

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ZONING COMMISSION

\* \* \* \* \*

PUBLIC HEARING

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IN THE MATTER OF: |

CAPITAL GATEWAY ESTATES, |  
SECOND-STAGE PUD |

Case No. 03-03/02-05

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Thursday

March 11, 2004

\* \* \* \* \*

The Public Hearing of Case No. 03-03/02-05 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room 441 4th Street, N.W., Washington, D.C. 20001, Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN	Chairperson
ANTHONY J. HOOD	Vice Chairperson
JOHN PARSONS	Commissioner
KEVIN HILDEBRAND	Commissioner

OFFICE OF ZONING STAFF PRESENT:

ALBERTO P. BASTIDA	Secretary, ZC
SHARON SCHELLIN	Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER	Office of Planning
DAVID McGETTIGAN	Office of Planning

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PRELIMINARY MATTERS

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PRESENTATION OF APPLICANT'S CASE

Cynthia Giordano, attorney, Arnold & Porter .6

Kerry Smyser, D.C. Housing Authority. . . . .8

Cheryl Hamilton, A&R Development. . . . . 12

Dana Henson, Henson Group . . . . . 18

Melvin Thompson, Architect. . . . . 26

Charles Bryant, Community Center. . . . . 29

Lee Edgecombe, Landscape Architect. . . . . 31

Kevin Caillouet, Civil Engineer . . . . . 39

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

6:38 p.m.

CHAIRPERSON MITTEN: Good evening again.  
My name is Carol Mitten and this is a public hearing  
of the Zoning Commission of the District of Columbia  
for Thursday, March 11th, 2004.

Joining me this evening are Vice  
Chairman Anthony Hood and Commissioners John Parsons  
and Kevin Hildebrand, and he'll be out momentarily.

The subject of this evening's hearing is  
Zoning Commission Case Nr. 03-03. This is a request  
by the District of Columbia Housing Authority and  
A&R/THC, LLC for approval of a Second-Stage Planned  
Unit Development and map amendment for property  
located within the boundaries of 61st Street and  
Southern Avenue, S.E. on the east, Central Avenue,  
S.E. on the south, 56th Place, S.E. and 57th Place  
N.E. on the west and Clay Street, N.E. and the Watts  
Branch stream valley on the north.

Notice of today's hearing was published  
in the D.C. Register on January 2nd, 2004 and copies  
of that hearing announcement are available to you in  
the wall bin near the door.

This hearing will be conducted in  
accordance with the provisions of 11 DCMR Section

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1 3022, which are the Rules of Procedure for Contested  
2 Cases. The order of presentation will be as  
3 follows: preliminary matters followed by the  
4 presentation of the Applicant's case, followed by  
5 the report by the Office of Planning, reports of  
6 other government agencies, report of the affected  
7 Advisory Neighborhood Commission, in this case it's  
8 7C and 7E, organizations and persons in support and  
9 organizations and persons in opposition.

10 The following time constraints will be  
11 maintained in this hearing. The Applicant will have  
12 40 minutes, organizations will have five minutes,  
13 individuals will have three minutes.

14 The Commission intends to adhere to  
15 these time limits as strictly as possible in order  
16 to hear the case in a reasonable period of time.  
17 The Commission reserves the right to change the time  
18 limits for presentations if necessary and notes that  
19 no time shall be ceded.

20 All persons appearing before the  
21 Commission are to fill out two witness cards. These  
22 cards are located on the table near the door. Upon  
23 coming forward to speak to the Commission, please  
24 give both cards to the reporter who is sitting to  
25 our right.

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1           The decision of the Commission in this  
2 case must be based exclusively on the public record.  
3 To avoid any appearance to the contrary, the  
4 Commission requests that persons present not engage  
5 the members of the Commission in conversation during  
6 a recess or at any other time.

7           Staff will be available throughout the  
8 hearing to answer any procedural questions and you  
9 could direct those to either Mr. Bastida or Mrs.  
10 Schellin.

11           Please turn off all beepers and cell  
12 phones at this time so as not to disrupt these  
13 proceedings.

14           Please be advised that this proceeding  
15 is being recorded both by the court reporter and is  
16 also being web cast live. Accordingly, we ask that  
17 you refrain from making any disruptive noises or  
18 actions in the hearing room and when presenting  
19 information to the Commission, please turn on and  
20 speak into the microphone at the table ahead of us,  
21 first stating your name and home address. When you  
22 are finished speaking, please turn off your  
23 microphone so that your microphone is no longer  
24 picking up sound or background noise.

25           At this time, we will consider any

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1 preliminary matters. Mr. Bastida?

2 MR. BASTIDA: Madam Chairman, the staff  
3 has no preliminary matters. Oh, excuse me, yes, the  
4 Applicant has complied with the posting requirements  
5 in accordance to the regulations. Thank you.

6 CHAIRPERSON MITTEN: Thank you. Any  
7 other preliminary matters? All right. Would  
8 everyone who plans on testifying this evening, rise  
9 now to take the oath?

10 (The witnesses were sworn.)

11 CHAIRPERSON MITTEN: Ms. Giordano,  
12 whenever you're ready.

13 MS. GIORDANO: Good evening, Madam  
14 Chair, members of the Commission. For the record,  
15 my name is Cynthia Giordano with Arnold & Porter Law  
16 Firm.

17 I have distributed to the Commission  
18 members an outline of our presentation with all the  
19 witness' names and most of the written testimony, as  
20 well as a copy of the PowerPoint presentation.

21 We think that this presentation is going  
22 to take about 45 minutes. Is that about right?

23 COMMISSIONER PARSONS: That's fine.

24 MS. GIORDANO: Okay.

25 CHAIRPERSON MITTEN: Give them 45

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1       instead of 40. I mean, it's just whatever you need  
2       within reasonable limits.

3                   MS. GIORDANO: Okay. We're going to  
4       summarize and we have a number of witnesses that are  
5       here that are just available for question and  
6       answer. To make the presentation a little bit  
7       shorter, rather than going through and introducing  
8       everybody right now, we'll just go through the  
9       presentation and introduce as the witnesses provide  
10      their testimony.

11                   We are in a Second-Stage PUD hearing and  
12      we appreciate the Commission's patience. We know  
13      that this hearing's been postponed a number of times  
14      and there have been a number of changes that have  
15      had to be made to the plans primarily driven HUD  
16      requirements and marketing considerations. So we've  
17      had to make some changes and the consultants have  
18      worked very hard to get them done in a timely  
19      fashion. But we fell a little short of our hearing  
20      date a couple of times. So we appreciate your  
21      patience on that.

22                   Our first witness is with the D.C.  
23      Housing Authority, Kerry Smyser, and she's just  
24      going to provide an overview of the goals and  
25      objectives of the development and touch on some of

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1 the critical timetable issues facing this project.

2 MS. SMYSER: My name is Kerry Smyser.  
3 I'm the project manager for the Capital Gateway HOPE  
4 VI project with D.C. Housing Authority.

5 Good evening, Chairperson Mitten and  
6 respective Zoning Commissioners. I thank you for  
7 the opportunity to briefly provide you information  
8 regarding the goals and milestones of the Capital  
9 Gateway HOPE VI project.

10 I request you keep in mind during my  
11 testimony and the testimony to follow there are  
12 federal funds involved in this project and we must  
13 satisfy the goals philosophy prescribed by the U.S.  
14 Department of Housing and Urban Development's HOPE  
15 VI Program.

16 In May 2000, the Housing Authority and  
17 its development partners A&R/THC submitted a HOPE VI  
18 application for the East Capitol dwellings and  
19 Capitol View Plazas 1 and 2. In July 2000, it was  
20 awarded \$30 million.

21 The concept was to demolish 1,107 public  
22 housing units and provide 555 new residential units.  
23 Since that time due to financial and site  
24 challenges, the development team and the Housing  
25 Authority looked at the overall project and how best

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1 to development a neighborhood were not just former  
2 residents of East Capitol who want to return, but a  
3 place where residents living in neighboring counties  
4 and states will want to live. You will hear and see  
5 how the concept plan has evolved into a potential  
6 best practices model for redevelopment projects  
7 nationwide. Some of the challenges with  
8 redeveloping this site have been funding, topography  
9 of the site, providing off-street parking for each  
10 single-family dwelling and possible environmental  
11 issues.

12 Capitol View Plaza 2 is an FHA  
13 foreclosed building with which DCHA is in  
14 negotiations to acquire. In 2001, FHA informed DCHA  
15 the up front grant in the amount of \$12 million  
16 could only be used to replace housing within the  
17 footprint of that building instead of the entire 50  
18 acres, as once proposed. This caused a gap in  
19 financing for the entire site. Not only does it  
20 cause a financial gap. It also causes an issue with  
21 our proposed schedule to HUD. If DCHA and FHA  
22 cannot resolve this or do not close the deal in a  
23 timely manner then the project's schedule may extend  
24 past the HOPE VI completion date of June 2007.

25 The 50 acres has varying degrees of

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1 grade with some very drastic drop offs and steep  
2 inclines. The site will need a great deal of  
3 preparation in order to build on a level and stable  
4 ground.

5 Another challenge with the development  
6 team will testify to is providing off-street parking  
7 to each single-family residence. The steep grades  
8 provided some challenges to the architects and  
9 engineers, however, the thought and ingenuity to  
10 accomplish this convenience for the future homeowner  
11 is commendable.

12 Another challenge is the possible  
13 environmental issues which may arise as demolition  
14 continues and excavation begins. Underground  
15 storage tanks not marked on current site plans have  
16 been found since construction of the senior  
17 building. There is considerable asbestos and other  
18 hazardous materials in the building scheduled for  
19 demolition which must be removed and abated prior to  
20 the buildings being knocked down. Additional  
21 environmental remediation can severely affect the  
22 demolition and construction schedules which we  
23 cannot afford.

24 Challenges with HOPE VI developments are  
25 par for the course because the development is mixed-

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1 finance with funding being provided by the Federal  
2 Government, District of Columbia Government and  
3 private investors. The Housing Authority and its  
4 development partners must cross ever "T" and dot  
5 every "I" in order to secure the financing being in  
6 construction and ultimately providing affordable  
7 housing for former residents of East Capitol  
8 dwellings and other dwellings and other residents of  
9 the District of Columbia. It also leaves a portion  
10 of the control in the hands of many different  
11 entities.

12 As I mentioned in my earlier testimony,  
13 HUD has provided \$30.8 million and is holding this  
14 project, as well as many others in the nation,  
15 accountable. Effective February 3rd, 2004, HUD  
16 began enforcing a policy which states that HOPE VI  
17 projects which do not meet their quarterly deadlines  
18 and goals will be closely monitored for 30 days by  
19 HUD and must meet the goal within the 90-day period.  
20 If the activity is not met, then it could  
21 financially impact the project.

22 DCHA is working closely with HUD to  
23 ensure we meet the quarterly deadlines and goals for  
24 this project. Therefore, it is imperative Capital  
25 Gateway move forward in a timely and efficient

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1 manner. All activities, including zoning, securing  
2 the financing, providing services to former  
3 residents, demolition, construction, occupancy and  
4 close-out of the grant are scheduled. HUD has the  
5 project schedule and is holding us to each projected  
6 date. Once again, I appreciate the opportunity to  
7 come before you and request your approval of this  
8 Stage-Two PUD for Capital Gateway.

9 CHAIRPERSON MITTEN: Thank you.

10 MS. GIORDANO: Our next witness is  
11 Cheryl Hamilton with A&R Development.

12 MS. HAMILTON: Good evening, Madam  
13 Chairman and members of the Zoning Commission. I am  
14 Cheryl Hamilton. I'm the vice president with A&R  
15 Development and we are development partners with the  
16 Henson Development Company, as well as the Housing  
17 Authority in this Capital Gateway project.

18 As Kerry has told you, we have been hard  
19 at work over the last year since we found out about  
20 the funding gap that faced this project. But we  
21 looked at it, you know, sometimes there's a silver  
22 lining in the cloud and I think this is the case  
23 here as well because although initially it was a  
24 major challenge and obstacle to overcome, we have  
25 taken the time to kind of rethink the project and

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1 look at it a little differently. And whereas we had  
2 kind of overlooked major assets in the community and  
3 were probably targeting to and creating a different  
4 community, with the time that we had to go back and  
5 rethink this project, we think it is a much better  
6 project in the long term and in the short term.

7 Kerry has explained to you the financing  
8 gap that was caused with the FHA and up front grant,  
9 so I won't go into that. But I'll talk to you about  
10 some of the other changes that we made.

11 Initially, with our HOPE VI application  
12 we looked at 555 units and now the project is 763  
13 units. One of the major things that we did is we  
14 retained these towers that are located here adjacent  
15 to the Capitol Heights Metro station, the blue line,  
16 and what that allowed us to do is to put density in  
17 an appropriate place next to the Metro center and  
18 also by keeping this tower we were able to get a lot  
19 more funding into the project from FHA than if we  
20 would have demolished and built the four-story  
21 multi-family apartment building that you saw  
22 earlier. But in the final analysis, we feel that it  
23 is a better project and it's a more appropriate use  
24 next to the Metro station.

25 By doing this, one of the things that

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1 happened in that we lost five units, town house  
2 units that were located there because now the  
3 building sits where those units were going to be.  
4 So some of those town houses were redistributed  
5 throughout the site. However, the total number of  
6 town houses did go down slightly.

7 We have done in-depth project and  
8 financing discussions. We've had them with everyone  
9 involved, including the Deputy Mayor's Office for  
10 Economic Development, the Board of Commissioners for  
11 the Housing Authority, FHA And Fannie Mae and all  
12 the changes that we are submitting to you tonight  
13 have been accepted and have been well received by  
14 everyone involved.

15 While we had some extra time, we also  
16 took a look at the floor plans in the house and we  
17 approved them. We tweaked them and made them more  
18 marketable, we think, based on what the market and  
19 sales team is telling us. We also made sure that we  
20 had at least one off-street parking space for each  
21 house, which we felt was important because this is  
22 an emerging neighborhood and we are trying to  
23 attract people from all over the city and all over  
24 the metropolitan area here and people are very  
25 concerned about their cars, their automobiles. So

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1 we felt that having an off-street parking space was  
2 critical in attracting that buyer to this area.

3 Not unexpected, but we had lots of civil  
4 engineering issues with this development. The site  
5 has a lot of steep hills and we had to work within  
6 the confines, so we, you know, worked to make sure  
7 that we could retain the streets and the trees and  
8 not adversely impact the grades and we tried to,  
9 where we could. In some situations we were creating  
10 areas that had retaining walls around the buildings.  
11 And so, to the extent that we could eliminate those  
12 by moving the houses and doing a little grading, we  
13 did that. And that was very time consuming as well.

14 We have been doing some exhaustive  
15 financial modeling. In fact, we have a draw  
16 schedule that is wider and longer than this table  
17 because we have so many different components. But  
18 to summarize the components that are in this PUD  
19 request tonight, we have the home ownership  
20 component which totals about \$36 million. Twenty-  
21 six of that will come from a construction loan and  
22 ultimately sales proceeds. The city and the Housing  
23 Authority has about \$5 million and we also have  
24 equity, a mezzanine loan, that we'll be getting from  
25 Fannie Mae for about \$5 million.

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1                   With home ownership market, we are  
2 targeting several different income groups. We have  
3 30 units which will be set aside for people who will  
4 use Housing Choice Voucher, which is the old Section  
5 8, which will help to get some of the former  
6 residents to be able to return and we think that's  
7 important and key to this HOPE VI project. Twenty-  
8 six of the units will be sold to people who have  
9 incomes ranging between 46 and 60 percent of the AMI  
10 and then 70 units will be targeted at groups from 61  
11 to 80 percent and the balance or 14 units will be  
12 targeted to people over 80 percent. In other words,  
13 they can make any income.

14                   The financing for the rental component  
15 and the rental and the home ownership is mixed  
16 nicely together. You cannot distinguish from the  
17 outside which is a rental unit or which is a home  
18 ownership unit except for the small apartment units  
19 which are the grandhomes that sit here. We are  
20 financing that component, which is about \$24  
21 million, with mostly HOPE VI. We have about \$15  
22 million of HOPE VI in that component and a tax  
23 credit equity of about 4.7 and city and Housing  
24 Authority funds of about 4.1. All of these are tax  
25 credit units, so they will serve families with

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1 incomes at 60 percent or below.

2 Out of the 86 rental units, 61 of them  
3 will be what we call ACC units, which are public  
4 housing units, which we will receive subsidy from  
5 the Housing Authority to operate them and then 25  
6 will be market rate units just regular tax credit  
7 units, which will have rents that serve families at  
8 60 percent or below.

9 The community building, the other  
10 component that you are looking at tonight that sits  
11 right here on East Capitol street will be financed  
12 with all HOPE VI funds there. And we are happy to  
13 inform you that the senior building that you  
14 approved last year is under construction now and is  
15 scheduled to be completed in December.

16 We need to get the residential housing  
17 going now. We are looking forward to doing a  
18 finance closing for both the home ownership and the  
19 rental in June of this year and we need to keep the  
20 project on schedule, as Kerry talked about, because  
21 we do not want to be penalized \$1,000 a day by HUD  
22 if we miss our deadlines. And we really appreciate  
23 and thank you for your continued patience. As  
24 Cynthia said earlier, we had to postpone several  
25 times. We are now ready to go forward and we are

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1 hopeful that you will find the project ready enough  
2 that you will be able to render a bench decision of  
3 approval this evening. Thank you.

4 CHAIRPERSON MITTEN: Thank you, Ms.  
5 Hamilton.

6 MS. GIORDANO: The last witness on our  
7 development panel is Dana Henson from the Henson  
8 Group.

9 MS. HENSON: Good evening, ladies and  
10 gentlemen. I'd like to thank you for the  
11 opportunity to present to you this evening. My name  
12 is Dana Henson. I'm the vice president of the  
13 Henson Development Company. My primary focus for  
14 the East Capitol project is LSDBE and Section 3  
15 programs.

16 My duties include being a consultant and  
17 advisor to the East Capitol View CDC in creating  
18 programs to ensure maximum opportunities for  
19 residents in LSDBE businesses to participate in the  
20 redevelopment process. A&R and THC have exceeded  
21 LSDBE requirements in every project we have  
22 undertaken. As minority-owned concerns, A&R and  
23 THC's philosophy is bolster LSDBE businesses by  
24 bringing them as key players in its projects  
25 wherever possible. Doing what it takes to include

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1 LSDBE firms and hiring local residents for its  
2 projects, especially newcomers, has been both  
3 A&R/THC's responsibility and pleasure.

4 A&R/THC and the A&R/THC team value the  
5 powerful message that the presence of minority  
6 business people sends to public hearing residents,  
7 particularly young people, the message that  
8 minorities can and do play a vital financially  
9 rewarding role in their city's economy. For  
10 example, A&R and its co-developers had a 52 percent  
11 MBE participation rate for Wheeler Creek, well  
12 exceeding the 35 percent requirements. THC has also  
13 had enormous success with Section 3 and MWBE  
14 participation with 45 percent participation of MWBEs  
15 for the Columbus Center in downtown Baltimore in  
16 1991 when MWBE participation and hiring was still a  
17 new concept for many.

18 Additionally, while the Commissioner of  
19 housing of Baltimore City, Dan Henson, the principal  
20 of THC, set new trends of hiring Section 3 residents  
21 designing and implementing cutting edge programs  
22 along with awarding NWBEs record number of  
23 contracts, more than at any other time in the city's  
24 history. For every quarter while Dan Henson was at  
25 the Baltimore City Housing Authority, he awarded 50

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1 percent or more of the dollar amount of prime  
2 contracts to MBEs.

3 Harkins Builders, the general contractor  
4 for East Capitol, has won a combined five awards  
5 from HUD and the Maryland Minority Contractors for  
6 its accomplishments in hiring minority and women-  
7 owned businesses. They have a track record of  
8 proactively responding to Section 3 requirements in  
9 their construction projects. To ensure  
10 opportunities for local residents, Harkins has  
11 created a program that requires major subcontracting  
12 trades to create new employment positions for  
13 Section 3 residents. Harkins has had success with  
14 MWBE participation with Heritage Crossing, another  
15 HOPE VI projects in Baltimore, Maryland. For site  
16 work, 43.61 percent. For sale and rental, 43.22  
17 percent. At Wheeler Creek, where Harkins was also  
18 the general contractor, their daycare center, they  
19 have participation of 55.9 percent, 31.3 percent for  
20 their elderly building and for the Willow Creek  
21 housing, 56.8 percent.

22 We intend to achieve the highest  
23 possible percentages of LSDBE participation at all  
24 levels of this project and in all phases. With over  
25 50 percent LSDBE participation at the start, our

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1 team roster demonstrates A&R/THC's up front  
2 commitment to bringing local small disadvantaged  
3 business enterprises at the earliest stage of this  
4 revitalization. The developer, A&R Development  
5 Corporation, 100 percent MBE, the developer, the  
6 Henson Development Company, 100 percent MBE, our  
7 general contractor, joint venture Partner, Duricon  
8 Contracting, 100 percent MBE, property management  
9 A&R Management, 100 percent MBE, our architects,  
10 Sorg & Associates, 100 percent WBE and MBE and  
11 architect Bryant, Bryant & William, 100 percent MBE.

12 We're uniquely qualified to achieve  
13 superior levels of minority and women participation  
14 because of our composition and ability to draw upon  
15 the reserve of talent we have employed over decades  
16 of development in Baltimore and D.C. We held two  
17 vendor fairs prior to bidding the first phase of  
18 demolition and we will hold additional vendor fairs  
19 in the months to come. During the first phase of  
20 demolition, all but one of the contracts awarded  
21 were awarded to LSDBE firms including subcontract  
22 awarded to C&F Construction and Diversified  
23 Environmental. In demolition phase I, we yielded  
24 over 86 percent participation of LSDBE and over 79  
25 percent participation in phase II of demolition.

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1 Over 38 percent of contracts awarded for the senior  
2 housing component have been awarded to LSDBE firms.  
3 If all of the MWBE firms were included in our  
4 numbers, over 45 percent of the contracts have been  
5 awarded to MWBEs in the senior housing component.

6 We have negotiated and executed an MOU  
7 with the Office of Local Business Development.  
8 There's a copy attached in your package. We have  
9 been working closely with them including providing  
10 sets of plans at their offices and utilizing their  
11 mailing list. Throughout the planning, construction  
12 and operation phases of East Capitol Dwellings  
13 Revitalization, we will continue to recruit local  
14 residents and LSDBEs to participate, including new  
15 resident-owned enterprises created through the HOPE  
16 VI process. These proposed businesses include a  
17 real estate business, a health care management  
18 business, which we will hire to provide services in  
19 the new senior building, and employment services.  
20 With our first source for hiring residents which  
21 you'll see in the first source agreement that we've  
22 actually contracted and negotiated a special  
23 agreement with them.

24 An example of our additional success is  
25 Baltimore's Pleasant View Gardens HOPE VI that

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1 demonstrates our approach to success. A&R as  
2 developer and Dan Henson principal of THC as housing  
3 commissioner succeeded with minority firms  
4 accounting for more than 50 percent of the total  
5 project cost. In addition, A&R and Harkins provided  
6 working capital and assisted in establishing five  
7 new MBE Section 3 businesses including a security  
8 company, courier service, janitorial company, an  
9 employment services and a construction food service.

10 Continuing with this success, A&R/THC,  
11 LLC has committed a minimum of 50 Section 3 job  
12 opportunities during the revitalization project.  
13 During the first phase of demolition, four residents  
14 were hired. During the construction of the senior  
15 housing, a minimum of eight residents will be hired,  
16 two residents -- actually let me scrap that because  
17 we hired an additional two residents. So we have  
18 four residents, one is actually a female working on  
19 the site right now on the senior project, that have  
20 already been hired and an additional six be hired as  
21 the senior housing constructions moves forward.

22 We have negotiated and executed an  
23 unprecedented first source agreement, there's a copy  
24 attached in your packet with DOES, and A&R/THC, LLC  
25 will use the East Capitol View Community Development

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1 Temporary Employment Agency as its first source for  
2 recruitment and referral in placement of new hires  
3 or employees for the new jobs created by this  
4 project. In the event that the East Capitol View  
5 CDC Temporary Employment Agency cannot refer the  
6 qualified personnel requested in a 48-hour period,  
7 then the employer will immediately contact DOES for  
8 recruitment, referral and placement of new hires.  
9 This provides increased economic development  
10 opportunities for the East Capitol View CDC and also  
11 provides the greatest employment opportunity for the  
12 East Capitol residents participating in the  
13 Community Support of Services Program.

14 Future planned activities include  
15 coordinating in cooperation with the East Capitol  
16 View CDC, job employment fairs, working with the  
17 East Capitol View CDC to get referrals for  
18 construction employment and apprenticeship  
19 opportunities, working with the National Association  
20 of Minority Contractors to gain access to their  
21 database and contractors, working with the  
22 Washington Metropolitan Minority Contractors  
23 Association to gain their database of contractors  
24 and to have them participate in the vendor fairs,  
25 utilizing the listing from the city to make sure

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1 that we have access to the largest pool of LSDBEs.  
2 We'll continue to work closely with the Deputy  
3 Mayor's Office for Planning and Economic Development  
4 and the Office of Local Business Development to  
5 coordinate vendor fairs, working with the Deputy  
6 Mayor's Office for Planning and Economic Development  
7 and the Office of Local Business Development to  
8 create an affirmative action advisory committee to  
9 ensure that all organizations are working together  
10 to make reporting processes more simplified for sub-  
11 contractors.

12 Again, thank you for the opportunity to  
13 present to you this evening.

14 CHAIRPERSON MITTEN: Thank you, Ms.  
15 Henson.

16 MS. GIORDANO: That concludes the  
17 development panel portion. If you have questions  
18 before they go back and sit down, we can do that or  
19 we can just go ahead with the project presentation.

20 CHAIRPERSON MITTEN: Why don't we just  
21 keep rolling?

22 MS. GIORDANO: Okay.

23 CHAIRPERSON MITTEN: Thank you.

24 MS. GIORDANO: The presentation of the  
25 project plans will begin with the Grimm & Parker

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1 Architect Firm and Mel Thompson will be providing  
2 the testimony for Grimm & Parker.

3 MR. THOMPSON: Good evening, Madam Chair  
4 and Council. My name is Mel Thompson with Grimm &  
5 Parker Architects. We design senior communities and  
6 town house developments and community developments  
7 throughout the metropolitan area. It is my pleasure  
8 to walk you through the Capital Gateway Estates  
9 Community. I'm going to show you the product.

10 As was state earlier, the senior  
11 building has already been approved and under  
12 construction as we speak. A shopping center is  
13 proposed to go on this site of East Capitol and the  
14 high rise apartment project that goes on the south  
15 side of East Capitol are items that will come before  
16 you at another time.

17 At this time, we're going to walk  
18 through the building types that we developed for the  
19 Capital Gateway Estates community itself. These are  
20 the zoning issues that we have in your package. I  
21 won't go through all of them, but they're guidelines  
22 and criteria that were given for the project.

23 In the project we have four building  
24 types. One is the town house group. The town house  
25 cluster consists of three to five clusters of town

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1 houses, both two and three-stories tall. We have a  
2 variety of brick and siding combinations, a variety  
3 of porches and frontage areas. The units, some have  
4 front and rear load garages also along with the  
5 parking pads. As you come into the units, you have  
6 living and dining room spaces in combination, living  
7 room and combination family room and dining room  
8 areas and three bedroom groupings with a master  
9 suite on the upper floors.

10 Next, we will go through the duplex  
11 projects, which are paired buildings to give a  
12 larger scale and variety to the town house community  
13 and feel. These have front and rear load garages.  
14 Some elevations are fully brick, some are partially  
15 brick, some are all siding to get that variety and  
16 mix of style of home in the community. You have  
17 front and rear load garages again. You'll come into  
18 your unit from the porch and have a laundry area,  
19 then go up to your unit to the dining room/kitchen  
20 area and then to the living space. And then you go  
21 up to either a three-bedroom second floor or a two-  
22 bedroom master suite second floor.

23 The third component we're going to talk  
24 about today is the single-family component. And the  
25 single-family component consists of brick and siding

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1 combinations elevations with porches on them. The  
2 single-family product has a complete basement in it  
3 with laundry area. The first floor has a formal  
4 dining room, kitchen and breakfast area, garage  
5 either front load or rear load and a large extensive  
6 living room. The upper level is three bedrooms, two  
7 family bedrooms and a large master suite.

8 The last and final product is the  
9 grandhome, which we're calling the grandhome. It is  
10 actually a pod of four flats. The design elements  
11 that we produced were to have this feel like a  
12 single-family home in a grandhome to fit in the  
13 community with the other products.

14 The first floor units, you enter on the  
15 side of the units with your own private entrances  
16 and porches and you have living and dining room  
17 areas that open up onto kitchens, large walk-in  
18 closets and bathrooms and three-bedroom or two-  
19 bedroom units, depending on the model. On the upper  
20 floor, you have a one-bedroom flat where you would  
21 come into your own entrance, go up the stairs and  
22 then on each side there is a one-bedroom flat.

23 The next item to discuss this evening is  
24 the community center and Charles Bryant of Bryant &  
25 Bryant will discuss that.

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1 MR. BRYANT: Good evening, Madam  
2 Chairman and members of the Board. My name is  
3 Charles Bryant. I live at 4350 Argyle Terrace, N.W.  
4 in the City. I will discuss the community building.

5 The community building is located at the  
6 west end of the development site and is the first  
7 element that you approach as you come onto the site.  
8 This is the location and footprint of the community  
9 building. It consists of a daycare activity on this  
10 side and the floor plan for the building reflects  
11 here the east end of the building is dedicated for a  
12 daycare activity and the west end of the building  
13 for a more general kind of use activity, including  
14 an assembly area. The central entry is accessible  
15 from both the north side of the building and from  
16 the south side of the building.

17 An issue that we were reminded of as we  
18 approached this building was that it is the first  
19 element that you see as you approach the site headed  
20 towards the east on East Capitol street and as such,  
21 it was suggested that this facility might have some  
22 modest element of visual force. We attempted to do  
23 that by generating on the edge of the building at  
24 the corner of the site this element which has some  
25 profile and the building in general has three

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1 hexagonal units that are a strong part of the  
2 general architecture that it represents.

3 The materials that we propose are betco  
4 block, which reads froth as a stacked joint  
5 architectural element and which can be selected in  
6 color tones that will be compatible with the  
7 residential units on the site.

8 This is the corner of East Capitol goes  
9 in this direction and 56th Street here at the corner  
10 of the site. It's a busy intersection because  
11 across the street to the north there is a school and  
12 also across the street this way to the west is a  
13 school. So as you approach the development, there  
14 is a relatively high pedestrian activity going on in  
15 the intersection.

16 This is the north elevation. We see the  
17 elevation that faces East Capitol Street. East  
18 Capitol Street is rising from the west to the east  
19 along that façade and the central entry point here  
20 is below the hexagonal unit. These units were  
21 carried through and because of the height of the  
22 street, they are roof elements that you see if  
23 you're headed west along East Capitol Street.

24 This is the west elevation looking  
25 towards the east and you see the element that, as I

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1 indicated generates some architectural interest.  
2 This is the gateway to this development. I think  
3 that's essentially my comment. If there are  
4 questions?

5 CHAIRPERSON MITTEN: We'll hold our  
6 questions until the end. Thank you.

7 MS. GIORDANO: Okay. We'll wrap it up  
8 with the landscape architect for the project, Lee  
9 Edgecombe.

10 MR. EDGECOMBE: Good evening, Madam  
11 Chairman and members of the Board. My name is Lee  
12 Edgecombe and I have been the landscape architect  
13 for the project since its inception.

14 I wanted to go over a couple of things,  
15 recapitulate on the purpose, role and responsibility  
16 of the landscape architect of record, take you  
17 through some of the residential areas with respect  
18 to the prototypical landscape plans, look at the  
19 community center, briefly share some ideas with  
20 respect to the tot lots, discuss the public  
21 streetscape, which is very important as it pertains  
22 to urban forestry, take a look at some of the common  
23 site elements throughout the project, as well as  
24 just give you a summary of the landscape elements as  
25 a matter of record.

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1                   Initially, we were responsible for  
2                   conducting an inventory and assessment of  
3                   landscaping throughout the entire site, which  
4                   involved identifying the trees as they exist, their  
5                   caliper as well as their heights and species, and  
6                   draw an evaluation based on the layout of the plan,  
7                   the proposed plan, and its relationships to the  
8                   existing trees. So we had to make a determination  
9                   with respect to balancing whether or not we can  
10                  preserve or would have to replace a number of these  
11                  trees and a good number had to be replaced for one  
12                  of several reasons.

13                  First and foremost is that the  
14                  realignment of the right of ways will take those  
15                  trees right out of their current tree boxes, number  
16                  one. Number two, the regrading of the site would  
17                  call for the undermining of a lot of the champion  
18                  trees and their root systems. So there's just no  
19                  way that it would be possible to transplant these  
20                  trees. So that's one of the reasons why we have the  
21                  new landscape plan as you would see in your packets.

22                  We're providing project-wide landscape  
23                  design standardization and performance controls for  
24                  the entire area, which addresses durability of  
25                  materials, the maintenance of materials, security,

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1 site security and safety, as well as establishing  
2 the objective to foster a sense of visual unity  
3 through the landscape elements that we propose so  
4 that the development is perceived as a planned unit  
5 community. We do provide the horticultural  
6 consulting for the site which includes plant  
7 selection criteria looking at some of the specific  
8 cultivars for purposes of enhanced disease and pest  
9 resistance and specifying appropriate growth habits  
10 and nutritional needs for these plants. Now there  
11 are other things that come along with that that  
12 pertain to the type of soil that we need for  
13 appropriate plant growth, as well as the appropriate  
14 orientation of specific cultivars of plants being on  
15 the north side, on the west side or south side of  
16 the building. And then finally to work in unison  
17 with the project architects to compliment the  
18 architectural plans overall.

19 What you see here is actually a simple  
20 prototype for the town houses. While the width of  
21 the properties allow for spacious interiors, it  
22 gives us a certain limit of about 22 feet that we  
23 have to work within for our landscaping, but it also  
24 provides an opportunity for us to use small trees  
25 and tall shrubs within this site. Now mind you,

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1 many of the properties actually parallel public  
2 streets, so what we have first and foremost in  
3 establishing the standard are shade trees that go  
4 along the public right of way in a particular rhythm  
5 to provide adequate shade throughout the site. But  
6 it provides us with opportunities to plant under-  
7 story trees and small trees for the town houses that  
8 can grow anywhere between eight to 10 feet, as well  
9 as appropriate foundation shrubs and ground cover.  
10 Ground cover is going to be important to a certain  
11 extent, especially in the areas where we're going to  
12 have small spaces or narrow spaces where grass is  
13 just not going to survive the compaction usually  
14 when you have a lot of kids or people walking across  
15 those narrow areas.

16           The duplexes offer us a little more  
17 latitude with respect to having side yards so we can  
18 consider the use and recommendation of some larger  
19 trees. For example, trees that can grow anywhere  
20 between 10 to about 12 feet in height. Again,  
21 they're under-story trees, but we can provide trees  
22 with seasonal variety, trees such as the weeping  
23 cherries or even disease-resistant cultivars.  
24 Dogwoods are what we're considering. Azaleas,  
25 hydrangeas, different types of flowering shrubs also

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1 would be one of the characteristics of the duplex  
2 sites.

3           The single family is actually going to  
4 give us probably the greatest of opportunities for  
5 plant material varieties and we would have a  
6 combination of foundation plants going along the  
7 front of the building themselves, an opportunity for  
8 an ornamental tree that can grow up as high as 18  
9 feet now since we do have a fair amount of space  
10 within these single-family lots, but we can also  
11 plan another one to flank that so that, you know, we  
12 can add several plants to this site and provide an  
13 opportunity for a larger shade tree potentially  
14 towards the rear of the site itself. So these are  
15 some of the opportunities that we actually have for  
16 landscape prototypes.

17           The community center with respect to  
18 landscaping is going to follow pretty much the same  
19 as the residential because of the hardiness of those  
20 plant materials. But we wanted to talk a little bit  
21 about the functional aspect of the landscaping  
22 around the community center. This is East Capitol  
23 Street here. We have a driveway that's going to be  
24 used primarily for drop offs, pick ups and so on and  
25 the consideration for an adequate visual screen

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1 using arborvitaes or euonymus some type of shrub  
2 that would allow for that type of screening, but  
3 also continue to specify the ground covers,  
4 especially in areas adjacent to the parking lot or  
5 grass is just not going to stand up to constant foot  
6 traffic. The grass itself, essentially we are  
7 considering sod for most of the grass within the  
8 level surfaces, however, we'll have seeding in areas  
9 where we're going to have terrain anywhere up to 15  
10 to 20 percent.

11 In terms of hardscapes as it pertains to  
12 the community center, we're looking at some  
13 innovative ways and some interesting ways to adorn  
14 the plain itself with plazas and utilizing stamped  
15 concrete, colored concrete and complimented with  
16 litter receptacles and benches and lighting that  
17 would work very well with that. Spotlighting is  
18 very important we feel in terms of silhouetting and  
19 accentuating some of the architectural features of  
20 the community center and illuminated bollards which  
21 would be critical in terms of providing lighting to  
22 the entrances.

23 We have been looking at the tot lots.  
24 We have a small play area within the community  
25 center that is actually screened in or walled in,

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1 but also we have an opportunity for a tot lot along  
2 57th Street that can be a combined sort of tot lot  
3 and community park-like setting. And if you were to  
4 take a look at some of the examples, this right  
5 here, we would surround the tot lot with perimeter  
6 landscaping, as well as tubular steel fencing for  
7 security purposes. Also utilization of wood benches  
8 for sitting or for seating within the area and just  
9 really looking at the type of equipment that would  
10 be appropriate for a tot lot, durable low-end  
11 maintenance as well as having some type of a  
12 sculptural visual, you know, image from the street.

13 This is really where we get into the  
14 nuts and bolts of our urban forestry standards, the  
15 public streetscape standards, where we're going to  
16 have newly introduced species, but they have to be  
17 approved by the D.C. Urban Forestry Administration.  
18 So even though we do have some various species that  
19 exist right now, whatever we introduce will  
20 definitely have to go through Urban Forestry.

21 For example, the shade trees will have  
22 to be planted between 35 to 45 feet apart where no  
23 overhead wire exists. Where it does exist, we'll be  
24 planting ornamental trees that would be lower in  
25 their growth habits at about 25 feet apart with a

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1 height limitation of 18 feet. And then we'll have  
2 some adequate distances from the driveways, the  
3 intersections, the fire hydrants, the street lights  
4 and signs. And that's really our formula for the  
5 most part in terms of determining the number of  
6 trees on site. This is an example of some of the  
7 site plan elements.

8 Now, the retaining walls have been  
9 reduced considerably, but as an example, we have a  
10 few isolated situations where we'll be providing  
11 retaining walls in between like the town house  
12 units, grade changes. Wood fencing would be behind  
13 the town houses as a separation. Site lighting  
14 standards, the steel ribbon benches would have  
15 commercial value as well as durability and brick  
16 paving in limited areas for accenting purposes.

17 In summary, with respect to the plan  
18 elements, we will be providing shade trees,  
19 ornamental trees, specimen trees, large shrubs,  
20 foundation shrubs, perennials, ground covers and  
21 turf grass. And for construction elements, a  
22 limited number of retaining walls, fencing and  
23 gates, bollards and lighting, paving materials,  
24 slopes and berms, stairs and ramps, site furnishing  
25 and special equipment such as the playground equipment.

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1 MS. GIORDANO: Thank you. Just one last  
2 point I wanted to make. There has been one change  
3 on the site plan that I'd like to ask our civil  
4 engineer to just review with you briefly and I'm  
5 going to hand the new plans to you. Kevin  
6 Caillouet.

7 MR. CAILLOUET: Good evening, Madam  
8 Chair, Board members. My name, for the record, is  
9 Kevin Caillouet. I'm the site civil engineer  
10 employed by Ben Dyer Associates.

11 MS. GIORDANO: I'm sorry. Clarify.  
12 This is a change in the site plan since this plan  
13 that we submitted to you last.

14 MR. CAILLOUET: There has been a minor  
15 adjustment of units along 58th Street, S.E., as well  
16 as 57th Place, S.E. The adjustment was we moved  
17 some of these units back five feet to provide better  
18 access from the parking pads into the units. It's  
19 hard to see here, but on the duplexes especially the  
20 entrance doors were adjacent to each other on the  
21 adjoining walls. The parking pads would be directly  
22 in front of the doors, but we originally were  
23 providing walkways that would be perpendicular to  
24 the driveway and then entering onto the porch at the  
25 far end of the porch from the door. We moved the

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1 units back five feet so that we could provide access  
2 directly from the back of the parking pad directly  
3 into the front door, which required a couple steps  
4 and that required moving the units back five feet  
5 from the street. And they were these units here and  
6 then these units up to the single-family dwellings,  
7 but the single-family dwellings were not affected.

8 MS. GIORDANO: That concludes our  
9 presentation.

10 CHAIRPERSON MITTEN: Thank you. Can I  
11 just pick up where you just left off, which is what  
12 does that do? You know, it's pretty steep behind  
13 those -- at least along the up and down --

14 MR. CAILLOUET: Right here?

15 CHAIRPERSON MITTEN: Yes.

16 MR. CAILLOUET: These units, very little  
17 impact, because they have such deep backyards.

18 CHAIRPERSON MITTEN: Right.

19 MR. CAILLOUET: We did lose essentially  
20 five feet of their backyard.

21 CHAIRPERSON MITTEN: So in terms of  
22 their backyard though then, it starts to be very  
23 steep very quickly, does it not?

24 MR. CAILLOUET: I think we've provided  
25 at least eight feet of relatively flat area and

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1 before we were trying to get 12 to 15.

2 CHAIRPERSON MITTEN: Okay.

3 MR. CAILLOUET: So we've cut into that a  
4 little bit, yes.

5 CHAIRPERSON MITTEN: Okay. Questions  
6 for either Mr. Caillouet or anyone else?

7 COMMISSIONER PARSONS: I wanted to  
8 follow up where you just left off. The retaining  
9 wall then behind those town houses, which was on you  
10 -- I haven't looked at the ones you just handed  
11 in --

12 MR. CAILLOUET: It has not.

13 COMMISSIONER PARSONS: They were about  
14 four feet.

15 MR. CAILLOUET: Correct.

16 COMMISSIONER PARSONS: And those are  
17 timber as Mr. Edgcombe showed in his presentation?

18 MR. CAILLOUET: I don't think that's  
19 been specifically designed or determined, but yes  
20 they could be timber.

21 COMMISSIONER PARSONS: I mean, that's  
22 what he had suggested, I think.

23 MR. CAILLOUET: Right.

24 MR. EDGECOMBE: Yes, ground contact  
25 wood, so we would have that as one of our

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1 recommendations.

2 COMMISSIONER PARSONS: But even with  
3 this adjustment, it's still at four feet?

4 MR. CAILLOUET: Yes.

5 COMMISSIONER PARSONS: And you're able  
6 to get an eight-foot flat --

7 MR. CAILLOUET: Approximately, yes.

8 COMMISSIONER PARSONS: Okay. Thank you.

9 CHAIRPERSON MITTEN: Did you have other  
10 questions?

11 COMMISSIONER PARSONS: Oh, while I'm at  
12 it, Mr. Edgecombe, I congratulate on your plant  
13 palette.

14 MR. EDGECOMBE: Thank you.

15 COMMISSIONER PARSONS: It's a wide  
16 variety of plant material here. It's going to  
17 really enrich this place. I hope they can afford  
18 it. I shouldn't say that because now they'll think,  
19 "Wait a minute. What's wrong here?"

20 I heard you to say that your plan is to  
21 sod this entire project.

22 MR. EDGECOMBE: Well, not the entire  
23 project, no.

24 COMMISSIONER PARSONS: Oh.

25 MR. EDGECOMBE: We have locations around

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1 the town houses and the duplexes, but we have a fair  
2 amount of seeding as well.

3 COMMISSIONER PARSONS: So the common  
4 areas and so forth?

5 MR. EDGECOMBE: Exactly. Exactly.

6 COMMISSIONER PARSONS: All right. I  
7 thought I misunderstood you.

8 MR. EDGECOMBE: I'm sorry if I was going  
9 so fast.

10 COMMISSIONER PARSONS: That would blow  
11 your budget.

12 MR. EDGECOMBE: Oh, absolutely.

13 COMMISSIONER PARSONS: You wouldn't have  
14 any trees left.

15 MR. EDGECOMBE: Yes, I want to make sure  
16 we do have enough for our trees.

17 COMMISSIONER PARSONS: All right. Thank  
18 you. That's all I have.

19 COMMISSIONER HILDEBRAND: On the  
20 landscaping, one thing I wanted to comment on, I was  
21 particularly pleased to see that you selected not  
22 only a variety of color, but you've also taken care  
23 to select trees that have fragrance and perfume for  
24 the neighborhoods. I think that's a really  
25 significant quality to enhance the general feel of

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1 the neighborhood. So I think that's quite nice.

2 Can you give me an idea of the caliper  
3 of trees that you're thinking of for the site and is  
4 there a certain minimum standard you plan to hold  
5 for your specimen trees?

6 MR. EDGECOMBE: Well, there is. First  
7 we have to start -- you know, we're limited in a  
8 range between about two to two-and-a-half inches.  
9 Normally if we go under that, you're looking at  
10 whips that kids can pick up and, you know, and  
11 quickly destroy. If you go any higher than that,  
12 then the sustainability of the tree during the  
13 transplanting process is reduced. So we're limited  
14 to about two to two-and-a-half inches based on the  
15 Urban Forestry Administration standards. That's a  
16 pretty substantial tree though. Still that gives us  
17 -- we can -- two to two-and-a-half inches gives us  
18 about a 15-foot tree.

19 COMMISSIONER HILDEBRAND: Fifteen-foot  
20 tree?

21 MR. EDGECOMBE: Exactly.

22 COMMISSIONER HILDEBRAND: I know that if  
23 you are forced because of the changes that you're  
24 making to the topography and the grade to take out  
25 many of your older trees, even if you can bring in

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1 some larger caliper trees in the six to eight  
2 inches, in a few select spots it can go a long way  
3 to mitigate some of that loss.

4 MR. EDGECOMBE: Sure. It makes a lot of  
5 sense.

6 CHAIRPERSON MITTEN: I have a question  
7 about the site plan for the community center. I  
8 don't know who the best person -- I'll just ask the  
9 question and then you can decide who's the best  
10 person, perhaps Mr. Bryant.

11 Depending on what I look at, it appears  
12 that there may be -- well, there's a little driveway  
13 at the northeast corner of the community center site  
14 that would lead -- yes, right in there. And  
15 depending on which thing I look at, it appears that  
16 there might be an entrance to that driveway from  
17 East Capitol Street. Is there one?

18 MR. BRYANT: No, there is no entrance to  
19 it from East Capitol Street.

20 CHAIRPERSON MITTEN: Okay.

21 MR. BRYANT: The entrance is from 56th  
22 Street, I believe.

23 CHAIRPERSON MITTEN: Okay.

24 MR. BRYANT: Fifty-seventh Street.

25 CHAIRPERSON MITTEN: Is there a little

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1 bump out to the driveway that goes towards East  
2 Capitol Street?

3 MR. BRYANT: Yes, there is. That was  
4 provided for the purpose of allowing vehicles to  
5 turn around in the space and not have an awkward  
6 egressing circumstance as they come back into 57th  
7 Street.

8 CHAIRPERSON MITTEN: I see.

9 MR. BRYANT: So that a vehicle can come  
10 here and reverse to the dock and then go straight  
11 out.

12 CHAIRPERSON MITTEN: Okay. But there's  
13 not a dock per se. It's just a loading entrance?

14 MR. BRYANT: It's a loading entrance,  
15 yes.

16 CHAIRPERSON MITTEN: Okay. Anyone else  
17 have any other questions? Mr. Hood?

18 VICE-CHAIR HOOD: Yes, Madam Chair. I  
19 hate to spoil the love fest, but I would tell you  
20 that -- my comment actually stems from the first  
21 PUD, First-Stage PUD when I believe that this  
22 Commission found out about the acquisition of homes,  
23 private homes, I think Ms. Giordano knew I probably  
24 would mention this. But I will tell you this. My  
25 argument doesn't have as much force now that I see

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1 what's going on with the LSDBEs, the DOES. It kind  
2 of balanced out for me.

3 But I will ask how did the acquisition  
4 of homes go and where are with that?

5 MS. HAMILTON: Okay. We have acquired  
6 all but two properties and I believe one of the  
7 problematic properties that was talked about at the  
8 initial PUD was Mr. Roach's property and we have  
9 purchased his property and I believe he's closing  
10 next week on Monday, Friday, tomorrow, on his new  
11 location. He has received a nice relocation  
12 package. So I think that worked out very well.

13 The two properties that are in  
14 condemnation, one is owned by George Basilico and we  
15 put it in condemnation because he never responded to  
16 any communications from us and has not to date. The  
17 other property was owner by a Mr. Ballard or the  
18 Ballard family. The people who are living in the  
19 house do not own the property. It was owned by  
20 their mother who has passed. And so we actually  
21 tried several times to help them, provided them with  
22 a probate lawyer. However, they were unable or  
23 unwilling to utilize the services. And so that  
24 property is in condemnation.

25 So all but two have been purchased and

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1 the two that are in condemnation are actually on the  
2 mayor's desk for signature.

3 VICE-CHAIR HOOD: How long does that  
4 condemnation process take?

5 MS. HAMILTON: It is my understanding  
6 that once the mayor signs them now, that we -- the  
7 Housing Authority in the city will for all purposes  
8 have rights to the property. So, the condemnation  
9 process can take up to a year or it can be done  
10 shorter. It's just how quickly the paper work is  
11 done and processed.

12 VICE-CHAIR HOOD: That has to go before  
13 a judge though, right? A judge makes the final  
14 ruling.

15 MS. HAMILTON: It goes before the judge.  
16 It's my understanding that the issue now is the  
17 amount that is paid as opposed to the ownership.

18 VICE-CHAIR HOOD: Okay. And you tried  
19 everything you could to --

20 MS. HAMILTON: With the Ballards, yes,  
21 we did try everything that we could. With George  
22 Basilico, who owns several properties throughout the  
23 city, we just felt that, you know, he as an investor  
24 was just really not that interested.

25 VICE-CHAIR HOOD: So I think in this

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1 case there was only initially five homes that were  
2 being acquired.

3 MS. HAMILTON: Five homes that people  
4 actually lived in.

5 VICE-CHAIR HOOD: Live in that were  
6 going to be acquired.

7 MS. HAMILTON: Yes.

8 VICE-CHAIR HOOD: All right.

9 MS. HAMILTON: Yes.

10 VICE-CHAIR HOOD: Okay. Thank you. But  
11 I will say that I was very impressed with the Henson  
12 Development and what I'm seeing with the LSDBEs and  
13 the DOES. I just wanted to ask those two employees  
14 that they apparently hired recently, were they on  
15 the temporary pool or did they come straight from  
16 the Department of Employment Services?

17 MS. HENSON: Actually they came directly  
18 from the CDC and their CSSP program. So they were  
19 people that had been trained actually by DOES  
20 funding and our relationship with DOES that we had  
21 established. But they actually came from the  
22 database that the CDC has.

23 VICE-CHAIR HOOD: That's good. I really  
24 hope that that is the model because we need a model  
25 to really pattern after.

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1                   The other thing is the traffic  
2 consultant. Thank you.

3                   MS. HENSON: Yes.

4                   VICE-CHAIR HOOD: Even though I know he  
5 didn't come up, I just have a question and if we can  
6 put -- I'm not sure which slide that was here. Just  
7 keep turning. Maybe I can -- it's the one that  
8 shows -- yes, that's it. Can you show me. My  
9 orientation may be a little off, even though I have  
10 a merit badge. But can you show me 58th and East  
11 Capitol?

12                   MR. ELIAS: Good evening, Madam Chairman  
13 and members of the Commission. I am Cullen Elias,  
14 vice president of the Traffic Continuum Form of OR,  
15 George & Associates.

16                   VICE-CHAIR HOOD: Thank you for coming  
17 up, Mr. Elias.

18                   MR. ELIAS: All right. Okay. This is  
19 58th Street at East Capitol.

20                   VICE-CHAIR HOOD: Okay. Now one of the  
21 recommendations that is proposed, I think actually  
22 you made it and Department of Transportation  
23 piggybacked on it, was about a signalization at 57th  
24 Place and East Capitol. Can you show me where that  
25 is?

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1 MR. ELIAS: Yes. That's the old 57th  
2 Place and the new 57th Place.

3 VICE-CHAIR HOOD: So as it stands right  
4 now there's no signal?

5 MR. ELIAS: There's no signal.

6 VICE-CHAIR HOOD: And you're proposing  
7 to put a signal there?

8 MR. ELIAS: Correct.

9 VICE-CHAIR HOOD: I'm I'm not trying to  
10 be a traffic expert, but I'm just wondering, have  
11 you looked at the flow of traffic because you're  
12 going to have a signal at 57th and you're going to  
13 have a signal at 58th. We want to make sure that  
14 all those that live in Maryland, we can hurry up and  
15 get them on out to Maryland.

16 MR. ELIAS: Yes. This signal,  
17 Commissioner Hood, we'll be synchronized with the  
18 adjacent signals at 56th Place and also at 58th  
19 Street. The reason why we are recommending a signal  
20 here is because this has now become a full  
21 intersection requiring -- will provide full access,  
22 including left turns into 57th Place going  
23 northbound as well as into 57th Street S.E. going  
24 southbound.

25 VICE-CHAIR HOOD: So you're going to

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1 have a left turn signalized signal.

2 MR. ELIAS: That's right.

3 VICE-CHAIR HOOD: Which will stop the  
4 traffic that's coming into town?

5 MR. ELIAS: Correct. But as I said  
6 before, they will be synchronized along the  
7 corridor, all traffic signals, so there will be  
8 adequate progression of traffic along East Capitol  
9 Street.

10 Another issue here is they are proposing  
11 a community center right here. This signal will  
12 include a pedestrian signal and a crosswalk to  
13 provide for safe pedestrian access across East  
14 Capitol Street. That's a six-lane principal artery  
15 on the city's classification system.

16 VICE-CHAIR HOOD: Okay. You want to  
17 ask --

18 COMMISSIONER HILDEBRAND: I just wanted  
19 to make sure too, the city was also requesting  
20 traffic calming features on 57th Place.

21 MR. ELIAS: That's correct.

22 COMMISSIONER HILDEBRAND: That's why the  
23 project will be providing those as well?

24 MR. ELIAS: Yes.

25 COMMISSIONER HILDEBRAND: Stop signs at

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1 intersections.

2 MR. ELIAS: That will be provided.

3 CHAIRPERSON MITTEN: And those speed  
4 bumps will definitely not be on East Capitol Right?

5 MR. ELIAS: No. No, it pertains only to  
6 the new 57th Place to reduce cut-through traffic  
7 through the new community. We can have always stop  
8 signs, some speed humps and other traffic calming  
9 measures along that roadway.

10 VICE-CHAIR HOOD: And something else  
11 that was mentioned and it may be in there, I just  
12 missed it, but 57th Street and those new streets  
13 that are being developed will be dedicated. Are  
14 they going to be dedicated or not dedicated?

15 MR. ELIAS: Yes.

16 MR. CAILLOUET: They will all be  
17 dedicated as public streets, yes.

18 VICE-CHAIR HOOD: Will you have a  
19 homeowner's association? Is there going to be a  
20 homeowner's association here?

21 MS. HAMILTON: Yes, there will be a  
22 homeowner's association and which everyone will  
23 belong to including the people who rent. The  
24 community center will pay dues. Everyone will pay  
25 dues to the homeowner's association.

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1 VICE-CHAIR HOOD: Okay.

2 COMMISSIONER HILDEBRAND: I'm sure that  
3 everything will be designed roadway-wise up to DDOT  
4 standards, but are we talking concrete gutters and  
5 granite curbing, or are we looking at other  
6 materials for those elements?

7 MR. CAILLOUET: Yes, all the streets  
8 will be designed to current DDOT standards. It will  
9 be concrete curb and gutter. It will not be an open  
10 section. Whether it's concrete curb and gutter or  
11 granite, that's to be determined by DDOT. I don't  
12 know if they'll consider these streets necessary to  
13 have granite curb and gutter.

14 COMMISSIONER HILDEBRAND: Is it a  
15 standard for D.C. public streets to have granite  
16 curbing?

17 MR. CAILLOUET: For most major streets.  
18 For residential streets I've seen them mixed. So  
19 that's something that they will determine during  
20 their review.

21 COMMISSIONER HILDEBRAND: Okay. One  
22 other comment I wanted to make on the loading dock  
23 aspect. I can understand the community center is an  
24 odd structure because it has four public faces.  
25 It's got the East Capitol Street face for its urban

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1 face, it's got the parking lot for its primary  
2 entrance and the -- is it 58th or 57th Street side?  
3 Well, both of those actually face a public way. I'm  
4 just concerned that the loading area is adequately  
5 screened from East Capitol Street since you're  
6 placing it on the primary public face. And are you  
7 planning on doing that with landscape measures or  
8 what is your proposal?

9 MR. BRYANT: The proposal is with  
10 landscape measures and I might say that this is what  
11 the landscape architect is proposing as a screening  
12 along this area, which, as I see, based on the  
13 height and the density of it, will completely  
14 conceal the visual activity which may not be  
15 entirely appropriate along this elevation so that it  
16 would appear that the landscape proposal for that  
17 will successfully do what we'd like to have.

18 COMMISSIONER HILDEBRAND: Are you  
19 proposing a wing wall that extends beyond the  
20 loading platform a certain distance so that if the  
21 plants for some reason have difficulty surviving  
22 that you still have some screening on that area?

23 MR. BRYANT: We have that potential on  
24 the inside of the wall. Yes, we can do that.

25 COMMISSIONER HILDEBRAND: The other

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1 question I had is it seemed like there were multiple  
2 colors offered for the community center façades.  
3 One elevation seemed to be a very light beige color  
4 with an accentuated corner tower and the other a  
5 more conventional brick color overall façade.

6 MR. BRYANT: Yes.

7 COMMISSIONER HILDEBRAND: What is your  
8 thinking at the moment and are you willing to commit  
9 to a palette at this time or are you asking for  
10 flexibility on those materials?

11 MR. BRYANT: We anticipated that some  
12 flexibility would be desirable. That was partially  
13 related to the fact that the timing of our design  
14 and the selection and dedication of the materials in  
15 the housing had not all happened at that point. But  
16 we feel that we are suggesting a palette of colors  
17 which can be successfully finalized so that it has  
18 compatibility with the masonry that is a part of the  
19 adjacent houses and which will blend visually in a  
20 successful fashion. The material that are  
21 recommending which is the betco block is not the  
22 most expensive way to go. There did need to be some  
23 attention to economy. So we thought we would be  
24 able to have an economical unit and at the same time  
25 be able to finally play out the ascetic directions

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1 in a successful fashion.

2 COMMISSIONER HILDEBRAND: Stylistically  
3 your sight plan for this building is so distinctly  
4 different from a roof shape from what you've shown  
5 in the elevations. Is that inconsistency just  
6 design innovation or -- I mean, I don't see the  
7 other two octagonal towers in your roof massing.

8 MR. BRYANT: The roof massing that you  
9 see here is perhaps not succinctly what we have on  
10 the plan so that this should not be viewed as the  
11 roof plan at this point. There is an octagonal unit  
12 at this point and there is an octagonal element here  
13 and there is an octagonal element there. This  
14 particular roof plan is not strictly the one that we  
15 are designing.

16 If we could go back to the -- yes, if  
17 you'd hold that. This is the representative of the  
18 plan that we have. This octagonal element which is  
19 above the entry point into the building, this is  
20 above the entry point that goes into the daycare  
21 area and this is the focal point at the extreme west  
22 edge of the building and the color accent was  
23 selected for its, we believe, eye appeal in that  
24 location. This is the north elevation. This is the  
25 west elevation.

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1                   COMMISSIONER HILDEBRAND: Can I ask a  
2 question about the -- I think there was a alleyway  
3 that was eliminated possibly in the south half below  
4 East Capitol Street. Was there a cost analysis done  
5 with that? And maybe I'm mistaken because I wasn't  
6 part of the PUD First-Stage package, was there ever  
7 an alley considered in that bottom left hand corner  
8 or is the site just so steep that it was never even  
9 considered? No, further left and down where the  
10 single line of trees are.

11                   MR. BRYANT: In here?

12                   COMMISSIONER HILDEBRAND: Yes.

13                   MR. BRYANT: There is a very steep drop  
14 off in that area. To not place retaining walls, in  
15 here to allow for an alley, that was one of the  
16 casualties of trying to make this a more open area  
17 and fewer retaining walls on the site, yes.

18                   COMMISSIONER HILDEBRAND: The only  
19 reason I ask if a cost analysis was done on it was  
20 because of quality of life issues Without an alley  
21 and all trash collection and parking has to occur on  
22 the primary public street, I think there is a little  
23 bit of a loss there and I just didn't know what  
24 economic assessments you had done before you  
25 determined that it wasn't viable.

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1 MS. HAMILTON: Well, we didn't do a  
2 financial economic assessment, but what we looked at  
3 throughout the whole site was trying to minimize the  
4 grading that was necessary and the disruption of the  
5 slopes and creating the retaining walls. That area,  
6 I mean, you cannot tell how steep it is. And in  
7 fact, we are looking at what ground cover we are  
8 going to put on those slopes in order that they  
9 don't, you know, cause any erosion. So we would  
10 have preferred to put an alley back there. It would  
11 have been so much easier with the rest of the  
12 design, but it just didn't seem to make good  
13 environmental sense and that's why we chose not to  
14 do it.

15 COMMISSIONER HILDEBRAND: Okay. On the  
16 playground area, I notice that there's sort of a  
17 dead end looped alley configuration. Did you  
18 consider at some point perhaps making it a looped  
19 alley around the tot playground as opposed to --  
20 that there -- well actually this doesn't show the  
21 alley configuration on the site plan that I'm  
22 looking at, CB. I think the alley is needed to get  
23 access to the back of the houses that aren't part of  
24 the site.

25 MR. CAILLOUET: Correct.

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1 COMMISSIONER HILDEBRAND: Yes.

2 MR. CAILLOUET: That's why we were  
3 maintaining the access that these existing units  
4 have to the alley. The alley came generally in very  
5 similar alignment here and then went through here  
6 and then tied back into 57th Street down in this  
7 general area. We looked at that, but the more alley  
8 we added, the smaller the tot lot became. And  
9 there's only one shed, I believe, back here that may  
10 be in use for car storage. So we felt that  
11 minimizing any traffic back there would benefit the  
12 tot lot.

13 COMMISSIONER HILDEBRAND: And I actually  
14 only had one other question. I'm sure my fellow  
15 Commissioners will be glad about this. But,  
16 fencing, and I'm glad you brought up fencing today.  
17 I notice in looking at the civil drawings that the  
18 lot lines are clearly drawn out for each individual  
19 parcel. Is it envisioned that every residential  
20 unit will be completely fenced in? Are there a  
21 variety of fencing types that you're going to use  
22 around the site, or is it going to be left up to  
23 individual homeowners how they define their property  
24 line?

25 MS. HAMILTON: Well, it's going to be a

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1 combination of things. We are going to provide  
2 privacy fencing between town house or duplex units  
3 in the rear so that they will have some privacy.  
4 The homeowner's association will have guidelines as  
5 to what fencing, they'll have options which will be  
6 limited as to what type of fencing they can put up.  
7 In some of the common areas which Lee showed there,  
8 we're going to use that tubular steel fencing, like  
9 around the tot lot and then there are some other  
10 areas. And then as we look through the site, there  
11 may be certain areas where we just feel that the  
12 view should be blocked and we'll put a screen fence  
13 there, either that or some type of ornamental fence.  
14 But our goal is to have the community looked  
15 unified, not only when we complete it, but you know,  
16 five, 10, 15, 20 years later. And we are going to  
17 look to the covenants in order to implement that  
18 consistency.

19 COMMISSIONER HILDEBRAND: And just one  
20 thing I notice on your landscape plans that were  
21 included with your initial package that they may  
22 have been -- earlier lot lines were shown on the  
23 landscape drawings and perhaps you might just  
24 resubmit those for the record, the correct plans.

25 MR. CAILLOUET: Okay. I should have

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1 made that statement earlier. That comment was  
2 brought up to me earlier this afternoon. For the  
3 record, the lot lines as shown on the civil drawings  
4 are the correct lot lines and those are the ones  
5 that are being submitted for sub-division.

6 CHAIRPERSON MITTEN: Go ahead.

7 COMMISSIONER HILDEBRAND: This is just a  
8 clarification for me. I saw in the package  
9 somewhere that the Watts Branch restoration might be  
10 part of the amenity package for the PUD. I take it  
11 that's probably part of another phase that's not  
12 part of this particular stage. Is that correct?

13 MS. HAMILTON: Well, it's not part of  
14 this particular stage because the Watts Branch is on  
15 the north side and we don't have any houses that  
16 directly abut that. The senior building does, but  
17 not any of the housing. And I believe it's the  
18 Parks and People organization that has planned the  
19 restoration of the entire stream valley of which  
20 this is a part of it and so it's not done under our  
21 auspices or funding and it's --

22 COMMISSIONER HILDEBRAND: Okay.

23 MS. HAMILTON: -- you know, but we will  
24 certainly cooperate and have been cooperating with  
25 them and hoping that their time table, you know,

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1 meets ours in terms of when we are complete with  
2 this project.

3 COMMISSIONER HILDEBRAND: Fantastic.  
4 Thank you.

5 CHAIRPERSON MITTEN: Mr. Hood?

6 VICE-CHAIR HOOD: I just had one last  
7 question. I don't see a lot of evidence of it in  
8 the record, but in your outreach efforts has the ANC  
9 and I guess the civic association in the community  
10 surrounding the project been supportive?

11 MS. HAMILTON: Yes, they have been very  
12 supportive and we have two gentlemen who are here,  
13 Calvin Jackson and Dan Henson, who on a monthly  
14 basis just about go out to the ANC meetings and some  
15 of the other community meetings so I would say at  
16 least once a month we are out in the community  
17 meeting with them about this project.

18 VICE-CHAIR HOOD: So they've been at the  
19 table all the way?

20 MS. HAMILTON: They have been at the  
21 table from day one.

22 VICE-CHAIR HOOD: Okay. Thank you.  
23 Thank you, Madam Chair.

24 CHAIRPERSON MITTEN: Thank you.  
25 Any more Commission questions? Is there anyone here

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1 representing either of the ANCs? Okay. Well then I  
2 guess they don't have any cross examination. Thank  
3 you.

4 We're ready to move to the Office of  
5 Planning report then.

6 MR. McGETTIGAN: Thank you, Madam Chair,  
7 members of the Commission. For the record, my name  
8 is David McGettigan from the D.C. Office of  
9 Planning. With me is Jennifer Steingasser.

10 I'm handing out some photographs of the  
11 site. The first one is an orthographic photo of the  
12 area with the PUD area outlined in yellow. The  
13 Stage-One PUD encompassed a little bit larger area.  
14 As you can see, on the far right there's a large  
15 parking lot and that's part of the Metro station.  
16 The towers across the street from that and the rest  
17 of the development is fairly uniformly developed  
18 with the public housing units in a cul-de-sac  
19 pattern. Also the quality and size of those can be  
20 seen from the photographs.

21 If you look at the second page, you can  
22 get a better view of the whole development.

23 On the third page, just for  
24 clarification of the zoning process I've outlined  
25 the different PUDs that are involved here. The

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1 senior center which was case 02-04 is a combined PUD  
2 and it was approved last year and in the orange was  
3 the commercial center, which though initially  
4 submitted was withdrawn and we are waiting for  
5 submission on that site. In the blue, the towers  
6 which were set down as a separate PUD, 03-19, and  
7 hopefully we'll get a pre-hearing statement soon on  
8 that. And then the remainder of the area is in red,  
9 which are the subject of our case tonight, 03-03.

10 And then the last sheet just sort of  
11 summarizes the road system and shows the  
12 interconnections that are being made through these  
13 large tracts that were not formerly connected  
14 through and restoring somewhat the grid system of  
15 the neighborhood too and providing better  
16 connections than there was previously.

17 The objections of a PUD are to promote  
18 sound project planning, efficient and economical  
19 land utilization, attractive urban design and the  
20 provision of desired public spaces and other  
21 amenities. This PUD proposes a variety of uses that  
22 are appropriate for the proposed zoning and  
23 complimentary to the zone map and the intent of the  
24 zoning regulations. The PUD proposes single-family  
25 detached, semi-detached row and multi-family

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1 dwellings. These residential uses along with the  
2 community center and the daycare center uses provide  
3 a mix of uses that will develop into a stable and  
4 strong community. The R5 zone district is  
5 appropriate for accommodating these uses and the R5-  
6 A zoning district is consistent with nearby zoning  
7 and the generalized land use map designation.

8 In the PUD evaluation standards, we  
9 looked at the impact of the project on the  
10 surrounding area. The project is anticipated to  
11 have a positive impact on the surrounding area.  
12 Addition of the community center, the daycare center  
13 and neighborhood parks will provide positive  
14 services to the neighborhood. The proposed project  
15 will provide needed infrastructure repairs,  
16 particularly to the sanitary sewer services and the  
17 transportation systems. Also this project is not  
18 inconsistent with the Comprehensive Plan.

19 There are a number of public benefits  
20 and amenities. The community center, the tot lots,  
21 the substantial improvements to the public  
22 infrastructure which include restoration of the grid  
23 street pattern which improves access and safety.  
24 Construction of a new storm water management system  
25 which controls flooding and improves water quality.

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1 Reconstruction of existing sanitary sewers which are  
2 in poor condition now. Housing, affordable housing,  
3 as we discussed. The minority participation in the  
4 construction and design. Superior design and  
5 architecture and substantial streetscape and  
6 landscape plantings.

7 OP believes that the public benefits and  
8 amenities package overall is strong and appropriate  
9 to the minor relief requested through the PUD  
10 process and the Office of Planning finds that the  
11 planning and developments meets the PUD evaluation  
12 standards outlined in Section 2403 and is in  
13 accordance with the intent of the zoning  
14 regulations, the PUD process and the First-Stage  
15 PUD. Therefore the Office of Planning recommends  
16 approval of the PUD.

17 CHAIRPERSON MITTEN: Thank you, Mr.  
18 McGettigan. Any questions for Mr. McGettigan? Any  
19 questions?

20 COMMISSIONER HILDEBRAND: This is a  
21 question and you may not know the answer to this,  
22 but you brought up the replacement of the  
23 infrastructure and utilities. Is it intended that  
24 all of the utilities in this area, the telephone and  
25 power lines, be buried as they are in the rest of

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1 the city?

2 MR. McGETTIGAN: To the extent that some  
3 of the local electricity I think will be  
4 underground, but there are some transmission lines  
5 traversing the site that is not cost effective  
6 perhaps to put underground that won't be. But it's  
7 my understanding that to the extent possible they  
8 will be underground.

9 CHAIRPERSON MITTEN: Any other  
10 questions?

11 VICE-CHAIR HOOD: Yes, Mr. McGettigan,  
12 are we still on track for -- I see here in the  
13 submission you gave us today about the commercial  
14 center not submitted. Are negotiations still taking  
15 place as far as trying to get a major food chain  
16 over in that area? Has that been resolved?

17 MR. McGETTIGAN: I'm not sure what the  
18 current status is.

19 VICE-CHAIR HOOD: It was very exciting,  
20 a Giant food store, or whatever it was. Sorry to  
21 hear that.

22 CHAIRPERSON MITTEN: Anything else?  
23 Anyone else? Ms. Giordano, any questions for the  
24 Office of Planning?

25 MS. GIORDANO: (No audible response.)

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1 CHAIRPERSON MITTEN: Okay. Thank you.  
2 And I think as Mr. Hood noted, we do have a report  
3 submitted from the Department of Transportation in  
4 the record. And I'll just ask one more time, is  
5 there anyone here who has a report from either of  
6 the affected Advisory Neighborhood Commissions? All  
7 right. We will now move --

8 MR. McGETTIGAN: Madam Chair?

9 CHAIRPERSON MITTEN: Yes.

10 MR. McGETTIGAN: There was also a report  
11 from the Police Department in favor of the project.

12 CHAIRPERSON MITTEN: Oh, thank you. I  
13 overlooked that. When did that get submitted?  
14 What's the date on that, Mr. McGettigan?

15 MR. McGETTIGAN: February 2nd, 2004.

16 CHAIRPERSON MITTEN: We'll have to make  
17 sure we have a copy of that in the record.

18 MR. McGETTIGAN: Okay.

19 CHAIRPERSON MITTEN: What was their  
20 conclusion?

21 MR. McGETTIGAN: Let's see. I don't  
22 know. I don't have it with me. I thought I did,  
23 but I actually have my referral here. But they did  
24 respond as well.

25 CHAIRPERSON MITTEN: Okay. Are you sure

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1 they did respond? Okay.

2 MR. McGETTIGAN: As well as I think the  
3 Fire and EMS responded as well.

4 CHAIRPERSON MITTEN: Okay. I don't  
5 think we have either of those. But thank you for  
6 pointing that out.

7 On my witness list, I don't know, the  
8 folks who signed up, they didn't check opponent or  
9 proponent, so I'll just ask is there anyone here who  
10 would like to testify in support of the application?  
11 Anyone here who would like to testify in support?  
12 All right. Anyone who would like to testify in  
13 opposition? Anybody who would like to testify in  
14 opposition? Okay. Any who wants to testify about  
15 anything else? Okay. Ms. Giordano?

16 MS. GIORDANO: Excuse me, Madam Chair?

17 CHAIRPERSON MITTEN: Yes.

18 MS. GIORDANO: I would just let you know  
19 that the report from both of those agencies is  
20 attached to the Office of Planning report dated  
21 February 17, 2004. It's the last two sheets. One  
22 from the MPD and the other one from Fire and  
23 Emergency.

24 CHAIRPERSON MITTEN: Not in my version.

25 MS. GIORDANO: It's Exhibit 26.

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1 CHAIRPERSON MITTEN: Well, I don't have  
2 an exhibit number on my copy. But the February 17th  
3 version doesn't have -- the last thing is aerial  
4 photos from the Office of Planning. So we just need  
5 those last two distributed.

6 VICE-CHAIR HOOD: Just for the record,  
7 they were in support and they didn't have any  
8 problems.

9 MS. SCHELLIN: That's correct. They're  
10 both very short. They Fire and Rescue said that  
11 they have no objection to the request, that all  
12 international fire codes in D.C. Law 2-90 are  
13 complied with and for the MPD, they are saying that  
14 is anticipated that delivery of police service in  
15 the area would not be encroached with the  
16 addition of the proposed multi-family dwellings.  
17 Additionally, this development should prove  
18 instrumental in the revitalization and restoration  
19 of the proposed site and its surrounding environs.

20 So they're saying that it would not  
21 adversely effect traffic, parking or public safety  
22 in the immediate vicinity.

23 VICE-CHAIR HOOD: Okay. Thank you.

24 CHAIRPERSON MITTEN: All right. Thank  
25 you. Now, Ms. Giordano.

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1 MS. GIORDANO: Yes, in closing I just  
2 wanted to ask if the Board would consider a bench  
3 decision this evening. For the reasons stated by  
4 the D.C. Housing Authority and Ms. Hamilton from A&R  
5 Development, there's a very tight time schedule for  
6 this project and HUD has very stringent financial  
7 penalties if those time frames aren't met and we can  
8 follow up in very short order with a proposed order  
9 for the Commission.

10 CHAIRPERSON MITTEN: Okay. I think  
11 we're all on board. Mr. Hildebrand?

12 COMMISSIONER HILDEBRAND: I just had one  
13 follow-up question on that. I know in the initial  
14 testimony they said that there were hazardous  
15 materials discovered in the take down of the senior  
16 center site. Has a cost projection been prorated  
17 across the entire site so you're sure that your  
18 budgetary figures for the rest of the development  
19 are on target?

20 CHAIRPERSON MITTEN: Let the record  
21 reflect that the answer was in the affirmative.

22 MR. BASTIDA: Madam Chairman?

23 CHAIRPERSON MITTEN: Yes.

24 MR. BASTIDA: The National Capital  
25 Planning Commission will not be able to review this

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1 probably until their May meeting. So we could not  
2 have it in front of the Commission for a final  
3 action until the May meeting. Okay?

4 CHAIRPERSON MITTEN: Okay. Thank you.  
5 I think I informally polled everyone. I think we're  
6 on board for a bench decision. But we would like to  
7 see a proposed order, if nothing else the proposed  
8 conditions, because it's always dangerous to have us  
9 drafting those from scratch. But I would like to  
10 advocate for the materials on the community center  
11 to be in the red range, as opposed to red or the  
12 off-white, but I'll leave that to you to decide the  
13 degree of flexibility that you want.

14 And with that, I would move approval of  
15 Case Nr. 03-03.

16 VICE-CHAIR HOOD: Second.

17 CHAIRPERSON MITTEN: Any discussion?

18 All those in favor, please say aye. Aye.

19 VICE-CHAIR HOOD: Aye.

20 COMMISSIONER HILDEBRAND: Aye.

21 CHAIRPERSON MITTEN: Mrs. Schellin, none  
22 opposed.

23 MS. SCHELLIN: The staff would record  
24 the vote 4 to 0 to 1, Commissioner Mitten moving,  
25 Commissioner Hood seconding, Commissioners Parson

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1 and Hildebrand in favor, Commissioner Hannaham not  
2 present, not voting.

3 CHAIRPERSON MITTEN: Thank you. So  
4 we'll just have one tiny bit of business left over  
5 which is when would you like to see the findings of  
6 fact and conclusions of law, Mr. Bastida?

7 MR. BASTIDA: Let me ask the applicant  
8 since we have some time for it, but I need to have  
9 it by the end of the month in order when I do my  
10 referral to the National Capital Planning  
11 Commission. I can know at the end of March. So  
12 could you have it by the 30th of March, which is a  
13 Tuesday, at 3:00 in the afternoon?

14 CHAIRPERSON MITTEN: All right.

15 MR. BASTIDA: And again, the National  
16 Capital Planning Commission will review these in  
17 their May meeting and it will be on the agenda for  
18 the Commission to consider in their May meeting.  
19 Thank you.

20 CHAIRPERSON MITTEN: Thank you. And I'd  
21 like to thank you all for coming out tonight and for  
22 your hard work in making a complete submission so  
23 that we were able to do a bench decision tonight.  
24 That's very important. So, as Mr. Bastida said,  
25 this will probably be on the agenda for final action

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1 for our May meeting. And we'll look forward to  
2 seeing you in the subsequent phases of the  
3 development.

4 The hearing is now adjourned.

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

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