

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

IN THE MATTER OF:

DISTRICT OF COLUMBIA PRIMARY
CARE ASSOCIATION - 2ND STAGE
APPROVAL OF PUD& RELATED
MAP AMENDMENT @ SQUARE 5055

Case No.
05-28B

Monday,
April 18, 2011

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

The Public Hearing of Case No.
05-28B by the District of Columbia Zoning
Commission convened at 6:30 p.m. in the
Office of Zoning Hearing Room at 441 4th
Street, N.W., Washington, D.C., 20001,
Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

- ANTHONY J. HOOD, Chairman
- GREG SELFRIDGE, Commissioner
- MICHAEL G. TURNBULL, FAIA,
Commissioner (OAC)
- PETER MAY, Commissioner (NPS)

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OFFICE OF ZONING STAFF PRESENT:

SHARON S. SCHELLIN, Secretary
DONNA HANOUSEK, Zoning Specialist

OFFICE OF PLANNING STAFF PRESENT:

JENNIFER STEINGASSER

The transcript constitutes the minutes from the Public Hearing held on April 18, 2011.

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

2 6:27 p.m.

3 CHAIRPERSON HOOD: Good evening,
4 ladies and gentlemen. These are two public
5 hearings of the Zoning Commission for the
6 District of Columbia for Monday, April 18,
7 2011.

8 My name is Anthony Hood. Joining
9 me are Commissioners Selfridge, May and
10 Turnbull. Vice-Chairman Schlater has recused
11 himself and will not be participating in these
12 proceedings. We're also joined by the Office
13 of Zoning Ms. Sharon Mr. Schellin and Ms.
14 Donna Hanousek. Office of Planning, Ms.
15 Steingasser.

16 These proceedings are being
17 recorded by a court reporter and it's Web cast
18 live. Accordingly, we must ask you to refrain
19 from any disruptive noises or actions in the
20 hearing room.

21 Tonight there are two hearings.
22 First, Zoning Commission Case 05-28B, which is

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1 a request by D.C. Primary Care Association,
2 LLC for approval of a 2nd Stage PUD and
3 related map amendment intending to build a
4 health center on property at Square 5055.

5 And the second case is Zoning
6 Commission Case No. 05-28C, which is a request
7 by Lano Parcel 12, LLC for approval of a 2nd
8 Stage PUD and related map amendment intended
9 to build a community college on property at
10 Square 5055.

11 Notice of both of tonight's
12 hearings were published in the D.C. Register
13 on February 18, 2011, and copies of that
14 announcement are available to my left on the
15 wall near the door.

16 Each of these hearings will be
17 conducted in accordance with provisions of 11
18 DCMR 3022 as follows: Preliminary matters;
19 applicant's case; report of the Office of
20 Planning; report of other Government agencies,
21 if any; report of ANC, in this case it's 7D;
22 organizations and persons in support;

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1 organizations and persons in opposition;
2 rebuttal and closing by the applicant.

3 The following time constraints
4 will be maintained in these hearings:
5 Applicant, 60 minutes, which is the first
6 case; 40 minutes for the second case;
7 organizations, five minutes; individuals,
8 three minutes.

9 Commission intends to adhere to
10 the time limits as strictly as possible in
11 order to hear these cases in a reasonable
12 period of time. The Commission reserves the
13 right to change the time limits for
14 presentations if necessary and no time shall
15 be ceded.

16 All persons appearing before the
17 Commission are to fill out two witness cards.
18 These cards are located to my left on the
19 table near the door. Upon coming forward to
20 speak to the Commission, please give both
21 cards to the reporter sitting to my right
22 before taking a seat at the table.

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

8 The decision of the Commission in
9 this case must be based exclusively on the
10 public record. To avoid any appearance to the
11 contrary, the Commission requests that persons
12 present not engage the members of the
13 Commission in conversation during any recess
14 or at any time. The staff will be available
15 throughout the hearing to discuss procedural
16 questions.

17 Please turn off all beepers and
18 cell phones at this time so not to disrupt
19 these proceedings.

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

22 Ms. Schellin, would you please

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1 administer the oath?

2 MS. SCHELLIN: Yes. Please raise
3 your right hand.

4 CHAIRPERSON HOOD: Hold on one
5 second.

6 If you're going to testify in any
7 case, if you're going to testify at all
8 tonight, if you could stand, that would be
9 great. Thank you.

10 MS. SCHELLIN: Okay. Do you
11 solemnly swear or affirm the testimony you'll
12 give this evening will be the truth, the whole
13 truth and nothing but the truth?

14 ALL: (Off microphone.)

15 MS. SCHELLIN: Thank you.

16 CHAIRPERSON HOOD: Thank you for
17 helping us catch that.

18 Ms. Schellin, do we have any
19 preliminary matters?

20 MS. SCHELLIN: Yes, sir. Staff
21 would advise that we have received the posting
22 -- or excuse me, the maintenance affidavit in

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1 both cases and it is in order for both cases.

2 Next, we have -- if we're going to
3 start with the first case -- okay. We have a
4 party status request from the Eastland Garden
5 Civic Association. Mr. Rhett, the president,
6 is the representative. This is an application
7 in opposition.

8 CHAIRPERSON HOOD: Okay. And
9 that's all. We did have a request from --

10 MS. SCHELLIN: The Mayfair
11 Mansions Tenant Association, however, it is
12 incomplete. There was actually no application
13 attached to it. It was a letter in
14 opposition.

15 CHAIRPERSON HOOD: Okay. As Ms.
16 Schellin has already stated, the Mayfair
17 Mansions Tenant Association had asked us to
18 consider them to be a party, but throughout
19 this case there was supposed to be an
20 attachment. That attachment did not show, so
21 I don't think we have any way of qualifying
22 them as a party. But what we will do, at the

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1 appropriate time we will listen to them along
2 with others who are in opposition.

3 Now, the other party status
4 request is Eastland Gardens Civic Association,
5 Mr. Greg Rhett. Previously -- this is the
6 same -- pretty much the same issue with No. 6
7 explaining how this person's interest will
8 significantly and distinctly, uniquely affect
9 the character of the kind of the proposed
10 zoning that they have. And if you look at
11 Exhibit -- I think it's Exhibit 27. That's --
12 they have submitted Exhibit 27, Eastland
13 Gardens Civic Association. This is a request
14 for party status as an opponent.

15 Mr. Brown, do you have any
16 problems with them being a party as an
17 opponent?

18 MR. BROWN: We took this matter up
19 in the earlier modification of the 1st Stage.
20 At that time Mr. Feoln raised objectives. I
21 would concur with his objections that there
22 wasn't a showing of uniqueness without

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1 revisiting the issue completely.

2 CHAIRPERSON HOOD: Okay. Thank
3 you very much, Mr. Brown.

4 Commissioners? I would move
5 forward -- I would recommend that we grant
6 them party status, because they are -- even
7 though they are a little ways away, I think
8 that they will be affected to some point. So,
9 Eastland Gardens will be a party in opposition
10 in this case.

11 The other thing, typically what we
12 do is we let our public officials come forward
13 to speak, and I'm going to ask Ms. Dorothy
14 Douglas, who's the Ward 7 School Board member
15 -- hopefully no one had an objection, because
16 we do it all the time -- will come forward and
17 -- because their schedules are busy. I'll
18 give her the opportunity to come forward and
19 speak at this point.

20 And then, Mr. Brown, we'll go
21 right to the case.

22 MR. BROWN: that's perfectly fine.

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1 CHAIRPERSON HOOD: Okay. Ms.
2 Douglas, you thought we didn't see you back
3 there all the way in the last row.

4 MS. DOUGLAS: I will say I'm glad
5 to be here and thank you for giving me this
6 opportunity to speak to the panel and all.

7 I'm here to support both projects.
8 I think it's so important to see that this
9 goes through, because as a educator and also
10 a Ward 7 resident, and also being the ANC
11 chairperson and a commissioner for over 12
12 years, this is important to the community and
13 also to our young kids. So, you know, the
14 health of the people is so important. They
15 don't need to be going across town and when we
16 can have the services right here in our homes,
17 as well as the college.

18 So, I'm here not to take up a lot
19 of time, but I've submitted both -- my letters
20 in support of both projects. So, I hope that
21 you would take that into consideration, how
22 important this matter really is to our

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1 community and also to the future of our
2 residents of the District of Columbia, that
3 they both be serving, which is so important.
4 So, I just want to thank you for giving this
5 opportunity.

6 CHAIRPERSON HOOD: Okay. Thank
7 you very much, School Board Member Douglas.

8 Commissioners, any questions?

9 (No audible response.)

10 CHAIRPERSON HOOD: Does the
11 applicant have any questions?

12 MR. BROWN: No questions.

13 CHAIRPERSON HOOD: Okay. Does ANC
14 7D have any questions?

15 (No audible response.)

16 CHAIRPERSON HOOD: Okay. And also
17 does Eastland Garden? I don't see Mr. Rhett.
18 But anyway -- well, I'll ask the question
19 anyway. Does Eastland Garden have any
20 questions?

21 (No audible response.)

22 CHAIRPERSON HOOD: Not seeing

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1 anyone. Okay. Thank you, Ms. Douglas. We
2 appreciate your testimony.

3 MS. DOUGLAS: Thank you.

4 CHAIRPERSON HOOD: Okay. Mr.
5 Brown, let's go to the proffered expert
6 witnesses.

7 I think everyone has been
8 previously accepted. You're only proffering
9 two people, am I correct?

10 MR. BROWN: That's correct. Mr.
11 Chiriboga who was accepted last week, or two
12 weeks ago as a expert in architecture, and
13 then Erwin Andres, who's been before this
14 group and the BZA numerous times in traffic.

15 CHAIRPERSON HOOD: Okay. Does
16 anyone have any objection?

17 (No audible response.)

18 CHAIRPERSON HOOD: Not seeing any.
19 Okay. Mr. Brown, we'll accept all of them as
20 proffered experts and let's go ahead and
21 proceed with the case.

22 MR. BROWN: Good evening, Mr.

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1 Chairman, members of the Commission. Patrick
2 Brown from Greenstein, Delorme & Luchs on the
3 behalf of the D.C. Primary Care Association.

4 I'd like to introduce my group
5 this evening. To my immediate right, Sharon
6 Baskerville, the chief executive office of the
7 D.C. Primary Care Association. To her right,
8 Erwin Andres. And to my left, Rugel Chiriboga
9 from Little Architecture.

10 If I could just briefly; and you
11 don't want to hear very much from me, but if
12 I could just lay out the purpose of our
13 presentation tonight: As you recall, two
14 weeks ago we were working in a consolidated
15 modification of the 1st stage PUD. Tonight
16 we're engaged in the 2nd Stage approval for
17 the PUD and making the point that this case is
18 separate from the application you'll hear
19 later having to do with the bulk of the parcel
20 12.

21 Specific to this project, rising
22 out of the 1st Stage PUD, we're going to be

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1 rezoning the property as earlier agreed to
2 from C-2-B to C-3-A. Specific to this project
3 we've asked for variance relief to reduce the
4 off-street parking from 102 to the 69 being
5 provided in two below-grade parking levels.

6 We've also asked for a variance
7 from the side yard on the west side reducing
8 that from the 7-foot minimum to 4 feet, 4
9 inches. Primarily that arises as we push the
10 building westward to pull it back on Hayes
11 Street from the pedestrian bridge and open up
12 the sidewalk area to make it more pedestrian-
13 friendly.

14 And then finally, we've asked for
15 a variance from the platform and loading berth
16 requirements for this project.

17 In the next slide; and I just want
18 to point you to -- we've enumerated the seven
19 public benefits and amenities. I don't want
20 to go through them, but as we go through our
21 presentation various of the witnesses will
22 focus in on each of those. And then obviously

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1 we're available to take questions.

2 With that, I'd like to turn it
3 over to Ms. Baskerville. And she's provided
4 written testimony and also she'll be
5 presenting a condensed version of that to you
6 this evening.

7 MS. BASKERVILLE: Good evening,
8 Chairman Hood and distinguished members of the
9 Zoning Commission. My name is Sharon
10 Baskerville. I'm CEO of the D.C. Primary Care
11 Association whose mission is to help
12 facilitate building an integrated health care
13 delivery system that guarantees access to care
14 and helps to eliminate disparity.

15 I'm here to talk about DCPCA's
16 application to the Zoning Commission for a 2nd
17 Stage review of a planned unit development and
18 a zoning map amendment that would allow for
19 the construction of a new health center. This
20 project not only holds high importance for me
21 in my role as CEO of DCPCA, but also as a
22 resident of Ward 7 for the last eight years,

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1 who lives very close to the site under
2 discussion tonight.

3 For DCPCA and the residents of
4 Ward 7 this project has reached a critical
5 juncture. The District funding for this
6 project through me, which is the foundation
7 and springboard for this project, is at grave
8 risk at being lost through further delay.
9 This project has the full support of the
10 deputy mayor for Health and Human Services,
11 the current director of the Department of
12 Health, Mohammad Akter, Ward 7 Councilmember
13 Yvette Alexander, Dorothy Douglas, who has
14 already testified here, and the most
15 immediately affected ANC commissioners and
16 civic associations. The mayor often refers to
17 this project as well in a supportive manner.
18 I was not able to get a letter, but he has for
19 many years been supportive of this.

20 Our mission for the last 14 years
21 has been to build an integrated health care
22 system that guarantees access to good health

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1 care. That doesn't exist east of the river in
2 very much abundance and certainly not in Ward
3 7. The mission is further involved into a
4 broad portfolio of projects including building
5 community health centers.

6 To implement this mission, we
7 created an initiative called Medical Homes
8 D.C. and leveraged the political will to get
9 an investment from the tobacco settlement
10 dollars in the amount of a total of \$70
11 million to leverage -- to pay for 75 percent
12 of multiple projects across the city that were
13 chosen based on deep need in those particular
14 areas. DCPCA is currently managing that \$70-
15 million portfolio of capital projects which
16 will benefit the medically-vulnerable by
17 improving access and increasing the capacity
18 of the District's community health centers.

19 Since launching our Medical Homes
20 D.C. program, DCPCA has wanted to build a
21 state-of-the-art facility that would replace
22 the existing Hunt Place Health Center. We've

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1 spent the past several years analyzing various
2 sites and even spent considerable time
3 negotiating on another property. After
4 careful analysis, DCPCA ultimately chose the
5 property at the corner of Kenilworth Terrace
6 and Hayes Street, N.E. less than a mile from
7 the current Hunt Place Health Center. To date
8 we have invested close to \$900,000 in pre-
9 development costs of this property in order to
10 get to this point.

11 Should this site not be approved
12 for use of a health center, DCPCA would have
13 to start over at a new location and our
14 chances of obtaining more pre-development
15 funds in these economic times are slim. DCPCA
16 feels that we have exhausted the Ward 7
17 possibilities and that the site under
18 discussion continues to be the best option for
19 building a brand new health center in Ward 7
20 within the next three years.

21 There are several goals of this
22 project. First and foremost, we want to

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1 replace the Hunt Place Health Center, a former
2 public health clinic located less than a mile
3 from Parkside in order to upgrade the facility
4 and increase the capacity of health care
5 visits. The existing site is 13,500 square
6 feet, a windowless building that is not ADA-
7 compliant. The operator, Unity Health Care,
8 has leased the facility since 2001 when the
9 public health system in the District of
10 Columbia was closed, as well as five other
11 former public health clinics in the District.

12 Our plans are to build a 43,000-
13 square-foot, state-of-the-art, LEED-certified
14 health center. By tripling the size of the
15 building and by upgrading the condition of the
16 building considerably, we will be able to
17 expand access and improve the quality of
18 health care the neighborhood receives.

19 Our second goal of this project is
20 to build the kind of facility in which anyone,
21 regardless of income, would want to obtain
22 primary care services. We recognize that this

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1 is an ambitious goal, but we need to leave
2 behind the ghettoization of health care as it
3 has existed in the District of Columbia for as
4 long as I've been doing this, which is 35
5 years, and way before that.

6 We believe that a well-designed
7 facility that offers a wide array of services
8 can succeed in attracting a mixed income group
9 of folks who will come and use that facility
10 for their health care. This will not only
11 improve care for the neighborhood, but it will
12 make unity a more sustainable organization.

13 In addition to providing health
14 services, DCPCA would like to see the project
15 provide jobs to D.C. residents in both
16 construction and health care. In selecting
17 our general contractor firm experienced with
18 D.C.-certified business enterprises and first-
19 source agreements was a key component to the
20 competitive bid. For our Ward 8 project
21 currently in construction DCPCA entered into
22 a first-source agreement with the city and we

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1 plan to do the same for Parkside. Our CBE
2 participation rate on that project is 41
3 percent.

4 For health care jobs, DCPCA
5 already has a partnership in place with the
6 Community College of the District of Columbia
7 to create a training program for community
8 health workers. CHWs are people from the
9 community in which they serve who function as
10 health care extenders. Through this training
11 program we have the ability to create a
12 pipeline to health care careers for many D.C.
13 residents, including those in Ward 7.

14 Thanks the DCPCA's work in
15 piloting the program, CCDC now has an
16 established course available to D.C.
17 residents. And estimated 50 residents will be
18 trained to received certificates by the end of
19 2012.

20 Finally, we strive to make sure
21 that this project delivers other public
22 benefits and amenities to the neighborhood

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1 beyond the benefits of health care. We hope
2 that Unity can find funding to offer health
3 and wellness classes which do not seem to be
4 widely available now. In addition, we are
5 already in discussions with the D.C. Arts
6 Commission to identify the potential for a
7 public art project.

8 Finally, a beautiful new building
9 will bring light and activity to an under-
10 developed area. This will help reduce crime
11 and increase desirability to live and work in
12 Parkside.

13 The need for more primary care in
14 this neighborhood has been well-documented.
15 A 2008 RAND report revealed that the health
16 indicators for Ward 7 show a population at
17 risk. It indicated that among adults
18 residents of Wards 7 and 8 had generally
19 higher rates of chronic disease, poor health
20 status and premature mortality than in other
21 areas of the District of Columbia.

22 Getting community support for this

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1 project was very important for DCPCA. We made
2 multiple presentations to the Advisory
3 Neighborhood Commission and various community
4 organizations between October 2009 and March
5 2011, a total of 10 times. In addition, the
6 ANC formed a smaller design committee chaired
7 by a community rep to provide input in our
8 design. We set up three meetings with this
9 design committee, the last time on March 17,
10 2011. In the feedback we received we
11 understood that building height, circulation
12 and safety were the neighborhood's high
13 priorities. Our design team incorporated
14 these concerns as we moved ahead in our work.

15 As a result of our community
16 outreach and efforts, and incorporating the
17 community's concern, the commissioners of ANC
18 7D voted to support the health center in
19 September 2010 including the 1st Stage
20 modification, 2nd Stage PUD and related map
21 amendment. Their letter in support of our
22 application recognized the need to provide

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1 quality health care in this neighborhood and
2 DCPCA's extraordinary track record with
3 providing primary care. More recently, ANC 7D
4 has opposed the separate applications filed by
5 Lano Parcel 12, but DCPCA was neither invited
6 to nor participated in these proceedings.

7 The record in this case clearly
8 demonstrates that the support in the immediate
9 community for this project is strong and
10 broad, including Mr. Willie Woods, the ANC
11 commissioner for the Parkside area; Ms.
12 Sharita Slayton, the ANC commissioner for the
13 immediately adjacent single-member district;
14 the Parkside Civic Association; the Groundwork
15 Anacostia River, and numerous individual
16 residents of the neighborhood.

17 In closing, Chairman Hood, I would
18 like to thank you for the opportunity to
19 testify. We remain firm in our commitments to
20 improve primary care for those in greatest
21 need through building and expanding health
22 centers in the District of Columbia. We've

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1 worked diligently with both D.C. Government
2 and the local ANC and we hope that you will
3 look on us favorably tonight. I'm happy to
4 answer any questions.

5 CHAIRPERSON HOOD: I'm going to
6 let you finish your whole presentation. We'll
7 ask our questions afterwards.

8 MR. BROWN: The same being true
9 for cross-examination?

10 CHAIRPERSON HOOD: Yes.

11 MR. BROWN: Okay. Very well.

12 CHAIRPERSON HOOD: Finish your
13 presentation and then we'll ask our questions.

14 MR. BROWN: All right.

15 CHAIRPERSON HOOD: Haven't got
16 that far yet. You're well ahead of me. I'm
17 tracking through the presentation phase first.

18 MR. BROWN: We appreciate that.

19 CHAIRPERSON HOOD: It may not have
20 been no cross-examination. Who knows?

21 MR. BROWN: We can hope.

22 CHAIRPERSON HOOD: It'll be some

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1 now.

2 MR. BROWN: Yes. With that, I'll
3 turn it over to Mr. Chiriboga.

4 MR. CHIRIBOGA: Good evening,
5 Chairman Hood, distinguished members of the
6 Commission. My name is Rugel Chiriboga and
7 I'm the partner with Little Diversified
8 Architectural Consultant, the architect
9 working on the design for the health care
10 center.

11 For your consideration the
12 following sets of slides indicate the results
13 of the collaborative effort that we've
14 undertaken with members of the community and
15 our team to come up with solutions that
16 address the key issues that Ms. Baskerville
17 has already stated regarding public safety,
18 accessibility and circulation, as well as
19 height and scale of the buildings.

20 The following slide on the screen
21 indicates the DCPCA site centrally located.
22 And as you can see here, we're showing this

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1 purple circle to indicate approximately a 15
2 to 20-minute walking distance encompassing
3 surrounding and neighboring communities. The
4 health care is ideally located across I-295 on
5 the south via regional access to the Parkside
6 community and this neighborhood via the
7 Minnesota Avenue Metro Station stop.

8 This slide again our location on
9 the corner of Kenilworth Terrace, N.E. on the
10 north side, Hayes Street, N.E. on the east,
11 and fronting Kenilworth Avenue, N.E. on the
12 south.

13 A key feature that our design team
14 addressed was again accessibility and public
15 safety. Right now the regional access here
16 via Metro line is coming across I-295 from
17 Minnesota Station, coming across the
18 pedestrian bridge; which is existing, and then
19 doubling back to drop off pedestrians on the
20 southeast corner of Kenilworth Avenue and
21 Hayes. The site here noted in red is the
22 health care center site.

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1 The most immediate buildings,
2 existing buildings to the site include the
3 Mayfair Mansions here to the north, north of
4 Kenilworth Terrace, Lotus Square Apartments
5 here on the east side, Odessa Church, and a
6 commercial property here on the corner of
7 Hayes with the current building. It's a
8 convenience store there.

9 This next slides shows an early
10 conceptual diagram that we developed with
11 community to address their concerns for public
12 safety and accessibility. As you can see
13 here, Minnesota Avenue Metro Station is across
14 the highway on the south side and pedestrians
15 are walking across the bridge, an elevated
16 bridge, coming about three-quarters of the way
17 down Hayes Street and then having to double
18 back. The property line is currently about
19 five feet away from the edge of that
20 pedestrian bridge.

21 So, one of the things that we did
22 was to increase the ability for folks to be

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1 able to circulate is to pull back the
2 placement of our building to increase the
3 width of that sidewalk there as there
4 currently is no sidewalk adjacent to the
5 traffic on Hayes Street here.

6 Another thing that we did was we
7 provided ample public circulation art scape
8 surface here on the corner of Hayes and
9 Kenilworth Terrace, N.E. The orange arrows
10 here indicate how vehicular traffic is
11 accessed on the site. Primary vehicular
12 access is coming on Kenilworth Terrace, N.E.
13 approach the sight with a connection for
14 underground parking happening here on the
15 north side. Secondary access is currently
16 available here in a one-way direction heading
17 west where vehicles can turn up Hayes Street
18 heading into the community, as well as exit
19 back to get onto 295.

20 One key feature that we worked
21 with the community on is the development of
22 what's happening on this corner, on the

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1 southeast corner, both from a program
2 perspective as well as visually what do folks
3 see as they come across the bridge at an
4 elevated altitude where they're able to see
5 perfectly not a typical roof, but what we're
6 putting here is a green roof for a couple
7 things. One, to address the visibility and
8 potential amenity of that use, but also to
9 help with water runoff and to mitigate water
10 runoff on the site.

11 The upper corner here where this
12 yellow rectangle is is where working with the
13 community we've addressed that as the prime
14 corner for where we would place a front main
15 entrance from two perspectives. One is it's
16 visibility and immediate access off of the
17 main thoroughfare for vehicular access to the
18 site, as well as a direct communication
19 connection to the neighborhood from a
20 pedestrian point of view.

21 Another key factor that our team
22 was asked to consider was how our building was

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1 a good neighbor and how it complemented not
2 only the existing fabric in terms of scale,
3 materials, height, massing, but also how it
4 worked in collaboration with the adjacent
5 development. In this case, to the immediate
6 west would be the CCDC project.

7 Across Hayes Street where there
8 currently sits the existing convenience store
9 it is zoned currently as a C-2-B with an
10 allowable permissible height of 65 feet. This
11 slide is indicating how our building works in
12 relationship to that potential future
13 development, but importantly to the existing
14 buildings that are there now and what's being
15 proposed immediately to our west property
16 line.

17 The images below the context on
18 the right hand side is the Lotus Square
19 Apartments, in the middle the church, and
20 Mayfair Mansions. This is a section or a
21 view. On the left hand side we have the
22 highway, which is on the south going back into

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1 the neighborhood, the projected development
2 and the Parkside PUD across Kenilworth
3 Terrace, N.E., and then a little further north
4 the Cesar Chavez School. The photograph here
5 on the right hand side, the middle photograph
6 is the primary corner on the neighborhood side
7 for the site. And then the photograph on the
8 left is what you would see if you were walking
9 down on the southeast corner where you see the
10 bridge on Hayes and Kenilworth Avenue.

11 So, the following slides,
12 Commissioners, is where we currently are with
13 the design of the facility. One, it
14 incorporates the comments and the further
15 development with not only the Office of
16 Planning, but also taking into account the
17 Commission's comments in terms of simplifying
18 and improving the concept for the façades, and
19 just as importantly, the input of the
20 community in terms of how the members of the
21 document were looking for an expression for
22 the building design that addressed on a larger

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1 level, a larger regional level an introduction
2 of the Parkside community and this health care
3 facility to the larger regional area.

4 This is the view you would see
5 when you're driving down I-295 and Kenilworth
6 Avenue, as well as pedestrians coming across
7 the bridge at an elevated bridge height
8 overlooking the green roof and then going up
9 Hayes Street and then doubling back. And
10 that's the existing bridge photo there now.
11 It is our understanding that that bridge is to
12 remain with projected improvements to it.

13 And for your consideration this is
14 an additional slide showing further
15 development of the façade. For your
16 reference, what has been studied and continues
17 to be developed is the height of the parapet
18 at the top of the building. I'm sorry, the
19 height of the screen, the rain screen at the
20 top of the building. The previous slide shows
21 and arced curve. We are studying now
22 simplifying that design and keeping it about

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1 approximately a foot above the main parapet
2 height of the building.

3 This is the view from neighborhood
4 side on the north side of the site, Kenilworth
5 Terrace and Hayes. And again, this is what
6 visitors would see as they approach the site
7 either driving by use of their vehicles or
8 walking from the neighborhood.

9 A key component of the design of
10 the building, and particular this façade, was
11 the desire of the community to have public
12 safety increased by more visibility, more
13 light, more activity occurring not only on the
14 street face on that façade. Again by pushing
15 the building or keeping the building away from
16 our east property line and allowing for more
17 room there it increased the safety from a
18 pedestrian perspective walking down in between
19 the existing bridge and our building, but also
20 by allocating the public spaces, the
21 circulation spaces, the waiting areas up
22 against that façade and engaging with

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1 community outreach programs that would be
2 important components in terms of connecting
3 what's inside to the outside.

4 This is a bird's eye view from the
5 southeast corner. In the foreground here you
6 see the bridge coming across looking over into
7 that green roof area, and then the Hayes
8 Street façade.

9 On the south side we have the
10 green roof. And what we've done based on
11 suggestions and comments from not only the
12 Commission, but also the neighborhood was
13 we've kept the ground plain level and the
14 materials wrapping around three sides of the
15 building, warm and compatible with the color
16 and the material of the existing neighborhood,
17 in this case, masonry brick. The Hayes Street
18 façade with its fenestration pattern alludes
19 still to the fenestration patterns and the
20 scale of the neighboring neighborhood
21 residences, as well as the material being
22 complementary to what's being proposed on the

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1 future development to our west.

2 For your reference, this plan
3 diagram shows again our property line in
4 between the existing bridge and our building,
5 which has been pulled back all the way up, but
6 then also on the ground floor it's pulled back
7 even further to open that up a little bit
8 more. This yellow area here, the public
9 circulation waiting areas is where you would
10 come in on the north side. Vehicular traffic
11 is coming in on Kenilworth Terrace, N.E.
12 Access to the parking garage is here.
13 Utilities are coming in on the south. Here on
14 this area right just into the front door is
15 where we have our bicycle parking area on the
16 outside, and we also provide bicycle parking
17 area for the employees on the inside.

18 Quick diagram of what's happening
19 with the parking below. And then for your
20 reference, on the upper floors, again
21 reiterating the connection back to the
22 community on the outside with the yellow

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1 representing the public circulation areas.
2 The prime corner her on the northeast corner
3 is where programs like wellness components, as
4 well as public outreach support spaces would
5 potentially occur. And as per your
6 suggestion, there is also a connection to the
7 green roof terrace here where we are currently
8 studying the possibility of including
9 supervised wellness component programs, making
10 use of that outside space.

11 Here's a quick diagram that shows
12 the height relationship of the health care
13 facility with Hayes Street, the existing
14 bridge, and then how it connects on the west
15 property line to the adjacent CCDC proposed
16 project.

17 This is a section through the
18 building. Left to right is north to south
19 where we've in the past had an enclosed
20 parking area on the first floor that has been
21 redesigned to include additional program
22 space/health care space, the green roof on

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1 top.

2 Here's a quick snap shot of the
3 Hayes Street façade showing where we
4 previously were with the curved rain screen
5 and where we currently are with the adjusted
6 rain screen height.

7 The pedestrian bridge here in the
8 foreground on the left hand side had been
9 ghosted in to provide a better view of what's
10 happening on that façade. The key things on
11 this again is engaging the community at the
12 street level and providing the visibility of
13 the circulation public areas also on the upper
14 levels on Hayes Street.

15 This is an enlargement of the
16 façade, a blow up showing the perforated
17 material, metal material on those public
18 spaces.

19 Here is the elevation on the north
20 side facing the community. Here is that same
21 elevation to incorporate a little further view
22 showing the connection on the west side, the

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1 connection to the existing context and
2 potential development across the street on
3 Hayes.

4 Here is an enlarged drawing
5 showing how we're treating the materials on
6 that façade, particularly how we're marrying
7 the program on the inside where we have the
8 more public spaces and the more visible spaces
9 where we can actually have larger windows on
10 that façade. Hayes Street and this particular
11 corner on the north end and also on the south
12 side is where we have more of the public-type
13 of program spaces.

14 On the west side where we have
15 more private-type of spaces, the exam rooms,
16 we are limiting the amount of glass area, but
17 still providing ample visibility and natural
18 light potentially to come in into the space.

19 The red dashed line you see, if
20 you can see it there, is the approximate
21 location of where this façade meets the
22 adjacent property that's being developed on

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1 the west side aligned with our green roof at
2 that elevation. There would be a green here
3 following that line.

4 This is what the south elevation
5 looks like facing Kenilworth Avenue on the
6 south and I-295. And you can see the
7 pedestrian bridge there doubling back to that
8 corner. One of the nice things about having
9 a lower portion of the building on that end is
10 that we reduce the impact of a tunnel effect
11 as pedestrians are coming across the bridge
12 and then trying to double back to the corner
13 of Hayes on the north.

14 And this is pulling back that view
15 a little bit more again to see the adjacent
16 CCDC proposed project on the west property
17 line, the pedestrian bridge, the street on
18 Hayes and permissible building across the
19 street with the church adjacent to that.

20 And with that, I'd like to turn it
21 over to Mr. Brown.

22 MR. BROWN: As I mentioned

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1 earlier, we've listed the public benefits and
2 amenities, and certainly Mrs. Baskerville I
3 think captured the special value of this
4 project itself. Mr. Chiriboga has certainly
5 talked to urban design and site planning.
6 Effective and safe vehicular and pedestrian
7 access, Mr. Andres will speak to shortly. Ms.
8 Baskerville spoke about the first-source
9 employment and other ways to bring local
10 residents into the economic stream. Mr.
11 Chiriboga spoke about the green roof and its
12 benefits and as well as the public art that is
13 being considered for inclusion in the project
14 along with local groups to further tie into
15 the community.

16 With that, I'd like to -- we have
17 a material board, which I think probably we'll
18 let Mr. Chiriboga go through that with the
19 lights on; I think it would be easier for
20 everybody. And then we'll move to the traffic
21 issues.

22 MR. CHIRIBOGA: The material board

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1 you have in front of you now has -- one is a
2 rendering of the current state of the
3 elevation on Hayes Street, as well as an
4 illustrative drawing of the landscaping
5 diagram at the bottom of the board, as well as
6 some materials both in physical form on the
7 right hand side showing the glass, the masonry
8 units, as well as the rain screen, the metal
9 rain screen. And then additional images,
10 color images of the landscaping, art scape and
11 soft scape.

12 With that, the next part of the
13 presentation is going to talk a little bit
14 about sustainability. And as the team
15 presented at the stage 1 hearing, this will be
16 a project that is sustainable. We're looking
17 to capitalize on location, take advantage of
18 the mass transit use to reduce automobile use.
19 The new additional parking will be reduced
20 because of the proximity to the Metro.

21 MR. RHETT: (Off microphone.)

22 CHAIRPERSON HOOD: Mr. Rhett. Mr.

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1 Rhett, could you have a seat? You're out of
2 order.

3 MR. RHETT: (Off microphone.)

4 CHAIRPERSON HOOD: Okay?

5 MR. RHETT: (Off microphone.)

6 CHAIRPERSON HOOD: That's not
7 right. Now, come on now.

8 MR. CHIRIBOGA: Pardon me. As Ms.
9 Baskerville has stated, this will be at least
10 a LEED-certified project. We're actually
11 shooting for Silver on this one. The green
12 roof will incorporate -- incorporated into the
13 design is not only an amenity, but it also
14 works to mitigate the water runoff as we
15 stated. We will use low-maintenance materials
16 for the building, high-performance, energy-
17 efficient systems. The streetscape is going
18 to be incorporating low-impact development
19 design techniques, as well as low-maintenance
20 requiring plants.

21 This is the landscape plan for
22 your reference to show a little bit more

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1 information in terms of the green soft scape
2 that's happening around the facility.

3 As we mentioned, we are pulling
4 our building back, so part of the private
5 space on the site, particularly between the
6 building and the bridge is going to match what
7 we're putting on the public space in terms of
8 the kinds of concrete pavers following D.C.
9 standards as well.

10 Quick diagram of the green roof.
11 A section through that green roof, as well as
12 on the Hayes Street where we've widened the
13 sidewalk in that case up against our building.

14 It will be an extensive assembly,
15 meaning the majority of the building folks
16 will naturally be able to walk on, but we are
17 also exploring a center portion of that to
18 allow for folks to be able to walk on the
19 center portion of that green space.

20 These are images indicating what
21 we propose typical in the D.C. area for
22 landscaping.

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1 And with that, I turn it over to
2 Mr. Brown who will introduce --

3 MR. BROWN: I'd like to let Mr.
4 Andres go forward now.

5 MR. ANDRES: Good evening,
6 Chairman Hood, members of the Commission. My
7 name is Erwin Andres, principal at
8 Gorove/Slade Associates. I reside at 475 K
9 Street, N.W.

10 With respect to our involvement in
11 this application, we've coordinated with the
12 CCDC application as well. And what this
13 presentation is meant to do is to supplement
14 my colleague Rob Schiesel's testimony from the
15 Phase 1 testimony with respect to the overall
16 stage 1 modification.

17 What I'd like to do is get into
18 the details of the site and the various
19 elements that include the transportation
20 demand management elements, the elements of
21 circulation and loading and the elements of
22 overall benefits related to the overall design

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1 and the tasks that we've followed up with with
2 respect to addressing issues that DDoT had.

3 With respect to the proposed
4 access parking and loading plan, we are only
5 providing one access point to serve the
6 facility. That access point is located on
7 Kenilworth Terrace on the north side of the
8 site. That access point is geared to provide
9 69 parking spaces on two underground levels.
10 We're providing 12 bike parking spaces. And
11 what we've done is we've identified eight of
12 those spaces to be within the garage and four
13 in public space.

14 With respect to on-street parking,
15 there's currently on-street parking on the
16 east side of Hayes Street that's unrestricted.
17 What we're doing is we're moving that on-
18 street parking to the west side of Hayes
19 Street. And the reason for that is we're
20 taking advantage of the parked vehicles as a
21 pedestrian buffer between the patrons and
22 visitors and employees coming off the

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1 pedestrian bridge and the traffic on Hayes
2 Street. So, we're providing that amenity to
3 provide that pedestrian buffer. In addition
4 to that, we're locating two loading areas; one
5 for delivery loading and then another for
6 passenger loading.

7 And the above graphic identifies
8 -- and I've color-coded several elements of
9 the circulation plan to walk you through the
10 various elements of the plan. The light blue
11 portion identifies where the proposed garage
12 entrance is. The yellow entrance on
13 Kenilworth -- excuse me, the yellow area on
14 Kenilworth Terrace, N.E. represents the area
15 that's been identified for deliveries that are
16 coming to the site. It's a vision that the
17 deliveries coming to the site will not take
18 place in large vehicles. They're going to be
19 in small vans, box trucks. Those vehicles,
20 those delivery vehicles will be delivering
21 medical supplies as well as administrative
22 paper. FedEx deliveries, UPS deliveries,

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1 things of that nature will take place curb
2 side at that location.

3 As we go around the corner onto
4 Hayes Street, there's the area that's striped
5 in yellow again. And that area is identified
6 as short-term loading area. That area is
7 primarily designated for a place for the
8 ambulances to come in the event that there is
9 an emergency where somebody comes to the
10 health center, realizes that they need urgent
11 care and would need an ambulance to deliver
12 them from this facility to a full-service
13 hospital. So, we've designated that area
14 because there is no other areas within the
15 building that we thought was appropriate. And
16 when we had vetted this with DDoT, they agreed
17 with us. So we've identified this area as the
18 area, that yellow-striped area, as the area
19 for the ambulances in the event that they
20 come. We believe that that occurrence is
21 going to be rare because of the fact that the
22 patrons that are coming to this facility will

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1 know that it's a primary care facility, not an
2 urgent care facility.

3 In addition to that, that area is
4 also designated again as a short-term patient
5 loading area because we envision that the
6 Metro Access vans that take individuals from
7 the Metro in the Metro Access vans, they need
8 an area to drop off individuals that require
9 ADA assistance. So, that is an area in front
10 of the building that we believe provides
11 direct access to that facility. In addition
12 to that, it's also an area where people
13 dropping off their relatives or their friends
14 to the facility, as well as people dropping
15 off -- as well as taxis dropping off as well.
16 So, we provide this area where it's not
17 envisioned as an area to park, but in essence
18 to provide a short-term dropping-off and
19 picking-up area.

20 The light green area is the on-
21 street parking that we're looking to relocate
22 from the east side of Hayes Street to the west

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1 side of Hayes Street. And the reason for that
2 is we anticipate a level of pedestrian
3 activity that will activate that side of Hayes
4 Street. And in doing so, we believe that the
5 parking spaces will provide as a pedestrian
6 buffer for the traffic on Hayes Street and the
7 activity associated with the pedestrian bridge
8 and the pedestrian activity to the front
9 entrance.

10 The orange area is the sliver of
11 the private property that we are offsetting
12 from the property line in order to make the
13 sidewalks wider. That orange area ranges
14 anywhere from four feet to six feet within
15 that side of the building. So in essence
16 we're creating a wider sidewalk that allows
17 patrons who come off of the pedestrian bridge
18 and are heading north so, as Mr. Chiriboga had
19 mentioned, to reduce that tunnel effect. By
20 creating a wider sidewalk there we're
21 improving the pedestrian experience to and
22 from the pedestrian bridge to the front of the

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1 health center.

2 In addition to preparing the
3 access parking/loading plan, we've worked with
4 DCPCA to provide the Transportation Demand
5 Management Plan to help assist the physical
6 elements of the plan, which includes the first
7 thing, which is identifying this site and
8 using its location and the existing
9 opportunities for alternative transit to serve
10 the site. That's a primary component of the
11 Transportation Management Plan.

12 We've also identified designation
13 of a coordinator that will help assist
14 employees as well as patrons to identify
15 different ways for them to use public
16 transportation to come to the site. The
17 employees will be provided an opportunity for
18 transportation and flex spending. As I
19 mentioned before, we are providing bike
20 parking and we're also providing shower
21 facilities to assist those bikers and
22 employees with those facilities to promote

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1 them to bike. And as I mentioned before,
2 we've designated private space on Hayes Street
3 as circulation space to help with the
4 pedestrians and we've provided on-street
5 loading areas.

6 As I mentioned before, we had met
7 with DDoT and we had coordinated some of these
8 elements. It's unfortunate that they're not
9 here, but it was our understanding that we had
10 addressed their circulation elements when we
11 did meet with them. And I'm available for
12 questions.

13 MR. BROWN: Mr. Chairman, at that
14 point our presentation in chief is concluded
15 subject to rebuttal and closing remarks, and
16 welcome any questions from the Commission.

17 CHAIRPERSON HOOD: Okay. Thank
18 you very much for the presentation.

19 Commissioners, any questions?

20 (No audible response.)

21 CHAIRPERSON HOOD: Let me ask this
22 first: Does any of my colleagues have any

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1 additional dealings or need to keep the
2 material board up here at this time?

3 (No audible response.)

4 CHAIRPERSON HOOD: Okay. Ms.
5 Schellin, could you let anyone in the audience
6 who'd like to see it? You can start with Mr.
7 Rhett and anybody else.

8 Okay. Let's open it up for
9 questions. Commissioner Turnbull?

10 COMMISSIONER TURNBULL: Thank you,
11 Mr. Chair.

12 The two types of elevations, the
13 options for Hayes Street, the corrugated
14 material we see up here, that's really hung
15 off the building and there's another aluminum
16 wall behind that. Is that it?

17 MR. CHIRIBOGA: There is a glass
18 curtain wall --

19 COMMISSIONER TURNBULL: It's all
20 glass?

21 MR. CHIRIBOGA: -- because it.
22 And floating in front of it is the perforated

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1 metal rain screen, correct. The pattern you
2 see on that façade is to relate in terms of
3 scale and not have a long glass façade or a
4 metal façade, but have a curtain wall with a
5 screen floating in front of it that is going
6 to two things: One is to allow visibility
7 from the inside to the outside to increase the
8 public safety in connection with the
9 neighborhood.

10 And also, the second thing is to
11 address the issue of scale in terms of the
12 size and proportions of the adjacent
13 residences, particularly the Lotus Square
14 Apartment in terms of a larger scale building,
15 with the scale and the size of the windows.

16 And the third thing is to help
17 control the amount of heat getting -- in terms
18 of the light coming in. I understand it's the
19 façade, but in terms of controlling the glare
20 and the light that comes into that space
21 because it is public circulation and waiting
22 areas in that sense.

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1 COMMISSIONER TURNBULL: And you'd
2 be doing that on either option?

3 MR. CHIRIBOGA: Correct. The
4 difference between the two elevations that you
5 saw up there were particular to the height,
6 the curve at the very top of the building.

7 COMMISSIONER TURNBULL: Yes, the
8 one elevation looks more like an embellishment
9 for the whole façade. Kind of curves over it.
10 Goes beyond a parapet. It's just --

11 MR. CHIRIBOGA: That is correct.
12 And where we previously were and where we
13 currently are it only extends a foot above.
14 So when you look at that in perspective --

15 COMMISSIONER TURNBULL: A foot
16 above the other parapet? So the other
17 parapets are 3'6". So that's -- it would be
18 4'6"?

19 MR. CHIRIBOGA: That is correct.

20 COMMISSIONER TURNBULL: Now, the
21 elevations on either end, it looked like --
22 when you showed the picture before, it looked

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1 like the other elevation also changes. Does
2 it?

3 MR. CHIRIBOGA: The elevation --

4 COMMISSIONER TURNBULL: Looks more
5 like a ribbed panel system, or a ribbon of
6 metal that goes across on --

7 MR. CHIRIBOGA: There are two
8 types of systems or wall expressions. On the
9 Hayes Street elevation you have a curtain wall
10 that wraps Hayes Street and wraps south on
11 Kenilworth south. Now, floating in front of
12 the Hayes Street we have the perforated screen
13 and on the south side, the south-facing glass,
14 we have horizontal architectural fins to help
15 control with the sun, the sun heat gains
16 there.

17 COMMISSIONER TURNBULL: Okay.

18 MR. CHIRIBOGA: On three sides --
19 on the north side you see here, and this wraps
20 around the west. And then the one-story
21 portion on the south is the brick.

22 COMMISSIONER TURNBULL: Okay. On

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1 the façade that's facing the new school,
2 you're locked in step with windows and you've
3 got an agreement that shows you can put those
4 windows there. You're not going -- what I'm
5 just wondering is that you're -- it's a party
6 wall and you're assuming you've got an
7 agreement in place that those windows are
8 still going to be there.

9 MR. CHIRIBOGA: We do, and we are
10 collaborating on the heights of the sills for
11 those particular windows on the second floor.

12 COMMISSIONER TURNBULL: Okay. You
13 talked about the green roof at the far end and
14 it's -- you talk about the water. Is that
15 taking water off the upper roof also?

16 MR. CHIRIBOGA: It can. It has
17 not been designed yet to do that, but that's
18 one of the possibilities that we're looking in
19 in terms of overall site water runoff
20 management.

21 COMMISSIONER TURNBULL: Now, the
22 door that goes out onto this green roof

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1 area --

2 MR. CHIRIBOGA: Yes.

3 COMMISSIONER TURNBULL: -- people
4 can come out, walk through the path, and
5 you're talking about maybe they can go on the
6 green area also.

7 MR. CHIRIBOGA: Yes, it is right
8 now being studied and proposed to be only
9 under supervised use in terms of connection
10 with the wellness component that's happening
11 inside.

12 COMMISSIONER TURNBULL: Okay.
13 Now, there's also a stair out there or
14 something.

15 MR. CHIRIBOGA: Yes, there are two
16 stairs. One of the things that we're looking
17 at is for egress issues off of that green
18 roof. It's --

19 COMMISSIONER TURNBULL: Oh, going
20 down?

21 MR. CHIRIBOGA: -- to go down.
22 And it allows folks to evacuate that green

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1 roof right onto Kenilworth Avenue.

2 COMMISSIONER TURNBULL: Oh, so
3 then is there a locked door down below, or --

4 MR. CHIRIBOGA: There is a door on
5 that --

6 COMMISSIONER TURNBULL: -- you
7 can't go up?

8 MR. CHIRIBOGA: You cannot go up.
9 It's only for egress, correct.

10 COMMISSIONER TURNBULL: Okay. It
11 looks like at that same elevation of
12 Kenilworth Avenue the wall is a jagged-edged
13 wall. It looks like it's kind of a free form.

14 MR. CHIRIBOGA: It's --

15 COMMISSIONER TURNBULL: Hard to
16 tell. There's vines, there's grass,
17 there's --

18 MR. CHIRIBOGA: It is sculpted in
19 that sense with the high point being where you
20 have the high point of the pedestrian bridge
21 coming across. As one goes north on that
22 bridge, the height of that wall follows suit

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1 and also goes -- slopes down.

2 COMMISSIONER TURNBULL: Well, I
3 wonder if you go to ASKO-48 or whatever, that
4 shows the --

5 MR. CHIRIBOGA: You're referring
6 to --

7 COMMISSIONER TURNBULL: On
8 Kenilworth Avenue. The elevation looking on
9 Kenilworth Avenue. Yes, that wall.

10 MR. CHIRIBOGA: For your reference
11 here, what we're looking at is approximately
12 11 feet between our wall, and that's with us
13 pulling our building back and the property
14 line --

15 COMMISSIONER TURNBULL: Okay.

16 MR. CHIRIBOGA: -- to this face,
17 the inside face, or the inboard face of the
18 existing bridge. This bridge right now is
19 about five feet walking in here.

20 COMMISSIONER TURNBULL: Okay.

21 MR. CHIRIBOGA: So you're looking
22 at approximately 20 feet. It's sort of a

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1 balance that we're trying to establish there
2 to allow for enough light to be able to get in
3 and not create that tunnel effect, and also
4 for safety concerns in terms of making sure
5 that we deter folks from either jumping or
6 throwing things.

7 COMMISSIONER TURNBULL: Yes, okay.
8 Where is the -- is there a bus stop or a
9 proposed bus stop?

10 MR. CHIRIBOGA: With our plan is
11 there is no proposed bus stop, but as my
12 colleague here mentioned, there is a zone on
13 the corner in the plan for vehicular drop off.

14 COMMISSIONER TURNBULL: Okay. And
15 the other site on Kenilworth Terrace is your
16 loading berth, loading drop off?

17 MR. CHIRIBOGA: Yes, loading area
18 here. And again, my colleague mentioned that
19 we're not -- the program is only looking at
20 smaller-type vehicles providing service to the
21 building.

22 COMMISSIONER TURNBULL: We don't

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1 have a report from our colleagues at DDoT. We
2 have one on the other project, but we don't
3 have one on this project. You're telling us
4 that they've signed off on all of these items?

5 MR. ANDRES: We had met with them
6 and we had identified what the elements are.
7 At the time that we did meet with them, they
8 didn't have any objections to them at the
9 meeting. So, you know, beyond that I don't
10 know what else we can provide you.

11 COMMISSIONER TURNBULL: Maybe Ms.
12 Steingasser can enlighten us.

13 How many bike -- spaces for bike
14 parking was there?

15 MR. ANDRES: We're providing 12; 8
16 inside and 4 within public space, in the
17 building.

18 COMMISSIONER TURNBULL: Are they
19 okay with that?

20 MR. ANDRES: As I mentioned, it's
21 one of the other --

22 COMMISSIONER TURNBULL: Oh, okay.

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1 Might want to close the loop on that just to
2 make sure we're all in sync.

3 The height of the penthouse, it's
4 12 feet? That's all?

5 MR. CHIRIBOGA: Yes, it is.

6 COMMISSIONER TURNBULL: One of the
7 few projects where we're going down in size
8 instead of over 18'6".

9 MR. CHIRIBOGA: This is based on a
10 similar project that we're currently working
11 with DCBC in terms of the equipment that will
12 be going up there. We're trying to keep that
13 as pertinent as possible.

14 COMMISSIONER TURNBULL: Okay. Mr.
15 Chair, those are enough of my questions for
16 now.

17 CHAIRPERSON HOOD: Thank you, Mr.
18 Turnbull.

19 Any other questions? Commissioner
20 May?

21 COMMISSIONER MAY: Yes, I've got a
22 few. Can we bring up one of the site

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1 elevations that show the building in the
2 context? Okay. I mean, this isn't so much a
3 question, but it's a comment. I think it's --
4 you know given the height of the building, the
5 UDC building as it's projected, and what I
6 believe will be the height of the building
7 that's beyond this -- because you're not
8 showing the building that's beyond this on the
9 other side of Kenilworth Terrace, right?

10 MR. CHIRIBOGA: Correct.

11 COMMISSIONER MAY: And the zoning
12 of the site where the convenience store is now
13 -- I mean, it seems pretty clear that this
14 building is significantly shorter than
15 everything else, right?

16 MR. CHIRIBOGA: The height that we
17 have right now is I believe 42 feet. And the
18 height across the street is 65 in terms of
19 what's permissible across the street.

20 COMMISSIONER MAY: Across
21 Kenilworth?

22 MR. CHIRIBOGA: Correct.

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1 COMMISSIONER MAY: So it's going
2 to be 20 feet taller across the street? It's
3 going to be 50 feet taller, at least, next
4 door. It's 20 feet taller on the other side
5 of Hayes Street?

6 MR. CHIRIBOGA: Correct. It's 44
7 feet in terms of roof height on our building.

8 COMMISSIONER MAY: Right.

9 MR. CHIRIBOGA: Across Hayes
10 Street on the east side it is zoned C-2-B and
11 it's projected to be 65.

12 COMMISSIONER MAY: Sixty-five? So
13 what's across Kenilworth Terrace?

14 MR. CHIRIBOGA: Across Kenilworth,
15 that's outside of our property line, but I
16 believe that's 90 feet.

17 COMMISSIONER MAY: Ninety feet?
18 All right. So it's going to be twice as tall
19 as that? Okay. So, the point I'm trying to
20 make is that this is going to be a very short
21 building given the existing context and what
22 we project the future context to be. I'm not

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1 asking for an answer. I'm just making the
2 comment.

3 MR. CHIRIBOGA: Understood.

4 COMMISSIONER MAY: What's the
5 design idea behind making that the wall for
6 the one-story section of the building look
7 like a decaying ruin of a building? I mean,
8 is there something -- because, I mean, that's
9 what it looks like to me. I don't know if
10 there's something else that you're trying to
11 make it look like.

12 MR. CHIRIBOGA: The primary issue
13 that we looked at in terms of the articulation
14 of it, the materials, is keeping the material
15 consistent with what's happening around the
16 base on the three sides, north, east --

17 COMMISSIONER MAY: Okay. So that
18 dictates that it be a brick building, but why
19 are you making this brick building look like
20 it's crumbling? Because, I mean, that's the
21 only thing I can get out of this image is that
22 -- because you have an uneven top to it and

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1 it's being overgrown with the spillover from
2 the green roof. To me it's -- the connotation
3 is that this is a decaying building that's
4 become overcome by vegetation. What's the
5 point? Is there something else that I'm
6 supposed to see there that I'm not seeing?

7 MR. CHIRIBOGA: What we are
8 looking at in terms of the articulation, both
9 on the -- what you're referring to as the
10 jagged edges is articulating the corners of
11 the -- particularly that southeast corner in
12 terms of the height relationship to the
13 existing bridge and where folks are coming
14 over and seeing.

15 With regards to the vegetation
16 that's happening, we're looking also at a
17 means of softening that edge to allow for more
18 natural landscaping to grow and perhaps come
19 over the edge in that sense.

20 COMMISSIONER MAY: Okay. Well,
21 like I said, to me what it connotes is that
22 this is a decaying building. And frankly, the

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1 façade that you leave facing Kenilworth Avenue
2 is -- it is -- to call it plain would be a
3 compliment. It's not very attractive and it's
4 showing a not very good-looking building
5 that's falling apart along Kenilworth Avenue,
6 which is -- I mean, this is a major entry
7 point to the city. I don't know that it's
8 really doing your building a lot of good to
9 have this sort of decaying remnant-kind of
10 feel for the building along the façade that's
11 going to get, you know, 100,000 cars drive by
12 it every day.

13 COMMISSIONER TURNBULL:

14 Commissioner May, are you making any comment
15 on the symbolism with regard to health
16 services?

17 COMMISSIONER MAY: I'm trying to
18 understand if there's some intended symbolism
19 that I'm missing, because what I'm getting is
20 this notion of decay. But right next to it
21 you've got this shiny bright building, you
22 know, and I can understand that kind of a

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1 juxtaposition. And it's not uncommon to have
2 sort of an older, you know, warehousey-type
3 building; which is kind of the image that it
4 projects, with a shining clean new component
5 as part of it. But typically that's done
6 where there is an actual old decaying
7 warehouse that you put the shiny new addition
8 on. I don't know what I'm supposed to be
9 seeing here, but I'm telling you what I am
10 seeing, which is not the kind of image of a
11 healthy vibrant building or a healthy vibrant
12 community. I mean, I'm just getting the wrong
13 image out of this.

14 Let's just talk about some of the
15 practicalities of that portion of the
16 building. I think you've mentioned the idea
17 that the height of that has some relationship
18 to the height of the walkway. And when I look
19 at that section, what it seems to me is that
20 when you are walking on the bridge you're not
21 going to be able to see into that green roof
22 area pretty much at any point because you're

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1 -- you know, at the point that crumbling brick
2 wall is two stories tall. It's 28 feet, or
3 something like that. And that's taller than
4 the -- where you'd be, where your head would
5 be if you're standing on that bridge, is it
6 not?

7 MR. CHIRIBOGA: Not quite.

8 COMMISSIONER MAY: Not quite?

9 MR. CHIRIBOGA: Not quite.

10 COMMISSIONER MAY: You have to be
11 really tall to see in there, or I mean --

12 MR. CHIRIBOGA: You will be able
13 to see, from a perspective view, if a person
14 is 5'8".

15 COMMISSIONER MAY: Yes.

16 MR. CHIRIBOGA: Twenty feet,
17 twenty-one feet looking in.

18 COMMISSIONER MAY: So adults get
19 to see in there, but the kids across don't get
20 to see?

21 MR. CHIRIBOGA: Perhaps.

22 COMMISSIONER MAY: Okay. Maybe

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1 you want to rethink the height of that,
2 because it's -- you know, you're providing
3 this, which theoretically is a benefit to
4 people crossing the bridge, that they'll be
5 able to look in and see something that's
6 interesting, and yet you're denying that to
7 them by making it so high no apparent
8 functional reason. Only it's part of the
9 image that you're trying to get across, and I
10 just don't understand it. So I think at the
11 very least that's too tall.

12 It also is sort of self-defeating
13 when you talked about needing to widen the
14 sidewalk so that you can reduce the tunnel
15 effect and then next to this 20-foot-tall
16 ramp, or whatever it is, the, you know, 15-
17 foot-tall ramp you've got a 28-foot-tall
18 building instead of what probably needs to be
19 about a 15-foot tall building.

20 MR. CHIRIBOGA: At the height of
21 that corner where it does go up is also
22 coinciding with the landing, the bottom

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1 landing of the ramp.

2 COMMISSIONER MAY: Yes, but on the
3 other side of the ramp there's the top -- the
4 high point of the ramp. So, you know, five
5 feet away you've got the peak of the ramp.
6 You have the bottom of the ramp, and then you
7 go up and you get the top of the ramp. Top of
8 the ramp is -- you know, it's five feet
9 further away, but it's still up there.

10 MR. CHIRIBOGA: Actually 20 feet
11 away, 20-plus feet away from the top high
12 point of the ramp to the top high point of the
13 wall. And as you're doubling it back, what
14 you're experiencing is instead of a 5-foot
15 dimension between the landing, the lower
16 landing of the ramp and our property line,
17 instead of 5 feet, you have 112 feet by
18 pulling that wall back.

19 COMMISSIONER MAY: Right, and I
20 appreciate your doing that. I think that's
21 the right thing to do. All I'm saying is that
22 you're making -- you know, on the one hand

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1 you're making the one move to make it more
2 spacious and generous and on the other hand
3 you're driving up the height of the building
4 that you're building unnecessarily for no
5 functional reason and it makes -- it increases
6 that potential tunnel effect. I mean,
7 anything is going to feel enclosing if it gets
8 tall enough, right? So, you know, you're
9 going to wind up with -- like I said, it's --
10 the height of that building is defeating the
11 other move that you're making.

12 MR. CHIRIBOGA: Understand. I
13 appreciate your comments. And again, that is
14 one area that we are looking at how to address
15 that and --

16 COMMISSIONER MAY: Okay. I think
17 I'd like to see a section that shows exactly
18 what that relationship is.

19 MR. CHIRIBOGA: Sure.

20 COMMISSIONER MAY: I know we see
21 it sort of partially in some of the drawings
22 that we have, but I don't think we have a

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1 section at that, sort of the very corner of
2 the building and the peak of the ramp. So, if
3 we can see that, I'd appreciate it.

4 All right. Let's talk about the
5 screen. First of all, I appreciate the fact
6 that you're studying a version of it without
7 the curve, because I think the curve is
8 really, you know, not helping the image of the
9 building either. I think that that -- a
10 connotation of that is a period of American
11 architecture that's probably best forgotten.
12 So, I think that staying away from that kind
13 of a curve at the top of a building is
14 probably a good thing.

15 What you've done with the rest of
16 it I'm not so persuaded by either. Can you
17 tell me what's driving the cutoffs at the
18 bottom, the diagonal cutoffs? What's the idea
19 there?

20 MR. CHIRIBOGA: The idea with the
21 cutoffs is picking up cues on the angles and
22 the direction of the existing pedestrian

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1 bridge coming across. It's not a straight
2 rectangular box. There's actually sloping
3 down following the ramp. And what this is
4 doing is just picking up --

5 COMMISSIONER MAY: But it's not
6 the same angle as the ramp, right?

7 MR. CHIRIBOGA: It's not the same
8 angle, correct, but it's pretty close to it.
9 And it is ghosted here, but it is following
10 the same --

11 COMMISSIONER MAY: So is it the
12 same angle as the first -- the section of the
13 building to the left there?

14 MR. CHIRIBOGA: These angles are
15 the consistent going across.

16 COMMISSIONER MAY: Okay.

17 MR. CHIRIBOGA: The angle of the
18 pedestrian ramp has a flat portion and it
19 slopes -- the flat portion slopes, the flat
20 portion slopes.

21 COMMISSIONER MAY: Okay. Well --

22 MR. CHIRIBOGA: But theoretically,

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1 yes, this angle here --

2 COMMISSIONER MAY: Yes?

3 MR. CHIRIBOGA: -- is following

4 the slope --

5 COMMISSIONER MAY: The angle --

6 MR. CHIRIBOGA: -- of that ramp.

7 COMMISSIONER MAY: Of the ramp?

8 MR. CHIRIBOGA: Of the pedestrian

9 bridge going all the way across.

10 COMMISSIONER MAY: That angle

11 right there is following the angle of the

12 ramp?

13 MR. CHIRIBOGA: The average slope,

14 yes, of this ramp, from the high point to the

15 low point here. To the -- I'm sorry, to the

16 midpoint here, because it does double back.

17 COMMISSIONER MAY: Okay. Is it

18 possible to get a version of this elevation

19 that does not have the ramp ghosted in?

20 MR. CHIRIBOGA: Yes.

21 COMMISSIONER MAY: Okay. What

22 about the opposite end there where you're

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1 cutting it off and cutting through the punched
2 openings? What's the thinking there?

3 MR. CHIRIBOGA: The idea here is
4 again to open this up a little bit more to
5 that corner where we do have the main entrance
6 to the building.

7 COMMISSIONER MAY: All right.
8 Well, you know, when this came in for setdown
9 one of my comments was a suggestion that you
10 simplify the façades, and I appreciate the
11 fact that you've made some moves in that
12 direction, but I don't think that you've gone
13 nearly far enough. And I think that this
14 building would be much stronger and that
15 screen would be much stronger if it were
16 simply squared off at all the corners. I
17 mean, ghosting in some diagonal lines or
18 something like that, I guess maybe that makes
19 some sense the way you had -- which I'm think
20 I'm detecting in this version over here. But
21 it's -- the building is just trying to do too
22 much and that façade is trying to do too much.

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1 What's the rationale for even
2 having the screen on the side of the building?
3 I mean, this is the northeast side of the
4 building. And I understand a screen like this
5 has a functional purpose on the west side of
6 a building or on the south side of a building,
7 but on the northeast side of the building
8 you're not going to be subjected to punishing
9 amounts of direct sunlight.

10 MR. CHIRIBOGA: Oh, that is
11 correct. We are also using the screen instead
12 of having -- because it is a public
13 circulation waiting space, we wanted to
14 maximize the amount of visible glass that we
15 have there. So, for the most part, the skin
16 or the wall behind that screen is all glass
17 and --

18 COMMISSIONER MAY: So, it's mostly
19 just a privacy thing?

20 MR. CHIRIBOGA: It's a privacy,
21 but it's also -- we're using in terms of the
22 fenestration patterns to help articulate a

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1 connection with the scale of the fenestration
2 patterns on the existing residence halls, or
3 residence buildings down the street,
4 particularly those --

5 COMMISSIONER MAY: All right.
6 Well, I don't buy that connection. I can
7 understand the privacy thing, but I don't buy
8 into the connection to the scale of the other
9 openings. I think it's far, far greater in
10 scale.

11 I think that we definitely need to
12 get a report from DDoT on this project because
13 I've never known them to be fond of a project
14 that relies on street loading only. And so,
15 I would just be very surprised if they were
16 fully supportive of this. I'd also like them
17 to speak to the issue of the parking relief
18 that's requested. And actually, I mean, there
19 is parking relief requested, right, 40 some
20 spaces?

21 MR. CHIRIBOGA: Yes.

22 COMMISSIONER MAY: Did you speak

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1 to that at all in terms of why it's not
2 necessary?

3 MR. CHIRIBOGA: Well, in fact in
4 our discussions with DDoT I think they would
5 have preferred --

6 COMMISSIONER MAY: I'm asking your
7 justification for zoning relief. I'm not
8 asking what DDoT is asking for.

9 MR. ANDRES: I can go through
10 that.

11 COMMISSIONER MAY: Okay.

12 MR. ANDRES: You know, the
13 justification for the zoning relief, obviously
14 with respect to its proximity to Metro and
15 given that this is a primary health care
16 facility, both employees and potential patrons
17 would be able to use the Metro given its
18 proximity. And given its proximity is one of
19 the major components for justifying the
20 parking variance that we're looking to support
21 this.

22 And in addition to that, there's

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1 also information that we've gotten in
2 coordination with DCPCA's other sites where
3 they've identified that many of their --
4 actually many of their patrons that do come to
5 the site are being dropped off. And that's
6 the experience that they have in some of their
7 urban locations. So given those two elements,
8 we believe that the proposed parking is
9 sufficient.

10 COMMISSIONER MAY: Okay. I can
11 find that persuasive, but it would be helpful
12 to actually know some of the data. So if we
13 have information on what the parking rates are
14 at the other facilities --

15 MR. CHIRIBOGA: We have --

16 COMMISSIONER MAY: -- you know,
17 kind of per square foot just to understand
18 what kind of demand there is. And the last
19 thing we'd want to do is force you to build
20 136 parking spaces and then have, you know, 50
21 of them parked at any given time. But we have
22 to really have some more scientific basis for

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1 that than DDoT feels it's too much.

2 MR. ANDRES: Absolutely.

3 COMMISSIONER MAY: You know,
4 there's a lot more that I can say about the
5 architecture overall. I still think that the
6 brick façades need more work. I don't think
7 that they're very attractive yet, frankly. I
8 think they got better from the initial version
9 that we saw, giving them a little bit more
10 height, but you know, that sort of ribbon
11 window is just not doing much for me. And I
12 think especially along Kenilworth Avenue, even
13 though that may not be a primary space, I
14 think the building needs to look better there
15 than it does, because I think that is going to
16 be a very obvious façade of this building.

17 You know, I can get into the
18 really fine points, like the selection of the
19 brick itself. You got that sand face and then
20 you've got a really nice iron spot. I don't
21 understand that combination either, but well,
22 that's just for your information. You can do

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1 what you want in terms of the brick selection
2 itself.

3 All right. I think that's it for
4 my questions. Thanks.

5 CHAIRPERSON HOOD: Okay.
6 Commissioner Selfridge?

7 COMMISSIONER SELFRIDGE: Thank
8 you, Mr. Chairman. I just wanted to follow up
9 Mr. May's comments about the parking, and Mr.
10 Turnbull's in terms of getting some more
11 information from DDoT.

12 But, Ms. Baskerville, how many
13 employees are on site at any given time? I
14 guess you would average it. Obviously during
15 the course of the day it varies, but --

16 MS. BASKERVILLE: Between 50 and
17 75 probably.

18 COMMISSIONER SELFRIDGE: And then
19 I saw in the presentation; I don't know if
20 this is correct, the 69 parking spaces, are
21 they all designated for employees? It says 69
22 employee parking spaces.

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1 MR. BROWN: At this point it's
2 considered -- and Unity is the ultimate
3 operator of this. They consider that
4 primarily employee parking. That's their view
5 of what they think their employee demand will
6 be. And again, particularly at the higher
7 professional levels.

8 COMMISSIONER SELFRIDGE: So, Mr.
9 Andres, where do all the cars park that drop
10 these people off?

11 MR. ANDRES: Well, with respect to
12 the parking that's available, you know,
13 obviously there's on-street parking, both --

14 COMMISSIONER SELFRIDGE: How many
15 on-street spots are there on Hayes right here?

16 MR. ANDRES: On Hayes Street
17 there's five spaces. On Kenilworth Terrace
18 west of Hayes Street there's probably in the
19 range of about 30.

20 With respect to the designated
21 demand on an hourly basis, based on the
22 projections, in essence there's going to be a

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1 visit -- with respect to the visits, there's
2 going to be a range of 10 to 15 visits per
3 hours. And if you translate that over the
4 period of day and then over a period of the
5 whole year, that's where you get the visits
6 that have been identified earlier. But
7 looking at the 10 to 15 visits per hour, the
8 10 to 15 visits, there's going to be a primary
9 segment that's going to be coming either
10 walking to or from the facility, given where
11 it's located.

12 And obviously as what's been
13 identified earlier, the reason why it's
14 located in the community is because it's there
15 to serve the community. So there's going to
16 be a portion of that 10 to 15 that will be
17 coming from the community. The other portion
18 will be coming from some of the other -- from
19 the -- there's actually two bus lines that
20 come through Parkside and the Metrorail
21 station again is an opportunity for some of
22 the residents in and around the area to

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1 provide them that opportunity.

2 So given that, in the event that
3 there needs to be drop offs or actual parking
4 for those patrons, for those members, you
5 know, that parking demand per hour that would
6 need to be turned over would probably in the
7 range of seven to eight vehicles. So, there
8 is ample on-street parking.

9 Now, as Parkside begins to --

10 COMMISSIONER SELFRIDGE: I'm
11 sorry. I don't want you to move past that.

12 MR. ANDRES: Okay.

13 COMMISSIONER SELFRIDGE: Okay. So
14 going down Kenilworth Terrace is where there's
15 these 30 odd spots in front of what's going to
16 be CCDC.

17 MR. ANDRES: Yes.

18 COMMISSIONER SELFRIDGE: Won't
19 there be some overflow from some of these
20 other uses that would take those parking
21 spots?

22 MR. ANDRES: As I mentioned, as I

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1 was getting into the -- you know, as the
2 overall Parkside development begins to mature
3 and all of these new developments come in,
4 then there would need to be some management of
5 this on-site parking, on-street parking, which
6 would more than likely include meters to help
7 facilitate and help manage the on-street
8 parking demand.

9 COMMISSIONER SELFRIDGE: Ms.
10 Baskerville, so you only have 10 or 15 people
11 receiving care or treatment, customers in a
12 given hour? That seems low. Is that an
13 accurate statement for the usage?

14 MS. BASKERVILLE: It depends on
15 the FTEs. You know, I haven't scoped it all
16 out. You know, I don't have it in front of
17 me. I know we've done an analysis with Unity
18 on what their current staffing patterns are
19 and their current patient utilization patterns
20 are, and then projected based on the size
21 here. Generally, you know, they see three
22 patients an hour per physician.

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1 COMMISSIONER SELFRIDGE: Yes.

2 MS. BASKERVILLE: And again, that
3 varies. The patient's visit also is in
4 waiting room, is in lab, is in other areas.
5 So, you know, the total visit might last two
6 hours.

7 COMMISSIONER SELFRIDGE: Yes. I
8 guess just my final comment would be that this
9 -- to me this strategy seems incoherent in
10 terms of how to deal with both the traffic --
11 it seems like this is going to be a very
12 hectic intersection. You've got people coming
13 in for short-term drop offs. You've got on-
14 street parking, people coming and going, a
15 delivery loading area, no parking with the
16 facility for any of the visitors. And I think
17 there will be quite a bit of probably vehicle
18 traffic. These are sick people in a lot of
19 cases, right, disabled people who are coming.
20 I don't know that they're going to be walking
21 from the Metro. So, I think the idea that
22 there's probably a lot of short-term drop off

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1 is true, and I would just be concerned where
2 those cars end up and the impact on that
3 intersection. So where we can see anymore
4 information from DDoT or anymore kind of
5 articulation of how this going to play out, I
6 think that would be helpful.

7 CHAIRPERSON HOOD: Mr. Andres,
8 let's put up the circulation slide if we
9 could. And I think you had a pointer. I saw
10 you with a pointer. Let's go over that whole
11 circulation. Show me how that's going to
12 work.

13 MR. ANDRES: Absolutely. The blue
14 area is the area that is the parking garage,
15 and that's the only curb cut throughout the
16 entire site. The yellow area next to that,
17 that's where the deliveries of the even
18 medical supplies, or paper, or UPS deliveries,
19 FedEx deliveries, that curbside area would be
20 designated as a commercial loading area. As
21 you go around the corner --

22 CHAIRPERSON HOOD: Kind of just

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1 show me what you're pointing at. If I'm in my
2 car or I'm in a truck --

3 MR. ANDRES: Yes.

4 CHAIRPERSON HOOD: -- how am I
5 going to be moving to get to the loading area?
6 How am I going to be moving to get to the
7 garage area?

8 MR. ANDRES: Well, likely you'll
9 be coming off of Kenilworth Avenue.

10 CHAIRPERSON HOOD: Okay.

11 MR. ANDRES: So, you'll be coming
12 off Kenilworth Avenue. And in order for you
13 to have your truck in the right position,
14 you'd actually have to go down to the next
15 intersection, which is Foote Street, turn
16 right, turn right and then come around. And
17 you'll be coming and facing -- at that point
18 you'd be facing east at which point you'd be
19 dropping off with your -- it'll be passenger
20 side drop off. So, what they'll do is they'll
21 pull up, put their hazards on and unload their
22 facilities through the front door.

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1 CHAIRPERSON HOOD: Okay. Yes,
2 we're going to have a transportation
3 coordinator.

4 MR. ANDRES: Yes, they're -- as I
5 mentioned, as part of the TMP, the
6 transportation coordinator would be
7 responsible for overseeing that activity.

8 CHAIRPERSON HOOD: Okay. And is
9 there any idea who that person -- is it going
10 to be a community persons? Somebody going to
11 be trained? Or who is that going to be?

12 MR. ANDRES: That is something
13 that the health care center will designate.

14 CHAIRPERSON HOOD: Okay. Are you
15 familiar with -- in one of the parties,
16 Eastland Gardens. You know where that area
17 is?

18 MR. ANDRES: Yes, I am.

19 CHAIRPERSON HOOD: Okay. Let me
20 just ask you this; you're the expert: Would
21 I -- going back to what Commissioner Selfridge
22 -- would I park in Eastland Gardens to come to

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1 this facility?

2 MR. ANDRES: If you are coming for
3 the first time, chances are you're going to be
4 headed -- because of the façade of the
5 building -- goes basically north/south and
6 faces west, you'd be more inclined to park on
7 Kenilworth Terrace west of Hayes Street
8 because of the fact that there are open fields
9 there and it'll be visually more. It'll be
10 closer and it'll be visually more inviting.

11 CHAIRPERSON HOOD: So you don't
12 think I would park at Eastland Gardens and
13 walk down to this facility?

14 MR. ANDRES: I don't think that
15 they would. If I were to the park there, I
16 would park basically as close to the front
17 door as possible.

18 CHAIRPERSON HOOD: Okay. The
19 other issue is do we have residential parking
20 in the Eastland Gardens, or in that area?

21 MR. ANDRES: No. No.

22 CHAIRPERSON HOOD: Nowhere?

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1 Nowhere in that area?

2 MR. ANDRES: No.

3 CHAIRPERSON HOOD: Okay. Let's
4 look at page 20 of your report, Exhibit 23;
5 and I want to talk about this level of
6 service. And it would be good, as already
7 stated by my colleagues, about having
8 something from DDoT. I'm looking here at the
9 level of service F.

10 MR. ANDRES: Can you give me one
11 second?

12 CHAIRPERSON HOOD: Okay.

13 MR. ANDRES: I'm sorry,
14 Commissioner Hood.

15 CHAIRPERSON HOOD: It's all right.

16 MR. BROWN: Which report are you
17 referring to?

18 CHAIRPERSON HOOD: I'm looking at
19 Exhibit 20, page 20. No, I'm sorry. Exhibit
20 23. Wait a minute. Wait a minute. Let me
21 see. Am I on the right case? Oh, I'm sorry.
22 I looked at one of the staff there.

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1 MR. BROWN: Well, Mr. Hood, there
2 was a supplemental traffic report submitted
3 March 29. I don't know what exhibit it is.

4 CHAIRPERSON HOOD: Okay. Well,
5 let me --

6 MR. BROWN: Twenty-eight.

7 CHAIRPERSON HOOD: So, you changed
8 the level of service. What's the level of
9 service in that new exhibit; I'm not going to
10 be -- probably up here somewhere, and I'll
11 tell you in particular from Minnesota Avenue
12 and Nannie Helen Burroughs. Well, my
13 colleagues may have it, but I don't have it.
14 I don't know -- won't be the first time I got
15 something mixed up. Does anybody else have
16 that? What's the date on it? Oh, wait a
17 minute, I saw that, yes.

18 MS. SCHELLIN: What was that part
19 of?

20 CHAIRPERSON HOOD: March 29? You
21 talking about the March 29?

22 MS. SCHELLIN: You got it?

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1 MR. BROWN: I think so.

2 CHAIRPERSON HOOD: Exhibit 28.

3 Okay. So, Mr. Brown, you're telling me that
4 things have changed. Mr. Brown, I don't even
5 see that page in here. So when it's not in
6 here, we need to refer to the original copy.

7 MR. BROWN: Mr. Hood, I'm told
8 that there was an updated traffic report
9 submitted in the 1st Stage consolidated
10 modification, the E case that was filed today.

11 MR. ANDRES: Yes, there's a
12 document dated April 18 which addresses --
13 potentially addresses your concern at the
14 intersection of Kenilworth Terrace and --

15 CHAIRPERSON HOOD: Okay. Hold
16 tight. Let me get it. So that was submitted
17 this evening, right?

18 MR. ANDRES: Yes, in response to
19 your previous comments from the previous
20 stage --

21 CHAIRPERSON HOOD: Can you tell me
22 exactly --

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1 MS. SCHELLIN: It's in the other
2 file. It's not in this case. So, that's the
3 problem. So, we don't have it in this case.

4 COMMISSIONER MAY: Could we have
5 it submitted into this case? I think it's
6 relevant.

7 MS. SCHELLIN: If you submit it,
8 sure.

9 CHAIRPERSON HOOD: Mr. Brown,
10 okay. Anyway, back to my question. Just
11 answer my question. Level of service F. I'm
12 concerned about Minnesota Avenue and Nannie
13 Helen Burroughs. You have a level of service
14 F, so you have something that's more updated
15 apparently.

16 MR. ANDRES: Yes, based on the
17 previous hearing there were concerns about
18 some of the level service activity because
19 DDoT had done some construction activity.
20 Some of it wasn't done. Some of it was done.
21 What we had done is we'd gone out Tuesday,
22 April 12 and did some traffic counts at the

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1 intersections where we believe you would have
2 some concern of to look at some of the queuing
3 and see if it had worked, if the proposed
4 improvements had worked or not. And when we
5 had gone out there, we have confirmed that
6 they do work. There are some queues, but the
7 queues do clear both in the morning and in the
8 afternoon at the intersection of Kenilworth
9 Avenue and Kenilworth Terrace and Nannie Helen
10 Burroughs Avenue.

11 There is an intersection which is
12 fairly complicated where you basically have
13 two intersections that are very close to each
14 other, but they operate on the same signal, or
15 they operate as a cluster. There are two
16 intersections that are separated by -- that
17 are fairly close to each other and they
18 operate as one intersection.

19 CHAIRPERSON HOOD: So is that the
20 intersection where I guess you make the left,
21 both intersections when you're there you --

22 MR. ANDRES: Yes.

1 CHAIRPERSON HOOD: -- pretty much
2 make a left?

3 MR. ANDRES: Yes.

4 CHAIRPERSON HOOD: Okay. Is there
5 construction going on on that -- once you make
6 that left? Was that factored into it, into
7 your new equation?

8 MR. ANDRES: Which construction?

9 CHAIRPERSON HOOD: Construction.
10 Once you make a left, I believe there's some
11 construction going on on the street once you
12 turn onto Nannie Helen Burroughs.

13 MR. ANDRES: Is there -- you're
14 asking if there's construction on Nannie Helen
15 Burroughs?

16 CHAIRPERSON HOOD: Yes, I'm
17 asking.

18 MR. ANDRES: I'm not aware that
19 there is.

20 CHAIRPERSON HOOD: Okay. And you
21 went out there?

22 MR. ANDRES: Not personally, but

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1 my staff members have.

2 CHAIRPERSON HOOD: Oh, I didn't --
3 let me just tell you, I didn't ask a question
4 that I didn't already know the answer to. I
5 already knew the answer. And I just wanted to
6 know where that construction is going on, was
7 that factored in? And also, I want to know
8 what the update -- what you have there. What
9 do you -- your staff potentially say the level
10 of service is now since you all have looked at
11 some new results?

12 MR. ANDRES: Based on our April 18
13 analysis, the level of service are within
14 level of service D and C. There is a level of
15 service E for one of the movements, and the
16 movement is associated with Kenilworth Terrace
17 heading northbound.

18 CHAIRPERSON HOOD: Okay.

19 MR. ANDRES: And what we've also
20 done is we've taken into account the full
21 development of parcel 12.

22 CHAIRPERSON HOOD: The whole

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1 development? Not just --

2 MR. ANDRES: Yes.

3 CHAIRPERSON HOOD: Okay. Now, how
4 did we go from -- help me understand. How did
5 we go from F to D? What mitigation or what
6 did we look at, trips or that particular time?
7 And what time of day did we go out there?

8 MR. ANDRES: Well, the time of the
9 two periods of the time and time include both
10 the morning peak period between 7:00 and 9:00,
11 as well as the evening peak period between
12 4:00 and 6:00. Now, with respect to the
13 methodology, what we do is when we incorporate
14 -- what we do is we take the signal timings
15 that we've identified and incorporating those
16 signal timings, as well as the signal phasings
17 which identifies the sequence of who goes
18 when. We incorporated those two elements as
19 well as the actual volumes of today, as well
20 as projected volumes in the future. And those
21 are what we used to standard -- to provide the
22 analysis that's standardized. It's an

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1 analysis that we do within the District and
2 professionals like myself do all over the
3 country.

4 So, it's an analysis called
5 Synchro where what the analysis does is it
6 helps you identify the best possible timing
7 sequence to enable you to get the vehicles
8 through at an efficient rate.

9 CHAIRPERSON HOOD: Okay. And
10 again, I would concur with everyone saying
11 that DDoT -- we need to get something from
12 DDoT, because I would be interested in the
13 parking. Because I think you're going to have
14 more than you expect coming into this facility
15 if it's approved. I really do. And when I
16 hear we have five spaces or six spaces on the
17 street or whatever street, I think we have a
18 potential parking problem.

19 Ms. Baskerville; and I think I --
20 you know, I'm just asking, but why -- you had
21 support. You all passed out a support letter
22 at the last hearing. What happened?

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1 MS. BASKERVILLE: As far as I can
2 tell, different leadership who had previously,
3 as far as I can tell, not been in support but
4 who wasn't in majority at the time. I can't
5 exactly tell you what happened, you know?
6 I've been to many community meetings and
7 things happen.

8 CHAIRPERSON HOOD: Okay.

9 MS. BASKERVILLE: So, I live in a
10 community where many, many people are
11 supportive and there's a small group of very
12 vocal people and I respected their --

13 CHAIRPERSON HOOD: Okay.

14 MS. BASKERVILLE: -- you know,
15 their opinion. So --

16 CHAIRPERSON HOOD: Okay. That's
17 -- I'm good.

18 MS. BASKERVILLE: Yes.

19 CHAIRPERSON HOOD: Thank you.
20 Okay. Any other questions? Commissioner
21 Selfridge?

22 COMMISSIONER SELFRIDGE: I just

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1 had a follow-up for Mr. Andres. Could we go
2 through the circulation again? Most people
3 are getting to the facility, proposed facility
4 from where, from Kenilworth Avenue? And so,
5 you're going down Kenilworth Avenue and you
6 take a right up Hayes Street, right?

7 MR. ANDRES: Well, it depends
8 where you're headed. If you're an employee
9 and you're headed to the garage, yes, you turn
10 up Hayes Street, you turn left onto Kenilworth
11 Terrace and then turn left into the entrance.

12 COMMISSIONER SELFRIDGE: Yes.

13 MR. ANDRES: If you're looking to
14 park or drop off, you would actually proceed
15 to the next intersection, which is Foote
16 Street, and that enables you to basically go
17 around the block so that your car is facing
18 eastbound.

19 COMMISSIONER SELFRIDGE: And so
20 there will be signage there to direct people
21 where to go for drop off and --

22 MR. ANDRES: Yes.

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1 COMMISSIONER SELFRIDGE: I can
2 just see how it would be confusing if you take
3 a right on Hayes Street and then your short-
4 term parking's on the other side of the street
5 and you go up and you're U-turning. It just
6 gets back to that idea that it seems very
7 confused. So, you would have signage that
8 would direct people?

9 MR. ANDRES: Yes, we can
10 supplement the plan with signage.

11 COMMISSIONER SELFRIDGE: That
12 would be helpful. It just goes back to the
13 idea that it seems a little bit confusing.

14 CHAIRPERSON HOOD: Okay.

15 COMMISSIONER MAY: Mr. Chairman?
16 I wanted to go back to this parking thing that
17 you had began talking about. And I think,
18 yes, right now when there's vacant fields,
19 people are going to be able to come up and
20 find a place to park. But at the peak when
21 this project is finished, I don't know how
22 many parking spaces are really going to be

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1 available on that street for visitors or for
2 people who need to use the facility. So, I'm
3 a little -- I'm concerned. I think we need to
4 report, but I think we need a study on if most
5 of this parking is for staff, we're going to
6 have a problem down the road with people who
7 need to be driven here. So, I agree with your
8 -- I mean, right now it may be you may be able
9 to satisfy the needs, but a couple of years
10 you're not going to.

11 CHAIRPERSON HOOD: That's
12 something we probably can ask DDoT. I know
13 heard that loud and clear. Number of us up
14 here mentioned that.

15 Commissioner May?

16 COMMISSIONER MAY: Yes, I had one
17 other question. The stone fins are shown in
18 the landscape plan along the building. What
19 exactly is that and what's the purpose of it
20 being there?

21 MR. CHIRIBOGA: What you're
22 referring to is -- I will pull up the slide

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1 here.

2 COMMISSIONER MAY: Right.

3 MR. CHIRIBOGA: One of the
4 suggestions and comments from the neighborhood
5 when we were developing this plan was to help
6 not only increase the size of the walkable
7 surface area there, but also to somehow
8 designate where there would be a line between
9 the private space and the public space. And
10 where we are doing it right now is up against
11 this glass wall here on the first floor, is in
12 -- this area right alongside the columns is
13 where we have those -- that stone treatment on
14 the --

15 COMMISSIONER MAY: And what is
16 that treatment? I'm not familiar with stone
17 fins, or that term.

18 MR. CHIRIBOGA: It's termed as
19 stone fins, but what it is is the photograph
20 here.

21 COMMISSIONER MAY: Yes, and I
22 can't decipher that.

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1 MR. CHIRIBOGA: What it is is
2 basically long strips of -- in this case it
3 would be granite that's --

4 COMMISSIONER MAY: So, is it -- I
5 mean, what's the top surface? Is it a
6 perfectly walkable surface?

7 MR. CHIRIBOGA: It would be a
8 walkable surface, yes.

9 COMMISSIONER MAY: Is it rough?

10 MR. CHIRIBOGA: It's textured. It
11 would be rough. It is walkable.

12 COMMISSIONER MAY: And is there
13 gaps between it?

14 MR. CHIRIBOGA: What it is it
15 would be in the same height elevation as the
16 adjacent concrete sidewalk.

17 COMMISSIONER MAY: Yes?

18 MR. CHIRIBOGA: There would be,
19 for lack of a better word, routing strips cut
20 into that granite so --

21 COMMISSIONER MAY: And how wide
22 are those?

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1 MR. CHIRIBOGA: Well, it would be
2 -- we'd be looking at the permissible in terms
3 of the width and the depth of that. It would
4 be similar to what would be a -- in this case,
5 a three-quarter-inch to one-and-a-half-inch
6 gap between each one of those --

7 COMMISSIONER MAY: Okay.

8 MR. CHIRIBOGA: -- those strips.

9 COMMISSIONER MAY: I'm afraid that
10 if you install something like that there, then
11 a lot of the treatment that you'll be giving
12 in the clinic will be scraped knees and things
13 like that. I think that's a pretty risky
14 treatment. I mean, I understand the purpose
15 of it, but you might want to look at something
16 else that gives you that separation. Because
17 it may be perfectly walkable, but it sounds
18 like there is some risk of tripping and
19 particularly if someone is wearing heels or if
20 someone has small feet, you know, children,
21 things like that.

22 CHAIRPERSON HOOD: Any other

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1 questions?

2 (No audible response.)

3 CHAIRPERSON HOOD: Okay. Let's do
4 cross-examination. Ms. Seaward, you have any
5 cross-examination representing the ANC?

6 MS. SEAWARD: Hello, my name is
7 Willette Seaward, ANC 7D chairperson, and I
8 have a question about -- does the tobacco
9 settlement funds restrict DCPCA from
10 developing a new proposed Ward 7 health center
11 in a mixed-use office building?

12 CHAIRPERSON HOOD: Somebody
13 testify to that tonight?

14 MS. BASKERVILLE: Excuse me.

15 CHAIRPERSON HOOD: You may have.
16 I might not have -- somebody testify to that
17 tonight about the tobacco fund? Did somebody
18 mention that? Is that in your presentation?

19 MR. BROWN: I think Ms.
20 Baskerville mentioned that the source of some
21 of the capital was tobacco.

22 CHAIRPERSON HOOD: I may have

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1 missed it. I'm sorry. Go ahead.

2 MS. SEAWARD: That was my
3 question.

4 CHAIRPERSON HOOD: Okay.

5 MS. BASKERVILLE: There is no
6 restriction on tobacco settlement funds as to
7 site selection.

8 MS. SEAWARD: Since it is not,
9 could the CR zoned towers accommodate DCPCA
10 for a health facility?

11 MS. BASKERVILLE: At this point
12 DCPCA is not looking at any other sites
13 because the tobacco settlement money sunsets
14 August 29 of 2011. Therefore, it will be
15 forfeited, any money that is not currently
16 obligated. We have done exhaustive Ward 7
17 site selection over the last four years. And
18 so, at this particular point we're not
19 entertaining looking at any other sites.

20 MS. SEAWARD: What other sites did
21 you look at in Ward 7?

22 MS. BASKERVILLE: I'd be happy to

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1 provide a list of sites explored by the
2 broker. I personally spent 22 years with the
3 city on the site on Nannie -- I couldn't tell
4 you the address. It's on Nannie Helen
5 Burroughs. It was the old flatiron building.
6 It was a previous methadone clinic. And that
7 was a site that the city asked us to explore.

8 MS. SEAWARD: Are the architects
9 experienced to design a building for medical
10 use?

11 MS. BASKERVILLE: Part of our
12 solicitation for architects on all our
13 projects is they had to demonstrate expertise
14 in medical office building design.

15 MS. SEAWARD: Did you survey
16 Parkside, Paradise, Mayfair, Lotus Square,
17 Eastland Gardens to see where a more natural
18 location would be for the health care center?

19 MS. BASKERVILLE: We did not
20 personally -- I'm not sure I understand your
21 question. Did I survey the neighborhood to
22 see what a better place to be would be?

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1 MS. SEAWARD: Correct.

2 MS. BASKERVILLE: No.

3 MS. SEAWARD: Of all the locations
4 that you did look at, was Parkside the most
5 suitable or was it the most accessible?

6 MS. BASKERVILLE: Suitable or
7 accessible?

8 MS. SEAWARD: Yes.

9 MS. BASKERVILLE: Accessibility
10 was part of suitability. It was the most
11 suitable structure, the most suitable location
12 of all that we reviewed based on the criteria
13 that was laid out in the beginning.

14 MS. SEAWARD: Since the 110-foot
15 towers are zoned CR, why haven't you filed a
16 special exception to develop in one of those
17 buildings?

18 MR. BROWN: I object. I'm not so
19 sure that anybody here who testified in that
20 respect.

21 CHAIRPERSON HOOD: Your objection
22 is overruled. You can continue to ask the

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1 question. You probably can answer.

2 MS. SEAWARD: That's my question.

3 Thank you.

4 MR. BROWN: Mr. Chairman, I didn't
5 testify and I don't --

6 CHAIRPERSON HOOD: She asked a
7 simple question. Why didn't you apply for a
8 special exception? Because this is where you
9 chose it. And then we can move on. Or that's
10 not the answer, but you answer it the way you
11 see fit.

12 MR. BROWN: I don't think that's
13 the question she asked.

14 CHAIRPERSON HOOD: Okay. Well,
15 whatever question she asked, so just answer
16 it.

17 MS. SEAWARD: You want me to read
18 it again? I can do so.

19 MR. BROWN: Please.

20 MS. SEAWARD: Since the 110-foot
21 towers are zoned CR, why haven't you filed for
22 a special exception to develop in one of those

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1 buildings?

2 CHAIRPERSON HOOD: In which

3 buildings?

4 MR. BROWN: I renew my objection.

5 MS. SEAWARD: The 110.

6 MR. BROWN: She's asking about a

7 site that isn't before us. She's asking a

8 hypothetical question about a property that --

9 MS. BASKERVILLE: I'm not familiar
10 with.

11 MR. BROWN: Yes.

12 CHAIRPERSON HOOD: Okay. You're
13 not familiar with it?

14 MS. BASKERVILLE: I am not
15 familiar with this property.

16 CHAIRPERSON HOOD: That's the
17 answer to the question.

18 MS. SEAWARD: If you don't use the
19 tobacco settlement fund to develop a Ward 7
20 health care center, will the money go back
21 into the general fund?

22 MS. BASKERVILLE: Yes. All money

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1 that's unobligated by August 29 will go back
2 to the fund. Certainly I will do everything
3 I can to fight to get it continued, but
4 currently yes.

5 CHAIRPERSON HOOD: Ms.

6 Baskerville, let me help you.

7 MS. BASKERVILLE: Excuse me?

8 CHAIRPERSON HOOD: You say yes.

9 We could end it with that.

10 MS. BASKERVILLE: Yes.

11 CHAIRPERSON HOOD: Okay.

12 MS. SEAWARD: Have you coordinated

13 the proposed modification with the Pollin

14 Parkside Development?

15 MR. BROWN: I don't think she can

16 answer that question.

17 MS. BASKERVILLE: I don't

18 understand the question.

19 MS. SEAWARD: Okay. They

20 overruled it, so I'll go to the next one.

21 Will DCPCA improve the quality of

22 life for residents in Parkside, Eastland

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1 Gardens, Kenilworth and so forth?

2 MS. BASKERVILLE: I don't feel
3 like I can answer that. We will develop a
4 building that's purpose is to improve the life
5 of all of the residents of Ward 7.

6 MS. SEAWARD: From your traffic
7 study will the traffic increase?

8 MR. ANDRES: Yes.

9 MS. SEAWARD: Okay. Next, will
10 crime go down?

11 MR. BROWN: I don't think that was
12 -- oh, I don't --

13 MR. ANDRES: That wasn't addressed
14 in my traffic study.

15 MS. SEAWARD: That was the next
16 question and it didn't have anything to do
17 with your study. You already answered the
18 first one. But I'll go if you want to
19 overrule.

20 CHAIRPERSON HOOD: What was that
21 question for, will crime go down?

22 MS. SEAWARD: Well, they were

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1 talking about the safety in the area, so I
2 asked will crime go down?

3 CHAIRPERSON HOOD: Were you asking
4 the traffic consultant?

5 MS. SEAWARD: No. Anyone could
6 have answered.

7 CHAIRPERSON HOOD: Ms.
8 Baskerville, can you answer that?

9 MS. BASKERVILLE: No.

10 CHAIRPERSON HOOD: Okay.

11 MS. BASKERVILLE: I can't answer
12 it.

13 CHAIRPERSON HOOD: Okay.

14 MS. SEAWARD: Will residents be
15 impacted by a new RPP yearly rate for parking
16 issue if this development goes forward since
17 there's no current RPP in the area? Anyone.

18 CHAIRPERSON HOOD: Ms. Seaward?

19 MS. SEAWARD: Yes?

20 CHAIRPERSON HOOD: Is there -- let
21 me -- I'm trying to understand your line of
22 questioning. In this city; we live in the

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1 city, too --

2 MS. SEAWARD: Yes?

3 CHAIRPERSON HOOD: -- and I know
4 that they don't just give away RPP stickers.
5 So, I'm trying to understand your line of
6 questioning. What point are you trying to
7 make?

8 MS. SEAWARD: They were speaking
9 about changing from the east side to the west
10 side for parking, and they were talking about
11 the number of spaces. And if current
12 residents who live there now do not have to
13 pay for RPP, with the proposed plan in
14 residents or usage of the building coming into
15 the area, there would be I would say increased
16 traffic and people looking for places to park.
17 You asked if someone would park in Eastland
18 Gardens, which is only a maybe five-minutes,
19 ten-minute walk from where the proposed
20 location is from the foot bridge for this
21 development. I would. I would park in
22 Eastland Garden and walk over. That's what I

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1 would do. So, you asked that question. And
2 so, I'm asking if residents are going to be
3 impacted by additional traffic, services to
4 the area. Then that means that those who are
5 now low-income would have to now purchase
6 RPPs.

7 CHAIRPERSON HOOD: But let's stay
8 on board, because you asked were they going to
9 incur a cost for their RPP sticker.

10 MS. SEAWARD: Yes.

11 CHAIRPERSON HOOD: I think that
12 may be a question more suitable for DDoT.

13 MS. SEAWARD: And no one's here,
14 right?

15 CHAIRPERSON HOOD: Well, I
16 answered yes.

17 MS. SEAWARD: Okay.

18 CHAIRPERSON HOOD: I can tell you
19 that at least my benefit; I mean, from what I
20 know, that residents have to pay for those
21 tickets, unless you know otherwise.

22 MS. SEAWARD: No, I don't. We do,

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1 too. I have it on my block.

2 Next question: How many parking
3 spaces did you say would be for the employees?

4 MR. ANDRES: Sixty-nine.

5 MS. SEAWARD: And will the garage
6 -- or is it level parking? Is this garage or
7 level parking?

8 MR. ANDRES: It's an underground
9 parking facility.

10 MS. SEAWARD: Okay. Underground.
11 I'm not sure if I can ask this question, but
12 I'll try. With it being underground has there
13 been any soil testing to see how far you can
14 go down? Will it actually be 69, or could it
15 be less?

16 CHAIRPERSON HOOD: Don't look at
17 me, Ms. -- I'm not going to answer the
18 question. I done answered enough.

19 MS. SEAWARD: I don't know who
20 can.

21 MR. CHIRIBOGA: There has been
22 soil testing done.

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1 MS. SEAWARD: So it does allow for
2 the deepness of the soil?

3 MR. CHIRIBOGA: It allows for the
4 distance that we're going with the two levels
5 below.

6 MS. SEAWARD: Okay.

7 CHAIRPERSON HOOD: I actually
8 think that was a good -- that was actually a
9 very good question.

10 MS. SEAWARD: Thank you, sir.

11 CHAIRPERSON HOOD: I'll follow up
12 later.

13 MS. SEAWARD: Okay.

14 CHAIRPERSON HOOD: I don't want to
15 -- this is your time to cross.

16 MS. SEAWARD: Okay. Thank you. I
17 believe Ms. Baskerville mentioned that the
18 clinic -- and it's not just a clinic, but it's
19 also an urgent care center. Initially I
20 believe when you first came to the community
21 you said that it wouldn't be. So my concern
22 is if it's going to be a health care center

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1 and a urgent care center, how do you feel that
2 that will impact the community?

3 MS. BASKERVILLE: There's no plan
4 to have an urgent care center at this site.

5 MS. SEAWARD: You stated that it
6 would and that you would have ambulatory
7 parking available.

8 MS. BASKERVILLE: In the plan
9 presented at the ANC meeting there was no
10 mention of urgent care. The only time urgent
11 care was discussed is in the initial
12 presentation to the community which we
13 acknowledge was very early and was just the
14 concept before funding. Once the funding was
15 given and granted, urgent care had to be
16 eliminated because it was not funded. So
17 since that time, which has probably been the
18 summer of 2009, urgent care has not been a
19 part of our plans.

20 MS. SEAWARD: So as a well care
21 center why is there ambulatory space
22 available?

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1 MS. BASKERVILLE: Ambulatory care
2 merely means non-tertiary care. Tertiary care
3 is in-patient hospital. Ambulatory care just
4 describes care where people can walk in the
5 door. So it's not a special -- it is the same
6 as primary care. Primary ambulatory care. So
7 it doesn't have any other implication.

8 MS. SEAWARD: So, are you stating
9 that no ambulances will come to this site?

10 MS. BASKERVILLE: Well, ambulatory
11 care doesn't have anything to do with
12 ambulances. The mention of ambulances that
13 you heard, primary care is not care where
14 ambulances as a rule are anywhere around. But
15 just like at any doctor's office if you would
16 suddenly have a heart attack while you were
17 there for your sore throat visit, they would
18 call an ambulance to come and get you because
19 it's beyond their scope of care. So, we made
20 sure that there would be access if that was
21 ever the case, but it is not a routine. And
22 as a matter of fact, would be a very rare

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1 occurrence.

2 MS. SEAWARD: So, are you saying
3 that there will be some occurrence?

4 MS. BASKERVILLE: I am saying that
5 the possibility exists that someone a primary
6 care setting could have a sudden onset of
7 something that was considered an emergency and
8 would need an ambulance called. It is a rare
9 occurrence.

10 MS. SEAWARD: Does the current
11 Hunt Place have ambula-care services and the
12 space for ambulance for possible heart attacks
13 or anything else?

14 MS. BASKERVILLE: Well, you've got
15 Hunt Place Road and so an ambulance can flit
16 up the road and pull over to the side and load
17 a patient. That's about all we're talking
18 about. There's no special access for
19 ambulances. No special bay. There's no
20 ambulance bay, anything like that. Current
21 Hunt Place has no more than -- did you ask me
22 if the current Hunt Place clinic that exists

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1 on Hunt Place, if it has special accommodation
2 for ambulances? Is that your question?

3 MS. SEAWARD: Correct.

4 MS. BASKERVILLE: It does not.

5 MS. SEAWARD: Would the Unity
6 provider which is -- is that a proposed
7 provider or do you have a contract with them
8 if this development is approved?

9 MS. BASKERVILLE: When the funds
10 were applied for, we had to identify both the
11 site and who the future operator would be.
12 So, the operator is designated as Unity Health
13 Care and we have a Memorandum of Agreement
14 with Unity as operator of the health center
15 once it's built.

16 MS. SEAWARD: How many sites does
17 Unity have now and will all those sites be
18 decommissioned to go in the proposed DCPCA
19 development?

20 MR. BROWN: Mr. Chairman, I think
21 it goes well beyond the scope of her testimony
22 or anybody else's testimony. I think the

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1 testimony was that this would replace Hunt
2 Place.

3 CHAIRPERSON HOOD: I'm sorry, what
4 was your question?

5 MS. SEAWARD: My question was how
6 many Unity Health Care Centers are there --
7 I'll just say in Ward 7, and will those be
8 decommissioned to go into the site that's
9 being proposed for DCPCA?

10 CHAIRPERSON HOOD: Ms.
11 Baskerville, did you mention all the other
12 facilities you had in Ward 7? Did you ever
13 mention that?

14 MS. BASKERVILLE: No.

15 CHAIRPERSON HOOD: Okay.

16 MS. SEAWARD: She did not?

17 CHAIRPERSON HOOD: No, so that's
18 not a proper question. I will uphold the
19 objection.

20 MS. SEAWARD: How many housing
21 does the project eliminate? How much housing,
22 I should say.

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1 MR. BROWN: I don't think
2 anybody's testified to that effect tonight.
3 That was testified to two weeks ago.

4 MS. SEAWARD: Not allowed? I'll
5 move on.

6 CHAIRPERSON HOOD: You actually
7 asked and he gave you an answer. That's the
8 answer.

9 MS. SEAWARD: Okay. Well, the
10 rest of my questions were about the housing
11 since this proposed project is actually zoned
12 residential. So, those were the rest of my
13 questions.

14 CHAIRPERSON HOOD: Okay. And you
15 can present that at your time when you
16 present. Okay?

17 MS. SEAWARD: Okay.

18 CHAIRPERSON HOOD: Okay.

19 MS. SEAWARD: Thank you.

20 CHAIRPERSON HOOD: Thank you.
21 Eastland Gardens. Mr. Rhett, do you have any
22 cross-examination?

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1 MR. RHETT: Yes.

2 CHAIRPERSON HOOD: Just want to be
3 mindful to everyone that we do have another
4 case and we do plan on starting and finishing
5 it tonight, because our schedule is booked.

6 So we wouldn't get back to them
7 until after the summer, right? Unless we do
8 a Wednesday night.

9 Okay. Mr. Rhett, you may begin.

10 MR. RHETT: Thank you, Mr.
11 Chairman. Good evening, Commissioners and
12 applicants. My apologies for the earlier
13 procedural error. That is due to
14 unfamiliarity with the processes. No
15 disrespect was intended. So my apologies to
16 the applicants. And good evening.

17 Ms. Baskerville, you testified
18 that the community expressed a desire for a
19 health clinic. My question is, do you have
20 the data from any surveys that you did within
21 the past three months that confirms that
22 desire by the residents?

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1 MS. BASKERVILLE: No.

2 MR. RHETT: You testified that the
3 area was declared a high-need area for Ward 7.
4 Is that correct?

5 MS. BASKERVILLE: That's correct.

6 MR. RHETT: Do you have data that
7 confirms the particular Kenilworth/Parkside
8 area is high need and do you have -- have you
9 submitted that data?

10 MS. BASKERVILLE: I have submitted
11 in written testimony the same data which I
12 think the community is familiar with. It is
13 the most recent data. It has not changed
14 dramatically from 2008 RAND report. And any
15 current reports I've reviewed from the
16 Department of Health I have not been asked to
17 submit those reports. But all of our -- the
18 Department of Health made us submit need
19 reports with our request for grant funding.
20 So, we coordinated with the city's stated
21 need.

22 MR. RHETT: I understand, but my

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1 question was not about the RAND Corporation.
2 It's DCPCA who is proposing to acquire and
3 construct a clinic. Therefore, my question
4 specifically is did DCPCA perform a data
5 assessment, and do you have that material?

6 MS. BASKERVILLE: DCPCA was not
7 required to do an assessment because the RFP
8 issued by the Department of Health for the
9 solicitation of building health centers
10 specified particular areas, one of which was
11 there were three ZIP codes specified; 20009,
12 20020 and 20032. We merely applied under the
13 specifications of the city who has declared
14 the need. So, no, I felt no need to do an
15 independent assessment since the Department of
16 Health who was providing the funding had
17 established that need.

18 MR. RHETT: Very well. Do you
19 have data or have you performed an assessment
20 of the current utilization at Hunt Place by
21 residents from the targeted area? Again this
22 is your testimony is that this will be a great

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1 service for people that need it and will use
2 it in the community. So I'm interested in
3 seeing that data that confirms that
4 utilization pattern.

5 MR. BROWN: Mr. Chairman, I
6 object. I mean, she's answered the question
7 to the extent she has already and she's never
8 testified to any specific information about
9 Hunt Place other than it being replaced. So,
10 part of his question has been asked and
11 answered and the other part was not part of
12 her testimony.

13 CHAIRPERSON HOOD: Again,
14 questions should be helpful for us to talk
15 about zoning. Questions in the cross-
16 examination, it should be helpful to us to
17 talk about zoning, and I'll leave it at that.

18 So, Mr. Rhett?

19 MR. RHETT: Thank you, Mr. Chair.

20 Again, I'm trying to get clarity
21 for the number of employees. I heard in the
22 testimony and saw on the slide that the number

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1 was 89, but then when asked you said the
2 number was 50 to 75. What exactly is the
3 number of employees that would come to this
4 new clinic?

5 MS. BASKERVILLE: Rather than
6 relying on my memory, I would rely on what was
7 on the slide, which was prepared by my staff
8 who had access to the numbers. So, I'm happy
9 to acknowledge that I'm working in a ballpark,
10 not specifically.

11 CHAIRPERSON HOOD: Ms.
12 Baskerville, do you remember what was on the
13 slide?

14 MS. BASKERVILLE:
15 (No audible response.)

16 CHAIRPERSON HOOD: Okay. The
17 record says she does not. Could you say it on
18 the microphone, please?

19 MS. BASKERVILLE: I don't recall
20 what was specifically on the slide about this
21 particular site and the FTEs related to this
22 site. I'm happy to review the slide and

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1 answer again, but my response of 50 to 75 was
2 just based on ballpark to my memory.

3 CHAIRPERSON HOOD: I think your
4 legal question will get that question.

5 Let's move to the next question.

6 MR. RHETT: Thank you.

7 CHAIRPERSON HOOD: We'll come back
8 once we get --

9 MR. RHETT: Thank you very much,
10 Mr. Chairman.

11 CHAIRPERSON HOOD: -- the slide.

12 MR. RHETT: To the gentleman that
13 I guess is your traffic or parking; I'm sorry,
14 I didn't --

15 MR. BROWN: Mr. Andres.

16 MR. RHETT: Mr. Anders?

17 MR. BROWN: Andres, A-N-D-R-E-S.

18 MR. RHETT: All right. Thank you.

19 Mr. Andres, do you know the width
20 of Hayes Street between Kenilworth Terrace and
21 Kenilworth Avenue.

22 MR. ANDRES: Hayes Street, I

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1 believe is in the range of 32 to 34 feet,
2 roughly.

3 MR. RHETT: Do you know the width
4 of Kenilworth Terrace?

5 MR. ANDRES: Probably in the same
6 range.

7 MR. RHETT: All right. And so
8 with cars parked on both sides of the road
9 would that make it a safer passage or perhaps
10 a more congested passage, based on your
11 expertise?

12 MR. ANDRES: Well, based on my
13 experience working extensively in the
14 District, the distance, the 34-foot width is
15 a standard District street where there is two
16 lanes of traffic and two travel -- two parking
17 lanes.

18 MR. RHETT: To your knowledge does
19 the Office of Planning and Zoning Commission
20 Regs differentiate between residential streets
21 and business streets?

22 MR. ANDRES: In what context?

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1 MR. RHETT: Width and then what
2 could go on those streets height-wise.

3 MR. ANDRES: Height-wise?

4 MR. RHETT: Building height,
5 building design.

6 MR. ANDRES: I'm not really sure
7 what you're asking. I'm sorry.

8 MR. RHETT: All right. Again, in
9 the earlier testimony, Ms. Baskerville, you
10 made a statement that this clinic would
11 ultimately make the neighborhood safer because
12 it would bring more lighting. Do you recall
13 making that statement?

14 MS. BASKERVILLE: I don't think I
15 testified at all to any of the amenities. I
16 believe it was one of the other people on the
17 panel.

18 MR. RHETT: So, does anyone at
19 this table recall making the statement about
20 it would make the neighborhood, that area
21 safer because of lighting?

22 MR. CHIRIBOGA: That was not a

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1 comment that was made by anyone. The comment
2 that was made was that we were asked by the
3 neighborhood members who attended the meetings
4 to look into issues of public safety with
5 regards to that.

6 MR. RHETT: And so you looked into
7 it? And what was the outcome of your look
8 into that issue?

9 MR. CHIRIBOGA: I think the
10 outcome was as presented in our slides, that
11 we looked at everything from how we allocated
12 our public spaces, our waiting spaces, how we
13 connected to the community via what's
14 considered visible glass, as well as what's
15 considered private spaces.

16 MR. RHETT: But your building then
17 does not include any additional lighting in
18 public spaces, is that correct?

19 MR. CHIRIBOGA: That was not
20 something that was discussed at this
21 particular hearing.

22 MR. RHETT: I understand. I'm

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1 just asking a question. Is that correct, your
2 building does not include any additional
3 lighting in public spaces?

4 MR. CHIRIBOGA: When we were
5 studying the building in earlier presentations
6 we had discussed at that time that we would
7 look into providing exterior lighting to help
8 with what is currently a really poorly-lit
9 area adjacent to the pedestrian ramp. That
10 was one of the considerations that we were
11 asked to look into. And at that time we said
12 that we would look at exploring ways that we
13 could incorporate lighting into the façade of
14 the building seeing that the narrow space
15 between the building and the pedestrian ramp
16 was a pretty tight space to be able to put
17 something in there that would be referred to
18 as a common street lamp or something along
19 those lines.

20 MR. RHETT: But that was not
21 included in the package that's submitted to
22 the Commission tonight, is that correct?

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1 MR. CHIRIBOGA: There was no
2 specific mention, written or representation of
3 lighting in this package.

4 MR. RHETT: Thank you. You spoke
5 of the LEED Assessment Silver and the green
6 room, and that there would be access to that
7 roof. Is that accurate?

8 MR. CHIRIBOGA: What we said was
9 that our team is looking at marrying the
10 program that's inside, particularly with
11 wellness programs under supervision of staff
12 and visitors using the facilities to be able
13 to coordinate some type of function on that
14 green roof.

15 MR. RHETT: And so, who would be
16 responsible for safety and security of that
17 accessible green roof?

18 MS. BASKERVILLE: Could you
19 clarify accessible? It's not accessible to
20 the public. It's accessible from the health
21 center, through the health center for patients
22 of the health center supervised by staff.

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1 Potential wellness activities are a scope
2 being discussed. It's not public
3 accessibility. And therefore, the health
4 center at the time would be responsible under
5 normal operational guidelines for the safety
6 of its patients while they were on site. But
7 it's not public access from external. It's
8 very controlled.

9 MR. RHETT: From the interior?

10 MS. BASKERVILLE: From the
11 interior.

12 MR. RHETT: But the patients,
13 would they not be from the public?

14 MS. BASKERVILLE: As I said, the
15 operator of the facility will be required to
16 have all the things that anyone operating a
17 facility and who does risk management, which
18 is required by health centers to do to protect
19 and risk manage.

20 MR. RHETT: So that was my basic
21 question --

22 MS. BASKERVILLE: Yes.

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1 MR. RHETT: -- was who would be
2 responsible --

3 MS. BASKERVILLE: The operator.

4 MR. RHETT: -- and I needed that
5 answer. Thank you.

6 MS. BASKERVILLE: I'm merely the
7 developer. The operator would be responsible
8 for that long term.

9 MR. RHETT: All right. And you
10 mentioned in your testimony that Unity Health
11 Services would be the manager of this new
12 facility. Do you recall that?

13 MS. BASKERVILLE: Unity Health
14 Services will not just be the manager, but the
15 owner at the -- when this is built, if this is
16 built. Then DCPCA will turn it over to Unity
17 and they will have full ownership and
18 operation of the facility.

19 MR. RHETT: Does Unity currently
20 have a staff member to your knowledge called
21 a traffic management coordinator?

22 MS. BASKERVILLE: Not to my

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1 knowledge.

2 MR. RHETT: To your knowledge how
3 many residents from within this area currently
4 work for Unity?

5 MS. BASKERVILLE: I don't have
6 that knowledge.

7 MR. RHETT: To your knowledge how
8 many Ward 7 residents currently work for
9 Unity?

10 MS. BASKERVILLE: I'm not aware of
11 any of the demographics of Unity employees.

12 MR. RHETT: All right. Deliveries
13 would be on -- the testimony was the delivery
14 would be on Kenilworth Terrace and somehow
15 they would have to go southbound on Kenilworth
16 Avenue, west on Foote and then back north on
17 Kenilworth Terrace. Is that correct? Was
18 that your testimony, sir?

19 MR. ANDRES: Yes, it was.

20 MR. RHETT: And so what type of
21 materials would be delivered to this clinic,
22 ballpark? What did you have in mind, I guess

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1 is what I'm asking?

2 MR. ANDRES: Well, with respect
3 to, you know, a facility of this type, it's
4 consistent with a medical office building.
5 So, we're talking medical supplies,
6 administrative deliveries, FedEx, UPS, things
7 of that nature.

8 MR. RHETT: And I think in your
9 testimony you also stated that you didn't
10 believe that would be a problem accessing that
11 particular portal because there's plenty of
12 parking. Was that your --

13 MR. ANDRES: No, my testimony was
14 that there wasn't any issue related to those
15 deliveries given the size of the delivery
16 vehicles. There won't be any tractor-trailers
17 that would be dropping off any materials. It
18 would be smaller vehicles that are consistent
19 with a development of this size.

20 MR. RHETT: I see. Thank you.
21 And also you testified that you had a staff to
22 go out and do a traffic -- what's the

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1 terminology? Forgive me for not being
2 familiar.

3 MR. ANDRES: In response to the
4 Commission's questions raised at the previous
5 stage -- phase 1 amendment hearing, what we
6 had done is we had staff members from my firm
7 go out, perform traffic counts, look at
8 traffic observations of queues. And then with
9 that information we performed the necessary
10 standard analysis, as well as the projections
11 of the future, as future stage 2 occupancy of
12 the buildings.

13 MR. RHETT: All right. And you
14 also testified that again; and correct me if
15 I'm wrong, that you didn't anticipate or see
16 based upon your staff's review that that would
17 create a parking challenge or a traffic
18 challenge in that area. Is that correct?

19 MR. ANDRES: Well, with respect to
20 what we analyzed, we had observed some queues
21 that are existing queues, but they dissipated
22 within that segment. So, there was a line up

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1 of cars, but those -- that line of cars did
2 cycle through. So, with respect to the
3 existing condition, as well as the proposed
4 future condition, we believe that the proposed
5 signal timing is sufficient to accommodate the
6 future developments.

7 MR. RHETT: And did your staff
8 look at the cars that are currently parked on
9 the Kenilworth Terrace street that you
10 mentioned where about 30 spaces and did your
11 staff look at the five cars parked that you
12 said would -- right now are usable on Hayes?

13 MR. ANDRES: Well, that 30-car and
14 that 5-car is a function of distance. How
15 many spaces can you -- how many cars can you
16 physically park in that area? So, you know,
17 with respect to the plan, we show five
18 vehicles that can be physically parked on
19 Hayes Street after we take out some area for
20 the loading areas. And then on Kenilworth
21 Terrace west of Hayes Street what we did is we
22 looked roughly at the amount of curb side

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1 that's available for on-street parking.

2 MR. RHETT: Right. And I guess

3 again -- my question is again, from our

4 standpoint it's about the parking and the

5 potential impact upon our community.

6 Currently commuters are those cars that your

7 staff saw. So, when you all open, those

8 commuters will be looking for additional free

9 parking in non-metered streets. I testify.

10 I withdraw that question. Forgive me for

11 that.

12 CHAIRPERSON HOOD: Here's what I

13 don't want you to do: I don't want you to

14 take all that time and say and then withdraw

15 it. Make sure you ask a question.

16 MR. RHETT: I apologize. What are

17 the operating hours, or the projected

18 operating hours of this clinic, please?

19 MS. BASKERVILLE: I can tell you

20 what the normal operating hours are, which are

21 from around 8:00 to 6:00. I cannot tell you

22 what the future will bring. I can tell you

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1 know that normal operating hours are between
2 8:00 and 6:00.

3 MR. RHETT: Is that Monday through
4 Friday, or is that six days a week, seven days
5 a week?

6 MS. BASKERVILLE: That's Monday
7 through Friday currently.

8 CHAIRPERSON HOOD: I've got page 9
9 of your testimony, Ms. Baskerville, the
10 proposed weekly hours of operation. A base
11 level of Monday through Friday, 8:15 to 4:45
12 with extended services until 8:00 p.m. on
13 certain nights, to be determined, and likely
14 Saturday hours from 8:00 to 2:00. This is in
15 line with the hours of existing Hunt Place
16 Health Center.

17 MS. BASKERVILLE: Then I misspoke,
18 but I believe that the Hunt Place hours were
19 scaled back during construction. They might
20 be back to that. We tried to do evening and
21 weekend hours.

22 CHAIRPERSON HOOD: I don't --

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1 MS. BASKERVILLE: Okay.

2 CHAIRPERSON HOOD: -- want to
3 expound on it.

4 MS. BASKERVILLE: I -- that's
5 fine.

6 CHAIRPERSON HOOD: I want to get a
7 question.

8 MS. BASKERVILLE: Then --

9 CHAIRPERSON HOOD: I just wanted
10 you to know that's what's in your testimony.

11 MS. BASKERVILLE: Duly noted.
12 Thank you.

13 CHAIRPERSON HOOD: Okay. And I
14 actually did that for you, so we got that
15 straight.

16 MR. RHETT: Thank you.

17 CHAIRPERSON HOOD: Next question?

18 MR. RHETT: And were there be
19 pharmacy services at this site?

20 MS. BASKERVILLE: I can't testify
21 to the scope of services. I'm merely doing
22 construction.

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1 MR. RHETT: Thank you, Mr. Chair.

2 CHAIRPERSON HOOD: Thank you. We
3 don't have anybody else?

4 (No audible response.)

5 CHAIRPERSON HOOD: Okay. Let's go
6 to other government. And I want to thank the
7 applicant for getting this administrative
8 deputy -- well, director of health, as well as
9 -- I saw it somewhere.

10 MR. BROWN: The deputy mayor?

11 CHAIRPERSON HOOD: Yes, the deputy
12 mayor. I'm trying to see where I saw it. But
13 anyways, I did see it.

14 MR. BROWN: It's attached to
15 our --

16 CHAIRPERSON HOOD: It's somewhere
17 up here.

18 MR. BROWN: Something we filed
19 today.

20 CHAIRPERSON HOOD: But I do
21 appreciate that. And also we got a letter
22 from Councilmember Alexander, and also, as I

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1 stated earlier, Ms. Dorothy Douglas.

2 Any other -- did you submit any
3 other governmental letters? Is that it?

4 (No audible response.)

5 CHAIRPERSON HOOD: Okay. If
6 that's it, that's it. Okay. All right. All
7 right.

8 MR. BROWN: We have several
9 letters from ANC commissioners in their single
10 member district capacity.

11 CHAIRPERSON HOOD: Right. Yes, I
12 saw that. We do have some single member
13 district letters from ANC commissioners this
14 time.

15 Okay. Let's go to the report of
16 ANC 7D. Ms. Seaward, your report? You have
17 any testimony?

18 (No audible response.)

19 CHAIRPERSON HOOD: Oh, you know
20 what; I'm sorry, I missed a major step.
21 Forgive me. You can have a seat.

22 Office of Planning, Ms.

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1 Steingasser. You down there by yourself. I
2 guess I'm used to see a whole row. I just
3 went right over you.

4 MS. STEINGASSER: Yes, sir. I'd
5 like to start by noting that the Office of the
6 Director for the Department of Health also
7 submitted a letter in support, as did the
8 State Board of Education. And we also
9 submitted agency letters in our report.

10 The Office of Planning does
11 recommend approval and does support this
12 application. We understand completely the
13 need for DDoT to weigh in. Our recommendation
14 was based on an oral conversation we had on
15 the telephone with DDoT about this, however,
16 I'm not sure -- it was a very preliminary
17 conversation so we'd like to reserve our right
18 to continue to work with them and get a final
19 recommendation to you before proposed action.

20 CHAIRPERSON HOOD: Okay. Great,
21 Ms. Steingasser. Again, we really want to
22 look at that parking issue, if we could.

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1 Okay. Any questions of Office of
2 Planning? Commissioner May?

3 COMMISSIONER MAY: Yes, as I
4 recall, the report was actually silent on the
5 subject of the parking relief in particular.
6 And I'm just wondering whether -- I mean, I
7 understand we don't have DDoT's report in
8 reaction to it, but I wonder what the Office
9 of Planning's logic was in recommending
10 approval.

11 MS. STEINGASSER: Well, it's
12 standard for OP to recommend reductions in
13 parking beyond that required by the Code when
14 there's proximity to Metro or other types of
15 transit. However, our understanding was that
16 the parking would be available both to
17 patients and employees, not exclusively to the
18 employees. So, we'll be working with DDoT on
19 that issue.

20 COMMISSIONER MAY: So it's
21 something you would revisit? I mean, we
22 already have a provision for reducing the

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1 required amount of parking when given
2 proximity to Metro.

3 MS. STEINGASSER: Yes, sir.

4 COMMISSIONER MAY: And going
5 beyond that though I think typically we wind
6 up hearing some substantive testimony about
7 why it's appropriate in a given case. You
8 know, we know that the demand isn't going to
9 be that high or what have you, but we didn't
10 get anything really at all on that. So, I'm
11 not sure that this is entirely a DDoT issue.

12 MS. STEINGASSER: Well, there is
13 an explanation in the application about the 25
14 percent reduction allowed by code --

15 COMMISSIONER MAY: Right.

16 MS. STEINGASSER: -- when you're
17 within 600 feet of a Metro station. That's
18 correct.

19 COMMISSIONER MAY: Yes, I saw
20 that, but that's the only thing that was --
21 that I saw.

22 Okay. I mean, I think I have --

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1 any other questions that I have would relate
2 to the bigger question of moving density
3 around on the site, but that really goes to
4 the stage 1 modification, so I'll leave that
5 for the other hearing, or the other
6 discussion.

7 CHAIRPERSON HOOD: Any other
8 questions of Office of Planning?

9 (No audible response.)

10 CHAIRPERSON HOOD: Do we have any
11 -- applicant have any cross-examination of
12 Office of Planning?

13 MR. BROWN: No.

14 CHAIRPERSON HOOD: Okay. Ms.
15 Seaward, do you have any cross-examination of
16 Office of Planning?

17 MS. SEAWARD: (No audible
18 response.)

19 CHAIRPERSON HOOD: Okay.

20 MS. SEAWARD: My question for the
21 Office of Planning is in 2005 I believe the
22 Office of Planning denied -- oh, that's a

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1 different case. I don't think I can ask that
2 because of the height. That's a different
3 case, right? I'm sorry.

4 CHAIRPERSON HOOD: Okay. You
5 answered your own question. Okay. Next
6 question.

7 MS. SEAWARD: Yes, I'm sorry. For
8 the project what would the rate and amount of
9 the proposed residential units be? Can you
10 answer that?

11 MS. STEINGASSER: I believe it's
12 actually documented in the upcoming case, but
13 I believe it's between 220 and 250 units would
14 have been originally built on this site.

15 MS. SEAWARD: Two-twenty?

16 MS. STEINGASSER: I believe so.
17 The numbers are actually in the next case
18 application, but I believe that's the number.

19 MS. SEAWARD: Okay. Since that's
20 the case, with the area being largely low and
21 moderate-income in the area, would that not --
22 would not be the highest and best use for the

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1 area -- oh, that doesn't sound right. I'm
2 sorry.

3 Okay. Since that's the case, what
4 would be the market rate for the area? What
5 AMI would be for that area?

6 MS. STEINGASSER: I'm sorry, I
7 don't have that information.

8 MS. SEAWARD: You don't have?

9 I don't have anymore questions.
10 Oh, one other. I'm sorry.

11 What is the census track if this
12 plan goes forward in the reduction of the 220?

13 MS. STEINGASSER: The projected
14 population?

15 MS. SEAWARD: Yes.

16 MS. STEINGASSER: I don't have
17 that, but I could get that before proposed
18 action.

19 MS. SEAWARD: Would the
20 development and the size of the building
21 reduce the overall income for the
22 neighborhood?

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1 MS. STEINGASSER: I don't believe
2 so, but I'd have no documentation either way.

3 MS. SEAWARD: Does this fit in the
4 scope of the Comprehensive Plan?

5 MS. STEINGASSER: Yes, ma'am, we
6 do believe it does. There's a section that
7 talks about health care facilities and their
8 need and priority in Ward 7. I believe it's
9 called the Health Care Facilities. And it
10 states for the Far Northeast/Southeast area,
11 Ward 7 it encourage additional facilities to
12 meet the mental and physical health of the Far
13 Northeast/Southeast residents including
14 primary care facilities.

15 MS. SEAWARD: I'm not sure if you
16 would have the numbers, but you said for the
17 Far Northeast/Southeast. What would be the
18 proposed number of residents that would
19 utilize this outside of the northeast
20 corridor?

21 MS. STEINGASSER: Oh, I don't have
22 access to that information.

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1 MS. SEAWARD: With the proposed
2 reduction of housing, how do you propose a
3 better retail marketing for the area?

4 MS. STEINGASSER: Well, the Office
5 of Planning is not the developer --

6 MS. SEAWARD: I understand.

7 MS. STEINGASSER: -- so we
8 wouldn't propose that plan. In the next
9 upcoming case there will be discussion about
10 the day time and the evening populations
11 between residential and office work.

12 MS. SEAWARD: Thank you.

13 CHAIRPERSON HOOD: Thank you.

14 Mr. Rhett, you have any cross-
15 examination of Office of Planning?

16 MR. RHETT: Thank you. Again, so
17 I don't make a mistake, what type of questions
18 can I ask her?

19 CHAIRPERSON HOOD: Questions about
20 the project, whatever she testified to, that
21 kind of stuff that was in the OP report.

22 MR. RHETT: All right. In her

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1 final report?

2 CHAIRPERSON HOOD: Right, in her
3 final report. Or in their -- her report.
4 OP's report, yes.

5 MR. RHETT: All right.

6 CHAIRPERSON HOOD: And I want
7 everybody to be mindful the hour's getting
8 late. I've already asked Ms. Schellin for a
9 second date, but again, I'd like to push this
10 forward so hopefully we could finish this
11 tonight.

12 MR. RHETT: Okay.

13 CHAIRPERSON HOOD: That wasn't a
14 hint to you, but if you want to take it,
15 that's fine.

16 MR. RHETT: I silently screamed as
17 my toe was -- I felt some pain there.

18 Ms. Steingasser, I guess I saw in
19 your report you looked at particular policy
20 regs for the Far Northeast/Southeast element
21 that you cited in your report. And I was
22 curious as to there were a number of other

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1 policies that in my reading does in fact apply
2 to this and it would -- however, it makes a
3 case that this -- in fact this project is
4 inconsistent with current plans and
5 priorities. Can you tell me why you didn't
6 look at those? Should I give you an example?

7 MS. STEINGASSER: No, thank you.
8 The Office of Planning, when we read through
9 the Comprehensive Plan, we balance out a lot.
10 I mean, there's over 1,000 policy statements
11 in that plan and you can -- there's just a
12 constant balancing of what's needed to
13 determine whether a project is not
14 inconsistent. It's a double-negative, which
15 provides a lot of generalized and specific
16 reading. Our conclusion was that this project
17 was specific, specifically consistent with the
18 Comprehensive Plan.

19 MR. RHETT: I guess I'm just -- I
20 don't -- I'm not understanding. If you've
21 looked at them all, how -- I'm asking for a
22 better understanding of your ruling, I guess,

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1 your recommendation. Given the other factors,
2 that certainly would not lead one to that
3 conclusion, such as the policy 1.1.2,
4 redevelopment or new housing.

5 MS. STEINGASSER: Yes.

6 MR. RHETT: And for the Far
7 Northeast/Southeast element plan, it clearly
8 states "encourage new housing for the area
9 residents on vacant lots and around Metro
10 stations within the community and on under-
11 utilized commercial sites along the area's
12 major avenues. So --

13 MS. STEINGASSER: That's correct.
14 This is one element of a larger planned unit
15 development. That larger planned unit
16 development does indeed implement that part of
17 the Comprehensive Plan. There's additional
18 housing that's already under construction.
19 There's housing to the -- on the west -- on
20 the, I'm sorry, the south end of the site.
21 There'll be a high rise that's also proposed
22 to go up on Kenilworth Avenue at just the end

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1 of this side. So, it's the larger planned
2 unit development that implements that specific
3 section. This particular amendment to that
4 implements the health care facility.

5 MR. RHETT: And with the policy
6 specifically addressing historic resources,
7 again you are familiar that Mayfair Mansions
8 is historically designated --

9 MS. STEINGASSER: Yes.

10 MR. RHETT: -- since 1989, and at
11 also Eastland Gardens? So, does that not come
12 into play in your considerations, the historic
13 designations to, quote, protect and restore
14 buildings and places of historic significance
15 in Far Northeast and Southeast?

16 MS. STEINGASSER: There was
17 nothing in the application that indicated to
18 the Office of Planning that the existence of
19 a primary care clinic would adversely affect
20 those historic resources in any manner.

21 MR. RHETT: Okay. That's it.

22 Thank you.

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1 CHAIRPERSON HOOD: Okay. Thank
2 you.

3 All right. Let's do the report of
4 ANC 7D. Ms. Seaward?

5 MS. SEAWARD: Hi. For the record
6 my name again is Willette Seaward, ANC 7D
7 Chair. And I would just like to read into the
8 record that was provided to the Office of
9 Zoning on March 29, 2011 to the attention of
10 Ms. Donna Hanousek and to Whom It May Concern.
11 "This letter serves to formally confirm that
12 ANC 7D at its properly noticed meeting on
13 March the 8, 2011 with a quorum of seven
14 commissions to the following three public
15 votes: (1) Voted 5 against, 1 in favor and 1
16 abstained on Case No. 05-28E regarding the
17 consolidated application of Lano Parcel 12,
18 LLC and the District of Columbia Primary Care
19 Association to modify and approve the 1st
20 Stage PUD at Square 5055, Lot 14-25 and 801
21 through 813. ANC 7D opposed the request to
22 modify a 1st Stage PUD development by Zoning

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1 Commission on April 13, 2007.

2 The second vote was 5 against, 0
3 in favor and 2 abstentions on Case No. 05-28B
4 regarding the application of the District of
5 Columbia Primary Care Association, DCPCA, for
6 final approval of the planned unit development
7 in zoned map amendment Square 0555, Lot 25,
8 801 and portions of 24 and 802, D.C. Primary
9 Care property. ANC 7D opposed the request to
10 construct a health care in the area that is
11 subject of a 2nd Stage PUD application which
12 is located on the eastern corner of the
13 overall PUD site on part of what was
14 designated as Block I.

15 (3) Voted 5 against and 2 in favor
16 and 0 abstentions in Case 05-28C regarding the
17 application of Lano Parcel 12, LLC for final
18 approval of the planned unit development and
19 zoning map amendment, Square 5055, Lot 21, 23,
20 803 through 805, portions of Lot 24 and 802,
21 CCDC property. ANC 7D opposed the request for
22 the construction of the university building to

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1 serve as Community College of the District of
2 Columbia, CCDC, in the area that is subject of
3 the 2nd Stage PUD application, which is also
4 located on the eastern corner of the overall
5 PUD site as a part of what is designated as
6 Block H and I.

7 With a majority vote 5 against,
8 ANC 7D Commission opposes the three
9 modification amendments. We strongly advise
10 the Commission to disapprove all three zoning
11 cases; 05-28E, 05-28B, and 05-28C for the
12 following reasons: Am I allowed -- it's a
13 long one, so I don't want to take up all your
14 time, but --

15 CHAIRPERSON HOOD: It would be
16 good if you just read what's pertaining to
17 this case.

18 MS. SEAWARD: Okay. Thank you.

19 CHAIRPERSON HOOD: Okay.

20 MS. SEAWARD: Well, just to
21 summarize; and it wasn't my quote, but this
22 piece is the DCPCA piece, and along with the

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1 overall project and the hodge-podge of
2 different -- it looks like a Etch A Sketch.
3 So if you start on one side of Hayes Street
4 and then you go south, you start with a larger
5 building at 65 feet high. You may start at
6 the DCPCA building at 45 feet high. Then
7 you're going to start at another building at
8 90 feet or 110 or 130 feet high. And it just
9 doesn't scale with the community.

10 So, I just, you know, pretty much
11 stated that that would be my testimony. It is
12 not consistent with the overall community and
13 its desire, and it needs to be further
14 investigated. Thank you.

15 CHAIRPERSON HOOD: Ms. Seaward,
16 and you said the building height -- hold on,
17 we might have questions for you.

18 MS. SEAWARD: Oh, I'm sorry. You
19 have questions?

20 CHAIRPERSON HOOD: Yes. And you
21 say the building height in this case does not
22 go along, or the density in this case does not

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1 go along with the neighborhood?

2 MS. SEAWARD: Correct.

3 CHAIRPERSON HOOD: Okay. Who is
4 the single member district commissioner?

5 MS. SEAWARD: Commissioner Willie
6 Woods.

7 CHAIRPERSON HOOD: Commissioner
8 Woods?

9 MS. SEAWARD: And it abuts
10 Commissioner Slayton as well, Sharita Slayton.

11 CHAIRPERSON HOOD: Right. Was --
12 okay. Can't think of her -- Slayter?

13 MS. SEAWARD: Slayton.

14 CHAIRPERSON HOOD: Slayton?

15 MS. SEAWARD: Commissioner.

16 CHAIRPERSON HOOD: Commissioner
17 Slayton abuts her. Was she one of the ones
18 who wrote us a letter?

19 MS. SEAWARD: I don't know what
20 she wrote. I haven't seen it.

21 MR. BROWN: Yes, Mr. Chairman?

22 CHAIRPERSON HOOD: Wrote a letter

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1 in support?

2 MR. BROWN: Yes, both Mr. Woods --

3 CHAIRPERSON HOOD: Mr. Woods?

4 MR. BROWN: -- who's the SMD

5 for --

6 CHAIRPERSON HOOD: Single member

7 district? Okay.

8 MR. BROWN: He wrote in support,
9 and so did Ms. Slayton. And they're in our
10 package that was submitted today.

11 CHAIRPERSON HOOD: That's what I
12 end to know. Okay. Any other questions for
13 Chairperson Seaward?

14 MS. SEAWARD: Yes, when did those
15 letter come about and do you have copies so
16 that I can see them?

17 CHAIRPERSON HOOD: They're
18 actually in the file. I guess those are your
19 colleagues. They probably should have given
20 you a copy, but they're in the file.

21 MS. SCHELLIN: Yes, she can check
22 the record any time between 8:30 and 5:00.

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1 CHAIRPERSON HOOD: You can check
2 the record any time. It's open.

3 MS. SEAWARD: Okay. That's
4 definitely new to me, because we had this vote
5 and Commissioner Slayton was one of those
6 Commissioners that voted against.

7 CHAIRPERSON HOOD: Okay.

8 MS. SEAWARD: And you're saying
9 now she's voting for, is that correct?

10 CHAIRPERSON HOOD: She has a
11 letter. She has a letter in support. But
12 anyway, I don't have it in front of me, so I
13 don't want to misspeak.

14 Okay. Commissioner May?

15 COMMISSIONER MAY: Yes, I just
16 have one question. There was a reference
17 earlier to there being some changeover in the
18 membership of the ANC and that previously
19 there had been support for this project and
20 that now there's not, in part because a number
21 of commissioners had changed, I guess. Is
22 that correct? Has there been a significant

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1 change in the ANC commissioners over the last
2 year or so?

3 MS. SEAWARD: Yes, there has been
4 some change. The majority of the new
5 commissioners -- I'm probably one, as well as
6 Commissioner Prue. We are going into our
7 second year. We are both aware of the project
8 and the other commissioners are new
9 commissioners, but they're not totally
10 familiar with the project.

11 COMMISSIONER MAY: So, out of
12 seven? There are seven, right?

13 MS. SEAWARD: There are seven of
14 us.

15 COMMISSIONER MAY: Out of seven
16 how many have been -- were there for previous
17 votes on this project, on this health care
18 facility?

19 MS. SEAWARD: Two.

20 COMMISSIONER MAY: Two out of
21 seven? Okay. That's it.

22 CHAIRPERSON HOOD: Any other

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1 questions?

2 (No audible response.)

3 CHAIRPERSON HOOD: Okay. Does the
4 applicant have any cross-examination?

5 MR. BROWN: No.

6 CHAIRPERSON HOOD: Okay. Does
7 Eastland Gardens? Mr. Rhett, you have any
8 cross-examination? Yes?

9 MR. RHETT: Yes. Ms. Seaward, you
10 were just asked how many new commissioners
11 were available to vote on the previous issues
12 around this project. I think -- would you
13 like to amend that response?

14 MS. SEAWARD: Yes, I would. I
15 apologize. It was three of us; Ms. Prue,
16 Commissioner Prue, myself, Willette Seaward
17 and Sharita Slayton. And Sharita Slayton has
18 been probably the longest-seated ANC during
19 the process.

20 MR. RHETT: And wasn't there one
21 more commissioner that also had the
22 opportunity to vote; Mr. Ross, in the previous

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1 -- in both sessions?

2 MS. SEAWARD: Oh, I guess I have
3 just as a bad a memory as Ms. Baskerville.

4 MR. RHETT: So, that's four?

5 MS. SEAWARD: Yes, sorry.

6 MR. RHETT: So, actually there are
7 only three of the seven that are new
8 commissioners, is that correct?

9 MS. SEAWARD: Pecot, White and
10 Willie Woods.

11 MR. RHETT: Is that correct?

12 MS. SEAWARD: That is correct.

13 MR. RHETT: Thank you.

14 COMMISSIONER MAY: Can I follow up
15 on that? So, Mr. Woods was one of the ones
16 who voted in favor of the project, against the
17 motion but in favor of the project, right?

18 MS. SEAWARD: He abstained.

19 COMMISSIONER MAY: He abstained?

20 Okay. Well, in any case he didn't vote
21 against it. So, of the three new
22 commissioners how many opposed the project at

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1 this point?

2 MS. SEAWARD: Of the three new?

3 COMMISSIONER MAY: Yes. Two out
4 of three?

5 MS. SEAWARD: It was five of us
6 that voted no.

7 COMMISSIONER MAY: Yes?

8 MS. SEAWARD: There were two that
9 voted abstention or not at all.

10 COMMISSIONER MAY: Okay.

11 MS. SEAWARD: Or no.

12 COMMISSIONER MAY: So, I'm sorry;
13 who was the other abstention? Was that a new
14 commissioner or an old commissioner? Other
15 than Mr. Woods.

16 MS. SEAWARD: New Commissioner
17 Woods. Willie Woods is a new commissioner.

18 COMMISSIONER MAY: Right. And
19 other than the other no or abstention, was
20 that a new commissioner or an old
21 commissioner?

22 MS. SEAWARD: He's also going into

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1 a second term. That's Willie Ross.

2 CHAIRPERSON HOOD: To answer your
3 question, it was an commissioner. It was --
4 I think it was Slayton.

5 MS. SEAWARD: He's going in his
6 second term.

7 CHAIRPERSON HOOD: It was
8 Commissioner Slayton, right?

9 MS. SEAWARD: Ross. Willie Ross.

10 COMMISSIONER MAY: So, he was
11 around before?

12 MS. SEAWARD: Yes, we are all
13 going into our second. Yes.

14 COMMISSIONER MAY: Yes. Okay.
15 So, the gist of this is that the swing on this
16 from being in favor of the project to being in
17 opposition of the project was not because of
18 an influx of new commissioners who all opposed
19 the project?

20 MS. SEAWARD: No.

21 COMMISSIONER MAY: Okay.

22 CHAIRPERSON HOOD: All right.

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1 Okay. Thank you. Thank you very much.

2 MS. SEAWARD: Okay. Thanks.

3 CHAIRPERSON HOOD: Mr. Rhett? Oh,
4 wait a minute. I'm not sorry. Not you yet.
5 Let me get those who are here in support.
6 Michelle Jones has a question or -- Michelle
7 Jones? We have a question mark. We don't --
8 if you're in support. I'm calling people who
9 are in support.

10 Okay. When you come up, I'm going
11 to read -- when you start reading, I'll let
12 you know. Okay. Commissioner Willie Woods
13 also would like to testify. I have Deborah
14 Brew.

15 MS. BROWN: Brown.

16 CHAIRPERSON HOOD: Brown. I'm
17 sorry. ANC 7D. You'd like to testify?

18 MS. BROWN: (No audible response.)

19 CHAIRPERSON HOOD: Okay. Come
20 forward. Oh, I'm sorry. You're in
21 opposition, so you can hold tight. Okay.

22 And the only other person I have

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1 is -- the person is from CCDC. Connie or
2 Cennie L. Thomplin? Can you make that out?
3 No. 11. Connie? I know Connie Smith.

4 Is this -- did Ms. Carrie
5 Thornhill sign in?

6 MS. SCHELLIN: That might be.
7 Yes.

8 CHAIRPERSON HOOD: Did you sign
9 in, Ms. Thornhill?

10 MS. THORNHILL: (No audible
11 response.)

12 CHAIRPERSON HOOD: Okay. This is
13 Ms. Thornhill's signature. Okay. I know Ms.
14 Thornhill.

15 PARTICIPANT: (No audible
16 response.)

17 CHAIRPERSON HOOD: I know Ms.
18 Thornhill, but I can't recognize her very good
19 cursive writing.

20 Okay. That's all I have who are
21 here in support. Mr. Brown, are you here in
22 support?

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1 MR. BROWN: (No audible response.)

2 CHAIRPERSON HOOD: Yes, if you all
3 can move back away from the table, actually.
4 I'm being -- it's getting late. Actually, if
5 you all can make some room so we can get --

6 MS. SCHELLIN: Chairman --

7 CHAIRPERSON HOOD: I thought maybe
8 -- I thought you wanted to testify.

9 MS. SCHELLIN: -- just to let you
10 know, I believe it was Mr. Woods gave us
11 several copies of a letter in support. It's
12 multiple copies. But he gave us one copy.
13 But just so you know, it's the same letter.
14 Looks like it's at least 20, 25 of them. But
15 just so you know.

16 CHAIRPERSON HOOD: Okay. Where's
17 Ms. Jones? Let's start with Ms. Jones?

18 MS. JONES: Well, let me -- how,
19 is this pertaining to the housing on Parkside?

20 CHAIRPERSON HOOD: No, this is for
21 the health facility, this particular case.

22 MS. JONES: So, what I want to say

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1 relates to the entire Parkside area. So,
2 should I --

3 CHAIRPERSON HOOD: The entire
4 Parkside area?

5 MS. JONES: The project. The
6 project.

7 CHAIRPERSON HOOD: The project?

8 MS. JONES: Yes, sir.

9 CHAIRPERSON HOOD: That probably
10 was the hearing we had two weeks ago, but --

11 MS. JONES: I was --

12 CHAIRPERSON HOOD: -- since you're
13 down -- you were here?

14 MS. JONES: Yes.

15 CHAIRPERSON HOOD: Okay. Just go
16 right ahead. I'm going to allow it and we'll
17 figure what place we need to put it.

18 MS. JONES: Thank you very much.
19 Good evening, Commissioners. Thank you once
20 again for allowing me to speak about Parkside.
21 Parkside has sentimental value and holds a
22 special place in my heart.

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1 My name is Michelle Jones, a
2 Washingtonian. My earliest, fondest and fun-
3 filled recollection was as a child in
4 Parkside. Parkside was a place I spent
5 summers and weekends with Raymond and Emma
6 Wahls, my maternal grandparents.

7 My grandparents lived at the end
8 house on Barnes Street, closet to Neval
9 Thomas. There was a front and a back yard,
10 along with two entrances to the house. My
11 grandfather was a gardener, so of course he
12 maintained a beautiful flower and vegetable
13 garden, one that he was so proud of. Right
14 now I can visualize the azaleas in the yard
15 along with the tomatoes growing on the vines.

16 Parkside was a well-maintained
17 community which had a clinic, a small grocery
18 store and there was Greenhouse Cleaners. D.C.
19 Transit bus stops was on the Avenue, as I
20 recall. All within walking distance of each
21 other. The D.C. Recreation Center was located
22 within Neval Thomas and there were always

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1 plenty of activities for the children.

2 At any rate, that was over 40
3 years ago. Over 40 years when Parkside was
4 leveled, 40-plus years when the city
5 government disrupted households, split up
6 families and made a promise to those families
7 that the city knew it would not keep. The
8 promise was the first right of refusal once
9 Parkside housing was rebuilt. The promise,
10 however, carried a stipulation of 20 years.
11 And additional 20-plus years have been added
12 and the majority of those persons whom the
13 promise was made are now deceased. It is
14 indeed a dream deferred.

15 To conclude, Howard Hamilton
16 Mackey was the designer and architect of
17 Parkside, as well as the first Alcoholics
18 Anonymous appointed to this Zoning Board,
19 designing a housing project was family-
20 oriented, community and neighborhood-friendly.
21 I trust the current developer and architect
22 will be just as conscientious with their

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1 design and will work with all of the
2 stakeholders who live in the area and
3 surrounding community to design an area which
4 will have a character and dignity for all of
5 its residents. I trust that this Zoning Board
6 would diligently ensure that all of the
7 environmental and transportation impact issues
8 which is front and center and will have a
9 major impact on the area will not only hear,
10 but make sure the issues are addressed
11 properly.

12 Thank you. And I've waited over
13 40 years to share this information. I was a
14 mere teenager when my grandparents were forced
15 out of Parkside. And I have a birthday next
16 month, and if it's God's will, I will turn 56.
17 The Parkside project is long overdue. Thank
18 you.

19 CHAIRPERSON HOOD: Thank you.
20 That was good. Can you just hold your seat?
21 We may have some questions for you. Did you
22 testify once before?

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1 MS. JONES: Yes, but I was off the
2 wall that time, so --

3 CHAIRPERSON HOOD: Oh, okay.

4 MS. JONES: I wrote it down this
5 time.

6 CHAIRPERSON HOOD: Okay. All
7 right. She's off the wall. You're on the
8 wall. My colleagues say you're on the wall
9 now. Just hold tight. We may have some
10 questions.

11 Okay. Commissioner Woods?

12 COMMISSIONER WOODS: Commissioner
13 Woods. All right. Chairman Hood, Zoning
14 Commission, thank you for allowing me to be
15 here tonight.

16 I don't want to go back over votes
17 or anything like that, but I am in support of
18 Primary Care and I voted for it that night.
19 So, how it was twisted around, I have no idea
20 of that, and I'm not here for that.

21 But far as with the parking in
22 Parkside, I went and took a survey this past

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1 weekend. And those letters that you have are
2 the residents of Parkside. And a few of them
3 are from Mayfair, also. The Parkside
4 community, we are very humble people and we're
5 not trying to see no one else inconvenienced,
6 but I do not see where someone would want to
7 park in Eastland Gardens to walk to this
8 health care center, especially when we have a
9 -- where it's a win-win situation. Metro has
10 a four-level parking lot on the other side of
11 this bridge. People can park there and walk
12 to this health care center. Parking is not a
13 issue there. We want this community to rise
14 up from what it is become. And I thank you.
15 I'm not going to be before you any longer.
16 Thank you.

17 CHAIRPERSON HOOD: If you can hold
18 your seat, we may have some questions.

19 I'm sorry, sir, I didn't get your
20 name. Identify yourself. Push the mic and
21 turn your mic on.

22 MR. MOORE-ADAMS: Yes, good

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1 evening, Chairperson Hood. My name is Melvin
2 A. Moore-Adams and I'm a resident of the Lotus
3 Square Kenilworth Avenue Apartments, and I'm
4 also the president of the Lotus Square Tenants
5 Associations, as well as the chaplain for the
6 Parkside Civic Association and a member of the
7 District of Columbia Primary Care Association
8 design team that was formed back in 2009-2010.

9 Tonight I sit before the Zoning
10 Commission to not only state my support and
11 the support of residents of Lotus Square, but
12 to also in hopes give some light of the
13 experience of the community and personal
14 opinions on why this project should move forth
15 with the development.

16 In 2009, when the meeting started
17 to occur with residents of Lotus Square, both
18 Ms. Baskerville and Mr. Eric Vicks presented
19 to the tenants from that point on. As we
20 developed our association, we attended the ANC
21 monthly Commission meetings and we were able
22 to receive a lot of information. At that time

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1 many of my neighbors who are in this room
2 tonight were on the affirmative side and it
3 wasn't until towards the end of that year that
4 it seemed to have been a split. Personally,
5 in my opinion, the split did not come from the
6 developers, but it came from internal
7 conflicts among community, some residents and
8 community leaders.

9 Not to get into much of the issues
10 of that, I do believe that the team from DCPCA
11 has been very forthcoming and transparent with
12 their information, as well as to share that
13 information with the community, being that
14 when at that time Commissioner Alisa Woods was
15 chairperson of 7D ANC Commission, decided to
16 appoint a community engager to hold the design
17 team meetings. Those meetings were held at
18 Lotus Square. And in my personal records I
19 have notification that went out to the entire
20 community and at sometimes in response there
21 were persons who decided that they would not
22 attend, and at other times we did not get any

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1 response.

2 With that being said, Mr. Vicks
3 has made it his point to be present at all
4 meetings, if not with personal conflict,
5 whether or not DCPA were a part of that
6 discussion or not. Furthermore, they have
7 reached out to inform the community of
8 resources and opportunities around health care
9 and wellness for our residents.

10 And I would like to use my final
11 minute with this closing point, which is the
12 overarching reason I believe that this concept
13 is needed in our community. I have many
14 elderly residents and persons with disability
15 in Lotus Square Apartments. Three weeks ago
16 I had an elderly resident who had to travel
17 from our location to Providence to get his
18 blood pressure checked because he was
19 complaining of having issues with the
20 circulation in his legs. When he arrived, he
21 was informed he was fatigued. And with the
22 most recent information about how a person

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1 passed on the Metro and people stepped over
2 them, that would have been very harsh news to
3 tell his wife who was just returning from the
4 hospital.

5 But to have a primary care center
6 in the immediate community where he could just
7 walk down the street and be notified right
8 away that he was having health complications,
9 and have an ambulance called to take him to
10 the hospital where they eliminated many of
11 those trials and complications that he had to
12 face, it may not be completely fleshed out,
13 but the concept is needed. And I look towards
14 you all to hold them accountable to make sure
15 that all of the regulations are met, but I do
16 believe that the community will agree that we
17 do need it. And with that, I thank you for
18 this opportunity.

19 CHAIRPERSON HOOD: Thank you. I
20 want to thank all three of you. Let me see if
21 we have any questions. Any questions? Mr.
22 Selfridge?

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1 COMMISSIONER SELFRIDGE: I'm
2 sorry, I didn't get the name, the gentleman on
3 the end?

4 CHAIRPERSON HOOD: Mr. Adams.

5 COMMISSIONER SELFRIDGE: Mr.
6 Adams? How far is Lotus Square? I've seen
7 some picture of it from this site.

8 MR. MOORE-ADAMS: Lotus Square is
9 one block over and we are three properties
10 down from the site.

11 COMMISSIONER SELFRIDGE: Do any
12 people -- do they have the same parking and
13 traffic concerns that we've heard tonight from
14 some of the other committee members?

15 MR. MOORE-ADAMS: We were one of
16 the very vocal residents about the parking.
17 But a we have come to realize with the both
18 the recent construction as well as the
19 standard residential issues within our
20 immediate community, parking is always going
21 to be an issue. We have underground parking
22 at Lotus Square, but it only holds 95 vehicles

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1 out of the 174 residents, the units that we
2 have there. I would rather fight for a
3 parking space with something that's in the
4 community that is benefitting my neighbors and
5 my residents than to continue to fight with
6 commuters who are parking on our side to
7 prevent from paying on the other side.

8 COMMISSIONER SELFRIDGE: And then
9 just to follow up regarding the outreach, I
10 heard you speak that you feel like the
11 outreach by the developer in this case has
12 been sufficient. I don't want to qualify it,
13 but there's been good outreach?

14 MR. MOORE-ADAMS: Yes, sir.

15 COMMISSIONER SELFRIDGE: Thank
16 you.

17 CHAIRPERSON HOOD: Any other
18 questions?

19 (No audible response.)

20 CHAIRPERSON HOOD: Ms. Jones, I
21 would say that your testimony probably could
22 have fit anywhere. I'm looking at it. It's

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1 not -- I want to make sure. You're not
2 necessarily in opposition. You just want to
3 make sure all the precautionary measures are
4 put in place, any mitigation factors need to
5 be put in place, and also to be considerate of
6 the history of Parkside?

7 MS. JONES: That is correct.

8 CHAIRPERSON HOOD: Okay.

9 MS. JONES: Definitely.

10 CHAIRPERSON HOOD: Got you.

11 MS. JONES: And that the resident
12 who formed -- there are some individuals who
13 are still living, but the majority of the
14 people who received certificates for the right
15 of refusal are deceased.

16 CHAIRPERSON HOOD: Okay. All
17 right.

18 MS. JONES: That was over 40-some
19 years ago, but I'm just so thankful for my
20 grandparents right now that I've spoken up for
21 them.

22 CHAIRPERSON HOOD: Okay.

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1 MS. JONES: Because the government
2 forced those people out. That's all.

3 CHAIRPERSON HOOD: Okay. All
4 right. Thank you.

5 Commissioner, let me ask: Have
6 you held single member district meetings?

7 COMMISSIONER WOODS: Yes. Yes,
8 sir, I have.

9 CHAIRPERSON HOOD: You have a
10 commission that is directly impacted, right?
11 I mean, that's in your area?

12 COMMISSIONER WOODS: Yes, it is.

13 CHAIRPERSON HOOD: What did you
14 hear from your commission? Although I know
15 you have 30 letters there and some other --
16 some issues, but what did you hear from your
17 constituents?

18 COMMISSIONER WOODS: My
19 constituents want it. They want it. I have
20 quite a few people that are handicapped, have
21 hearing impair, some have sight issues. We
22 want it. We really want it, yes.

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1 CHAIRPERSON HOOD: So, is it fair
2 for me to say that your constituents are the
3 -- well, everybody's going to be impacted to
4 a point, but are the closest to the facility?

5 COMMISSIONER WOODS: Well, I have
6 surveyed that whole street, which is Parkside
7 Street, and they had issues at first, but the
8 more I sat down and talked with them and they
9 understand it more what's coming to the
10 community far as the revitalization of that
11 area, now they're welcoming it.

12 CHAIRPERSON HOOD: Okay. And, Mr.
13 Adams, I would follow up on what my colleagues
14 say. You say you're to the west? Where is
15 Lotus --

16 MR. MOORE-ADAMS: Lotus Square's
17 property address is 800 Kenilworth Avenue.
18 So, it sits right there on the boundary of
19 where the industrial bridge crosses over into
20 Eastland Garden. Right there at that main
21 intersection where you turn off back into the
22 underpass.

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1 CHAIRPERSON HOOD: So, it's not
2 right by the church?

3 MR. MOORE-ADAMS: It is right next
4 to the church, yes. We take up that entire
5 end of the block.

6 CHAIRPERSON HOOD: Okay. I got
7 you.

8 All right. Any other questions
9 for this panel?

10 (No audible response.)

11 CHAIRPERSON HOOD: Let's see if we
12 have any cross-examination. Does the
13 applicant have any cross-examination?

14 MR. BROWN: (No audible response.)

15 CHAIRPERSON HOOD: Does the ANC
16 have any cross-examination?

17 MS. SEAWARD: Yes.

18 CHAIRPERSON HOOD: Mrs. Jones has
19 left. You have any questions of Ms. Jones?

20 MS. SEAWARD: (No audible
21 response.)

22 CHAIRPERSON HOOD: Okay. For

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1 these two here?

2 MS. SEAWARD: (No audible
3 response.)

4 CHAIRPERSON HOOD: Okay. I'm sure
5 you must have some questions for your
6 colleague.

7 MS. SEAWARD: My question is to
8 Commissioner Woods. You stated that -- your
9 testimony stated that you surveyed the area.
10 Does that survey also include the person from
11 Maryland and the person that lives in Ward 5?

12 COMMISSIONER WOODS: I don't
13 remember going to Ward 5.

14 MS. SEAWARD: According to our
15 last meeting here April 4, Chairman Hood read
16 something in the record.

17 COMMISSIONER WOODS: Oh, yes.
18 That was the former president of the Marshall
19 Heights Community Development Organization.
20 And I believe that's -- I don't want to
21 mention his name, but I believe that's who
22 that probably was. And he was in support of

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1 the whole project when it first came to
2 Marshall Heights. And so, I allowed him to
3 sign the petition. So, I -- you know, if I
4 broke any laws from that, I do apologize. But
5 sometimes we bend the laws and they don't
6 break.

7 MS. SEAWARD: Moving right along,
8 since you said that you surveyed the
9 community, how many blocks, streets and
10 residents did you actually get from 7D-07?

11 COMMISSIONER WOODS: I sat down on
12 about, I guess about 40 homes and talked with
13 my friends and neighbors. And if I could have
14 brought them all in here tonight, I would
15 have, but I don't have transportation to get
16 them here and some of them could not come.
17 But I can rest assure, you can knock on
18 anybody's door and they can tell you that
19 Commissioner Woods came and talked to them and
20 they're aware about -- of all the development
21 that's going on in our community, even with
22 this -- with these gas scares.

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1 MS. SEAWARD: Do you believe that
2 this facility, DCPCA, will be the sole health
3 facility for Parkside, or will it be for the
4 overall Ward 7?

5 COMMISSIONER WOODS: It would be
6 for Ward 7, Ward 8, whoever lives in Maryland,
7 Virginia to have somebody that live in the
8 District of Columbia use their address and
9 probably come in and use it, because it's
10 going to be a state-of-art health care center.

11 MS. SEAWARD: Does the residents
12 that you stated are in wheelchair, run or
13 whatever, do they use the Hunt Place clinic
14 presently?

15 COMMISSIONER WOODS: I don't know.
16 I have no idea because I have never really
17 stood out in front of the Hunt Place clinic to
18 see. But more than likely -- well, let me put
19 it this way: I'm a United States veteran. I
20 use Veteran's Hospital a lot. But if I feel
21 bad and I can't get to VA, I'm going to go
22 right up the street and use that clinic.

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1 MS. SEAWARD: Okay. Regarding the
2 clinic again, Mr. Moore, you mentioned that
3 you believe that the applicant has been
4 gracious and -- that's probably not your
5 testimony, gracious, but they have actually
6 done their due diligence as far as presenting
7 their project to the overall community. Is
8 that your fair statement?

9 MR. MOORE-ADAMS: My fair
10 statement is that the applicant has been very
11 forthcoming and direct with providing
12 information to the community. I think in
13 addition it should also be noted that as a
14 respect to many of the clusters in the
15 community they did not take their right as a
16 developer and just bogart their way into
17 communities, but they requested an invitation.
18 And if it was submitted to a leader of that
19 specific community and it was rejected. They
20 respected that rejection and where they could
21 receive a welcoming audience. And that has
22 happened. That has been discussed among

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1 community leaders and it continues to happen
2 to this very point in time with the most
3 recent design meeting being discussed and
4 presented on March 16, 2011 and only three of
5 the seven-plus communities were present. And
6 I have the email to show that the email
7 invited all of the community leaders by using
8 both individual email accounts as well as the
9 community listservs.

10 MS. SEAWARD: Even though you
11 stated that the applicant -- or maybe you or
12 the applicant utilizes the personal and the
13 government email and they only got a few
14 residents out, why do you feel that it's so?

15 MR. MOORE-ADAMS: I feel that each
16 person is entitled to their own reason for
17 objecting or rejecting an invitation to attend
18 any meeting, as well as within the previous
19 weeks and months with the current state of the
20 District of Columbia many of the residents
21 have been quite busy dealing with the
22 financial condition that has come down from

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1 Capitol Hill and the President so heavy in
2 attending protestings and demonstrations as
3 well as many of the other issues with
4 developments within this immediate area.

5 However, I will state that it was not by the
6 director's invitation, but this was actually
7 by the ANC and community residents' invitation
8 to attend this meeting, as it has always been
9 considering the design team was made up of
10 residential members.

11 MS. SEAWARD: Was the residential
12 members only those within the footprint?

13 MR. MOORE-ADAMS: No, it is not.
14 And if you would care, I would actually read
15 off the email accounts such as the listservs:
16 The Northern Ward 7 Leadership Team, the
17 Eastland Gardens, 7D-01, 7D-02, 7D-03, 7D-05,
18 7D-04, 7D-06.

19 MS. SEAWARD: Since this project
20 is not only for Parkside; you mentioned
21 Northern Ward 7, who controls that listserv
22 and how many members are on that that would be

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1 affected?

2 MR. MOORE-ADAMS: That I would not
3 be able to answer, for I have not the
4 knowledge, but I am aware from sitting in 7D
5 ANC annual -- monthly meetings rather than
6 with both commissioners listed and listservs,
7 which the 7D ANC commissioners use for
8 distribution of information. As stated by
9 you, Madam Chairperson, of the 7D ANC
10 Commission you have made it very clear that it
11 is the responsibility of the ANC commissioners
12 to distribute information unto their
13 constituents in their single member districts.
14 And therefore, if every single member district
15 commissioner was notified, it is now their
16 responsibility to notify their constituents.

17 MS. SEAWARD: With the overall
18 seven commissioners that we do have and you
19 stated that -- I'm believing that you're
20 stating that the attendees was very low
21 compared to what they've done in the past.
22 How do you think that that could be improved

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1 as far as capacity.

2 CHAIRPERSON HOOD: Ms. Seaward,
3 some of that --

4 MS. SEAWARD: Oh.

5 CHAIRPERSON HOOD: I'm trying to
6 figure out the relevance. Maybe you all could
7 discuss that at a ANC meeting.

8 MS. SEAWARD: Okay.

9 CHAIRPERSON HOOD: Because we're
10 talking about zoning here.

11 MS. SEAWARD: Okay.

12 CHAIRPERSON HOOD: And I think you
13 got a good question, but I just think it needs
14 to be done in a different venue. Let's talk
15 about zoning. Let's talk about impacts and
16 stuff that they testified to.

17 MS. SEAWARD: Okay. Well, with
18 DCPCA building you mentioned the traffic. You
19 said that you would be willing to fight for a
20 space. Why would you want to fight for a
21 space and that impact the quality of life?

22 MR. MOORE-ADAMS: Because I

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1 presently fight for space. And it has nothing
2 to do with the quality of life. It has to do
3 with convenience of persons who see a opening
4 space in my immediate community and do not
5 want to pay a fare at the Metro station to
6 take the train or to not use gas as gas
7 continues to increase. And again, I would
8 rather have to fight for a space than to see
9 an 87-year-old man have to take a train all
10 the way to Providence to find out that he
11 needed to be admitted to the hospital and turn
12 around and have his wife who was just coming
13 out of the hospital have to go back in the
14 hospital because of the stress that was placed
15 on her heart while having her hospital in the
16 hospital and not having anyone to look after
17 her.

18 MS. SEAWARD: Do you feel that
19 commuters will increase or decrease the use of
20 free parking as you have mentioned in the area
21 if this project goes forward?

22 MR. MOORE-ADAMS: It is not in my

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1 knowledge to respond to that question I guess
2 with an expertise, but it would be my hope
3 that if they see more use of that vacant land
4 and have an actual use for the openings,
5 parking spots currently put to use, that it
6 would deter them.

7 MS. SEAWARD: Would the project
8 for the zoning and the issues regarding -- and
9 I know it probably wasn't stated, so I know
10 Chairman Hood will probably bring me back on
11 this, but no one mentioned anything about the
12 new foot bridge. That's impacting the actual
13 project. How does that relate to pedestrian
14 footage, parking, traffic and so forth?

15 MR. MOORE-ADAMS: Mr. Chairperson,
16 I believe that is a part of a separate
17 development.

18 MS. SEAWARD: And if it is, you
19 can state that. Or has he already done it for
20 you?

21 CHAIRPERSON HOOD: Could you take
22 his -- he did it for me.

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1 MS. SEAWARD: Okay. Thanks.

2 CHAIRPERSON HOOD: Yes, it's
3 getting late. I'm getting tired. He did it
4 for me. Thank you.

5 MS. SEAWARD: Those are all my
6 questions. Thank you.

7 CHAIRPERSON HOOD: Thank you very
8 much. Mr. Rhett, do you have any cross-
9 examination?

10 MR. RHETT: Yes.

11 CHAIRPERSON HOOD: Do you have any
12 questions for Ms. Jones?

13 MR. RHETT: No, I don't.

14 CHAIRPERSON HOOD: Okay.

15 MR. RHETT: Good evening,
16 gentlemen. Thank you all for courage of your
17 convictions and coming down and standing up
18 for what you believe in.

19 COMMISSIONER WOODS: Very much
20 welcome.

21 MR. RHETT: Mr. Woods, could you
22 let us know, please, which properties actually

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1 constitute your single member district?

2 COMMISSIONER WOODS: Oh, well, the
3 properties that constitute it? I brought a
4 map, too, in case we need to pull it out; it's
5 in my bag back there. But it constitute
6 Parkside, constitute Paradise and a portion of
7 Mayfair.

8 MR. RHETT: Which portion?

9 COMMISSIONER WOODS: I don't know
10 the exact addresses, but --

11 MR. RHETT: Well, if we were going
12 say from east to west, would it be the western
13 portion that is closer to the river or the
14 eastern portion closer to the freeway?

15 COMMISSIONER WOODS: Well, closer
16 to the river. I will put that --

17 MR. RHETT: So, the western
18 portion --

19 COMMISSIONER WOODS: Yes.

20 MR. RHETT: -- of Mayfair? And in
21 your discussions with constituents did you
22 discuss your -- as you said you talked to

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1 people. Did you talk with anyone in Mayfair?

2 COMMISSIONER WOODS: Sure, I did.

3 MR. RHETT: And --

4 COMMISSIONER WOODS: Got

5 signatures.

6 MR. RHETT: You got signatures in
7 Mayfair?

8 COMMISSIONER WOODS: Yes.

9 MR. RHETT: All right. Mr. Moore,
10 you spoke about parking?

11 MR. MOORE-ADAMS: Yes, sir.

12 MR. RHETT: And that there was
13 some concerns with parking?

14 MR. MOORE-ADAMS: Yes, sir.

15 MR. RHETT: What was the
16 resolution?

17 MR. MOORE-ADAMS: The resolution
18 was DDoT's study -- survey that was presented
19 at the ANC Commission meeting and as well as
20 a community meeting with the Parkside Civic
21 Association. As it was determined with the
22 presenter from DDoT that it is not an absolute

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1 immediate resolution, that with time that it
2 will actually span out just as the most recent
3 development that took place with the
4 intersection that we are still having issues
5 with parking and traffic. But with time that
6 it will span out to a balance as it would
7 normally take place.

8 MR. RHETT: And do you understand
9 that the parking studies that were submitted
10 with this particular matter has yet to receive
11 DDoT analysis?

12 MR. MOORE-ADAMS: Not to my
13 understanding, no.

14 MR. RHETT: Well, that's -- okay.
15 And so I just wanted to make that clear, that
16 we have not received the DDoT analysis.

17 The other question I have for both
18 of you, you share with heartfelt stories about
19 elderly residents that have suddenly taken ill
20 and in your mind if the clinic is there then
21 they wouldn't have to, as you say, go across
22 town on a bus, right?

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1 MR. MOORE-ADAMS: On the Metro.

2 MR. RHETT: On Metro?

3 MR. MOORE-ADAMS: On the bus.

4 Yes, sir.

5 MR. RHETT: Do you realize this
6 would not be an urgent care center?

7 MR. MOORE-ADAMS: I don't need it
8 to be an urgent care. I need it to be a
9 primary care where my residents can go and
10 have their blood pressure checked daily, have
11 their medication explained to them daily, have
12 -- if in the process of having -- as this
13 gentleman was doing to have his blood pressure
14 checked, he then discovered that he was
15 dehydrated and fatigued. And yet he had to
16 cross several zones within this District to
17 find that out. And I believe that many of my
18 neighbors that are sitting among us tonight
19 will inform you, Mr. Rhett, as you are on the
20 other side of the bridge that Lotus Square is
21 an ambulance and first responding emergency
22 hot zone. Throughout the night the engines

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1 are coming through, the ambulances are coming
2 through because of the number of elderly and
3 persons with disability who have complications
4 at night because they go without medical
5 attention number of days because of the
6 distance they have to travel.

7 MR. RHETT: No, I understand and I
8 just wanted to make it clear that --

9 MR. MOORE-ADAMS: And I wanted to
10 make it clear that the concept of this is
11 needed. We may not agree with everything
12 presently within the plan, but the concept
13 should not be held up. Let the Commission do
14 their job with the dissecting the plan to make
15 sure it meets the regulations, but don't hold
16 up the concept.

17 MR. RHETT: Are you aware that --
18 was -- well, let me ask it this way: Was
19 there a reason you did not go to Hunt Place
20 during those times, which is right across the
21 street?

22 MR. MOORE-ADAMS: Again, if we can

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1 -- if my residents are limited to their
2 transportation, they're only going to stick to
3 a certain route because it becomes routine.
4 They're not going to deter from that. You're
5 not going to get an 87-year-old person who has
6 issues of sight and hearing to deter from
7 their routine route because it draws fear. So
8 they're going to go across the street.

9 MR. RHETT: To the Hunt Place?

10 MR. MOORE-ADAMS: To Hunt Place.

11 CHAIRPERSON HOOD: Let's do this:

12 MR. RHETT: Okay. I got it. I'm
13 done.

14 CHAIRPERSON HOOD: Okay. Yes.

15 Oh, you're done?

16 MR. RHETT: Yes.

17 CHAIRPERSON HOOD: Okay. Well,

18 I'll save that for the next --

19 MR. RHETT: Yes. All right. And,
20 Mr. Woods, the same thing to you with the --

21 CHAIRPERSON HOOD: Thought you
22 said you were done? You were done with the

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1 question?

2 MR. RHETT: I was done with Mr.
3 Moore.

4 CHAIRPERSON HOOD: I thought you
5 was done. Okay. But, so let me do mine.
6 Question -- let's get to that and make a
7 answer. We don't need a long dissertation.
8 Question, answer. Question, answer. That way
9 folks behind you who are here in opposition as
10 opposed to you also, Mr. Rhett, will have a
11 chance to testify tonight and we won't have to
12 continue this hearing. So, you can continue.

13 MR. RHETT: There go my toes
14 again; yes, sir.

15 All right. Mr. Woods, the same
16 simple question to you; and again, the
17 heartfelt story about -- and I know you guys
18 help a lot of the seniors out. And my
19 question is in the same case would it not have
20 been easier if what you're saying to simply go
21 to Hunt Place? I just don't understand why
22 you will have to go uptown, downtown if the

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1 clinic is right there. And you're making the
2 case for this clinic. What's the difference?

3 COMMISSIONER WOODS: Well, the
4 difference for me; and as I stated, I'm a
5 veteran. And not mistaken, you're a veteran,
6 too.

7 MR. RHETT: Yes, I am.

8 COMMISSIONER WOODS: Veterans
9 Hospital is not a hospital where ambulances
10 are running in and out all the time. It's,
11 you know, you make appointments and you go
12 there. Same way would be situated for the
13 clinic that we may have.

14 Now, versus going to Hunt
15 Street --

16 MR. RHETT: Hunt Place.

17 COMMISSIONER WOODS: -- Hunt
18 Place --

19 MR. RHETT: Yes.

20 COMMISSIONER WOODS: -- I would
21 rather go up to the VA because state of the
22 art. So, if I have a state of the art right

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1 up the street from me, then I won't have to go
2 to VA all the time, you know, because I still
3 -- the same insurances. So, I mean, for me to
4 have a clinic in my neighborhood, knowing that
5 I have a lot of seniors and people that can't
6 make it over to Hunt Place because there's no
7 windows and it's not a state of art.

8 MR. RHETT: Well, I just -- I
9 think everybody's clear it's not an -- it will
10 not be an urgent care center. At least that's
11 what we were told tonight.

12 COMMISSIONER WOODS: Right.

13 MR. RHETT: All right. Thank you.

14 COMMISSIONER WOODS: All right.

15 CHAIRPERSON HOOD: Okay. Thank
16 you. Mr. Rhett, you can hold your seat. And
17 thank you all. We appreciate your testimony.

18 Okay. We're going to go the party
19 in opposition. And then after that -- how
20 many people are here to testify in opposition?
21 If you could just show me by a show of hands.

22 Okay. And we will go -- right

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1 after Mr. Rhett finishes his presentation, we
2 will get you on and we will finish this
3 tonight.

4 Okay. Mr. Rhett, whenever you're
5 ready.

6 MR. RHETT: I will read portions
7 I've submitted, the written full testimony,
8 and I'll simply take the time to read portions
9 into the record, if I may.

10 And again, good evening. My name
11 is Greg Rhett and I am the president of the
12 Eastland Gardens Civic Association, and I've
13 been a resident of Eastland Gardens Ward 7 for
14 -- Eastland Gardens for the past 13 years.
15 And Eastland Gardens is official designated as
16 an African-American Heritage Trail
17 neighborhood for the District of Columbia, and
18 it is so marked with a plaque.

19 Our thriving middle class
20 neighborhood dates to 1928 when a group of
21 developers called Eastland Gardens, Inc.
22 bought some 150 acres of the former Benning

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1 Race Track property and began to construct
2 houses. In the more than 80 years since, this
3 has remained a combined; and that is Parkside,
4 Mayfair, Paradise, Kenilworth and Eastland
5 Gardens, residential community. Our
6 neighboring community, Mayfair Mansions, is
7 also designated as an African-American
8 Heritage Trail neighborhood for the District
9 of Columbia and it too is marked with a
10 plaque.

11 Mayfair Mansions, completed in
12 1946, is one of the District's earliest garden
13 apartment complexes. Howard University
14 professor of architecture Albert I. Cassell,
15 who later became the chief architect and
16 designer for the Howard University campus,
17 purchased the former Benning Race Track
18 property in 1942 in order to build the
19 colonial-style project he conceived and
20 designed. The project which opened with more
21 than 500 units represented a collective effort
22 to provide affordable housing for black

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1 residents. When completed Mayfair Mansions
2 was a first-class complex offering a welcomed
3 housing opportunity for working and middle-
4 class blacks who were excluded from housing
5 elsewhere because of racially-restrictive
6 housing covenants. It was listed on the D.C.
7 Inventory of Historic Sites and the National
8 Register for Historic Sites in 1989.

9 As to our specific standing, I
10 think we've already established that; I'll
11 skip that.

12 In order to protect and preserve
13 the long and storied character of our historic
14 neighborhood, we remain strongly opposed to
15 Case 05-28E, which dovetails into Cases 05-28B
16 and the case to follow, 05-28C.

17 We want to be very clear that we
18 are in opposition, that these proposed major
19 changes to the 1st Stage approvals granted by
20 this Commission are not consistent with the
21 residential character of this community, nor
22 are they consistent with the 2006 Ward 7

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1 Planning and Development Priorities, and
2 specifically, the 2006 Far Northeast and
3 Southeast Area Plan.

4 Four Comprehensive Plan workshops
5 took place in Far Northeast and Southeast
6 during 2005 and 2006. These meetings provided
7 an opportunity for residents to discuss both
8 city-wide and neighborhood planning issues.
9 The Advisory Neighborhood Commissions and
10 groups such as the Ward 7 Leadership Council
11 also provided a voice for local priorities and
12 concerns. There have also been many meetings
13 in the community not directly connected to the
14 Comprehensive Plan, but focusing on long-range
15 planning issues.

16 The Ward 7 Planning and
17 Development Priorities state the community
18 delivered several key messages during these
19 meetings which are summarized. The low-
20 density character that typifies most of Far
21 Northeast and Southeast neighborhood should be
22 maintained. While it is recognized that the

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1 area contains much vacant land and the
2 potential for in-field development, this
3 development should generally be similar in
4 density to what exists today.

5 This is one of the few areas in
6 the city with opportunities to build three and
7 four-bedroom homes suitable for families with
8 children. Whereas the neighborhood lost
9 families to Prince Georges County and
10 elsewhere in the past, it may gain families
11 from these areas in the future if it builds
12 appropriately-designed housing, provides
13 quality schools and improves public services.
14 While protecting our established single-family
15 neighborhoods is a priority, Far Northeast and
16 Southeast recognizes the need to provide a
17 variety of new housing choices.

18 We strongly believe that both the
19 proposed urgent care center/health clinic and
20 the proposed community college are absolutely
21 not consistent with the historic character of
22 our combined neighborhoods or our Far

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1 Northeast and Southeast Area Plan. If
2 allowed, these proposals will completely
3 destroy the neighborhood atmosphere and flavor
4 of this combined community.

5 As we understand current law and
6 zoning regulations regarding building heights,
7 the applicant's request to change the current
8 zoning for block one of the property from
9 residential to medical offices must have
10 zoning approval. In order to protect and
11 preserve the neighborhood character of this
12 combined community, we strongly urge the
13 Commission to reject this requested change.
14 We believe that the original Stage 1 PUD
15 application should stay with the original
16 zoning plan that was vetted by the community
17 and approved by this Commission. We beg to
18 differ with the Office of Planning's
19 recommendation that this requested
20 modification is, quote, not inconsistent with
21 the current Comprehensive Plan.

22 In fact, the generalized policy

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1 map depicts the site as within the, quote,
2 neighborhood enhancement area's designation.
3 Quote, the guiding philosophy in neighborhood
4 enhancement areas is to ensure that new
5 development fits in and responds to the
6 existing character, natural features and
7 existing planned infrastructure capacity.
8 Neither will -- Case 05-28B does not meet this
9 philosophical criteria.

10 The applicant proposes to not only
11 increase the density and intensify land use
12 within this combined community; they also want
13 to reduce the previously required number of
14 parking spaces, which was 102, and now propose
15 to move existing street parking spaces, 63,
16 below grade. We have yet to see any evidence
17 that this is even possible given that this
18 area clearly falls within the Anacostia River
19 Watershed Area.

20 Finally, we believe that this
21 institutional structure will certainly
22 increase daily gridlock and additional traffic

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1 and safety concerns for the residents of this
2 community. This center will be located on
3 narrow residential streets. To our knowledge
4 there are no plans to widen said streets;
5 Kenilworth Terrace or Hayes Street. We have
6 not seen the results of the pending DDoT
7 analysis of the submitted traffic impact
8 study. Furthermore, to our knowledge the
9 applicant has not submitted any recent data
10 that proves their contention that this
11 proposed health center is desired by a
12 majority of this community. No evidence or
13 data has been submitted that proves the
14 applicant's contention that this health center
15 will be utilized by residents of our combined
16 community. This negates their site planning
17 alleged benefit.

18 We believe this proposed usage and
19 requested amendments for this particular plot
20 of land is inconsistent with the Comprehensive
21 Plan and is inconsistent with the existing
22 character of the surrounding area and land use

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1 recommendations set forth within the Planning
2 and Development Priorities of the Far
3 Northeast and Southeast Area Plan. And there
4 are a number of policies that I cited in my
5 write-up. Out of respect to my neighbors that
6 would like to testify, I will not read those,
7 but they are submitted for the record and I
8 will end my verbal testimony with that.

9 CHAIRPERSON HOOD: Thank you,
10 President Rhett.

11 Commissioners, any questions?

12 (No audible response.)

13 CHAIRPERSON HOOD: Okay. Not
14 seeing any. Does the applicant have any
15 cross-examination?

16 MR. BROWN: (No audible response.)

17 CHAIRPERSON HOOD: Okay. Ms.
18 Seaward, do you have any cross-examination?

19 MS. SEAWARD: I have one.

20 Mr. Rhett, you had mentioned that
21 if the parcel stays residential and to allow
22 for three and four-bedroom housing to be

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1 developed there. How would that improve the
2 market rate of the area where you live,
3 Eastland Gardens? That's my only question.

4 MR. RHETT: Well, I think what was
5 originally approved in the community vetting
6 during the Charette process to come up with
7 the original plan, it looks like we're
8 probably going to lose anywhere from 250 to
9 300 units of affordable housing. How that
10 will impact our property values at this
11 juncture, we don't know what the fear is that
12 this increased intensity and density for
13 institutional usage could negatively impact
14 other housing projects within the same
15 footprint such as the Pollin Project and such
16 as what's going on with Mayfair. If those
17 projects fail or go into default, then we all
18 are impacted negatively.

19 MS. SEAWARD: Thank you. That's
20 all I have.

21 CHAIRPERSON HOOD: Mr. Rhett,
22 obviously you discussed this development with

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1 your civic association.

2 MR. RHETT: Yes.

3 CHAIRPERSON HOOD: It may be in
4 your submission. Did you all -- how many
5 people you normally have in attendance?

6 MR. RHETT: At our civic
7 association? Probably 20, 25. Yes.

8 CHAIRPERSON HOOD: Twenty, twenty-
9 five.

10 MR. RHETT: Yes.

11 CHAIRPERSON HOOD: And you all
12 took a vote?

13 MR. RHETT: Yes.

14 CHAIRPERSON HOOD: You researched
15 this whole issue and that's what you came up
16 -- this is what you came up with in
17 opposition?

18 MR. RHETT: Yes.

19 CHAIRPERSON HOOD: Okay. All
20 right. Any other questions?

21 (No audible response.)

22 CHAIRPERSON HOOD: All right.

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1 Thank you, Mr. Rhett.

2 MR. RHETT: All right. Thank you.

3 CHAIRPERSON HOOD: Okay. Now
4 we're going to individuals who'd like to
5 testify in opposition. Okay. Theresa Rita,
6 Deborah Brown, okay, Elaine McConnell, Eileen
7 McConnell, Dan Milstein and Donna Burriss.

8 Is there anyone else who'd like to
9 testify I didn't call your name?

10 MR. PERRY: Lawrence Perry.

11 CHAIRPERSON HOOD: Mr. Perry.
12 Lawrence Perry.

13 Anyone else who is here who'd like
14 to testify in opposition, any individuals?

15 Okay. What I'm going to do is
16 start from my right, your left. I'm going to
17 start with Ms. Brown.

18 MS. BROWN: Thank you,
19 Commissioner and other Commissioners. My name
20 is Deborah Brown. I'm a resident of Ward 7
21 and I live in the area. I grew up across the
22 other side of the tracks of Parkside, so I'm

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1 very familiar with it.

2 Just for the sake of brevity and
3 it's very chilly in here, I just wanted to
4 give much kudos to Mr. Hood, Mr. Turnbull and
5 Mr. Selfridge. They really nailed what I feel
6 about the traffic impact. As I see, one of
7 the biggest things is the impact with
8 Kenilworth Terrace. And one of the gentlemen
9 who talked earlier for being in support of it
10 and he felt that he wanted to have a different
11 view to fight for -- I don't want him to fight
12 for anything. I think with proper planning
13 and consideration and the study of the traffic
14 pattern from DDoT, if necessary you may need
15 to widen streets.

16 If you just look at that one block
17 where Kenilworth Terrace faces Mayfair
18 Apartments on this side and the Lotus and the
19 back of the church, and there's a little store
20 and the parking lot there. Go there any time
21 during the day really in the morning and watch
22 it until it dies down about 10:30. Then hit

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1 it around 4:00. You will see that impact.
2 And that will just double and triple with all
3 of this. So, the health center needs to
4 really consider the parking. It will have a
5 impact. And I thank you for the questions
6 that you all asked which were far better
7 detailed than mine. But I think the study
8 will show that.

9 As I said, I've been a lifelong
10 resident of the area. And there was a clinic
11 in Parkside that I remember we walked to, so
12 I know what change is about. My mother would
13 have to take us all the way down Minnesota to
14 -- at that time it was Dean Avenue, go under
15 the bridge and then come up. And right where
16 the Projects were, they had a clinic there.
17 It was like a maternal clinic. And she took
18 my brother and I there. That was many, many,
19 many years ago. But the steps are still
20 there.

21 So I know what change is. I've
22 lived through when Benning Elementary School

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1 was there and it was dealing with -- I seen
2 that neighborhood go through a lot. I think
3 that I understand what change is and I
4 understand what resistance can be, but I think
5 that the concerns are real. Thank you.

6 CHAIRPERSON HOOD: Thank you.
7 Next?

8 MR. PERRY: To the Zoning Board
9 and everybody, thanks for having me here, and
10 I want to thank God for allowing me to be
11 here. And I understand about clinics and
12 everything of that magnitude; I've had to go
13 to them as well. However, in this area during
14 the midday we have traffic jams on Kenilworth
15 Terrace. You can't get out of the
16 neighborhood. I live in Eastland Garden.

17 The other part of this is they
18 talk about access to the Metro station. A man
19 would have to be in good shape to get off a
20 Metro train and get to the clinic, because if
21 you walk up that ramp, through the tunnel up
22 that ramp to get across the ramp, he'd be dead

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1 before he get to the clinic, because I've
2 walked and I understand that. So, if they
3 talk about access or parking at the clinic,
4 there's no way a person that's sick going to
5 park at Metro and walk under the tunnel, up
6 that ramp and down that ramp to get to the
7 clinic. He won't need the clinic; he need the
8 undertaker.

9 Okay. But traffic will be bad all
10 day long in that area. She just hit on what
11 she said behind the -- what's that Circle 7?
12 It's bad during the day. I go there and play
13 my numbers every day. So, the traffic is tied
14 up all day long without the clinic being there
15 and without the other building that they're
16 going to build there. So, people will have no
17 way of getting around. When you go down
18 Kenilworth Avenue, the only way to go north on
19 Kenilworth, you got to go down to the circle
20 and come back into heavy traffic. If you're
21 going out the neighborhood on -- there only
22 one street go out, and that's Kenilworth

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1 Terrace, wherein you come into a area now
2 that's clogged 24/7 and there's no way that
3 the traffic going to move during rush hour
4 because it doesn't move during the middle of
5 the day.

6 So, I'm opposed to it because it's
7 going to bring extra cars and people into that
8 area. All right? And the clinic is only open
9 from 8:00 -- I think they said 8:00 at night
10 or in the day until about 4:30 in the
11 afternoon. So, if somebody gets sick other
12 than those hours, they still got to go to
13 Providence, or to Howard University, or to
14 another hospital.

15 Now, going back a time ago, Mayor
16 Washington closed a hospital that was in the
17 middle of D.C. which was D.C. General. My
18 cousin's wife died because they had closed
19 that hospital and he couldn't get her to the
20 hospital from Eastland Gardens in time to get
21 her any help. So, I'm familiar with that,
22 too. But to put a clinic in a area where

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1 there's not going to be access of people
2 getting out causing me who going to work extra
3 time, I can't go for that. And I hope you all
4 understand.

5 And I think that we have some very
6 wise people on this Board. I've listened to
7 you all tonight and I've been listening to Mr.
8 May. He's very, very on point in asking
9 questions. I admire you, Mr. Hood. You're
10 right on point. And I didn't hear too much
11 from anybody else. But I am totally opposed
12 to it for those reasons and those reasons
13 only. Thank you.

14 CHAIRPERSON HOOD: Okay. Thank
15 you. And, Mr. Perry, could you make sure that
16 the court reporter gets your card? I think
17 they're looking for your name.

18 MR. PERRY: Okay.

19 CHAIRPERSON HOOD: Okay. At the
20 end, when we finish.

21 MR. PERRY: Okay. Sure.

22 CHAIRPERSON HOOD: Okay. Next?

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1 MS. McCONNELL: Hi, my name is
2 Eileen McConnell and I'm a member --

3 CHAIRPERSON HOOD: Is your
4 microphone --

5 MS. McCONNELL: Oh. Hi, my name's
6 Eileen McConnell and I'm a member of the
7 Eastland Gardens Civic Association. I'm going
8 to make this brief. Thank you, Board. I
9 appreciate the gestures that you made this
10 evening.

11 I'm opposed to this project, No.
12 1, because the traffic study. I really
13 haven't seen where -- since we've had
14 different projects going in our neighborhood
15 we have had more traffic. And I commute
16 everyday to work and it's just a madness just
17 getting on 295 coming from Kenilworth. And
18 she said it exactly. She hit it on the nose
19 and our president, Mr. Rhett, hit it on the
20 nose. Just getting out of the neighborhood
21 coming down Kenilworth, it's almost every
22 other day somebody on Kenilworth stops on

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1 Kenilworth to let somebody out. Somebody's
2 coming off 295. The people coming down
3 Kenilworth, now we've got to figure out how to
4 merge, how to swing around. If you've got
5 these buildings going up, that's going to
6 create more of a traffic jam, let alone not to
7 say if there's a accident within this zoning
8 project. Now, there's only one way in, one
9 way out. Now, I'm late for work again. It's
10 bad enough I'm late for work. Got to deal
11 with GW Parkway and all the other routes that
12 I take. Now, I'm being late just trying to
13 get out my neighborhood now. And that's one
14 of the reasons I'm pretty much opposed to this
15 project.

16 I wish there was -- you would do
17 more of a survey on the DDoT study, because I
18 agree with Mr. Perry, the streets are too
19 narrow and there's no -- I didn't really see
20 any impact in -- I mean, you say you're going
21 to have a spot for a ambulance, but hey,
22 somebody's going to come in, take that spot.

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1 And if I was young bringing my mom or my dad
2 to this community, I'm not going to walk and
3 pay for parking across the bridge. I'm going
4 to come into my -- I'm going to find the spot
5 somewhere in the community where I can park
6 for free and walk and then go back and get the
7 car and come back and get my parents.

8 And that's basically what I'm
9 going to say this evening. I thank you. And
10 I just want a little further investigation.

11 CHAIRPERSON HOOD: Next?

12 MS. BURRISS: Hi. Good evening.
13 Oh, Chairman. Commissioner Hood and
14 Commissioners, thank you. I'm sorry. It's
15 hilarious. Maybe I'm just a little tired. It
16 is cold in here, too. And I can piggyback off
17 of what everybody else said.

18 Basically, my name is Donna
19 Burriss and I'm a resident. I live in the
20 community. I'm going to read my testimony.
21 But you all just close your eyes and took a
22 visual of what they're proposing to put up,

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1 what would be erected and where it's located,
2 it just doesn't fit. You know, it will be an
3 eyesore. And the community within already
4 will be barricaded. I mean, it's just not --
5 it doesn't seem like it would be a doable
6 project. And it is congested. So, I'm going
7 to go ahead and read my statement.

8 But as a resident and a homeowner
9 of Ward 7 and Eastland Gardens community, I am
10 opposing the proposed PUD modification plan
11 for the Parcel, LLC. City Interests is well
12 aware of the major issues that would affect
13 nearby residential properties. City Interests
14 has contracted a host of developers to over-
15 develop -- over-populate this tranquil
16 community.

17 The PUD 2 design proposes
18 significant changes to our community. Major
19 conflicts will arise with the proposal -- with
20 the proposed unanticipated development plan in
21 the Parcel land to be developed; i.e.,
22 monstrous traffic jams. We currently operate

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1 with extremely unacceptable traffic delays.

2 Is one way in and is one way out.

3 The parking limitations and
4 potential property value decline will also
5 create havoc with this proposal. The majority
6 of Eastland Gardens residents and surrounding
7 neighborhoods clearly believe in a
8 revitalization, reshaping and reinvesting and
9 having a promising community built, but not
10 with the proposed towering Community College
11 of the District of Columbia, CCDC,
12 overshadowing an existing community
13 barricading them in. The surrounding
14 communities would very much like to see a
15 mixed use of venues and thriving businesses
16 invested on the Parcel 12 land sites.

17 The community voted for mixed-use
18 office retail and residential use for the
19 parcel in question. The CCDC was not in the
20 original plans. What City Interests is
21 proposing will destroy our sense of community
22 and the deep ties to the neighborhood that

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1 date back for generations. More importantly,
2 the drastic transformation of our green
3 community as it is today will disappear with
4 the over-developed proposed plans.

5 In closing, I am requesting that
6 the PUD 2 modification plan for Parcel 12 be
7 denied. Thank you.

8 CHAIRPERSON HOOD: Thank you.
9 Next?

10 MR. MILSTEIN: Good evening,
11 Commissioners. My name is Dan Milstein. I
12 also live in Eastland Gardens neighborhood,
13 just a few blocks away from the Parkside site.
14 I walk past the site everyday on my way to and
15 from the Minnesota Avenue Metro station on my
16 way to work. I've given quite a lot of
17 thought to the development.

18 The decisions you make regarding
19 the developments on Kenilworth Terrace are
20 critical to the future success or failure of
21 the Parkside PUD because Kenilworth Terrace
22 would be the heart of Parkside with the PUD 1

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1 approved high-rise office buildings and
2 residential buildings on both sides. Whether
3 Parkside will fulfill the PUD vision of being
4 a pedestrian-friendly, mixed-use, transit-
5 oriented development hinges on whether
6 Kenilworth Terrace is done right. Frankly,
7 there's been far too little discussion about
8 the character of Kenilworth Terrace, not just
9 tonight, but at other hearings, and far too
10 much about the access between the new
11 pedestrian bridge and the Anacostia River
12 through the low-density low-rise town homes
13 that already exist, I think particularly in
14 the 2nd Stage. The 2nd Stage PUD needs to
15 consider the overall character of Kenilworth
16 Terrace a lot more.

17 For Kenilworth Terrace, and by
18 extension Parkside, to live up to its
19 potential and its promise to the surrounding
20 neighborhoods, Eastland Garden included, the
21 lots adjacent to Kenilworth Terrace must be
22 designed to make the street an attractive

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1 destination for pedestrians and a profitable
2 location for desirable retail stores.

3 The logical -- proximity to I-295,
4 changing the PUD to replace the residential
5 buildings on the south side of Kenilworth
6 Terrace with institutional buildings will no
7 doubt change the character of that street and
8 risks undercutting the desirability of living
9 on the planned residential buildings just
10 across the street if the institutional
11 buildings aren't done right. To that end all
12 of Kenilworth Terrace, including the lots in
13 question tonight, should be built with
14 exceptionally wide sidewalks to encourage foot
15 traffic and retail on the ground floor of the
16 buildings on both sides of Kenilworth Terrace
17 to create a critical mass of retail to attract
18 shoppers. Additionally, the buildings on the
19 south side of Kenilworth Terrace should be
20 built at a height and density that maximizes
21 the number of people with the ability to
22 support retail coming to Parkside throughout

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1 the day.

2 Given the cumulative changes in
3 the Parkside PUD, I think there's a real risk
4 that Parkside will become something of an
5 office park because of all the residential
6 buildings that are being converted to office
7 buildings on Kenilworth Terrace, including the
8 clinic that D.C. PCA hopes to build. As
9 valuable as a clinic can be to a community, I
10 don't believe that the proposal for the 2nd
11 Stage PUD approval for that clinic conforms to
12 what Kenilworth Terrace needs. With only
13 three above-ground stories, the clinic wastes
14 an opportunity to make Parkside a true
15 transit-oriented development. I'll stop
16 there.

17 CHAIRPERSON HOOD: Thank you.

18 Next?

19 MS. JACOBS: (Off microphone.)

20 CHAIRPERSON HOOD: Is your
21 microphone -- oh, okay.

22 MS. JACOBS: I really don't need

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1 that. I have a --

2 CHAIRPERSON HOOD: You have to be
3 on the record.

4 MS. JACOBS: Oh. Oh, okay. Hi,
5 my name is Brenda Jacobs and I've been living
6 in Mayfair for -- oh, I played in Mayfair as
7 a kid and I moved in Mayfair as an adult. And
8 Lotus Square only been there about five or six
9 years and they added to the much-stressed
10 traffic that we are having now, so you can
11 imagine having a clinic. Because see, Lotus
12 Square parks in our parking spaces in Mayfair
13 already. So with the clinic, that's just
14 adding more stress on us because then we don't
15 have no place to park and we live there.
16 That's because other people are parking in our
17 spaces, you know? I just have a problem with
18 that, you know? First it's Lotus Square. Now
19 it's going to be the clinic and whatever else
20 they trying to build. And I don't think
21 that's fair to us, you know? We have to park
22 off site when we live on the property because

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1 everyone else is parking in our spaces. You
2 know, by the time the police get there and
3 everything, hey, they done moved and gone on,
4 but they back. You know, you can't get out.
5 You can't get in. I mean, it's just very
6 stressful. That's what I have to say about
7 it.

8 CHAIRPERSON HOOD: Thank you.
9 Next?

10 MS. SINGLETARY: Good evening,
11 Commissioners. My name is Michele Singletary,
12 the newly-elected president of the Mayfair
13 Mansions Tenants Association.

14 I know in previous readings I
15 often hear people mention that Mayfair
16 Mansions is a part of this. Unfortunately,
17 third-party information is questionable even
18 on our part.

19 The reason why I'm here tonight is
20 because I'm here to represent the seniors
21 who's lived in our community over 40-plus
22 years that as of this day still have

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1 questions, what about primary care? What
2 about the new City Interests? What about it?
3 It has not been brought to their attention as
4 it was told to you all. They have not
5 received it. Unfortunately, they are
6 receiving it recently, but the only proposal
7 that most of the resident at Mayfair Mansions
8 has received as the 2006 proposal.

9 So in this; you all have of my
10 testimony, but I wanted to read the most
11 important part of the testimony for the
12 residents of Mayfair.

13 We are also extremely in fear for
14 resulting of the parking/traffic nightmares
15 that would be created in the closing of the
16 residents of these various City Interests
17 proposals that are proposed. What happens to
18 the emergency service first responders that
19 cannot get inside of the community to save
20 lives due to gridlock? This is a one-way
21 community. Our residents in this area are
22 frequently experiencing a total gridlock in

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1 traffic. If there is just one accident on the
2 highway 295 or Minnesota Avenue, what happens
3 to the quality of life for the persons that
4 live here for the safety of our neighborhood?

5 You know, I really want to read
6 from this, but I got to read from the heart.
7 My name is Michele Singletary. I'm a resident
8 of Mayfair Mansions. I've been a resident of
9 Mayfair Mansions for over 20-some-plus years.
10 My parents came to Mayfair in 1970. We are
11 very fully aware of the old primary -- well,
12 Unity or what used to be called D.C. Health
13 Clinic that was in Mayfair.

14 For the record, I cannot stand
15 here and watch my ANC commissioners, my fellow
16 neighbors come to you all and talk on behalf
17 of Mayfair. I'm speaking tonight on behalf of
18 Mayfair Mansions. Mayfair Mansionsws is the
19 overflow of everybody's trash, from Lotus
20 Square to Parkside Towns Home, from Paradise,
21 from the overflow of the gridlocking of the
22 bridge. We are the ones that's fighting the

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1 crime that's coming into our community daily
2 and we are fighting today. We attend various
3 PSA meetings. We have come -- we -- what I've
4 done was what the neighbors of Mayfair out of
5 the box and told them to reach outside into
6 Ward 7. We do not need a primary care
7 facility inside of that area. We are already
8 congested.

9 The slides in which they showed
10 you, they didn't show you the circle. We have
11 562 units. A hundred and fifty of them went
12 into foreclosure due to the poor decision of
13 developers. We have to replace 105 residents
14 that are suffering and have to go off site of
15 the property because of poor development that
16 took place into our community. We are begging
17 and we are asking you all. If you can't do
18 anything, come to the site, look at what they
19 are telling you that what they can do and what
20 little property in which they have. Our
21 community Mayfair Mansions is crying out.
22 We're asking you all to come out, or better,

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1 to ask City Interests or ask a couple of your
2 fellows that's sitting up here talking about
3 what they can do far as the community. Come
4 move over there for awhile. See what we are
5 fighting, the crime that we are fighting
6 inside of our little square. We are in
7 trouble.

8 You're talking about putting a
9 primary care there. There are my seniors
10 right behind me. They're here late at night
11 for their testimony to be heard. And we can
12 go over this over and over again until you all
13 come out to that community. You don't need
14 DDoT. Just come around there. See what we're
15 dealing with at 7:15. It takes almost 20
16 minutes to come outside of the circle. Once
17 you come outside of the circle, you go
18 directly into traffic. You're getting
19 Maryland traffic, you're getting Virginia
20 traffic just to get on I-295. By the time you
21 get to work, you're sitting in traffic almost
22 a hour.

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1 What happens to now a senior that
2 needs to go to a hospital, one that's in the
3 houses calling 9-1-1 that needs help and the
4 first responders can't get there?

5 We don't have police protection in
6 our area. Yes, it's nice to say that they
7 come, but they don't come. You sitting up
8 there, bodies floating this way, bodies
9 floating that -- we're fighting crime. We're
10 fighting crime from our fellow students
11 overseas, Chavez. We're fighting crime over
12 from Kenilworth, Eastland, everywhere. We are
13 the ones that's in the middle of it and we get
14 the overflow on a regular basis. And that's
15 my testimony.

16 CHAIRPERSON HOOD: Thank you very
17 much. I want to thank all of you all for your
18 testimony.

19 Let me see if my colleagues have
20 any questions. Commissioner May?

21 COMMISSIONER MAY: Yes, I don't
22 have a single person to direct this question

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1 to because it seems to be a common theme, and
2 maybe one or two people will want try to
3 answer it.

4 Actually, I'll break it up in two
5 parts: The first is, what we're dealing with
6 tonight is a modification to the original
7 approved PUD, and I think most folks are
8 familiar with what was involved in that. And
9 given the nature of the concerns that are
10 coming up which have a lot to do with traffic
11 and cars and parking and all that, I want to
12 understand; does everyone here actually
13 support the original PUD, the original Phase
14 1 PUD with the density that was proposed in
15 that?

16 PARTICIPANT: Yes.

17 PARTICIPANT: Yes, more or less.

18 COMMISSIONER MAY: Pretty much?

19 Pretty much, folks? Okay.

20 So, given that, is it your belief
21 that the impact of a clinic like this is going
22 to be that much worse in terms of traffic and.

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1 parking than the density that was originally
2 proposed on this site?

3 PARTICIPANTS: Yes.

4 COMMISSIONER MAY: Okay. So, all
5 right, everybody says yes. Now, does somebody
6 want to tell me why? Because it's hard for me
7 to grasp that, because this is not a very big
8 building compared to the other things that
9 were proposed. And the overall density isn't
10 theoretically going to change that much. So,
11 if somebody wants to give me a little more
12 detail. Anyone.

13 MS. SINGLETARY: What happened is
14 that we always have over 3,000-plus residents
15 inside of the community. The clinic claims
16 that they only going to bring a few people.
17 When you start mention the word "Ward 7,"
18 we'll probably start getting methadone
19 patients that will be hanging around the
20 community. We'll start getting more, more --
21 their plans start off small, but then as it
22 grow, they want to revise the proposal, revise

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1 the proposal. And next thing you know they
2 seeing almost close to 1,000 patients per day.

3 And the foot bridge already in the
4 care of the city. Almost 10 years ago the
5 city didn't even want to take -- redo the foot
6 bridge. So we were asked to walk all way
7 around the circle in order to get out. We
8 only one in and one way out. We don't need a
9 whole lot of added stress into that community.

10 COMMISSIONER MAY: Okay. Mr.
11 Milstein, did you want to --

12 MR. MILSTEIN: Yes, to answer your
13 question, I think it's quite likely that the
14 original Stage 1 PUD would generate more
15 traffic than the change. I mean, from, what
16 is it, over 200 units in an 8-story building
17 to going to a, you know, what we all can see
18 with our eyes is a relatively small clinic, I
19 would argue too small for the space. I mean,
20 it's going to generate less traffic than the
21 already approved alternative. I mean, it's
22 been hours now, but when we were hearing the

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1 number of patients that would be seen per
2 hour, that's not a whole lot of traffic
3 compared to the kind of peak load you're going
4 to get morning and evening rush hour with 250
5 households moving back and forth.

6 I mean, I'm in opposition to the
7 clinic because I don't think it advances the
8 vision of a transit-oriented development
9 that's going to bring retail and other things
10 that are beneficial to the community, but on
11 the very narrow question of do I think a small
12 clinic is going to generate more traffic than
13 a large residential building, a tower, I think
14 the honest answer is no.

15 COMMISSIONER MAY: Yes, okay.
16 Anybody else?

17 MR. PERRY: Well, the clinic will
18 generate more than -- the people that live in
19 apartment houses have jobs. They can go via
20 public transit. And they are able to take
21 that walk.

22 COMMISSIONER MAY: Yes.

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1 MR. PERRY: But people -- clinics
2 are not -- are going to come in cars.

3 COMMISSIONER MAY: Oh, so it's
4 more cars, not necessarily more people?

5 MR. PERRY: More cars coming. And
6 like she said, methadone, drug dealers and
7 hangers going to be out in the neighborhood.

8 Now, if you go there during the
9 middle of the day -- when I leave my house to
10 go into the street, it's a one way in, one way
11 out. I can only go one way, no two ways.
12 It's always a log jam. Kenilworth, Nannie
13 Helen Burroughs Boulevard, it's always a
14 traffic jam. Cars are always backed up.
15 Right now with the construction it's twice as
16 bad, but it's always a traffic jam there. And
17 all it's going to do is add to the traffic
18 jam.

19 COMMISSIONER MAY: Okay. Thanks.
20 Mr. Chairman?

21 CHAIRPERSON HOOD: Okay. Any
22 other questions? Commissioner Selfridge?

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1 COMMISSIONER SELFRIDGE: I just
2 want to follow up on what Mr. Milstein said.
3 It sounds like there's a component to the
4 institutional use as well that people don't
5 like. Is that correct? To put the traffic
6 aside, the fact that it's becoming
7 institutional. We're getting a health clinic.
8 We're getting a community college. It's kind
9 of losing the original vision. Is there truth
10 to that statement.

11 PARTICIPANTS: Yes.

12 MS. BURRISS: (Off microphone.)

13 PARTICIPANT: Do you have a mic,
14 ma'am? Thank you.

15 MS. BURRISS: I'm sorry. Too much
16 in too little space. And it's a residential,
17 not commercialized. So they're trying to cram
18 too much in there.

19 PARTICIPANT: Say your name.

20 MS. BURRISS: Oh, I'm sorry.
21 Donna Burriss, for the record.

22 COMMISSIONER MAY: Okay. If I

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1 could just add onto that? I think a genuine
2 risk is that if you build -- it's kind of the
3 sequence of the plan. If you build all the
4 institutional stuff on the south side that
5 seems the most advanced and you just have this
6 theoretical residential buildings on the other
7 side that exist on the plans but they're not,
8 you know, at these hearings tonight, I mean,
9 they're just theoretical, I don't see who's
10 going to want to build something that's
11 literally overshadowed by, you know, 110, 130-
12 foot office towers on the south side of the
13 street. They're going to be bearing down on
14 them all the time. I think if they were built
15 at the same time or, you know, more reasonable
16 heights on the other side, then you would get
17 more desirability of residential on the other
18 side. But as it is now, it just looks like
19 you could wind up in the situation where you
20 get just office buildings and institutional
21 buildings and then you don't find developers
22 that want to build the residential. And then

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1 you have further hearings about changing what
2 is residential on the north side to more
3 office buildings at some point down the line.

4 COMMISSIONER TURNBULL: Are you
5 worried about the scale of the buildings on
6 Kenilworth Terrace?

7 COMMISSIONER MAY: Scared at the
8 hearing two weeks ago that I -- after four
9 hours I had to leave before I could sit in
10 front of this mic. But I think going to 130
11 feet, I think that's over the top. I mean,
12 110 seems unbelievable enough. I mean, I
13 don't know, it seems like the height of the
14 new D.C. Government Building, I mean, right
15 there by the Metro, what is that, 60 feet or
16 so? I mean, I don't know how high, but you
17 know, 80, 90 feet on both sides of Kenilworth
18 Terrace seems conceivable. I mean, 110, 130
19 seems just out of control, even though it's
20 already approved in the Stage 1 PUD.

21 MS. BROWN: Would any one of you
22 all buy a piece of property behind it after

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1 it's constructed? I mean, really.

2 CHAIRPERSON HOOD: We don't
3 usually take questions.

4 MS. BROWN: Well, we don't --

5 CHAIRPERSON HOOD: You know, we
6 actually don't take questions, because we --

7 MS. BROWN: Oh, I can respect
8 that.

9 CHAIRPERSON HOOD: The issue for
10 us is to hear the concerns of the community,
11 those who live there, and also be able to make
12 rationale and deal with it from a zoning
13 perspective.

14 MS. BROWN: Oh, okay.

15 CHAIRPERSON HOOD: Because when
16 you say stuff like that, I have back flashes.
17 I have things in my neighborhood that I'm sure
18 you wouldn't want and I would like to give
19 them to you. So, you know?

20 MS. BROWN: I have an ear to
21 listen.

22 CHAIRPERSON HOOD: Actually,

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1 that's how I ended up on the Zoning
2 Commission. So, we didn't come from somewhere
3 else. We live in the city, too.

4 But let me ask Ms. Singletary, and
5 I'll let you speak in a moment. One moment.

6 Ms. Singletary, I heard you
7 mention Mayfair Mansions. You all get it all.
8 I know everybody doesn't go to every ANC
9 meeting or civic association meeting. Has
10 anyone come out and explained this project to
11 the tenants of Mayfair Mansions, or were they
12 ever invited? This specific piece, just the
13 health clinic.

14 MS. SINGLETARY: They have clinic
15 -- yes, Mr. Vicks was invited to come to one
16 of our earlier meetings back in 2010 when we
17 first came aboard. But unfortunately Mr.
18 Vicks was a victim of third-party. The person
19 that he was in contact wasn't a representative
20 of our current board, so he wasn't able to
21 reach out to the community as much as he
22 probably would have tried.

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1 CHAIRPERSON HOOD: So, Mr. Vicks
2 was not like Ms. Baskerville? I mean, I'm
3 trying to figure out who is Mr. Vicks?

4 MS. SINGLETARY: Mr. Vicks is -- I
5 guess he's --

6 CHAIRPERSON HOOD: Okay. Well,
7 I'll ask --

8 MS. SINGLETARY: -- Primary Care.

9 CHAIRPERSON HOOD: I'll ask them
10 when they come back up. So, is it that you
11 all want to -- do you know the project or
12 would you like somebody to come and talk to
13 you about the project?

14 MS. SINGLETARY: We know the
15 project.

16 CHAIRPERSON HOOD: Okay.

17 MS. SINGLETARY: We're fully aware
18 of the project. We got -- went online. I
19 gave out the information to the community. So
20 it was up to the community. I read -- most of
21 the stuff came from the feedback from the
22 residents of Mayfair.

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1 On the personal, when I went
2 personal five seconds ago, that was my
3 perspective. I think about my handicapped mom
4 that needs -- every now and then have to go 9-
5 1-1. And she -- you know, they slow
6 responding now, so could you just imagine?

7 CHAIRPERSON HOOD: There's another
8 question I had for you. Lost my train of
9 thought.

10 Let me come to this young lady
11 here who wanted to speak. You wanted to say
12 something?

13 MS. JACOBS: I just wanted to say
14 we already have a clinic on Minnesota Avenue.
15 One bus will get you there; one bus will bring
16 you home. We already have a Unity clinic on
17 Minnesota Avenue.

18 PARTICIPANT: (Off microphone.)

19 MS. JACOBS: Excuse me?

20 CHAIRPERSON HOOD: I want to go
21 back to --

22 MS. JACOBS: It used to be Charter

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1 Health.

2 CHAIRPERSON HOOD: Okay.

3 MS. JACOBS: But then they turned
4 it over to -- Unity bought it or got it.

5 CHAIRPERSON HOOD: Where the old
6 Giant used to be?

7 MS. JACOBS: Right.

8 CHAIRPERSON HOOD: Okay. Yes.

9 MS. JACOBS: Right.

10 CHAIRPERSON HOOD: I'm in Ward 7,
11 too, sometimes.

12 Ms. Singletary, let me go back.
13 You said there's a parking issue already that
14 exists in Mayfair.

15 MS. SINGLETARY: Yes, sir.

16 CHAIRPERSON HOOD: What is it,
17 people just park and leave their cars and go
18 downtown and go to work and --

19 MS. SINGLETARY: Yes, sir. What's
20 currently taking place in Mayfair; like I
21 said, we are the babes of everybody's
22 problems. I have also went to our management.

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1 We're fighting very hard with CPDC, which is
2 the owner of the property, so that we can put
3 parking rules and enforcement back in place
4 because our gates are currently broken. And
5 we're waiting on the revitalization of the
6 opposite side of the property when it's in
7 foreclosure. They're not ready to actually
8 close the gates. So, when the gates actually
9 get closed and fixed, all our brethren
10 communities, they will get that traffic
11 because we'll be private property only.

12 CHAIRPERSON HOOD: Okay. Any
13 other questions, Commissioners?

14 COMMISSIONER SELFRIDGE: I just
15 have a comment, Mr. Chairman. I've kind of
16 heard it over the last couple hearings. It
17 just sounds like there's a lot of distrust and
18 uncertainty about what the future holds. And
19 to some degree I can understand it. I'm not
20 sure that it's intentional, but this varies so
21 much from the original project, that people
22 are afraid that if this goes forward what

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1 happens next and what happens after that? And
2 unfortunately it seems to have really clouded
3 the process and I don't know how you come back
4 from there, but I think that's an important
5 realization that there's an enormous amount of
6 distrust within the community about this
7 project.

8 CHAIRPERSON HOOD: And I'm sure
9 that we will -- the traffic -- and that DDoT
10 report is going to be key. If you go down
11 Kenilworth Avenue, you know, again, we live
12 here. I know what you're talking about. I
13 experience it. I avoid it. So, reality of it
14 is we know, but we have to do it from a zoning
15 perspective. We have to do what's on the
16 record. And we're looking forward to hearing
17 -- hopefully DDoT will give us something
18 specifically on this issue.

19 Let's see, cross-examination? The
20 applicant? I don't see Mr. Brown.

21 (No audible response.)

22 CHAIRPERSON HOOD: Oh, okay. ANC

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1 chairpersons? Ms. Seaward, you have any
2 cross-examination?

3 MS. SEAWARD: (Off microphone.)

4 CHAIRPERSON HOOD: You don't have
5 any cross? You have any cross-examination?

6 MS. SEAWARD: (Off microphone.)

7 CHAIRPERSON HOOD: Okay. No
8 cross-examination? Thank you.

9 Mr. Rhett, do you have any cross-
10 examination?

11 MR. RHETT: No.

12 CHAIRPERSON HOOD: She wants to
13 make a statement.

14 Okay. Commissioner Turnbull?

15 COMMISSIONER TURNBULL: Yes, thank
16 you, Mr. Chair. You know, it sounds -- one of
17 the things we've noticed tonight in talking
18 about any number of different issues is that
19 one way in, one way out. And it sounds like
20 no matter what development is going to go in
21 there, there's a basic problem with access
22 into this site, which may need a better

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1 solution in looking at the whole big picture.
2 And how we do that, that goes beyond what we
3 can do. But it sounds like we've got a basic
4 problem just with road structure within the
5 area.

6 CHAIRPERSON HOOD: Okay. Anybody
7 else.

8 COMMISSIONER SELFRIDGE: I saw
9 something, Mr. Chairman, and I don't -- I'm
10 going to put Ms. Steingasser on the spot; she
11 probably can't speak to it, but you might have
12 the most knowledge. Somebody said something
13 about a Benning Road access. Have you ever
14 heard of that historically being involved in
15 this project or --

16 MS. STEINGASSER: It's not been
17 part of this project, no.

18 CHAIRPERSON HOOD: Okay. All
19 right. I want to thank this panel. We
20 appreciate your testimony.

21 MR. PERRY: Thank you.

22 MR. JACOBS: Thank you,

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1 Commission.

2 CHAIRPERSON HOOD: Okay. Rebuttal
3 and closing by the applicant. Do you have any
4 rebuttal, Mr. Brown?

5 MR. BROWN: Mr. Chairman, I think
6 particularly at this hour a better use of --

7 CHAIRPERSON HOOD: Let me keep --
8 in the open meetings that -- I don't want to
9 talk -- let me just do it over the mic.

10 Sharon -- I'm sorry, Ms. Schellin, let me just
11 do it over the mic.

12 Suggestion has just come to our
13 attention that one of the things that we need
14 to so, especially with the issues pertaining
15 to traffic in -- one way in and no way out, or
16 one way out, or however you want to call it.
17 We would like to continue this hearing so we
18 can question DDoT ourselves on this particular
19 case, and also cross-examination of DDoT. So,
20 that's what my colleagues -- I think we would
21 like to do. Well, that's what we're going to
22 do; not like to. I'm not going to say we make

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1 the rules, but we do. So, that's what we're
2 actually going to do.

3 Mr. Brown, if you could save your
4 rebuttal.

5 MR. BROWN: I think that's
6 appropriate. And I understand that the only
7 thing -- it would -- it doesn't come as a
8 surprise that you want to hear from DDoT. The
9 only thing I would add is that for DCPCA the
10 clock is ticking and the urgency level grows
11 greater every day again because of the funding
12 being at risk and the lead time needed to
13 satisfy the requirements.

14 So, if we could look at moving the
15 process along. And quite frankly -- and it's
16 nobody's responsibility here, but DDoT was
17 supposed to be here and has filed a report.
18 So, we need to really put the pressure on them
19 to respond quickly and then perhaps impose
20 upon your schedule to get back as quickly as
21 possible.

22 CHAIRPERSON HOOD: We already have

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1 a date for the continuation of the hearing
2 that we didn't get to tonight, which is May
3 the 5th.

4 MS. SCHELLIN: Right. And I think
5 what we could do is -- if the Commission is
6 okay, is we could have the continuation
7 hearing start at 6:00 and start at the second
8 hearing at 6:30 so that there's no delay.
9 Would that work adding that half an hour for
10 this hearing to continue?

11 CHAIRPERSON HOOD: Right. Yes,
12 we'll continue this hearing at 6:00.

13 MS. SCHELLIN: So, 6:00 instead of
14 6:30.

15 CHAIRPERSON HOOD: Well, we know
16 that's not going to be enough time, but still,
17 that's at least a start.

18 MS. SCHELLIN: Well, it's another
19 30 minutes.

20 CHAIRPERSON HOOD: Right, that's a
21 start. And it's Cinco de Mayo, so don't
22 nobody come in -- we want to get the facts.

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1 MS. SCHELLIN: If you come, bring
2 extras to share.

3 CHAIRPERSON HOOD: Okay.

4 MS. SCHELLIN: Although I don't
5 drink, so I guess --

6 CHAIRPERSON HOOD: So, we will do
7 the rebuttal and closing remarks. And but
8 first when we --

9 MS. SCHELLIN: Start with DDoT.

10 CHAIRPERSON HOOD: We're going to
11 start with DDoT. And I'm not sure; I'm going
12 to leave it up to Ms. Schellin and Ms.
13 Steingasser to make sure that DDoT understands
14 our concerns and asks whoever's going to be
15 here to come ready prepared to answer our
16 questions.

17 MR. BROWN: Well, going beyond
18 that -- and I think to put some sort of
19 schedule in place for DDoT to respond in
20 writing. They had a schedule to respond and
21 didn't do that for tonight, so I think the
22 burden needs to be put on them that by X day

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1 they need to file with the Commission so you
2 can see it, so I can see it, so that we're not
3 coming in here and kind of hearing for the
4 first time, because then we'll never finish on
5 the 5th, regardless of when we start.

6 CHAIRPERSON HOOD: Okay. I think
7 that's the line we're going to go down.
8 Right, Ms. Schellin? We have any dates?
9 We're talking about less than two weeks.

10 MS. SCHELLIN: Yes, it's less than
11 two weeks. We'll have to ask them to provide
12 their report by the 27th at 3:00.

13 MR. BROWN: April 27th?

14 MS. SCHELLIN: Yes.

15 MR. BROWN: All right.

16 MS. SCHELLIN: 3:00 p.m.

17 MR. BROWN: All right. And then
18 would the Commission want written responses in
19 advance of the May 5th?

20 MS. SCHELLIN: It's not going to
21 make it in the -- I mean, you know, we have
22 limited time here. So, I mean, in order to

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1 get a report from DDoT, I mean, we're pushing
2 it. Otherwise, you're not going to get your
3 hearing on May 5th. And in order to get a
4 response from you, they're not going to get it
5 in their package ahead of time. So, we got
6 to --

7 CHAIRPERSON HOOD: I think the
8 most important thing is for us to ask --

9 MS. SCHELLIN: Is that we get a
10 DDoT report.

11 CHAIRPERSON HOOD: We've heard
12 enough testimony.

13 MS. SCHELLIN: Right.

14 CHAIRPERSON HOOD: At least we'll
15 be able to have a conversation with DDoT.

16 MS. SCHELLIN: Right.

17 CHAIRPERSON HOOD: And push DDoT.
18 In keeping in what you just mentioned about a
19 time schedule, I think also that there will be
20 a time -- because we're not going to probably
21 decide anything on the 5th.

22 MS. SCHELLIN: Right.

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1 CHAIRPERSON HOOD: so, we can
2 leave the record open for any later
3 submissions. But the key right now is for us
4 to be able to talk to DDoT with the concerns
5 that we've heard. Okay? Anything else?

6 MS. SCHELLIN: We can allow for
7 the applicant and the ANC and Mr. Rhett to
8 provide their responses to the DDoT report by
9 May 2nd. However, you guys aren't going to
10 have an opportunity. It's not going to make
11 in your package. I mean, we'll do our best
12 to, you know, try to get it to you, but it's
13 not going to make it in your package. I mean,
14 we'll do our best to, you know, try to get it
15 to you, but it's not going to make it in your
16 package.

17 CHAIRPERSON HOOD: All right.

18 MS. SCHELLIN: If you guys would
19 like to do that.

20 CHAIRPERSON HOOD: Okay. Let's do
21 that. Let's do that, so they can respond.

22 MS. SCHELLIN: Absolutely. So,

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1 all the parties can provide a response to the
2 ANC report by May 2, 3:00 p.m., to the DDoT
3 report.

4 CHAIRPERSON HOOD: And I guess I
5 would just say make sure you stay in touch
6 with Ms. Schellin. I'm not sure if DDoT's
7 going to need additional time or anything.
8 They might not even be able to meet our
9 schedule. We haven't talked to anybody, so I
10 don't know.

11 MS. SCHELLIN: And we'll talk at
12 the next hearing about the additional
13 documents that are needed. At that time we'll
14 talk about the date for all of that stuff.

15 CHAIRPERSON HOOD: The May 5
16 hearing?

17 MS. SCHELLIN: Right.

18 CHAIRPERSON HOOD: Okay.

19 MS. SCHELLIN: And then as far as
20 the second hearing, May 5, 6:30 p.m.

21 CHAIRPERSON HOOD: On or about.

22 MS. SCHELLIN: That's for Case No. 05-28C.

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1 Mr. Feoln's given the good wave.

2 CHAIRPERSON HOOD: Okay.

3 MS. SCHELLIN: Okay.

4 CHAIRPERSON HOOD: Do we have
5 anything else before us tonight?

6 MS. SCHELLIN: That's it. I think
7 that's enough.

8 CHAIRPERSON HOOD: Okay. We're
9 going to continue Zoning Commission Case No.
10 05-28B and start with 05-28C on May the 5th at
11 -- B is -- it starts at 6:00 and 05-28C will
12 start immediately after.

13 Anything else?

14 MS. SCHELLIN: (Off microphone.)

15 CHAIRPERSON HOOD: Yes,
16 immediately after.

17 Okay. With that, this hearing is
18 adjourned.

19 (Whereupon, the meeting was
20 adjourned at 10:59 p.m.)

21

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