

**Testimony to the Board of Zoning Adjustment
Case 19450
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I am testifying today as an ANC commissioner representing the single-member district that includes 3320 Idaho Avenue NW.

The case before the board has attracted significant interest throughout Ward 3 and beyond. The question of how best to help people experiencing homelessness is of citywide importance.

However, the matter before you is also local, because the project will have an enormous impact on the surrounding neighborhood. I am providing this testimony on behalf of the people who would be most affected by this shelter – those who live closest to it.

The city is asking a lot. It wants zoning relief for a shelter that isn't just one story above what is permitted in the RA-1 zone, or even two stories over. It wants a shelter that is three stories higher than the three stories permitted.

Right next door are single-family homes. If you look at the contextual drawings of this building, you will see that the shelter will tower over them. It also is strikingly taller than nearby McLean Gardens condominiums and the townhomes across Idaho Avenue.

Zoning is important. It exists for a reason. While the majority of residents in my district support the city's goal of closing DC General and building shelters in every ward, they also believe that this building is fundamentally incompatible with nearby residential structures.

Residents are concerned as well about the density. The RA-1 zoning permits a temporary emergency shelter that houses between 5 and 25 people. The proposed building is slated to house a maximum of 185 people and have between 10 and 22 staff at any given time. That's not just a few more people than permitted. It's exponentially more.

The city points out that Vaughan Place, a tall apartment building, is nearby. But Vaughan Place fronts Wisconsin Avenue – a commercial corridor. Vaughan Place is not next to single-family homes.

The city is trying to shoehorn a massive structure into a small space, and people who live nearby find that tremendously problematic. For these reasons, I urge you on behalf of ANC 3C06 to oppose the city's request for a height variance.

To be clear, though, I have heard from many people who support a shelter at this location and are looking forward to volunteering at the shelter if it is built. They just want the city to follow the zoning rules.

Many residents suggest that a smaller structure that conforms to zoning would be much more compatible with the neighborhood. To that end, I and others have asked the city if it could build a smaller structure on this site – one that conforms to the RA-1 zoning – and build another small structure elsewhere in Ward 3 to meet the goal of housing 50 families in Ward 3. The city says that for efficiency and economic reasons, it doesn't want to consider it.

However, the costs of this project keep mounting as more unforeseen obstacles crop up. At some point, it would seem that the city would reconsider its refusal to split the Ward 3 project into two smaller pieces.

If the city does want to build a six-story building, there may be better sites. The city says in its application that it undertook an "exhaustive search" for Ward 3 properties for this shelter, but nothing in the record backs that up.

The Department of General Services put out an RFP last year, and according to information online, it analyzed six Ward 3 sites based on proposals that it received. All were owned by private developers. Nothing in the record indicates that the city assembled a list of city-owned properties in Ward 3 and analyzed their feasibility for this project.

In fact, on April 29, 2016, the Department of General Services wrote in a letter to Councilmember Mary Cheh that 3320 Idaho Avenue NW was an unsuitable location for the shelter, and that for a shelter to be sited there, the police station would have to be relocated.

Specifically, the letter said that "to use this site for the Ward 3 site, we would need to lease a facility to relocate the Second District, which would require additional operating dollars. Alternately, the District would either need to identify suitable District-owned land for the relocation as well as additional capital funds in order to construct or renovate a new facility for MPD, or identify additional capital funds in order to renovate the existing MPD building to also support the Ward 3 site. ... Finally, the loss of the park at that location may interfere with the Department of Parks and Recreation's (DPR) master plan for park availability for this

neighborhood. These complicating factors create an unknown delay and thus make this site unsuitable for our purposes.”

This highlights another issue that many in the neighborhood are concerned about, and that is the fundamental compatibility of the two uses – police station and shelter.

Another concern of residents is the effect on John Eaton Elementary School. Of the 185 shelter residents, 60 percent will be children. Of the children in D.C. General, about half are elementary school age. The city says that it is unlikely many children from the shelter will attend John Eaton. The city says that mothers will use public transportation each day to take their children back to the schools they previously attended. But the all-ward shelter approach is new. It is conceivable that mothers will place their children in the closest school: John Eaton. So far, we haven't seen a plan as to how to ensure John Eaton has the resources to help these children.

Variance to use the tennis courts as parking lots

The neighborhood appreciates that the city is trying to head off a severe parking crunch during the construction of the permanent parking garage. However, the city's proposed solution – paving over the tennis courts and destroying an unknown number of community garden plots in the process– is not the answer.

To get to the tennis courts, the city would have to build a two-lane road through the community garden. One of its suggested paths lies about two feet from a children's playground. By my calculations – which I made because the city hasn't provided any dimensions or detailed drawings for this proposal – this likely would require the removal of at least a few trees and would destroy some community garden plots.

The community garden is a neighborhood oasis of green space. There are 220 plots and a picnic area. The gardens are busy in warmer weather, with people not just gardening but also picnicking and socializing.

The city says it will “restore” the garden plots it paves over. But again, the city has not provided details as to how. And as a gardener with a plot in the community garden, it is inconceivable to me how the city can restore ground that has been paved over. Other concerns arise, such as the safety of nearby children in the playground and stormwater runoff carrying pollutants.

The city's second proposed route – along the wall that separates the police station from the gardens – also would remove trees and garden plots, and pose the same issue as to pollution stormwater runoff.

Residents in my district also are alarmed at the cost of the tennis court paving idea. Laura Zeilinger, director of the city's Department of Human Services, provided a handout to myself and the ANC3C Commission chair on Feb. 18 showing that it

would cost \$700,000 to pave over the tennis courts and build the road through the gardens to them. She said it would cost an additional \$1.8 million to restore everything.

That's \$2.5 million to deal with a parking problem that will exist for eight months. Many in my district believe that is fiscally irresponsible, especially when alternatives exist. A stretch of 39th Street NW between Macomb Street and Massachusetts Avenue has no zoning restrictions. It could be designated for police parking during the construction. Other areas could be explored as well for this purpose.

For all these reasons, I urge you on behalf of ANC 3C06 to oppose the variance the city is seeking to turn the tennis courts into a parking lot.

Additional concerns

Additional concerns continue to arise. I recently heard that it is possible the wall between the community garden and police station will have to be removed during construction of the parking garage. That would impact the plots that line the wall, possibly destroying them.

Also, just ~~this~~^{last} week we saw in the city's most recent filing a sketch of the three-deck parking garage, which appears to be bigger than the police station. We have no plans, no dimensions, no explanation for how it will comply with zoning. Is it an accessory structure and limited to 20 feet in height? No one knows, but the aerial image shows a very large structure that doesn't look secondary in size to the police station and appears to be taller than 20 feet.

Perhaps it's time to hit the pause button and consider other solutions. Surely the Council didn't intend for the shelter lead to the construction of a massive aboveground parking garage adjacent to single family and garden apartments.

Thank you for your consideration.