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VIA E-MAIL

Zoning Commission for the District of Columbia
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Office of Zoning
441 4th Street NW, Suite 210S
Washington, D.C. 20001
(202) 727-0789

Re: Z.C. Case No. 03-12Q/03-13Q (Capper Carrollsburg Venture, LLC and
D.C. Housing Authority Modification to 1st-Stage PUD @ Squares 739,
767, 768)

Dear Members of the Zoning Commission:

DCHA and CCV request that the Commission grant DCHA and CCV “flexibility to not designate at this time the number of public housing units to be constructed on each remaining parcel, and to instead issue an order stating that each parcel shall contain a minimum of 15% public housing units.”

Statement of Incorporation

I incorporate herein my written testimony dated September 23, 2014.

Statement of Interest

I am a homeowner on the 900 block of 3rd Street SE, directly across from Square 767.

Factual Background

On December 19, 2014, DCHA and CCV filed a Prehearing Statement in Support of Request for Modification. DCHA and CCV request that the Commission grant DCHA and CCV “flexibility to not designate at this time the number of public housing units to be constructed on each remaining parcel, and to instead issue an order stating that each parcel shall contain a minimum of 15% public housing units.” The Prehearing Statement emphasizes that DCHA and CCV are “committed to expediting the delivery of the remaining 206 public housing units.”

On December 29, 2014, the Office of Planning evaluated CCV and DCHA's modification request in its Supplemental Set Down Report. The Office of Planning recommends approval of DCHA and CCV's modification subject to the following revisions: "206 ACC units shall be constructed among Squares 767, 768 and 739, with the percentage of ACC units within each Square to be no less than 15% and no more than 50% of the total number of residential units on the Square." The Office of Planning indicates that it previously opposed DCHA and CCV's modification request for flexibility concerning the relocation of the remaining affordable units because "if the market rate/ACC rate co-location requirements were completely removed for the remaining 206 ACC units, the PUD conditions would no longer explicitly prohibit concentrating the ACC units in one or two of the remaining PUD Squares or buildings." In its Supplemental Set Down Report, the Office of Planning now states:

In a more progressive financial market OP would be reluctant to recommend approval of a modification permitting separate market rate and affordable buildings, even within the same Square. However, OP is satisfied that permitting the applicant some flexibility on ACC unit location is necessary to get the units built, and that imposing both a base and upper percentage of affordable units in each of the Squares is an acceptable compromise for ensuring housing is built and income segregation is kept to a minimum.

Statement of Position

DCHA and CCV have "committed to expediting the delivery of the remaining 206 public housing units" to the detriment of the PUD's overarching goal of providing a "vibrant mixed-use and mixed-income community." As outlined in greater detail in my September 23, 2014, written testimony, there is evidence that DCHA seeks to sell the southern portion of Square 767 for private development and develop on the northern portion of the Square a single building of which all units will be ACC units. This is directly contrary to the stated goal of the PUD.

The Supplemental Set Down Report by the Office of Planning suggests that, in light of the current financial market, the Office of Planning no longer is reluctant "to recommend approval of a modification permitting separate market rate and affordable buildings, even within the same Square." The Office of Planning attempts to reconcile its new position with the mixed-income goal contemplated by the PUD by imposing a base and upper percentage of affordable units in each square to ensure that "income segregation [be] kept to a minimum." However, this attempt at reconciliation permits the construction of separate buildings catering to residents with different incomes in the same square so long as the market rate building has at least the same number of units as the affordable building. Such a separation of buildings by income does not minimize income segregation. To the contrary, it creates income segregation.

DCHA committed to developing the type of mixed-income community envisioned by HOPE VI and laid out in the PUD, but now that financing has become difficult, DCHA is trying to revert back to the former model of income segregation that has proven unsuccessful. As a

resident of the Capitol Quarter neighborhood since mid-2011, I have experienced firsthand the benefits that mixed-income housing offers in fostering a sense of community among people with different incomes. The Capitol Quarter neighborhood no longer is a blank slate; over the past several years, we have developed a culture based on the current mixed-income model of housing. DCHA now seeks to forego that model – and ignore the community’s culture – by instituting income segregation in the form of separate market rate and affordable buildings. In doing so, DCHA no longer is setting up for success the new ACC residents of the Capitol Quarter community but instead is reverting to the very segregation by income model that failed in the former Capper Carrollsburg development.

Conclusion

DCHA and CCV should not be granted the flexibility to not designate at this time the number of public housing units to be constructed on each remaining parcel, so long as each square contain a minimum of 15% public housing units and a maximum of 50% public housing units. DCHA and CCV should be granted such flexibility only to the extent that DCHA and CCV also are prohibited from creating single buildings of solely affordable housing units, even if other buildings on the same square contain market rate units. To grant DCHA and CCV flexibility that would enable them to engage in income segregation would be to expedite the delivery of the remaining 206 public housing units at the expense of providing the vibrant mixed-income community that both is outlined in the PUD and already has begun to flourish. Granting such flexibility absent a prohibition on buildings containing only affordable housing units would serve only to enable DCHA and CCV to build right now at the expense of building what is right.

Respectfully,



Rachel L. Frankel