

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

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IN THE MATTER OF: :

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3840 S CAPITOL LLC and : Case

3848 S CAPITOL LLC No. : 18-14

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Thursday,

March 7, 2019

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 18-14 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairperson
- ROBERT MILLER, Vice Chairperson
- MICHAEL G. TURNBULL, FAIA, Commissioner (AOC)
- PETER G. MAY, Commissioner (NPS)
- PETER SHAPIRO, Commissioner

OFFICE OF ZONING STAFF PRESENT:

DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

MAXINE BROWN-ROBERTS
JOEL LAWSON

D.C. OFFICE OF THE ATTORNEY GENERAL PRESENT:

JACOB RITTING, ESQ.

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF PRESENT:

AARON ZIMMERMAN

The transcript constitutes the minutes from
the Public Hearing held on March 7, 2019.

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

6:34 p.m.

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CHAIRMAN HOOD: Okay. We're ready to get started.

This meeting will please come to order. Good evening, ladies and gentlemen. This is a public meeting of the Zoning Commission for the District of Columbia.

My name is Anthony Hood. Joining me are Vice Chair Miller, Commissioner May and Commissioner Turnbull. Wait a second. Let's rewind and back that up.

I am reading from a closed meeting, I'm sorry. This is definitely not a closed meeting. All right, let's try that again.

Good evening, ladies and gentleman. This is a public hearing of the Zoning Commission of the District of Columbia. Today's date is March 7, 2019.

My name is Anthony Hood. We are located at the Jerrily R. Kress Memorial Hearing Room. Joining me this evening are Vice Chair Miller, Commissioner May and Commissioner Turnbull.

We're also joined by the Office of Zoning staff, Ms. Donna Hanousek; Office of Attorney General, Mr. Ritting; Office of Planning staff, Mr. Lawson and Ms. Brown-Roberts; District Department of Transportation, Mr. Zimmerman.

This proceeding is being recorded by a court reporter. It's also webcast live. Accordingly, we must ask

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1 you to refrain from any disruptive noises or actions in the
2 hearing room, including display of any signs or objects.

3 Notice of today's hearing was published in the DC
4 Register and copies of that announcement are available to my
5 left on the wall near the door.

6 The hearing will be conducted in accordance with
7 provisions of 11Z DCMR Chapter 4 as follows: preliminary
8 matters, applicant's case, report of the Office of Planning,
9 report of other government agencies, report of the ANC, in
10 this case it's 8C, organizations and persons in support,
11 organizations and persons in opposition, organizations and
12 persons who are undeclared, which will be followed by
13 rebuttal and closing by the applicant.

14 The following time constraints will be maintained
15 in this meeting: The applicant has up to 60 minutes, I
16 believe we can do this in 15 or less; organizations, five
17 minutes; individuals, three minutes.

18 All persons wishing to testify before the
19 commission in this evening's hearing are asked to register
20 at the witness kiosk to my left and fill out two witness
21 cards. These cards are located to my left on the table near
22 the door.

23 Upon coming forward to speak to the commission,
24 please give both cards to the reporter sitting to my right
25 before taking a seat at the table.

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1 When presenting the information to the commission,
2 please turn on and speak into the microphone. First, state
3 your name and home address. When you are finished speaking,
4 please turn your microphone off so that your microphone is
5 no longer picking up sound or background noise.

6 The staff will be available throughout the hearing
7 to discuss the procedural questions. Please turn off all
8 electronic devices at this time so not to disrupt these
9 proceedings.

10 Would all individuals wishing to testify please
11 rise and take the oath. Ms. Hanousek, would you please
12 administer the oath?

13 MS. HANOUSEK: Do you solemnly swear or affirm
14 that the testimony you will be giving in tonight's
15 proceedings will be the truth, the whole truth and nothing
16 but the truth?

17 (No audible response.)

18 MS. HANOUSEK: Thank you.

19 CHAIRMAN HOOD: Okay. At this time, the
20 commission will consider any preliminary matters. But before
21 I do that, do we have anyone here who was in opposition of
22 this case?

23 Okay. Mr. Kadlecek, I didn't see anybody stand.
24 I saw your neck about turn around 360. Okay. Ms. Hanousek,
25 do you have any preliminary matters?

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1 MS. HANOUSEK: We have two proffered experts.
2 One, Stephanie Farrell, an architect, and she's not on our
3 expert list and Erwin Andres, who has been on our accepted
4 witness list.

5 CHAIRMAN HOOD: Okay. So I think there's no
6 objection to Mr. Andres. I think we already have proffered
7 him a number of times, so I don't think that's any question.
8 Not hearing any.

9 And what was the first name again? Ms. Farrell?
10 Okay. Colleagues, any objections to Ms. Farrell. She's
11 being proffered as architecture. Correct?

12 MS. HANOUSEK: Yes.

13 CHAIRMAN HOOD: Okay. I had to say, correct,
14 because when I looked at it earlier, I wanted to make sure
15 it was architecture. Okay. All right. Okay, I don't see
16 any objections to Ms. Farrell in architecture.

17 Okay. Ms. Hanousek, we'll make sure we add Ms.
18 Farrell to the book.

19 MS. HANOUSEK: Yes, sir.

20 CHAIRMAN HOOD: Okay. Anything else?

21 MS. HANOUSEK: Not at this time.

22 CHAIRMAN HOOD: Okay, Mr. Kadlecek, you may begin.
23 I think 15 minutes is good, but see what you can do.

24 MR. KADLECEK: We'll try and be faster. I just
25 wanted to make sure we were able to cover everything. Good

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1 --

2 CHAIRMAN HOOD: Hit the high points. Go ahead.

3 MR. KADLECEK: Good evening, Commissioners. I'm
4 Cary Kadlecek from the Law Firm of Goulston & Storrs on
5 behalf of the applicant.

6 We're pleased tonight to present to you this
7 exceptional application for a consolidated PUD and zoning map
8 amendment for a new all-affordable apartment building with
9 106 units.

10 The units in this proposed building will be
11 affordable at the 30, 50 and 60 percent MFI levels. Based
12 on the public financing of the project, the affordability
13 period for the building will be 60 years, which is an
14 increase of 20 years from the initial application.

15 After the 60-year period ends, 11 percent of the
16 GFA will remain affordable in perpetuity. Because this
17 building is exempt from IZ, these ongoing affordable units
18 are technically IZ-exempt affordable units. Previously, they
19 had been incorrectly referred to IZ units.

20 The proposed project will replace two buildings
21 with a total of 30 units that are not guaranteed affordable
22 with a new high-quality building that incorporates new
23 amenities for the residents and sustainable design features.

24 All current building residents will be provided
25 the opportunity to return to the new building and will be

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1 given relocation assistance as described in the detailed plan
2 from Housing Opportunities Unlimited.

3 We are pleased to have the extensive support for
4 the project including from OP, DDOT and ANC 8C. With that,
5 I will turn it over to Ms. Farrell to describe the project.

6 MS. FARRELL: My name is Stephanie Farrell. I'm
7 with Torti Gallas Architects. And we're pleased to present
8 our design for this project on South Capitol Street
9 Southeast.

10 So the site is located on South Capitol Street
11 Southeast. It's in the Bellevue neighborhood, and it is well
12 served by several bus lines.

13 So this is the site located in the middle with the
14 red outline. There are two existing buildings that will be
15 replaced as part of this project. And the neighborhood is
16 a mix of single-family homes and low-rise apartment buildings
17 along South Capitol Street.

18 So one of the features of this site is there is
19 quite bit of grade change across the site. So to the north,
20 which is on the left and then the south to the right along
21 South Capitol, there's about nine foot of grade change from
22 the north to the south.

23 And then from South Capitol to the rear of the
24 property, there's almost 20 foot of grade change, which you
25 can kind of see in the building to the south of our site,

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1 where they've built that retaining wall at the back of the
2 site, you see a very large retaining wall. It just gives you
3 an idea of the grade change.

4 So these are just some site context photos. These
5 are the existing buildings onsite that will be replaced. And
6 then some of the neighborhood context.

7 The multifamily in the neighborhood tends to be
8 a mix of masonry and siding. A lot of the apartment
9 buildings are organized about courtyards with the entrances
10 located off the courtyards.

11 So our proposed design for the site is a sort of
12 bar building with three legs or fingers that come out to
13 South Capitol and create those courtyards, similar again to
14 the existing apartment context in the neighborhood.

15 So this is a plan that's cut through the lower end
16 of the site, which is to the south, which is now to the left
17 on your page. So this is cut through the lower end of the
18 site, where the parking and loading entrance is located sort
19 of tucked into the grade.

20 Some of the residential amenities are also located
21 on this level. One of the things that we changed about the
22 design after the comments set down was that originally that
23 center leg of the building was farther to the north.

24 The area where you enter the garage and the
25 loading was larger. The loading was outside of the building

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1 above. And this courtyard, where the entrance was, was much
2 smaller.

3 But because of the grade that's existing at the
4 site, behind the building is not really an appropriate place
5 for outdoor space for families or residents. So really the
6 best place to create an outdoor space for the project is in
7 this entrance courtyard.

8 So we shifted that central leg to the middle,
9 tucked the loading in underneath the building above so that
10 we could create a resident outdoor family and children
11 friendly gathering space at that entrance courtyard, which
12 we'll see in a little bit more detail in a minute.

13 This is cut through the entrance level that's
14 located at the high end of the site to the right on your
15 page.

16 So these are the sections that just sort of again
17 explain what's happening with the grade. So the section at
18 the top is through that north end where the entrance is.

19 So you see the sidewalk, the play area, outdoor
20 space that's raised up a little bit above the street, which
21 provides some privacy and security and then the four-story
22 building and then you see the grade to the back of the
23 building.

24 The section at the bottom is cut through the
25 vehicular entrance, so the parking is tucked into that lower

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1 level that's sort of below grade and then the four stories
2 of residential and then again you see the grade rising in the
3 back.

4 This is just a little bit more detail about that
5 outdoor space that we've created. The idea is that it's a
6 place for children to play and run, but it's done using
7 natural materials, logs, rocks.

8 It's secure because there's gates and fencing, but
9 it also when there's no children there, it just looks like
10 a nicely landscaped courtyard. Residents of any age could
11 come out and enjoy it as well.

12 Based on Office of Planning's comments, they asked
13 for a little bit more detail about what this entrance looks
14 like. Because we are a little bit raised up from the street,
15 we do have, you know, an accessible ramp, as well as some
16 terracing with landscape.

17 So this is the roof plan, which is just
18 illustrating the project's overall commitment to
19 sustainability. We will be achieving Enterprise Green
20 Communities standard.

21 And one of the ways that we are doing that is with
22 a large quantity of solar on the roof. This quantity of
23 solar is about 10,000 square feet, which generates about 50
24 percent of the building's common area electricity or about
25 10 percent total if you include the unit electrical load.

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1 So again, we just looked at a lot of these
2 courtyard organized apartment buildings. A lot of them tend
3 to have a mix of both like a vertical expression especially
4 at entrances and then a horizontal expression as well. And
5 this is very typical of a lot of these kind of low-rise
6 apartments in the neighborhood.

7 So on the top of the screen you see the South
8 Capitol Street elevation. So the three pavilions that come
9 out to the street are brick and then as you move to the back
10 of the courtyard, the brick becomes a base with hearty siding
11 up above.

12 And again in response to the comments at send out,
13 we just made sure to, you know, there's brick banding between
14 the windows. There's brick banding that's introduced again
15 at the top of the building with cast stone coping.

16 When you move into the courtyards, the banding
17 continues along the base. Balconies are introduced to help
18 add to the residential feel.

19 And then as you move around to the back of the
20 building, which is really into that wooded area behind the
21 site, the siding, there's a mix of two colors of siding, so
22 again, it breaks up the massing.

23 Full-size balconies are introduced looking over
24 that wooded area and in a location that's a little bit
25 quieter. This is a rendering of that northern entrance

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1 courtyard, so you can kind of see the outdoor amenity space,
2 as well as the main entrance.

3 And then this is from farther south on South
4 Capitol Street, so you see the three pavilions, you know,
5 repeating as you go up the street, which again relates to the
6 context of the neighborhood. And that's it.

7 MR. KAYE: Hi, I'm Jesse Kaye with Kaye Stern
8 Properties and my business partner, Jason. Just a little
9 about our company. We've been around for about seven years.

10 We started off with one unit over in Southeast.
11 Right now, we own, manage and maintain about 300 units,
12 including the 30 here. Our GC and one of our property
13 managers are here as well.

14 So far, we've been privately funded completely.
15 This is our first project using public funds. And I think,
16 given the fact that the buildings are aging, there's a much
17 greater good in tearing down and rebuilding the building.

18 We've had six different interactions both of the
19 community and our residents, and we are happily welcoming
20 them back with a community partnership agreement after the
21 development is done.

22 As Cary said, we've engaged a company called
23 Housing Opportunities Unlimited to temporarily relocate our
24 tenants in as similar housing as we can during the
25 development and then bring them back with a first priority

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1 to move back into the building in a unit of the same
2 accommodation that they were in before they moved out.

3 I guess that's it. Oh, last night, we had an ANC
4 meeting, and we had unanimous approval from the ANC and
5 subject to that, Council Member Trayon White has also given
6 us approval, but we do not have that in writing today, but
7 I assume we can get that if we needed it.

8 MR. KADLECEK: Just a couple of concluding
9 remarks. I just want to note for the record that the
10 applicant agrees to the DDOT additional TDM requests that
11 were in their report.

12 And then I just want to briefly address the letter
13 that came in at the last minute. As the commission is well
14 aware of this practice, I just want to note for the record
15 that, you know, these are very generalized concerns from
16 people who have not participated at all in the process to any
17 of our knowledge.

18 There is no basis or support for any of these
19 claims or supposed harms, and in fact I think largely what's
20 in there aren't really harms at all.

21 We do want to probably address them more
22 substantively at the end of the hearing after we've had a
23 little more time to absorb it, because we just saw it an hour
24 ago.

25 But, you know, a lot of what's in there is

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1 actually just wrong. It's not incorrect about what the
2 applicant's proposing in this project.

3 In addition to that, fortunately, as the
4 commission's probably aware, there's actually a little bit
5 of court of appeals guidance on this based on the D.C. United
6 Stadium that was just upheld this last month.

7 The court actually addressed these sort of
8 generalized concerns and made it pretty clear that, well,
9 it's an unpublished opinion, but the court was actually
10 pretty clear that just sort of alleging something in a
11 generalized fashion is not really a material issue, and I
12 think that's exactly what you're seeing here in this letter.

13 And then furthermore, I think it's worth noting
14 that, you know, we don't even know anything about the people
15 who wrote the letter. We don't know where they live. We
16 don't have any ability to assess whether these are actual
17 harms.

18 So I think it kind of goes to the credibility of
19 what's behind that letter. But, as I said, we'll probably
20 get a little bit more specific at the end, but I just wanted
21 to put that out there from the beginning.

22 And with that, we conclude our presentation and
23 are happy to answer any questions.

24 CHAIRMAN HOOD: Okay. Let me just start off.
25 Thank you all for your presentation. Even though this letter

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1 came in from the Ward 8 study group, were they in attendance
2 last night at the ANC meeting, this, D.C. --

3 MR. STERN: Not that we're aware of.

4 CHAIRMAN HOOD: Okay. It must be a city-wide
5 group, because I think they have study groups in every ward.
6 But one of the things that I'm concerned about is even though
7 I understand about the court case, believe me, we are very
8 familiar with a lot of court cases now.

9 But I can just tell you that I do want us to look
10 at any, I didn't see in your submission about potential
11 adverse impacts. If there are some, then they need to be
12 identified and see how we're going to have them balanced.

13 So I think it's very appropriate that we answer
14 these, whether they're germane or very general. But some of
15 the other impacts that may not have been mentioned, we need
16 to make sure that we do a sheet or mention those so we can
17 counterbalance what the offset mitigation measures are of any
18 potential impacts.

19 I didn't see it necessarily identified in your
20 submission. I'm sure there are some, and I'm sure you've
21 already considered them. I just didn't see them documented.

22 MR. KADLECEK: Yes, no. We understand. We've
23 actually had a conversation with Mr. Ritting about this very
24 issue. So we're aware of it and certainly I think that's
25 something we can prepare.

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1 CHAIRMAN HOOD: Okay.

2 MR. KADLECEK: And certainly it would be included
3 in our draft order.

4 CHAIRMAN HOOD: Okay.

5 MR. KADLECEK: We would make sure to be more
6 explicit about those.

7 CHAIRMAN HOOD: And let's respond to the Ward 8
8 study group.

9 MR. KADLECEK: Yes, we will. We'll get that in
10 our rebuttal. We'll make sure we hit the --

11 CHAIRMAN HOOD: And again, they weren't there last
12 night? You haven't seen them?

13 MR. KADLECEK: Not to our knowledge. And I don't
14 want to speak for them, but they've never, none of these
15 concerns have ever been raised before, you know, an hour ago.

16 CHAIRMAN HOOD: Okay. Okay.

17 MR. KAYE: This is the first time we've even seen
18 any objection about the project.

19 CHAIRMAN HOOD: There seems to be a pattern with
20 these study groups, and I'm trying to figure it out, because
21 it seems like nobody's ever seen them. They haven't talked
22 to them in the community. And I'm actually saying that for
23 the record, because that seems to be a potential issue.

24 The other thing is the relocation, and I'm sure
25 that was fully vetted and explained. And I didn't see it.

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1 How are we going to keep track of everybody?

2 I mean, I know we have a running database. It's
3 not going to be a ten-year database. But how are we going
4 to keep track, because there are some projects in this city
5 that we've lost track of people.

6 MR. STERN: Sure. So we have 30 tenants in the
7 property right now. And like my partner, Jesse, said before,
8 we've met with them on many occasions.

9 We thought that in the midst of this development
10 there were going to be issues about just us tracking the
11 move. So we hired this team, Housing Opportunities
12 Unlimited, who have actually moved over, I think, 10,000
13 residences around the area.

14 And so they're dedicated just to that process,
15 just to moving them out, moving them back in. It benefits
16 us just from a financial perspective to have all of our
17 tenants come back, and we've made that clear to them.

18 So that is their responsibility, and they are just
19 part of the team for that reason.

20 CHAIRMAN HOOD: And I'm sure for this commission
21 as well as myself, I'm very aware and cognizant of the
22 relocation, not just this project but all projects, so I want
23 to make sure that we have a good plan in place to make sure
24 that we don't lose track.

25 Then some people may move and might not want to

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1 come back. I'm sure all that's been vetted out. It's
2 already been discussed.

3 Let me ask you, if somebody moves somewhere and
4 they like it better wherever you relocate them to, is there
5 a way for them to stay there as well?

6 MR. STERN: To our knowledge, yes, absolutely.

7 CHAIRMAN HOOD: Okay.

8 MR. STERN: I don't think there would be any
9 restrictions on the amount of time that they would have to
10 spend in the new unit. And in all likelihood, we would agree
11 to give them the money we would have spent to move them back
12 in.

13 CHAIRMAN HOOD: To support them where they are.

14 MR. STERN: Exactly.

15 CHAIRMAN HOOD: Okay. And do we have that
16 memorialized in this, somewhere in these documents? If not
17 --

18 MR. KADLECEK: I don't believe that specific, I
19 don't think the complete relocation on that is that specific.

20 CHAIRMAN HOOD: Let's not answer tonight. You all
21 talk about it and see if that's something we need to put in
22 place.

23 And my last question is, so the council member and
24 ANC, obviously ANC's on board, the councilman is on board as
25 well?

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1 MR. STERN: Yes, we met with Mr. White I believe
2 a month ago, and he was way more supportive than we would
3 have thought. He was very happy about the different AMI
4 bands that we had, specifically the fact that we had 30
5 percent and 50 percent for a majority of the project and that
6 most of the units are larger units, which you just don't tend
7 to see with these kinds of projects.

8 So he was very supportive. I'm sure he's very
9 busy right now, but he did agree to give us a letter of
10 support. So as soon as we have that, we can forward it to
11 you.

12 CHAIRMAN HOOD: Sounds good. That gives me a real
13 comfort level of what you've done, because the council
14 member, I believe that the young man is really well on the
15 ball.

16 So kudos to that, all your operations and how you
17 work with that community from what this record shows. Okay,
18 so thank you. Let me open it up, and again, let's make sure
19 we do those adverse impacts, potentials, and let's address
20 that and let's address this letter.

21 Okay. Let's open it up. Any questions or
22 comments? Commissioner May?

23 COMMISSIONER MAY: Just a couple of things. I
24 think there were a couple of conditions in the OP report.
25 I've forgotten exactly what they were. But, I mean, are

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1 those things that you have addressed? Have you addressed
2 those?

3 MR. KADLECEK: There were two. One was asking to
4 increase what we're now calling the IZ-exempt affordable
5 units.

6 COMMISSIONER MAY: Right.

7 MR. KADLECEK: And we have discussed that with
8 them, and we've discussed that with DHCD, and I think that
9 the position of the applicant is, it's sort of three-fold.

10 One is this has quite a long affordability period
11 of 60 years, which is atypical, most are shorter than that.
12 Secondly, the commitment for these exempt IZ units in
13 perpetuity is still greater than what otherwise would be
14 required as a matter of right.

15 And then I think finally, that's sort of
16 commensurate with the other PUDs in the 11, 10 percent range.
17 So kind of considering all those factors, I think it's really
18 a belief of the team that that commitment is appropriate for
19 this project.

20 And then the other comment that the Office of
21 Planning had was about the relocation plan, which you've
22 heard us talk about.

23 COMMISSIONER MAY: Okay. So the one, I mean you
24 mentioned three reasons. The third reason though was a
25 little bit weak in my view, I mean, the ordinary requirement

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1 for this, because it's a rental property, would be ten
2 percent at 60 percent AMI. Right? And you're offering 11
3 percent.

4 MR. KADLECEK: It would be eight percent.

5 COMMISSIONER MAY: Why would it be eight percent,
6 and not ten?

7 MR. KADLECEK: Because it's a concrete building.

8 COMMISSIONER MAY: I thought it was a stick
9 building. I mean, it's stick on top of a podium.

10 MR. KADLECEK: Okay, so you're right, it would be
11 10 percent for that reason, I'm sorry. So it is slightly
12 more than matter of right. It's not significant. I will
13 concede that. But again, like I said, you know --

14 COMMISSIONER MAY: Okay. I just wanted that to
15 be clear, because I thought I remembered what the requirement
16 was. All right, so then, and I'll let others talk to that
17 question, but I wanted to be clear about that particular
18 concern that the Office of Planning raised.

19 On the architecture, I can sort of see what
20 changed, but if you don't mind walking through that a little
21 bit more slowly on drawings that show it more clearly,
22 because it's, given the range of drawings, I was trying to
23 flip through the pages to see exactly what changed and got
24 a little bit lost.

25 MS. FARRELL: Okay. So I think this shows a

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1 little bit better the detail on the facades that we've
2 provided. So in the brick portions of the facade, there's
3 horizontal banding that occurs at the windows on every level,
4 and that's continuous around the project.

5 In the vertically-oriented portion of the building
6 in the spandrel panels between the windows, there's a brick
7 texture that's created that adds some depth and life.

8 And then, again, the banding repeats again at the
9 top of the building. And we have, you know, a substantial
10 cast stone coping that was, you know, kind of increased in
11 size and substantialness since the previous submission.

12 And then in the kind of more courtyard facades,
13 again the brick banding continues around the bottom, and we
14 sort of beefed up the top piece to be a little bit more
15 substantial.

16 COMMISSIONER MAY: Okay, that's helpful. I mean,
17 some of the banding was present in the earlier version of the
18 design. It was mostly, and I think my concern that I had set
19 down was what was happening at the top, because it felt like
20 it was just sort of fading into nothing.

21 MS. FARRELL: Yes.

22 COMMISSIONER MAY: And I think, you know, it
23 certainly has improved. Did you change the size of the
24 siding as well, because this is rendered like at a six or
25 eight inch --

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1 MS. FARRELL: We did. We actually increased the
2 size a little bit.

3 COMMISSIONER MAY: Yes.

4 MS. FARRELL: We were trying to emphasize that
5 horizontality.

6 COMMISSIONER MAY: Yes.

7 MS. FARRELL: And it felt a little more compatible
8 with that horizontal feeling of the brick, so it is increased
9 in size.

10 COMMISSIONER MAY: You're now shifting it toward
11 more of a gray. It's not just a rendering difference?

12 MS. FARRELL: Yes. It felt a little beige taupe
13 before, and again it felt a little beige taupe and --

14 COMMISSIONER MAY: No, I agree. It's muddy, I
15 have friend who would call this mouse brown --

16 MS. FARRELL: Yes.

17 COMMISSIONER MAY: -- and there's a word missing
18 in the middle. So anyway, I mean, I think those are all
19 improvements. Is the banding, I mean, the banding is showing
20 up on my screen as almost as if it's got a gray tone to it
21 as well. Is that just a rendering thing?

22 MS. FARRELL: Yes, that's just a rendering. The
23 lines are showing up a little bit thick.

24 COMMISSIONER MAY: Yes.

25 MS. FARRELL: It's just the same brick with

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1 recess.

2 COMMISSIONER MAY: Okay. All right. Can we go
3 back to the earlier, the previous? Okay. All right, I mean,
4 I think that addresses my concerns about the design. I think
5 it's, it does feel more substantive there.

6 Do you have a sample board? Okay. Do you mind
7 passing it up? I haven't said this in a long time, but I
8 like to touch the materials. That's it for my questions.

9 CHAIRMAN HOOD: Okay, let me see. Mr. Turnbull?

10 COMMISSIONER TURNBULL: Yes, thanks, Mr. Chair.
11 I'll pick up where Commissioner May left off on the
12 architecture. I really don't have any concern about the
13 front.

14 I'm just concerned about the rear, which I know
15 is the rear, but it's very dark. My concern is at the site
16 elevation, the end elevations, why you end like that.

17 It looks like you ran out of ink to make it
18 colored. It looks like, well, we'll just end it here and
19 then we'll just make the rest of it gray.

20 I always hate seeing facade architecture that
21 changes, and it looks like you got a false front and then we
22 go to something else.

23 I wish at this point that the ends at least were
24 all brick, that people looking at it, as you see, I mean, the
25 elevations you show, the front, the renderings look very

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1 nice.

2 But if I step back and you purposely don't show
3 how it ends like that. And I just think it's missing
4 something. It just seems like it ought to return some more
5 and somehow wrap, and if you want to just make all the rest
6 of it hardy plank or hardy siding on the back, okay.

7 I can go along with that. But it just seems like
8 the ends ought to, they look so unfinished. As I say, it
9 looks like you were rendering, and you ran out of the
10 brownish-red color and you just said, well, we'll just make
11 it gray. I just think it looks a little unfinished to me at
12 the end.

13 If I'm living in the neighborhood and I come along
14 and I just see, I just wish that, gee, I wish they had
15 finished the ends of the building, I mean, the sides. The
16 back is not going to be maybe seen as much, because it's deep
17 down and it's hidden by the trees.

18 But I just think that the side, I'm just throwing
19 it out there that I just think it might from the standpoint
20 of integrating more with the neighborhood, with the other
21 brick buildings and everything else, it just might seem more
22 appealing as you can see if you at least returned it.

23 I'm throwing it out. I don't know what my
24 colleagues think, but that's just my one thought.

25 The back of the site is not really usable per se.

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1 You can't walk back there is that my understanding? Because
2 you've got the bio-retention there.

3 And I would just point out for your own
4 information that on Drawing CL-3, you call that a sidewalk.
5 It's coded as 8 and 8 is coded as a sidewalk.

6 So on that one drawing, it's wrong, but the other
7 drawings show it as bio-retention. But just on that one
8 engineering drawing it's wrong.

9 Is there any lighting back there? I mean, not so
10 that people are going to walk, but just from the standpoint
11 of security if somebody is lurking.

12 I mean, it would have to be very, because people
13 are living and they're going to be looking out into that.
14 But how are you protecting safety-wise against people
15 crawling around at the back of the building?

16 MS. FARRELL: Yes, so I think, yes, well, the
17 units that have balconies will obviously have their own
18 light.

19 COMMISSIONER TURNBULL: On the balcony?

20 MS. FARRELL: On the balconies. But I think, yes,
21 we will make sure that there is some building-mounted
22 lighting around there, probably even just for maintenance and
23 safety.

24 COMMISSIONER TURNBULL: Right.

25 MS. FARRELL: We can provide, because there's just

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1 very little space between our building and the property line,
2 you know, ten feet, we can close that off with, you know, a
3 fence with a gate so that it's clear.

4 COMMISSIONER TURNBULL: Yes, I just saw this, I
5 saw this well there, and it looked like an opportunity for
6 people to get back there and maybe try and, I'm just thinking
7 of the safety of the residents.

8 MS. FARRELL: Yes.

9 COMMISSIONER TURNBULL: When you mentioned there
10 was 30 tenants, is that just heads of household or is that
11 the whole number of individuals that are there?

12 MR. STERN: That's heads of household.

13 COMMISSIONER TURNBULL: So the total number of
14 people would be?

15 MR. STERN: Probably close to 100.

16 COMMISSIONER TURNBULL: One hundred. Looking at
17 this relocation plan, I know that you're trying to do, to me
18 it seems like this could have been flushed out a little bit
19 more.

20 You're talking about, I mean, when I look at, four
21 of the properties are within half a mile, alternate
22 facilities for people to go to.

23 Two of the properties are about half a mile, a
24 little bit longer. And about five of the properties are
25 three-quarters of a mile.

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1 When you are talking to the residents about
2 relocating, or one of them goes up to over a mile, a mile and
3 something, a mile and a quarter.

4 If children are going to schools, how have you
5 addressed that or how do you address churches and how do
6 they, I mean trying to disrupt their lives as little as
7 possible or trying to integrate the move so that their needs
8 are accommodated, how will HOU try to, how will you
9 integrate? How do you work with that?

10 MR. KAYE: We already own a number of buildings
11 within the immediate vicinity. We have 29 units about three
12 blocks away. We're building 17, that's ground up about two
13 blocks away.

14 We own 24 units in front of that. We have eight,
15 three blocks away. Those are, a substantial number of those
16 are twos and threes.

17 So I think that primarily we'll be moving the
18 residents into other buildings that we own in the area. And
19 then we would do our best to keep the residents as close as
20 possible to their existing accommodation.

21 But obviously, even if we have proposed buildings,
22 that's obviously in today's availability, so in six, seven,
23 eight, nine months, everything's going to change.

24 You know, landlords aren't keeping properties
25 available for our tenants in seven months.

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1 COMMISSIONER TURNBULL: Yes.

2 MR. KAYE: So we'll do our best to find
3 accommodations that are as ideal for each specific tenant as
4 we can.

5 COMMISSIONER TURNBULL: Yes, I was just getting
6 back to what the Chair had talked about the adverse impacts
7 on the residents and how you can minimize that.

8 And, I guess, what if the tenants or somebody is
9 looking there and nothing really seems to fit the bill. I
10 mean, how do you, I mean, if you're going to want -- they're
11 going to look at several properties I guess.

12 And I don't know how you're, is it by lottery who
13 gets what or how does it get, how do you divide out who's
14 going to go where? Is there first come, first serve?

15 I don't know what the process is for separating
16 out and getting people to get something.

17 MR. KAYE: So HOU has a lot more experience with
18 working with tenants to relocate. Obviously, there's going
19 to be circumstances that are an outlier, but generally I
20 think we can keep a decent number of the tenants within our
21 portfolio within the immediate vicinity.

22 We have a building that we're starting
23 construction on hopefully in the next 30 days, which will
24 provide 17 units a stone's throw from here.

25 And then we have additional accommodations. So

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1 as a preference, I think we could work within our existing
2 portfolio. If something comes down that's unique obviously
3 we could get personally involved in trying to find something
4 that would work as well as possible.

5 You know, obviously for us the transition, you I
6 think more seamless the transition, the sooner we can get
7 started too, so it's in everyone's best interest to work
8 together to find accommodations that work.

9 COMMISSIONER TURNBULL: Yes, I was just looking
10 at some of the language in here. Some of it doesn't sound
11 overly harsh, but some of it sounds, well, once you accept
12 this plan, that's it. Once you sign on the line, that's it.

13 And it just seemed a little bit harsh. On Page
14 8, you talk about if a resident contends that this relocation
15 plan is not being implemented properly, the resident may file
16 a written appeal, to you folks, where staff is responsible
17 for ensuring that HOU will then go through all the steps.

18 Will you identify a point of contact at your firm
19 who's going to be doing this?

20 MR. KAYE: We already have one. So we have a
21 woman named Kim who works for us.

22 COMMISSIONER TURNBULL: Okay.

23 MR. KAYE: And Kim's done the majority of our
24 moving, relocation and coordination with third-party moving
25 companies so far. And Kim will keep track and work with HOU

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1 pretty consistently to make sure that our residents are
2 relocated within their needs and then back once the building
3 is completed.

4 COMMISSIONER TURNBULL: Okay. My last questions
5 regard the Gorove/Slade. I guess what it, you know, on Page
6 55 of Gorove/Slade -- not on Page 55, it was on Page -- let
7 me see.

8 Yes, on the last page, it says that there is a
9 robust transportation demand management plan that reduces the
10 demand of single-occupancy private vehicles during peak
11 period travel times or shifts single-occupancy vehicular
12 demand to off-peak periods. How are you doing that? How are
13 you shifting?

14 MR. ANDRES: So with respect to the shift, the SOV
15 shift, it's, well, first of all, in the whole scheme of
16 things, there's not a lot of parking.

17 So, you know, there's not a lot of people in
18 single-occupancy vehicles to begin with. And so with the
19 ability to move people into transit and provide better access
20 and opportunities for them, that's where we see that shift
21 taking place.

22 The fact that we are providing the minimum number
23 of parking spaces as required by zoning is the major TDM
24 element. And we supplemented that with what DDOT typically
25 asks us to supplement that with.

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1 COMMISSIONER TURNBULL: It just sounds like it's
2 overly worded for what it's actually doing. But when I look
3 at your transportation demand items under your plan on Page
4 17, it says, The TDM leader will work with residents to
5 distribute and market various transportation alternatives and
6 options. What are you going to market?

7 MR. ANDRES: Essentially, there's opportunities,
8 there is commuter connections, for example. That if they
9 wanted to carpool with other people, they can sign up with
10 the -- website that we can provide them opportunities with.

11 COMMISSIONER TURNBULL: And you're offering to do
12 that? That's what's being proposed?

13 MR. ANDRES: Yes, as part of that, that's
14 something that's free and available to anybody. So we would
15 apply that. In addition to that, we would provide them the
16 opportunities if they're not used to the bus schedules that
17 are available, we would provide them that information as
18 well.

19 So typically the way that works, Mr. Turnbull, is
20 in their move-in packet there are materials that would be
21 available for residents to look at that will provide them the
22 opportunity to take alternative modes if they're not used to
23 doing that.

24 COMMISSIONER TURNBULL: But isn't that basically
25 standard with most of transportation demand management plans?

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1 MR. ANDRES: Yes.

2 COMMISSIONER TURNBULL: How does this plan become
3 robust more so than any other plan?

4 MR. ANDRES: Well, I guess if you're taking
5 exception to the word robust then --

6 COMMISSIONER TURNBULL: Yes, yes.

7 MR. ANDRES: Then it's robust in the absolute
8 term, but I think, you know, if you were to apply it or
9 compare it to what we typically do, it's typical.

10 COMMISSIONER TURNBULL: Pretty typical, okay. All
11 right. Not picking on you, just wanted to clarify. All
12 right, Mr. Chair, I think those are my questions.

13 CHAIRMAN HOOD: Thank you, Mr. Turnbull. Vice
14 Chair Miller?

15 VICE CHAIR MILLER: Thank you, Mr. Chairman and
16 thank you for your presentation and for coming forward with
17 a 100 percent affordable housing project with deep levels of
18 affordability and with larger unit sizes than we typically
19 see for families, and that's important.

20 I think it's an attractive design and materials,
21 though I would agree with Mr. Turnbull that maybe on the back
22 side, the ends could be finished or improved, their finishing
23 could be improved, although I do like all the balconies in
24 the back.

25 I always like balconies to give a residential

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1 feel. And you're overlooking, you said, a wooded area, which
2 is nice. I guess by my count there are 15 balconies, so
3 that's about half of the units have balconies. Is that
4 correct? Or is that just an illustrative --

5 MS. FARRELL: Yes, there's about 15 full-size
6 balconies in the back, but there are also in the front, there
7 are some Juliets, but there's also then another four in each
8 of these corners. Those of like the inset ones.

9 VICE CHAIR MILLER: Okay.

10 MS. FARRELL: So there's another eight full size
11 in the front.

12 VICE CHAIR MILLER: Okay, that's great. And on
13 behalf of Commissioner Shapiro, who's not here tonight, he
14 would be very pleased, as we all are with the solar panels
15 on the roof that you said is supplying energy for 50 percent
16 of the common area. That's great.

17 You also have the on-site amenities for the
18 residents, I presume, the computer room, the gym and the
19 community room. What is the total square footage of that
20 interior on-site amenity? Do you know?

21 MS. FARRELL: So the community room is about 600
22 square feet, the fitness room is about 400 I think, and the
23 computer room is about 200.

24 VICE CHAIR MILLER: And the community room is
25 going to be for the tenant community that's there or is it

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1 for the larger community that's around there?

2 MS. FARRELL: It's primarily for the tenants. The
3 owner has agreed to open it up to community groups if they
4 requested it.

5 VICE CHAIR MILLER: Okay. And the gym and the
6 computer room, the owner is providing the equipment for those
7 facilities and maintaining them?

8 MS. FARRELL: Correct.

9 VICE CHAIR MILLER: That's great. Do you know how
10 many computers there are going to be in there?

11 MS. FARRELL: I'm guessing, I've done a few of
12 these, I'm guessing it's in the neighborhood of, you know,
13 eight.

14 VICE CHAIR MILLER: Obviously, not everyone's
15 going to be in there at the same time.

16 MS. FARRELL: Yes, eight to ten. This was
17 something Office of Planning suggested, again considering
18 that there are especially like school-age kids in there. It
19 gives them access to computers to do homework and things like
20 that.

21 VICE CHAIR MILLER: Well, that's great. And the
22 play area that you've added as a result of comments by the
23 commission and by OP, and that's in the front two areas
24 adjacent to the entrance, I guess. What's the total square
25 footage of that, if you know or approximately?

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1 MS. FARRELL: I'm going to say it's about 20x20
2 on each side, so it's about 400 square feet of open space.

3 VICE CHAIR MILLER: Four hundred square feet on
4 each side?

5 MS. FARRELL: Yes, exactly.

6 VICE CHAIR MILLER: And that's going to be as you
7 described or as described in your letter or one of your
8 submissions, it's a natural play area. It's wood stumps that
9 you hop on or whatever and climb on --

10 MS. FARRELL: Exactly.

11 VICE CHAIR MILLER: -- and rocks --

12 MS. FARRELL: Yes.

13 VICE CHAIR MILLER: Is it real rocks or it's --

14 MS. FARRELL: Yes. They'll be real rocks. I
15 mean, they're --

16 VICE CHAIR MILLER: Without sharp edges.

17 MS. FARRELL: They're specific ones that are
18 rounded for kids. Yes, we've done the tot lots that have
19 just the metal play structures and the primary colors. And
20 that works well when it's kind of off to the side or in the
21 back.

22 But since this was also your main entrance, we
23 felt like it was great to have something naturalized so that,
24 well, first of all, the kids, I mean if you go to a
25 playground, they tend to just play on rocks and logs anyway.

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1 But also that if other residents just wanted to
2 sit out there and enjoy it, they don't necessarily feel like
3 they're sitting on a playground.

4 VICE CHAIR MILLER: Okay. Well, I appreciate that
5 explanation. I was going to ask you to provide that
6 explanation for the record, so that's useful to have.

7 What is the unit size of the existing 30 units?
8 What's the mix of the sizes? And then what is the mix of the
9 median family income ranges? Or you can provide that for the
10 record if you don't have that off the top of your head.

11 MR. STERN: So the, I'm sorry, I'm going off of
12 my memory here. It's mostly twos and some threes and a few
13 ones that exist for the unit mix, and those units are
14 significantly smaller than what are being proposed here in
15 the new building.

16 So everyone who goes from a two bedroom to this
17 new building's two bedroom is going to get significantly more
18 space.

19 VICE CHAIR MILLER: Although I did see it in your
20 relocation plan that there was one five-bedroom unit, then
21 you said that you'd be providing it on one of your own
22 properties, I guess.

23 MR. STERN: Yes. So that tenant was so nice of
24 her to join us yesterday at the ANC meeting. She was
25 supposed to come tonight to talk to all of the commissioners

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1 here, but she could not get a babysitter. Unfortunately, we
2 found that out last minute.

3 At the ANC meeting yesterday, she said she trusts
4 us. She has no problem with moving into one of these other
5 buildings that we have that have a few four- and five-bedroom
6 units.

7 She's actually going through a voucher change
8 right now, which will bump her down from five to four. And
9 we have a four opening up about a quarter of a mile away,
10 same neighborhood, and it's a nice penthouse unit. So she's
11 very excited about that.

12 VICE CHAIR MILLER: Well, that's great. If you
13 could provide for the record the exact mix of the size of the
14 existing units and the MFI levels of the existing tenants
15 just so we can make sure that the -- it sounds like you will
16 be able to accommodate everybody both in the relocated units
17 and with the commitment to return that the new units will
18 meet their needs. But it would just be useful to have that
19 existing data.

20 MR. STERN: About 90 percent of the existing
21 tenants are on some kind of subsidy form and so they will all
22 qualify for the income-level restrictions that we're doing.
23 But we will get the actual rent levels to you on the record.

24 VICE CHAIR MILLER: Okay, that would be good.
25 Thank you.

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1 MR. KADLECEK: And one point of clarification on
2 that issue is the building itself, the buildings themselves
3 that are there right now, they are not rent controlled.

4 The tenants are getting vouchers and subsidies to
5 live there, but they're technically market rate units. So
6 that's one of the big advantages of this proposed project is
7 they're going to be guaranteed affordable units as opposed
8 to market rent units where the tenants are getting subsidies.

9 VICE CHAIR MILLER: Okay. Thank you for that.
10 And so I'm not sure I have any other questions at this time.
11 I just want to commend you for also working with the ANC in
12 garnering their unanimous support.

13 And we'll look forward hopefully to getting
14 Council Member Trayon White's letter as well. So thank you
15 very much.

16 CHAIRMAN HOOD: Any other questions for followup?
17 Okay. Now, you did mention that you all live in the
18 neighborhood?

19 MR. STERN: No, we do not live in the
20 neighborhood.

21 CHAIRMAN HOOD: It was somebody on your
22 development team lives in the neighborhood. Right?

23 MR. STERN: We have one of our tenants, and she
24 also happens to work for us on the management side of things
25 here --

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1 CHAIRMAN HOOD: Okay.

2 MR. STERN: -- to speak if you'd like.

3 CHAIRMAN HOOD: No, I just wanted to know. That's
4 my standing question. Who on the development teams lives in
5 the neighborhood? So thank you all for covering that.

6 Anything else up here? Okay, do we have anyone
7 representing the ANC who's going to do some cross examination?
8 Not seeing anyone. Let's go to Ms. Brown-Roberts and then
9 we will go to Mr. Zimmerman.

10 MS. BROWN-ROBERTS: Good evening, Mr. Chairman and
11 members of the Commission, Maxine Brown-Roberts from the
12 Office of Planning. The applicant is proposing to demolish
13 the two existing multi-unit apartment buildings and will
14 replace them with 106 affordable units.

15 The applicant has requested a related map
16 amendment from the RA-1 zone to the R-2, RA-2 zone. The
17 future land use map indicates that the site is appropriate
18 for moderate-density residential and for a small portion of
19 the site, a mix of moderate-density residential and low-
20 density commercial.

21 The generalized policy map indicates that the site
22 is in a neighborhood enhancement area. And the proposed RA-2
23 zone is not inconsistent with these recommendations, as well
24 as with the city-wide elements and the small area plan.

25 The Office of Planning is very supportive of the

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1 redevelopment of the property, which would add a significant
2 amount of affordable housing and large unit sizes to the
3 housing stock in this area and to the district.

4 As stated in our report, the applicant is getting
5 additional FAR and will be significantly publicly funded.
6 And the Office of Planning is appreciative of the increase
7 in affordability.

8 And we and DHCD continues to support and ask for
9 an increase in the residential gross floor area. However,
10 we will leave up to the zoning commission.

11 So generally, we will stand on the record and
12 recommend approval of the requested map amendment and the
13 PUD. Thank you, Mr. Chairman.

14 CHAIRMAN HOOD: All right, thank you. Any
15 questions or comments from DHCD, I mean, I'm sorry, I've got
16 DHCD on the mind -- for the Office of Planning?

17 Because I have a question about DHCD. Okay, Vice
18 Chair Miller?

19 VICE CHAIR MILLER: I had a question about the --

20 CHAIRMAN HOOD: I was just wondering, did we do
21 the waiver? We did?

22 PARTICIPANT: Yes.

23 CHAIRMAN HOOD: Okay. Okay. I just didn't, that
24 was my question.

25 VICE CHAIR MILLER: I had a different question

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1 about DHCD.

2 CHAIRMAN HOOD: Okay, well, go right ahead.

3 VICE CHAIR MILLER: Ms. Brown-Roberts, I saw in
4 your report your summary of the ANC's -- DHCD's comments, and
5 they joined you or you joined them or you both thought that
6 there should be more square footage and deeper affordability
7 upon the termination of the 60-year affordability period for
8 the remainder of those units.

9 And I would encourage the applicant to do that as
10 well. But, even if it's, well, I would encourage the
11 applicant to do that as well. Did DHCD, we don't have
12 anything in writing from them in the record, do we?

13 MS. BROWN-ROBERTS: The information that I
14 provided in my report came directly from them.

15 VICE CHAIR MILLER: Did they look at the
16 relocation plan? Did they comment on that? You didn't
17 summarize that part of the applicant's presentation.

18 MS. BROWN-ROBERTS: No, they didn't comment on
19 that to me.

20 VICE CHAIR MILLER: I'm wondering, Mr. Chairman,
21 whether it would be useful for DHCD to look at that and
22 comment on the relocation plan. It may just reinforce what
23 the applicant is saying, but I think it would be useful to
24 have their expert --

25 CHAIRMAN HOOD: Yes, I would agree. So let's see

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1 if we can get that.

2 VICE CHAIR MILLER: -- comments on that.

3 CHAIRMAN HOOD: I would agree for the record.

4 VICE CHAIR MILLER: Thank you. Thank you for your
5 report.

6 MS. BROWN-ROBERTS: Thank you.

7 CHAIRMAN HOOD: Thank you, Vice Chair, that was
8 an excellent suggestion. Commissioner May?

9 COMMISSIONER MAY: Yes, so back to the
10 affordability question. I mean, you heard the answer from
11 the applicant today as to why they don't really want to
12 provide anything more at 60 years out.

13 So, I mean, what's your reaction to that? I mean,
14 do you still want to insist that it be, they bump it up to
15 15 percent or something like that?

16 MS. BROWN-ROBERTS: Anything over 12 percent we'd
17 be appreciative of, over 11 percent we'd be appreciative of.

18 COMMISSIONER MAY: So 11.1 percent would be -- all
19 right, thank you.

20 CHAIRMAN HOOD: Mr. Turnbull, do you have any
21 questions?

22 COMMISSIONER TURNBULL: No, I'm good, Mr. Chair.

23 CHAIRMAN HOOD: Okay.

24 COMMISSIONER TURNBULL: I think everyone's asked
25 what I had.

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1 CHAIRMAN HOOD: Okay. Thank you, Ms. Brown-
2 Roberts. Let's go to Mr. Zimmerman, DDOT.

3 MR. ZIMMERMAN: Good evening, Chairman Hood and
4 Commissioners. For the record, my name is Aaron Zimmerman
5 with the District Department of Transportation.

6 DDOT rests on the record. We have no objection
7 to the approval of this consolidated PUD and related map
8 amendment application with the conditions noted in our report
9 and agreed to by the applicant. Thank you.

10 CHAIRMAN HOOD: Thank you very much, Mr.
11 Zimmerman.

12 And I think the applicant did say they accept
13 everything within the report. Correct?

14 MR. KADLECEK: That's right, yes.

15 CHAIRMAN HOOD: All right, any questions for DDOT?
16 All right. Thank you again. Thank you, colleagues. Again,
17 there is no one here from ANC 8C.

18 They do have a letter in support, so that's why
19 they're not doing a cross examination. Does the applicant
20 have any cross of either Office of Planning or DDOT?

21 MR. KADLECEK: No questions, thank you.

22 CHAIRMAN HOOD: Okay, no questions. Okay, we do
23 have a letter from the ANC. ANC 8C supports, and they have
24 no issues. Anybody else like to comment? Okay. All right.

25 And that's from Chairman Austin, let me pull that

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1 up. Okay. Yes, Chairman Austin, okay. And we do have
2 submissions. Ms. Brown-Roberts alluded to the issues with
3 DHCD, and we did do the waiver. I guess we did that, it's
4 set now.

5 Okay, so do we have any organizations or persons
6 who are here in support who would like to testify? Come
7 forward.

8 You know, while she's coming forward, I have a
9 question. There are three young people in the back, well,
10 everybody's young. And I always want to know, well, they're
11 younger than me. Commissioner May says they're younger than
12 I am. Not by much, maybe a few years.

13 And I just want to know, are you from a school?
14 Are you here on a project? You're studying what we're doing?
15 Oh, come up and tell us a little bit. It won't take but
16 three minutes for this.

17 I do this, you know, I'm the nosiest chairman
18 you'll probably ever, I always want to know what's going on.
19 So can we have a representative to come up and, because
20 you've been doing so much writing, and I've noticed it.

21 And I wanted to really make sure you weren't a
22 reporter. No, I'm just playing. You can come up and tell
23 us, introduce everyone who's with you and tell us what school
24 you go to and what you got going on. You can have a seat,
25 turn the mic on, yes. Identify yourself if you don't mind.

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1 MR. ADOMATIS: So my name is Xavier Adomatis. I'm
2 a student at GW. I'm here with Eileen Brown, right, and her
3 roommate who came along with her.

4 We're working under Sophia Fisher, who works in
5 the Fairfax County Planner's Office. We're in her Planning
6 Cities class, and we're studying how all of this functions,
7 how all of this works.

8 So one of our projects is to attend a Zoning
9 Commission meeting, find out what happens, how it happens,
10 why it happens, what actually goes on and then write a paper
11 on it.

12 CHAIRMAN HOOD: Okay. If it's all right if you
13 ask your teacher, could you send the paper? We'd like to see
14 it. Because we'll grade it and send it back to you.

15 MR. ADOMATIS: All right. I mean, if you grade
16 it better than she does, I'll let her know and see if I can
17 get a bump.

18 CHAIRMAN HOOD: Well, that's good, but I can tell
19 you this whatever I put on it won't matter. Whatever we put
20 on won't matter. But then again, we're glad you came out.

21 I wish you well in what you're doing moving
22 forward. Do you find this interesting?

23 MR. ADOMATIS: Oh, yes, very much so. I study
24 gentrification myself, and it's really important to me.

25 CHAIRMAN HOOD: Did you write any papers on that?

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1 MR. ADOMATIS: I have in the past, yes.

2 CHAIRMAN HOOD: I'd like to, if you don't mind and
3 you get permission, I'd like for you to share that with Ms.
4 Hanousek or the Office of Zoning here. I'd like to see that.

5 MR. ADOMATIS: Perfect. All right.

6 CHAIRMAN HOOD: Thank you. And we appreciate it
7 and good luck to you all. Thank you for helping us as well.

8 COMMISSIONER TURNBULL: Do you need to know you
9 were recorded? You can watch yourself on video later on.

10 MR. ADOMATIS: Oh.

11 COMMISSIONER TURNBULL: You can pull up this case.
12 Your professor can watch you, too.

13 MR. ADOMATIS: That would be really cool actually.
14 I'll tell her.

15 COMMISSIONER MAY: So, Mr. Chairman, do you want
16 to see my paper on gentrification?

17 CHAIRMAN HOOD: Do you have one?

18 COMMISSIONER MAY: Yes.

19 CHAIRMAN HOOD: Oh.

20 COMMISSIONER MAY: Except it's a little dated.

21 CHAIRMAN HOOD: Yes, it's back in the '70s.

22 COMMISSIONER MAY: '80 --

23 CHAIRMAN HOOD: Was it '80s?

24 COMMISSIONER MAY: '80s.

25 CHAIRMAN HOOD: When you played with Georgetown?

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1 Okay. So thank you very much.

2 COMMISSIONER MAY: That was an inside joke. And
3 I took some urban planning classes at GW when I was studying
4 and preparing to write that paper.

5 CHAIRMAN HOOD: Okay.

6 PARTICIPANT: As did I, in law school.

7 COMMISSIONER MAY: So you could wind up here
8 someday. You all could wind up here some day. Except,
9 you'll have to serve with Anthony, because he'll still be
10 here then.

11 CHAIRMAN HOOD: Possibility. No, no. But thank
12 you all. We really appreciate you all for coming out and
13 hopefully this is informative to you.

14 MR. ADOMATIS: Very much so, thank you.

15 CHAIRMAN HOOD: So tell your teacher we said
16 hello.

17 MR. ADOMATIS: I will.

18 CHAIRMAN HOOD: Okay. All right, see when I do
19 that, I get distracted. Where am I at? Oh, this young lady
20 here, I'm sorry. If you can identify yourself.

21 MS. BRISCOE: Good evening, my name is Tamika
22 Briscoe, and I'm here today as a supporter of Kaye Stern
23 Properties' new development for the community, not because
24 I work for the company but because this company was the first
25 company to give me my first chance.

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1 And I want to be there for them the way they have
2 been there for me, not just one time over but multiple times
3 over.

4 Also, I live on the property and that's how we
5 met. I do reside at 3848 South Capitol Street. I am 100
6 percent confident that they're going to relocate me to
7 somewhere nice.

8 All of the residences, all of the units of Kaye
9 Stern Properties are pretty much the same. They offer the
10 same amenities, affordability, and we definitely pride
11 ourselves on working with the community.

12 It's something that I always wanted to do and have
13 a part in, and they actually gave that to me. And I started
14 off as a volunteer, if you can believe that.

15 So I'm 100 percent sure that once we get relocated
16 to our new homes that we're going to be able to come back.
17 That's always a promise that they give us, and they always
18 kept good on their promises.

19 Every time they say they're going to put us
20 somewhere, relocate us for whatever the case may be, they
21 always accommodate us financially, and they always make sure
22 that we come back to top of the line properties.

23 I also spoke with a couple of the other residents
24 in the neighborhood, Ms. Contie, Mr. Abrams, my sister, she
25 lives on the property as well.

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1 And they all are in 100 percent agreements with
2 the new development. And the reason is because we like it,
3 and we want this stuff in our community.

4 Right now, we see that the change is coming. We
5 see that it's coming to Southeast D.C., and we are 100
6 percent behind this development, because we know that we're
7 not going to be pushed out to the side and we're not going
8 to be pushed out to Maryland and Virginia like, you know, the
9 scare has been.

10 That's what we've mainly been afraid of. Oh,
11 they're coming. We're not going to be able to live here no
12 more. But Jason and Jesse has guaranteed that we're going
13 to be able to live there.

14 We're going to be able to enjoy it there. And our
15 kids are going to be able to enjoy that, and I love it. In
16 most units, I mean, I went from management company to
17 management company to management company, I mean, just to get
18 turned down. It's a hard feeling.

19 You know, to finally come somewhere and they say,
20 approved and not just based on, you know, the color of my
21 skin. Or some people, you know, they go up on their income
22 requirements just to tell you no.

23 And it's like, we know that, you know. So it's
24 hard. And I have a lot of people that come into the office
25 on a day-to-day basis with the same story that I have.

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1 And I have the power to be able to change their
2 life and give them that feeling that I got when I met Kaye
3 Stern in 2013. So that is all.

4 CHAIRMAN HOOD: Your name again is Ms. Briscoe.
5 Right?

6 MS. BRISCOE: Yes, my name is Ms. Briscoe.

7 CHAIRMAN HOOD: Ms. Briscoe. Now, Ms. Briscoe,
8 you seem to be very confident, which I appreciate. Now, that
9 confidence comes from what? Is it trust? Is it they have
10 kept their word? They just didn't put you on promised land?

11 Explain to me how you can come and give us all
12 that? Other than, and it might be a bad position because you
13 do work for them, but I believe that even before you worked
14 for them, you have a trust factor there. At least that's
15 what I get.

16 MS. BRISCOE: I came, me and my two children. I
17 have two disabled children. We were in the shelter. So I
18 came to Kaye Stern, and they told me, yes. And we were not
19 in the shelter no more. And that was back in 2013.

20 So I've done been to at least five different
21 properties. I built a trust with them, you know, to honor
22 my lease agreement and pay my rent on time, faithfully with
23 a smile.

24 And with that, they allowed me to go to different
25 property after property no problem. And I've been able to

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1 get my family members involved as far as getting housing now.

2 And that's why I'm confident about this new
3 development, because they have never shaded us. They never
4 gave us a reason to doubt that they were liars or crooks or
5 they just in it for the money, you know.

6 And they always give back. Christmas they came
7 to my house. Let's go to my house. Went around to the
8 different neighborhoods. My best friend called me, and she's
9 like, oh, do you know that Jesse came here and he gave Kate
10 this, and I'm like, what?

11 So they're always giving back to the community.
12 And like I said, I don't think gentrification will be a
13 problem here, because probably all our residents are, you
14 know, of color.

15 And the majority of all our staff are of color
16 too, and they don't make me feel different.

17 CHAIRMAN HOOD: Okay. Great. I really appreciate
18 your testimony. Are you familiar with the Ward 8 Study
19 Group?

20 MS. BRISCOE: I'm not familiar with that group.

21 CHAIRMAN HOOD: Okay, I just wondered. Okay. All
22 right, let me open it up. Any questions of Ms. Briscoe? Not
23 seeing anything. Does the applicant have any cross?

24 MR. KADLECEK: No, thank you.

25 CHAIRMAN HOOD: Thank you very much. We

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1 appreciate you coming down and testifying. Okay. I'm going
2 to need your, what do I need, Ms. Hanousek? Turn your mic
3 on, Ms. Hanousek, I'm sorry.

4 Ms. Hanousek is very diligent, so I'm the one
5 who's lacking sometimes.

6 MS. HANOUSEK: You need to fill out two witness
7 cards and give them to the court reporter, and you need to
8 register on the kiosk.

9 MS. BRISCOE: Okay.

10 MS. HANOUSEK: Thank you.

11 CHAIRMAN HOOD: That's a whole lot of instructions
12 there, isn't it? No, I'm just playing. But thank you very
13 much, we appreciate it. Okay. All right.

14 Is there anyone else who's here in support?
15 Anyone who's here in opposition? Anyone who's here
16 undeclared? Okay, Mr. Kadlecek, do you have any closing
17 remarks?

18 MR. KADLECEK: Yes. Thank you, Mr. Chairman. We
19 just have a couple of closing things. As I mentioned before,
20 we're going to respond specifically to the letter in the
21 record.

22 Jason's going to respond to the first point about
23 the AMI level or MFI levels of the units. And then we'll go
24 through the other two, three issues raised in the letter.

25 MR. STERN: So if I could just start by reading

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1 the few lines that I'm responding to. The gentleman says,
2 the preferred affordable housing benefit expires over time.
3 This is not a benefit, this is an injury. DHCD does not weigh
4 in about this impermanence of this so-called benefit.

5 Further, DHCD does not comment about the 60
6 percent AMI rentals and what that means in reality. We
7 believe this is an injury because the so-called affordable
8 housing will be renting at a higher rate than the market
9 bears currently in the census track.

10 The injury is the so-called proffered benefit will
11 actually push up housing costs in the area and affect
12 adversely those who are vulnerable to displacement now.

13 So I want to start by just talking about why we
14 included a 60 percent AMI in this project. And that has to
15 do with the funding mechanism for this project, which is the
16 LIHTC, Low-Income Housing Tax Credit program.

17 That program is based on a rubric, and they allot
18 certain points for different things. And one of the things
19 is to have three different income restrictions in the
20 community.

21 As you saw before, we have a 30 and a 50 percent
22 AMI restriction. The next one up is 60 percent. You can't
23 really go lower than that. So the reason for the 60 being
24 included is just that, to meet the numbers on the LIHTC
25 funding to get funding for this project.

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1 He also spends a lot of time talking about the
2 impermanence of this so-called benefit. As we've stated
3 before, under the LIHTC program, we would have to provide 40
4 years of affordability.

5 And we've chosen to provide 50 percent more of
6 that at 60 years of affordability. And even beyond that,
7 more than the minimum required IZ after that point.

8 So I believe that responds to his first item. If
9 the Commissioners have any questions, I'm happy to answer
10 them in regards to that.

11 MR. KADLECEK: I also want to note on that point
12 that DHCD obviously as we've heard tonight has weighed in on
13 this project. They've provided written comments to the
14 Office of Planning.

15 They've clearly evaluated this project. I'm sure
16 as the Commission knows, you can't compel DHCD to comment on
17 every aspect of a project.

18 And so when this letter raises an issue about the
19 fact that they didn't comment about the 60 percent AMI, that
20 doesn't mean it's an injury, that doesn't mean it's harm to
21 this, you know, unidentified person.

22 It just means that DHCD didn't comment on it, and
23 I don't think that there's anything more beyond that.

24 In fact, the court of appeals case that I
25 mentioned before on the Schickler v. Zoning Commission, the

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1 DC United Stadium case, the court actually got to this issue
2 and said, all that the zoning commission can do is ask the
3 agencies to comment, ask them to report, but it can't compel
4 them to do anything.

5 You can't force their hand to do something. And
6 I think this is a perfect example of that of it's been a
7 thoroughly reviewed project by DHCD. It's looked at it many
8 times. We've met with them several times.

9 And I don't think that this issue of saying, we're
10 just throwing this idea out there that 60 percent AMI units
11 are somehow harmful really has any warrant behind it.
12 There's no basis behind this that it somehow causes injury.

13 MR. STERN: Sir, one more point on the 60 percent
14 AMI. As the Commissioners know, the AMI restrictions are a
15 cap, they're not a minimum.

16 And so we can't just set the rents at the highest
17 that they would be under a 60 percent AMI restriction and
18 expect to get tenants in there if that's above the market
19 rent.

20 So his point about affecting the affordability in
21 the neighborhood doesn't really seem to ring true from a
22 logical perspective.

23 MR. KADLECEK: On the second point about return
24 for the existing tenants, we've obviously heard a lot of
25 testimony about that tonight. It's thoroughly vetted in the

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1 record. Everyone has the right to return. So that's just
2 an inaccuracy in the letter.

3 The third point about Office of Planning not
4 weighing in on infrastructure costs, again, I mean, the
5 Office of Planning has obviously thoroughly reviewed this
6 case.

7 Also, there's nothing alleged in this letter about
8 infrastructure. What type of infrastructure are they talking
9 about? Are we talking about sewer and water connections?
10 Well, obviously we know that the developer pays for those
11 connections.

12 Are they talking about transportation
13 infrastructure? We don't know. That's been reviewed as well
14 by DDOT and Mr. Andres. There's no adverse impact on the
15 transportation infrastructure.

16 So, again, I think this is just a generalized
17 concern that doesn't actually allege any harms. It doesn't
18 actually cite any sort of adverse impact, because there isn't
19 anything stated here.

20 On the jobs point, there's no jobs for local
21 resident. Well, in fact, as is put into the record, the
22 applicant has committed to a first source agreement as a
23 requirement of the public funding for the project.

24 So, you know, I don't think they can get so
25 specific as to guarantee that they're Ward 8 residents, but

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1 certainly the first source agreement has all sorts of
2 requirements about District residents being employed.

3 So that point is addressed and again, I'm not sure
4 that that actually raises any sort of harm about how the
5 development of this project somehow causes an absence of jobs
6 for the residents.

7 I mean, there's no logical connection here in the
8 point that's being raised that somehow the construction of
9 this building creates an adverse impact with respect to jobs.

10 I mean, that link is just missing and in fact, it
11 will provide jobs. So it sort of responds to that in any
12 event.

13 And then I think the last part is there's sort of
14 this generalized statement about all contested issues above
15 are supported by the Comprehensive Plan policies therein, and
16 the Commission is fully aware of these policies.

17 I think that's a pretty classic statement that
18 means absolutely nothing. I think to say that it's supported
19 by policies without actually stating anything about the
20 policies when the Office of Planning has done a thorough
21 report on the specific policies of the Comprehensive Plan and
22 a thorough analysis of the Comprehensive Plan and how this
23 project is in fact not inconsistent with the Comprehensive
24 Plan as is required by the zoning regulations in approving
25 a PUD.

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1 So with that, I think really what's in this letter
2 doesn't have any merit. I don't think it raises any harms
3 that certainly haven't been addressed. And so, you know, I
4 ask the Commission to consider that when evaluating this.

5 With that, we don't have anything else. There's
6 a few issues that we know we need to respond to. I think
7 those are issues that can be dealt with fairly easily.

8 And so we ask that the commission consider taking
9 proposed action tonight. We think those are issues like I
10 said that we can address fairly easily and have teed up for
11 the commission to consider at final action.

12 Obviously being an affordable project, there are
13 some time deadlines that they need to meet, and so there is
14 a little bit of sensitivity to time with that.

15 So that's why we're requesting that the Commission
16 consider taking proposed action tonight. And with that, we
17 have nothing further, but we're available to answer any
18 additional questions that the commission might have, and we
19 thank you for your time.

20 CHAIRMAN HOOD: Thank you all for your
21 presentation and also for responding to questions. I do want
22 to respond again to the Ward 8 Study Group.

23 We're seeing a lot of these study groups, and I
24 want to encourage these study groups to get involved with the
25 structure of the city.

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1 The ANC process, the community, a lot of stuff is
2 vetted there. It seems like when I ask a question about
3 these study groups, nobody never has heard of them so to come
4 down here.

5 So if they're watching, if they're going to watch
6 this tape or whenever, I would encourage them to get involved
7 with the ANC. It's not that it's mandatory, but I think some
8 of these discussions can be had at the ANC level.

9 So I'm going to say this from now on, because I
10 see these type of letters quite a bit, Wards 8, 6, 7, 3,
11 well, I haven't seen one in 3 yet, but maybe 2 and 1, these
12 study groups.

13 So I would encourage all these study groups to
14 start getting involved with the ANC process and have those
15 discussions there instead of giving this to us at the last
16 minute to conversate on.

17 But I think that's important. I'm going to
18 continue to do that until maybe those study groups, because
19 you all again, I've asked this question before, have never
20 heard of the study group, you didn't see them, and tonight
21 was the first time you pretty much heard of this study group,
22 the Ward 8 Study Group.

23 MR. KAYE: At 4:55, we got an email from --

24 CHAIRMAN HOOD: 4:55?

25 MR. KAYE: That's from this one.

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1 CHAIRMAN HOOD: So this is a new --

2 MR. KADLECEK: That's when this came into the
3 record, 4:55.

4 CHAIRMAN HOOD: Right, I know it was --

5 MR. KADLECEK: To our knowledge, I mean --

6 CHAIRMAN HOOD: So I don't want to spend a lot of
7 time on this, and I'm going to say this from now on, maybe
8 they can start getting involved with the local ANCs or the
9 community groups as well and the community folks.

10 I think that would be very beneficial, so you can
11 hear those kind of comments that we hear in the study group,
12 maybe they'll weigh some of their letters that they send us.

13 Okay, that's enough said on the Ward 8 Study
14 Group.

15 COMMISSIONER TURNBULL: Mr. Chair, I would just
16 echo your comment there. Any study group or civic
17 association, you really can't operate in a vacuum.

18 If you're part of the community, you need to --
19 and the ANC is always looked upon as the lead agency for the
20 community. And so I really do think that they have to touch
21 base with the ANC and the single member and get really
22 involved with the whole project, whatever's being talked
23 about and not just, as I say, act in a vacuum.

24 It's a holistic process that I think if you want
25 to make comments, you need to be aware of what everyone else

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1 is talking about. You just can't be off on your own on the
2 side making comments in general. So I would echo your
3 concerns.

4 CHAIRMAN HOOD: All right, thank you, Mr.
5 Turnbull. There are a number of things that we've asked for,
6 and I know Mr. Kadlecek he also has made a request.

7 I'm not sure where we are, but I can open up.
8 Anything anybody needs, any comments? You've heard the
9 requests. Anybody, I think this is a, is this a two vote?

10 Yes, well, it has to be if you made that request.
11 So I think that, let me hear from others. Are we going to
12 wait?

13 All right, it sounds like we're ready to move
14 forward. But I will tell you this though, Mr. Kadlecek, and
15 let me just let the applicant know, this by no means, meaning
16 that there will be a second vote. Okay?

17 So those things that we've asked for. Some people
18 think because we do a first vote, oh, we're good the second
19 time. No. I've seen stranger things happen down here.

20 But if you continue on the path, I don't think
21 it'll be a problem, but I never know. Okay?

22 MR. KAYE: We stand behind what we said tonight.

23 CHAIRMAN HOOD: Okay. But I just don't want
24 anybody to go out here on promised land and oh, they took a
25 vote. Well, we have another vote to take, so we'll just take

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1 those things.

2 But I think the work ethic and what I've heard is
3 great so that's why we're going to take action tonight, okay.
4 All right. Somebody like to make a motion? Vice Chair
5 Miller?

6 VICE CHAIR MILLER: Thank you, Mr. Chairman. I
7 would move that the Zoning Commission take proposed action
8 on Zoning Commission Case Number 18-14, Consolidated Plan
9 Unit Development and related map amendment from RA-1 to RA2
10 at 3836 to 3848 South Capitol Street Southeast, Square 6129,
11 Lots 77 and 819 and ask for a second.

12 CHAIRMAN HOOD: Second.

13 VICE CHAIR MILLER: With the proviso that we're
14 expecting to receive additional information, both from the
15 applicant and perhaps DHCD.

16 CHAIRMAN HOOD: Okay, it's been moved and properly
17 second. Any further discussion?

18 VICE CHAIR MILLER: And perhaps the councilman.

19 CHAIRMAN HOOD: Okay. With all those added
20 caveats, it's been moved and properly seconded, any further
21 discussion? Anything else? All in favor?

22 (Chorus of ayes)

23 CHAIRMAN HOOD: Any opposition? So ordered. Ms.
24 Hanousek, would you please record the vote?

25 MS. HANOUSEK: Yes. Upon a motion by Commissioner

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1 Miller as seconded by Hood, the zoning commission voted 4-0-1
2 to approve proposed action in the case 18-14 with Miller,
3 Hood, Turnbull and May to approve and Commissioner Shapiro
4 not present, not voting.

5 CHAIRMAN HOOD: Okay. Ms. Hanousek, do we have
6 anything else tonight?

7 MS. HANOUSEK: Only if you want to work out times,
8 dates?

9 CHAIRMAN HOOD: Oh, okay. Go right ahead.

10 MS. HANOUSEK: So how soon, Cary, can you get the
11 materials that the Commission asked for?

12 MR. KADLECEK: Yes, we can get everything in a
13 week.

14 MS. HANOUSEK: Okay then, if you can get your
15 submissions in March 14th and then if you could get your
16 draft order in on March 18th, then we could --

17 MR. KADLECEK: Well, I'm just trying to, I think
18 that we have to go to NCPC at the beginning of April, so I
19 guess that would be, I'm just trying to work back in terms
20 of --

21 MS. HANOUSEK: Well, right. And we need 30 days
22 for NCPC. I would send out that out to them tomorrow. I
23 mean, you could be on April 8th if you work out the proffers
24 and benefits with OAG and if you get your draft order in by
25 the 18th.

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1 MR. KADLECEK: Is the 18th, I'm just trying to
2 make sure we have enough time to get the draft order ready.

3 MS. HANOUSEK: Okay.

4 MR. KADLECEK: Is the 18th the latest that you
5 could accept it or is there --

6 MS. HANOUSEK: If you want to have it on the 8th,
7 we also have another meeting in April, April 29th if you
8 would prefer to shoot for that one?

9 MR. KADLECEK: Yes, final action on April 29th
10 would probably be better just to give us a little more time
11 for the draft order.

12 MS. HANOUSEK: Okay. So then counting backwards,
13 then the draft order would need to be in by April 8th. And,
14 I mean, you already said you could have your materials in a
15 week, but if having another week would help.

16 MR. KADLECEK: Yes, if we can just have the extra
17 week, then we'll take it.

18 MS. HANOUSEK: Okay.

19 MR. KADLECEK: Yes.

20 MS. HANOUSEK: So your materials will be in March
21 21st, and your draft order will be in on April 8th, and
22 you're tentatively scheduled for the April 29th meeting for
23 final action.

24 MR. KADLECEK: Great, thank you.

25 MS. HANOUSEK: And you know to work with OAG --

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1 MR. KADLECEK: Yes.

2 MS. HANOUSEK: -- on the --

3 MR. KADLECEK: -- on the proffers, yes, thank you.

4 MS. HANOUSEK: Okay, thank you.

5 VICE CHAIR MILLER: And maybe work with OP and
6 DHCD on getting whatever we need from them.

7 MR. KADLECEK: Yes, we'll correspond with OP on
8 making sure that DHCD at least has the opportunity to provide
9 comments on the plan.

10 VICE CHAIR MILLER: Great.

11 MR. KADLECEK: Great, thank you.

12 MR. HANOUSEK: Is it necessary for me to read the
13 two items I noted here that you asked for or not?

14 CHAIRMAN HOOD: All on the same page?

15 MR. KADLECEK: I think we have a good list, so I
16 think we're fine.

17 MS. HANOUSEK: Okay.

18 CHAIRMAN HOOD: Thank you. Anything else, Ms.
19 Hanousek?

20 MS. HANOUSEK: No, sir.

21 CHAIRMAN HOOD: Okay.

22 MR. RITTING: Could I just --

23 CHAIRMAN HOOD: Yes.

24 MR. RITTING: -- make one additional supplement?

25 CHAIRMAN HOOD: Sure.

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1 MR. RITTING: If the applicant's materials are due
2 on the 21st, I just want to put it on the record that the
3 ANC's response is due a week later on the 28th since they're
4 a party. And they'll have an opportunity to respond.

5 CHAIRMAN HOOD: Okay. All right, anything else?
6 All right, I want to thank everyone for their participation
7 in this hearing tonight, and this hearing is adjourned.

8 (Whereupon, the above-entitled matter went off the
9 record at 7:55 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Hearing

Before: DC BZA

Date: 03-07-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



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