

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

+ + + + +

-----:
 IN THE MATTER OF: :
 : Case No.
 SHERIDAN TERRACE : 07-35C
 REDEVELOPMENT, LLC - :
 MODIFICATION to PUD :
 @ SQUARES 5869 AND 5872 :
 :
 -----:

Thursday,
May 17, 2012

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

The Public Hearing of Case No. 07-35C by the District of Columbia Zoning Commission convened at 6:32 p.m. in the Jerrily R. Kress Memorial Hearing Room at 441 4th Street, N.W., Washington, D.C., 20001, Anthony J. Hood, Chairman, presiding.

ZONING COMMISSION MEMBERS PRESENT:

ANTHONY J. HOOD, Chairman
MARCIE COHEN, Commissioner
PETER MAY, Commissioner (NPS)

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OFFICE OF ZONING STAFF PRESENT:
SHARON S. SCHELLIN, Secretary

OFFICE OF PLANNING STAFF PRESENT:

JOEL LAWSON
MAXINE BROWN-ROBERTS

DISTRICT DEPARTMENT OF TRANSPORTATION STAFF
PRESENT:

JEFF JENNINGS

COUNCIL OF THE DISTRICT OF COLUMBIA PRESENT:

MARION BARRY, Ward 8

The transcript constitutes the
minutes from the Public Hearing held on May 17,
2012.

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

ZC CASE NO. 07-35C Sheridan Terrace
Redevelopment, LLC - Modification to PUD @
Squares 5869 and 5872

<u>Preliminary Matters</u>	9
Party Status Request - Andrew M. Ellis .	10
Vote to Deny	12
Party Status Request - Gia Allen	13
Vote to Deny	13
Proffering as Expert - Abed Benzina	15
Proffering as Expert - Suzanne Foster ..	16
 <u>Presentation by the Applicant</u>	
Kerry Smyser	19
 <u>Testimony of Councilman Barry</u>	31
 <u>Cross Examination of Councilman Barry</u>	
Anthony Muhammad	59
Mary Cuthbert	60
 <u>Presentation by the Applicant</u>	
Kerry Smyser	68
Brad Fennell	69
Abed Benzina	80
Suzanne Foster	86
 <u>Office of Planning Report</u>	
Maxine Brown-Roberts	125
 <u>DDOT Report</u>	
Jeff Jennings	126
 <u>Report of ANC 8C</u>	
Mary Cuthbert	134
 <u>Cross Examination of Office of Planning and DDOT</u>	
Anthony Muhammad	140
 <u>Report of ANC 8A</u>	
Anthony Muhammad	143

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Testimony by Individuals in Support 152

Testimony by Individuals in Opposition

 Gia Allen 154

 Michelle Rose 158

Closing Statement of Applicant

 Cynthia Giordano 170

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

2 6:32 p.m.

3 CHAIRMAN HOOD: Let's go ahead and
4 get started. Good evening, ladies and
5 gentlemen.

6 This is a public hearing of the
7 Zoning Commission of the District of Columbia
8 for Thursday, May 17th, 2012.

9 My name is Anthony Hood. Joining
10 me are Commissioner Cohen and Commissioner
11 Turnbull. I'm sorry. Commissioner Cohen and
12 Commissioner May. I know I had a name to skip.
13 Sorry.

14 We're also joined by the Office of
15 Zoning Staff Ms. Sharon Schellin. Also, the
16 Office of Planning Mr. Lawson and Ms.
17 Brown-Roberts and the District Department of
18 Transportation Mr. Jennings.

19 This proceeding is being recorded
20 by a court reporter and it's also webcast live.

21 Accordingly, we must ask you to refrain from
22 any disruptive noises or actions in the hearing

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1 room.

2 The subject of this evening's
3 hearing is Zoning Commission Case Number 07-35C.

4 This is a request by Sheridan Terrace
5 Redevelopment, LLC to modify the previously
6 approved PUD in Squares 5869 and 5872.

7 Notice of today's hearing was
8 published in the D.C. Register on March the 23rd,
9 2012 and copies of that announcement are
10 available to my left on the wall near the door.

11 The hearing will be conducted in
12 accordance with provisions of 11 DCMR 3022 as
13 follows: Preliminary matters, Applicant's
14 case, report of the Office of Planning, report
15 of other Government agencies, report of Advisory
16 Neighborhood Commission 8A and 8C,
17 organizations and persons in support,
18 organizations and persons in opposition,
19 rebuttal and closing by the Applicant.

20 The following time constraints will
21 be maintained in this meeting: The Applicant
22 60 minutes, organizations 5 minutes,

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1 individuals 3 minutes.

2 All persons appearing before the
3 Commission are to fill out two witness cards.

4 These cards are located to my left on the table
5 near the door. Upon coming forward to speak
6 to the Commission, please give both cards to
7 the reporter sitting to my right before taking
8 a seat at the table.

9 When presenting information to the
10 Commission, please turn on and speak into the
11 microphone first stating your name and home
12 address. When you are finished speaking,
13 please turn your microphone off so that you
14 microphone is no longer picking up sound or
15 background noise.

16 The decision of the Commission in
17 this case must be based exclusively on the public
18 record. To avoid any appearance to the
19 contrary, the Commission requests that person
20 present not engage the members of the Commission
21 in conversation during any recess or at any time.

22 In addition, there should be no

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1 direct contact whatsoever with any Commissioner
2 concerning this matter be it written, electronic
3 or by telephone. Any materials received
4 directly by a Commissioner will be discarded
5 without being read. Any and all calls will be
6 ignored.

7 Staff will be available throughout
8 the hearing to discuss procedural questions.

9 Please turn off all beepers and cell
10 phones at this time so not to disrupt these
11 proceedings.

12 Would all individuals wishing to
13 testify please rise to take the oath?

14 Ms. Schellin, would you please
15 administer the oath?

16 MS. SCHELLIN: Yes. Please raise
17 your right hand.

18 Do you solemnly swear or affirm the
19 testimony you'll give this evening will be the
20 truth, the whole truth and nothing but the truth?

21 Thank you.

22 CHAIRMAN HOOD: And I just want to

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1 remind everyone the Commission is in its
2 relaxation mode. We take our ties off and
3 you'll see us with shorts. We do our summer
4 act. We passed that on -- I don't think we vote
5 on that. We just do it after the second meeting
6 in May. It used to be June. We're moving the
7 time up. Shorts. Nobody can see you in shorts.

8 Won't nobody see you in shorts except for
9 Marcie. I sure won't be looking down that way.

10 But, anyway, okay. At this time,
11 the Commission will consider any preliminary
12 matters.

13 Does the staff have any preliminary
14 matters?

15 MS. SCHELLIN: Yes, sir, we have
16 received the affidavit of maintenance from the
17 Applicant and it is in order.

18 And also, we have two party status
19 requests at Exhibit 22 and 23 and when the
20 Applicant comes forward, they have it looks like
21 two expert witnesses that they want to proffer.

22 CHAIRMAN HOOD: Okay. Ms.

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1 Giordano, if you want to come forward.

2 Let's do the party status requests
3 first.

4 Okay. Commissioners, we have two
5 requests and if I could see the exhibit number,
6 but one of them is 23. I'm not sure what the
7 other one is. Anyway -- the other one is Andrew
8 -- 22. Okay. The other exhibit is 22.

9 Let's just do Exhibit 22 first.
10 This is Andrew M. Ellis. When I look at what
11 he wrote or what was written down here, number
12 6, it would affect the value of my investment
13 which will adversely affect businesses in the
14 community and slow the development of the --
15 I can't make out the other word.

16 MS. SCHELLIN: Of the area.

17 CHAIRMAN HOOD: Of the area. Okay.

18 Thank you.

19 COMMISSIONER COHEN: Chairman.

20 CHAIRMAN HOOD: Yes, Commissioner
21 Cohen.

22 COMMISSIONER COHEN: I think this

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1 individual should testify in opposition, but
2 as far as giving him party status, I don't
3 believe that he made a compelling argument and
4 the 200 feet, I don't know, two to three blocks
5 is somewhat longer.

6 CHAIRMAN HOOD: I would agree. Do
7 we need to vote on it? I guess we should. Do
8 you want to make -- put that in the form of a
9 motion?

10 COMMISSIONER COHEN: So, I move to
11 deny party status to Andrew M. Ellis, but I'm,
12 of course, open to, you know, hearing his
13 objections to the project at the appropriate
14 time.

15 CHAIRMAN HOOD: Okay. It's been
16 moved. Can I get a second?

17 COMMISSIONER MAY: Second.

18 CHAIRMAN HOOD: Moved and properly
19 second. Any further discussion?

20 Are we ready for the question? All
21 those in favor?

22 (Ayes.)

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1 CHAIRMAN HOOD: Not hearing any
2 opposition of those present, Ms. Schellin, would
3 you please record the vote.

4 MS. SCHELLIN: Yes, staff records
5 the vote 3-0-2 to deny party status to Andrew
6 Ellis. Commissioner Cohen moving.
7 Commissioner May seconding. Commissioner Hood
8 in support of denial and Commissioner Turnbull
9 not present not voting and the fifth mayoral
10 or third mayoral appointee position is vacant.

11 CHAIRMAN HOOD: Okay. Exhibit
12 Number 23, Commissioners. Commissioner Cohen.

13 COMMISSIONER COHEN: Again, Mr.
14 Chairman, I believe this individual also should
15 be entitled to testify in opposition but not
16 be granted party status for the same reasons.

17 CHAIRMAN HOOD: Okay. I would
18 agree with that. So, we would like to state
19 another motion. Thank you.

20 COMMISSIONER COHEN: I move that we
21 deny party status to, and I apologize to this
22 person if they're in the audience, Gia Allen.

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1 Gia Allen. But, to, of course, listen to this
2 person in opposition.

3 CHAIRMAN HOOD: Okay. I'll second
4 that.

5 It's been moved and properly
6 seconded. Any further discussion?

7 Are you ready for the question? All
8 those in favor?

9 (Ayes.)

10 CHAIRMAN HOOD: Not hearing any
11 opposition, those -- well, no opposition of
12 anyone present.

13 Ms. Schellin, would you record the
14 vote?

15 MS. SCHELLIN: Yes, staff records
16 the vote 3-0-2 to deny party status to Ms. Allen.

17 Commissioner Cohen moving. Commissioner Hood
18 seconding. Commissioner May in support of
19 denial. Commissioner Turnbull not present not
20 voting and the third mayoral appointee position
21 vacant not voting.

22 CHAIRMAN HOOD: Okay. Let's go

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1 ahead and move forward. We are expecting and
2 staff has been notified that we may be having
3 Councilmember Barry. Once he comes, I'm going
4 to stop wherever we are and we will hear from
5 the Councilmember as our custom of any
6 Councilmember or the Mayor when they come in.

7 Anybody who comes down, elected office in the
8 City, we stop at that point. So, I would ask
9 everyone's indulgence if that happens.

10 Okay. Ms. Giordano, let's go with
11 the expert -- proffer the expert witnesses you
12 have.

13 Is your mike on?

14 MS. GIORDANO: Sorry. Good
15 evening, members of the Commission.

16 My name is Cynthia Giordano with
17 Saul Ewing Law Firm representing the Applicant
18 in this case.

19 And we have two expert witnesses
20 this evening. The first one is an expert in
21 architect Mr. Abed Benzina. I asked them to
22 come forward in case you have any questions.

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1 With SK&I Architects and I think you have his
2 resumé in front of you.

3 I note that this firm produced the
4 plans for the first -- the original PUD as well.

5 CHAIRMAN HOOD: Any objections?

6 COMMISSIONER MAY: I don't have an
7 objection. I do have a question though.

8 I mean it doesn't say on the resumé.

9 Is Dr. Benzina a licensed architect?
10 Anywhere?

11 DR. BENZINA: No.

12 COMMISSIONER MAY: Not in D.C. or
13 not anywhere? Okay. All right. I ask that
14 mostly for Mike Turnbull because he likes to
15 ask that question. It doesn't mean as much to
16 me. But, I assume you had a substantive role
17 in all of the projects that were listed here?

18 DR. BENZINA: Yes.

19 COMMISSIONER MAY: Okay. That's
20 fine.

21 CHAIRMAN HOOD: Make sure Mr.
22 Turnbull reads the record so he can see his

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1 question was asked.

2 Okay. Any objections to giving
3 expert status? Okay.

4 MS. GIORDANO: Our second expert is
5 Suzanne Foster with Parker Rodriguez and Ms.
6 Foster designed the landscape plan for the
7 project and was very involved in the site
8 planning as well and we're proffering her as
9 an expert in architecture -- landscape
10 architecture.

11 CHAIRMAN HOOD: Okay.
12 Commissioners, any objection?

13 COMMISSIONER MAY: Was she
14 previously accepted as an expert in the original
15 case?

16 MS. GIORDANO: I don't think so.

17 MS. FOSTER: No. No, I was not.
18 Jake Parker from Parker Rodriguez presented the
19 project to begin with.

20 COMMISSIONER MAY: I see. Okay.

21 CHAIRMAN HOOD: Any objections?
22 Okay. So, we accept both your witnesses as

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1 experts. Anything else?

2 MS. GIORDANO: Thank you. That's
3 it.

4 At this point, should we go ahead
5 and proceed with two witnesses that are going
6 to start the presentation? Bring them to the
7 table?

8 And I note that we have a bit of a
9 truncated presentation as far as the plans go
10 because I think the Commission had a pretty good
11 look at it when we came forward the first time,
12 but we're happy to expand or answer any
13 questions.

14 But, when we were before you the
15 first time, you indicated that you thought maybe
16 a shorter hearing would be appropriate. So,
17 that's the way we've prepared it.

18 But, we're going to start with the
19 Applicant. We have two witnesses, Kerry Smyser
20 from the Housing Authority and Brad Fennell from
21 W.C. Smith and Company and I'll ask them to come
22 forward now.

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1 CHAIRMAN HOOD: Okay. Let me see
2 what Commissioner Cohen and her comment. Did
3 you want to comment, Commissioner?

4 COMMISSIONER COHEN: Yes,
5 actually, I do.

6 Ms. Giordano, I was a bit
7 disappointed that some of the questions that
8 were asked specifically by me you really didn't
9 submit anything in writing and I think that that
10 also helps if you do in advance so that any
11 questions can be -- you know, could digest what
12 you provide for us. So, I'm a bit disappointed
13 in not having gotten anything.

14 MS. GIORDANO: I apologize, but we
15 are prepared to address those questions
16 specifically this evening.

17 CHAIRMAN HOOD: If you can give us
18 a truncated version, but answer the questions
19 Commissioner Cohen had asked.

20 MS. GIORDANO: Certainly.

21 CHAIRMAN HOOD: Okay. You may --
22 you can begin.

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1 MS. GIORDANO: Okay. Could we dim
2 the lights a little bit? Is that okay for the
3 -- because we have a PowerPoint.

4 CHAIRMAN HOOD: We already had the
5 hardcopy of the PowerPoint?

6 MS. GIORDANO: We have it this
7 evening. Yes. Okay.

8 CHAIRMAN HOOD: Believe it or not,
9 we do follow it.

10 MS. GIORDANO: He didn't bring a
11 hardcopy, but we can submit it.

12 MS. SMYSER: All right. Good
13 evening. Good evening, Chairman Hood and
14 Members and Staff of the Zoning Commission.

15 I want to thank the Zoning -- go
16 ahead. Let's see how this works. All
17 right.

18 Good evening, Chairman Hood,
19 Members and Staff of the Zoning Commission.
20 I want to thank the Zoning Commission for
21 scheduling the hearing so expeditiously.

22 My name is Kerry Smyser. I'm the

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1 Deputy Director for Development for the Housing
2 Authority.

3 I'm joined today by Brad Fennell,
4 Senior Vice President for William C. Smith, our
5 development partner.

6 On behalf of the District of
7 Columbia Housing Authority, I am here in support
8 of the request for modification, Case Number
9 07-35C, Sheridan Terrace Redevelopment, LLC
10 modification to PUD @ Squares 5869 and 5872.

11 With this request for modification,
12 DCHA and its development partner are seeking
13 the following changes related to the unbuilt
14 portion of the site shown on the slide between
15 Stanton Road and Pomeroy Road. Slide please.

16 Conversion of all the units between
17 Stanton Road and Pomeroy Road to rental.
18 Reduction in the number of units due to the
19 elimination of 17 townhouse units on the east
20 side of the road between Stanton Road and Pomeroy
21 Road. This results in a corresponding decrease
22 in the overall FAR and lot occupancy and an

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1 increase in the amount of green space on the
2 property.

3 Overall increase in the number of
4 affordable units. The number of units for
5 households below 60 percent of the area median
6 income would increase from 31.98 percent to
7 75.54 percent and those at between 60 percent
8 and 80 percent of AMI would decrease from 35
9 percent to 24.46 percent.

10 Decrease in the number of parking
11 spaces across the site from 255 spaces to 238
12 spaces. A loss of 17 spaces. However, the
13 parking ratio would only change from .74 to .73.

14
15 Lowering of the three and four-story
16 townhouse units to two story. Removal of the
17 parking garages and their replacement with
18 surface parking spaces. Conversion of the
19 motor courts to open landscaped areas and
20 parking spaces along the east/west alley.

21 The Sheridan Station Redevelopment
22 Area is comprised of 14 acres located along

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1 Suitland Parkway and bounded by Sheridan Road,
2 Howard Road, Pomeroy Road, S.E. adjacent to the
3 historic Anacostia and the Anacostia Metro
4 Station.

5 In 2007, the U.S. Department of
6 Housing and Urban Development awarded the
7 District of Columbia Housing Authority a HOPE
8 VI Grant in the amount of 20 million.

9 Next slide. Sheridan Station was
10 a severely blighted neighborhood with an over
11 concentration of poverty and crime in over --
12 in 183 units. Sheridan Station was a public
13 housing complex built in the Hillsdale
14 neighborhood of Anacostia in 1949.

15 Over its lifetime, the project
16 suffered from physical deterioration,
17 concentration of poverty and economic
18 disinvestment. Challenging topography and
19 poor sediment controls also made the units flood
20 prone, unsafe and unsanitary.

21 The neighborhood surrounding
22 Sheridan Station has suffered decades of neglect

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1 and the disdain of local investors. Since the
2 mid-'60 riots, middle-class families began to
3 migrate out of the District to the Maryland and
4 Virginia suburbs leaving behind a concentration
5 of low-income families.

6 Following the exodus starting in the
7 1990s and well into the 2000s, many of the City's
8 neighborhoods began to experience
9 revitalization where a few decades earlier,
10 disinvestment and crime rates made the District
11 less desirable.

12 Private investors did not envision
13 the Sheridan Station neighborhood as viable and
14 profitable to initiate a business development.

15 However, as much of the City was undergoing
16 the rebirth, Ward 8, where Sheridan is located,
17 seemed to be stuck and continue on the path of
18 neglect and disinvestment.

19 It wasn't until the late 2000s that
20 the economic boom started to filter to Ward 8.

21 Even today, investments by local, Federal or
22 private entities are limited as are job

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1 opportunities in the area for low-income
2 families.

3 Using the HOPE VI award and
4 leveraging other sources including 5.8 of
5 competitive stimulus funds for greening the
6 project from HUD, DCHA launched a redevelopment
7 project to create mixed-income housing and
8 economic opportunity.

9 To date, DCHA has generated 45
10 public housing units, 69 low-income housing
11 tax-credit units in a beautiful apartment
12 building shown on the next slide and 20
13 homeownership units shown in the next slide.
14 The homeownership units are generally targeted
15 to families with incomes of 80 percent of the
16 area median income and under.

17 Current tenant profile shows that
18 the residents come from diverse economic
19 background. For example, the average income
20 of the households living in the low-income
21 housing tax-credit units is 40,000 per year with
22 the highest income being at 60,000. On the

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1 public housing side, the average income is
2 15,000. While the highest income is 55,000.
3 Similarly, the employment sector of the
4 residents is diverse and nonprofits and
5 governmental agencies employing the largest
6 percentages.

7 In terms of the rents paid, the
8 average rent paid by our public housing
9 residents is 349. The highest rent paid is
10 \$1,368. The rents for the low-income housing
11 tax-units range from 750 for a studio apartment
12 to \$1,257 for a two bedroom excluding utilities.

13 Households underwent reentry
14 criteria screening before being offered a unit.

15 The reentry criteria includes credit
16 worthiness, housekeeping, criminal background
17 checks. The reentry criteria document was a
18 collaboration between the housing authority,
19 former residents of Sheridan, residents from
20 Barry Farm, representatives from the Deputy
21 Mayor for planning and economic development,
22 the developer and their management company.

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1 Phase 2, 80 units of the for sale
2 housing is scheduled for completion in 2013
3 depending on sales volume.

4 Phase 3, the final phase, is planned
5 for completion by the fall in 2013.

6 The Sheridan Project committed to
7 producing 75 local jobs. To date, we have
8 created 45 jobs and are continuing to create
9 the balance in our remaining phases.

10 As the next slide shows, the team
11 has produced all of the commitments to the
12 original PUD order.

13 In addition to the units, the HOPE
14 VI provided partial funding of the commercial
15 space located on the first floor of the
16 multifamily building. The space was deemed
17 flex space by this very Commission and is leased
18 to a medical services provider Core Health which
19 will offer medical services to the immediate
20 residents and residents throughout the metro
21 area.

22 In addition to the community space,

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1 the unit mix and design, the multifamily
2 building is built to achieve platinum
3 certification under the LEED for Homes Mid-rise
4 Program. The highest level of LEED
5 certification.

6 Specifically, at the next slide
7 shown, the building's green features include
8 100 kilowatt rooftop solar array, 10,000 square
9 feet of green roof, an 8,000 gallon rainwater
10 collection cistern. In addition, Energy Star
11 appliances are installed in every unit and high
12 performance LED lights throughout the parking
13 garage thereby further reducing the electric
14 load of the building.

15 We are here this evening to request
16 your approval for PUD modification for phases
17 3 and 4 as shown in the next slide. Phase 3
18 is currently planned for 65 public housing units
19 and phase 4 is planned for 85 market rate
20 homeownership units. Due to the current real
21 estate market conditions, limited funding to
22 subsidize homeownership units and a high demand

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1 for more affordable rental housing has required
2 us to review the planned units and re-configure
3 the future planned phases. We are seeking to
4 change the 85 market rate homeownership units
5 to 68 low-income housing tax-credit units
6 targeted to households with incomes at 60
7 percent of the area median income.

8 As stated earlier, while there is
9 a reduction of the total number of units by 17,
10 there will be a minimal change to the units.
11 The team will replace three and four-story
12 garage townhouses with two-story townhomes
13 already approved by this Commission.

14 Moreover, there will be more green
15 spaces under this proposal.

16 As the next slide shows, we have held
17 a number of community meetings, to discuss the
18 proposed changes. We have met with ANC 8A and
19 8C twice. Met with the larger community twice
20 and have held regular steering committee
21 meetings. We have also attended and presented
22 at monthly neighborhood level meetings.

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1 We your approval we will be able to
2 meet our commitment to HUD of building 229
3 affordable units and spend the entire 20 million
4 of the HOPE VI award by September 2013.

5 Any undrawn funds will be recaptured
6 by the U.S. Treasury pursuant to 31 U.S. Code
7 Section 1552.

8 I'm available to answer any of your
9 questions.

10 CHAIRMAN HOOD: Okay. Thank you
11 very much. I didn't want to interrupt you while
12 you were trying to finish up your presentation.

13
14 What I want to do now is we're not
15 going to get into another presentation.

16 What we can do, Commissioners, while
17 we're waiting for the Mayor for Life, for the
18 Mayor to come -- I mean, excuse me, the
19 Councilmember of Ward 8 to come back, ask any
20 questions at this point. So, that way we get
21 to -- we can keep it going and also wait for
22 him to come back so we can hear his testimony.

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1 Any questions? Okay. Okay.

2 Good. Okay.

3 If somebody can just make a space
4 for the Honorable Councilmember for Ward 8.

5 Good evening, Councilmember.
6 Mayor for Life, good evening.

7 COUNCILMAN BARRY: Good evening,
8 Mr. Chair.

9 Let me express my delight and
10 appreciation for being able to testify on this
11 very, very important project.

12 Before I do that, I think we just
13 lost a giant person Chuck Brown, Wind It Up,
14 Chuck and feel like "Bustin' Loose" and some
15 other kind of songs.

16 But, more importantly about Chuck,
17 he's a humanitarian. He gave of his services
18 to community groups and performed without any
19 pay himself.

20 But, he put go-go on the world stage.
21 The Godfather of Go-Go.

22 More importantly, he was a genius

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1 in music. He sang gospel, jazz, hip hop, rock
2 and rock and go-go. I've never heard him do
3 reggae, but I'm sure he could do it if he tried
4 to do so.

5 The genius of Chuck Brown -- we had
6 to ban go-go in D.C. because these bands
7 attracted elements that like to fight, like to
8 cause confusion, like to shoot, injure people.

9 So, the City had to ban go-go. The same is
10 true in Prince George's County go-go.

11 One thing about Chuck Brown and his
12 band, Chuck Brown and his band could perform
13 anywhere in this region and you won't have a
14 fight break out. You won't have any scuffling
15 break out. You won't have any squabbling break
16 out. People who had beefs with each other they
17 were too busy tapping their feet to do anything
18 about their hands. That only one that could
19 do that and that's missing. People don't
20 realize what Chuck could do.

21 And so, I just feel that -- I've
22 known him some 40 years. He's a good friend

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1 of mine. In fact, I appeared, Mr. Chairman,
2 one time in a short video. Chuck Brown.

3 I'd just like to ask for us to bow
4 our heads in silence in memory of this giant
5 of a man who meant so much.

6 He also demonstrated you don't judge
7 your future by your past. It's true that Chuck
8 Brown had served some time in prison. He didn't
9 let that stop him. He was an inspiration to
10 those who had done the same things, but you let
11 your past define your future. He went on to
12 be what he was.

13 So, I'd like to ask us to bow our
14 head in silence. Amen.

15 Chairman, before I -- as I was riding
16 over here, you know I've known you a long time.

17 As I'm riding over here, I was thinking about
18 the time when I was mayor and I had three
19 appointments with the Zoning Commission and you
20 were very active in Woodridge. I mean you were
21 just the activist in Woodland and your name came
22 up in our discussions with my staff and I said

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1 well, I'll handle this personally. Usually,
2 I let my staff do a lot of the preliminary work.

3 I said I'll handle this personally.

4 So, I talked to you. I said Mr.
5 Hood, I'd like for you to be -- let me nominate
6 you to the Zoning Commission and you said well,
7 Mr. Mayor, I don't know that much about zoning
8 law. I said but, you know about the community.

9 That's what's important. You know about the
10 community. You can learn zoning law. You got
11 lawyers around here everywhere. Can teach you
12 that.

13 And I have never been so proud of
14 an appointment in you. You survived Williams,
15 Fenty and I think Gray has reappointed you.
16 That says something to you character. It says
17 something about your fairness. It says
18 something about your balance. I says something
19 about your integrity.

20 In this area, a lot of areas where
21 integrity counts a lot because of these
22 developers and others trying to get as many

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1 shortcuts as they can sometimes. But, you're
2 giving that leadership and I just had to say
3 that for the record.

4 As I recall, I've never been here.

5 I might have been here in '05 or something like
6 that. I can't remember.

7 CHAIRMAN HOOD: You were here for
8 the stadium. The Nationals Stadium. I recall.

9 COUNCILMAN BARRY: Oh, the
10 Nationals Stadium. Yes.

11 CHAIRMAN HOOD: That's when you
12 were here.

13 COUNCILMAN BARRY: I was opposed to
14 it at that time.

15 You know, as it came about, there
16 were -- and then they only had four votes. When
17 Vince, Kwame and myself came onto the Council,
18 we were opposed to the stadium because we didn't
19 think it made sense to tax our citizens and
20 business people. Carol Schwartz was already
21 over there.

22 And so, what the four of us decided

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1 was that if Mayor Williams was to expand the
2 concept of the stadium, economic development
3 all around the stadium, all around it and down
4 to the river, you can go down there now. You
5 can see nothing but major development for our
6 City and all these kind of things happening.
7 So, we then decided to -- then if Mayor Williams
8 agrees to this, you got our vote and the vote
9 was 8-5 against that stadium. I mean for the
10 stadium.

11 I don't think -- I don't regret that
12 vote. I think the Nationals brought a national
13 perspective here. It's televised all over
14 America. They weren't such a good team at
15 first, but they seem to be improving, getting
16 better.

17 I'm a baseball fan, but I haven't
18 gone down there that many times.

19 So, in terms of the present
20 situation, William C. Smith is one of our most
21 outstanding developers in the City, but
22 certainly in Ward 8. They manage or own over

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1 4,000 units of affordable housing.

2 They have led the renovation
3 renaissance that I advocated. When I came in
4 in '05, a number of these units were code
5 violations and whole lot of things. They were
6 not really attractive.

7 So, what I decided to do was make
8 the physical appearance of Ward 8 as well as
9 the quality of life for people in Ward 8 a high
10 priority in terms of jobs, in terms of
11 opportunities and make education a high priority
12 and William C. Smith has led that effort.

13 If you're driving into D.C. now and
14 drive down some avenue, you'll see project after
15 project. Driving on Good Hope Road, you'll see
16 Skyland. If you drive over on Mississippi, not
17 only do you see the ARC, but you'll see Oxon
18 Creek.

19 I had this idea which is a very
20 unique idea where you take people who are
21 formerly renting and then you build -- tear --
22 tear -- I think tore down two or three buildings

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1 and built those 300 and some townhouses and the
2 first 15 contracts came from people who were
3 formerly living as renters. That's my
4 philosophy.

5 We need to have homeownership.
6 Seventy-five percent of the families in Ward
7 8 are renters compared to maybe 35 percent
8 elsewhere in the City.

9 And he's also civic minded in the
10 sense he led the effort in 1995. He came to
11 see me with an idea of an ARC. I think it was
12 just a tiny idea at that time, \$5 million. I
13 said I support it 100 percent. I don't have
14 much money right now in the City coffers, but
15 I told him I'd do what I can.

16 That was during the control board
17 era and as it turned out it was a \$35/\$36 million.

18 He led that effort of the private sector and
19 public sector. So, when you go on Mississippi
20 now, you see the finest theater.

21 We were attracting the Washington
22 School of Ballet. People never would have

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1 thought that them black kids in Ward 8 would
2 be interested in ballet. I mean that's just
3 a stereotype. But, I think almost 60 to 70
4 students are from Ward 8.

5 Levine School of Music, the same
6 thing. Were attracting Ward 8 low income
7 students.

8 The Boys and Girls Club is there
9 attracting young people throughout that
10 neighborhood. They contributed to stopping a
11 lot beefs in that neighborhood and for those
12 who don't know what beefs, that means fighting.

13 Means fighting and fussing, sometimes
14 shooting.

15 And then you got Covenant House on
16 the other end of it.

17 I just tell you all of this to talk
18 about the nature of William C. Smith Company
19 and that kind of quality work that they do.

20 I've been saying I'm new to the
21 Commission. You know I share them with you.
22 I put a lot of money when I was mayor in the

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1 first two years/three years, a lot of money and
2 local money in public housing.

3 We took local money and renovated
4 James Creek. We took local money and renovated
5 Greenleaf. We took local money to do something
6 at Garfield. Took local money to do a lot of
7 renovations of ICU Building. Local money.

8 And I kept wondering. I said why
9 is it that the Congress doesn't -- ask your
10 Congressman, what are you all doing about public
11 housing and I said we're putting money into it.

12 I've warned them what was wrong.

13 Didn't occur to me, Mr. Chairman of
14 the Commission, that Sheridan Terrace was on
15 the route to the Andrews Air Force Base. That's
16 what the President saw. That's what the
17 Congress people saw. That was their image of
18 public housing in the District of Columbia and
19 I finally got it torn down. Finally got it torn
20 down. At least you'll see just blank spaces
21 over there.

22 So, then went Sheridan Station.

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1 Combination of GDC, Union Temple involved with
2 this. I'm taking my time to tell all this to
3 give you a feel for how we feel about things
4 in Ward 8. You know, how I feel.

5 Well, I've been doing this for 31
6 years and so, it's just a matter of trying to
7 explain it all and we supported the HOPE VI and
8 the District of Columbia has more HOPE VI than
9 any other city except Chicago. The population
10 of Chicago is four or five times our population.

11 We have an application in now. We had one in
12 for Hyland. Didn't quite make it. We're going
13 to keep trying to get that done.

14 And it brings us to the situation.

15 Since this application has been filed, I have
16 -- my staff first have been sort of besieged
17 with people who are homeowners in that area who
18 are opposed to the 80 units being converted from
19 homeownership to tax-credit units. They got
20 their views about the value of the property,
21 the kids in the neighborhood may change, you
22 know, in terms of that.

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1 We got the same problem in Henson
2 Ridge. We turned into Section 8 families and
3 the homeownership fell. It's almost sometimes
4 like war and we're trying very hard because there
5 are different values, social values.

6 You know, kids who come out of
7 low-income community, they didn't ask to be born
8 in poverty. They didn't ask for that, but they
9 were and so, born in poverty means you're
10 deprived of a lot of things that you don't get
11 anywhere else.

12 And I just use my son Christopher
13 as an example. When he was born, Effi and I
14 were very proud of that and we sent him to Tots.

15 One of America's finest schools at two years
16 and at three years old and he had all -- he went
17 to Africa when he was four. He traveled with
18 us to Jamaica and to other places, you know,
19 and Effi and I insisted that he watch educational
20 programs. You know, we had him watching the
21 education programs.

22 So, he came to school better

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1 prepared than low-income kids do because they
2 don't have that kind of support system. It's
3 just nothing stereotypical about it.

4 But, there are 29,000 students out
5 of 45,000, two-thirds of our public school
6 students are low-income kids.

7 Our schools are the worse in the
8 nation and our City is just working hard to do
9 something about that.

10 But, the point I was making, he went
11 to St. Alban's in fourth grade. I didn't agree
12 to that. I wanted to send him Beers in my
13 neighborhood, but, you know, women always win
14 out when it comes to the child. I said I'll
15 split the tuition with you. That's the best
16 I'm going to do.

17 But, he had a horrible experience
18 at St. Alban's. So, we had to decide where to
19 send him and we decided on Murch because we knew
20 the principal and it was in Connecticut Avenue
21 across town. We had the transportation to take
22 him. We had the political knowledge to get him

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1 out of boundary. We had other support systems
2 for him. In the sixth grade, we sent him to
3 Jefferson Middle School. He graduated from
4 Wilson Senior High School in 1998.

5 So, I'm a public school advocate.

6 I graduated from public school.

7 On the other hand, I'm for choice.

8 These parents should not have their kids stuck
9 in low-performing schools with no place to go.

10 They should not be stuck in a non-performing
11 school.

12 Give an example and I'll move on.

13 At Stanton Elementary in Southeast, the reading
14 scores two years ago was 12 and 9. Last spring,
15 they were -- they were 10 and 12. Last year,
16 they were 9 and 8. Which means that 90 percent
17 of those students at Stanton Elementary will
18 never be in a high-quality school unless they
19 change schools.

20 If you leave Stanton, go to Kramer,
21 19 percent.

22 You leave Kramer. Go into

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1 Anacostia, 21 percent.

2 So, you got that cycle. You got
3 break that.

4 How does it relate to zoning? It
5 relates to zoning because if people are making
6 money we can provide more affordable housing
7 as well as upper-end housing. If they're making
8 money. The gap is so wide. Twenty-five
9 thousand in Ward 8. A hundred thousand dollars
10 or more three or four and I think this is all
11 part of it. You can't separate it all out in
12 terms of just through a zoning matter.

13 The Zoning Commission, we've done
14 an excellent job of trying to build into these
15 PUDs some affordable housing, but if people were
16 making money, you wouldn't have to squeeze as
17 much because they, too, go out.

18 Also, we're trying to develop work
19 force housing. Not enough because we're now
20 moving -- the City Government's moving to
21 requiring residency of everybody except police
22 and fire and I put all this together because

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1 you want to see it. When we have people making
2 more money and more income, you're going to see
3 the pressure being relieved a little bit on
4 affordable housing. See that would go up.
5 There are 26,000 people on the waiting list.

6 And so, when it comes to Sheridan,
7 I've tried to negotiate something out. I said
8 let's take a month to look at the community,
9 people who are opposed to this and I have to
10 represent them and their views and make up my
11 own mind about my own views.

12 So, I think the solution, I talked
13 with the lawyer for William C. Smith, is to keep
14 the record open whatever days you want to keep
15 it open.

16 You mentioned -- and I just talked
17 to Adrienne Todman and then next week, we're
18 going to go back out in that community and invite
19 all the people around that community to come
20 and talk about what's bothering them or not
21 bothering them and then that would give the
22 Commission a chance to see.

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1 Because I don't think you all want
2 a situation where you make a decision and it
3 doesn't turn out right in terms of the attitude
4 within the community. Sometimes you have to,
5 but in this instance, you don't have to. So,
6 I urge you to keep the record open. I don't
7 know how many days, but certainly enough time
8 for us to get out in the community.

9 And I spend a lot of time in Ward
10 8. A lot of time in Ward 8. I know this
11 community very well. I get elected in this
12 community. The last time 74 percent and so,
13 that's my opinion to this Commission. Keep the
14 record open.

15 Don't make a decision here tonight.

16 Because what's going to happen those people
17 -- I don't know whether they're the minority
18 or the majority, but they're passionate and she
19 saw it the other night. They're passionate
20 about what they feel. So, that's what I ask
21 you all to do.

22 But, I really thank you immensely

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1 you for this opportunity to come and be a part
2 of this and we've got some very exciting projects
3 going on in Ward 8. St. Elizabeth's which come
4 before the Board. A number of other projects.

5 I wish we could pop the park on, but it seems
6 like it's stalled somewhere.

7 And as you very well know, Mr.
8 Chairman, Ward 8 only has one full-phase grocery
9 store. One for 73,000 people. We're a food
10 desert. Got some exciting people. Got some
11 good people, but we don't have a place to shop.

12 We did the circulator. That helped a little
13 bit.

14 We don't have one CVS Pharmacy in
15 Ward 8. I'm getting ready to do something about
16 that. That just ain't right. In the whole ward
17 not to have one CVS Pharmacy. We have a Rite
18 Aid, but it's down on South Capitol Street.
19 Them people on Minnesota Avenue, people up on
20 Good Hope Road even Marbury Plaza shop on --
21 they shop in CVS in Skyland. What about those
22 down in Congress Heights where I live? You

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1 know, what about those on the far end of Bellevue
2 and Washington Highlands, et cetera. Not one
3 CVS. Not one.

4 And so, that's -- we want to do
5 something that's right. William C. Smith is
6 a good company and you to keep the record open
7 for a few days. It's not going to set the
8 project back. I talked to them about month and
9 they -- you know, what happens when you're
10 talking to developers. They're certainly going
11 to give you the worst-case scenario of the time
12 we spent.

13 But, I think everybody agrees that
14 -- I don't know how many days, but some days
15 is not going to set this project back. If
16 they're ready to go with it, give me a chance
17 to better understand some parts of it and, you
18 know, Mr. Chairman, I am a community-involved
19 person. I may not always agree with the
20 community. May not always agree with me. But,
21 I believe them -- believe them being in the
22 process.

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1 Thank you very much.

2 CHAIRMAN HOOD: Thank you very
3 much, Councilmember, Mayor for Life Barry.

4 Really appreciate you -- I'm going
5 to say a few comments and I'm not going to be
6 long, but I thank you for coming in and doing
7 the piece on Chuck Brown.

8 Chuck Brown, growing up in D.C., you
9 know, go-go was where it was at. I mean that's
10 just -- that's just it. You know, you grew up
11 in D.C. I mean when you grow up in D.C.,
12 everybody knew Chuck Brown. Even when I went
13 to Mississippi where you were born in Itta Bena.

14 My wife is from Jackson as you know, but I'm
15 just saying growing up in D.C. and then going
16 across this country, you hear people talk about
17 Chuck Brown. As a matter of fact, I saw him
18 at the airport in Jackson.

19 The other thing is you mentioned the
20 time frame. I don't believe we're going to be
21 making a decision on this case tonight.
22 Typically, we don't. We haven't heard from the

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1 community yet. I'm not sure where they are,
2 but typically, there's allowable time.

3 And I think as we get towards the
4 end, Ms. Giordano, anytime there's a
5 collaboration between the community and
6 especially the Councilmember and others to try
7 to work on where they depart from, I think we
8 allow enough time and I'm sure we can work that
9 out. We can accommodate whatever schedule
10 needs to be accommodated towards the end.

11 But, let me do this before I finish
12 my comments. Commissioners, any questions or
13 comments?

14 Typically, we don't ask
15 Councilmembers questions, but I think --

16 COUNCILMAN BARRY: This is all
17 right though.

18 CHAIRMAN HOOD: I think
19 Councilmember Cheh, we might ask her one or two
20 questions.

21 Commissioners, any questions or
22 comments? Commissioner May.

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1 COMMISSIONER MAY: I mean I guess
2 I just -- I'm a little uncertain about how long
3 you'd like to see the record left open.

4 COUNCILMAN BARRY: I don't know --

5 COMMISSIONER MAY: Less than a
6 month. Right? You're just thinking less than
7 a month.

8 COUNCILMAN BARRY: Yes. Oh, yes,
9 less than a month. Yes.

10 COMMISSIONER MAY: Okay.

11 COUNCILMAN BARRY: I guess you
12 could sort of as lawyers say split the baby.
13 Maybe 14 days.

14 COMMISSIONER MAY: Um-hum.

15 COUNCILMAN BARRY: But, certainly
16 less than a month.

17 COMMISSIONER MAY: Um-hum.

18 COUNCILMAN BARRY: Less than a
19 month. Let me just say very clearly if the
20 developers were to look at the schedule, they'll
21 see I know after 14 days in deliberating, make
22 a decision and you probably can speed that up

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1 a little bit, it is not going to stop the
2 construction schedule. Going to ask somebody.

3 It will not -- I know a lot about this. Will
4 not stop the construction schedule at all.

5 CHAIRMAN HOOD: Commissioner
6 Cohen.

7 COUNCILMAN BARRY: Oh, one other
8 thing, Mr. May. With the Housing Authority
9 around here and I disagree with them that if
10 we don't get this project through by a certain
11 time, we're going to lose all this Federal money.

12 That's not necessarily true either.

13 Because of the time frame in which
14 we can use this money and I know that HUD is
15 not insisting to this community where if it were
16 to go over for six months or a year, they're
17 not going to take that money. They're not going
18 to do that. There's no history of it. They
19 threaten as they're suppose to, but they're not
20 taking a penny as far as I know from D.C. in
21 this area.

22 COMMISSIONER COHEN: Thank you, Mr.

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1 Chairman and thank you, Councilman Barry, for
2 coming tonight.

3 I don't know if you recall, but back
4 in 2007, I sat on the Housing Authority and was
5 not reappointed by Adrian Fenty, but my heart
6 is always with the Housing Authority.

7 COUNCILMAN BARRY: I know that very
8 well. I was chair of the committee. Tried to
9 persuade him.

10 COMMISSIONER COHEN: I'm surprised
11 that you didn't succeed, but in any event,
12 there's some tension I think with this project
13 because of homeownership. I agree with you that
14 was one of the things that the Housing Authority
15 at the time and probably still wants to encourage
16 on the one hand.

17 On the other hand, as you know, you
18 mentioned 26,000 households on the waiting list.

19 So, there's a need that needs to be met over
20 time on the one hand.

21 On the other hand, there's some
22 issues with the homeownership pricing and

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1 affordability which we have to, you know, kind
2 of probe some more.

3 I'm certainly open to keeping the
4 record open so that we do get most of the --
5 you know, all the input from the community.

6 One of my concerns is actually the
7 community that was displaced. Sheridan Task
8 Force I believe has some people who were
9 relocated sitting on the task force and
10 hopefully, some of them are now living in the
11 units. So, that's another group of people that
12 we have to hear from.

13 So, I just want to share that with
14 you.

15 COUNCILMAN BARRY: Ms. Cohen, part
16 of the challenge for us is this change in the
17 Housing Authority memberships. Back in the day
18 when people would move out of Sheridan, they
19 didn't keep accurate records. They didn't know
20 where people were going and not going to some
21 extent and also, what we found some people found
22 a place they just like it. They don't want to

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1 move back and so, they just like where they are.

2 Gotten accustomed to the neighborhood, et
3 cetera.

4 Then you have another group that
5 have to be stringently screened. These are
6 people who by traditional history not paying
7 rent and some other things and believe me, the
8 tenants are tougher on those returning tenants
9 than you or I ever want to be, you know. No,
10 they're very, very tough on that.

11 See, I think the other thing we are
12 wrestling with in human services we have a
13 generation of young -- of people, a generation
14 of dependency. Generation after generation of
15 dependency.

16 So, Jim Graham and I on the human
17 services side of it working with the Chairman
18 is trying to break that cycle slowly, but surely
19 to move from dependency to self-sufficiency.

20 Now, we're not like one councilman
21 who said to me let them pull themselves up by
22 their own boots. I said they don't have any

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1 boots. So, when I tell that one, we got a lot
2 of cultural, background and stuff we got to do.

3 That's true even in these mixed-use units that
4 was said Henson Ridge.

5 I've told to Adrienne Todman,
6 everybody about some orientation sessions and
7 about some other sessions, but, you know,
8 there's no textbook on parenting and so, you
9 got to figure it out. What you usually do you
10 do what your mother did. That's what most
11 people do and so, if the mother didn't do it
12 right and I give an example.

13 There are many black men and boys
14 should I say in this City who have never seen
15 a black man get up and go to work. Have never
16 seen one. In some instances, have not seen a
17 black woman who's on welfare get up and go to
18 work. That's the kind of cycle we got to break
19 as we go forward.

20 Thank you.

21 CHAIRMAN HOOD: Okay. Any other
22 questions? Comments? Okay. Councilman

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1 Barry, let's see if there's any cross
2 examination.

3 Does the Applicant have any cross
4 examination?

5 MS. GIORDANO: No, sir.

6 CHAIRMAN HOOD: Okay. I saw
7 Cuthbert, ANC 8C. Any cross examination? Is
8 this HCN 8A? Does any -- okay. I saw Chairman
9 --

10 COUNCILMAN BARRY: I think -- 8A I
11 think.

12 CHAIRMAN HOOD: Any cross
13 examination, Chairman Muhammad? Any cross
14 examination? You need to come up to the table
15 if you have any cross examination of Mr. Barry.

16 ANC COMMISSIONER MUHAMMAD: One was
17 Mr. Barry suggesting that they rent to own.

18 CHAIRMAN HOOD: Well, are you
19 asking? What I think -- the major point that
20 he made was they needed some additional time
21 to have some conversations and some talks. I
22 think that's basically what he was asking of

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1 us. To continue to work with the community.

2 ANC COMMISSIONER MUHAMMAD: Yes, I
3 agree.

4 COUNCILMAN BARRY: What I said
5 also, Mr. Chairman, that that gives us a chance
6 to look at options for least to own.

7 I mean I don't want to lose the unit
8 to rental if you want homeownership, but on the
9 other hand, the market has fallen out as everyone
10 know. Hard to borrow money. Many of our people
11 have not the best credit scores around.

12 So, it will give us a chance to get
13 all of that. What can we do?

14 I still don't understand why we
15 couldn't have lease to own except in the
16 upper-end units. So, we'd have to look at if
17 somebody's paying \$200,000 for a unit, how much
18 would it take of income to support something
19 like that. That's the kind of thing I like to
20 do and even though it may not be possible. At
21 least we'll look at it.

22 CHAIRMAN HOOD: Okay. Any more

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1 questions? Crosses?

2 ANC COMMISSIONER MUHAMMAD: Thank
3 you.

4 CHAIRMAN HOOD: Okay. Ms.
5 Cuthbert, did you have any cross examination
6 of Mr. Barry?

7 ANC COMMISSIONER CUTHBERT: No.
8 Oh, yes, I do.

9 COUNCILMAN BARRY: I know Mary
10 does. Oh, yes. She's part of my ANC
11 Commission.

12 ANC COMMISSIONER CUTHBERT: Good
13 evening. I'm Mary Cuthbert, Chair for Advisory
14 Neighborhood Commission 8C.

15 Councilmember, you want them to keep
16 the records open for how many days?

17 COUNCILMAN BARRY: Well, we didn't
18 say exactly. I said less than a month and I
19 said maybe 14.

20 ANC COMMISSIONER CUTHBERT: So, we
21 can weigh the issue out. We?

22 COUNCILMAN BARRY: Right.

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1 ANC COMMISSIONER CUTHBERT: I said
2 we.

3 COUNCILMAN BARRY: We. Yes.

4 ANC COMMISSIONER CUTHBERT: Okay.

5 COUNCILMAN BARRY: You and I live
6 in the same neighborhood.

7 ANC COMMISSIONER CUTHBERT: I know.
8 I'm your chairperson.

9 COUNCILMAN BARRY: That's right.

10 ANC COMMISSIONER CUTHBERT:
11 Because I have to say I did not attend the last
12 meeting with the community in Anacostia near
13 that area. I was doing -- I had another
14 commitment.

15 But, I am concerned about some
16 things that I heard.

17 COUNCILMAN BARRY: I'm sure you're
18 worried about the homeowner.

19 ANC COMMISSIONER CUTHBERT: And I
20 heard about no rental.

21 COUNCILMAN BARRY: Yes.

22 ANC COMMISSIONER CUTHBERT: They

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1 don't want leasing and that somewhat disturbed
2 me a little bit because I am a leaser. I'm not
3 a homeowner. So, and I was a homeowner at one
4 time. So, that somewhat disturbed me between
5 homeowner and leasing and that's a concern that
6 I have personally.

7 But, my commissioners when we
8 received it, we had a different point of view.

9 COUNCILMAN BARRY: That's why we
10 asked for that time, Ms. Chair. You can see
11 even here the difference of opinion and
12 obviously, we had to weigh those opinions. I
13 do. Commission does. Not by volume, but by
14 quality and the content. What people are
15 talking about.

16 But, Ms. Cuthbert has been one of
17 our most outstanding commissioners. She's on
18 the St. Elizabeth's Task Force along with
19 myself, on the East Campus. We finally put a
20 watch on the West Campus which is difficult out
21 there. They're pretty smart over there.

22 And she's active in a whole bunch

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1 of things in the community and we certainly
2 appreciate your leadership always. I don't
3 think there's been one thing that we disagreed
4 on. I can't remember what it was. By and low,
5 actually, we have the same values about the
6 community. We love this community.

7 ANC COMMISSIONER CUTHBERT: True.

8 COUNCILMAN BARRY: Want the very
9 best for this community. We will fight for this
10 community.

11 Thank you, Ms. Cuthbert.

12 ANC COMMISSIONER CUTHBERT: Thank
13 you, Commissioners.

14 CHAIRMAN HOOD: Okay. Thank you.

15 Okay. Mr. Barry, I want to thank you again
16 for coming out and giving us your comments.
17 We will see how long we're going to keep the
18 record once we get the -- we want to make sure.

19 At least I want to make sure that the community
20 has enough time and the Applicant has enough
21 time to try to bridge the gap.

22 So, I want to thank you for your time

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1 for coming down and also thank you for your
2 history lesson and more than that, thank you
3 for your confidence in 1998. Thank you, Mr.
4 Councilman. Appreciate it.

5 COUNCILMAN BARRY: Let me say, Mr.
6 Chairman, you know, we're a young government
7 and my philosophy is as long as the lion tells
8 the story, he'll be king of the jungle. So,
9 that's why I take my time to tell the story since
10 I've been here the longest about what has been
11 happening in our City, how it's evolved, how
12 some of the things that happened could have been
13 done a bit differently. So, I like to try to
14 do that because our young people need to hear
15 that.

16 You know, you read the D.C. history
17 book. You don't read about some of the
18 intricate things that were going on in D.C.
19 Now, Channel 26 had three series that did a good
20 job with '60s, '70s and maybe the '80s and I
21 talked with the chancellor just the other day.
22 I said chancellor, maybe what you ought to have

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1 in the English classes, the other classes
2 mandatory reading of certain books. Mandatory
3 viewing of certain programs. He come back the
4 next day and report on those programs. So, that
5 gives our kids something to do.

6 I read the other day that in the
7 first grade a youngster's suppose to have a
8 vocabulary of 1500 words. That our young people
9 have an average vocabulary depending on the
10 community of 500 words and you're a parent.
11 You know that's important that we expand our
12 horizon.

13 So, I'm going to come back again.
14 They'll be enough projects probably coming.
15 She's got St. Elizabeth's. I know St.
16 Elizabeth.

17 In this business, Mr. Chairman,
18 there are projects taken very unique and very
19 thoughtful where we get the land use agreed upon
20 and we're now -- I'm about 97 percent where the
21 staff and everybody is. The only little area
22 where I have a problem with whether or not we

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1 ought put retail in there as opposed to an office
2 building, but I think we worked it out.

3 So, when a developer come in after
4 the land use plan been approved with thorough
5 hearings, thorough input to you all, we then
6 have the developers come in as a matter of right
7 to develop according to the land use. Now,
8 might have put in a smokestack in a place that's
9 suppose to be for housing or that kind of stuff.

10 So, I'm excited about that approach.

11 But, a lot of new things are
12 happening in Ward 8. I'm going to take you over
13 there sometime, you know. All the
14 Commissioners. I'm serious. I want you to see
15 all of this.

16 Thank you very much, Mr. Chairman.

17 CHAIRMAN HOOD: Well, thank you
18 very much again, we appreciate your time.

19 I guess, Ms. Giordano, if we can
20 bring the presenters back up and we can go ahead
21 and continue the --

22 MR. FENNEL: Thank you for all your

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1 comments.

2 CHAIRMAN HOOD: -- presentation.
3 Thank you again, Councilmember Barry. We
4 really appreciate you coming down.

5 MR. FENNELL: Yes. That would be
6 great.

7 MS. GIORDANO: Kerry's going to add
8 just a couple of comments to her presentation.

9 MS. SMYSER: I understand there are
10 two questions.

11 One about the composition of the
12 Steering Committee. So, the Steering Committee
13 is composed of a chair who is Barry Lenoir from
14 the United Black Fund which is located in Ward
15 8. It's actually at the corner of the project
16 at 2500 Martin Luther King Avenue. We have DCHA
17 Staff, staff from the development team along
18 with their development partners, Jackson
19 Investment and Union Temple Development
20 Corporation. We have former residents of
21 Sheridan Terrace. We have Mr. James Bunn who
22 represents the Ward 8 Business Council,

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1 representation from ANC 8A and ANC 8C, Reverent
2 Anthony Motley. We have members from the Office
3 of the Deputy Mayor for Planning and Economic
4 Development and there is a seat for the
5 councilmembers designee as well. So, that
6 composes the Steering Committee.

7 And then, of course, the Steering
8 Committee hosts the Community Task Force which
9 is a quarterly meeting and it's for the community
10 at large.

11 I believe the second question was
12 has HUD approved the change and HUD has been
13 provided the revision of the revitalization
14 plan. We are waiting for their approval.
15 We've had discussions with them, a couple of
16 discussions with them and they understand the
17 issue. In fact, we received a letter from HUD
18 recently asking what are we going to do with
19 the remaining \$6 million that's in the grant
20 and asked for a spending plan that has to be
21 provided to them on Monday.

22 MR. FENNELL: Good evening,

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1 Commissioner Hood, Members of the Commission.

2 Thank you for your attention.

3 Again, my name is Brad Fennell. I'm
4 a Senior Vice President with William C. Smith
5 and Company.

6 Councilmember Barry did an
7 outstanding job of giving a history of our
8 commitment to Ward 8. So, I'll spare you some
9 of what I had.

10 But, I do want to touch on a few of
11 the highlights because I think they're germane
12 and important to this discussion.

13 The Smith Company is a D.C.-based,
14 CBE entity. It's an owner, developer, builder
15 and manager comprising of about 10,000 unit
16 throughout all wards in the City. We do have
17 a 40-year history and a 25-year history of
18 developing larger scale properties throughout
19 all of Ward 8.

20 Next slide please.

21 In all of our projects, we strive
22 to produce high-quality projects that enhance

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1 communities in which we work. We have produced
2 residential developments that span all incomes
3 and product types and we have built
4 neighborhood-serving amenities such as retail,
5 recreation and child care facilities that have
6 added to the vitality and the livability of the
7 broader community.

8 From preservation of 100 percent
9 Section 8 rental properties to the thousands
10 of rehabilitated tax-credit rentals to the
11 acquisition of more than -- of more stable
12 properties with private equity and bank finance
13 investments, we have taken a well-balanced
14 long-term approach to community building.

15 Next slide please.

16 Sheridan Station is actually our
17 third for-sale community in Ward 8. At Oxon
18 Creek which is comprised of 210 units and was
19 the largest for-sale community in the City at
20 the time, we created lasting owner equity and
21 value that has withstood the severe downturn
22 in the market.

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1 At Ashford Court, we provide an
2 opportunity for families who had built up equity
3 in first-time purchases to move up to a larger
4 home and achieve price points in the \$500,000
5 to \$650,000 range. Easily the highest priced
6 in the area.

7 Next slide.

8 We are also vested owners in the
9 Sheridan Station community. Nearly 15 years
10 ago, at a time when the abandoned buildings that
11 you saw in the earlier slides were the state
12 of the image of the community and the
13 neighborhood, we took over Washington View
14 Apartments, a 366-unit community, located one
15 block from the Sheridan Station site. We fully
16 renovated and added units and have carefully
17 managed the property ever since.

18 We care deeply about the long-term
19 viability of the Sheridan community and we have
20 financial obligations on phase 1 and on the
21 rentals south of Stanton that will keep us
22 focused for years to come.

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1 Next slide.

2 So, you may ask why the program
3 change converting 68 market-rate for-sale to
4 tax-credit townhome rental. First, we are
5 still building an actively marketing 80 units
6 of for-sale housing. Of the 22 units recently
7 completed, we have three contracts with another
8 five strong prospects and we are open and
9 marketing every weekend. The list is growing
10 in terms of interested parties and we feel
11 confident that we'll be able to obtain pre-sales
12 necessary to get the next string of 12 units
13 under way soon.

14 Most of that interest is from
15 affordable buyers availing themselves of the
16 great value in purchasing these home. Yet, even
17 with this interest, we are projecting nearly
18 two years to build and fully absorb the 80 units.

19 Next slide please.

20 As you can see from the overall sales
21 market data, the Ward 8 market has a long way
22 to go to recover pre-recession levels. Total

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1 sales volume is down by 57 percent and total
2 units sold by 37 percent from 2007. Most
3 damaging is the loss of the average sale price
4 per unit which has dropped from 231,000 to
5 154,000 since 2007.

6 These numbers reflect harsh
7 realities of the weak for-sale market
8 fundamentals and the fact that emerging markets
9 like Anacostia feel the effects of foreclosures
10 and the lack of financing options far more
11 acutely than other parts of the City.

12 Next slide.

13 Our current buyers both market and
14 affordable are experiencing tight lending
15 requirements and extremely strict appraisal
16 process making it tougher to qualify and settle
17 homes.

18 Our project financing assumed the
19 homeownership units originally planned south
20 of Stanton were to be all market rate. Those
21 prices are unsupportable today in a production
22 environment.

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1 For example, we recently chose to
2 write down the purchase price of an existing
3 market-rate buyer by \$25,000 just to get the
4 unit to settlement.

5 Construction lenders will not
6 underwrite market-rate risk with this evidence.

7 We have concluded that for this project to move
8 forward in a current time frame we must move
9 to a different program.

10 Next slide please.

11 Last January, we delivered phase 1
12 of the rental component, 114-unit rental
13 building and we were 95 percent pre-leased.
14 In all of our years of delivering properties,
15 we've never achieved a 95 percent pre-leasing
16 status on any project in any part of the City.

17 We've never seen such strong demand
18 from working families desperately in need of
19 housing choice and good opportunities.

20 A question was asked earlier about
21 the possibility of doing the rent-to-own program
22 and we did look through those details because

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1 it was asked prior and unfortunately, with the
2 tax-credit program, the tax-credit rules don't
3 jive well with the notion of being able to have
4 the right to purchase. You have a -- on top
5 of the tax credit 15-year mandatory period, you
6 have another 15-year extended-use agreement
7 which sets aside that unit for 30 years for
8 rental use and so, it's not something that's
9 been used throughout the country with this
10 program and the tax credits that we'll be
11 utilizing for this phase are integral to paying
12 for the build cost to hit the high bar and the
13 standards that we've established in the earlier
14 phases of the project.

15 So, the choice would be to dumb down
16 the project, try to hit an affordability on
17 construction costs that would lower the cost
18 to develop and allow us to try to move a rental
19 project forward without the use of tax credits,
20 but we don't see that as a viable option.

21 In conclusion, next slide, I
22 appreciate the opportunity to provide this

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1 market insight. I know a subset of the
2 community would like to see a different outcome.

3
4 We have participated in many
5 community meetings and met with all appropriate
6 District agencies. Through that process, we
7 have addressed all of the concerns regarding
8 the fundamentals of the site plans and the
9 architectural details before you tonight.

10 I will end by pointing out the
11 uncertainty in the surrounding market around
12 Sheridan Station. GSA's effort over at the West
13 Campus of St. Elizabeth's is in doubt. The
14 inability for the City to move forward on Poplar
15 Point as mentioned earlier. A recent
16 foreclosure by a large privately-owned parcel
17 along the Howard Road connection just west of
18 the Anacostia Metro as well as several highly
19 touted residential developments that have been
20 put on hold or completely shelved including
21 Stanton Square and Cedar Hill.

22 Completing Sheridan with the

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1 rentals as proposed will fulfil the promises
2 made and provide evidence to the Anacostia
3 community and the financing world beyond that
4 Anacostia is prepared and willing and ready and
5 able to support \$100 million worth of real estate
6 development and by that, it can create momentum
7 for development yet to come.

8 Thank you and I'll stay for any
9 questions.

10 MS. GIORDANO: Mr. Chair, after
11 cross examination, these two witnesses can stay
12 for questions or we can move on. Up to you to
13 decide what would be best for the flow of the
14 hearing.

15 CHAIRMAN HOOD: What we do we go
16 ahead and let you finish your presentation and
17 we'll come back and ask your questions on the
18 end.

19 MS. GIORDANO: Okay.

20 CHAIRMAN HOOD: Okay.

21 MS. GIORDANO: You have to stay for
22 cross examination though I think.

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1 CHAIRMAN HOOD: Need to leave?

2 MS. GIORDANO: Okay.

3 CHAIRMAN HOOD: Oh. Okay. Yes,
4 because we definitely have some questions of
5 him.

6 MS. GIORDANO: Okay. So, you
7 wanted to do the cross examination --

8 CHAIRMAN HOOD: Go through the
9 whole -- finish --

10 MS. GIORDANO: -- of these
11 witnesses at the very end of the presentation?

12 CHAIRMAN HOOD: Yes, the only
13 reason I did that because we had Councilmember
14 Barry.

15 MS. GIORDANO: Okay. All right.

16 CHAIRMAN HOOD: And I wanted to get
17 him in. Okay.

18 MS. GIORDANO: That's fine.

19 CHAIRMAN HOOD: So, I know his
20 schedule, so that's why I interrupted.

21 MS. GIORDANO: Right.

22 CHAIRMAN HOOD: So, I wanted to go

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1 through the whole -- okay.

2 MS. GIORDANO: Okay. Our next
3 witness is Dr. Benzina and he will do an overview
4 of the changes.

5 DR. BENZINA: Good evening, Mr.
6 Chairman, Members of the Commission.

7 My name is Abed Benzina and I've been
8 involved with the design of Sheridan Station
9 from the beginning.

10 I'm here to talk about the changes,
11 but also about the design and the overall design
12 and the overall design strategy.

13 But, before we go there, I wanted
14 to go through some numbers and in terms of total
15 site area, that remained unchanged. So, really
16 the changes were a reduction in the gross floor
17 area, reduction in the lot occupancy, a
18 reduction in the total number of units by 17
19 units and a reduction in the total FAR of .86.

20 And in terms of total off-street
21 parking, there was a reduction of 17 parking.

22 Bringing the ratio from .74 to .73. So, those

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1 are the numbers.

2 So, from a design standpoint, I
3 think that the overall strategy, the overall
4 urban design strategy that we had has remained
5 unchanged and is based on providing a very strong
6 urban edge on Sheridan Road and created by a
7 series of buildings going from five-story
8 apartment building to what we refer to as manor
9 courts that are a series of four and three-story
10 buildings marching along and on top of that,
11 the strategy was to provide, you know, multiple
12 entrances on Sheridan to activate and create
13 a pedestrian path. So, that has remained.
14 That was one of the main strategies.

15 And then the strategy was to push
16 the parking and the vehicular circulation to
17 the back of the building and hiding that, but
18 still creating a private alley that was
19 attractive.

20 Now, the challenge at the time also
21 was the steep side. We had a drop of 60 feet
22 and in order to keep this urban design strategy

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1 alive what we did is we used the lower building
2 and we used them as a retaining wall in order
3 to mitigate the height of the retaining wall
4 that we put at the top and we terraced in order
5 to prepare the side.

6 Next slide.

7 And then we go to the changes and
8 as you see, the overall urban design has not
9 changed. The spaces are the same especially
10 and particularly one should pay attention to
11 the -- to the street wall on Sheridan Road that
12 remains unchained from a site plan and we'll
13 see also from a massing standpoint.

14 And so, the major changes that or
15 the changes that occurred was that the -- what
16 we used to refer to as the motor courts in the
17 back of the U-shaped building where people park
18 or, you know, parked in the garage were changed
19 to a landscape active space that Suzie will
20 describe the function a little later on.

21 CHAIRMAN HOOD: Let me interpret.

22 Does anybody have a pointer? It's always good

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1 at least for me what you're talking about if
2 you have your pointer.

3 DR. BENZINA: I forgot my --

4 CHAIRMAN HOOD: And that way we can
5 -- I can kind of go around the --

6 DR. BENZINA: Thank you.

7 CHAIRMAN HOOD: Okay. Oh. Okay.

8 DR. BENZINA: If we go back, we'll
9 see that the changes from -- this is the original
10 approved plan. That the changes were turning
11 those motor courts into open space, usable open
12 space and the other change was eliminating the
13 units along the alley that were right against
14 the retaining wall and were going to be a
15 challenge to build because of the entry and so,
16 the retaining wall foundation. So, that was
17 a -- so, by doing that, we created -- basically,
18 we animated the back alley and it's not a back
19 alley actually. It's -- I call it the interior
20 street, the spine of the project. While we kept
21 the street edge on Sheridan Road as strong as
22 it was during the first approval.

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1 Next slide.

2 Now, this is what was approved and
3 this is what's being built. Where we have a
4 variety, we have the manor court or the apartment
5 building on Sheridan Road. Then we have a
6 two-story unit that was approved and then as
7 we go up, we have a three-story facade,
8 three-story townhouses.

9 The change there is where we went
10 to and we used the two-story townhouse that was
11 approved and used that townhouse and repeated
12 that townhouse and from a -- from a massing
13 standpoint, I think that blends pretty well with
14 the manor court based on the grade. As you can
15 see, the grade is pretty steep.

16 But, in terms of architectural
17 detail, in terms of material finishes and as
18 the slide shows, everything was kept the same.

19 So, we had the proportion. The three-story
20 proportion that went back to a two-story
21 townhouse, but the cornices, the detail, the
22 materials, all that was kept as approved

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1 originally and the detail -- and the materials
2 variation and the details have been refined
3 through the CDs as you see here in one of the
4 built manor courts as I refer to them.

5 Again, one important point that I
6 was making, it was that strong urban edge on
7 Sheridan Road that remains unchanged. So, this
8 was as planned and this -- next slide. Yes,
9 and this is as built.

10 So, the street edge on Sheridan
11 Station remains the same, remains -- there's
12 no changes. Not in quality, in massing, in use
13 of material, in the use of detail. So, nothing
14 has changed.

15 And again, here, this shows you the
16 back of the townhouses that were removed and
17 you see here that again the roof line which I
18 think is -- with the two-story unit is much more
19 successful from a massing standpoint blends into
20 the manors, the apartment building and flows
21 back and then again, also from a landscape, I
22 think there's a great job being done and I forgot

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1 to mention the importance of this mews which
2 creates a whole pedestrian connection
3 throughout the site plan that remains intact
4 and we have units opening on all those spaces.

5 So, we have individual entrances on all those
6 spaces which is very important and makes all
7 those spaces very defensible, very, you know,
8 prone to pedestrian circulation and use.

9 And based -- this is a good segue
10 for -- to talk about the landscape and how we
11 improve those spaces.

12 MS. FOSTER: Good evening. I'm
13 Suzanne Foster from Parker Rodriguez. Thank
14 you for listening to our changes here.

15 I think that the changes stand to
16 improve the use of the property for those people
17 that live here.

18 As Abed mentioned, we've taken the
19 green spine that runs parallel to Sheridan, but
20 up the hill, we've taken that green spine and
21 made it actually greener.

22 All along, we've seen -- I've been

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1 involved with this project since the very
2 beginning. Jay Parker from our official
3 presented this as a PUD, but I've been involved
4 with it from the beginning and we have a very
5 formal treatment of Sheridan as you saw in the
6 elevations that Abed showed. A very strong
7 urban front to the street.

8 And then along the back side of the
9 alley -- back side of the units where we used
10 to have the motor courts, this was the very --
11 the business side of the project, the
12 residential side where people come and go, park
13 their cars. Where people spend time meeting
14 with their neighbors, going to mail kiosks,
15 going to -- and taking out the trash and then
16 they have the added benefit of the park space
17 that's been expanded now with the new format.

18 So, if you look along the private
19 alley, you'll see not only the green courts where
20 there used to be parking courts, but you'll also
21 see -- across the street, you'll see a playground
22 that existed before. But, that has been

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1 expanded to include an open field where they'll
2 be informal play. So, we have both the
3 playground and open fields.

4 And then in the backs of the units
5 where we have now green courtyards, this is an
6 opportunity for people to come out and a few
7 kids to play in their backyard basically.
8 They're still within sight of the kitchen and
9 plenty of people coming and going from the
10 parking spaces that are easily accessed.

11 And then if we move to the next
12 slide, you can see the dumpster location.
13 That's opposite one of these background sort
14 of common green areas.

15 So, we have this nice back and forth
16 treatment of paving with different textures.
17 There would be concrete. Maybe a scored
18 concrete crossing the asphalt drive aisle to
19 break up the vehicular circulation and really
20 bring down the scale of this street.

21 So, we have -- as you can see from
22 this slide, we have parking on both sides in

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1 some cases, but the majority of the parking is
2 across the street from the units. On both sides
3 of the street, we have sidewalks so that people
4 can walk continuously along that alley.

5 The other thing that we like to point
6 out is the mews that Abed started to mention
7 and this is much more formal. This is the front
8 door of the unit. So, the units have access
9 from two sides. They have a front door that's
10 oriented towards Sheridan Road and towards the
11 mews and then they have a back door which is
12 oriented towards the private alley and the
13 parking spaces and this public -- this common
14 area within each court.

15 I think that that's all that we need
16 to address formally.

17 If there are any questions, be happy
18 to answer them.

19 MS. GIORDANO: Lights. That
20 concludes our direct presentation and we're
21 available for cross examination and questions
22 from the Commission.

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1 CHAIRMAN HOOD: Okay. I want to
2 thank you all for your presentation and also
3 for the indulgent while we heard from the
4 Councilmember and everyone's patience. I
5 appreciate it.

6 Commissioners, any questions?

7 Commissioners -- you're an ANC
8 Commissioner. Okay. Yes, we're going to --
9 there's a process. We're going to get to that.

10 No, this is Zoning Commission matters. Not
11 ANC. All that -- Commissioner Muhammad, this
12 is the Commissioners up here. So, we'll call
13 you up at the appropriate time. I knew when
14 I said Commissioners I guess that -- believe
15 it or not, we're Commissioners, too. We're
16 appointed though, but Zoning Commissioners, any
17 questions.

18 COMMISSIONER MAY: Yes.

19 CHAIRMAN HOOD: Commissioner May.

20 COMMISSIONER MAY: Thank you. The
21 very first slide that we had here showed the
22 retaining walls. Obviously, everything's

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1 still under construction. I seem to recall that
2 in addition to trees being planted on those
3 terrace levels, that there might have been
4 growing stuff flowing over the walls or did I
5 just imagine that?

6 MR. FENNEL: Yes, I don't -- we can
7 go back and double check to be certain, but --

8 COMMISSIONER MAY: Well, maybe --
9 did you?

10 MS. FOSTER: Yes, there is plant
11 material both vertical going up and also hanging
12 plants. There's a combination. It's, I think,
13 90 percent if not 100 percent native plant
14 material. No invasives and it's planted with
15 evergreens, flowering trees, shrubs and canopy
16 trees and there are trailing vines that will
17 come over the walls.

18 COMMISSIONER MAY: And is anybody
19 going to have to like mow the terraces or
20 anything like that?

21 MS. FOSTER: No, they're meant --
22 they're seeded with a mix of --

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1 COMMISSIONER MAY: Stuff that will
2 grow. Somebody might have to go in there and
3 occasionally weed. Right?

4 MS. FOSTER: That's right and it
5 would not hurt them to be cut back once a year
6 in the spring to keep down --

7 COMMISSIONER MAY: Okay. Yes.

8 MS. FOSTER: -- the terribly woody
9 vegetation.

10 COMMISSIONER MAY: I mean they just
11 -- you know, unfortunately, the image that you
12 showed was exactly what we feared about how that
13 retaining wall might look. I mean it's -- it
14 obviously looks better than it did when it was
15 presented at the very beginning where I think
16 it was a lot more massive and frightening.

17 But, I wanted to be reassured that
18 my recollection that it was going to get softened
19 was going to be -- is true and that's
20 particularly important since now, you know, at
21 least part of it that was going to be hidden
22 by houses up against the walls are not.

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1 Actually, I think -- I understand completely
2 how they would not -- well, I don't know if
3 they're necessarily infeasible having the
4 housing there, but certainly not a great place
5 and so, I think it makes perfect sense that you
6 wouldn't want to deal with the drainage issues
7 or deal with backing up so close to a retaining
8 wall like that and so on.

9 So, it certainly makes sense to
10 reduce the numbers of units along there.

11 I mean it does have the -- not
12 necessarily great effect of putting a lot more
13 cars parked on the private street back there
14 and I call it private street because back when
15 it was -- had houses on it, it really was a street
16 and you were trying to design it to look like
17 a street. I mean now, I guess, it is more of
18 an alley.

19 As a solution, I actually prefer
20 that to having the motor courts and the garages
21 underneath the houses. I think that's a
22 terrible solution and I complain about it

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1 whenever I see it and I did at the hearing I
2 think here. But, sometimes those are built and
3 they sell.

4 So, but I'm glad that you move to
5 this solution. I think it's better.

6 It does create a little bit of
7 confusion about front and back however.
8 Because there isn't really a primary, you know,
9 primary entrance point versus secondary
10 entrance point when you're coming off of the
11 parking area. I mean granted you have the spots
12 that go all the way through the mews as you call
13 them. They go all the way through which is where
14 I assume the front doors will still be.

15 But, when you're coming from the
16 alley side of things, you know, they're
17 indistinguishable and when you set up an
18 arrangement like this, you want to know what's
19 front and what's back and I wonder if you gave
20 any thought to actually trying to capture more
21 of the former motor courts to be actually private
22 yards associated with those units.

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1 MS. FOSTER: In terms of the
2 maintenance and I think that Brad can maybe speak
3 to that better, but I think in terms of
4 maintenance, it's seen as more desirable to have
5 a common area that can be maintained by the
6 homeowner association as opposed to the
7 individual residents. So, then that common
8 area is not pristine, but is well maintained
9 and consistently maintained rather than have
10 an open space that's divided by ten or 15
11 residents because there are that many residents.

12 COMMISSIONER MAY: Um-hum.

13 MS. FOSTER: That way I think it's
14 a very different scale space than the parks
15 across the street as well. We have a nice
16 variety of spaces for people to use along that
17 spine. But, Brad.

18 MR. FENNELL: Yes, absolutely. I
19 think that our thought process is maintaining
20 defensible space is probably paramount. It is
21 additive that you can collect the spaces and
22 put them together and use them as a larger open

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1 space as opposed to having these multiple
2 smaller spaces and we also have direct access
3 entrance-ways for the three-story manor units
4 that are the corner. So, it is a front entry
5 for those corner units and you can see that on
6 the -- Matt, maybe you could go up and point
7 that out. So --

8 COMMISSIONER MAY: Right. A front
9 door presumably because people are parking at
10 the back? I mean there -- is there not a door
11 on Sheridan?

12 MR. FENNEL: There is a door on
13 Sheridan, but that is servicing the lowest level
14 of that manor unit.

15 COMMISSIONER MAY: Only.

16 MR. FENNEL: Um-hum.

17 COMMISSIONER MAY: Oh. Okay.

18 MR. FENNEL: That's right.

19 COMMISSIONER MAY: Hum.

20 MR. FENNEL: So, I think that part
21 of our thought process was to try to -- I mean
22 I think in terms of the front door/back door

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1 for the two-story town, it's going to be pretty
2 recognizable front door/back door. But, in
3 terms of that space, that commons area, we think
4 we are better served by creating lush,
5 defensible open space that can be utilized and
6 accessed by the residents on that commons and
7 people can mingle, get to know one another and
8 feel like that is their space not necessarily
9 the next courtyard or the one beyond.

10 COMMISSIONER MAY: Yes. Well --

11 MS. FOSTER: Yes, each motor court
12 has 20 units that -- excuse me. Each manor court
13 has 20 units that focus on that shared common
14 space.

15 COMMISSIONER MAY: Um-hum. Well,
16 not every space needs to necessarily have
17 private space. You could have a combination
18 of public and private and that's been done in
19 other housing developments.

20 In fact, the first HOPE VI in
21 Washington had that kind of a combination.
22 There are private yards and fences and things

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1 like that and then there are some public areas,
2 smaller public areas and they also had the common
3 parking lot solution that was beyond the yards.

4 I won't harp on this point. I just
5 would make one last -- ask one last question
6 about this issue. Which is that when you had
7 the motor courts, the drawings seemed to depict
8 a deck over the courts. Presumably, that was
9 not a false deck. That there actually was some
10 space out there and it was big enough to go out
11 there and barbecue. Something like that.

12 Are you going to have at least that
13 much space behind the yards where somebody can
14 have, you know, some space to have their own
15 chairs or --

16 MR. FENNEL: We'll certainly look
17 at that. Absolutely. Yes, I think there could
18 be an easy way to make that accommodation and
19 create some --

20 COMMISSIONER MAY: Yes.

21 MR. FENNEL: -- sense of ownership
22 and care of that and also, giving those residents

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1 the individually of presenting their front door
2 --

3 COMMISSIONER MAY: Yes.

4 MR. FENNEL: -- or their back door
5 whichever --

6 COMMISSIONER MAY: Right.

7 MR. FENNEL: -- to the outward
8 community.

9 COMMISSIONER MAY: Yes, I think
10 it's important to have -- wherever you can do
11 it even with rental housing to have some private
12 outdoor space even if it's a balcony or a deck
13 or in this case just a little portion of the
14 yard that's somehow recognizable as being part
15 of that unit as opposed to be a common space.

16 You know, I have to say the drawings
17 that we received are really quite limited in
18 demonstrating the changes. I mean I think it's
19 probably acceptable because of what we see, but
20 ordinarily, I would have liked to have seen more
21 information and more side-by-side comparisons
22 because we saw a lot of images about fronts and

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1 backs and sides and detail elevations and so
2 on that we don't see here, but I will -- I think
3 I'll -- I can get by with what we have rather
4 than creating some new drawings.

5 I just want to ask a couple of last
6 questions. I assume you've received the report
7 from DDOT and there were a couple of issues that
8 they had raised there. One was a portion of
9 sidewalk that they thought should be there a
10 long Sheridan. I couldn't find what they were
11 talking about.

12 Do you know what they were talking
13 about and is there really a portion of sidewalk
14 that's not there?

15 MR. FENNEL: Yes, I think the
16 reference was to Howard Road which is actually
17 --

18 COMMISSIONER MAY: Oh, sorry.
19 Howard Road. Yes.

20 MR. FENNEL: Howard Road is on the
21 border of the property to the west. So, it's
22 not actually -- none of our property fronts onto

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1 Howard Road, but we collectively with the
2 community have been raising issues about the
3 fact that Howard Road has intermittent sidewalk
4 and there's a fair amount of foot traffic that
5 comes down that street.

6 COMMISSIONER MAY: Right.

7 MR. FENNEL: It's a one-way street
8 up, but it also is direct access down to the
9 Metro. So, it's collecting. It's servicing
10 as a feeder and so, we've been having dialogue
11 with anybody that would listen to us about the
12 need for the City to rectify that wrong.

13 COMMISSIONER MAY: So, in other
14 words, you were complaining to DDOT that there's
15 a sidewalk missing over there and then they put
16 it in their report that you should put in a
17 sidewalk?

18 MR. FENNEL: I guess that's what
19 --

20 COMMISSIONER MAY: Not on your
21 property.

22 MR. FENNEL: That's -- I guess --

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1 COMMISSIONER MAY: Okay. Well,
2 I'll ask them and see if that's, in fact, what
3 they had intended because that takes some nerve.

4 The last thing was the reference to
5 TDM measures, transportation demand management
6 measures, that they were suggesting. Are these
7 things that are completely new to you? Are they
8 items that were addressed before in the original
9 PUD?

10 MR. FENNELL: Yes, these are new.

11 COMMISSIONER MAY: It's new.
12 Okay. And is there any indication in what you
13 had studied in terms of the changes that you're
14 suggesting that might affect transportation
15 issues that would require mitigation through
16 additional TDM measures?

17 MR. FENNELL: I don't think so. I
18 mean I would theorize that homeownership would
19 probably yield more car ownership than rental
20 and so, I think you'd see --

21 COMMISSIONER MAY: All right.

22 MR. FENNELL: -- fewer cars.

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1 COMMISSIONER MAY: So, I'll have to
2 ask DDOT whether they're trying to re-litigate
3 the original PUD or what. All right.

4 Thanks.

5 CHAIRMAN HOOD: Okay. Any other
6 questions? Commissioner Cohen.

7 COMMISSIONER COHEN: Thank you,
8 Chairman.

9 The reduction of the three-story to
10 the two-story townhome, it seems like what
11 you're eliminating are the solar panels. Is
12 that correct?

13 DR. BENZINA: No, the solar panel
14 were only on the apartment -- the five-story
15 apartment building which is LEED for Homes
16 certified or it's being certified.

17 COMMISSIONER COHEN: Okay. How
18 far is this site from the Anacostia Metro would
19 you say?

20 MR. FENNEL: It's one block. I'll
21 have to get the footage, the actual footage,
22 but it's literally one traffic light, one block

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1 to the Anacostia Metro.

2 COMMISSIONER COHEN: And now that
3 you're modifying the -- from homeownership to
4 rental you're proposing, you've already sold
5 a number of units. Haven't you?

6 MR. FENNEL: We have settled two
7 units. We have three other units -- well, one
8 other live contract. Two others that we think
9 will be ratified in the next 24/48 hours.

10 COMMISSIONER COHEN: So, in the
11 entire project, you're going to have five
12 homeownerships mixed amongst --

13 MR. FENNEL: No, in the entire
14 project, we're going to have 80 homeownership
15 out of the 327 units that are proposed in total.

16 COMMISSIONER COHEN: Okay. All
17 right. On the rentals, will there be
18 restrictive covenants for maintaining
19 affordability?

20 MR. FENNEL: Yes.

21 COMMISSIONER COHEN: For how many
22 years?

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1 MR. FENNELL: Well, there will be
2 extended-use agreements signed. So, it'll be
3 30 years.

4 COMMISSIONER COHEN: Okay. And
5 then this is just an observation on that task
6 force.

7 When you have people who are
8 professionals and you really dilute the actual
9 people who are impacted there. You dilute their
10 voices and again, I just -- I know that we have
11 to put great weight on our ANCs here and I know
12 that somebody has to be the voice of the
13 residents who are displaced and I really do
14 believe that the task force should be more
15 heavily weighted towards their favor. That's
16 all.

17 CHAIRMAN HOOD: Okay. I just have
18 a few follow-up questions.

19 You mentioned about the unit mix of
20 rental versus homeownership. You said 80 units
21 would be homeownership and the rest will be --
22 what was the number that's going to be rental?

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1 MR. FENNELL: There's a total of
2 327. Eighty of which is for sale. The balance
3 will all be rental.

4 CHAIRMAN HOOD: And you've only
5 sold three and you have two under contract or
6 either you sold two and have three under
7 contract.

8 MR. FENNELL: Basically.
9 Basically, that's right. We've settled two.
10 We have one live contract and we have two
11 prospects that have -- that should be ratifying
12 a contract soon. So, we've had the sales office
13 in process -- open since January. We've been
14 getting good traffic as of late. We just opened
15 up our second phase which is the two over two
16 condominium portion. So, the homeownership is
17 in part single family fee-simple and the other
18 part is going to be the condominium. Fifty-two
19 condominiums and the balance are fee-simple.

20 And so, the fee-simple came out in
21 January. Those are the two of the -- eight of
22 those have been settled and then we have 52

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1 condominiums that are in production if you will.

2 Fourteen of them have been completed. The
3 sales and marketing center is -- now about three
4 weeks ago opened up and so, we're generating
5 some interest and traffic on those.

6 CHAIRMAN HOOD: What kind of
7 response for the whole development are you --
8 I guess now you're conveying to those who come
9 in and look to maybe purchase. What kind of
10 response are you getting as far as when you tell
11 them there's going to be some homeownership
12 versus some rental? What kind of response?

13 MR. FENNELL: I think that in
14 general people see it as a positive to have
15 homeownership and rental mixed into the
16 community. I think that in terms of affordable
17 versus market rate that also doesn't seem to
18 be, you know, stopping people from expressing
19 interest and I think the number one thing that
20 we're getting as a response whether it be on
21 the rental side or the homeownership side people
22 are genuinely blown away about the quality of

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1 construction and the type of materials that were
2 put into the project.

3 CHAIRMAN HOOD: And how many units
4 are 30 percent of the AMI?

5 MR. FENNELL: About a third total
6 would be set aside for that income.

7 CHAIRMAN HOOD: Thirty percent of
8 the AMI.

9 MR. FENNELL: Right. ACC.

10 MS. SMYSER: It's a total of 110.

11 MR. FENNELL: Right. ACC.

12 MS. SMYSER: It's a total of 110.

13 CHAIRMAN HOOD: Okay. And from
14 your knowledge, I don't do this. I don't
15 develop rental and homeownership, so, let me
16 just ask. How does that work? That argument
17 I've heard a number of different ways. How does
18 that work across the country to your knowledge?

19 MR. FENNELL: In what regard?

20 CHAIRMAN HOOD: Just how does it
21 work as far as does it work?

22 MR. FENNELL: I think mixed-income

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1 communities is where development is at. I think
2 that's what has -- we've seen those trends in
3 all cities in all areas of development. So,
4 I think that even in this City where you've seen
5 multiple HOPE VI delivered by the Housing
6 Authority, you get all kinds of reactions from
7 people that are gauging and judging the quality
8 of the housing choice and housing opportunity
9 and also looking at the neighborhood as a whole
10 and deciding whether or not all of those factors
11 weigh in support or whether they look for other
12 options or other alternatives.

13 CHAIRMAN HOOD: Okay. Now, when
14 Councilmember Barry was here you sounded as
15 though there was some possibilities of the
16 concerns that -- and I haven't heard from the
17 community yet. Some of the concerns that he
18 has expressed, you sounded like there was some
19 hope if we left the record open. At least,
20 that's the appearance.

21 MR. FENNEL: Well, I think that we
22 want to be cooperative and if 14 days is a request

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1 that has been put out there, I think we'd be
2 willing to give the 14 days so that we could
3 have another meeting and come back together.

4 I think in Ms. Smyser's testimony
5 she reported out a number of meetings. I think
6 we've been to as many as 12 or 13 since January.

7 Four or five have been specific to this
8 homeownership question and I think we'd be happy
9 to go back and get in the room and have the
10 discussion again.

11 CHAIRMAN HOOD: I can tell you right
12 now that towards the end, Ms. Giordano, 14 days,
13 you're dealing with communities. I don't think
14 that's enough time. But, I will deal with that
15 on the back end.

16 I don't even know when our next
17 meeting is. How many days? June 11th. Is it
18 14 days? It's more than 14 days.

19 MS. SCHELLIN: It is, but if it's
20 going to be 14 days to leave the record open
21 and then parties have a week to respond.

22 CHAIRMAN HOOD: Nothing wrong then.

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1 All right.

2 MS. SCHELLIN: All right.

3 CHAIRMAN HOOD: So, we'll talk
4 about that towards the end because I'm going
5 to be looking at more than 14 days. I knew that
6 when I heard it. So, let's stop thinking about
7 that.

8 Okay. And hopefully, my -- okay.
9 Commissioner Cohen.

10 COMMISSIONER COHEN: Yes, I guess
11 in response to Councilman Barry, this is the
12 lowest period of -- I mean the interest rates
13 have been the lowest forever and, you know, the
14 City issues tax-exempt bonds. I know HPAP has
15 suffered some reductions in financing, but I
16 think you're going to be put into a very -- a
17 position to make a compelling case as to why
18 you cannot sell these units especially in light
19 of the fact that you're so close to a Metro.

20 MR. FENNELL: Well, it's not that
21 we're not selling units. I don't think that's
22 the case.

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1 I think the question fundamentally
2 is that the units that we are selling are being
3 sold at affordable prices because we have the
4 advantage of subsidy from the Housing Authority
5 and from the HOPE VI proceeds.

6 Now, those proceeds cover those 80
7 homes or up to those 80 homes. Beyond that,
8 there are no proceeds that have been earmarked
9 to help offset the cost of construction and --

10 COMMISSIONER COHEN: You'll get a
11 cross subsidize.

12 MR. FENNELL: That's correct.

13 COMMISSIONER COHEN: However, you
14 still have 6 million. I think that's what you
15 mentioned and is that available or is it
16 disappearing for site improvements. I just
17 don't know.

18 MR. FENNELL: Sure. It's all tag
19 towards the rental component. So, we have an
20 obligation to deliver 65 additional rental at
21 the one-third ACC component and so, that
22 obviously takes direct subsidy in order to

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1 satisfy that requirement and so, those subsidy
2 dollars are spoken for.

3 So, beyond that, we're left trying
4 to figure out how you do cross pollinate or
5 subsidize between a market- rate for-sale unit
6 and that subsidized rental unit and
7 fundamentally, we just don't believe that the
8 economics are there to support the ability to
9 move forward.

10 On the 80 units in my testimony, I
11 said that I believe that we certainly will get
12 to the back side of the 80 for-sale absorption.

13 I think it will take some time.

14 I think our buyers are confronted
15 as Councilmember Barry was alluding to to
16 challenges on their own debt ratios, their
17 credit scores, the ability to have cash to come
18 to closing. I mean all of those things are
19 fundamental to having the process happen and
20 what we see in the marketplace is that there
21 is additional scrutiny that is being placed by
22 the banks on the lending requirements as well

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1 as under the appraisal process.

2 So, and as I said previously, I think
3 that emerging neighborhoods do lag behind in
4 terms of their ability to rise above that economy
5 or a weak set of economics and the challenge
6 is -- is that it's difficult to make that happen
7 in the time frame that has been set before us
8 for this project.

9 COMMISSIONER COHEN: So, the
10 examples that you used of your other properties
11 in the ward, Oxon Creek and Ashford Court, how
12 long a period of time? I mean was any of those
13 affected by the economy and --

14 MR. FENNELL: Well, Ashford Court
15 certainly is affected by the economy. Ashford
16 Court is a 55-unit development. They are
17 single-family detached houses and we have built
18 and settled 19 of them and there has been no
19 movement towards getting the next round of
20 housing out.

21 We have had conversations with other
22 national builder groups that can produce at very

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1 competitive costs, competitive pricing, but
2 when they evaluate sort of where they believe
3 the true market is for production building right
4 now, the numbers don't work. They don't get
5 us there and they're far below -- they're
6 comparable or below the Sheridan market-rate
7 numbers.

8 So, some would argue, you know, that
9 being close to the Anacostia Metro and being
10 right, you know, close to MLK is a real benefit
11 and should be a premium.

12 But, in terms of measuring depth of
13 market, strength of market, I'm not sure the
14 indices would support that. So, I think it
15 would be anecdotal to go on that faith and I
16 think ultimately as I testified to go out and
17 get the -- and secure the construction financing
18 and the tools and resources necessary to begin
19 a production build cycle, the fundamentals just
20 are not there and we don't believe they'll be
21 there.

22 In part, we've got 80 for-sale units

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1 in front of the 80 that we're saying we'd like
2 to switch to tax-credit rental. So, that
3 absorption itself has to work its way through
4 before you could get to the market rate.

5 So, I think that's the very tricky
6 imbalance that we confront.

7 Part of the rationale for my
8 testimony was to demonstrate to the Commission
9 and to the community that the Smith Company
10 really is supportive of a balanced approach to
11 fundamental change and improvement across a
12 community. It's a long-term commitment and it
13 takes time.

14 That's one of the reasons I was
15 pointing out that we were in the neighborhood
16 15 years before the HOPE VI was even talked
17 about, before many of the homeowners who now
18 live there bought and occupied the units that
19 they occupied. We welcome them. We're happy
20 that they're there. They're a strong part of
21 the community that is now thriving and producing
22 the environment that is supporting the 80

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1 for-sale units that we have going on.

2 But, 80 for-sale units, I think the
3 D.C. Economic Partnership said that that's like
4 the 5th largest in the City right now. I mean
5 there's not a lot and that's going up against
6 projects like City Center. I mean, you know,
7 you're right downtown. I mean if you can make
8 a for-sale unit viable in that location, I'm
9 not sure where in the City you couldn't make
10 an argument for for-sale.

11 And, you know, part of the struggles
12 with Sheridan Station quite frankly, and I also
13 tried to allude to this in my last slide, was
14 that the community around Sheridan Station but
15 for the homeowners who vested in the quality
16 projects that have gone on to date, there's not
17 -- there's more questions and fundamental lack
18 of answers I think present than there actually
19 are sites that you can point to an say I know
20 when that's happening. I know what's happening
21 there. I know when this is going to break
22 ground.

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1 And, you know, it was crushing for
2 us to listen to GSA and the struggles that
3 they're having. I mean we thought
4 fundamentally we were going to have 16,000 jobs
5 come into to the West Campus. We had an East
6 Campus that was going to be generating
7 considerable development opportunity and those
8 were some of the economics that were driving
9 us back in 2007 to say absolutely, we could go
10 ahead and move forward with a market-rate
11 component.

12 We could also blend that in much like
13 what you see over at Capper/Carrollsborg today,
14 but that just has not fundamentally taken shape
15 down there and so, there's more questions than
16 there are answers and I think that that permeates
17 through the minds of buyers and lenders and
18 appraisers and everybody that has to contribute
19 to the success of a project like this and I do
20 believe very fervently that Sheridan Station
21 has many eyes on it.

22 And I know I've had this debate with

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1 the community about, you know, in their minds
2 I've heard them make arguments that the land
3 is better off left fallow and nothing to happen
4 and I would say that that is the death knell
5 of future development for the community.
6 Because lenders and investors and all the like
7 would look at Sheridan Station and read it as
8 a failure and recognize that that \$100 million
9 project couldn't achieve success and,
10 therefore, the project next door or the project
11 next to that is in jeopardy or in peril as well.

12
13 So, you know, I think it's a very
14 complicated argument. I understand
15 Councilmember Barry's message. I understand
16 what I've heard from the community. I believe
17 in terms of, you know, their principled
18 approached to saying are they fundamentally
19 better off if you can produce \$350,000 or
20 \$400,000 unrestricted market-rate housing in
21 that neighborhood today. Absolutely.

22 I just -- it's just not here and now.

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1 So, we don't disagree.

2 COMMISSIONER COHEN: So, what is
3 the --

4 MR. FENNELL: But, I will conclude
5 by saying we absolutely believe that by moving
6 ahead and finishing Sheridan at the high
7 quality, the high standards that we have set
8 and completing a 327-unit community with all
9 of the amenities and all of the vitality that
10 it holds is a far better short-term and long-term
11 future than to allow the site to sit fallow,
12 to do nothing and to also acutely effect the
13 position of the additional subsidy with the
14 Federal Government as well as the 65 future
15 renters who are desperately looking for
16 production of that housing so they can have some
17 relief from the places where they currently
18 live.

19 COMMISSIONER COHEN: So, what is
20 the final breakout of affordability on that
21 site? One-third ACC? Do you know?

22 MR. FENNELL: Let's see. Do we

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1 have it? I can tell you it's -- I can give it
2 to you by phase if you don't mind and somebody
3 can write it down quickly. So, it's 114 in the
4 first phase and those are all split between
5 tax-credit rental. Sixty-nine of them are
6 tax-credit rental. The balance of them are 30
7 percent, you know, public housing units.

8 And then in phase 2, we have 80
9 for-sale homeownership which as designed can
10 be accommodated for affordable buyers or we
11 could entertain a market buyer and then we'd
12 just have to take that subsidy and apply it to
13 a future phase or give it back to the housing
14 authority.

15 And then in the final phase, we're
16 asking for the right to move forward on 68
17 tax-credit rentals and blend that with the 65
18 public component that's already committed.

19 COMMISSIONER COHEN: I'd like to
20 thank you for your testimony because the latter
21 part of it make it much clearer for me. That's
22 what I was hoping to get in writing. So, thank

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1 you.

2 MR. FENNEL: Great. Thank you
3 very much.

4 CHAIRMAN HOOD: Any other questions
5 or comments? Okay.

6 Do we have any cross examination?

7 ANC 8A, any cross examination?

8 ANC COMMISSIONER MUHAMMAD: How
9 much of it is going to be public housing?

10 MS. SMYSER: There are 110 units
11 that will be public housing. We've already
12 built 45. So, there's a remainder of 65 in this
13 phase 3 that will be built.

14 ANC COMMISSIONER MUHAMMAD: When we
15 voted on this project, it was told to us it was
16 going to be ownership and I know the Mayor wants
17 to reverse the 75 percent that Councilmember
18 Barry was talking about of rentals to 75 percent
19 ownership in Ward 8 and to go back to rental
20 and public housing --

21 COMMISSIONER COHEN: Do you have a
22 question? You have to form a question.

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1 ANC COMMISSIONER MUHAMMAD: Oh, I
2 have a time limit?

3 COMMISSIONER COHEN: No. No. No.
4 Question. If you could --

5 CHAIRMAN HOOD: Hold on. What
6 happens is, Chairman Muhammad, this is really
7 for cross examination.

8 ANC COMMISSIONER MUHAMMAD: Okay.

9 CHAIRMAN HOOD: What you were
10 getting ready to get into, you can get into that
11 in your testimony.

12 ANC COMMISSIONER MUHAMMAD: Okay.

13 CHAIRMAN HOOD: Was there any
14 questions among the panel that gave the
15 presentation?

16 ANC COMMISSIONER MUHAMMAD: No.

17 CHAIRMAN HOOD: Okay. What you
18 were telling us, you'll be able to come back
19 up --

20 ANC COMMISSIONER MUHAMMAD: Okay.

21 CHAIRMAN HOOD: -- at your
22 appropriate time and give us that.

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1 Ms. Cuthbert, any cross
2 examination? Okay.

3 Let's go to the Office of Planning's
4 report. Ms. Brown-Roberts. Let's do the
5 Office of Planning's report and DDOT's report
6 at the same time. Ms. Brown-Roberts and Mr.
7 Jennings.

8 MS. BROWN-ROBERTS: Good evening,
9 Mr. Chairman and Members of the Commission.

10 For the record, I'm Maxine
11 Brown-Roberts representing the Office of
12 Planning.

13 The Office of Planning is cognizant
14 of the issues related to the residential market,
15 the HOPE VI funding and the issues related to
16 the topography which influences the proposed
17 modification and as such, we are in support of
18 the requested modification to address these
19 issues.

20 The proposed modifications do not
21 affect the standards and requirements of the
22 PUD and it continues to not be inconsistent with

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1 the Comprehensive Plan and, therefore, the
2 Office of Planning recommends approval of the
3 proposed modification.

4 Thank you, Mr. Chairman and I'm
5 available for questions.

6 CHAIRMAN HOOD: Great job, Ms.
7 Brown-Roberts. Mr Jennings.

8 MR. JENNINGS: Good evening,
9 Chairman Hood and Members of the Commission.

10 For the record, my name is Jeff
11 Jennings. I work for the District Department
12 of Transportation.

13 The Agency stands by the comments
14 that we've submitted into the record and I'm
15 available for questions.

16 CHAIRMAN HOOD: Okay.
17 Commissioners, any questions? Commissioner
18 May.

19 COMMISSIONER MAY: Yes, you heard
20 my questions I assume for the Applicant.

21 You want to explain your rationale
22 about the sidewalk that's not part of the project

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1 and the TDM measures that were not part of the
2 original PUD?

3 MR. JENNINGS: Sure. When we have
4 an opportunity with a PUD modification such as
5 this, we do want to look at the project in its
6 entirety and what we saw with the particular
7 phase that's already been built it not being
8 directly adjacent to Howard Road. However, we
9 look at all the users that are going to be
10 traveling from that site, from Howard Road to
11 the Metro Station and when we heard from the
12 Applicant during our meeting with them earlier
13 this month that there were spots along Howard
14 that were missing sidewalk, we came to the
15 realization that during the first go around of
16 this PUD that that was something that we did
17 not bring up at that time.

18 However, with a PUD modification
19 like this, we thought that it would be an
20 opportunity for the Applicant to take into
21 consideration that their residents would be
22 using Howard Road if they're not already right

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1 now, crossing Howard Road. It being a one way
2 and why wouldn't the consistent sidewalk be
3 installed by the Applicant for the users of this
4 particular development to access the Metro
5 Station in a much safer manner.

6 COMMISSIONER MAY: Okay. So,
7 that's -- we'll take one issue at a time.

8 Frankly, when we look at a PUD, we
9 don't go back and look at everything. We go
10 back -- we go back and look at what the amenities
11 were that were suggested and certainly, if it
12 had been -- this topic had been discussed in
13 the original case, I imagine it would have been
14 addressed one way or another. Either the
15 Applicant would have made a commitment to make
16 an off-site improvement to address a need
17 related to the project or maybe DDOT would have
18 come to the realization that they should do
19 something about this.

20 But, I don't like the idea of trying
21 to reexamine the entire PUD to see if there's
22 something else that you can get out of it.

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1 I think that, you know, what we
2 should be looking at with a modification is what
3 is the modification? Does it increase or affect
4 traffic or any other issues and are there things
5 that need to be mitigated or fixed or addressed
6 in some manner in the modification order?

7 We shouldn't have to go back and look
8 at things that were done before. I mean
9 otherwise you might as well just bring the whole
10 thing back and present the entire thing to use
11 and we'll go through the entire process once
12 again. That's not what we do. That's not what
13 a modification is.

14 So, I don't think it's appropriate
15 to even suggest these things.

16 Is the same true for TDM? I mean
17 these are just things that you thought of now
18 that you didn't think of before or that were
19 not a priority before or are they actually
20 connected to some impact associated with
21 transportation due to the modification?

22 MR. JENNINGS: What we know for Ward

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1 8 is it's the ward out of the entire City with
2 the lowest rate of car ownership.

3 COMMISSIONER MAY: And did this
4 modification affect that in some manner?

5 MR. JENNINGS: Not that I'm aware
6 of.

7 COMMISSIONER MAY: Okay. So,
8 that's my question. Are the TDM measures
9 related in some way to the modification that's
10 being requested?

11 MR. JENNINGS: I'm not sure what
12 you're asking, sir. I'm sorry.

13 COMMISSIONER MAY: Okay. There
14 may or may not have been certain TDM measures
15 that were part of the original order. There
16 is a change to the PUD. Did the changes to the
17 PUD, the reduction of 17 parking spaces, the
18 shift to rental ownership, are they likely to
19 increase traffic impacts and, therefore, need
20 mitigation and, therefore, required TDM or is
21 it just because you took another look at the
22 whole PUD and think more TDM is better?

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1 MR. JENNINGS: I think as we
2 testified on a number of cases in the past our
3 policies have changed quite a bit from the first
4 time that this has gone to this particular body
5 and that's the reason I think you saw the various
6 comments that were put into the record by this
7 Agency.

8 COMMISSIONER MAY: Okay. I would
9 just like to suggest that it would be more
10 productive for DDOT to focus on the changes that
11 are being requested and address any impacts that
12 are associated with those changes rather than
13 trying to make up for lost ground because your
14 policies have been altered since this PUD was
15 first passed.

16 Unless it's something really,
17 really extreme and important, but I don't
18 believe that additional TDM for this project
19 falls into that category.

20 MR. JENNINGS: If I can make a
21 comment, I don't think it's additional TDM.
22 I think it's just there was none from the get

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1 go.

2 COMMISSIONER MAY: Zero TDM, that's
3 an addition. Is it not? I don't want -- it
4 a semantic question. I'm not -- I'm not looking
5 for an answer.

6 CHAIRMAN HOOD: Any other questions
7 or comments to the Office of Planning or DDOT?

8 Okay. I want to thank you both.
9 All three of you actually. Greatly appreciate
10 it.

11 Okay. Let's do the -- well, any
12 reports of other Government agencies? We have
13 the DDOT report, Office of Planning report.
14 Anyone else? I don't think there was anything
15 else.

16 Okay. Let's go to the report of
17 Advisory Neighborhood Commissions 8A and 8C.
18 I'm going to ask Commissioner -- Chairman
19 Muhammad and also Chairman Cuthbert if they can
20 come up at the same time and we'll start with
21 8A unless you all choose to do it another way.

22 ANC COMMISSIONER MUHAMMAD: Well,

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1 if you're going to let -- ladies go first.

2 CHAIRMAN HOOD: Okay. All right.

3 You go. You know, I actually knew he was going
4 to do that.

5 ANC COMMISSIONER MUHAMMAD: Of
6 course. I attempt to be --

7 CHAIRMAN HOOD: Because actually,
8 I think the last -- we saw the same two
9 chairpersons out here some months ago and I think
10 that's exactly how we did it.

11 Chairperson Cuthbert, if you will
12 begin.

13 ANC COMMISSIONER CUTHBERT: Good
14 evening. I'm Mary Cuthbert, Chair for Advisory
15 Neighborhood Commission 8C.

16 CHAIRMAN HOOD: Mike on? Green
17 light lit?

18 ANC COMMISSIONER CUTHBERT: Oh.
19 I'm sorry. Good evening. I'm Mary Cuthbert,
20 Chair for Advisory Neighborhood commission 8C.

21 I'm going to read the testimony that
22 8C put into the record.

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1 Chairman and Members of the
2 Commission, Advisory Neighborhood Commission
3 8C held the community meeting on February 1st,
4 2012. There were six commissioners present.
5 Four commissioner constitute a quorum.
6 Commissioners present were Yottie Smalls,
7 Brenda Shields, Mary Cuthbert, Deon Jordan and
8 Lloyd Logan.

9 Sheridan Station developer came
10 before the Commission on February 1st, 2012 at
11 our monthly meeting to discuss the proposed
12 minor changes to the southern portion of the
13 site.

14 They are requesting a 22 percent
15 reduction in the amount of for-sale housing to
16 leasing housing. The market for-sale housing
17 is not good at this time.

18 The changes are as follows:
19 Reducing the height of each home from three story
20 to two story, removing the garage to pay parking
21 would allow more green spaces.

22 The Commission of 8C voted to

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1 support the changes rather than to have new
2 vacant houses that would be unable to be sold.

3 I do want to add something. After
4 our meeting, 8A had a different concept which
5 we weren't aware of. The Commissioner who was
6 suppose to be on the steering committee, Mr.
7 Ellis, evidently didn't attend the steering
8 committee frequently. I can't stretch myself
9 but so thin.

10 Once I began to hear about the
11 concerns of this development regarding leasing
12 versus homeownership, that made it a little more
13 complex for me to really understand what they
14 were really saying. I didn't attend the
15 meeting. So, I didn't hear the community's
16 comments on that end of the ward.

17 So, I'm going to support what the
18 Councilmember said let's wait a few more days
19 before a decision is made. Which I know you
20 don't normally make the decision tonight, but
21 we have to take in consideration of leasing
22 versus ownership.

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1 I owned a house. Now, I'm leasing.

2 I've heard people say they didn't
3 want Barry Farms people in there. I heard
4 people say they didn't want poor people in there.

5 Then I've heard people complain I can't afford
6 to live there because of the income. So, you
7 have to weigh these issues. Really weigh it.

8 Now, why they don't want leasing,
9 I don't understand. Because it's not leasing
10 versus homeownership. It's the quality of
11 living they want on that end.

12 Because I lived in public housing
13 doesn't mean that I should not move up. Because
14 I don't make the amount of money to live -- to
15 purchase the house, but I can afford to lease
16 it, does that mean I'm going to be a worse tenant
17 or a better homeowner? And you have to take
18 all in consideration when these issues come up.

19 Leases. Homeownership.

20 When we both -- all of us first moved
21 out of our parents' house, what did we do? We
22 leased.

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1 So, we have 15,000 people coming to
2 St. Elizabeth's West Campus. I few of them
3 might purchase. We were anticipating more of
4 them to purchase, but I think most of them are
5 going to lease.

6 So, I'm still in -- I have to take,
7 you know, this back to my Commission. We'll
8 have to weigh it out because we want the
9 community to be happy.

10 Now, I live a little further up.
11 On that end, that Commissioner who was suppose
12 to be representing Commission 8C evidently
13 didn't attend the meetings to let us know exactly
14 what was the feeling of the people in the
15 meeting. That community on that end.

16 So, we have to weigh it again and
17 I mean really weigh it so everyone can come to
18 a compromise that at least we have quality
19 housing and we have quality people living in
20 them.

21 Thank you.

22 CHAIRMAN HOOD: Okay. Thank you

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1 very much.

2 I'd like to put this in the parking
3 lot for a moment. Let's hold the point.

4 I forgot to do a procedure. I
5 didn't do cross examination of the Office of
6 Planning and DDOT. I forgot and I'm sorry.

7 Does the Applicant have any cross
8 examination of the DDOT or Office of Planning?

9 Ms. Cuthbert, do you have any cross
10 examination of DDOT or Office of Planning?

11 ANC COMMISSIONER CUTHBERT: DDOT,
12 I'm concerned about the sidewalk like
13 Commissioner May. About that sidewalk. You
14 know, we walk. They want us to walk and ride
15 bicycles. They don't want us to drive cars.
16 So, we need a good sidewalk to walk on.

17 Otherwise, you'll have some people
18 like me. Short two toes.

19 CHAIRMAN HOOD: Did you have any
20 questions for either the Office of Planning or
21 DDOT?

22 ANC COMMISSIONER CUTHBERT: Office

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1 of -- no.

2 CHAIRMAN HOOD: Okay.

3 ANC COMMISSIONER CUTHBERT: Thank
4 you.

5 CHAIRMAN HOOD: Commissioner
6 Muhammad, do you have any questions of Office
7 of Planning or DDOT?

8 ANC COMMISSIONER MUHAMMAD: Yes.
9 Could DDOT do a good neighbor policy and put
10 a sidewalk there since it's a short distance
11 from the corner of Sheridan and Howard Road to
12 the first unit that's in Sheridan?

13 MR. JENNINGS: We can and it's on
14 our queue of things to do. You're probably out
15 maybe ten or 12 years from getting that sidewalk,
16 sir.

17 ANC COMMISSIONER CUTHBERT: I beg
18 your pardon. Ten to 12 years before we get that
19 sidewalk. You -- excuse me. Sorry,
20 Commissioners.

21 ANC COMMISSIONER MUHAMMAD: Could
22 you ask Director Bellame this question and not

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1 ten to 15 years out, but six to three months
2 out.

3 MR. JENNINGS: Certainly.

4 ANC COMMISSIONER MUHAMMAD: And
5 give me a response back. We didn't get a report
6 from DDOT. We didn't get a report from Housing
7 for this project. I wonder why we didn't get
8 a report? The ANCs.

9 CHAIRMAN HOOD: You mean Housing or
10 the Office of Planning?

11 ANC COMMISSIONER MUHAMMAD:
12 Housing and the Office of Planning.

13 CHAIRMAN HOOD: No, it's just
14 either the Office of Planning or DDOT.

15 ANC COMMISSIONER MUHAMMAD: Office
16 of Planning and DDOT.

17 CHAIRMAN HOOD: Okay. Typically,
18 it is in the record. What happens when the case
19 comes up you have to come down to the office
20 --

21 ANC COMMISSIONER MUHAMMAD: You
22 have to come down and get it.

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1 CHAIRMAN HOOD: Do we put that
2 online? We're not doing that yet. Huh?

3 ANC COMMISSIONER CUTHBERT:
4 Sometimes.

5 CHAIRMAN HOOD: Okay. Just --

6 ANC COMMISSIONER MUHAMMAD: We try
7 to get a --

8 CHAIRMAN HOOD: Our future cases
9 are going to be online. We're getting to that
10 point so you can stay at home in the comfort
11 of your own home and do that.

12 ANC COMMISSIONER MUHAMMAD:
13 Uh-huh. Okay.

14 CHAIRMAN HOOD: But, right now, you
15 have to come down and look at the record if you
16 know it's a case that's coming before us.

17 MR. LAWSON: Mr. Chair, if I could,
18 we just note that all of the Office of Planning
19 reports are on our website. So, they're
20 available if you'd like to see them and we'd
21 be happy to send them to you, but just send us
22 an email and we'll send them to you.

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1 ANC COMMISSIONER MUHAMMAD: Thank
2 you.

3 CHAIRMAN HOOD: Okay. And,
4 Commissioner -- Chairman Muhammad, Mr. Jennings
5 will follow up with you at your ANC meeting or
6 at some point.

7 Okay. Again, I thank everybody for
8 their indulgence.

9 Now, let's go to your testimony and
10 what we'll do is wait until both Chairpersons
11 finish and then we will come back and do cross
12 and ask our questions and do cross.

13 Okay. Chairman Muhammad.

14 ANC COMMISSIONER MUHAMMAD: On
15 March the 1st, 2012, ANC 8A had their monthly
16 ANC meeting. ANC 8A voted not to support this
17 project after learning that they were going to
18 reduce the ownership units to rental and we voted
19 not to support it with our Single Member District
20 Representative Greg Justice who also talked to
21 the residents in that community which did not
22 want it to be rental units also.

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1 That project encompasses 6,000 of
2 the ANC 8A members in that community.
3 Seventy-five percent as I was stating before
4 are renters and the Mayor wants to change that
5 75 percent of renters in Ward 8 to 75 percent
6 owners.

7 Of course, in Ward 8, we sold the
8 idea that it was going to be owners in Sheridan
9 and they were happy to know that it was going
10 to be owners and not renters because
11 historically in Ward 8, renters do not take care
12 of property.

13 Scholars have said that owning
14 produces self-esteem. It produces pride. So,
15 if they own, they would take better care of the
16 property that they are living in as opposed to
17 tearing it up. History has proven this to be
18 a fact.

19 With the 6,000 voters and citizens
20 that lived in Ward 8, we don't believe that the
21 tax-credit units should be given on top of HOPE
22 VI money unless we use the money to teach the

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1 residents how to own, how to own, how to own.

2 Ownership builds this self-esteem and since
3 William C. Smith loves Ward 8 so much, they
4 should help and assist those tenants that could
5 be owners as opposed to renters.

6 We follow the money. I don't have
7 their degrees, but I know this amount of money
8 would not be sitting here if -- yes, they
9 represent money. That amount of money wouldn't
10 be sitting here unless this was a project that
11 is worth sitting hours to talk about and discuss.

12 So, we would like homeownership and
13 if they decide to put it there, the Councilmember
14 said he wanted a CVS in Ward 8. Why couldn't
15 a CVS be at the bottom of the project that was
16 built and William C. Smith encourage a CVS to
17 come and put it right there in Ward 8 in their
18 building? Not the new one that's -- not the
19 project part 3, but the one that's on Sheridan
20 Road right now and yes, it will increase the
21 traffic in that area if they decide and they
22 will decide they want to park on the street

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1 because they won't have parking spaces.

2 And if they park on the street, it's
3 already a light that lasts ten minutes on
4 Sheridan and Howard Road. The traffic backs
5 up every day trying to cross Martin Luther King
6 Avenue. It will be ten times worse when you
7 have full capacity in these projects.

8 So, 8A voted not to support the
9 project. Six thousand voters and residents
10 live in that area from 8A.

11 Thank you.

12 CHAIRMAN HOOD: Thank you. Since
13 we're going to be leaving the record open, if
14 you would submit a copy of your vote, you know,
15 from ANC 8A. I don't think we have that for
16 the record. So, we want to make sure that we're
17 able to afford the great weight. Even though
18 we got your comments, we'd like to have a copy
19 for the record.

20 ANC COMMISSIONER MUHAMMAD: Yes,
21 sir.

22 CHAIRMAN HOOD: Let me open it up.

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1 Any questions of either one of these
2 Chairpersons, Commissioners? Okay.

3 I have one for Ms. Cuthbert. I
4 forgot it.

5 Anybody got a question while I think
6 about mine?

7 Oh, actually, I think Commissioner
8 Muhammad. Oh, either one of you.

9 Okay. Since we're going from
10 ownership to rental and I heard you loud and
11 clear because I actually was thinking that when
12 this project was sold and the support that was
13 given when we first heard this was that it was
14 homeownership and I know that there was --
15 initially in Ward 8, we did actually some
16 rezoning.

17 ANC COMMISSIONER MUHAMMAD: Right.

18 CHAIRMAN HOOD: -- to try to do away
19 with some of those same issues you all are
20 speaking of.

21 So, I know -- I understood what the
22 Councilman was saying. I understand what

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1 you're saying.

2 Did William C. Smith -- did the
3 Applicant come to you and say look, we sold you
4 this, but we need to do this for this reason?

5 Was that ever explained at either one of the
6 ANC meetings?

7 ANC COMMISSIONER CUTHBERT: Matt
8 come to my Commission, in fact, he came twice,
9 to explain to us why they had -- but, why they
10 had to lower the height of the houses and change
11 from homeownership to sale.

12 But, when he came, we had also heard
13 on television and radio that homeownership was
14 hard to get now.

15 So, after he left, you know, when
16 he came to our Executive Committee meeting, we
17 started talking and figured well, why just have
18 vacant houses like we saw on Mississippi Avenue
19 and Ashford Court. Those are some beautiful
20 houses. Who can afford them? Not me. But,
21 it took them so long to sell them.

22 So, my thought was okay. If you're

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1 going to lease them, at least they'll be occupied
2 and then maybe we'll go from lease to purchase.

3 That would help a lot of people tremendously
4 if you go from lease.

5 That's the way we discussed. That
6 was our thought process --

7 CHAIRMAN HOOD: Okay.

8 ANC COMMISSIONER CUTHBERT: -- in
9 8C until 8A started with a different --

10 CHAIRMAN HOOD: Once you heard from
11 8A.

12 ANC COMMISSIONER CUTHBERT: Right.

13 CHAIRMAN HOOD: Then you had a --
14 well, so, you still stand behind the letter that
15 you submitted.

16 ANC COMMISSIONER CUTHBERT: Oh,
17 yes, we still stand behind the letter that we
18 submitted, but it's a question. At first, I
19 didn't understand.

20 CHAIRMAN HOOD: Okay. I
21 understand.

22 ANC COMMISSIONER CUTHBERT: I

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1 thought they were trying to be elitists because
2 they wanted homeownership.

3 But, I also know we have a landlord
4 complaining about homeownership. Well, if he's
5 a landlord, he ought to know about leasing.
6 Am I correct?

7 And it just -- that's what -- you
8 know, you got one hand here and one hand here,
9 but you want the community to be together. You
10 don't want it to be divided on a new project
11 coming in. You want all of us to say well, we
12 got this new project. We want to support it and
13 build up. So, that's where it came from.

14 CHAIRMAN HOOD: Okay.
15 Commissioner Muhammad, did your ANC --

16 ANC COMMISSIONER MUHAMMAD: Yes, he
17 came, but he came saying that they could not
18 sell the units in the project and we know that
19 Washington, D.C. even Ward 8 has the steadiest
20 market on the market for housing and as
21 Commissioner Cohen said, the lowest rate --
22 percentage rate for housing in the whole country

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1 ever in the history of selling houses.

2 So, for them to say they cannot sell,
3 they have houses that are foreclosure houses,
4 detached, semi-detached that are \$249,000. The
5 same price that they're -- three bedroom. The
6 same price that is being sold for a two-bedroom
7 townhouse. Two hundred and forty-nine thousand
8 dollars. In Ward 8 and will it sell? Yes.

9 When they go over to South Dakota
10 and see it's \$200,000 for a townhouse in a better
11 neighborhood, they will buy. Three hundred
12 thousand at the highest in Ward 5. South Dakota
13 Avenue.

14 CHAIRMAN HOOD: Somehow we got to
15 Ward 5, but anyway, any other questions,
16 Commissioners?

17 Okay. Did we have any cross
18 examination, Applicant? Okay.

19 All right. I want to thank you both
20 for your presentation.

21 ANC COMMISSIONER MUHAMMAD: Thank
22 you.

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1 CHAIRMAN HOOD: I thought you was
2 saying South Dakota. I was thinking now how
3 did we get down 295 over to -- okay. But,
4 anyway.

5 Okay. Let's go with the -- I had
6 two people -- how many people are here to testify
7 in support? Anyone here to testify in support
8 of the project?

9 Okay. I have two names that
10 actually requested party status. Gia Allen,
11 Andrew Ellis.

12 Gia Allen, is that you? You can
13 come forward.

14 What about Andrew Ellis? Okay.
15 Was Andrew Ellis here earlier? Okay.

16 Is there anyone else who'd like to
17 testify in opposition? You can come forward.

18 MS. ALLEN: Excuse me,
19 Commissioner. My question is --

20 CHAIRMAN HOOD: Okay. I need -- if
21 you're going to do anything -- but, you still
22 need to either ask staff or come to the

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1 microphone and ask.

2 Were you here when everybody was
3 sworn?

4 If you don't want to testify, you
5 want to ask staff the question. If not, you
6 can testify. However you want to do it.

7 You didn't take the oath. She needs
8 to give you the oath.

9 MS. SCHELLIN: Yes, if you could
10 please stand and raise your right hand.

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

14 Thank you.

15 CHAIRMAN HOOD: Okay. Let's just
16 wait a moment to see if the young lady's going
17 to testify. Okay. Good.

18 Okay. Ms. Allen, you may begin and
19 identify yourself.

20 MS. ALLEN: Okay. My name is Gia
21 Allen and I reside at 2619 Douglas Road which
22 makes me a community member in the area.

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1 I've currently prepared my
2 testimony that I would like to read to you.

3 As a community member, I'm concerned
4 that change in the Sheridan Station's planned
5 unit development has created competing interest
6 among the community, the City and the developer.

7 This is unfortunate.

8 The original plan met the need for
9 this area to increase the number of long-term
10 stakeholders through homeownership. This need
11 stems from the most basic of human needs:
12 security.

13 There is a strong desire to see that
14 needed improvements manifest so that this
15 neighborhood is reflective of residents that
16 are safe, healthy and happy.

17 I don't think that cutting the
18 number of units slated for homeownership is how
19 we get there.

20 There is also a deep concern that
21 the percentage of supportive housing and rental
22 housing that currently saturate the area will

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1 pose a threat to the revitalization of other
2 residential and commercial projects and further
3 devalue existing property values. These
4 negative after-shocks are a deviation from the
5 original objective in that development was to
6 be smart as well as profitable and to be a
7 catalyst for future development in the area.

8 At one point, we were all on board
9 as to what is the best practice for building
10 this community, but now that there's been a
11 serious deviation to the plan as long-term
12 stakeholders in the area, I would really like
13 to see William C. Smith succeed in the midst
14 of all of this because I understand the
15 challenges of the housing market and how that
16 has affected and I would also like to see the
17 City succeed and not have to give back the \$6
18 million in HOPE VI grants.

19 Luckily, I believe that we can find
20 a win-win solution where the developer,
21 community and City work together to bring energy
22 to this community so that it shines and serves

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1 as an example of what all neighborhoods can and
2 should be.

3 I just think more creativity needs
4 to be brought to how this issue is approached
5 and I believe that we can do it collaboratively
6 and not competitively.

7 And in that, I really just want to
8 give you a sense of the people who live there.

9 Like I spoke in the other meeting, I have
10 refrigerator rights on all four floors in my
11 community. We take each other's kids and we
12 care for them. Whenever -- I mean we really
13 support each other in more ways whether it's
14 just emotionally, socially.

15 And what have you and what happens
16 is if this land is left fallow, then what we
17 have is a -- we have a known variable. We know
18 how to contain that.

19 But, once you bring in other housing
20 where you have this unknown, we're already
21 teetering, you know, and this can kind of
22 destabilize the whole community and that's

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1 what's frightening because it really becomes
2 a security issue. Not necessarily a monetary
3 issue for us.

4 And just to give a sense of what that
5 begins to look like, is that early on Ms. Hackett
6 who she worked with Washington View to bring
7 homeowners to the area because as a renter she
8 believed that homeownership was what you did
9 to stabilize a community. She saw the value
10 in it.

11 And I feel like as a homeowner who's
12 now kind of building my life off the back of
13 her sweat equity, I have to keep that tradition
14 going and make sure that homeownership is an
15 important tenant in this community because we
16 need these long-term stakeholders. We need
17 stability and it's just not -- again, it's not
18 about property values because, I mean, you could
19 have a house that's worth a million dollars,
20 but it means nothing if your neighborhood is
21 not secure.

22 CHAIRMAN HOOD: If you can just hold

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1 your seat. Next. If you can introduce
2 yourself. You may begin.

3 MS. ROSE: Good evening. My name
4 is Michelle Rose. I'm also a homeowner in the
5 Washington Overlook community at 2607 Douglas
6 Road.

7 I wanted to give a little bit more
8 of my personal background to give a little
9 insight of truly who are the diversity of the
10 residents who live in that neighborhood.

11 I attended undergraduate at
12 Carnegie Mellon University. I then attended
13 Georgetown to get my Master's in Public Policy
14 and I graduated from Howard University School
15 of Law.

16 I initially when I moved to the
17 District of Columbia lived in Brookland and that
18 was around 2000.

19 When it was time to purchase a home,
20 I chose Ward 8 and I really want to emphasize
21 the choosing.

22 Part of what led me to look at Ward

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1 8 because I was not familiar beyond anything
2 that was represented on TV and I think we all
3 can say especially in the earlier parts of 2000
4 might not have been as positive and as a true
5 reflection of the personalities, the values and
6 the opportunities that lie there.

7 But, because I was mentoring in the
8 program where we had financial literacy
9 opportunity for our students and their parents
10 and operation or HOPE VI came and they gave us
11 a packet that said this is where Southeast is
12 going to be in the next five to ten years.

13 So, when it was time to see where
14 I wanted to invest and wanted to begin to place
15 down roots, I did initially look around me in
16 Brookland. I enjoyed the openness, being able
17 to run the greenery as I like to call it from
18 seeing the grass and the land and the family
19 values.

20 I was dissuaded from considering
21 Southwest. I was not necessarily interested
22 in Georgetown and I was very surprised, but I

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1 must say pleasantly surprised by what I found
2 in Ward 8.

3 At the time when I began looking is
4 when establishments such as the ARC, the
5 Covenant House and the Washington Ballet were
6 sites that I had no clue were present in Ward
7 8.

8 I had friends who said those who know
9 Ward 8 love Ward 8. Do not believe everything
10 that you see on TV.

11 And so, that opportunity including
12 with my own broker to drive around and to see,
13 one, the views, the peacefulness and the
14 interactions of the people were something that
15 was very appealing to me at that particular time
16 period.

17 I have had the opportunity to work
18 with Legal Aid, we -- the D.C. Coalition Against
19 Domestic Violence and the reason why I explain
20 that is because I do appreciate the need of the
21 diversity of incomes and different
22 socioeconomic backgrounds and have had to deal

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1 with that directly in both my professional and
2 my personal life.

3 However, I am now at a stage where
4 I'm ready to continue to build roots and what
5 that means is getting married and having
6 children.

7 I don't think this is an issue where
8 it's to be portrayed as homeownership as opposed
9 to renters. I think there needs to be that
10 diversity. I appreciate that diversity.
11 That's part of the reason why I chose Ward 8.

12 My concern is when it's
13 disproportionate in any one particular
14 direction.

15 I had an opportunity yesterday to
16 be down at the D.C. City Council where I spoke
17 with both the Mayor, Chairman Brown and all the
18 other Councilmembers with the exception
19 unfortunately of my own Councilmember because
20 he happened to be in Las Vegas soliciting
21 potential bids and interactions from other
22 companies.

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1 However, part of the thing that was
2 reemphasized is that Ward 8 is a plethora of
3 opportunity for everyone. However, it's
4 difficult to convince business such as CVS,
5 grocery stores, sit-down restaurants because
6 we truly are a food desert, to come to Ward 8
7 because at this particular time, they are not
8 seeing the same balance and the same
9 demographics that they look for when it's time
10 to look at the final numbers which is truly --
11 which is the motivation.

12 I respect and I appreciate and trust
13 me, I'm concerned about the housing bubble and
14 the property depreciation. However, that is
15 not where -- the point of view I'm coming from.

16
17 I understand that Ward 8 is going
18 to take a little time to get to where it needs
19 to be. There are the proposals for the Coast
20 Guard on St. Elizabeth's campus. There is the
21 Government agencies. There are the trolleys.

22 But, even in the short-time period

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1 which I have already resided in Ward 8, I've
2 had the opportunity to see the Nationals Stadium
3 and other facilities and erections.

4 But, what we're stating is in order
5 to truly have that diversity where we can have
6 everyone feeding off of each other as opposed
7 to individuals such as myself becoming
8 frustrated because we cannot have a CVS within
9 walking distance and feeling that it might be
10 necessary just to move somewhere else, we need
11 to have that balance.

12 The proposal to convert or modify
13 the existing plan does not create a 50/50 balance
14 between homeownership and rental property.
15 Unfortunately, it's leaning towards
16 disproportionate level towards renting.

17 And, Commissioner Cohen, I've
18 gauged from your reaction that it's very
19 important to you because before, myself
20 included, different individuals moved to this
21 community, there was definitely a viable
22 community already present who for all intents

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1 and purposes was kind of removed and where they
2 left and what are they suppose to do now?

3 I shared that same concern and what
4 I'm stating is not to keep them moved out of
5 the neighborhood. Because you can't judge
6 someone based on their education, their
7 appearance or anything else. It's truly to
8 create that sense of community.

9 But, I think there is something to
10 be said by having a balance and that is what
11 I would like to emphasize. The modification
12 does not encourage a balance at this time and
13 so that when you were looking for other
14 individuals to sustain and to perhaps increase
15 the direction of Ward 8, I'm sure that everyone
16 can say that they desire it to go. You need
17 to have that foundation as we start now.

18 And unfortunately, I believe that
19 modification as proposed by W.C. Smith does not
20 do it. I think, if anything, what it's going
21 to do is to discourage those individuals from
22 truly putting down roots and not being

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1 transient. You know, the different individuals
2 who come to the District very often live in
3 Maryland, live in Virginia and they work in D.C.
4 and especially with some of the different
5 proposed agencies to come to Ward 8 without
6 giving them a sustainable environment to say
7 no, there is this balance and come and learn
8 and live and love, I think that you're going
9 to encourage that misconception.

10 Thank you very much.

11 CHAIRMAN HOOD: Thank you, both,
12 very much.

13 Commissioners, any questions of
14 this panel? Commissioner May.

15 COMMISSIONER MAY: Yes, I had a
16 question. Sorry. There we go. Found the
17 right piece of paper. Okay. I'm sorry.

18 Very curious. What are
19 refrigerator rights on all four floors?

20 MS. ALLEN: That means that I can
21 go into any unit. There are four floors, but
22 say in my building, I can go and open the

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1 refrigerator and get what I want because I'm
2 not just a neighbor. I'm at this point family.

3 COMMISSIONER MAY: Okay. I
4 figured that's probably what it was, but I wanted
5 to make sure.

6 And you both live on Douglas Road
7 in close proximity. Right?

8 MS. ALLEN: Yes.

9 COMMISSIONER MAY: And the little
10 site plan I have I see a little bit of Douglas
11 Road. So, you're up on the hill kind of behind
12 the project.

13 How far away are you actually from
14 the border of the project? Those upper
15 townhouses. Are you in that same block or
16 another block away or two blocks away or --

17 MS. ALLEN: It would be a block over
18 depending on how it's situated. So, let's say
19 for instance you'll come down Sheridan. Then
20 you can go up Stanton and you can go all the
21 way up Douglas. So, you have a Z in front of
22 you. Right?

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1 Now, the way that they've built, you
2 can actually go down Douglas -- I mean go down
3 --

4 CHAIRMAN HOOD: Can you hold that
5 thought?

6 MS. ALLEN: Um-hum.

7 CHAIRMAN HOOD: Just hold that
8 thought. We don't have three. We don't have
9 a quorum.

10 MS. ALLEN: Okay.

11 CHAIRMAN HOOD: And I think this --
12 that's all right. I think this is an opportune
13 time for all of us to take a second.

14 (Whereupon, at 9:08 p.m., a recess
15 was taken until 9:11 p.m.)

16 CHAIRMAN HOOD: I'm not sure what
17 the question was or any response --

18 COMMISSIONER MAY: I was just
19 looking for where the witnesses live relative
20 to the project. That's all.

21 MS. ROSE: We live at the top of a
22 hill. Currently, I think it's about three

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1 blocks above Laurel Road.

2 COMMISSIONER MAY: Three blocks
3 from Sheridan?

4 MS. ROSE: Yes.

5 COMMISSIONER MAY: Yes. Okay.

6 MS. ALLEN: But, if you cut through
7 the --

8 COMMISSIONER MAY: Yes.

9 MS. ALLEN: -- clearing, it could
10 be seen as like almost a block over.

11 COMMISSIONER MAY: Right. Yes, I
12 sort of have the picture based on the slightly
13 larger map that we saw. So, thanks.

14 MS. ALLEN: Um-hum.

15 CHAIRMAN HOOD: Any other
16 questions? Are you two going to participate
17 in the meeting that's been asked for? I'm not
18 sure how it's going to formed or what's going
19 to happen, but are you all going to participate?

20 MS. ALLEN: I would like to. Yes.

21 MS. ROSE: Yes, please.

22 CHAIRMAN HOOD: Did you all

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1 participate previously?

2 MS. ALLEN: In one meeting, yes.

3 CHAIRMAN HOOD: What about you?

4 MS. ROSE: I was at a meeting, but
5 I didn't make any comments.

6 CHAIRMAN HOOD: Okay. I want to
7 thank you both. Let me see cross examination.

8 Any cross? Does ANC 8A have any cross? 8C
9 any cross?

10 Okay. I want to thank you both.
11 Appreciate your testimony.

12 Okay. We're going to do rebuttal.

13 Do you have any? Any closing? If you have
14 any rebuttal and if not, we'll do closing.

15 MS. GIORDANO: No. No rebuttal,
16 Mr. Chairman.

17 I just want to say in closing that
18 we are amenable to meeting with the community
19 again.

20 It was our hope to get a decision
21 at the next meeting of the Zoning Commission
22 which is on June 11th, but if that's not

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1 feasible, is there another meeting in June?
2 I'm not certain what the date is, but the second
3 meeting in June would be fine.

4 And I just want to note also for the
5 record that the homeownership versus rental
6 issue is really not a requirement of this PUD
7 order. Clearly, I mean it was an issue that
8 was discussed at the hearing and all, but as
9 is the case with many PUDs, residential PUDs,
10 that the Commission approves, there is no
11 requirement that there be a certain type of
12 tenure for the units that are produced. So,
13 I just throw that out there.

14 It certainly has been an issue with
15 the community. We're not denying that that was
16 clearly a part of the proposal that was presented
17 to the ANC, but I did want to put that on the
18 record.

19 CHAIRMAN HOOD: Thank you very much
20 for your knowledge, Ms. Giordano.

21 It's just -- for me, it's an issue
22 of -- I think Commissioner Muhammad mentioned

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1 it and I said and it's called a good neighbor
2 policy. If you sell a community something, you
3 expect for that to go through and I understand
4 we have an issue to grapple with and that's why
5 we like -- at least from standpoint, I like when
6 the community gets back involved. Gets back
7 engaged.

8 We all know what we're trying to
9 achieve and let's see if we can come to win-win.

10 Because at the end of the day, since it's been
11 noted, South Dakota Avenue, I live in Ward 5.

12 So, I'm not going to be the one who's going
13 to endure what's going on. It's going to be
14 the folks who live there. So, it's always good
15 to have that collaboration and I'm not sure --
16 you live in Ward 8, but regardless of the issue,
17 I think it's always good to have that good
18 neighbor policy.

19 Commissioner May.

20 COMMISSIONER MAY: Yes, I just had
21 a couple of follow-up questions and I think,
22 you know, we heard some compelling testimony

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1 about the issue of homeownership from the ANC
2 and assuming that we get the report from ANC
3 8A, we would be required to give great weight
4 to their testimony in favor of homeownership
5 or not losing the balance in homeownership.

6 So, I just wanted to sort of
7 summarize -- you know, get a kind of summary
8 response about what happens if, in fact, we don't
9 agree to this change. I mean what will this
10 do to the project?

11 MS. GIORDANO: Excuse me. In terms
12 of the balance between homeownership versus --

13 COMMISSIONER MAY: Yes.

14 MS. GIORDANO: -- rental? Okay.
15 I think probably the Housing Authority would
16 be in the best position to address that.

17 COMMISSIONER MAY: I'm less
18 concerned about the, you know, money that's
19 lost. I'm more concerned about the end result.

20 If the money is lost, then what happens? I
21 mean do we wind up with vacant lots? Do we wind
22 up with vacant buildings? What do we wind up

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1 with?

2 MS. SMYSER: You'll wind up with
3 just the land, the vacant land that's there now.

4 COMMISSIONER MAY: So, if this deal
5 is not made, this change isn't made, the
6 developer has no more rights? They could not
7 continue to develop the project?

8 MS. SMYSER: No, I mean they -- they
9 would have to come up with the financing to --

10 COMMISSIONER MAY: Okay. So, then
11 maybe they need to answer the question.

12 MS. SMYSER: There wouldn't be the
13 subsidy there.

14 COMMISSIONER MAY: Yes. Okay.
15 So, I think maybe the developer needs to answer
16 the question of what would happen if that money
17 were lost.

18 MS. SMYSER: Without the subsidy.

19 COMMISSIONER MAY: Yes.

20 MR. FENNELL: Losing the subsidy
21 would mean that we wouldn't have any ability --
22 viable way of moving forward with the 65 rentals

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1 that we're already committed to and I'm already
2 on record as to the market rate for sale and
3 the lack of viability to find financing to push
4 that forward into today's climate.

5 COMMISSIONER MAY: Right. So, the
6 whole thing would just stop more or less?

7 MR. FENNELL: Correct.

8 COMMISSIONER MAY: All right. Is
9 there any financial incentive for you to
10 actually have rental property rather than the
11 for-sale property or would you much rather have
12 the for-sale property because it turns a better
13 profit?

14 MR. FENNELL: Well, we'd be happy
15 particularly in the context of this evening to
16 be pushing ahead with the for sale. I mean we
17 don't have any prohibitions against wanting to
18 prosecute that original plan except for the lack
19 of financing and the lack of ability to make
20 that happen.

21 In terms of what does it mean for
22 the management company, there's 68 additional

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1 rental units that would be managed by that --
2 by the management company, but I don't know that
3 there's anything beyond that.

4 COMMISSIONER MAY: Okay. Thank
5 you.

6 CHAIRMAN HOOD: Any other
7 questions? Okay.

8 Ms. Giordano, are you finished?

9 Okay. All right. I want to thank
10 everyone for their participation. Let's see
11 if we can get some dates, Ms. Schellin or did
12 we ask for anything?

13 MS. SCHELLIN: Yes, we did. We
14 need the Applicant to provide their PowerPoint
15 presentation. ANC 8A to provide their report
16 in order to be given great weight and it sounds
17 like the Applicant and the community are going
18 to meet again and so, I would assume that the
19 Commission would want the parties to provide
20 a response or a report rather regarding that
21 meeting.

22 CHAIRMAN HOOD: Ms. Schellin, can

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1 we take this up at our second meeting in June?

2 MS. SCHELLIN: Yes, I did some
3 figuring out of dates. We could actually leave
4 the record open for 25 days if that meets with
5 the Commission's approval. It's a little more
6 than the two weeks and that would be until June
7 11th and then the parties would have until June
8 18th to provide responses to anything filed on
9 June 11th and both dates the deadline being 3:00
10 p.m.

11 And I just want to clarify. Is the
12 record closed to everyone else except for these
13 items?

14 CHAIRMAN HOOD: Except for what we
15 asked for, those items, the record is closed
16 in this case.

17 MS. SCHELLIN: Okay.

18 CHAIRMAN HOOD: Okay. Except for
19 what we asked for.

20 MS. SCHELLIN: From the parties.
21 Yes. And then is Ms. Giordano could provide
22 a draft findings of facts, conclusions of law

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1 and the ANC is welcome to do that, too, if they'd
2 like to. Preferably by June 11th, 3:00 p.m.
3 also.

4 CHAIRMAN HOOD: Okay. I want to
5 thank everyone for their participation tonight
6 and this hearing is adjourned.

7 (Whereupon, at 9:20 p.m., the
8 hearing was adjourned.)

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