 Inc., the architectural firm has representatives here
5 tonight. The firm is called PGN. We have Mr.
6 Cametrick Nesmith and Sean Pichon here from that firm.

7 The construction management firm for the
8 project is Sherrod Hawkins Seeim Consulting. Ms.
9 Sherrod is here as well. We'd just note for the
10 record that both of these entities are LSDBE firms and
11 this is a flagship project for both of these entities
12 as well. And obviously we have the assistance of the
13 our Arnold & Porter, Ms. Giordano.

14 I'm going to start first by discussing the
15 existing conditions of the building. You can't see
16 the existing conditions right now. Maybe Cametrick
17 can help me out there in describing it.

18 Oh, great. Oh, okay.

19 That doesn't actually -- yes, it doesn't
20 actually represent the existing conditions, but
21 essentially what exists today is the first floor four
22 stories of that building in general. It is a four-
23 story brick mixed-use building. It's located on the
24 southeast corner of 11th and Monroe Streets, N.W.
25 There are 22 existing residential units and six retail

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1 units existing. The building is now zoned C-2-A. It
2 was built in about 1935. The lot that it covers is
3 11,910 square feet and it currently has a lot coverage
4 of 76 percent. I believe C-2-A normally would be 60
5 percent, but because it was built prior to the
6 imposition of those regulations, it's 76 percent now.
7 The height is approximately 45 feet and the current
8 FAR is 2.85.

9 The condition of the building in general
10 is fair to poor, obviously which is why we'd like to
11 do the redevelopment. And the retail is significantly
12 under-utilized. It's certainly seen better days.
13 There were just a couple of entities there when we
14 acquired the building and we'd like to make that
15 situation much better, that commercial corridor. We
16 own more contiguous retail space than any other owner
17 in that commercial corridor. So the redevelopment of
18 this project would make a major impact on that
19 corridor.

20 The proposed redevelopment would be to a
21 six-story structure. We would have 28 residential
22 units as opposed to 22. As you can see on the
23 elevation, there are seven separate retail units. Our
24 application showed six, but the last unit has two
25 entrances because there's one for the ANC office. And

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1 the redevelopment would also zone the property from C-
2 2-A to C-3-A, which we'll discuss further later. The
3 lot coverage would still be 76 percent. Obviously the
4 land area is what it is. The new height would be 65
5 feet, which is the limit for a PUD in a C-2-A. And
6 the new FAR would be 3.85, which is well within the
7 realm of a PUD in a C-3-A zone.

8 The new additions that we're adding to the
9 development include -- that are not there now, the new
10 amenities, I guess you could say are, we're adding a
11 traction elevator. There hasn't been one there for 70
12 years and so from an ADA standpoint, not really
13 compliant, especially in a four-story building. We're
14 adding a trash chute, which is not there now; a great
15 convenience. We're also adding a green rooftop
16 terrace to the building, as well as a club room and an
17 exercise facility.

18 I want to address understanding that these
19 applications are essentially based on public benefit
20 or merit and amenities, I want to discuss the various
21 categories of project amenities and public benefits
22 briefly.

23 Recreational space. Currently the
24 building has no recreational space. And as such, it
25 does not meet the recreational space requirement of 20

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1 percent and we, through our development, will actually
2 exceed the recreational space requirement as if that
3 building were built new. And so that's going to be a
4 real benefit. In addition, we are making this
5 recreational space green space by developing a green
6 roof and hopefully that will also lend to a better
7 quality of life for the residents and the community.

8 Far as the land utilization is concerned,
9 the redevelopment is certainly denser than what's
10 there now and from a land utilization standpoint, we
11 think it's going to be beneficial to have additional
12 units to help ease the issues of the high cost of
13 housing and the demands on housing in the neighborhood
14 have increased significantly since there are two new
15 Metro stations that are both a matter of blocks from
16 this project. So it sits square between the two
17 newest Metro stations in the District that I now of.
18 And so we are increasing that density in response to
19 that and other things.

20 Transportation Management. Our current C
21 of O has no parking spaces whatsoever on the C of O
22 and we are adding parking spaces commensurate with the
23 number of new units with a one to two ratio. We're
24 only adding six new units, so we'll have three parking
25 spaces for it. The balance of the building is

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1 grandfathered in with no parking. The retail space
2 would require additional parking if we increase the
3 intensity of use, the amount of square footage, by
4 more than 25 percent, which we're not doing.

5 In addition, I think it's important to
6 note that the property has four bus stations within
7 one block and of course those two Metro stations, so
8 hopefully that mitigate the transportation management
9 situation. And we also have a new bicycle rack
10 installed and we've talked with DDOT about installing
11 two additional racks on that side of the square after
12 development is complete.

13 From a historic preservation standpoint,
14 the property does not have a historic designation, but
15 we certainly have an appreciation for the historic
16 nature of the building. It's a beautiful building.
17 It has great bricks; I have pictures here. You can't
18 see it, but for a 70-year-old building it's in very
19 good shape with limestone coining and keystones and
20 such. And so what we're doing in order to complement
21 that is continuing that limestone coining pattern into
22 both the fifth and the sixth story addition and
23 continuing the rhythm and the pattern of the windows
24 as it was originally designed and doing this to tie
25 the old to the new. In addition, the first floor

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1 bricks are probably the bricks that are in the worst
2 shape because they've been in reach of human hands for
3 70 years, so we're going to cover those with precast
4 stone, which is to be the same precast stone that
5 we're adding to the fifth and sixth floors and tying
6 once again the old to the new, which is indicative of
7 buildings that were built in that era. A lot of those
8 buildings had the limestone at the bottom and at the
9 top and we're attempting to mimic that such that it
10 doesn't look like we just put something new on top of
11 an hold building.

12 As far as employment opportunities are
13 concerned, Hope 7, Inc. is certainly focused on
14 providing job opportunities and we have in the past
15 employed ex-offenders, as well as Veterans and
16 construction trade and we're leaning to support any
17 general contractor who's willing to further those type
18 of or mirror those type of practices. In addition, as
19 I said earlier, we are very focused on utilizing LSDBE
20 firms and we have chosen both an LSDBE architectural
21 firm, which is a great firm doing wonderful work, as
22 well as an LSDBE construction management firm.

23 Affordability is probably the primary
24 component of what we're doing here. Hope 7 was
25 awarded this contract through the tenant association

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1 that was exercising a purchase right and a major
2 concern was affordability and the affordability of
3 this project is stark to say the least. The average,
4 we have nine families coming back to the project.
5 When we bought the building, there were 19 families
6 that were there and nine chose to come back, which
7 would comprise -- 33 percent of the entire project
8 would be given to affordable units. Not only would
9 they be affordable, but they'd be residents who would
10 be returning, some of whom have been in the building
11 for as many as 44 years and they would be owners of
12 their properties at an average cost of about \$80,000,
13 which is absolutely unheard of right now in Columbia
14 Heights for a finished two-bedroom unit. And that's
15 what we're delivering with the same quality of
16 amenities, the same granite, the same hardwood, the
17 same quality throughout as such that you would not be
18 able to tell one building from the other. And these
19 affordable units are not particularly set aside.
20 Essentially, most of the tenants are coming right back
21 to the same unit that they left. The majority, as a
22 matter of fact the highest concentration of returning
23 tenants is actually on the fourth floor, which would
24 normally be higher cost units.

25 So we have stark affordability, returning

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1 tenants, D.C. residents for decades and decades who
2 have been there through all the bad times and they're
3 going to have an opportunity to share in the success
4 of the project. It equates to about \$2.7 million in
5 lost revenue to deliver these units at an average of
6 about 300,000 below market, conservatively speaking.

7 Social program support. We have chosen to
8 support a program called Keeley's District Boxing and
9 Youth Center. I don't know if Mr. Thompson will be
10 here tonight, but Keeley Thompson runs a program that
11 works with disadvantaged youth from the Columbia
12 Heights neighborhood. It is a 501-C-3 not-for-profit
13 and they work with many Latino, African-American and
14 Asian youth in the community and we have already
15 contributed over \$10,000 to Keeley Thompson Program.
16 In his first year he has three Golden Gloves champions
17 working also in partnership with the District police.
18 So we will contribute an additional \$10,000 to
19 Keeley's Program from the proceeds of this project.

20 In the area of environmental relief, as I
21 mentioned earlier the lot occupancy of this property
22 is 76 percent, which exceeds what would normally be
23 allowable. And one of the major bases, as I
24 understand it, for lot occupancy limitations is the
25 issue of storm water run-off and what's created, the

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1 pollution that's created by storm water run-off. And
2 one of the ways that you could mitigate that is
3 through green roofs and we are going to engage the
4 additional expense of installing a green roof on at
5 least 50 percent of the roof area of this building
6 which would do well to compensate for the high lot
7 coverage, which is something that we are grandfathered
8 into, but we are still concerned about and so we are
9 going to install that green roof which will have those
10 environmental benefits as well as energy efficiency
11 benefits. The D.C. Office of Energy is also
12 supportive of those efforts.

13 Local government support. The ANC at one
14 point came to us early in the development looking for
15 an office space. They did not have an office space
16 that was ADA compliant, handicap accessible,
17 affordable and such and essentially an officeless ANC,
18 and I'm sure everyone understands the importance of an
19 ANC and how it could function in the community. And
20 it's a little tough for the community to touch an ANC
21 when they can't go to their office. And so what we
22 did in our development plan was incorporate a space
23 that could be affordable, that would be ADA compliant,
24 ground level accessible for the ANC and a long-term
25 lease, which has also helped this project to be a

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1 center of local community effort. So we're excited
2 about that and hopefully this will be a long-term
3 benefit for the community through the ANC.

4 The public school support is another area
5 of local government support. Nearby there is the
6 Harriet Tubman Elementary School, which is an
7 elementary school that has been in Columbia Heights
8 for quite some time. It's a great little school. The
9 student population is primarily Hispanic and then
10 African-American. Lots of good kids go there,
11 disadvantaged kids unfortunately though, in many
12 cases, and they're always doing fundraisers and drives
13 to help support the school, uniform programs and such.
14 And so we have decided to contribute \$100,000 to the
15 Harriet Tubman Elementary School as a way of making a
16 statement and supporting this community. And
17 recognizing the service that this school gives to the
18 community, we're adding additional units and it's
19 possible that people who live in our project may send
20 their kids to those schools and we feel as an
21 organization that it's important that developers
22 support local schools which will essentially support
23 the children who live in the development.

24 Economic revitalization. That's the last
25 area that I wanted to cover. As I said earlier, we

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1 own more contiguous retail space than any other owner
2 in the C-2-A zone as it is and we believe that the
3 redevelopment of this space will do a great work in
4 the way of redefining the 11th Street Corridor. One
5 of the commitments that we have is the Waffle Shop
6 which is a 26-year-old business in Columbia Heights,
7 26 years that was recently displaced by the DCUSA
8 Project, had nowhere to go and who came to us and have
9 now committed to buy a space that is actually
10 significantly larger than the one that they had
11 before, totally renovated, totally new and we're
12 preserving a D.C. institution in the form of the
13 Waffle Shop that has committed to be there.

14 So we're excited about the economic
15 revitalization and incorporation of businesses like
16 the Waffle Shop which are minority-owned businesses,
17 long-term D.C. institutions that are really feeling
18 the pinch of the development. Particularly that's
19 happening in Columbia Heights. And they will now be
20 owners of their space as opposed to renters of their
21 space, and so they will not be pushed into the
22 situation that they were forced into by this other
23 project. So once again, we're excited about that.

24 The Office of Planning's report I won't go
25 into, but I had previously prepared to address it, but

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1 we certainly want to thank the Office of Planning for
2 directing us to the PUD process; we were actually on
3 a different road prior to that, and we appreciate
4 that.

5 But there were a couple of things that I
6 noted when I was looking at some of the documentation
7 from the Office of Planning that I thought were of
8 note and in support of this project. In their
9 inclusionary zoning report, they had indicated that 50
10 percent or less of bonus density in an inclusionary
11 zoning project should be dedicated to affordable
12 housing. And I certainly have no contention or bone
13 to pick with the Office of Planning, but I want to
14 note that in this project we're delivering 100 percent
15 of the bonus density to affordable housing; actually
16 more than 100 percent. So there is absolutely no
17 benefit. There is absolutely no profit, I should say,
18 that the developer is gaining by delivering the volume
19 of bonus density. We are giving back more than we are
20 receiving. The net value of the bonus density we're
21 requesting is approximately \$2 million. The net cost
22 of the public benefit package that we're delivering is
23 approximately \$3 million. So it's actually costing us
24 nearly a \$1 million to accept this benefit. But that
25 is how focused we are and how much we believe in the

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1 issue of affordable housing. You know, inclusionary
2 zoning generally talks about bonus density of one-to-
3 one ratios. Really, it equates to 50 percent of the
4 bonus density being given back. And by our
5 definition, one-to-one ratio is a 100 percent
6 delivery, that there's really no incentive for us
7 other than that that is why our non-profit was put
8 together, to be a quality development corporation that
9 delivers a quality product, but that doesn't have to
10 focus on profitability. We can focus on affordability
11 because that's why we were created.

12 And since late 2002, OP has made it clear
13 to PUD applicants that OP regards provision of
14 affordable housing as the single most important
15 proffer of public benefit and amenities to accompany
16 an application. And so, you know, we hope that what
17 we've done falls in line with that.

18 And then I want to talk briefly about the
19 Comprehensive Plan, how we feel it supports our
20 project under Chapter 1 of the General Provisions
21 element. Under the Section that's titled, "Providing
22 for Diversity and Overall Social Responsibilities," it
23 says, "Each distinct neighborhood of the District is
24 an integral part of a diverse larger community that
25 contributes to the District's attractiveness and

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1 strength." And we certainly believe that, that we are
2 approaching and addressing a diverse group. And
3 interestingly enough, we'll probably have people in
4 our building who bought for \$80,000 and then people in
5 our building who bought for \$800,000. And that
6 certainly is diversity, if I've ever -- economically,
7 if I've ever heard of it. And they will be living,
8 co-existing and all will get a great benefit. And I
9 think it preserves the diversity that the Comp Plan
10 was talking about. And once again, Chapter 3 of the
11 Housing Element says, "It is the goal of the District
12 to have adequate affordable housing for all District
13 residents and communities to have access to services
14 and facilities to meet their needs." Once again,
15 we're dealing with the whole spectrum, the whole gamut
16 and we are revitalizing services and facilities in the
17 way of our commercial space that will help meet the
18 needs of the overall community.

19 And one other quote from the Comp Plan
20 under Chapter 3 says, "The general objectives for
21 housing are to stimulate production of new and
22 rehabilitated housing to meet all," and once again I'm
23 stressing the all, "levels of need and demand and to
24 provide incentives for the types of housing needed at
25 desired locations." We are proud of the fact that the

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1 type of housing that we're delivering as affordable is
2 not simply efficiencies and one-bedrooms. As a matter
3 of fact, they're all pretty large one-bedrooms and the
4 majority are two-bedroom units.

5 Okay. Pretty large one-bedrooms; we have
6 a projector, and two-bedroom units. So we're excited
7 about the fact that we are providing housing that can
8 actually support families. We even have two three-
9 bedroom units in our project. Unfortunately they're
10 not the affordable units because they're on the top
11 floor, and those are the revenues that we're using to
12 offset the other funds we're losing, but we are
13 providing a mix of units that can support families,
14 larger families in the District.

15 The other thing that we think that is of
16 note here in line with the price and affordability is
17 that the proposed income ranges for most projects that
18 deliver affordability are between 50 and 80 percent of
19 the area median income. While most participants in
20 conversations, if you get together a think tank, they
21 feel that the average of the ranges should be between
22 65 and 70 percent. What alarms me personally is that
23 there is essentially no discussion of people who earn
24 less than 50 percent of the AMI. So we're talking
25 about people who earn less than \$45,000 a year, and

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1 there are a lot of really good people, really good
2 District residents who have no option, who have no
3 answer in finding a home when they earn below 50
4 percent of the area median income. It's a real
5 problem and there are not a lot of mechanisms for them
6 to deal with. And even things that are designed to be
7 inclusionary exclude these individuals who earn
8 \$45,000 and less, which are people who make real
9 contributions to the District. And so we're proud of
10 the fact that all of the affordable units in our
11 project, every last affordable unit in our project is
12 affordable to people who earn less than 50 percent of
13 AMI, which is a group that is generally not addressed.
14 And so we ask that the Commission also take note of
15 that.

16 And this is the last Comprehensive Plan
17 citing that I have here. It's under Chapter 3 of the
18 Housing Element, another way I think the Comp Plan
19 supports specifically this project. It's "Low and
20 Moderate-Income Housing," Section 303.2(d). "The
21 policies established in support of low and moderate-
22 income housing objectives are as follows: Provide
23 zoning incentives as appropriate to developers
24 prepared to build low and moderate-income housing such
25 as permitting additional densities in exchange for

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1 incorporating low and moderate-income housing in
2 development projects and give zoning preferences to
3 mixed-use sites that include housing near appropriate
4 Metrorail stations."

5 And when the Comp Plan was put in place,
6 or the map was put in place, the Columbia Heights
7 Metro wasn't there, the Georgia Avenue Metro wasn't
8 there and both of those Metros are there now and they
9 are increasing the value and the demand to live there.
10 Here we have mixed-use site. Unless there's something
11 inappropriate about those Metrorail stations, we feel
12 that this particular section is applicable.

13 We are a developer prepared to develop low
14 and moderate-income housing in a mixed-use site near
15 a Metrorail station and we hope that based on that
16 that that's a plus for us.

17 And then community support. I know it's
18 very important, being a former Commissioner myself, to
19 garner community support. We have gone before
20 Advisory Neighborhood Commission 1-A on two occasions
21 and on both of those occasions they have unanimously
22 supported our project, both in July and on the past
23 November. Also entered into the record we have a
24 letter of support from Council Member Jim Graham,
25 Council Member Marion Barry, Council Member Kwami

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1 Brown, Council Member Kathy Patterson, Council Member
2 Linda Cropp, Council Member Adrian Fenty, Council
3 Member David Catania, Council Member Vincent Orange.
4 We have enough Council Members for a formative council
5 vote in support of what we're doing.

6 Also, I'm particularly proud of the fact
7 that we have garnered support from Deputy Mayor for
8 Economic Development Stan Jackson, a real hero of
9 mine, but who has supported this project and what we
10 are attempting to do. Obviously, we've got support
11 from Harriet Tubman Elementary School and Keeley's
12 Boxing Program. And there's also a letter in there
13 from the Thomason family who live on the corner of
14 11th and Monroe adjacent to the building who have been
15 owners of that property since 1966 and Mr. Thomason,
16 who is an elderly gentleman, took his time and
17 handwrote a letter of support and we think that that's
18 a powerful statement of community support as well.

19 And last, but not least, the 1020 Monroe
20 Street 2003 Tenant's Association has submitted a
21 letter of support. These are the people who have
22 lived in the building for decades, who are real
23 stakeholders. The Bibb family has been there for 44,
24 going on 45 years. You know, Ms. Bibbs is 96 years
25 old; her son is 63, and they are still there, still

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1 stakeholders and they are going to be finally owners
2 of their property. They've probably paid for their
3 property two or three times at least, paying rent that
4 long. But we're excited about being able to deliver
5 a win for them as we complete our project.

6 And in closing, as far as this part of my
7 presentation, the ultimate goal of zoning -- this is
8 a quote from Roger Lewis, professor at University of
9 Maryland and a *Washington Post* columnist, that I think
10 is appropriate, "The ultimate goal of zoning is to
11 insure that the interests of the public are duly
12 served and protected. Across-the-board imposition and
13 enforcement of uniform zoning regulations with
14 specific quantitative limits may not always be in the
15 best interest of the public and the city."

16 We ask that the Commission approve this
17 application in the best interest of the public. We
18 understand that we're asking for a rezoning of the
19 property from C-2-A to C-3-A, but we're not looking to
20 maximize on that. We're just attempting to deliver
21 what we originally conceived within the limits or
22 within the confines of the regulations. In every
23 respect we conform to a C-2-A other than area of FAR,
24 but density I think is merited here, particularly with
25 the two Metro stations.

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1 So I don't know how much time has elapsed,
2 but I definitely want to have time for questions that
3 can be addressed, if there are any, or presentations.

4 Oh, okay. I apologize. That's the
5 conclusion of the presentation.

6 CHAIRPERSON MITTEN: Okay. Did you want
7 the architect to say anything, or just have us ask
8 questions?

9 MR. HALL: He can walk through them.

10 CHAIRPERSON MITTEN: Okay. I mean, your
11 presentation -- you have like 28 minutes left.

12 MR. HALL: Really?

13 CHAIRPERSON MITTEN: Yes.

14 MR. HALL: Yes, why don't we do that?

15 CHAIRPERSON MITTEN: You're not required
16 to take 28 minutes. Wanted to let you know you had
17 them.

18 MS. GIORDANO: We can let the Commission
19 decide whether you want to hear from the architect.

20 CHAIRPERSON MITTEN: What do you think?

21 No, I have some specific questions to ask,
22 but other than that I think the drawings are pretty
23 straightforward.

24 Okay. And I guess we're ready for
25 questions. You want to go first, Mr. Hood?

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1 VICE-CHAIR HOOD: Yes, I'll go first.

2 I probably shouldn't ask this question,
3 Madam Chair, since you said the drawings were pretty
4 straightforward, but I'm trying to get my orientation,
5 Mr. Hall, straight. You said it's on the southeast
6 corner of 11th Street. What's on the southwest corner
7 of 11th Street? Isn't it another building? I'm
8 trying to visually picture where this building is.

9 MR. HALL: Yes, Commissioner, on the
10 southwest corner is the Thomason family's home.

11 VICE-CHAIR HOOD: Okay. Now on the
12 northeast corner is a church, right?

13 MR. HALL: No, on the northeast corner is
14 the infamous pink house.

15 VICE-CHAIR HOOD: Okay. So that means on
16 the -- I'm just trying to get my bearings. Oh, so
17 that means on the northwest corner, it's like an open
18 space, a little area --

19 MR. HALL: There's a park, yes, sir.

20 VICE-CHAIR HOOD: I know where you are.
21 I know exactly where you are. The church on the
22 northeast side is a little further down.

23 MR. HALL: One block.

24 VICE-CHAIR HOOD: I know where you are.

25 You mentioned in your testimony that 30

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1 percent of the AMI has not been discussed. I will
2 tell you it has. And I was happy to see a project
3 with 30 percent, because when we were dealing with the
4 inclusionary zoning piece, I heard that that couldn't
5 be done. And now here the first case that I have; and
6 I don't know, I don't want to get in trouble here,
7 because we haven't finished that, but then again it
8 doesn't matter, but I'm glad here now to see that we
9 get the 30 percent.

10 My question is, you're saying between 30
11 and 50. How do we make sure that we include some of
12 those folks who are at the 30 percent threshold,
13 exactly 30

14 MR. HALL: Well, the families that are
15 coming back, they have purchase options at -- if they
16 have a one-bedroom, their purchase option specifically
17 are at \$77,500. If they are in a two-bedroom, their
18 purchase option says specifically they are at \$83,500.
19 And that is 30.

20 VICE-CHAIR HOOD: Okay. So that's how we
21 make sure that we include them and they don't lose out
22 to people -- I'm actually using this as a learning
23 lesson for me, so other people who come out behind you
24 will probably hear me say, "Well, this has been done
25 previously." And so you're educating me on this piece

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1 and how it's done.

2 CHAIRPERSON MITTEN: On that point, just
3 so that we're completed educated, what other programs
4 or, you know, low-interest loans or whatever are you
5 availing yourself of to be able to do this? Anything?
6 Are there any other supports that you're taking
7 advantage of in order to deliver this level of
8 affordability?

9 MR. HALL: Well, actually the average, I'm
10 using an average of \$80,000 is actually still a bit
11 high for them to afford. The average rent when we
12 acquired the building was only \$500 a month. And so
13 our goal was to try to get the tenants within 20
14 percent of that. And from a standpoint of cash flow,
15 even at \$83,500, it's still not within that range. So
16 what we are doing is working with the Urban League and
17 the program called HPAP, which was very commonly used
18 but now has trouble because of the prices being so
19 high. The HPAP program will actually give them
20 effective costs of actually less than \$80,000 with a
21 20 to 30 percent -- on a \$20,000 to \$30,000 HPAP loan,
22 they'd only be paying a mortgage on approximately
23 \$50,000. So we are engaging that program and they are
24 very excited about working with us because they don't
25 have as many people going through the program these

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1 days and the Urban League is right around the corner.
2 So that's one of the main things that we're using to
3 deliver affordability. But there are no other grants
4 or subsidies to the project.

5 CHAIRPERSON MITTEN: Okay. One of the
6 things that -- in the whole inclusionary zoning
7 discussion is the opportunity to sort of dovetail
8 other programs with the inclusionary zoning
9 requirements, just to Mr. Hood's point about being
10 educated. I just wanted to understand it completely.

11 Sorry. Keep going.

12 VICE-CHAIR HOOD: Okay. Let me ask you,
13 I know parking predates, but let me ask you, is the
14 area surrounding that area, is it zoned parking, like
15 Zone, what is it, 1? Is it more than one? Is it Zone
16 1 parking in that area?

17

18 MR. HALL: Zone 1?

19 VICE-CHAIR HOOD: One, which would limit
20 it to two hours.

21 MR. HALL: Yes, it is.

22 VICE-CHAIR HOOD: So that whole area is
23 Zone 1 parking? Okay.

24 MR. HALL: Yes, Commissioner.

25 VICE-CHAIR HOOD: The only other thing

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1 that I had, Mr. Hall, I would encourage you, and I was
2 looking at your package to the Harriet Tubman
3 Elementary School and it says, at least the way I see
4 it, it says \$100,000 for the project sales to capital
5 improvement. I think we just need to be a little bit
6 more -- I mean, a little more specific exactly what
7 it's going to. It's going to this, or it's going to
8 that. And I'm sure that may be addressed later on.

9 MR. HALL: Yes. I believe a
10 representative from the Harriet Tubman Elementary
11 School is here, as well as from their PTA. We're
12 actually working directly with the PTA. There was a
13 concern about how the funds would be distributed and
14 if they'd get kind of lost in the --

15 VICE-CHAIR HOOD: General fund or
16 whatever.

17 MR. HALL: -- in the general fund. And so
18 what we're attempting to do is work with the PTA. We
19 have the PTA head here, as well as the principal of
20 the school and I think they'll be able to elaborate on
21 how they intend to use it. We haven't put any real
22 restraints on how they use it. We just know that
23 these are honest people who are trying to help fund
24 the education of their children.

25 VICE-CHAIR HOOD: The next question, I

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1 remember you as an ANC Commissioner coming down to
2 testify in front of the Commission. Have you had any
3 projects before us, or is this your first one?

4 MR. HALL: This is the first project, the
5 flagship of my affordable housing development
6 corporation. And I tried to put something together
7 that I would have liked to support when I was a
8 Commission chairman.

9 VICE-CHAIR HOOD: That's a good way to
10 look at it. Thank you.

11 Thank you, Madam Chair.

12 CHAIRPERSON MITTEN: Mr. Turnbull?

13 COMMISSIONER TURNBULL: Yes, I just got a
14 question on the architectural finishes on the top two
15 floors. I guess on the north and west elevations you
16 clearly call out that they're going to be precast. I
17 guess that the panel and the coins are precast? On
18 the south and west side they're vinyl plaster?

19 MR. NESMITH: No, sir. It should be
20 portions of the south side are going to also be
21 precast. At the back side, on the east side of the
22 building --

23 COMMISSIONER TURNBULL: East side?

24 MR. NESMITH: -- the east side would be
25 Efis. That's what we're planning on doing.

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1 COMMISSIONER TURNBULL: Okay. So it's a
2 vinyl plaster on the east side?

3 MR. NESMITH: Yes, sir.

4 COMMISSIONER TURNBULL: Are you turning
5 the corner at all with precast, or how do you make the
6 transition from the precast to the other finish?

7 MR. NESMITH: The precast --

8 COMMISSIONER TURNBULL: At the coins?

9 MR. NESMITH: Yes, sir. Yes, sir. And
10 basically in the corners where the staircase comes up.
11 At that point it will die there and then begin, or the
12 transition would happen at that point and become Efis.

13 COMMISSIONER TURNBULL: And then are you
14 scoring that to sort of look like precast stone?

15 MR. NESMITH: Yes, sir.

16 COMMISSIONER TURNBULL: Okay.

17 MR. NESMITH: Yes, we're scoring it in a
18 similar vein as the precast on the front.

19 COMMISSIONER TURNBULL: Okay. My only
20 other question I guess was when I heard on the -- and
21 I just want to clarify that, when you're renovating
22 and we're doing the elevator upgrade --

23 MR. NESMITH: Yes, sir.

24 COMMISSIONER TURNBULL: -- it will be ADA
25 compliant?

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1 MR. NESMITH: Yes, sir.

2 COMMISSIONER TURNBULL: Okay.

3 CHAIRPERSON MITTEN: Could I ask you to
4 state your name for the record?

5 MR. NESMITH: Cametrick Nesmith of PGN
6 Architects.

7 CHAIRPERSON MITTEN: Thank you.

8 COMMISSIONER TURNBULL: Thank you.

9 CHAIRPERSON MITTEN: Okay. I had a few
10 things to ask about. What is the rear yard use for
11 now? You talked about a series of existing
12 conditions, but the area where the parking spaces will
13 be, what's that area used for now? I need you to turn
14 you mike back on.

15 MR. HALL: At the time that we acquired
16 the property, when it was occupied, generally people
17 parked back there.

18 CHAIRPERSON MITTEN: Yes.

19 MR. HALL: But what they did was they
20 parked I'd say about 70-80 percent on our lot and
21 about 20 percent on the adjacent lot.

22 CHAIRPERSON MITTEN: Yes.

23 MR. HALL: And so when we became confined
24 by the lot lines in designing our parking, it
25 significantly reduced the number of legal parking

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1 spaces that we could present. But generally you would
2 see seven or eight cars parked back there on a regular
3 basis.

4 CHAIRPERSON MITTEN: One of the things
5 that is a required submission for the planned unit
6 development is a detailed circulation plan that will
7 show us how you're going to be treating that lot line
8 so that people don't go over it and so that your
9 parking spaces are clearly delineated and show how you
10 would access from the alley. And then to the extent
11 that there's a curb cut to Monroe Street; I don't know
12 if there is a curb cut to Monroe Street. So that's
13 all going to need to be shown an additional
14 submission.

15 I notice on your site plan that you have
16 designated one of the parking spaces will also be a
17 loading space, do intend that there will be unloading
18 or move-in/move-out by tenants through that loading
19 space, or where will people move in and move out?

20 MR. HALL: My intention is for the move-in
21 and move-out to happen through the main entrance,
22 because we only have one elevator and the
23 accessibility on the ground level from any other
24 entrance. The other fire exit is not really good for
25 moving in and moving and it and it lets out into a

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1 public alley as opposed to a sidewalk.

2 CHAIRPERSON MITTEN: Okay.

3 MR. HALL: And the first part of your
4 question was really -- I'm sorry, I forgot.

5 CHAIRPERSON MITTEN: It was just how would
6 residents get access to the elevator and so on from
7 the loading. Do you just intend the loading component
8 to be for retail tenants?

9 MR. HALL: Cametrick?

10 MR. NESMITH: Yes, ma'am.

11 CHAIRPERSON MITTEN: I need you to turn
12 the mike back on.

13 MR. NESMITH: Yes, ma'am. The loading
14 component, or the loading designation that you see
15 there is intended primarily for commercial use.

16 CHAIRPERSON MITTEN: Okay. And then how
17 are you going to handle the trash?

18 MR. HALL: Well, as I said earlier, we do
19 have a trash chute. Believe it or not, we had trash
20 going out of windows when we bought the property
21 because it's a pretty long four-story walk, four
22 flights to walk. Then they walk all the way around
23 the building.

24 CHAIRPERSON MITTEN: Yes.

25 MR. HALL: So we have kept some of the

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1 space on the first floor and instead of using it as
2 retail, we've dedicated a trash room and we're going
3 to install a trash compactor which should help us to
4 manage the trash significantly better. We had a
5 dumpster that was out back before that was kind of
6 being used by the public in general. So, our goal is
7 to try to confine the trash management within the
8 structure of the trash room and compactor.

9 CHAIRPERSON MITTEN: Okay.

10 COMMISSIONER TURNBULL: I just had one
11 other question. Is there then, in the front of the
12 building on the north side by the front entrance, is
13 there parking spaces or is there a designated no
14 parking area or anything there now?

15 MR. HALL: Not to my knowledge, sir.

16 COMMISSIONER TURNBULL: I'm just thinking
17 of loading and unloading.

18 CHAIRPERSON MITTEN: Well, I think what
19 typically happens is if there's just regular
20 residential parking, if somebody's going to move in
21 they have to go to the police department and get some
22 signs to block the space.

23 Just to an earlier question that Mr.
24 Turnbull asked you about the materials on the upper
25 floors, do you have material samples for us?

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1 MR. HALL: No, we do not tonight.

2 CHAIRPERSON MITTEN: Okay. That's going
3 to need to be an additional submission so we can see
4 exactly what materials and colors of those materials
5 you intend to use.

6 You spoke to us about your use of LSDBE
7 contractors in terms of the contractor end and your
8 architect and so on. Did the Office of Planning
9 discuss with you at all -- we try and encourage folks
10 particularly ones that are sensitive like you are to
11 using District residents on the construction work on
12 using local businesses to enter into -- there's a
13 first source agreement with the Department of
14 Employment Services and then there's an MOU with the
15 Local Business Opportunity Commission. Did they talk
16 to you about that at all? Are you aware of those?

17 MR. HALL: I am somewhat aware of them
18 from my prior work as a Commissioner.

19 CHAIRPERSON MITTEN: Yes.

20 MR. HALL: But we didn't discuss it
21 specifically with OP. This was essentially something
22 that we -- and it's not a proffer of the project. It
23 was something that we just chose to do.

24 CHAIRPERSON MITTEN: Yes.

25 MR. HALL: And I was noting it for the

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1 record.

2 CHAIRPERSON MITTEN: Okay. Well, we would
3 just encourage you, if you wanted to enter into those
4 agreements, that would be all to the good.

5 MR. HALL: Thank you.

6 CHAIRPERSON MITTEN: To the affordable
7 housing amenity, in PUDs where we accept a proffer
8 like that as an amenity, there's a mechanism to
9 ensure affordability. So we talked about the levels
10 that you're targeting and among the things is
11 typically there's an agreement with -- I don't know
12 who the agreement is with, the Department of Housing
13 and Community Development or -- we sort of have a
14 model for what's used. And typically there's a
15 commitment made to a period of affordability. I don't
16 know if that's something that you have discussed with
17 the returning tenants about whether it will just be
18 affordable to them and then they can turn around and
19 sell it to someone else, or if there will be a period
20 of affordability.

21 And then one of the things we like to see
22 also; and I think this would be something fairly
23 straightforward for you to do, is to show us which
24 units in the building will be the affordable units.

25 So I asked you a couple of different

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1 things there.

2 MR. HALL: Yes, I'm with you. As far as
3 the mechanism of affordability, just so you know, our
4 formula, I'll say, is that we looked at what I call
5 functional affordability. And so we took the
6 combination of principal, interest, taxes, insurance
7 and condominium fees because those are all the things
8 that these residents will have to --

9 CHAIRPERSON MITTEN: You're missing my
10 point. I'm sorry. I didn't express myself correctly.

11 There's an agreement sort of with an
12 outside party. You don't just represent to us that
13 this is your intent, but there's something tangible
14 that we can point to that says they not only said it,
15 but we know it will happen because there's this other
16 agreement.

17 MR. HALL: Okay.

18 CHAIRPERSON MITTEN: Do you have such an
19 agreement?

20 MR. HALL: Yes, Commissioner, in two
21 forms. When we won the RFP, the tenant association
22 was represented by Reed Smith Law Firm.

23 CHAIRPERSON MITTEN: Yes.

24 MR. HALL: Specifically Olivia Shay-Byrne
25 and Phil Fick.

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1 CHAIRPERSON MITTEN: Yes.

2 MR. HALL: And they negotiated the
3 agreement between Hope 7, Inc. and the tenants. And
4 these prizes were part of the agreement with the
5 tenant association so the tenant's affordability is
6 protected by that particular mechanism that is an
7 agreement that was in place over a year ago.

8 In addition to that, we also distributed
9 to those tenant association members a notarized
10 document essentially giving them this affordability,
11 this option, this purchase option at that price.

12 CHAIRPERSON MITTEN: Can you share with us
13 the documentation that you're referring to so that we
14 would have that third-party document in the record?

15 MR. HALL: Yes. Yes.

16 CHAIRPERSON MITTEN: Okay. And then can
17 you provide us just the floor plan showing us which of
18 the units on which floors will be the affordable
19 units?

20 MR. HALL: Yes, Commissioner.

21 CHAIRPERSON MITTEN: Okay. I want to be
22 sure that I understand the proffer because there's
23 some language that's been used and I don't know how
24 narrowly to interpret the language. But the retail
25 space in the building has been represented that it

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1 will be for neighborhood-serving retail uses. And to
2 the Zoning Commission that means something narrower
3 than the full range of potential uses that are
4 permitted in the commercial zones, that are also
5 permitted in the C-2-A and the C-3-A zones.

6 Are you intending to in any way restrict
7 the uses of the first floor to a more narrow subset of
8 uses that one would consider to be neighborhood-
9 serving retail?

10 MR. HALL: Yes, Commissioner. The primary
11 characterization of the type of businesses that we
12 targeted was non-chain neighborhood-serving retail
13 establishments.

14 CHAIRPERSON MITTEN: Yes.

15 MR. HALL: We obviously gave the example
16 of the Waffle Shop. Another example of a concept
17 paper that's been submitted to us was from Ann Cashion
18 of Cashion's Eat Place. A great concept that she had
19 for a tacoria and a fruiteria, something that creates
20 a destination. We were looking for retail
21 destinations. She owns Cashion's Eat Place and is
22 very accomplished as a restaurateur. Her partner of
23 20 years John Fulchino submitted a concept for an
24 organic butcher shop and winery. Once again, another
25 unique locally-owned non-chain destination-type

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1 business is what we were looking for. So those are
2 the type of businesses that we've pursued.

3 I don't know if there's anything
4 specifically in our proffer, but we were just noting
5 that that was the type of business that we pursued.

6 CHAIRPERSON MITTEN: Okay. So what I'm
7 trying encourage you to do is to the extent that you
8 intend that to be counted as a proffer, you're going
9 to need to tell us what this more narrow language,
10 that these more narrow substantive businesses that
11 you're going to be targeting are, otherwise if it's
12 not constrained in any way, it's only an expression of
13 what you intend. It is not going to be considered a
14 proffer. Okay.

15 MR. HALL: Okay. Well then in light of
16 that then, just for functional purposes I would say
17 that the only part that I could say is a proffer,
18 because we have an actual agreement, is that we will
19 bring the Waffle Shop, which is a minority-owned D.C.
20 institution. We've already signed it. I have a
21 binding agreement that they would be attendant there.
22 And the rest of it I will say is an intention, but
23 certainly one we intend to follow through with.

24 CHAIRPERSON MITTEN: Okay. Then to the
25 discussion that Mr. Hood began with you about the

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1 donation to Harriet Tubman Elementary School, there
2 are a couple of things I wanted to talk to you about,
3 and you'll have to come back to us and give us a sense
4 of timing. There's typically two points at which a
5 donation of that kind is required to be made. One is
6 at the time that you get a building permit, or prior
7 to the time you pull the permit. The other is prior
8 to receipt of the certificate of occupancy. And I
9 know that you had said you wanted to pay the proffer
10 out of the proceeds of sale. But we need a point at
11 which there's still a gate or, you know, a hurdle for
12 you to go over that you have to make the donation and
13 then you get, you know, the final certificate. So you
14 need to tell us when you intend to make actually both
15 of the monetary contributions.

16 And then we really do encourage that
17 abstract contributions of any size are not just given.
18 And I know you've already expressed a sensitivity to
19 this, but I'd encourage you to work with the school so
20 that you could come back to us and say that the
21 contribution would be used for something specific. It
22 doesn't have to be one thing, but the idea is that the
23 community can see that you got what you wanted and the
24 building is full and here's the material manifestation
25 of that contribution, not that well, we'll still

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1 deciding what it's going to be used for.

2 So we really do encourage that.

3 And then as to the agreement with the ANC
4 regarding office space, again, if you intend that to
5 be a proffer, then you're going to have to give us a
6 little bit more specificity about what is the
7 arrangement going to be. Because right now saying
8 it's affordable is, you know, one person's
9 affordability is another person's overpriced office
10 space. So, you know, it's a relative term, I guess is
11 all I'm trying to say.

12 And I think those are all my questions.

13 Anybody else have any follow-up?

14 (No audible response.)

15 CHAIRPERSON MITTEN: Okay. We'll run
16 through the additional submissions that you'll have to
17 make at the very end. Okay?

18 MR. HALL: Okay. Thank you.

19 CHAIRPERSON MITTEN: Okay. Is there
20 someone here from the ANC? You are given the
21 opportunity to cross examine the Applicant, if you
22 would like. Do you want to ask any questions?

23 UNIDENTIFIED SPEAKER:

24 (No audible response.)

25 CHAIRPERSON MITTEN: Okay. Thank you.

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1 Now, we're ready for the Office of
2 Planning report. Mr. Parker?

3 MR. PARKER: Good evening, Madam Chair and
4 Members of the Commission. I'm Travis Parker with the
5 Office of Planning.

6 As you remember, this application was
7 postponed from the original to amend it to change the
8 map to C-3-A on this property. And as such, I'll
9 limit my remarks to that zoning change, unless there
10 are specific questions about other parts of the
11 application.

12 OP examined the change to C-3-A from
13 several angles. We looked at the zoning. This
14 property is in a commercial area of C-2-A zoning. It
15 is more importantly midway between the Georgia Avenue
16 and 14th Avenue corridors, which does contain large
17 strips of C-3-A zoning. And we decided that this was
18 significant both because there is C-3-A in the
19 vicinity of the project and because this is a midpoint
20 that provides an opportunity for a commercial node for
21 neighborhood-serving retail as the project intends to
22 provide.

23 We looked at the project in terms of
24 density. The density being requested is greater than
25 the C-2-A zone permits, as was the original problem,

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1 but it is significantly less than could be achieved
2 under a standard C-3-A project. So it is more
3 appropriate scale to the surrounding neighborhood than
4 would be achieved on either the Georgia Avenue or 14th
5 Avenue corridors, either through a PUD, or even as a
6 matter of right in the C-3-A zone.

7 Thirdly, we looked at the project in terms
8 of the Comprehensive Plan. And one of our statements
9 in our previous submission was that it was not
10 directly consistent with the land use map. We think
11 that's somewhat ameliorated by the medium density
12 that's being requested, and not the full density of
13 the C-2-A. But also there are specific elements of
14 the Comp Plan that support the project as it's being
15 proposed. Specifically raised in my report are the
16 housing element, Section 300.2; the land use element,
17 1102.1; and the Ward One element, 1205.1. All raise
18 specific support as quoted in my report for a project
19 of this nature that revitalizes the existing housing
20 stock that provides neighborhood-serving retail in
21 this area.

22 Finally and most significantly, we looked
23 at the amenities of this project and we believe this
24 is where the project rises to an exceptional merit
25 that has led us to recommend approval of the project.

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1 First and most importantly this project,
2 as you've noted, has 30 percent affordable housing at
3 rates around 30 to 50 percent AMI. This is something,
4 as Mr. Hood noted, that we really haven't seen and is
5 largely unprecedented in a private development.
6 Moreover it offers this opportunity to the existing
7 residents, which is also an extremely valuable
8 benefit. We consider this to be the project's most
9 valuable amenity.

10 In addition, you have the contributions to
11 the neighborhood school, the Keeley's District Boxing
12 Youth Center. We support the green technologies and
13 the neighborhood retail, including the ANC office
14 space is a significant amenity as far as we're
15 concerned.

16 So in light of the exceptional merit of
17 the case, the strong neighborhood support for the
18 case, the revitalization that we believe will come
19 about as a result of the rehabilitation of this
20 building and the strengthening of this economic node,
21 we recommend approval of the project. And I'll be
22 happy to answer any questions.

23 CHAIRPERSON MITTEN: Thank you. Questions
24 for the Office of Planning? Any questions?

25 (No audible response.)

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1 CHAIRPERSON MITTEN: Did you have any
2 questions?

3 (No audible response.)

4 CHAIRPERSON MITTEN: Did you have any
5 questions for the Office of Planning?

6 (No audible response.)

7 CHAIRPERSON MITTEN: Okay. Great. Thank
8 you.

9 Is there anyone representing another
10 Government agency that's here?

11 (No audible response.)

12 CHAIRPERSON MITTEN: Okay. Then I would
13 just reiterate, Mr. Hall had mentioned that there's a
14 letter from the Deputy Mayor of Planning and Economic
15 Development, letters from various Council Members, and
16 we also have a memorandum from the Department of
17 Transportation in the record at Exhibit 18 saying that
18 there would be negligible impact on traffic and
19 parking from the project.

20 VICE-CHAIR HOOD: Madam Chair, he also
21 mentioned that we had a letter from Council Member
22 Barry and I think he mentioned another Council Member.
23 I don't remember seeing those two. I remember seeing
24 all the others, but I didn't see Council Member Barry
25 and I think there was another Council Member you

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1 mentioned. I'm not sure. Council Member Graham. I
2 didn't see that and I --

3 CHAIRPERSON MITTEN: We have Council
4 Member Barry at Exhibit 30.

5 MRS. SCHELLIN: It think Graham's was
6 submitted some time ago.

7 VICE-CHAIR HOOD: Okay. Okay. So we do
8 have -- okay. All right. It was in the previous
9 package. Okay.

10 MRS. SCHELLIN: Marion Barry was Exhibit
11 30.

12 VICE-CHAIR HOOD: That was in the previous
13 package.

14 MRS. SCHELLIN: Yes.

15 VICE-CHAIR HOOD: Okay. I should have
16 kept my mouth shut. Okay.

17 CHAIRPERSON MITTEN: I'm sure it's not
18 that you didn't read it carefully.

19 Okay. Now we're ready for the ANC report.

20 MR. MUHAMMAD: Madam Commissioner and
21 Members of the Commission, my name is Ali Muhammad.
22 I'm the chair of ANC 1-A. And at the time that you
23 received our recommendation or resolutions, I was the
24 vice-chair of the ANC.

25 CHAIRPERSON MITTEN: Well then

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1 congratulations.

2 MR. MUHAMMAD: Thank you very much.

3 There are three components that the ANC
4 looked at when we passed our resolution in support of
5 this particular project. There's been much talk about
6 affordability in that particular neighborhood and we
7 looked at the fact that nine family members were
8 returning to this particular building and at such a
9 cost that was for us astounding, because the prices of
10 homes in that particular area now have, well, far
11 exceeded the average AMI that this city can even
12 sustain. So we looked at that substantially and we
13 agree that that was a very important part of this
14 project.

15 The other part of that we looked at was
16 the economic revitalization of this particular
17 building in terms of retail coming back to the
18 community. As was noted by the Office of Planning
19 there, it sits central to 14th Street-Georgia Avenue.
20 Georgia Avenue is now being revitalized by the Great
21 Streets Project; 14th Street with the USA project.
22 And so it left an empty spot for that particular
23 corridor in terms of retail development. This
24 particular project came along and said look, we have
25 an opportunity here for economic revitalization for

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1 your neighborhood and at such a cost, again, that the
2 ANC again agreed that this was an important piece for
3 our neighborhood.

4 The other part was the social
5 participation. Since coming to this particular
6 neighborhood, Hope 7 has extended its hand, so to
7 speak, in terms of its willingness to be a good
8 neighbor. The ANCs generally look to projects of this
9 nature or any other project that's coming into the
10 neighborhood to see if that particular project
11 exemplifies itself as a good neighbor so they will now
12 become a part of the ANC. And from day one, Hope 7
13 has shown that they are a good neighbor. They've
14 contributed with their contribution to Tubman
15 Elementary School. Tubman Elementary School is the
16 current meeting place for the ANC. It's in need of
17 some repairs. We find that this contribution will
18 allow Tubman to use those contributions for some of
19 those stated improvements. So we found that to be an
20 absolute plus.

21 The donations to Keeley's Boxing Gym.
22 Keeley's Boxing Gym is an organization that represents
23 or assists youth in the community, not only in the
24 physical aspect of their program, but the academic
25 component. Many of the kids there are tutored. Their

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1 grades have been improved by the discipline that comes
2 with training. They're being tutored, as I said, and
3 so their grades have also improved in their academic
4 standing in the program. That again we thought we saw
5 as a very important piece to the project's
6 relationship in the community. That's about it.

7 CHAIRPERSON MITTEN: Okay. Thank you.

8 MR. MUHAMMAD: You're welcome.

9 CHAIRPERSON MITTEN: Any questions for
10 Commissioner Muhammad from the Zoning Commission?

11 M R . P A R K E R :

12 (No audible response.)

13 CHAIRPERSON MITTEN: Any questions?

14 (No audible response.)

15 CHAIRPERSON MITTEN: Okay. Thank you.

16 MR. MUHAMMAD: You're welcome.

17 CHAIRPERSON MITTEN: Okay. Then we're
18 ready to move to organizations and persons in support.
19 And I'm going to assume on my witness list, Ms. Grace
20 and Mr. Jones, were they just part of your
21 presentation? Are they going to testify separately?

22 MR. HALL: I believe that Ms. Grace is
23 going to testify on behalf of the tenant association.

24 CHAIRPERSON MITTEN: Oh, okay.

25 MR. HALL: She's actually the president of

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1 the tenant association.

2 CHAIRPERSON MITTEN: Oh, okay. Maybe I
3 could have you all sit back and then there would be
4 more room at the table for folks.

5 Ms. Grace? Wanda Sherrod? I know I'm not
6 going to get this exactly right. Jobita Zamora? You
7 can come forward. Have a seat. Benita Zamora? We'll
8 just start with four.

9 Everybody turn in their cards? She likes
10 those at the beginning so she knows who you are.

11 Ms. Grace, why don't you go first, unless
12 you'd rather not.

13 MS. GRACE: I've never had a problem
14 talking.

15 CHAIRPERSON MITTEN: Okay. Good.

16 MS. GRACE: My name is Thaia Grace. I'm
17 the president of the 1021 Monroe Street 2003 Tenant's
18 Association. And I didn't really prepare anything; I
19 don't know if you all have any questions, but what I
20 would like to say is that I personally have lived
21 there for 19 years and so I've seen it go from what it
22 was to what it is. Now that Hope 7 has come, it's a
23 big light, a beacon, you know, it is hope.

24 And in terms of what Mr. Hall and the Hope
25 7 organization has proposed to do for us and actually

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1 have shown us from the very beginning is really
2 phenomenal. When I first moved there in '86, we had
3 a resident manager and he was so clean that you could
4 eat off the floor in the back; so that's how pristine
5 he tried to keep it, down to maybe two years ago when
6 you probably could have caught ptomaine poison just by
7 walking through at the time.

8 But I'm just saying that it is a good
9 program. I see the benefit to the community, I see
10 the benefit that's come to us and I didn't think that
11 I would have the opportunity to see under \$100,000 and
12 be a homeowner and see the multi-cultural and the old
13 people and young folks and just a whole mix of people,
14 even other Africans from, you know, across the country
15 and that sort of thing. So, I'm very happy. I'm in
16 full support. I'm the first cheerleader. I am the
17 president of the tenant's association and where we are
18 is where we are and we're going to go far and I pray
19 that you all submit an astounding yes in the zoning.
20 Thank you.

21 CHAIRPERSON MITTEN: Okay. Thank you.
22 We're going to go through the panel and then we'll ask
23 questions, if we have any.

24 Ms. Sherrod?

25 MS. SHERROD: Yes, Madam Chairman and the

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1 rest of the Zoning Commission here. My name is Wanda
2 Sherrod. I am the construction manager for the
3 project. I have been working in construction
4 management and project management for several years.
5 I have worked with large developers in the District on
6 many large projects in residential and in commercial.

7 I was drawn to Hope 7 and this project
8 because it offered so many benefits to not only the
9 community, but also to true affordable housing. I
10 have worked on projects where affordable housing was
11 really termed work class or work force housing, where
12 a one-bedroom or an efficiency tends to be \$200,000,
13 \$300,000. And I know several people, including some
14 of my colleagues, who would not even consider that to
15 be affordable. And I was really impressed with the
16 way they were putting the project together. And even
17 though I had several offers from other developers, I
18 was just truly impressed with this developer and what
19 he's really working to do. And I just wanted to
20 support him, so I came on board as part of the team
21 and I've really enjoyed it and I think it's going to
22 be a great project. And I'm in the Zoning Office all
23 the time and I think it's going to be a great project.

24 CHAIRPERSON MITTEN: Okay. Thank you.

25 MS. SHERROD: Thank you.

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1 CHAIRPERSON MITTEN: I'll let which of you
2 decide who wants to go first. Did you want to
3 testify? Did you want to say something?

4 (No audible response.)

5 CHAIRPERSON MITTEN: No? Okay. We won't
6 make you.

7 Any questions for the panel?

8 (No audible response.)

9 CHAIRPERSON MITTEN: I'm just curious,
10 where will go during the construction?

11 MS. GRACE: Thank you, Madam Chair.
12 Actually the building is empty.

13 CHAIRPERSON MITTEN: Yes, okay.

14 MS. GRACE: Yes, the building is empty now
15 and we are all close by. A few of us, one or two of
16 us. Somebody's in Virginia and we have folks out in
17 District Heights. But I myself, I live a mile away,
18 which is at 3rd and New Hampshire. And the two
19 sisters here, they live pretty close. Still in the
20 210-211 zip code.

21 CHAIRPERSON MITTEN: Yes.

22 MS. GRACE: 1st Street and Sherman Avenue.
23 And some of our other residents actually that are here
24 are down on 11th Street, like three of them. So we
25 have been fortunate enough to find a place that is

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1 still close, keeps us in the neighborhood, keeps us
2 connected. You know, folks come by, see what's going
3 on, you know, keep us pumped up because we are -- you
4 know, we're ready to go and we're supporting Mr. Hall
5 and, you know, seeing everything.

6 CHAIRPERSON MITTEN: Yes.

7 MS. GRACE: So that's where we are. We
8 all have temporary dwellings
9 at this time.

10 CHAIRPERSON MITTEN: Okay. Okay. Great.
11 Thank you all very much.

12 COMMISSIONER TURNBULL: I wonder if I
13 could just ask one question? Regarding the
14 construction management, you're part of the
15 development team. So you're really an advisor to the
16 development team? You're not doing the construction?
17 Once the drawings and everything are completed, you'll
18 go out for bids, get a general contractor. So you're
19 sort of the project manager/construction management
20 for the development team?

21 MS. SHERROD: Yes, correct.

22 COMMISSIONER TURNBULL: Okay. Thank you.

23 CHAIRPERSON MITTEN: Thanks. Phillip Lee?
24 Is Mr. Lee here? Okay. I don't know if Mr. Griffin
25 is in favor or opposed, but if he's in favor, you can

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1 come forward now. Are you in favor or opposed?

2 MR. GRIFFIN: (Off microphone.)

3 CHAIRPERSON MITTEN: Oh, okay. Okay.
4 Okay. Since the mike won't pick you up, Mr. Griffin
5 said he's in favor, but would like not to testify.

6 Mr. Jordan from the Tubman PTA? Sharon
7 Bovell from Tubman? Janie Boyd? Did you want to
8 testify?

9 MS. BOYD: (Off microphone.)

10 CHAIRPERSON MITTEN: Okay. I think she's
11 going to rely on the other two folks.

12 Is there anyone else who'd like to testify
13 in support?

14 (No audible response.)

15 CHAIRPERSON MITTEN: Okay. I'll let you
16 two decide since you're both from the same place.
17 Who's going to get the five minutes? Are you going to
18 take the five minutes?

19 MS. BOVELL: I won't take five minutes.

20 CHAIRPERSON MITTEN: Okay.

21 MS. BOVELL: Good evening, Madam Chair and
22 the other Commissioners. I am Sharon Bovell and I am
23 principal of Harriet Tubman Elementary.

24 Harriet Tubman is located at 1301 13th
25 Street. We're about three blocks south and we take up

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1 the entire block between Irving and Kenyan, 11th to
2 13th, so we take up that square block. So the project
3 is like about three blocks away from our school.

4 And we are a diverse community. I have
5 445 students. Fifty-one percent are Hispanic, 44
6 percent are African-American, three percent Asian, one
7 percent African and one percent Caucasian. Tubman, we
8 provide a strong instructional program for students in
9 an inclusive community and environment with teachers,
10 support staff, parents and community working
11 collaboratively to support student growth and
12 development.

13 In our last year for an achievement of our
14 No Child Left Behind goals, we did achieve them in
15 mathematics. We didn't quite make it in reading, so
16 that is our focus, is literacy development with our
17 children. And in our superintendent Dr. Clifford
18 Janey's Declaration of Education Goal 3, he addresses
19 the creation of cultures of transparency, open
20 communication and collaboration to support high-
21 quality teaching and learning.

22 Mr. Hall has demonstrated his desire and
23 willingness to support Harriet Tubman by he has
24 attended PTA meetings, we've had many discussions and
25 talks about our vision, his vision and his mission and

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1 how he can support the school and our needs and I do
2 know how we're going to spend that money.

3 CHAIRPERSON MITTEN: Okay.

4 MS. BOVELL: He has shared his belief and
5 actually really came on as a partner with Harriet
6 Tubman and our community.

7 As you know, the community is going
8 through a change. And so when I look at three years
9 ago our enrollment was over 600 and so over the years
10 it has declined. And one of the reasons is the lack
11 of affordable housing, that our parents and community
12 have had to, you know, move out of the neighborhood.
13 So this is very important to Harriet Tubman and dear
14 to our hearts. And I want to commend and support Mr.
15 Hall on this project because he has been, of all the
16 developers that have come into our area, he was the
17 first and only one to come to the school and say,
18 "This is what we are proposing. How are we going to
19 fit in with your community?" And I tell my children
20 all the time and my staff that children who learn
21 together learn to live together. And so it is the
22 inclusive environment that starts at school and then
23 takes our children onto their community. And this
24 project is a true example of an inclusive community
25 learning to live and work together. And that is one

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1 of the things I want my children to take on as they
2 become citizens of the world, because our world is
3 shrinking and we are involved in interacting with so
4 many people of diverse cultures, of different levels.
5 And all of us should be able to work and live together
6 harmoniously. And I think this project, like this,
7 and one of the things that makes this project so
8 unique is that it models what we are teaching our
9 children. So I am here in very strong support of Mr.
10 Hall.

11 And one of the major needs we have for our
12 building is an electrical upgrade. We have computers
13 in every room, we have a computer lab. They're coming
14 in to do the wireless wiring of the building, but we
15 don't have the power to support that. And so as we're
16 looking at literacy being our focus, our children need
17 to have the abilities to get on the computers, the
18 cyber world, and to become a part of that global
19 learning. So that is our main goal for the funds,
20 would be an electrical upgrade. And then in looking
21 at our outside, we haven't had fencing. Tubman was
22 opened in 1970 and that same fence has been there
23 since 1970.

24 CHAIRPERSON MITTEN: Yes.

25 MS. BOVELL: So that is the other end of

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1 the project that we would do, is we would like to get
2 an iron-kind of fencing for the surrounding field. We
3 do open our field to soccer leagues and to other, you
4 know, community activities. And so the upkeep is also
5 an issue. And we do want this to go through the PTA
6 so that we can be assured of what we need will be
7 spent on what we need.

8 CHAIRPERSON MITTEN: Okay.

9 MS. BOVELL: Okay. So thank you.

10 CHAIRPERSON MITTEN: Great. Thank you.

11 Mr. Jordan?

12 MR. JORDAN: Good evening, Madam Chair and
13 Commission. My name is William Jordan. I'm the
14 president of Harriet Tubman's PTA as well as an
15 involved member of the community.

16 My youngest child who's in the third grade
17 is now at Harriet Tubman Elementary School. I have a
18 sixth grader who attended the school and I also have
19 a ninth grader who's now at Benjamin Banneker High
20 School who attended Harriet Tubman Elementary School.

21 We've all heard different things about
22 D.C. Public Schools, but due to the staff and the
23 principal, I entrusted them with my children and I've
24 been very pleased after much hesitation in keeping my
25 children in that school. And as such, I've been very

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1 dedicated to that school.

2 Mr. Hall and Hope 7, which I actually met
3 more in another capacity as trying to advocate for the
4 11th Street corridor and development in our community
5 is how I initially met him, he immediately stepped in,
6 began to support PTA fundraisers. I'd go by and visit
7 and we worked together, always asking how can he be
8 supportive of the school. At a banquet we had last
9 year he made an announcement that he was willing to --
10 after being involved with the school and seeing the
11 love and support not only from myself but from other
12 parents for the school, that he wanted to make
13 \$100,000 donation which became part of the community
14 benefits package that we ultimately have.

15 And so I urge you all to please support
16 this project. Work creative to find ways to make it
17 work. Thank you.

18 CHAIRPERSON MITTEN: Great. Thanks. Any
19 questions?

20 (No audible response.)

21 CHAIRPERSON MITTEN: I know you're going
22 to meet your reading goals soon. I mean, I can just
23 feel it. Sounds like a great school and very
24 supportive community. Thanks for coming down.

25 Anyone else who'd like to testify in

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1 support?

2 (No audible response.)

3 CHAIRPERSON MITTEN: Okay. I have one
4 person on the list in opposition. Mr. Henderson?

5 Is there anyone else who'd like to testify
6 in opposition?

7 MR. HENDERSON: Good evening, Madam
8 Chairman, Members of the Commission. My name is John
9 Henderson. I live at 1102 Monroe Street contiguous to
10 the Thomason property that Mr. Hall mentioned. With
11 me this evening is also my partner, Richard
12 Debesterson, also speaking on his behalf. He also
13 owns the property at 1104 Monroe Street, so we're very
14 close to the subject property.

15 CHAIRPERSON MITTEN: Are those single-
16 family dwellings?

17 MR. HENDERSON: The 1102 is a single-
18 family where we live and then the 1104 has two units.

19 CHAIRPERSON MITTEN: Okay.

20 MR. HENDERSON: Actually, although I check
21 the opposition box --

22 CHAIRPERSON MITTEN: Okay.

23 MR. HENDERSON: -- I actually hope the
24 project moves forward. We're very much in favor of
25 the concept as was described by the Office of

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1 Planning. The property itself is extremely important
2 for the revitalization of the 11th Street commercial
3 corridor and the concept is extremely important for
4 retaining low and moderate-income, you know, residents
5 in the community because that particular area is
6 gentrifying at a very rapid pace and many people are
7 becoming displaced. So we're very, you know, hopeful
8 and that the project will indeed be successful.

9 So I have actually one major concern and
10 perhaps a question about if the upgrade in the zoning
11 is granted, you know, what that will mean. The
12 concern is regarding the parking and just the fact
13 that the three spaces for the 28 units is very small.
14 And as you're probably already aware, this is a
15 neighborhood that hundreds of units of housing are
16 being added around the Columbia Heights Metro station
17 which is, you know, within, you know, a seven to
18 eight-minute walk from the site and there will
19 probably be additional housing built at the Georgia-
20 Petworth. The parking is already becoming a premium
21 and so we're facing probably a situation as was
22 described in the *Washington Post* yesterday where, you
23 know, we'll have residential parking permits and
24 spaces reserved for a Flexcar and so there will be
25 very little, you know, parking available on the

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1 street. So, in the event that, you know, residents of
2 this building, you know, have automobiles then there's
3 a question as to exactly where they're going to be
4 able to park.

5 Regarding the zoning itself, we're
6 concerned -- you know, there was a tremendous litany
7 of benefits that this project would confer and given
8 the change in economic climate, if the project were
9 not able to go forward as promised, and the zoning,
10 you know, upgrade was given whether the developer
11 would gain a windfall and able to transfer the
12 property, sell it, you know, to a developer who would
13 put in, you know, luxury housing or whatever, which is
14 currently in demand in the area. So that is, you
15 know, the concern and we would hope that that would
16 not be the case.

17 CHAIRPERSON MITTEN: Okay.

18 MR. HENDERSON: Thank you.

19 CHAIRPERSON MITTEN: Questions for Mr.
20 Henderson?

21 (No audible response.)

22 CHAIRPERSON MITTEN: The one thing, just
23 for your benefit, the reason why we were getting clear
24 about what was being proffered was because those
25 become binding and you don't get -- it's all or

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1 nothing. So, you know, you don't get -- it's a PUD-
2 related map amendment. So the map amendment goes with
3 all of the proffers. So among those proffers are the
4 nine affordable units.

5 MR. HENDERSON: All right. Thank you.

6 CHAIRPERSON MITTEN: I hope that answers
7 that question for you.

8 Ms. Giordano, did you have any questions
9 on cross?

10 M S . G I O R D A N O :

11 (No audible response.)

12 CHAIRPERSON MITTEN: Okay. Thank you.

13 Is there anyone else who would like to
14 testify in favor or in opposition?

15 (No audible response.)

16 CHAIRPERSON MITTEN: Did you want to
17 testify, ma'am?

18 M S . B O Y D :

19 (No audible response.)

20 CHAIRPERSON MITTEN: Oh, okay. Okay.
21 See, we're very friendly. There's no reason not to
22 come down and say something.

23 MS. BOYD: (Off microphone.)

24 CHAIRPERSON MITTEN: I'm glad to hear
25 that. Did you fill out two witness cards for us? Did

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1 you fill out the little cards?

2 MS. BOYD: (Off microphone.)

3 CHAIRPERSON MITTEN: Okay. Would you turn
4 on your mike for me? And before you leave, make sure
5 you give those to the court reporter.

6 MS. BOYD: I will.

7 CHAIRPERSON MITTEN: Okay.

8 MS. BOYD: Can you hear me now?

9 CHAIRPERSON MITTEN: I can.

10 MS. BOYD: Okay. Thank you. I want to
11 say good evening to everyone and it's a pleasure being
12 here, and you all neighbors. And I'm here because I
13 couldn't stand it any longer. I said I didn't want to
14 say anything, but --

15 CHAIRPERSON MITTEN: There is one thing
16 I'd like to begin by saying, which is your name.

17 MS. BOYD: Oh, my name is Janie Boyd.

18 CHAIRPERSON MITTEN: Okay.

19 MS. BOYD: And I am a grandparent of
20 Harriet Tubman Elementary School. I have a darling
21 grandson who just graduated last year from there and
22 he's now in Shore Junior High School. And I'm happy
23 to be a part of Harriet Tubman School. This is a
24 family community school.

25 I am -- I decide to say something at last

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1 because parking is a issue now and it's not from the
2 residents who are living there. It is from other
3 folks who are coming visiting and leave their cars
4 forever. But I also would like you to know that this
5 community works very closely with our police
6 department and things will be done about that.

7 I am in support of this program, this
8 development and I hope and pray that it will go
9 through with flying colors, with the best success.
10 And parking will be no more of a problem then than it
11 is now. We need affordable housing. I am a advocate
12 for the community. I am at Harriet Tubman facilities
13 every Thursdays issuing food along with 15 or 20 other
14 people and we need this because people are coming
15 getting in line, getting shopping carts of food that
16 is donated to the community because they cannot pay
17 the high rent they are now paying and buy food. And
18 so we need affordable housing and I'm asking you
19 ladies and gentlemen and most of all God Almighty to
20 bless this project. Thank you.

21 CHAIRPERSON MITTEN: Thank you, Ms. Boyd.
22 Sir? There you go.

23 MR. BIBBS: Good afternoon, Chairman. My
24 name is Carl Bibbs. I've been know Mr. Hall since
25 September 2005. He had did a lot for the community

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1 and for the kids in the community and for the church.
2 I've been living in that building for 47 years and I
3 looking forward to move back in there and I hope you
4 all let the progress, you know, go through so I can
5 hurry up and get back in there.

6 CHAIRPERSON MITTEN: Okay.

7 MR. BIBBS: Thank you.

8 CHAIRPERSON MITTEN: Thank you. Anybody
9 else who'd like to testify?

10 (No audible response.)

11 CHAIRPERSON MITTEN: Okay. Ms. Giordano,
12 Mr. Hall, did you want to close out with anything?

13 MS. GIORDANO: We have a little contact
14 lens situation.

15 CHAIRPERSON MITTEN: At least he has it.
16 It didn't fall on the ground.

17 MS. GIORDANO: In closing, you know time
18 is of the essence with the project, as usual.

19 CHAIRPERSON MITTEN: Yes.

20 MS. GIORDANO: And we are ready to take
21 additional notes on what else you require.

22 CHAIRPERSON MITTEN: Okay.

23 MS. GIORDANO: And the only request that
24 hopefully we can get these submissions in quickly for
25 consideration I guess by the Zoning Commission. I

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1 don't know if the February meeting would be -- it
2 probably would be possible maybe.

3 CHAIRPERSON MITTEN: I don't think there's
4 anything that we're --

5 MS. GIORDANO: No?

6 CHAIRPERSON MITTEN: -- asking for that
7 you probably can't readily produce.

8 MS. GIORDANO: Exactly. So with seven
9 days to the ANC, I think we could probably make the
10 agenda of the February meeting then.

11 CHAIRPERSON MITTEN: Okay. Then lets just
12 run down the items. We need material samples, we need
13 the circulation plan, we need the affordability
14 documents that Mr. Hall testified about, we need the
15 floor plans showing the affordable units, we need you
16 to be more specific about the timing of the monetary
17 contributions and when you think those would be
18 triggered and we need greater specificity about the
19 \$100,000 donation, although we got some tonight, but
20 I'd like to have that in writing also.

21 Mrs. Schellin, what else did we have?

22 MRS. SCHELLIN: I have two other things.
23 One, you had mentioned narrow language regarding the
24 intended neighborhood-serving retail. I don't know if
25 that's still an issue or not.

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1 CHAIRPERSON MITTEN: IT's not because Mr.
2 Hall said they're not proffering the --

3 MR. HALL: They're not going to proffer
4 it? And then the other thing was just specifics
5 regarding the ANC use of the space that's being
6 proffered for them.

7 CHAIRPERSON MITTEN: Right. To the extent
8 that that's a proffer that you want us to consider,
9 we're going to need greater specificity there.

10 So again, I don't think any of that is
11 going to be much for you all -- I think all of that is
12 just for you to package for us. So then what's the --

13 MRS. SCHELLIN: If they can provide that
14 by Monday, January 30th; it's a week from today, 3:00
15 p.m. and then we would give the ANC until 3:00 p.m.
16 February 6th.

17 CHAIRPERSON MITTEN: Okay.

18 MRS. SCHELLIN: And then we could consider
19 it at our February 13th meeting.

20 CHAIRPERSON MITTEN: Okay.

21 MS. GIORDANO: Would we need to provide
22 the proposed order within the same time frame?

23 MRS. SCHELLIN: February 6th.

24 MS. GIORDANO: February 6th. Okay.

25 CHAIRPERSON MITTEN: You're not required

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1 to do that.

2 MS. GIORDANO: Right.

3 CHAIRPERSON MITTEN: But as you well know,
4 it helps to expedite things for you to draft the
5 order.

6 All right? Everybody clear about the
7 dates and so on?

8 (No audible response.)

9 CHAIRPERSON MITTEN: All right. Then I'd
10 like to thank everybody who came down tonight. And so
11 the intent is that the filing will be delivered so
12 that this will be on our schedule for our February
13 13th regular meeting of the Commission. And we hold
14 those at the same time, 6:30, and in this room.

15 So if you'd like to come and watch the
16 deliberation, you're more than welcome. Or you can
17 follow what's happening with staff, if you like, and
18 Mrs. Schellin can answer any questions that you might
19 have.

20 So if there's nothing further, this
21 hearing is now adjourned.

22 (The meeting was adjourned at 8:12 p.m.)

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