

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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ZONING COMMISSION

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PUBLIC HEARING

+ + + + +

IN THE MATTER OF:

2300 Pennsylvania Avenue, LLC,
Consolidated Planned Unit
Development

Case No.
07-16

Thursday,
November 29, 2007

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

The Public Hearing of Case No. 07-16 by the District of Columbia Zoning Commission convened at 6:30 p.m. in the Office of Zoning Hearing Room at 441 4th Street, Northwest, Washington, D.C. 20001, Anthony J. Hood, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD	Chairperson
GREGORY N. JEFFRIES	Vice Chairman
MICHAEL G. TURNBULL	Commissioner (AOC)
CURTIS ETHERLY, JR.	Commissioner
PETER MAY	Commissioner

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P R O C E E D I N G S

6:34 P.M.

CHAIRMAN HOOD: This is the public hearing of the Zoning Commission of the District of Columbia for Thursday, November 29, 2007.

My name is Anthony J. Hood. Joining me shortly will be the Vice Chairman, Greg Jeffries. Also, I'm joined by Commissioners Etherly, and we want to welcome back Commissioner May in his new capacity and we will officially do that again at our regular monthly meeting. And also, we're joined by Mr. Turnbull.

We are also joined by the Office of Zoning Staff, Ms. Schellin, and Ms. Hanousek to my left and the Office of Planning, Ms. Steingasser and Ms. Thomas to my right. And I think I have introduced the whole dais.

(Pause.)

Okay, this proceeding is being recorded by a court reporter and it's also

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1 webcast live. Let the record reflect we've
2 been joined by the Vice Chairman, Greg
3 Jeffries.

4 Accordingly, we must ask you to refrain from
5 any disruptive noises or actions in the
6 hearing room.

7 The subject of this evening's
8 hearing is Zoning Commission Case No. 07-16.
9 This is a request by 2300 Pennsylvania Avenue,
10 S.E., LLC, for approval of a consolidated PUD
11 and related map amendment for property located
12 in the 2300 block of Pennsylvania Avenue, S.E.

13 Notice of today's hearing was
14 published in the D.C. Register, on October 5,
15 2007, and copies of the announcement are
16 available to my left on the wall bin near the
17 door.

18 This hearing will be conducted in
19 accordance with the provisions of 11 DCMR
20 3022, as follows: preliminary matters,
21 Applicant's case, report of the Office of
22 Planning, report of other government agencies,

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1 report of ANC, the affected ANC-8A,
2 organizations and persons in support,
3 organizations and persons in opposition,
4 rebuttal, and closing by the Applicant.

5 The following time constraints will
6 be maintained in this meeting: the Applicant,
7 60 minutes; organizations, 5 minutes; and
8 individuals, 3 minutes. I know the Applicant
9 has requested 75, but our regulations state
10 the most you get is 60 minutes. And I'm sure
11 we can have it done in 60 minutes.

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

18 All persons appearing before the
19 Commission are to fill out two witness cards.

20 These cards are located to my left on the
21 table near the door. Upon coming forward to
22 speak to the Commission, please give both

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1 cards to the reporter sitting to my right
2 before taking a seat at the table.

3 When presenting information to the
4 Commission, please turn on and speak into the
5 microphone first stating your name and home
6 address. When you are finished speaking,
7 please turn your microphone off so that your
8 microphone is no longer picking up sound or
9 background noise. The decision of the
10 Commission in this case must be based
11 exclusively on the public record. To avoid
12 any appearance to the contrary, the Commission
13 requests that persons present not engage the
14 members of the Commission in conversation
15 during any recess or any other time.

16 The staff will be available
17 throughout the hearing to discuss procedural
18 questions. Please turn off all beepers and
19 cell phones at this time so as not to disrupt
20 these proceedings.

21 Would all individuals wishing to
22 testify, please rise to take the oath?

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1 Ms. Schellin, will you please
2 administer the oath.

3 MS. SCHELLIN: Yes, please raise
4 your right hand.

5 (The witnesses were sworn.)

6 MS. SCHELLIN: Thank you.

7 CHAIRMAN HOOD: Thank you. At this
8 time, the Commission will consider any
9 preliminary matters.

10 Does the staff have any preliminary
11 matters?

12 MS. SCHELLIN: I'm sorry, yes, sir.
13 We do have two preliminary matters. The first
14 one is a request from the Applicant for a
15 waiver of the posting. They posted the
16 property on November 21st. It should have
17 been posted on October 20th. However, notice
18 was -- that was just one form of notice.
19 Notice was given by mailing out a copy of the
20 hearing notice to owners of properties within
21 200 feet, and also through the ANC and the
22 notice was also published in the D.C.

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1 Register. So that's the first one.

2 And the second is a request for
3 party status.

4 CHAIRMAN HOOD: Colleagues, let's
5 take the first one. It is stated by Ms.
6 Schellin that there are a number of ways to
7 advertise, even though the posting was not
8 done in a timely order, but there were a
9 number of ways and I can look at the
10 submissions and tell that this was vetted
11 through the community, so I am in favor of us
12 waiving that ruling and moving to our next
13 preliminary matter.

14 I would move that we waive the
15 requirement for the posting and ask for a
16 second.

17 COMMISSIONER TURNBULL: Second.

18 CHAIRMAN HOOD: It's been moved and
19 seconded.

20 All those in favor?

21 (Chorus of ayes.)

22 CHAIRMAN HOOD: Any opposition?

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1 (No response.)

2 CHAIRMAN HOOD: Staff will record
3 the vote.

4 MS. SCHELLIN: Staff records the
5 vote at 5 to 0 to 0 to waive the posting
6 requirement as requested by the Applicant.
7 Commissioner Hood moving, Commissioner
8 Turnbull seconding, Commissioners Jeffries,
9 Etherly, and May in favor.

10 CHAIRMAN HOOD: Okay, we also have
11 a request for party status as was stated.
12 It's from Reverend Oliver Johnson. It's
13 Exhibit No. 43, who is asking for party status
14 and there are specific requirements. I will
15 tell you from what the application is, I'm not
16 sure. I don't see any compelling case noted
17 in the file or what was presented as a
18 submission to grant Mr. Johnson party status.

19 And I would ask my colleagues to look at
20 Exhibit 43 and see if anyone differs from me.

21 If you don't, I'm prepared to move for a
22 motion. Let's discuss it.

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1 We've already reviewed it, and if
2 not, just take a quick look at it and see if
3 this meets our test.

4 (Pause.)

5 CHAIRMAN HOOD: I would move that
6 we deny Mr. Oliver Johnson, his request for
7 party status. He is no more uniquely affected
8 than anyone else and he will also have an
9 opportune time to be able to present his case
10 in the three minutes, unless he's -- I don't
11 think I saw anything in the file where he's
12 represented in one, in the three to five
13 minutes. We don't take any comments, not at
14 this time. We're deliberating. But I don't
15 see where he qualifies in his submission as
16 needing party status from what we have in
17 front of us.

18 VICE CHAIRMAN JEFFRIES: Mr.
19 Chairman, again, I always focus right on
20 number six and that's where it clearly
21 indicates how someone is uniquely affected.
22 And based on what he has put -- what his

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1 response has been here, it does not seem as if
2 he would qualify.

3 CHAIRMAN HOOD: Any other comments?

4 I would move that we deny party status to
5 Reverend, and I hate to do this, Reverend
6 Oliver Johnson, and ask for a second?

7 COMMISSIONER MAY: Second.

8 CHAIRMAN HOOD: Any further
9 discussion? All those in favor, aye?

10 (Chorus of ayes.)

11 CHAIRMAN HOOD: Any opposition?

12 (No response.)

13 CHAIRMAN HOOD: So ordered. Staff,
14 would you record the vote?

15 MS. SCHELLIN: Yes. Staff records
16 the vote at five to zero to zero to deny party
17 status to Mr. Oliver Johnson, excuse me,
18 Reverend Oliver Johnson. Commissioner Hood
19 moving, Commissioner May seconding,
20 Commissioners Etherly, Jeffries, and Turnbull
21 in favor.

22 CHAIRMAN HOOD: And I will tell you

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1 that Reverend Johnson, you will have an
2 opportune time to come and present your
3 testimony to us. I'm not sure if you're
4 represented in a group. It will be the five
5 minutes or the three minutes.

6 Okay, do we have any other
7 preliminary matters?

8 MS. SCHELLIN: No, sir.

9 CHAIRMAN HOOD: Thank you, Ms.
10 Schellin.

11 Let's move right up with the
12 Applicant's case.

13 Mr. DePuy. The former Chair could
14 pronounce your name much better than I could.

15 She was able to roll it off and I'm not as
16 good as she is, so I'm going to ask you to do
17 it and maybe I can remember it. But I've been
18 knowing you for years.

19 MR. DePUY: You do it very well,
20 Mr. Chair. For the record, I'm Jacques DePuy,
21 attorney with the law firm of Greenstein,
22 DeLorme and Luchs.

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1 CHAIRMAN HOOD: Let me just say we
2 have a very good court reporter. She's going
3 to come after those cards. So it will be good
4 that we have those cards before we actually
5 come to the table because as you can see,
6 she's going to come to the cards. So be
7 warned.

8 Excuse me, Mr. DePuy.

9 MR. DePUY: With me as co-counsel
10 is Stephanie Baldwin. I will do the opening
11 statement. I'll do the close and Ms. Baldwin
12 will introduce our witnesses.

13 In order to move the proceeding
14 along, I'll give a very brief opening
15 statement. We're very pleased to be here in
16 support of a project we believe is a strong
17 project for Ward 8. It is a mixed use
18 development with significant retail component
19 on grade on Pennsylvania Avenue with 118
20 residential units, 100 percent workforce
21 housing, in a project to be funded by D.C.
22 Department of Housing and Community

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1 Development, and targeted towards persons
2 whose incomes are in the range of 60 percent
3 of AMI.

4 The project is fully consistent
5 with the Comprehensive Plan. It furthers the
6 District's Great Street Initiative for the
7 Pennsylvania Avenue, Southeast corridor. And
8 the relief requested as part of the PUD we
9 submit is very modest. That is, the project
10 is within the allowable height. The FAR is
11 essentially at the guidelines but for 1.67
12 which is also allowed by the rules. The
13 relief which is the rear yard lot occupancy
14 and one small loading berth we submit are
15 relatively minor, given the benefits of this
16 project, and as our witnesses will indicate,
17 are not essential to the project.

18 And finally, as the Commission is
19 well aware, the project is supported by the
20 Office of Planning, by the D.C. Department of
21 Transportation, by ANC 8A and by numerous
22 community organizations and representatives,

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1 many of whom have sent representatives here to
2 testify tonight in support of this important
3 project.

4 So with no further ado, we'll move
5 along and Ms. Baldwin will introduce our
6 witnesses and we'll call our witnesses.

7 CHAIRMAN HOOD: Mr. DePuy, I
8 omitted something. Let's go back, if we can
9 stop the clock. Let's go back to proffering
10 your expert witnesses.

11 Colleagues, we have in front of us
12 Mr. Heinrichs, who is being proffered as an
13 expert in engineering.

14 MS. BALDWIN: Yes, that's correct.

15 CHAIRMAN HOOD: Okay. Was that
16 what you were going to do?

17 MS. BALDWIN: I could have been
18 doing that, yes.

19 CHAIRMAN HOOD: Well, go ahead and
20 then we'll make the decision.

21 MS. BALDWIN: Okay, I'll introduce
22 everybody and I'll point out which ones are

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1 experts.

2 CHAIRMAN HOOD: Okay.

3 MS. BALDWIN: Tonight, we have with
4 us Tim Chapman who is of Chapman Development.

5 On his right is Chris Kabatt who is with
6 Wells and Associates. He is also an expert
7 witness in transportation. We have Mutesh
8 Atasoy. He is the project's architect. We
9 also have with us John Heinrichs from Phoenix
10 Engineering. He is also being held as an
11 expert and Brian Douce from Studio 39
12 Landscape Architects. He is a landscape
13 designer.

14 CHAIRMAN HOOD: I'm sorry, your
15 name again?

16 MS. BALDWIN: My name is Stephanie
17 Baldwin.

18 CHAIRMAN HOOD: Ms. Baldwin, what I
19 have in front of me are three résumés for Mr.
20 Heinrichs, Mr. Plump, and Mr. Kabatt.

21 MS. BALDWIN: Mr. Plump is not here
22 tonight.

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1 CHAIRMAN HOOD: Do we have his
2 résumé in front of us, has he testified --

3 MS. BALDWIN: He's not here
4 tonight. No, we have Mr. --

5 CHAIRMAN HOOD: Okay, the
6 architect, do we have his résumé in front of
7 us?

8 MS. BALDWIN: I have his résumé for
9 you, if you'd like it.

10 CHAIRMAN HOOD: We need it. Has he
11 testified in front of this Commission before?

12 MS. BALDWIN: No, he has not. I
13 can give that to you.

14 CHAIRMAN HOOD: Can we get it, so
15 we can proffer him? We usually do it once,
16 and if we've seen him before again, we don't
17 have to go through the whole thing.

18 I will tell you, Mr. Kabatt,
19 colleagues, we've seen before and I don't know
20 if anyone has any issues with Mr. Heinrichs.
21 I think we can take those two up. Any
22 problems with proffering those two as experts?

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1 Okay, no problem. Those two will
2 be proffered as experts and as soon as we get
3 Mr. Atasoy's, I believe is the name, résumé,
4 and review it quickly we will take care of
5 that issue.

6 (Résumé distributed.)

7 (Pause.)

8 CHAIRMAN HOOD: Colleagues?

9 COMMISSIONER MAY: I just had a
10 question. It looks like you're currently
11 involved in two different companies? Is that
12 correct for the résumé, Architects
13 Collaborative and Computexture?

14 MR. ATASOY: Yes.

15 CHAIRMAN HOOD: Could you turn your
16 microphone on when you speak?

17 MR. ATASOY: Yes, that's correct.

18 COMMISSIONER MAY: And you're a
19 principal in both firms?

20 MR. ATASOY: That is correct.

21 COMMISSIONER MAY: Okay.

22 CHAIRMAN HOOD: Any other

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1 questions? Any other questions? Okay, we can
2 also by general consensus accept Mr. Atasoy as
3 the proffered witness in architecture.

4 Thank you. Okay, Ms. Baldwin and
5 Mr. DePuy.

6 MS. BALDWIN: We're ready to begin.
7 We'd like to start our testimony with Mr. Tim
8 Chapman of Chapman Development. He's going to
9 talk a little bit about the project.

10 MR. CHAPMAN: Good evening, Mr.
11 Chairman. My name is Tim Chapman. And I'm
12 the managing member of Chapman Development,
13 the developer of 2300 Pennsylvania Avenue.

14 Before I begin, I'd like to express
15 my profound appreciation to Mayor Fenty,
16 Chairman Gay, Council Member Barry, Council
17 Member Brown, the Ward 8 Business Council, and
18 the Ward 8 community as a whole for their
19 support of this important development.

20 What we are presenting this evening
21 is two years of diligent work and a strong
22 partnership with the Ward 8 community. I

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1 would like to take this opportunity to request
2 the Commission's approval of the PUD
3 application for the construction of mixed use
4 building to include 118 units of workforce
5 rental apartments with approximately 8400
6 square feet of ground floor retail and below
7 grade parking.

8 One hundred percent of the
9 residential units will be dedicated to
10 individuals and families earning below or at
11 60 percent of the median area income. By
12 targeting this income level, we create a
13 unique opportunity to provide affordable
14 housing to the overall D.C. market while
15 raising the standards in the submarket. This
16 development will not only increase the supply
17 of decent workforce rental housing in the
18 District, but it will also promote the
19 revitalization of East-of-the-River
20 Pennsylvania Avenue corridor, within the
21 Fairlawn neighborhood and provide new economic
22 opportunities with the ground floor retail.

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1 Chapman Development. Chapman
2 Development is focused to build workforce
3 housing in urban settings using the highest
4 standards possible. Over the last ten years I
5 have developed four projects in the District
6 of Columbia: Totten Towers, which was awarded
7 the Affordable Housing Award for high
8 architectural merit from the District of
9 Columbia, Department of Housing and Community
10 Development; the Olympia Apartment Building,
11 which was awarded the 2005 Mayor's Award for
12 Excellence in Historic Preservation; the
13 Warner Mansion, which has been included on
14 Smithsonian tours of historic 16th Street and
15 featured on the March 1st cover of the
16 Washington Post Apartment Living section, and
17 was part of Mayor Anthony Williams "No More
18 Demolition By Neglect." And most recently
19 Lotus Square Apartments which was featured
20 November 10, 2007, Washington Post Apartment
21 Living, entitled "More Than Just a Pretty
22 Building."

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1 I raise these awards and features
2 not to boast, but rather to point out a
3 commitment to the communities that we build
4 in. It is these same high standards that I
5 intend to bring to 2300 Pennsylvania Avenue.

6 2300 Pennsylvania Avenue is an
7 important new development for Ward 8 and the
8 redevelopment of the Southeast Pennsylvania
9 Avenue corridor. The project is located just
10 east of the John Philip Sousa Bridge in the
11 Fairlawn neighborhood of Ward 8. The block is
12 currently characterized by run down,
13 dilapidated buildings, empty lots and used car
14 lots. Formerly a commercial strip, the block
15 at this time lacks high-end retail, and
16 commercial services which could better serve
17 the neighborhood.

18 The affordability program which we
19 are completing this project under includes
20 partial funding by the Department of Housing
21 and Community Development. The funds from
22 DHCD are provided to benefit the community and

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1 the households with incomes of up to 80
2 percent of the median area income.

3 The residential units for 2300
4 Pennsylvania Avenue are targeted to those
5 incomes of up to 60 percent of the median area
6 income. This percentage would effectively
7 equate to a single person making approximately
8 \$39,700 a year. The per capita income for the
9 sub-market, as published by the Washington,
10 D.C. Economic Partnership is \$24,344. This
11 would mean that we are utilizing the overall
12 area median income to develop a market rate
13 project in a depressed sub-market. The 2300
14 Pennsylvania Avenue is an area the Mayor has
15 designated a strategic neighborhood investment
16 area which include Pennsylvania Avenue,
17 Fairlawn neighborhood. This development is
18 also part of the Great Streets Initiative.

19 The Great Streets Initiative is a
20 multi-year, multi-agency effort to transform
21 under-invested corridors into thriving,
22 inviting neighborhood centers using public

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1 actions and tools as needed to leverage
2 private investment. The ground floor
3 neighborhood oriented retail and the
4 residential nature of the proposed 2300
5 Pennsylvania Avenue project will help increase
6 the liveability of the neighborhood and
7 encourage economic development along the
8 avenue.

9 With the public/private partnership
10 between Chapman Development and the District
11 of Columbia, we are excited to help fulfill
12 the goals to increase the supply of decent
13 workforce housing and support neighborhood
14 revitalization and economic opportunities.

15 Through this process, we have
16 reduced some of the sizes and masses that we
17 put into the original application. Since
18 filing the PUD application, we have made
19 several significant changes to the initial
20 development plan of the building based on the
21 feedback received from both the Zoning
22 Commission at the setdown hearing, the Office

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1 of Planning, and the community.

2 These plan revisions include the
3 following. The height of the building has
4 been reduced over 16 feet or two stories. The
5 density of the building has been reduced by
6 over 35 percent. And the lot occupancy has
7 been reduced approximately 11 percent.
8 Furthermore, the occupiable penthouse
9 structure has been eliminated and the
10 building's proposed Pennsylvania Avenue facade
11 has been modified to meet the avenue's right
12 of way and create a street presence.

13 I would also like to share with the
14 Commission our commitment to the standards
15 which are consistent with the leadership and
16 energy and environmental design guidelines.
17 It is our goal to achieve a LEED certifiable
18 green building. With this goal in mind, we
19 intend to work hand-in-hand with the ECC, the
20 Earth Conservation Corps to meet these
21 standards. It is also our commitment to hire
22 25 of the Earth Corps members to work on this

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1 project.

2 Chapman Development has engaged in
3 considerable community outreach with both the
4 residents of nearby neighborhoods as well as
5 the business community of Ward 8. In the last
6 year and a half, Chapman Development has
7 participated in meetings with the ANC, the
8 Pennsylvania Avenue Task Force, the Ward 8
9 Business Council, the Ward 8 Economic
10 Development Roundtable, and special Ward 8
11 stakeholders.

12 Ms. Brenda Richardson, our
13 community outreach consultant will discuss our
14 community involvement in depth, later in the
15 presentation.

16 The benefits and amenities of this
17 project as proposed in the PUD seek to develop
18 a new mixed use building under served in the
19 mixed use corridor. Such development, we
20 believe, will benefit the redevelopment,
21 revitalization of the neighborhood and expand
22 the retail opportunities for its residents.

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1 The project is also located in an ideal
2 location on Pennsylvania Avenue with its
3 transit rich corridor, and several Metro
4 buslines. Furthermore, the project will
5 provide 100 percent workforce housing, which
6 will also benefit the neighborhood. As stated
7 earlier, the targeted incomes are up to 60
8 percent of the median area income.

9 Finally, Chapman Development has
10 made a commitment to the Department of
11 Employment Services to implement a first
12 source agreement in order to secure
13 construction jobs for District residents
14 during construction of the project.

15 The project's amenity package is
16 commensurate with the relief sought in the
17 PUD. Thus, we are seeking minor relief from
18 the lot occupancy, the rear yard requirements
19 which will further be discussed by the
20 project's architect, Mr. Atasoy.

21 In conclusion, the construction of
22 2300 Pennsylvania Avenue will both stimulate

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1 revitalization of the Pennsylvania Avenue
2 commercial corridor east of the river, and
3 provide decent workforce housing in the
4 District of Columbia. The project will
5 enhance the neighborhood, create retail
6 opportunities for the area and will further
7 the economy in the supply workforce housing
8 and neighborhood retail services.

9 I ask that you allow us to build
10 this project by voting to approve the PUD.

11 I thank you for the opportunity to
12 testify before you tonight.

13 MS. BALDWIN: If the Commission has
14 no questions at this point in time, we'll go
15 along with the architect's testimony, Mr.
16 Mutesh Atasoy.

17 CHAIRMAN HOOD: Let me just ask
18 this, Ms. Baldwin. We have read the record
19 and we want to make sure we get comments from
20 the community also, but we want you to still
21 give your presentation.

22 Mr. DePuy, you know how we do it.

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1 We've read the information, believe me. So if
2 we can kind of condense some of your remarks
3 because it would be better if we have -- we'll
4 have more of a better exchange if we are able
5 to ask questions, so I'm just asking the
6 presentation that we condense it, because we
7 don't have to use the full 48 minutes. Okay?

8 MS. BALDWIN: Okay, Mr. Atasoy?

9 MR. ATASOY: Good evening, members
10 of the Zoning Commission. I am Mutesh Atasoy.
11 I'm a principal of architecture and I'm a
12 registered architect in Washington, D.C.

13 CHAIRMAN HOOD: If you want us to hear
14 you, you're going to have to move the mic a
15 little closer. We don't want you to say all
16 of that not understand, not even hear you.

17 Thank you.

18 MR. ATASOY: My presentation will
19 be shorter after your comments. This site
20 total area is about 31,500 square feet,
21 approximately 210 feet wide along Pennsylvania
22 Avenue and 150 deep. Pennsylvania Avenue

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1 corner elevations is the Prout Street entrance
2 --

3 CHAIRMAN HOOD: Do you know what I
4 want you to do? I want you to work with me.
5 I want you to take your microphone and just
6 pull it a little closer.

7 MR. ATASOY: Okay.

8 CHAIRMAN HOOD: Because all that
9 good information you're giving out, we want to
10 get it.

11 MR. ATASOY: Okay.

12 MS. SCHELLIN: Also, I'm sorry, if
13 we could get Ms. Baldwin to maybe move a
14 couple of these boards back, because I think
15 it's blocking the view of the screen there.
16 Thank you.

17 MR. ATASOY: The site is sloped
18 towards the Pennsylvania Avenue gently and the
19 project site's east and south borders are
20 adjacent to 20 feet wide alleys, public
21 alleys. The Fairlawn neighborhood is located
22 along the southeast side of the Anacostia

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1 River and the neighborhood is generally
2 consists of rowhouses, semi-detached homes and
3 three and four story-high apartment buildings,
4 except for commercial areas that are located
5 on major arteries.

6 The PUD site is a part of this
7 neighborhood commercial area. As with other
8 properties along Pennsylvania Avenue, this
9 site is an important component of the
10 Pennsylvania Avenue corridor land development
11 plan. The project consists of U shaped mixed
12 use building. The five story building will
13 include ground floor retail, residential
14 lobby, community center, and apartments on top
15 a lower grade garage. The ground floor retail
16 space will be oriented along Pennsylvania
17 Avenue.

18 Four residential floors above
19 retail will have apartment units around the
20 landscaped courtyard. The entrance to the
21 apartment lobby and the community center will
22 be at the northeast corner in order to take

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1 advantage of the existing grading and
2 providing maximum required floor height for
3 the retail.

4 The entrance to the below grade
5 parking garage and two loading docks will be
6 access from Prout Street towards the rear of
7 the building. Residential floors will include
8 110 one-bedroom and eight two-bedroom units.
9 Ground level landscape courtyard will serve as
10 a passive recreation space.

11 Five stories U-shaped building with
12 straight elevations articulated architectural
13 embellishments, different elevation planes,
14 metal framed balconies and colorful awnings
15 will provide a building most compatible with
16 the neighborhood buildings and future
17 developments. Open court at the rear of the
18 building will provide plants and light to the
19 building and benefit to the neighborhood.

20 Seventy-seven parking spaces will
21 be in the partial first floor and lower-grade
22 garage level. Garage entrance ramp at Prout

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1 Street, next to the service bay will be closed
2 with an overhead door at off hours in order to
3 provide security. First 18 parking spaces at
4 the entrance ramp will be reserved for the
5 retail space. Patrons will walk through Prout
6 Street sidewalk in order to reach the retail
7 spaces. Additional, 59 parking residential
8 parking spaces and utility room, etcetera,
9 will take place in the lower level.
10 Approximately 51 bicycle spaces will be
11 provided for the residents.

12 First floor will have approximately
13 8400 square feet retail space along the
14 Pennsylvania Avenue. All retail will be
15 received, serviced from the Prout Street
16 loading dock via service corridor. Fifteen
17 hundred square feet community center and 6
18 apartment units will take place at the east
19 wing of the building. Fifty-six hundred
20 square feet landscaped courtyards, built
21 separate of Prout Street loading service
22 garage entrance from the rest of the building.

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1 Typical floor will have total 28
2 apartment units and approximately 20,500
3 square feet floor plate. Seventeen units will
4 be located at the exterior perimeter; 11 units
5 will be located towards the courtyard.

6 Courtyard oriented towards south
7 provide plenty of lights to the interior of
8 the units. Thirty-five feet wide east alley
9 including 15 feet additional setback will
10 provide enough light and open space in front
11 of the east wing units. Rear alley will not
12 have any unit windows. Ceiling height in the
13 units will be average eight foot six inches.

14 Eighteen units will be accessible
15 per DCMR Section 12A and all mechanical
16 condensers will be located on the roof.
17 Therefore building facade will be free of
18 condenser grills and penetrations.

19 Roof will have elevator room
20 penthouse and individual apartment condensers.

21 The individual condensers will be less than
22 four feet in height. Mechanical equipment

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1 will be minimum 10 feet from the roof parapet
2 and they will not be visible from the street
3 level.

4 First floor will have retail spaces
5 along the Pennsylvania Avenue corridor. The
6 retail entrance is entrenched with metal
7 awnings and the corner of Pennsylvania Avenue
8 and Prout Street. The architectural
9 embellishment will be lit in the evening to
10 highlight the building. The building
11 elevations will receive two tones of light
12 brick; at courtyard elevations maintenance-
13 free Hardy plank with matching color to the
14 additional bricks will be used and we are
15 showing the samples right over there on the --
16 below the table.

17 All windows and storefronts will be
18 low-E glazing. All railings and service bay
19 doors will be matching color aluminum
20 material. All retail entrances and apartment
21 lobby entrances will receive awnings.

22 The C-2-A district is a low to

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1 medium density mixed-use zone district which
2 permits both commercial and residential
3 functions to a maximum height of 50 feet. The
4 PUD guidelines for development in C-2-A zones
5 permits a building height of 65 feet.

6 Except architectural embellishment,
7 building is set at maximum average height of
8 59 feet in compliance with the requirements.
9 The C-2-A district permit maximum 60 percent
10 lot occupancy for residential uses and 100
11 percent for commercial use.

12 The project is designed to meet the
13 PUD guidelines for development with minor
14 deviations to the above requirements. The
15 project is proposing approximately 68 percent
16 lot occupancy for both commercial and
17 residential uses.

18 Accordingly, the Applicant seeks
19 relief of eight percent from the lot occupancy
20 requirements.

21 Furthermore, if the proposed
22 building was designed in accordance with the

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1 zoning requirements, the project will be
2 permitted a maximum lot occupancy of 75
3 percent. As well, the proposed lot occupancy
4 of the project will not produce any negative
5 impacts to neighborhood property. Because the
6 proposed building will be bounded on each side
7 of a right of way, or alley, which is at least
8 20 feet wide and potential negative impact
9 which might have been produced to the
10 developed occupancy of the proposed structure
11 is elevated by such conditions.

12 The C-2-A district permit maximum
13 for area ratio is 3. The project is designed
14 to meet the PUD guidelines. The Zoning
15 Commission may authorize an increase of not
16 more than five percent in the maximum floor
17 ratio so long as the increase is essential to
18 the successful functioning of this project.

19 The proposed FAR is 3.005.
20 Accordingly, the Applicant seeks minor relief
21 of 0.005 percent from the FAR requirements.
22 This request is a negligible amount and will

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1 not cause detriment to surrounding properties
2 if permitted.

3 Furthermore, the minor increase
4 request is essential to the functioning of the
5 project and moreover, the project will promote
6 the utilization of the area as well as
7 providing much needed workforce housing for
8 the District.

9 Zoning regulations require 15 feet
10 rear setback. Where a lot abuts an alley, the
11 rear yard for that portion of a structure
12 below a horizontal plane 20 feet above the
13 finished grade of the rear of the structure
14 may be measured from the center line of the
15 adjacent alley. Above the 20 feet horizontal
16 plane, the depth of the rear yard is measured
17 from the rear of lot line.

18 The portion of the rear yard which
19 is below 20 feet horizontal plane is 17 feet 6
20 inches which is in compliance with rear yard
21 requirements. However, upper portion of the
22 building which is above the horizontal plane

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1 has a rear yard of only 7 foot 6 where it is
2 required to be 15 feet.

3 Property is 200 feet wide at rear
4 alley. Only 57 feet wide end wings at both
5 side of open court are not in conformance with
6 setback requirements, but court will provide
7 additional open space to the alley. Applicant
8 seeks relief from the rear yard requirements
9 to the top three floors of both wings at rear
10 alley.

11 No adverse impacts will be caused
12 by the proposed rear yard. The rear yard of
13 the proposed building and property is buffered
14 by a 20-foot wide public alley. Additionally,
15 approximately one third of the rear facade of
16 the building is large open court.

17 Both of these features of the
18 proposed project serve to reduce any possible
19 negative impacts due to rear yard depths. As
20 well, the rear of the property will be much
21 improved from its current state by the
22 proposed structure.

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1 Furthermore, the proposed project
2 includes a side yard that is not required, but
3 which increases the light, air, and open space
4 of the property.

5 Side yards are not required in C-2-
6 A zoned districts. However, if a side yard is
7 provided, it must be at least two inches wide
8 for each foot of the building height, but not
9 less than six feet. Side yard, if provided,
10 must be at least nine foot ten inches wide.
11 The project is proposing 15 feet landscaped
12 side yard with shading trees.

13 As per zoning requirements, 18
14 retail, 59 residential, total of 77 parking
15 spaces provided. In order to encourage bike
16 traffic, 51 bike parking spaces are proposed
17 at the garage level.

18 At C-2-A zone, 8400 square feet
19 retail space requires one 30-foot deep loading
20 berth and 100 square feet loading platform.
21 An apartment house requires one 55-foot deep
22 loading berth and 200 square feet loading

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1 platform, plus 20 feet deep loading space.

2 The proposed project will provide
3 30 feet and 55 feet deep two loading berths
4 and 390 square feet loading platform.
5 Therefore, Applicant is seeking relief from 20
6 foot deep loading space. Because the proposed
7 development consists of both retail and
8 residential uses which each require loading,
9 the strict application of the zoning
10 regulations results in an unnecessary amount
11 of loading facilities.

12 The two loading berths to be
13 provided by the Applicant are sufficient for
14 both the retail and residential uses within
15 the proposed building. Use of the loading
16 facilities by the residents and the retail
17 users will be scheduled. Residents and retail
18 users alike will be restricted to use of the
19 facilities during times which will cause the
20 least amount of conflict with the other.

21 As a summary, we believe this
22 before and after photograph and rendering

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1 clearly show the proposed improvement to the
2 site providing the retail area for the
3 neighborhood and providing 100 percent
4 workforce residential unit will be a big plus
5 for Fairlawn neighborhoods. Thank you.

6 MS. BALDWIN: Thank you, Mr.
7 Asatoy. If we can move along we'd like to
8 start with or begin with or continue with Mr.
9 Chris Kabatt. He's our transportation
10 consultant.

11 CHAIRMAN HOOD: Are you going to
12 have a slide presentation too?

13 MR. KABATT: Yes, just two
14 exhibits. Good evening, members of the
15 Commission. I'm Chris Kabatt with Welles and
16 Associates and we prepared a transportation
17 impact study and a transportation management
18 plan for this project.

19 I'm going to cut my testimony short
20 here and just highlight the points. We did do
21 a traffic impact study and found that --
22 conclusions found that there is no

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1 objectionable impact on the public street
2 network with this residential and retail
3 development and DDOT supports those findings
4 as per their letter.

5 What I do what to touch on are the
6 loading facilities. We are providing a 30-
7 foot loading dock and a 55-foot loading dock.

8 Thirty foot is required for the retail and
9 the 55-foot dock is required for the
10 residential. A 20-foot service space is also
11 required for the residential and that's what
12 we are seeking relief of is that 20-foot
13 space.

14 In talking with several moving
15 companies in the area, moving companies
16 typically look at the area that they would be
17 moving residents in and out of and that's how
18 they determine the size of the truck that
19 would be using the dock. In this situation,
20 we can provide the 55-foot dock in the
21 building. However, the Prout Street width and
22 the on-street parking make it difficult for a

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1 55-foot tractor trailer to actually get into
2 and out of that loading dock. We have run
3 some area diagrams that do show that a 42-foot
4 truck would be able to maneuver in and out of
5 that loading dock on Prout Street.

6 I just also wanted to highlight
7 some of my -- some of the transportation
8 management plan points that we are providing.

9 We'll be providing bicycle spaces in the
10 parking garage. We will be providing an on-
11 site business center. We'll be providing
12 transit information in the lobby. The
13 Applicant will also be providing a transit
14 subsidy for first time leases and we'd also be
15 open to the idea of car sharing space and
16 would work with the company and with DDOT to
17 find the proper location. I'd be here for any
18 questions for the rest of the evening.

19 MS. BALDWIN: Thank you, Mr.
20 Kabatt. We'd next like to call John
21 Heinrichs, the civil engineer of the project.

22 MR. HEINRICHS: Hi. I'm John

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1 Heinrichs with Phoenix Engineering. And I'm
2 the civil site engineer on the project. And
3 I'd like to talk a little bit, I guess, first
4 about the site.

5 You've pretty much already seen
6 everything I'm going to show you here on the
7 PowerPoint anyway, but I'm just going to go
8 back to, this is the existing site that's
9 there now and the site is on the southeast
10 corner of Prout and Pennsylvania Avenue. It
11 is a fully developed site right now which you
12 have seen.

13 This is an aerial photograph which
14 I think we also saw in there and it just kind
15 of shows how it is developed right now with
16 existing properties here along the front and
17 in the back parking. Most of it is paved.
18 There are a few spots that have some trees
19 going through, but they pretty much have been
20 paved around and the whole area in the back is
21 all parking and pretty much buildings.

22 So having shown you that we'll get

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1 to -- this is the site plan that you have
2 already seen and was submitted with the
3 application package and what I wanted to talk
4 about was -- it's a .72-acre site within the
5 boundaries here and this shows the proposed
6 building on it. The proposed building will
7 tie into an existing waterline that runs in
8 and along Pennsylvania Avenue under the
9 sidewalk in front of the proposed building.

10 VICE CHAIRMAN JEFFRIES: Excuse me,
11 did you say 72?

12 MR. HEINRICHS: I'm sorry?

13 VICE CHAIRMAN JEFFRIES: How many
14 acres?

15 MR. HEINRICHS: I said .72.

16 VICE CHAIRMAN JEFFRIES: Oh.

17 MR. HEINRICHS: Just under three
18 quarters of an acre. I'm sorry.

19 And like I said, there's an
20 existing water main that runs along
21 Pennsylvania Avenue under the sidewalk in
22 front of the building and we'll be tying into

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1 that. There's an additional 30-inch line that
2 runs in Prout Street and ties back in down
3 here, just to ensure that we have enough
4 pressure and volume to supply the fire and the
5 domestic needs for the building.

6 There's also an existing -- the
7 Orange Line that I've got marked up here shows
8 the existing sewer lines. There's an existing
9 12-inch sewer that runs in Pennsylvania
10 Avenue. Each one of the existing businesses
11 that are along there are tied into it right
12 now and of course they'll all be taken out and
13 the building will tie in with one single
14 connection.

15 There are two inlets that are right
16 on the corner right now with storm drains that
17 go out and the storm drain system is adequate.

18 We've talked with WASA about all these
19 connections and they're generally in
20 agreement, of course, they'll be looking at
21 the plans as we design them a little more
22 closely.

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1 An erosion and sediment control
2 plan was submitted with the package and I
3 think you have probably have already looked at
4 that. It's actually just going to be a big
5 hole when we dig for the parking garage.

6 I guess I'd like to talk a little
7 bit about storm water management and green
8 space on the property which is why I colored
9 this one up. I think it's colored a little
10 more than the one that you have, but the
11 existing site has about 2,000 square feet of
12 green area and it's in trees and they're kind
13 of splotched all over the site and what we're
14 going to be proposing, of course, is about
15 over 8,000 square feet of green space, so
16 we're going to have probably four times the
17 amount of green space and a lot more trees
18 too. I'll let the landscape guy tell you
19 about that.

20 And we met with the District
21 Department of the Environment, Watershed
22 Protection Department and we have talked to

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1 them about storm water management and
2 conceptually, we're going to do a green roof
3 on top of the parking garage down here in the
4 courtyard area and they have approved our
5 conceptual storm water management plan.

6 This area over here will also be
7 green, but this is the buffer area to be
8 planted and again, the landscape architect
9 will talk more about that.

10 That's all I have for you today
11 unless somebody has a question.

12 CHAIRMAN HOOD: Hold tight. We're
13 going to let you finish the whole
14 presentation. We may have some questions at
15 the end.

16 MS. BALDWIN: Thank you, Mr.
17 Heinrichs. We next would like to hear from
18 Mr. Brian Douce from Studio 39 Landscape
19 Architects.

20 MR. DOUCE: Good evening, members
21 of the Zoning Commission. My name is Brian
22 Douce, and I am a landscape designer with

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1 Studio 39 Landscape Architecture. If I could
2 just quickly orient you on the rendering on
3 the screen. Pennsylvania Avenue is at the top
4 of the screen and Prout Street is at the left.

5 The landscape plan for this project involves
6 two main areas necessitating landscape design,
7 the public streetscape spaces surrounding the
8 project and a private internal courtyard. For
9 most of the streetscape design is Pennsylvania
10 Avenue where various retail spaces and a
11 leasing office will face Pennsylvania Avenue
12 at street level.

13 Consequently, the streetscape
14 design along Pennsylvania Avenue consists of a
15 broad sidewalk extending from the building
16 face to the existing street curb. The
17 sidewalk design intends to utilize various
18 paving materials to demarcate the different
19 activity zones along the street. To further
20 enhance the streetscape design, seven
21 ornamental trees are proposed to line the
22 street. They'll be spaced 25 feet apart.

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1 At Prout street, the streetscape
2 treatment is proposed to remain unadorned.
3 The reason for this is this portion of the
4 project is the more utilitarian aspect part of
5 the project with the parking garage and
6 loading berths located on this side of the
7 project. The streetscape design is proposed
8 to consist of a simple concrete paved sidewalk
9 with four shade trees spaced 24 feet apart
10 lining the edge of the street.

11 The side yards, the rear side yard
12 consists of a 7-foot, 6-inch wide concrete
13 sidewalk that will line the entire length of
14 the project. The side yard located at the
15 northeast portion of the project will be
16 planted with an assortment of shrubs and will
17 have five shade trees, as you can see.

18 The other major area included in
19 the landscape design is a private internal
20 courtyard. There will be primarily a green
21 roof built on top of a parking garage
22 structure. This area has been designed with

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1 the intended purpose of providing an
2 attractive view for the residents. However,
3 will not be accessible for use. The courtyard
4 will be separated from the rear alley with a
5 7-foot high masonry wall that will screen the
6 view of the rear alley and provide a sense of
7 privacy to the residents.

8 The majority of the courtyard will
9 be planted with turf and an evenly spaced
10 arrangement of ornamental trees, separated by
11 three rows of evergreen hedges. To soften the
12 surrounding walls of the courtyard, evergreen
13 accent trees, shrubs, perennials, and vines
14 growing on green screens made of architectural
15 steel mesh is proposed in the landscape
16 design.

17 That will conclude my testimony
18 concerning landscape design for this project.
19 And I'd like to thank you for your time.

20 MS. BALDWIN: Thank you, Mr. Douse.
21 I forgot to mention before and I apologize
22 for that, we have two last witnesses, Mr. Glen

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1 O'Gilvie, who is the president of the Earth
2 Conservation Corps and Ms. Brenda Richardson,
3 our community outreach consultant.

4 If they'd both come up. We'll
5 start with Mr. O'Gilvie.

6 MR. O'GILVIE: Good evening. Good
7 evening, Chairman Hood and Commissioners. My
8 name is Glen O'Gilvie and I'm president at
9 Earth Conservation Corps. Earth Conservation
10 Corps is a nonprofit organization providing
11 disconnected youth, workforce training,
12 professional skills and certifications,
13 focused on restoring the heavily polluted
14 Anacostia River and their own long-term
15 sustainability.

16 The Earth Conservation Corps
17 strongly supports the 2300 Pennsylvania Avenue
18 project. We have a particular interest in
19 this project because Chapman Development is
20 focused on environmental sustainability and
21 formally agreed to employ at least 25 of our
22 graduates which reside in Ward 8 communities

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1 where the development will occur.

2 Our organization's mission is to
3 empower or endangered youth to reclaim the
4 Anacostia, their communities, and their lives.

5 We realize that developers focused on green
6 construction components help support the
7 restoration of the river and we are also
8 certain that unemployment is a large part of
9 the reason Ward 8 experiences high levels of
10 youth crime and violence.

11 At Earth Conservation Corps we have
12 experienced a tremendous loss of life since
13 our inception to community crime and violence.

14 Within the past seven months, three of young
15 participants have been murdered: Aaron
16 Teeter, Roland Brooks, and Anthony Henson.
17 Both Aaron and Roland lived in Ward 8 and were
18 positive and influential young people.
19 However, they were killed by other young
20 people who felt they did not have opportunity
21 or options. Developments like Chapman's with
22 District and distinct employment opportunities

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1 can help change that.

2 Currently, we are operating Civic
3 Justice Corps in partnership with the District
4 Department of Youth Rehabilitation Services
5 and the Corps Network, a national conservation
6 corps organization. Young people committed to
7 the Department of Youth Rehabilitation
8 Services are engaged in our intensive
9 environmental workforce development program
10 which leads to employment. Many of our young
11 residents reside in Ward 8 and will complete
12 our program in March. They will take full
13 advantage of Chapman Development's employment
14 opportunities supporting their families with
15 their salaries and holding the skills they
16 acquire for the rest of their lives.

17 Earth Conservation Corps prepares
18 young people for green construction jobs
19 through hands on experiences, completing
20 community projects. Recently Civic Justice
21 Corps members completed a deconstruction of a
22 home on North Portal Street here in the

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1 District. The million dollar home was
2 unlawfully built near Rock Creek Park. The
3 deconstruction project provided an
4 environmentally responsible way to remove the
5 home, reducing the repeat impact on the
6 environment as most materials were reused by
7 Habitat for Humanity.

8 We also participated in partnership
9 with D.C. Greenworks to provide a green roof
10 on 441 4th Street, the building we're in
11 today, One Judiciary Square which was very
12 exciting for our young people and provided
13 skill sets that they'll be able to use to
14 become employed and also employ on the Chapman
15 Development Project. Chapman Development
16 lends itself to improving the quality of life
17 for young people, the community and the
18 natural environment. And with that said, I
19 encourage the Zoning Commission to approve the
20 2300 Pennsylvania Avenue project.

21 Thank you.

22 MS. BALDWIN: Thank you, Mr.

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1 O'Gilvie. We will conclude with our last
2 testifier, Ms. Brenda Richardson.

3 MS. RICHARDSON: Good evening,
4 Chairman Hood and other distinguished
5 Commissioners. I'm really delighted to be
6 here. I've never testified at a zoning
7 hearing today.

8 CHAIRMAN HOOD: Welcome.

9 MS. RICHARDSON: Thank you. My
10 name is Brenda Richardson. I am the outreach
11 consultant on the 2300 Pennsylvania Avenue
12 project and I am also a resident of Ward 8.

13 Chapman Development has created an
14 extraordinary Chapman Development has created
15 an extraordinary model of meaningful community
16 engagement. Although I attended many meetings
17 on behalf of Chapman Development, Mr. Chapman
18 was quite visionary in thinking outside of the
19 box to ensure that not only residents, but
20 local small businesses in Ward 8 were afforded
21 an opportunity to be well informed about the
22 project and aware of contractual

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1 opportunities.

2 What you have before you over there
3 on that wall and I have copies here if you'd
4 like to have some copies, is a calendar of the
5 community meetings. There were a lot of them,
6 but I will just highlight a few of them in
7 light of the time.

8 The first one I'd like to share is
9 the Ward 8 CBE pre-bidders conference and I've
10 got lots of paperwork for you. Do you want a
11 copy?

12 CHAIRMAN HOOD: It's not in color -
13 -

14 MS. RICHARDSON: Oh, I've got
15 something for you in color. Here, give them
16 that.

17 CHAIRMAN HOOD: We like to see
18 color, at least I do like to see color.

19 MS. RICHARDSON: Let's see, the
20 Ward 8 CBE pre-bidders conference. Chapman
21 Development formed a strong partnership with
22 the Ward 8 Business Council. The Ward 8

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1 Business Council is a nonprofit organization
2 that promotes and monitors CBEs, Certified
3 Business Enterprises in Ward 8. As a result
4 of this partnership, the community engagement
5 model was born. The Council emphasized the
6 importance of the CBE community being engaged
7 in the project early on. Subsequently, the
8 Ward 8 CBE prebidders conference emerged.
9 This event was held on October 19th. Forty
10 CBEs attended.

11 The purpose of the prebidders'
12 conference was to engage this group early to
13 ensure that they had everything they needed to
14 qualify for contractual opportunities. They
15 had several concerns related to their
16 businesses, and as a result of this effort,
17 Chapman Development has started a series of
18 workshops to provide information on issues
19 such as bonding, how to work with government
20 to get paid on time, employment laws,
21 establishing relationships with big
22 contractors, and A3 contracting.

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1 Council Member Kwame Brown and
2 Council Member Marion Barry are watching this
3 model very carefully. Council Member Brown
4 and Council Member Barry also attended the
5 prebidders conference.

6 There was also a Ward 8 retail
7 roundtable. The community expressed early on
8 a need to help identify retail for the 2300
9 Pennsylvania Avenue project. The event was
10 held on August 23rd at the United Planning
11 Organization. A survey was conducted and
12 there were some interesting findings. More
13 importantly, we discovered at the roundtable
14 that the community would like to see the
15 retail include Busboys and Poets, a bookstore
16 and a coffee shop. Commissioner Anthony
17 Mohammed of ANC 8A and the Ward 8 Business
18 Council was a part of the program. Our theme
19 was "Something Great is Coming to the New Ward
20 8."

21 The last two things I'd like to
22 share are the Ward 8 recreation meetings. The

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1 community had some concern about recreation
2 for the new children who will be living at
3 2300 Pennsylvania Avenue. One of the
4 prominent community leaders, Reverend Oliver
5 Johnson in Fairlawn expressed his shared
6 concern as well. We met with Reverend Johnson
7 on two occasions, July 16th and August 14th to
8 discuss his social concerns. Hence, two
9 meetings were held with D.C. Parks and
10 Recreation to address this matter.

11 D.C. Public Schools and the Boys
12 and Girls Clubs were a part of the second
13 meeting. Orr Elementary School is the closest
14 place for recreation for elementary school
15 children and teenagers are welcome to the Boys
16 and Girls Club site on Martin Luther King
17 Avenue.

18 Finally, the Ward 8 Workforce
19 Development meetings. Chapman Development is
20 working closely with three entities to ensure
21 that Ward 8 residents have access to job
22 opportunities through the Earth Conservation

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1 Corps, the Ward 8 Business Council, and the
2 Ward 8 Workforce Development Council. The
3 Earth Conservation Corps has made a commitment
4 to engage their Civic Justice Corps in the
5 construction phase of the project. The Ward 8
6 Workforce Development Council conducts
7 neighborhood job tours with the Department of
8 Employment Services to meet people where they
9 are and share information about upcoming job
10 opportunities.

11 Chapman Development has clearly
12 demonstrated their commitment. This project
13 isn't just about workforce housing. It's
14 about a developer making a significant
15 contribution to improve the quality of life
16 for those who live and work east of the river.

17 Thank you.

18 MS. BALDWIN: That concludes our
19 testimony. We're now ready for any questions.

20 CHAIRMAN HOOD: Okay, thank you,
21 everybody for providing testimony.

22 I don't know which one of my

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1 colleagues want to start first. Mr. Turnbull,
2 thank you.

3 COMMISSIONER TURNBULL: Thank you,
4 Mr. Chair.

5 I wonder if I could just ask the
6 landscape architect from Studio 39 a question.

7 We didn't have that nicely rendered site plan
8 that you had of the courtyard and ours is a
9 little bit different. There's no access to
10 the courtyard for the residents.

11 MR. DOUCE: Well, actually I stand
12 corrected. There actually will be access to
13 the courtyard. Right now at this time we're
14 just not showing any benches or walkways or
15 anything like that.

16 COMMISSIONER TURNBULL: I see a
17 door by a stairs. Is that the access?

18 MR. DOUCE: Yes, that is the access
19 there.

20 COMMISSIONER TURNBULL: Are those -
21 - in our plan we can't tell if it's a wall or
22 if it's just or how, if it's high, did you get

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1 on the grass?

2 MR. DOUCE: Well, sir, there is a
3 seven foot masonry wall that screens the alley
4 way. There is going to be a doorway actually
5 going through that wall into the courtyard.

6 COMMISSIONER TURNBULL: Right. I'm
7 talking about right directly straight from
8 that there's a little wall by the trees.

9 MR. DOUCE: There's a little wall
10 that goes vertically up and down right there
11 where the pointer is.

12 COMMISSIONER TURNBULL: Right.

13 MR. DOUCE: That is a retaining
14 wall right now and actually --

15 COMMISSIONER TURNBULL: So how do
16 you get into there?

17 MR. DOUCE: The architect is
18 actually showing a ramp going down there that
19 I'm not showing on that rendering right now.

20 CHAIRMAN HOOD: Mr. Turnbull, let
21 me just ask, do we have something that shows
22 that?

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1 MR. DOUCE: No. It's actually
2 shown right there on that illustration.

3 COMMISSIONER TURNBULL: We don't
4 have that.

5 COMMISSIONER MAY: We have
6 something like that.

7 COMMISSIONER TURNBULL: We have
8 something like that, but it doesn't show on
9 the plan with the door.

10 MR. DOUCE: That is something we
11 need to coordinate with the architect. I'll
12 admit that.

13 COMMISSIONER TURNBULL: Okay, but
14 you can't get to the courtyard from the
15 individual units around them.

16 MR. DOUCE: No.

17 COMMISSIONER TURNBULL: Okay, so
18 you'd have a general entrance for the people
19 in the building that would come down and go
20 into there then, but not to the outside
21 public, just for the residents of the
22 building.

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1 MR. DOUCE: Correct.

2 COMMISSIONER TURNBULL: Okay, thank
3 you.

4 I guess my next question is for Mr.
5 Atasoy. The rendering that we had at
6 Pennsylvania and Prout, the perspective. The
7 sign, what is the sign there?

8 MR. ATASOY: This is 2300
9 Pennsylvania Avenue.

10 COMMISSIONER TURNBULL: Okay, so
11 that's just identifying the building itself?

12 MR. ATASOY: That's correct.

13 COMMISSIONER TURNBULL: Is there an
14 anticipation, I think a restaurant was
15 mentioned at some point along here. Is there
16 going to be outdoor seating?

17 MR. ATASOY: No, there won't be any
18 outdoor seating because I don't think there is
19 enough room.

20 COMMISSIONER TURNBULL: I guess my
21 other question is that at the other end of the
22 building is the lobby entrance.

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1 MR. ATASOY: That's correct.
2 Residential lobby entrance on the other side.

3 COMMISSIONER TURNBULL: It looks
4 really tiny. It looks like there's an 8 by 8
5 room or 10 by 10 room?

6 MR. ATASOY: That's the entrance
7 and right next to this entrance is a light
8 green area is the community center.

9 COMMISSIONER TURNBULL: I'm sorry,
10 I didn't hear what you said there.

11 MR. ATASOY: As soon as we are
12 entering to the building, there is a corridor
13 between the elevator and the entrance and that
14 light green area is the community center.

15 COMMISSIONER TURNBULL: I guess I'm
16 just looking at the entry way itself looks
17 rather de minimis for the amount of units
18 you've got there. It looks like you're
19 forcing it in. Or you're limiting the foyer
20 as to rather a small amount of space.

21 MR. DOUCE: Well, actually, if I
22 can just -- when you come in, the delineation

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1 of the entrance to the building and the
2 hallway is just to show the entrance to the
3 building and the hallway. The effective use
4 of that space would be open to include the
5 majority of that light green area as well as
6 you enter into the building.

7 COMMISSIONER TURNBULL: Oh, so
8 that's not a wall, necessarily.

9 MR. DOUCE: No, it's a line
10 delineating the area, the flow of the traffic
11 and the entrance of the building.

12 So it wouldn't be a floor to
13 ceiling wall.

14 COMMISSIONER TURNBULL: Okay. I
15 think my concern was it just seemed like --

16 MR. DOUCE: Sure. And I can see
17 where you would think that.

18 COMMISSIONER TURNBULL: I would
19 think that the residents who live there would
20 feel very -- like they're going into a tunnel
21 and just --

22 MR. ATASOY: Yes. It is not the

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1 case because the corridor is open to the green
2 rendered area and there's no wall.

3 COMMISSIONER TURNBULL: Okay, those
4 are my questions for now, Mr. Chairman. Thank
5 you.

6 CHAIRMAN HOOD: Thank you, Mr.
7 Turnbull.

8 Mr. Jeffries, Vice Chairman
9 Jeffries.

10 VICE CHAIRMAN JEFFRIES: Thank you,
11 Mr. Chair. My colleague here, we commiserate
12 and so forth so we were pretty much discussing
13 those items. I want to just for my own
14 benefit go back to -- well, let me just stick
15 with that. I think it would be helpful that
16 you -- for the lobby, that you have a drawing
17 or something that just really clearly shows
18 exactly what's going on once you hit this
19 lobby area because that's a clear line and the
20 leasing area, the leasing office and the
21 community center, that's some sort of flex
22 space or whatever, I just think it would be

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1 good to have a sense of how all that works.

2 And then secondly, going back to
3 the other point, so I understand that the
4 units that surround, that are at the perimeter
5 of the court, those units won't have access to
6 the court, but do they have to go around to
7 the alley to gain entrance into it? I guess
8 I'm still not following.

9 MR. DOUCE: Actually, I believe
10 that drawing there shows a door, does it not,
11 coming from the corridor right there into the
12 courtyard.

13 VICE CHAIRMAN JEFFRIES: Oh, I see
14 it now. So the door that's at the back side
15 of the stairway --

16 MR. DOUCE: It wasn't shown on the
17 landscape architect's --

18 VICE CHAIRMAN JEFFRIES: Wait, oh,
19 okay.

20 COMMISSIONER TURNBULL: Just to
21 clarify, you're showing it at the corner by
22 the elevators?

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1 MR. DOUCE: Yes.

2 COMMISSIONER TURNBULL: Okay. That
3 is a shrub area though on your plan.

4 MR. DOUCE: Yes, it is, on our
5 landscape plan. I was under -- I didn't have
6 the doorway shown on my plans that I had so --

7 COMMISSIONER TURNBULL: So there's
8 some variation. Okay.

9 VICE CHAIRMAN JEFFRIES: Okay,
10 well, you guys might want to coordinate a
11 little bit and get some of the fine tuning
12 together because obviously we need to
13 understand what the life of this courtyard
14 looks like and so forth.

15 I will say and I think Mr. DePuy
16 started off with what really sums up this
17 project and that you really are looking for
18 very little relief and there's a lot of
19 amenities to the project. So and I have -- I
20 wish the architecture could look somewhat
21 different, but clearly understand the
22 population in terms of who would be living

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1 here and so forth. I'm certain some of that
2 is being driven.

3 I have very few comments on the
4 project, in general. Again, I think when you
5 look at the amount of relief you're looking
6 for and the amount -- versus the absolute
7 amount of amenities this is offering, it's
8 somewhat lopsided and so I just think for me,
9 it would just be nice if you can just clean up
10 some of the details and make certain that
11 there's some coordination and we're clear.
12 And particularly, this lobby area. that's
13 somewhat -- that does not look very
14 attractive.

15 MR. DOUCE: We'll have a
16 coordinated set of documents. And a nicer
17 drawing of the lobby and the living area as
18 you come into the building sent over to the
19 Commission.

20 VICE CHAIRMAN JEFFRIES: Thank you.
21 Thank you very much.

22 COMMISSIONER TURNBULL: I would

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1 compliment just one thing on your
2 presentation, that if the renderings are
3 actually reflecting the color of the brick,
4 it's a lot better than we have in our cartoons
5 that we got which looked a little garish. But
6 if that's really the color that you're
7 proposing to use, that's -- I think that's
8 really much better. That's really a nice
9 color brick.

10 MR. DOUCE: Yes, thank you.

11 CHAIRMAN HOOD: Any other
12 questions? Commissioner May?

13 COMMISSIONER MAY: Yes, I'm going
14 to see if I can hit the ground running and not
15 take up too much time in the process, but I do
16 have some questions. And even though I don't
17 think there's a lot of extra relief associated
18 with this, it is a PUD. They are going from
19 2.5 FAR to 3 and so I think there's an
20 obligation to make sure that what we see is
21 worthy of the approval, because there's always
22 a tradeoff for the PUD.

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1 Sticking to the brick for a second,
2 I saw a reference, or someone made a reference
3 earlier to the brick samples. Are they here?
4 Can you pass those around?

5 MR. DOUCE: Thanks.

6 COMMISSIONER MAY: Some of the
7 drawings -- you can pass them right up here
8 because I want to touch them.

9 There was a reference --

10 CHAIRMAN HOOD: Actually, if you
11 can give them to staff first.

12 MR. DOUCE: Bring them right up.

13 COMMISSIONER MAY: I don't know if
14 we saw it because some of the slides went kind
15 of fast for me, early on, but is there -- and
16 now they're going fast again. Is there
17 something that shows the elevation in context?

18 Do we see anything that indicates where the -
19 - how the building fits into the neighborhood,
20 what's next door, what's across the alley,
21 anything like that that gives us a sense of
22 the context? Those are sort of what's in the

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1 neighborhood, but not necessarily what's right
2 next door.

3 MR. DOUCE: That's next door and
4 actually if you can scroll down, there's a
5 picture of the Morton's building that is
6 across the street.

7 COMMISSIONER MAY: That's across
8 the street?

9 MR. DOUCE: That's directly across
10 the street.

11 COMMISSIONER MAY: Okay, sometimes
12 it's very helpful with -- I know that in this
13 circumstance we don't necessarily have a lot
14 of finished product around it and everything
15 else in the neighborhood is going to change,
16 but it's often very helpful to see the
17 building in the context of what's next door
18 and so on. And when we get to the Office of
19 Planning I'm going to ask them some questions
20 about the -- what else is going to be
21 happening in that neighborhood and hopefully
22 they'll be all ready to answer that, having

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1 anticipated that question.

2 I did have a question about the
3 access to the court and I do think it's very,
4 very important that we see drawings that are
5 consistent because what you show on the screen
6 here tonight is different from what we have in
7 our packet and we need to have that final
8 version that shows how the court connects and
9 how it's used. Because what we have, the
10 drawing that we have which is A202 and then
11 there was another one that -- it does not
12 match up with the landscape drawing and that's
13 important to have.

14 And I'm glad that you're looking at
15 an access door in that corner because it's
16 sort of a shame not to have any access to it
17 even if it's just so the guys can go out there
18 and clean it up and mow the lawn and stuff,
19 you need to have that.

20 What's the height of the
21 embellishment as you refer to it? It's not
22 shown on any of the drawings.

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1 Let me put it this way. Can you --
2 when you submit some additional drawings, if
3 we can see that indicated, what the height of
4 that is because I didn't think that was in
5 there.

6 On the lower level plan, again I
7 guess A202? Or maybe it's one of the earlier
8 ones. There's a reference to the cellar
9 level. And it took me a while to figure this
10 out. I studied the drawings this afternoon,
11 but now I realize what you're doing with the
12 cellar. You're basically dropping the ceiling
13 on that one wing which we see in the lower
14 right there, so that it's no more than four
15 feet above the finished grade that's adjacent
16 to it. And generally I don't really like that
17 idea, but I understand the economics that may
18 be driving that.

19 But looking at the elevation of
20 that side, off the alley, particularly where
21 you have this side yard, that's a really great
22 benefit that most projects don't have because

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1 want to max the width. But if you have that
2 side yard, surely there's something better
3 that can be done to make those units a little
4 bit more attractive. I mean what I'm pointing
5 out is that row of windows very low to the
6 ground there, those are all apartments and
7 those are the windows for those apartments.
8 And there's -- the next floor I don't know how
9 many feet above it, but the floor slab that
10 you see here, the floor slab is up there, but
11 the ceiling is down here, also, that that
12 space qualifies as cellar.

13 It seems to me that you could do
14 something with wells or something on the
15 outside to make those units a bit more
16 attractive, let alone the fact that you may
17 have building code issues with emergency
18 egress from those units. I don't know. I'm
19 not well versed on that.

20 The other thing is that and this is
21 a finer point of the regulations. I'm not so
22 sure of, but when you're dealing with units

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1 that are across the hall, the ceiling height
2 may have to be the same, but the finished
3 grade, I think, applies to the exterior of the
4 property, not to the courtyard. So if you can
5 drop that little piece on the inside right
6 there, I mean, if that can drop down to the
7 level of the slab you can have walkout. And
8 it may not be a problem at all for your making
9 those units qualify as cellar. Because those
10 units really are not going to be great units
11 unless you do something more with them.

12 I would even take a look at what
13 you can do with that elevation, because just
14 seeing those little windows there doesn't look
15 real balanced with what's otherwise pretty
16 evenly composed elevation.

17 CHAIRMAN HOOD: Commissioner May,
18 let me just reiterate something. I think what
19 he's doing and you can correct me if I'm
20 incorrect, we're going to ask you to look at
21 those things and before proposed action, you
22 will have a time to submit some of those

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1 things. If silence is golden, that means that
2 you've looked at it and you cannot do it, but
3 if not, maybe you can have something to
4 satisfy his concerns.

5 COMMISSIONER MAY: And I'm not
6 saying this as if it's a precondition to
7 approval or anything like that. I don't view
8 it as such. I'm just concerned with what the
9 units are going to be like and I think you
10 want to make the most of what you've got.
11 What's the -- how are the units actually going
12 to be constructed? Is this all concrete
13 construction or is this going to be light
14 gauge metal framing on top of a slab?

15 MR. ATASOY: Garage and the retail
16 floor will be concrete. The residential
17 units, it's going to be wood construction.

18 COMMISSIONER MAY: It's going to be
19 what?

20 MR. ATASOY: It's going to be wood
21 frame.

22 COMMISSIONER MAY: Wood frame,

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1 okay. And then we have a brick veneer?

2 MR. ATASOY: That's correct.

3 COMMISSIONER MAY: And it's a full
4 width of brick, right?

5 MR. ATASOY: That's correct.

6 COMMISSIONER MAY: It's not going
7 to be like an applied brick or something like
8 that, right?

9 MR. DOUCE: Actually, it will be an
10 applied brick. It's almost economically
11 impossible to put full brick on workforce
12 housing.

13 COMMISSIONER MAY: Okay.

14 MR. DOUCE: I mean if it was
15 possible to do it. It's almost impossible.

16 COMMISSIONER MAY: Okay.

17 MR. ATASOY: And my concern is
18 because it's a wood construction, it is
19 physically almost impossible to have a full
20 brick to be able to carry that on the
21 elevation.

22 COMMISSIONER MAY: Do you know -- I

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1 know I've seen it done. I know I've seen full
2 brick go up on things and maybe the top floor
3 can't be or something like that, but you know,
4 it's amazing what they're doing with stick
5 built construction. I'm not saying that it's
6 affordable in this circumstance at all. I
7 just want to know what it is that you're
8 proposing, that's all.

9 MR. DOUCE: Typically, the skin of
10 a building is the most expensive thing to the
11 development of the building and you know,
12 trying to reach the rents that we're trying to
13 accomplish. It's very difficult.

14 COMMISSIONER MAY: I understand.
15 When it comes to the -- I guess some of my
16 other questions are less significant if we are
17 talking about a face brick or a brick --
18 applied brick. I'm not sure what the right
19 term is for it, but I was thinking that maybe
20 it would be good to see some enlarged
21 elevations that will really get the sense of
22 what the composition is. It looks like you've

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1 got more of that there. It would be -- I
2 assume we're going to get copies of everything
3 that's been shown in the PowerPoint, right?
4 Okay.

5 That's good to see. It would be
6 nice to see some differentiation in the
7 windows, the window heads, for example, but it
8 does -- I do appreciate the fact that you have
9 some banding going up on the upper floors and
10 that helps. And I know that the rails in
11 front of some of those full height windows,
12 that all helps make the facade more
13 interesting and I know that adds expense too,
14 so I won't push for anything else there.

15 The retail ceiling heights, is
16 everything going to be at 14 feet or whatever
17 -- does it meet what Office of Planning has
18 told you it should be for good retail?

19 MR. DOUCE: Yes.

20 COMMISSIONER MAY: Okay. And I
21 guess that's it for my -- oh, I know, there
22 was one other thing. There was a mention to

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1 some reference to LEED construction or meeting
2 LEED standards. And my question is I know the
3 new green building legislation is going to
4 require that projects that are funded through
5 DHCD at a certain point have to meet LEED, but
6 I don't know when that kicks in. It doesn't
7 kick in for this?

8 MR. DOUCE: As I understand it, it
9 doesn't and our intent is to be LEED
10 certified. It's just that this preliminary
11 point in the development of the project, it's
12 difficult to ascertain exactly what those
13 costs mean to the economic viability of the
14 project.

15 COMMISSIONER MAY: So you're not
16 ready to promise it at this point.

17 MR. DOUCE: I am prepared to
18 promise that we're going to do everything that
19 we possibly can to make it LEED, because I
20 would love to have the first apartment
21 building east of the River be LEED-certified.

22 COMMISSIONER MAY: Yes, okay.

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1 That's my questions. Thanks.

2 CHAIRMAN HOOD: Thank you,
3 Commissioner May.

4 Let me say again on those comments,
5 we realize the affordability that's going to
6 -- we don't want to bankrupt the project
7 before we even get started. So I will tell
8 you again, those are just concerns. Those
9 concerns by any Commissioner doesn't mean it's
10 the majority of the Commissioners, so that's
11 kind of where we are, but we do take those
12 under consideration and those are some things
13 we would like to see also.

14 But I don't think for me that would be a show
15 stopper. And I'm not discounting my
16 colleague, but I'm just saying I understand
17 affordability in this, so we want to make that
18 clear too. I don't want to send out any wrong
19 messages.

20 The other issue that I have and I'm
21 not sure who this will go directly to. Mr.
22 O'Gilvie spoke about -- I don't know if this

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1 would be improper, at least I didn't see it,
2 about an agreement. Is that being proffered
3 as
4 -- is that a proffer about the agreement? If
5 it is, we would need to see the -- not that
6 you would back out on it, we would need to see
7 the agreement that you have with Earth
8 Conservation Corps.

9 MR. DOUCE: Sure.

10 CHAIRMAN HOOD: At least that was
11 not in the package, so we would like to see
12 that too. Not that you would back out. I'm
13 sure you'll make sure that happens.

14 The other thing is some of the
15 photographs on those boards on the foam core
16 boards that we saw here tonight were not in
17 our package. And for my benefit, that would
18 have been very helpful. Unfortunately, I saw
19 it tonight. We need to make sure we get
20 everything that we see, and as one of my
21 colleagues mentioned already, we need a
22 finalization of everything. We need just a

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1 complete finalization of your drawings and
2 everything.

3 What we've seen here tonight, some
4 of it we have in our packets, some we don't.

5 MR. DOUCE: I believe that we have
6 that final package here tonight.

7 MS. BALDWIN: We have some of the
8 renderings and aerial photograph and some
9 plans that we knew had changed, but as for
10 like the landscape -- the coordination between
11 the landscape --

12 CHAIRMAN HOOD: No, I mean you had
13 -- the ones that were moved. When we first
14 got here, there were some right here in front
15 of us. At least I didn't see them.

16 MR. DOUCE: We'll get you the final
17 package.

18 MS. BALDWIN: We have those for
19 you.

20 CHAIRMAN HOOD: That's kind of what
21 I'm talking about.

22 MS. BALDWIN: We have those

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1 renderings.

2 CHAIRMAN HOOD: And I think your
3 engineer, Mr. Heinrichs?

4 Thank you. Let me ask the
5 question, first. I'm not sure who is going to
6 answer this. About the water and sewer, water
7 and sewer, the Office of Planning, I think,
8 did a fabulous job with getting the report
9 done, but maybe I can ask Ms. Thomas, but they
10 talk about the proposed development area and
11 part of being a low-service area. And they
12 have a requirement. Are you familiar with
13 that, Mr. Chapman, of the water and sewer --
14 are you familiar with the water and sewer
15 letter dated November 9, 2007? If you can
16 come to the mic and explain and if you haven't
17 had a chance, then we need -- there's a water
18 requirement here. It says the proposed
19 development area is part of a low-service area
20 water pressure zone. The Applicant is
21 required to submit results from the fire flow
22 tests in an 8-inch water main.

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1 MR. CHAPMAN: Right. And that's
2 usually done -- I did see that comment and
3 those are usually performed by the mechanical,
4 electrical engineer and when they design the
5 fire service and all that stuff, so they
6 determine what the fire flow is. That has not
7 been done yet, although we have talked to WASA
8 about this, Mr. McDermott of WASA. And he
9 mentioned that it was in a low-service area
10 and as I pointed out on the diagram that I
11 had, the 30-inch transmission main that runs
12 in Prout Street, you don't tie -- just because
13 they're so big, they don't tie service
14 connections into 30-inch mains because they
15 have a lot of pressure and a lot of volume.
16 They don't want to cause a lot of problems.
17 But just a block and a half north, that
18 transmission main ties back into the 8-inch
19 line that's right there on Pennsylvania
20 Avenue. So we're very close and in an email
21 that I have from Mr. McDermott, he said that
22 he doesn't feel that there's going to be any

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1 problem with pressure or flow just because of
2 that.

3 CHAIRMAN HOOD: I guess what we
4 need to do is just make sure we get it done
5 because they have a requirement, a stipulation
6 if it's not. We just need to nail all that
7 stuff down before we take final action. I'm
8 not even going to say proposed, but before we
9 take final action, so we can make sure the
10 record is complete.

11 MR. CHAPMAN: The fire flow test
12 will be performed when they do the analysis.

13 CHAIRMAN HOOD: I think that was
14 pretty much it.

15 Let me ask Ms. Richardson, about
16 the new Ward 8, about the community meetings.

17 Ms. Richardson, you mentioned
18 Reverend Johnson and his concerns that he had
19 and you mentioned that you all -- you had
20 meetings with him?

21 MS. RICHARDSON: Yes.

22 CHAIRMAN HOOD: And I see it here

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1 on the list of meetings.

2 Were his issues addressed?

3 MS. RICHARDSON: Yes.

4 CHAIRMAN HOOD: So he's satisfied?

5 MS. RICHARDSON: No.

6 CHAIRMAN HOOD: He's not satisfied.

7 MS. RICHARDSON: He's not
8 satisfied. We did our due diligence, Chairman
9 Hood.

10 CHAIRMAN HOOD: Okay, it obviously
11 looks like there was a lot of -- were these
12 meetings well attended?

13 MS. RICHARDSON: Yes.

14 CHAIRMAN HOOD: The outreach?

15 MS. RICHARDSON: Yes.

16 CHAIRMAN HOOD: And overall, you
17 had general support, basically the whole
18 neighborhood, community, as a whole?

19 MS. RICHARDSON: Yes.

20 CHAIRMAN HOOD: What about Fairlawn
21 Civic Association?

22 MS. RICHARDSON: We've had numerous

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1 meetings with Mrs. Jones and she's here to
2 testify as a proponent. So that's a good
3 thing.

4 CHAIRMAN HOOD: Okay, let me ask
5 you one of the things in the Mayor-for-Life
6 and Council Member of Ward 8's submission that
7 I found very interesting, he wrote -- it
8 states that some of the loudest voices don't
9 live in the ward or I guess even in the
10 community.

11 Were people from -- I'm going to
12 say Maryland and Virginia and other folks or
13 maybe from my ward, attending these meetings
14 and commenting on this project?

15 MS. RICHARDSON: Well, there was
16 the Pennsylvania Avenue Task Force which is
17 Ward 7. And Fairlawn is divided between Ward
18 7 and Ward 8, right Ms. Jones?

19 MS. JONES: Right.

20 MS. RICHARDSON: So that was a
21 concern.

22 CHAIRMAN HOOD: So there was nobody

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1 from Virginia coming over here --

2 MS. RICHARDSON: Oh, no, no.

3 CHAIRMAN HOOD: That's what I
4 normally think about.

5 (Laughter.)

6 CHAIRMAN HOOD: All right, well,
7 thank you very much.

8 MS. RICHARDSON: Thank you,
9 Chairman Hood.

10 CHAIRMAN HOOD: Okay, that's all I
11 have. Any other comments, questions.

12 Do we have anybody from the ANC,
13 Chairman Muhammed? I don't see him.

14 Okay, just basically cross
15 examination, but we don't have any parties, so
16 now we'll go to the Office of Planning.

17 MS. THOMAS: Good evening. Good
18 evening, Mr. Chairman, members of the
19 Commission. I'm Karen Thomas with the Office
20 of Planning and we are recommending approval
21 of this application on the basis of its
22 consistency with the 2006 Comprehensive Plan

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1 which targets improvement for this section of
2 the Pennsylvania Avenue corridor.

3 We consider this project worthy of
4 consideration as a small-scale project which
5 would provide up to 100 percent of affordable
6 workforce housing on an under-utilized site as
7 a public benefit.

8 The old brick structure would
9 include elements of energy efficiency with
10 respect to its installations and landscaping
11 on the site. And we support the TDM
12 strategies of the Applicant and as well as the
13 energy elements, environmental elements.

14 I'll try to answer any questions at
15 this time. Thank you.

16 CHAIRMAN HOOD: Thank you. And I
17 actually forgot to ask the Applicant, I'm
18 sure, they have seen the Office of Planning's
19 report. I forgot to mention to the Applicant
20 some of the things that I think were already
21 discussed and I want to make sure they agree,
22 but I'll do that on rebuttal or we can do

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1 that.

2 Ms. Thomas, let me just ask one
3 question of you. You heard the dialogue with
4 the engineer about the low-service area which
5 was sent to you from Mr. Eli, engineer of the
6 D.C. Water and Sewer Authority. That you're
7 aware of, as you stated, but do you think you
8 can help facilitate us having something before
9 final action?

10 MS. THOMAS: Sure. Absolutely,
11 yes.

12 CHAIRMAN HOOD: So we can close the
13 loop on that. Okay, any questions of Office
14 of Planning?

15 COMMISSIONER ETHERLY: Thank you
16 very much, Mr. Chair.

17 Very, very briefly, Ms. Thomas,
18 thank you very much, as always for an
19 excellent report.

20 A very quick question on the issue
21 of your reference to some of the
22 transportation demand management strategies.

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1 The Office of Planning spoke to some of the
2 plans on the part of the Applicant to address
3 kind of on-site needs such that you're going
4 to hopefully see a reduction, if you will, in
5 the reliance on car trips.

6 Was there any other contemplation
7 on the part of Office of Planning of other TDM
8 strategies in addition to those? And the
9 reason why I'm asking, just so you have a
10 sense of the background is I think the traffic
11 analysis was very clear about the level of
12 service with respect to a couple of key
13 intersections that bound the property,
14 Pennsylvania and Minnesota, L'Enfant Square as
15 you kind of come back to the northwest, not
16 necessarily so much Prout Street, but it
17 seemed to be clear from the report that the
18 direction of the level of service for Prout
19 Street in the background and total future
20 level and I'm looking at Table 3.1 in the
21 traffic report. It looks like it's heading
22 downward, not precipitously, but enough to

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1 create a concern. But I think everyone would
2 agree, Pennsylvania Avenue as you head towards
3 the intersection of Minnesota, is a nightmare
4 and this is going to have an impact.

5 DDOT was clear that it's not going
6 to significantly worsen, but I just wanted to
7 explore a little more. Was there more
8 discussion about TDM strategies beyond those
9 referenced in your report?

10 MS. THOMAS: No, not really. We
11 based our TDM strategies on DDOT. DDOT has a
12 list and we use that list. We try to
13 encourage Applicants going forward to use
14 their TDM strategies that DDOT is trying to
15 push forward.

16 The Applicant, at the time of our
17 report, did not include that in their
18 submission when they submitted it to us and we
19 suggested that subsequently I heard that they
20 were going to do some of those things, so we
21 kind of are happy with that.

22 COMMISSIONER ETHERLY: Excellent.

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1 I would highlight that then to the Applicant
2 as something to additionally consider as you
3 kind of flesh out the details that my other
4 colleagues have kind of have requested some
5 specificity on the TDM piece. Again, I'm not
6 overwhelmingly concerned about it, but I think
7 the traffic report suggests enough of a low-
8 level of service on some of those surrounding
9 intersections as you head along Pennsylvania
10 Avenue that I would be interested in making
11 sure that we just have those TDM strategies
12 kind of nailed down.

13 Thank you, Mr. Chair. Thank you,
14 Ms. Thomas

15 CHAIRMAN HOOD: Thank you, Mr.
16 Etherly. Any other questions?

17 COMMISSIONER MAY: Mr. Chair?

18 CHAIRMAN HOOD: Commissioner May.

19 COMMISSIONER MAY: My question has
20 to do with what else is going on in the
21 vicinity, because I know that the whole area
22 is sort of is ripe for some sort of change,

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1 not just from the point of view of
2 development, but also from the point of view
3 of the traffic and how all that's going to be
4 managed, and I'm just not abreast on what's
5 happening lately with Pennsylvania Avenue.

6 VICE CHAIRMAN JEFFRIES:
7 Commissioner May, could you speak up a little
8 bit?

9 COMMISSIONER ETHERLY: Sorry about
10 that. What else is planned in terms of DDOT's
11 plans for the intersection of Minnesota and
12 what else might be happening with other
13 development projects in the pipeline and how
14 all that's going to come together, what the
15 status of the small area plan is and those
16 sorts of things. So how is it all going to
17 come together?

18 MS. THOMAS: I can speak with
19 respect to what I know DDOT is going to
20 attempt to do with respect to the traffic
21 signalization. They're going to just -- their
22 belief is at this time there's not much you

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1 can do because so much of the traffic comes
2 from Maryland. Signalization is one attempt
3 they're going to make to sort of control along
4 Pennsylvania Avenue coming into the District,
5 and particularly at that intersection. That's
6 about it with respect to traffic and
7 signalization.

8 MS. STEINGASSER: We can get a
9 little more detail from DDOT on the status of
10 that for you. There's also -- we have been
11 approached by other developers along the
12 corridor around the 2500, 2600 block of
13 similar projects, similar scale, ground floor
14 retail, residential above, so we're looking
15 for this project to be catalytic to be the
16 first one, the first major redevelopment
17 project that we see there. The Pennsylvania
18 Avenue study is still being worked through
19 with the neighborhood. I don't know how much
20 significant land use change there will be
21 relative to the comprehensive plan which has
22 already looked at the area and then, of

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1 course, it's a Great Streets corridor, so
2 there are public works improvements going into
3 the public space, so we can get an update from
4 Public Works on that for you as well.

5 COMMISSIONER MAY: One of the
6 related questions is streetscape improvements,
7 but the adjacent properties that are -- where
8 you've had some contact with other developers,
9 I mean it's all pretty much C-2-A around
10 there? I mean I don't have the map.

11 MS. THOMAS: Yes, C-2-A, low-
12 density commercial.

13 COMMISSIONER MAY: Now that I know
14 that there are all sorts of new traffic
15 movements that are planned with the 11th
16 Street Bridge reconstruction which is on a
17 longer-phased thing, but is that going to do
18 anything to eliminate like that awkward left
19 turn when you've got two lanes of people going
20 left across the railroad tracks and everything
21 off Pennsylvania to go north on 295?

22 MS. THOMAS: I think that is

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1 something DDOT specifically told us they're
2 going to be looking for improvements as well.

3 It's still a little bit convoluted trying to
4 --

5 COMMISSIONER MAY: Right. I mean
6 one of the things that sort of slows things
7 down in that area is that movement.

8 It would be helpful to know whether
9 with the -- I know that for 11th Street Bridge
10 they're planning on adding the -- some
11 additional movement so that you can go from
12 11th Street Bridge onto 295 in different
13 directions and those sorts of things. And if
14 that is going to have an effect on this
15 neighborhood by perhaps eliminating that
16 movement, it might be worth knowing that at
17 this point. I think that has a big impact on
18 what happens traffic-wise.

19 I think that's it for me.

20 COMMISSIONER ETHERLY: And if I
21 may, Mr. Chairman, just as a quick follow-up
22 to my colleagues' questions, Ms. Steingasser,

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1 you referenced a couple of and now I don't
2 need any specificity on it, but in terms of
3 future projects or pipeline projects, the
4 traffic report does reference the townhouses
5 of Randall Highlands and the Fairlawn Estates
6 projects. Are you thinking of other projects
7 in addition to those that have been discussed
8 or are on the drawing board?

9 MS. STEINGASSER: Yes, that have
10 had preliminary conversations with OP.

11 COMMISSIONER ETHERLY: Okay. But
12 with respect to what the traffic report itself
13 has kind of taken into consideration, and of
14 course, in tandem with DDOT's report, your
15 comfort level with regard to where the traffic
16 report lands on level of service issues,
17 pardon me, is still relatively good?

18 MS. STEINGASSER: Yes.

19 COMMISSIONER ETHERLY: What I'm
20 getting at is I think anyone who is familiar
21 with Minnesota Avenue and that intersection
22 knows it's a nightmare and I think the traffic

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1 report is fairly honest and straightforward
2 about that. I'm just trying to get a sense of
3 as you're adding more trips, and as the report
4 indicated, you're looking at potentially 30,
5 38 in the evening and I think maybe 60
6 something new, 41 a.m. peak hour trips and 63
7 p.m. peak hour trips generated by the 2300
8 project which in the grand scheme of the
9 volume that's coming along that corridor,
10 might be a relatively modest drop in the
11 bucket. But I'm just trying to make sure it
12 doesn't necessarily just push us closer to the
13 tipping point with respect to that corridor,
14 but I think everyone is still relatively clear
15 that the answer to that question is no, it
16 doesn't.

17 MS. STEINGASSER: Yes.

18 MS. THOMAS: And just to add as
19 well, it's not a whole lot of blocks that's
20 going to be developed. It's just a few more
21 just adjacent to this extensive -- you know,
22 up to the District line.

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1 COMMISSIONER ETHERLY: Okay, thank
2 you.

3 COMMISSIONER MAY: So when we see
4 those projects, then we'll get to see the
5 facade elevations of the street with this one
6 already built.

7 MS. STEINGASSER: Hopefully.

8 CHAIRMAN HOOD: Commissioner
9 Turnbull.

10 COMMISSIONER TURNBULL: Thank you,
11 Chairman Hood. I just had one question for
12 Ms. Thomas and I guess it might involve a
13 response from the Applicant too, but on page
14 eight of your report under the recommendation,
15 I don't remember we actually came back and
16 actually addressed this with the Applicant,
17 but you're promoting, you said the biking to
18 the Metro Rail, car sharing, and complimentary
19 Smart Trips. I don't think we ever got into
20 that and I didn't ask the Applicant at any
21 point if there is bike storage in the parking
22 area.

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1 MS. THOMAS: Yes, they did said
2 there was 51 spaces.

3 COMMISSIONER TURNBULL: Fifty-one?

4 MS. THOMAS: Yes. Fifty-one
5 spaces, and they did say that they answered
6 our recommendation with respect to the
7 complimentary Smart Trip cards, but they were
8 going to issue that upon moving. They did
9 mention that as part of their testimony.

10 COMMISSIONER TURNBULL: I must have
11 just missed that.

12 MS. THOMAS: That's fine.

13 COMMISSIONER TURNBULL: Thank you.

14 CHAIRMAN HOOD: All right, any
15 other questions? Okay, seeing none, does the
16 Applicant have any cross examination to Office
17 of Planning? Okay.

18 Okay, we'll move right along. We
19 have the report of ANC-8A and basically it's
20 from Commissioner -- I'm sorry, Chairperson
21 Anthony Mohammed and it says that four
22 Commissioners are necessary for a quorum and

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1 seven Commissioners were present at the
2 meeting. The resolution was approved by a
3 vote of 6 to 1.

4 Do we have anyone here from ANC-8A?

5 Okay. So this letter is Exhibit 42 and
6 attached to it was the resolution which again
7 certifies the support of ANC-8A and it will be
8 accorded great weight.

9 The other thing, let me back up.
10 Report of other government agencies? We
11 received this evening, colleagues, Exhibit 46
12 which -- from DDOT which basically says
13 therefore, from the transportation standpoint
14 proposed use will not have an adverse traffic
15 or parking impact on the neighboring
16 residential area. Accordingly, the District
17 Department of Transportation supports this
18 application.

19 And other than the WASA letter, I
20 think that's all we had from the other
21 agencies.

22 Okay, let's get right to our

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1 witness list and hear from the community.

2 What I would like to do first is
3 ask -- these are proponents, Ms. Ashley Howard
4 to come and any other young person from the
5 community, to come forward that may want to
6 testify. Let me do that first because it is a
7 school day tomorrow. And if that's it, we'll
8 have Ms. Howard come and we'll hear from Ms.
9 Howard and we'll go from there.

10 MS. HOWARD: Hello, how are you
11 doing? My name is Ashley Howard. I'm
12 currently employed with the Earth Conservation
13 Corps. I would just like to express my
14 support for the 2300 Pennsylvania Avenue unit
15 project. I feel that this would open up
16 opportunity to have more use as far as job
17 opportunities and stop more crime. I had a
18 friend that was a part of Ward 8, he's
19 currently deceased right now. His name was
20 Anthony Henson.

21 I feel this project which has
22 helped to support families as far as in the

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1 community, it just basically occupy our time
2 to stop the violence in the streets.

3 Thank you, Mr. Hood and the
4 Commission Board. Thank you.

5 CHAIRMAN HOOD: Thank you very
6 much. We may have one or two questions for
7 you. Colleagues, any questions of Ms. Howard?

8 Okay, but I'm sure my colleagues
9 share my comments. We thank you for coming in
10 and testifying. We appreciate your comments.

11 MS. HOWARD: Thank you.

12 CHAIRMAN HOOD: thank you. Keep up
13 the good work. Any other young person?

14 Okay, let me go to the witness
15 list. And if it sounds like your name,
16 believe me, I'm doing my best.

17 We're going to take proponents.
18 I'm going to ask Ms. Jones from Fairlawn
19 Citizens Association. The last name is
20 Binder. First name is Herman. Barber, I'm
21 sorry. Mr. Herman Barber. And James Bynn.
22 What's that, three? We'll just go with three.

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1 We're going to begin with Ms. Jones
2 and Ms. Jones, you'll have five minutes, Ms.
3 Jones. Turn your microphone on so we can make
4 sure we hear you. It's the little button
5 right there.

6 MS. JONES: Okay.

7 CHAIRMAN HOOD: We want to hear
8 you. There you go.

9 MS. JONES: Good evening. My name
10 is Thelma E. Jones, and my address is 2217 T
11 Place, S.E., Washington, D.C. 20020. I have
12 lived at this address in the Fairlawn
13 community for 34 years. Unfortunately, the
14 Fairlawn Citizens Association, Incorporated
15 could not take a vote on the proposed revised
16 supplemental filing of this application, 0-16
17 for a Consolidated Planned Unit Development at
18 2300 Pennsylvania Avenue, S.E., because the
19 developer, Mr. Chapman, could not attend the
20 Fairlawn Citizens Association's monthly
21 meeting that was held on Tuesday, November 20,
22 2007 at 7 p.m. which he was invited to attend

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1 and make a presentation on the revised plan.

2 Mr. Chapman did attend the Fairlawn
3 Citizens Association, Incorporated Executive
4 Board Meeting held on Tuesday, May 1, 2007, to
5 get input. On Tuesday, May 15th, at the
6 Fairlawn Citizens Association regular monthly
7 meeting, Mr. Chapman made his initial
8 presentation of his plan that was submitted to
9 the Commission dated July 23, 2007. The
10 Association's major concern was the height and
11 brick facade.

12 Again, I attended a meeting that
13 Mr. Chapman held on Thursday, August 23rd,
14 2007 at 7 p.m. at the UPO Center, 1649 Good
15 Hope Road, S.E., where I voiced my concern
16 about the height and the facade. Attached are
17 documents of these meetings and they are
18 submitted with my testimony. So therefore, I
19 am testifying as a resident and not in the
20 capacity of the president of the Fairlawn
21 Citizens Association in Zoning Case 0-16. I
22 am in support of the revised application Case

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1 No. 0-716 of the 2300 block of Pennsylvania
2 Avenue which is located at the southeast side
3 of Pennsylvania Avenue and Prout Street where
4 the addresses of this site are on the uneven
5 side starting at 2309 Lot 811 and ending with
6 2327 Lot 803.

7 I wholeheartedly agree with the
8 Letter of Memorandum submitted to the District
9 of Columbia Zoning Commission dated July 26,
10 2007 from the Government Office of Planning to
11 reduce the height of the building to five
12 stories and one of the major concerns heard
13 throughout the community was also materials
14 which should be a facade of all brick which
15 would look eloquent and inviting as you cross
16 the Sousa Bridge into the Fairlawn community
17 for potential occupants.

18 I have expressed my concerns to the
19 Office of Planning. In supporting this much
20 needed development to enhance our community, I
21 am concerned about how many units that will
22 actually be in this development. The Office

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1 of Planning's recommendation of 112 one
2 bedroom units, the Applicant is requesting 118
3 units. The Applicant requested from the
4 Department of Housing and Community
5 Development for money for 115 which was
6 withdrawn as of June 30, 2007 as reported in
7 the Department of Housing and Community
8 Development home service information website
9 for the Housing Production Trust Fund.

10 With this being said on the
11 decision this Commission makes, please take
12 into consideration my concern as a
13 recommendation of the Office of Planning and
14 other District agencies for your decision
15 making.

16 Thank you for allowing me to
17 present this testimony. And I'd like to -- I
18 did make a copy of -- this is a copy of the
19 sites and the addresses. This is a copy of
20 what came off of the website and on page 22,
21 it shows where it was -- they have withdrawn
22 the Applicant as of June 30, 2007. This is

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1 that.

2 And I'd like to make a statement
3 that's not in here. As you know --

4 CHAIRMAN HOOD: Ms. Jones,
5 actually, your time is up, so if you could
6 give us -- you had five minutes. And
7 actually, you're supposed to have only three
8 because -- I want to make sure we're fair
9 across the board, so what I'm going to ask you
10 to do since you're the first person and I
11 didn't know you were not representing
12 Fairlawn.

13 Can you just finish and do it in
14 one sentence for me? Okay, two sentences.

15 MS. JONES: Okay.

16 CHAIRMAN HOOD: Okay, do it in two
17 sentences for me. I want you to wrap it up
18 unless --

19 MS. JONES: I am the president of
20 the Fairlawn Citizens Association.

21 CHAIRMAN HOOD: Right.

22 MS. JONES: But I came here as a

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1 resident because of the fact we weren't
2 privileged to what has been shown here tonight
3 which I thought we could have been shown at
4 the November 20th meeting and I'd like to add
5 that I'm also a member of the Pennsylvania
6 Avenue Task Force and the Great Streets
7 Pennsylvania Avenue Task Force, and prior to
8 Ward 8 becoming a part of Fairlawn, our
9 boundaries from the Fairlawn Avenue to
10 Pennsylvania Avenue to 25th Street up to
11 Naylor Road back down -- Good Hope Road, down
12 to the 11th Street Bridge.

13 CHAIRMAN HOOD: All right, thank
14 you very much. Hold your seat. We may have
15 some questions for you.

16 Mr. Barber?

17 MR. BARBER: You're going to have
18 to excuse me because I'm part of the D.C.
19 Public School system and none of my teachers
20 would probably allow me to read the record
21 from my paper so I'm going to paraphrase some
22 of my testimony.

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1 My name is Herman Barber. I'm a
2 Ward 8 business owner, CB owner for the past
3 12 years for Horton and Barber Construction.
4 I'm coming in to support the Chapman
5 Development project at 2300 Pennsylvania
6 Avenue. They've been an advocate for CBs with
7 this project from day one. They've held a
8 pre-bidders' conference where not only the
9 principal of Chapman Development, Mr. Chapman,
10 himself, but also principal of his general
11 contracting company. They've been an
12 advocate, I think, to the Division of the
13 Council Member and the Mayor to have not only
14 affordable housing, but also ward residents
15 and ward businesses that are going to have
16 access to jobs and employment opportunities
17 and I think from my experiences being over in
18 the ward and working that they've done more
19 than what other developers have done and give
20 us an opportunity.

21 So I would like to thank you for
22 your time, Commissioner Hood and again, I'm in

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1 support of 2300 Pennsylvania Avenue project.
2 Thank you.

3 CHAIRMAN HOOD: Thank you, if you
4 would hold your seat.

5 Mr. Bynn?

6 MR. BYNN: Good evening, Mr. Hood
7 and other illustrious Commissioners. My name
8 is James Bynn. I'm the Executive Director of
9 the Ward 8 Business Council. The Ward 8
10 Business Council strongly supports Chapman
11 Development project on 2300 Pennsylvania
12 Avenue, S.E. Chapman Development is a pioneer
13 in introducing opportunities to the local
14 business community in Ward 8.

15 This company has deep investment
16 sin our area. Chapman Development created a
17 unique, meaningful community engagement model
18 that promotes CBEs, working with big
19 developers in an effort to engage local and
20 small business in this project, Chapman
21 Development partnered with the Ward 8 Business
22 Council to put on the Ward 8 CBE pre-bidders'

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1 conference.

2 Forty businesses were represented
3 at this event, in light of the fact that the
4 CBE shares several concerns, Chapman
5 Development stepped up to the plate and agreed
6 to put on a series of workshops to address
7 their concerns.

8 Two of those workshops are scheduled for this
9 month.

10 Finally, 2300 Pennsylvania Avenue
11 would be a signature of affordable housing
12 project because it sits at the gateway of the
13 Sousa Bridge. Gentrification often generates
14 displacement. 2300 Pennsylvania Avenue will
15 provide luxury, affordable housing to our
16 workforce east of the river. We welcome an
17 opportunity for new neighbors to move into
18 Ward 8.

19 Now Mr. Chairman, I would just like
20 to say as Executive Director of the Business
21 Council, the Business Council has been in
22 business for over 13 years. We are

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1 responsible for all of the businesses along
2 with the Council Members that moves in and out
3 of Ward 8. Our Council Member, former Mayor
4 Marion Barry, has entrusted the Ward 8
5 Business Council to engage businesses and
6 developers that are coming into the ward after
7 they have been to visit his office. He then
8 refers them to come to our office.

9 And I must say to you, Mr.
10 Chairman, this is one of the first
11 developments, but having seen the process of
12 many other developers now are coming to the
13 Ward 8 Business Council because we're
14 determined to make sure that organizations
15 like Mr. Barber's and others that you'll hear
16 from tonight get an opportunity to participate
17 in the things that are happening in their
18 ward.

19 I want to just say one other thing.
20 Ward 7, Council Member Alexander is a dear
21 friend of mine. We work on a lot of things
22 together and Ward 8 borders Ward 7. But I

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1 want everyone to remember that this project is
2 in Ward 8. Even though you live anywhere in
3 this city you have the right to come and voice
4 your opinion, but I can tell you that the
5 leadership of Ward 8, the majority of
6 residents of Ward 8 has said unequivocally
7 that this project they want to see it go
8 forward.

9 So I'm asking you and your
10 colleagues to adhere to the wishes to he
11 residents of Ward 8. There are 75,000 of us,
12 75,000, and for long, we have not gotten the
13 proper respect that we should have from the
14 city. We are beginning to get that and I'm
15 very proud of that. And I hope you all will
16 move diligent and in favor of this
17 development. We do want it. We believe it's
18 needed and we do believe that it will benefit
19 Pennsylvania Avenue and it is on the Ward 8
20 side. I thank you, Mr. Chair.

21 CHAIRMAN HOOD: Thank you, and I
22 really like your comments. Maybe some of the

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1 other wards can adopt some of those patterns
2 as the Ward 8 Business Council.

3 Colleagues, any questions of this
4 panel?

5 Does the Applicant have any
6 questions?

7 Let me just ask this, Ms. Jones, do
8 we have your -- you said you have some
9 additional attachments. Have you turned those
10 in already?

11 MS. JONES: Yes.

12 CHAIRMAN HOOD: Oh, you did. Okay,
13 okay. All right, I thank you three for your
14 comments. Thank you.

15 MS. JONES: I didn't turn in the
16 attendance register.

17 CHAIRMAN HOOD: Oh, that's what --
18 that's what I was referencing. I was looking
19 for that.

20 MS. JONES: You get this off the
21 website.

22 CHAIRMAN HOOD: Okay, I'll get it

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1 off the website.

2 MS. JONES: Also, this came off the
3 website. The one with the property details.
4 That came off the website.

5 CHAIRMAN HOOD: Okay, that came off
6 the website. You don't have your microphone
7 on, but since I engaged you in this, let me --
8 I thought you were going to provide that to us
9 for the record. I don't know legally if I can
10 go on the website and investigate that. I
11 can't do that. So that's why I was asking.

12 MS. JONES: Did you want me to make
13 a copy of this? This is all I have.

14 CHAIRMAN HOOD: You want it back.
15 That's okay. I think for what our purposes, I
16 think we have your testimony. We can go from
17 there. Okay?

18 MS. JONES: Okay.

19 CHAIRMAN HOOD: We're good. Thank
20 you. Okay, let's see. Robert James. I have
21 here Glen O'Gilvie, but I think he's already
22 testified for what he was going to say. And I

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1 also have Mr. Richardson here again and I
2 think she's already testified, unless you
3 wanted to come back up again. Okay.

4 Mr. Freddie Winston, F&L
5 Construction. And Deon Rollerson. We're
6 going to start with Mr. James.

7 Mr. James, you have three minutes.

8 MR. JAMES: Thank you. Good
9 evening, Mr. Hood, and other distinguished
10 members of the Zoning Commission. I'm Robert
11 James, Chairman of the Ward 8 Business
12 Council.

13 The Ward 8 Business Council is
14 strongly supportive of this project because
15 Chapman Development has clearly demonstrated
16 their commitment to be a good, corporate
17 citizen in Ward 8.

18 The Ward 8 Business Council
19 co-sponsored the Ward 8 Roundtable, Retail
20 Roundtable. This is the first time in history
21 that the Ward 8 Business Council, that a
22 developer has not only included the Ward 8

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1 Business Council in their events, but there
2 was a sense of meaningful engagement. It was
3 great to see that the community could actually
4 help determine who the possible retailers
5 might be at that site.

6 The Ward 8 Business Council has
7 high praise for Chapman Development because
8 they think outside of the box when it comes to
9 public participation.

10 Thank you.

11 CHAIRMAN HOOD: Thank you. Okay,
12 just hold your seat. Who was next? Mr.
13 Winston.

14 MR. WINSTON: Yes, good afternoon,
15 Chairman Hood. My name is Freddie Winston.
16 My company is F&L Construction. And I've been
17 in Ward 8, actually I've been in business for
18 over 18 years.

19 Good afternoon, Chairman, and other
20 members of the Zoning Commission. My name is
21 Freddie Winston of F&L Construction. I'm
22 president of F&L Construction. It is a Ward 8

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1 CBE certified business enterprise. Has been
2 in business over 18 years.

3 I strongly recommend that 2300
4 Pennsylvania Avenue project go forward and I'm
5 looking forward to doing business on the
6 project. I'm a small business. I've been
7 Ward 8 for over five years. Looking to employ
8 Ward 8 businesses -- I mean Ward 8 employees.
9 I'm just looking forward for this project to
10 go forward.

11 CHAIRMAN HOOD: All right, hold
12 your seat. Thank you.

13 Next, Mr. Rollerson.

14 MR. ROLLERSON: Good evening, I'm
15 Deon Rollerson. I'm a small business owner on
16 Pennsylvania Avenue. I actually own -- not
17 own the building, but I lease the building
18 2327 and I also lease a building across the
19 street, 2314 Pennsylvania Avenue and I've been
20 on Pennsylvania Avenue for ten years and I'm a
21 Washingtonian. I grew up in D.C. I'm 38, so
22 I've been in D.C. all my life. Attended all

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1 D.C. public schools. I got kids that attend
2 D.C. public schools. I'm really a part of
3 D.C. I mean I guess in time change won't
4 come. I ain't really opposing or proposing,
5 but my point is to say to the Chapmans is like
6 they already ran down buildings and things of
7 that nature, but they are like -- that's my
8 livelihood.

9 So in a sense, what I'm
10 recommending to the Chapman Development, if
11 and when the project do come, because it's
12 probably inevitable, but could I be like
13 considered a guarantee some of that retail
14 space to keep my livelihood going at a
15 reasonable marketable rate that's not going to
16 really drive me you know out of the city.
17 That's my concerns.

18 CHAIRMAN HOOD: Okay, thank you.
19 Hold your seat.

20 Colleagues, any questions of this
21 panel? Let me say to Mr. Rollerson, I'm sure
22 that there was a vetted process and you might

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1 want to also tie in with the Ward 8 Business
2 Council. I'm not sure of the whole process,
3 how it works. Ms. Richardson, I'm sure all
4 you can work with all of them, because it
5 sounds to me from the other people who have
6 come down who have small businesses is they
7 got something that's really going on pretty
8 good out there, so you might want to tie in
9 and participate in that process and see if
10 your concerns can be addressed in that forum.

11 Any other questions of this panel?

12 Does the Applicant have any questions, cross
13 examination?

14 Okay, I thank all three of you for
15 your testimony.

16 Anyone else that would like to
17 testify in support? Anyone else present who
18 would like to testify in support? And let's
19 make sure we get our witness cards to our card
20 reporter. She gets up and she comes to get
21 them. Let me give her a minute to collect
22 them all.

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1 (Pause.)

2 CHAIRMAN HOOD: Okay, let's move to
3 our opposition and I only have two names. So
4 what I'd like to do is call the two names that
5 I have and see if we have one additional
6 person. I'm going to ask for Reverend
7 Johnson, representing several neighbors, so
8 obviously, we don't have anything in writing
9 that he's representing the church, so he's
10 going to be given three minutes. And if he
11 needs some additional time, he can tell me
12 he's representing the church. And also,
13 Marvin Thomas, a Ward 7 resident. And anyone
14 else here in opposition?

15 Ms. Richardson. So Ms. Richardson
16 is representing Penn Branch. She'll have five
17 minutes.

18 Mr. Johnson, are you representing
19 your church or are you just --

20 REV. JOHNSON: What I submitted,
21 sir, in my application as a party status, I'm
22 representing the residents, owns, agents, and

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1 trustees of 2300 block of Nicholson Street,
2 S.E., directly around the corner from the
3 proposed development.

4 CHAIRMAN HOOD: You'll have three
5 minutes. You may begin.

6 REV. JOHNSON: Do I start now?

7 CHAIRMAN HOOD: You have three
8 minutes.

9 REV. JOHNSON: Please forgive me
10 for not following the proper procedures for
11 submission. I came to the Office three or
12 four times to get information and I was told I
13 could bring the petitions signed by the owners
14 here tonight with me, which I did, but
15 nonetheless, I feel like I'm an Anacostia
16 Indian, fifth generation Washingtonian,
17 descendent from slaves owned by Robert E. Lee.

18 I'm a third generation Anacostian. I have
19 served on three of the four development
20 corporations in Southeast Washington. I've
21 served on the Southeast Neighborhood
22 Development Corporation which developed 2100

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1 Martin Luther King, Jr. Avenue; the Anacostia
2 Economic Development Corporation, as an
3 officer, which developed the Anacostia Gateway
4 Project; Marketplace Development for the
5 Safeway store; Portals and the Gateway
6 Project. I also serve on the Community
7 Development Corporation of Union Temple
8 Baptist Church. I served as the Director of
9 the Department of Employment Services,
10 Anacostia Employment Service Center for nine
11 years. I retired after 27 years and I
12 administer first source agreements.

13 I have met with Mr. Chapman on
14 several occasions and I have to say that in my
15 experience as a developer, working with KSI
16 and homes at Woodmont and several other areas
17 in Southeast, I live around the corner from
18 this project. My house has five fireplaces in
19 it. It is 97 years old. The homes around the
20 corner from this project are almost and over
21 100 years old. This building will impact on
22 those homes. Those people who live at ground

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1 zero are going to be inconvenienced by this
2 project. Parking, stores, the customers and
3 everything are going to impact us.

4 On my street, directly around the
5 corner, ground zero, the trees on my street
6 are five stories high. You can see them from
7 Pennsylvania Avenue by the Morton's. The
8 Morton's store is the largest building on that
9 square, the car wash is the next largest.

10 Mr. Chapman's building is too high.

11 It needs to be only four stories, period. It
12 also needs to be changed. I've got several
13 renderings from The Washington Times which are
14 more amenable to what the homes look like on
15 Nicholson Street, but this project, Mr.
16 Chapman, is probably one of the best
17 developers I've ever met. I am a religious
18 man and thank God God didn't have a commission
19 before he ordained me in 1983 because I may
20 not would have made it if I had to go before a
21 commission. But Mr. Chapman and I have met.

22 CHAIRMAN HOOD: Can I get your

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1 final comment?

2 REV. JOHNSON: All we could speak
3 about was the social amenities associated to
4 the building. The first time that I have seen
5 anything that's as complete as this thing is
6 tonight. How could we have evaluated anything
7 when all we were given were renderings, a
8 couple of little books, a couple of little
9 cartoons, and then Mr. Chapman's presentation.

10 This is the first time I've heard
11 enough things to make a decision on. I was
12 told that if I had any opposition, any, the
13 color, the height, I was to oppose it. I'm
14 not totally opposed to this. Not at all. Mr.
15 Chapman, as I said, in all my years'
16 experience in development corporations, will
17 be a good developer, in my opinion. However,
18 the people who live at ground zero have to be
19 considered. We're the ones that's going to be
20 inconvenienced, not anybody down here, but us.

21 And so with that, I will conclude
22 my testimony and I will submit correct party

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1 status information the next time that I come
2 before you.

3 Thank you.

4 CHAIRMAN HOOD: Just hold your
5 seat.

6 Mr. Thomas.

7 MR. THOMAS: My name is Marvin
8 Thomas. I'm a lifelong resident of
9 Washington, D.C., a product of D.C. public
10 school system. This project, however, it
11 looks great on paper, but nobody at one point
12 has considered that it will have on the people
13 are presently not just in the neighborhood or
14 you know -- it took me I don't know how many
15 years to even still dealing with DCRA to try
16 to acquire what I consider the only -- the
17 only knowledgeable motorcycle repair place in
18 the District of Columbia being that we're in a
19 constraint for how you say finding efficient
20 ways to use what little fuel we have and
21 things of that nature.

22 This study, I sit back and I listen

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1 tonight to the gentlemen say that you can take
2 a tractor trailer through there and stuff. I
3 own a tow vehicle because I race motorcycles.

4 I have a 40-foot long vehicle with a trailer
5 on it. You cannot get it around those
6 corners. It's parked on Prout Street right
7 now and I use a garage for storage to store my
8 musical equipment because I'm a member of
9 161710 and had to go through all the DCRA
10 stuff. It's a shame that I have to license my
11 music to play music and race motorcycles
12 legally.

13 But the feasibility, nobody has
14 looked at the traffic. Around the clock, the
15 traffic is severe right there at Pennsylvania
16 and Minnesota. It's even been, how do you
17 say, the product of several major accidents
18 and stuff right there that I watch on a
19 regular basis. And to think that that
20 wouldn't have any impact is almost unheard of,
21 not to mention I watched them survey this
22 property and at no time did I ever watch

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1 anybody take a geological ground study to see
2 what the impact, how deep you can drill before
3 you hit water. It's beautiful on paper and it
4 sounds great in words, but it's like a
5 helicopter, if you do the mathematics, it
6 don't fly.

7 Mr. Chapman, it's a beautiful
8 building, you know. I don't see where it's
9 really going to help the community. How is it
10 going to help the community with housing --
11 the housing market, we all know right now,
12 where housing went. We know where housing
13 went, so if you're going to build more housing
14 and we know that other city-owned projects are
15 going to be displaced in the near future and
16 stuff, but I live in Fairfax Village and we've
17 got so many empty units that we can't even get
18 rid of. So why would you build these
19 expensive units and many times before I've
20 heard it said, oh, we're going to build more
21 units, we're going to make them affordable for
22 people and only thing it turns out to be is

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1 another product of gentrification, so what is
2 this project really? How is it really, really
3 going to help my community? My community
4 doesn't need a Starbucks. Starbucks -- gee,
5 they lost out to McDonald's --

6 CHAIRMAN HOOD: Can you give us
7 your closing thought?

8 MR. THOMAS: That's it. I
9 summarized it to the end, that's it.

10 CHAIRMAN HOOD: Okay, thank you,
11 Mr. Thomas.

12 Ms. Richards.

13 MS. RICHARDS: Thank you. Good
14 evening. The Penn Branch Citizens Civic
15 Association has three discrete concerns with
16 this PUD application: the overall height, the
17 potential use of the penthouse as an
18 occupiable space and exploitation of the one-
19 mile distance to the subway is an affirmative
20 benefit.

21 This project was originally seven
22 stories and 90 feet and that was clearly

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1 unacceptable and we're obviously very happy at
2 the reduced height. As we looked at some of
3 the elevations in the package, the 59 feet
4 appeared to be measured from the high point of
5 the sloping sidewalk and there was some other
6 anomalies in the elevation. So we did not
7 feel confident that we fully understood the
8 height.

9 So therefore, we are posing the
10 height to the extent it exceeds the stated 59
11 feet.

12 Also, the July submissions stated
13 that the penthouse would be used for -- it
14 would be occupiable and that there would be
15 maybe a tenant exercise room and some other
16 amenities. From the presentation tonight,
17 that seems not to be the case. To the extent
18 that the penthouse is not going to be used for
19 that purpose, there's no opposition. As a
20 general matter, we think the penthouse of this
21 and any other building should be confined to
22 the mechanical uses. And so we're very

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1 concerned that the actual residential
2 commercial use be the 59 feet stated.

3 And as has been stated, this is
4 going to anchor the Great Streets east of the
5 river. This is going to be the first of
6 several major intersections. Southeast Ward 7
7 has been presented with a number of proposals
8 for a medium to high rise mixed use
9 development along the length of Pennsylvania
10 Avenue, so we have not seen a completed
11 corridor plan.

12 Penn Branch has held on to
13 densities and zoning in the new Comp. Plan of
14 R-1-B and C-1. We are being pressed to allow
15 greater heights and densities on that site.
16 We're very concerned that this project not be
17 used as a precedent for future development,
18 particularly at Penn Branch. Therefore, we
19 are asking that given the absence of a
20 integrated corridor plan and our own land
21 uses, we are looking for should you approve
22 this plan in any form, we would like language

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1 and order stating that it should not be
2 considered precedential and in regard
3 especially in height for future corridor
4 development under Great Streets which we feel
5 should be governed by an adopted corridor plan
6 and that is our real concern tonight.

7 Also, one document, and this is a
8 minor point, but it goes to what's properly
9 considerable stated that the one mile distance
10 to the Potomac Avenue subway was good because
11 it would promote health in walking. That
12 whoever is going to walk is going to walk and
13 get the benefit. But we were sort of like
14 amused that anyone would put that forward as
15 such as insubstantial basis for public zoning
16 relief. So we urge you to ignore it.

17 Also, with regard to the
18 statements, there is an EIS for the 11th
19 Street Bridge. There was a hearing on that
20 earlier this month. We did testify. It does
21 address the impact of the 295 on this
22 intersection. The left turn will remain open.

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1 No improvement in overall traffic volume is
2 up and congestion is expected, although there
3 will be some relief five years down the road
4 after completion in that left turn. So in the
5 short to mid-turn, traffic is going to get
6 worse.

7 I'd be happy to put a copy of the
8 EIS in our testimony and record, if you so
9 choose. It's also available on DDOT's website
10 Pennsylvania Avenue traffic study that DDOT
11 has done for traffic amelioration. It does
12 address this intersection. It has not been
13 adopted.

14 I don't know if it's going to be adopted, but
15 there's quite a bit out there on traffic and
16 none of it is good.

17 Thank you.

18 CHAIRMAN HOOD: Thank you very
19 much. Colleagues, any questions of this
20 panel?

21 Commissioner May?

22 COMMISSIONER MAY: Yes, first of

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1 all we do need to see the whole EIS for 11th
2 Street Bridge, thank you, not for this, but we
3 will get a summary of what the information is
4 that's going to affect that, the intersection
5 here to the extent that it does at all, we'll
6 get that summarized. And that will go into
7 the record, I'm sure.

8 The mile walk to the Metro, I
9 agree, we're not -- I would not really pay
10 much attention to that. I don't think that's
11 an exceptional benefit and I think it's
12 outside the realm of what we would normally
13 consider to be a Metro accessibility.

14 The -- let's see. Oh, for Mr.
15 thomas, I got a little bit confused. You have
16 a business that's in close proximity to this
17 block? It's across the alley, across Prout
18 Street?

19 MR. THOMAS: It's on one of the
20 plats there.

21 COMMISSIONER MAY: It's one of the
22 properties --

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1 MR. THOMAS: It's one of the plats
2 there.

3 COMMISSIONER MAY: That's going to
4 be displaced by this development?

5 MR. THOMAS: Yes.

6 COMMISSIONER MAY: Okay.

7 MR. THOMAS: One other thing, if I
8 may, it seems that every developer has bought
9 up every major piece of property around. I've
10 spent the last four months looking for
11 suitable place in the District of Columbia
12 being a District resident, I see no need or
13 reason for me to leave the confines of my
14 city. The city has done everything for me.

15 COMMISSIONER MAY: I'm sorry. I
16 have one more question for Ms. Richards which
17 is you're opposed to anything about 59 feet.
18 So 59'6" is no good?

19 MS. RICHARDS: You know, if it's
20 really 59'6" that's fine. We just couldn't
21 tell and between the uncertainty regarding the
22 penthouse and the elevation, we didn't know if

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1 we were really looking at like 60, 65, 63, so
2 you know, 59'6", 59' give or take that two
3 percent you get for the leeway.

4 COMMISSIONER MAY: Okay, thank you.

5 Mr. Chair, I don't know if Ms.
6 Richards has this elevation --

7 MS. RICHARDS: Didn't get that one.

8 COMMISSIONER MAY: What we're
9 looking at on the elevation here is that the
10 Applicant on Pennsylvania Avenue is actually
11 measuring the height of the building from the
12 center point of the building, so it's not from
13 the highest point. He's actually measured it
14 from the center point and that's where you're
15 getting the 59 feet, and the penthouse can
16 exceed that level. There are regulations that
17 can do that.

18 MS. RICHARDS: If the penthouse is
19 solely for mechanical purposes --

20 COMMISSIONER MAY: It's just for an
21 elevator.

22 MS. RICHARDS: That's fine.

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1 COMMISSIONER MAY: It's the
2 elevator overrun.

3 MS. RICHARDS: Okay, because the
4 July '07 submission does refer to an
5 occupiable penthouse for use for tenant
6 amenities and that would be --

7 COMMISSIONER MAY: You're looking
8 at some older drawings.

9 MS. RICHARDS: We looked at --
10 okay. So we weren't sure and we didn't have
11 that elevation, so we figured it would be
12 better to safe than sorry than surprised.

13 COMMISSIONER MAY: Okay, thank you.

14 VICE CHAIRMAN JEFFRIES: And based
15 on some of the questions, I would be
16 interested before we leave tonight for Mr.
17 Chapman to talk a little bit about retail
18 strategy and businesses or whatever along
19 Pennsylvania Avenue.

20 CHAIRMAN HOOD: I was going to also
21 ask in rebuttal or in closing remarks that
22 they also look at that. I don't think we can

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1 do that at this point.

2 Let me just apologize to Reverend
3 Johnson for any misinformation that he may
4 have gotten for not being able to qualify for
5 party status.

6 But I will tell you that your
7 comment that you made, are some of the other
8 neighbors down here also?

9 REV. JOHNSON: Mr. Treadwell, who
10 owns about 13 of the properties in the 2300
11 block of Nicholson Street was here with his
12 son, but he had to leave because his son goes
13 to Orr Elementary School.

14 CHAIRMAN HOOD: I understand. Let
15 me just say I apologize if there was some
16 information that was not given to you out of
17 this office, but to get party status, you have
18 to be uniquely affected and when I say
19 uniquely affected, basically solely uniquely
20 affected. And there has to be something
21 that's going on with your property that may
22 not be going on with my property and the

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1 problem is it was not articulated in the
2 submission.

3 But I heard you loud and clear and
4 I will be asking the Applicant a few follow-up
5 questions.

6 REV. JOHNSON: If I can just say
7 one other thing.

8 CHAIRMAN HOOD: Sure.

9 REV. JOHNSON: This part of Ward 8
10 has only been part of Ward 8 since 2002. I
11 was the ANC Commissioner of 6C from 1991 to
12 2001. I was the chair of that Commission for
13 seven years. I'm very familiar and I check
14 with people before I do things and I visited
15 this office three times, even calling on the
16 day to let the staff know that the party
17 status line is on the internet. Your staff
18 didn't know that. So I shared that with them
19 and what have you --

20 CHAIRMAN HOOD: Thank you.

21 REV. JOHNSON: But I want to meet
22 your requirements.

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1 CHAIRMAN HOOD: Thank you for
2 helping us out.

3 Okay, any other questions,
4 colleagues?

5 I thank you all for your comments.

6 Hold on one second. Does the Applicant have
7 any cross examination?

8 All right, I thank you three for
9 your comments and testimony.

10 Anyone else here in opposition?

11 Anyone else here in opposition?

12 Okay, I ask the Applicant to come
13 up for closing and rebuttal.

14 And since the ANC is not here, we
15 will not have any cross examination of
16 rebuttal.

17 Mr. DePuy.

18 MR. DePUY: Mr. Chair, Members of
19 the Commission, there was concern raised by
20 several businesses that may be displaced. And
21 I would ask Mr. Chapman if he would address
22 that particular concern.

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1 MR. CHAPMAN: I think one of the
2 things that we might look in -- well, not
3 might, but one of the things we should look
4 into and will look into is to coordinate with
5 the businesses that are currently in there, a
6 roundtable or seminar, and we can use our
7 community outreach person to work with those
8 businesses that Department of Housing and
9 Community Development or other city agencies
10 to help them with any displacement that might
11 occur, any funds that may be available to them
12 to find other locations and we can also bring
13 in the people that we work with, our
14 accountants, our attorneys, or whatever,
15 whatever resources that we can bring to bear
16 to assist them in this being
17 as painless as possible and help them maybe
18 communicate with the District of Columbia to
19 find other sources, if they're not compatible
20 with what the community is looking for in the
21 retail that would eventually go into the
22 building, is that made any sense at all.

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1 CHAIRMAN HOOD: Any questions?

2 VICE CHAIRMAN JEFFRIES: Can you
3 just talk a little bit and I don't want you to
4 spend a lot of time in terms of what are your
5 thoughts on retail? Is that neighborhood
6 serving retail? What are your plans?

7 MR. CHAPMAN: What was born out of
8 the retail summit that we coordinate with the
9 residents in the area was the primary things
10 they were looking for were a sit-down
11 restaurant, a bookstore, a coffee shop, and a
12 place to hear jazz music. Not the only, but a
13 perfect example of that was used as an example
14 earlier which is Busboys and Poets up by the
15 Reeves Building. We have not talked to
16 Busboys and Poets yet because it would be a
17 bit premature yet until we got through this
18 process. But our intent is to bring something
19 similar to that, but higher in retail to that
20 site.

21 VICE CHAIRMAN JEFFRIES: It's the
22 whole business of managing expectations and so

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1 forth.

2 MR. CHAPMAN: Our expectations --

3 VICE CHAIRMAN JEFFRIES: I know the
4 owner of Busboys and Poets.

5 MR. CHAPMAN: We're looking for
6 something like that. I mean we went out -- we
7 flew out to Las Vegas to the retail conference
8 and met with several retailers to talk to them
9 about coming to that site. It's a challenge,
10 frankly. There's a lot of misunderstandings
11 about going in there as retail. I personally,
12 obviously, believe in the site.

13 CHAIRMAN HOOD: Any other closing
14 remarks or comments?

15 MR. DePUY: We have no other
16 witnesses on rebuttal. In lieu of a closing
17 statement, I think the record is clear. I
18 think the presentation by the Applicant was
19 clear with respect to the project, the
20 benefits, what's being requested of the
21 Commission, and in lieu of any detailed
22 closing statement, I would simply request that

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1 the Commission establish a very short time
2 table for the receipt of additional materials,
3 plans, and so forth, so that we can move
4 forward as quickly as possible.

5 We have some DHCD pressures and
6 guidelines and requirements, as well as
7 contractual obligations, so we would request
8 that the Commission schedule a very aggressive
9 and quick time frame for the receipt of
10 requested information and for consideration of
11 the application.

12 CHAIRMAN HOOD: Okay, let me say,
13 Mr. DePuy, a lot of that is going to depend on
14 when you can get it. I'm going to ask Ms.
15 Schellin, necessarily, if we don't look at our
16 -- there will be some remediation -- if we
17 forego past that, maybe we have some hearings
18 coming up in December where we may be a way to
19 deal with this, but a lot of that is going to
20 depend on when the submissions come in. But
21 let me just add one thing.

22 Reverend Johnson mentioned about

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1 the 100-year-old homes which are around the
2 corner. I guess they're on the same square.
3 What I would like to see and you don't have to
4 answer tonight, I'd like to see how you're
5 going to have some precautionary measures
6 because if those homes are a hundred years
7 old, they need to be able to withstand any
8 construction -- and you did not proffer,
9 because I don't think this is actually big
10 enough, proffer a construction management
11 plan. I'm not going to put you through all
12 that. But at least be some type of
13 precautionary measures so there's no damage to
14 those folks' homes.

15 And I'll leave it up to how you
16 work it out. You don't have to answer
17 tonight. But I would like to see that as well
18 as some of the other things that my colleagues
19 talked about, the courtyard, drawings showing
20 the lobby area, a final, complete version of
21 exactly what we're dealing with here --

22 VICE CHAIRMAN JEFFRIES:

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1 Coordinated drawings?

2 CHAIRMAN HOOD: Coordinated
3 drawings, right. Thank you, Vice Chair.
4 Thank you, sir. A coordinated agreement with
5 the Earth Conservation Corps and I have
6 something here -- I can't even read my own
7 writing. It's bad, isn't it. Oh, okay, I
8 addressed that. That was the homes around the
9 corner.

10 Anything else?

11 COMMISSIONER ETHERLY: Mr. Chair,
12 just very briefly. You will recall the
13 exchange with the Office of Planning regarding
14 the transportation demand management measures.

15 Perhaps -- I think it's spoken to a little
16 bit in your presentation and in your written
17 submissions, but if you could perhaps just
18 revisit that and make sure you've outlined
19 everything that you might be contemplating
20 doing on the transportation demand side, that
21 would be helpful just to kind of round out my
22 understanding of that side of the project.

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1 Thank you, Mr. Chair.

2 CHAIRMAN HOOD: And also, Mr. May -

3 -

4 COMMISSIONER MAY: Well, I was
5 trying to make a point of those cellar units.

6 I don't know how strongly we want to push for
7 that or what the consensus of the Commission
8 is, but I think it's important to make those
9 units as desirable as possible and so if we
10 can encourage some further development.

11 CHAIRMAN HOOD: I will just mention
12 I left that out. Anyway, you're right. I
13 think, Mr. DePuy, you have that. So anything
14 else?

15 VICE CHAIRMAN JEFFRIES: One thing,
16 Commissioner May, so is -- I just want to be
17 clear in terms of these cellar units, that's
18 not being counted towards FAR, is that
19 correct?

20 MR. CHAPMAN: That's correct.

21 VICE CHAIRMAN JEFFRIES: So if we
22 were to get a higher floor to ceiling to get

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1 larger windows, then you would lend up,
2 obviously, having to count that as FAR. It
3 would be interesting to know, sort of what
4 we're talking about here because I think
5 Commissioner May makes a good point and I
6 would be absolutely comfortable with a little
7 more FAR to get more desirable units.

8 MR. CHAPMAN: I think we all would.

9 COMMISSIONER TURNBULL: I thought
10 about that long and hard --

11 VICE CHAIRMAN JEFFRIES: And the
12 deal is I'm not looking to design your project
13 or anything or from the dais here, and maybe
14 Commissioner May will speak on that, but if
15 that was your issue to sort of maintain an
16 FAR, I mean I just --

17 MR. CHAPMAN: I don't have a -- if
18 the Commission is okay with the additional
19 FAR, I would --

20 COMMISSIONER MAY: Here's where we,
21 I think, might have a complication in that the
22 flexibility that we have for a PUD under C-2-A

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1 is limited to just that 5 percent. I don't
2 think 5 percent is going to cover that. It's
3 not even going to come close. I think we'd
4 have to go to a higher zone and that's where
5 it becomes a little bit more problematic. I
6 don't know whether we have the ability. I've
7 been off the Commission for a little while, so
8 I don't know what other avenues there might be
9 to be able to provide that relief, but it does
10 really seem like this is a silly exercise if
11 they drop the ceiling, you know, eight feet in
12 order to make it a cellar, you know. That's
13 why I was suggesting an area way or a well
14 outside the windows just to make the units a
15 little bit more attractive.

16 COMMISSIONER TURNBULL: I don't
17 think there's enough room for that though, Mr.
18 May. I think it's going to be kind of tight.

19 COMMISSIONER MAY: We do have the
20 side yard there, right? Isn't that the side
21 where the side yard is?

22 MR. CHAPMAN: It would add

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1 approximately 6,000 square feet to the FAR
2 which would put us at -- above the five
3 percent.

4 MR. ATASOY: I just want to make
5 very quick calculation. I believe this
6 southern area is somewhere around 4,000 square
7 feet, so it puts it at 94,500 so it should be
8 somewhere around 4 percent or 5 percent
9 vicinity.

10 COMMISSIONER MAY: Four or five
11 percent?

12 MR. ATASOY: I think so.

13 COMMISSIONER MAY: If it's within
14 five percent, if we're going to go over 3.0 at
15 all and consider granting that flexibility,
16 I'd say sure, let's go up to the five percent,
17 but we've got to make sure that's correct.

18 CHAIRMAN HOOD: Wait a minute,
19 we're talking about three point -- we're
20 talking about the FAR.

21 COMMISSIONER MAY: Five percent on
22 top of the -- which would really be like 3.15,

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1 right?

2 MR. ATASOY: Right.

3 COMMISSIONER MAY: So if we can go
4 up to the 3.15 and make them all real units, I
5 would be amenable to that.

6 MR. CHAPMAN: I wouldn't have any
7 issue with that at all. I wouldn't have any
8 issue just stating tonight, that if it's
9 within the guidelines of what you're allowed
10 to grant us, then we'll just agree to tonight
11 to change the units. If it's all of the
12 units, then we'll change all of them in that
13 basement to raise the ceiling or if it's --
14 how many units are there? Six.

15 CHAIRMAN HOOD: Hold on. I just
16 want to make sure if we're getting ready to
17 change it, I don't know how drastic we're
18 going to change this project because I'm not
19 architecturally inclined, but I want to make
20 sure we're cautious. The Zoning Commission
21 does not change what the community has worked
22 with and also our advertising requirements and

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1 especially not if we're going to increase any
2 height. I just want to make sure we're
3 cautious.

4 COMMISSIONER MAY: Right, and
5 that's why I think we open up a whole new set
6 of issues if we were to try to talk about
7 anything beyond the five percent. And we can
8 certainly do that without raising the height
9 of the building. It's just a question of the
10 ceiling height in those units.

11 MR. CHAPMAN: It's a dropped
12 ceiling.

13 VICE CHAIRMAN JEFFRIES: Yes, it's
14 just moving the ceiling.

15 MR. CHAPMAN: It's a dropped
16 ceiling, and we're amenable providing that
17 we're staying within the five percent to just
18 I don't know if proffer is the right word, but
19 just to say we'll raise within that five
20 percent.

21 VICE CHAIRMAN JEFFRIES: Do the
22 calculation, you know, obviously, let us see

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1 the calculation, let's make certain it's
2 within the five percent and --

3 MR. CHAPMAN: But taking note
4 because of our contractual obligations to this
5 project and the landowners we can't redesign -
6 - we can't get into too much redesigning.

7 VICE CHAIRMAN JEFFRIES: Right, I
8 don't think we're looking at all for that. I
9 mean that's why I brought it back up. I just
10 wanted to make certain -- there are lots of
11 housing projects that have units that are not
12 so desirable. I mean that's a fact of life in
13 many developments, but Commissioner May's
14 point is a good one that if we can do
15 something to make the units more desirable by
16 just moving the ceiling -- I mean if it's
17 going to get, you know -- so you might want to
18 present something in the alternative just --

19 MR. CHAPMAN: My only concern to
20 this whole process is not the ceiling heights
21 at all. My concern to the process is is
22 because of the time line it takes with this

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1 type of financing that it can easily just
2 bring the house of cards down with the amount
3 of time, but if within the five percent which
4 is allowable, within that, we'll agree tonight
5 to raise all six units or if it's five units
6 or four units, whatever it is, that is within
7 the allowable five percent.

8 VICE CHAIRMAN JEFFRIES: And let me
9 just be clear with you. I mean my position on
10 this application is not hinged on this
11 particular topic. It would be very nice if
12 you could work this out within the time frame
13 or whatever, but I'm just one Commissioner
14 here, but I just wanted to be clear with you
15 that --

16 MR. CHAPMAN: And we would prefer
17 to have the higher ceilings to be perfectly
18 honest with you, but the economics of the
19 project meant that we had to --

20 VICE CHAIRMAN JEFFRIES: And you
21 will spell that out for us. If it turns out
22 that the time line and so forth --

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1 MR. CHAPMAN: It shouldn't be an
2 issue if we are staying within the five
3 percent, is that right?

4 COMMISSIONER MAY: You know, if --
5 I don't know how far we want to go with this
6 guidance, but if we have the ability to raise
7 the ceiling and stay within five percent on
8 the units that border the street, I think that
9 that would be preferable because it also fixes
10 this sort of awkward facade. So I think
11 there's a preference to fixing that side.

12 And again, if this really doesn't
13 work out, then I would strongly encourage
14 looking into window wells, if we have that
15 flexibility, because I think that is in your
16 side yard, right? That side is the side yard
17 side, so you have a little bit of -- if it can
18 be done.

19 MR. CHAPMAN: Okay.

20 VICE CHAIRMAN JEFFRIES: Are you
21 clear?

22 MR. CHAPMAN: As clear as --

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1 VICE CHAIRMAN JEFFRIES: Point
2 going forward, I just to make certain --

3 MR. CHAPMAN: We'll have something
4 back to the Commission as soon as humanly
5 possible.

6 CHAIRMAN HOOD: Right, and I also
7 want to make sure it's not a substantial
8 change to where the community -- those are the
9 lines we go down.

10 MR. CHAPMAN: It is my
11 understanding that what we're talking about is
12 the difference between the height of this
13 ceiling and the ceiling above it.

14 CHAIRMAN HOOD: Above it.

15 MR. CHAPMAN: Above it. So we
16 would essentially be removing a dropped
17 ceiling within what is now a basement unit in
18 the inside of the building.

19 VICE CHAIRMAN JEFFRIES: And larger
20 windows.

21 MR. CHAPMAN: And larger windows.

22 COMMISSIONER TURNBULL: Mr. Chair,

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1 I wonder if I might just ask one design
2 question. It's not a zoning, but on the
3 design of the project, the applied thin veneer
4 brick. Are the corner bricks formed bricks or
5 are they going to be mitred.

6 MR. ATASOY: They will be cornered
7 L shape.

8 VICE CHAIRMAN JEFFRIES: They're
9 formed. Okay. They are formed. Thank you
10 very much.

11 CHAIRMAN HOOD: Do we have an
12 architects on this Commission?

13 (Laughter)

14 VICE CHAIRMAN JEFFRIES: They've
15 really made a lot of progress in the design
16 and implementation of these bricks.

17 COMMISSIONER TURNBULL: I remember
18 when Z-brick first started and it was very
19 similar to that, but thank you.

20 VICE CHAIRMAN JEFFRIES: But the
21 mortar thickness is -- the sample, that's the
22 thickness?

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1 MR. CHAPMAN: When this is done
2 you're not going to be able to look at that
3 building and tell that it's anything other
4 than brick.

5 CHAIRMAN HOOD: Let me just do this
6 so I can be clear to the Office of Planning,
7 you heard the discussion. Will we still have
8 a favorable support from the Office of
9 Planning on that?

10 MS. STEINGASSER: Yes, as long as
11 we're staying within that five percent
12 discretion of the Zoning Commission, you
13 should not have any problem.

14 CHAIRMAN HOOD: Okay. Thank you.
15 Any other -- I'm scared to ask, any other
16 comments?

17 Okay. Ms. Schellin, where are we
18 at?

19 MS. SCHELLIN: Well, I think we --
20 we're awfully close to the December meeting,
21 so we're not going to make that. Our next
22 meeting will be January 14th. So I need to

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1 know how much time in order to schedule.

2 MR. DePUY: We would move very
3 quickly if the Commission would consider this
4 at any other meeting date it has in December.

5 MS. SCHELLIN: We would only have
6 one and that would be the same week as our
7 meeting, so that would mean that you would
8 need to file everything by 3 o'clock on
9 Monday, December 3rd and that would require
10 basically the Commissioners would not get
11 their package in advance. That's up to them
12 whether they want to do that or not.

13 MR. DePUY: We can do it.

14 CHAIRMAN HOOD: I'm not sure --

15 MS. SCHELLIN: Well, what would
16 happen is the ANC would be entitled to a week
17 to respond and that would give them until
18 December 10th, so you wouldn't have any
19 response from the ANC. We could still get you
20 what the Applicant provides ahead of time,
21 and then we would have a special public
22 meeting on December 13th. That is the only

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1 hearing that month after our meeting.

2 CHAIRMAN HOOD: Do we know what
3 that hearing is?

4 MS. SCHELLIN: Yes, it should be a
5 short one. It's a text amendment for Section
6 701.4 and 721.3. I don't remember what they
7 were, maybe OP.

8 CHAIRMAN HOOD: Okay. So we don't
9 think those hearings will be long. I wonder
10 if we could just --

11 MS. SCHELLIN: I don't think --
12 Jennifer?

13 MS. STEINGASSER: That's the Camp
14 Simms text amendment for the split zone
15 shopping center.

16 CHAIRMAN HOOD: Okay, so we'll do a
17 special public meeting.

18 MS. SCHELLIN: At 6:00 o'clock on
19 the 13th if we go with those dates.

20 CHAIRMAN HOOD: And we would get
21 the ANC report probably the day of?

22 MS. SCHELLIN: Right. And since

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1 they're in support, I don't think that would
2 be a big issue, but we do have to allow them
3 an opportunity.

4 CHAIRMAN HOOD: We want to do that,
5 right.

6 VICE CHAIRMAN JEFFRIES: This is
7 not major surgery here. I mean, so --

8 COMMISSIONER MAY: They would have
9 to produce finished drawings by December 3rd?

10 MS. SCHELLIN: Well, they would
11 provide them by December 3rd, 3 o'clock by
12 December 3rd and then that Tuesday or
13 Wednesday we would be providing them to you
14 and the special public meeting would be the
15 following week. You'll get them the normal
16 week ahead of time.

17 Are you guys good with that, Monday
18 at 3 o'clock.

19 MR. CHAPMAN: It's not a
20 considerable thing. We're moving a ceiling
21 height. We're coordinating the landscape plan
22 to show the door on the landscape plan.

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1 MS. SCHELLIN: And then just to
2 address some of the other -- the TDM measures,
3 the agreement with Earth Conservation Corps,
4 all of those other things that would be
5 written.

6 MR. CHAPMAN: Okay.

7 MS. SCHELLIN: So 3 o'clock
8 December 3rd and the ANC will have until 3
9 o'clock December 10th and we'll schedule this
10 for a special public meeting on December 13th
11 at 6 o'clock p.m. for consideration of
12 proposed acetoin.

13 CHAIRMAN HOOD: Okay. I thank
14 everyone for their participation and if you
15 want to follow this case you can talk to the
16 Office of Zoning staff, Ms. Schellin or Ms.
17 Hanousek and you've heard the dates and we
18 will govern ourselves and move forward in this
19 case as already mentioned. So at this point
20 this meeting and hearing is adjourned.

21 (Whereupon, at 9:15 p.m., the
22 hearing was concluded.)

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