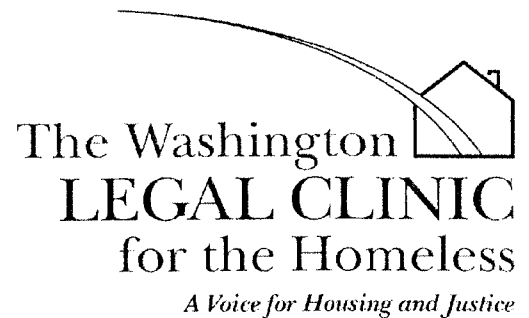


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Board of Zoning Adjustment
Testimony in Support of Application 19452, 1700 Rhode Island Avenue NE
Amber W. Harding
Washington Legal Clinic for the Homeless, Ward 5 resident

I am testifying on behalf of the Washington Legal Clinic for the Homeless (WLCH) as well as in my personal capacity as a Ward 5 resident to support the application for zoning relief in order to build a family shelter at 1700 Rhode Island Ave NE.

Since 1986, WLCH has provided free, comprehensive legal services to homeless or nearly homeless DC residents. We help over 1,000 clients per year with access to housing, shelter, and life-saving services, with the assistance of over 250 volunteer attorneys. The Legal Clinic envisions a just and inclusive community for all residents of the District of Columbia, where housing is a human right and where every individual and family has equal access to the resources they need to thrive. We do not take government money.

I have been an attorney at WLCH since 2003, and have worked with people experiencing homelessness in DC since 2001. I was appointed to the Ward 5 Shelter Advisory Team by Councilmember McDuffie and have attended every meeting. Prior to that, I was a member of the Interagency Council on Homelessness Design Committee. My family has lived in Brookland for 12 years. My children go to daycare and elementary school nearby and my husband works at Children's Hospital.

At WLCH, we support closing DC General and replacing it with smaller, healthier and safer shelters across DC. DC General is not a place that anyone should ever have to live, not even for a short period of time, and DC has for far too long allowed homeless children and their parents to suffer from poor conditions, poor design, and poor services. Affordable housing is the solution to homelessness, but we must always maintain an adequate emergency shelter safety net that is immediately available for those experiencing a housing crisis. When DC Village was closed in the fall of 2007, all of its residents were placed into housing. Still, more families became homeless. And when these families had no other shelter to go to, DC General grew from a seasonal shelter for 35 families to a year-round shelter for 280 families. Given this history, with no clear end to our affordable housing crisis and with over 600 hundred families currently in hotels, we *cannot* close DC General unless we have replacement shelters ready to go.

I have been actively involved in the process to close DC General. When the first Ward 5 site was proposed, we opposed it. We did that not because the neighbors opposed it, which they did, but because it was not in a residential area and we believed that a

shelter at that site would have been harmful to the health and safety of the residents of the shelter. There were no nearby grocery stores or other services and public transportation options were minimal. The site was surrounded by a WMATA bus garage, a heavily guarded marijuana growing facility, train tracks, empty warehouses, a strip club, auto body shops, a concrete plant, and a trash transfer facility.

We knew the DC government could do better for homeless families in Ward 5. 1700 Rhode Island Ave was one of the few alternative sites discussed as far back as last March, including at the March 17 hearing on the shelter plan. Unlike the previous site, this is a site that is part of a vibrant neighborhood. It sits on multiple bus routes and within walking distance of the Rhode Island Metro station, the Woodridge Library, and Langdon Park and Recreation Center, which has a great playground. It is a great place to raise a family in this city, and many of us will be happy to welcome the new residents of our neighborhood when the shelter opens.

I have listened to the concerns of some neighbors about the height of the building and the variances being sought out for months. I have been at every community meeting where it has been discussed other than the ANC5B meeting I missed last week. I have gone over the designs. I have heard the concerns about process and height and parking. I understand that DC is asking for multiple exceptions and variances today. I am not unsympathetic to the concerns that have been raised, nor do I think all neighbors with concerns are against having a shelter at this site. I would note, though, that I have never seen opposition to any other neighborhood development reach this level of vitriol and hyperbole-- neighbors are, for instance, characterizing a six story building as a "tower" that will imperil the "soul of Brookland."

The BZA is often asked to grant variances and exceptions for development where profit is the aim, often at the expense of low-income communities who face displacement. Here, the BZA is being asked to grant relief to help those who have been displaced-- to soften the blow of unfettered development by building a safe, humane shelter for families. That is a worthy justification for zoning relief.

If the exceptions are not granted, then DC will have to either build a smaller shelter or find another site. If DC builds a smaller shelter, it will have to either reduce the number of shelter units—meaning the city will not meet the statutory requirement to close DC General and will be even further away from meeting the need for family shelter—or it will have to sacrifice some of the privacy or living space of the homeless families that will live in the shelter. That is unacceptable. If DC has to find another shelter site, it may experience significant delay to the closure of DC General or it might not be able to find another DC-owned site that works.—once again at the expense of homeless families. Even if DC could find another site, those neighbors might be even more emboldened to use this zoning process to fight having homeless families in their neighborhood.

None of the design or zoning concerns that I have heard should override the needs of the homeless families who will live at this site. None of these concerns are more important than the need to close DC General with a sufficient number of units, the need to have units that provide dignity and privacy to residents, the public interest in providing an appropriate safety net for children in crisis, or the desire of families to raise their children in the same safe, supportive community that I raise my children in.

I respectfully request that the BZA give great weight to the needs and interests of homeless families in this process, and grant the requested zoning relief.



1700 Rhode Island Ave NE Design: Law and Policy

Number of units:

Law →

The DC Council authorized “up to 50” units to be built at this site. DC Code §4-753.01(d)(5) requires that DC build 280 DC General replacements units, total.

- There are 6 replacement sites, and the Ward 7 site can only have 35 units. To get to 280, each of the remaining sites must get to very close to 50 families.
- The Ward 5 site is expected to house 46 families.

Interagency Council on Homelessness Design Guidelines →

- Up to 50 units per building, no more than 10 families per floor
- 300-400 square feet per room

Bathrooms:

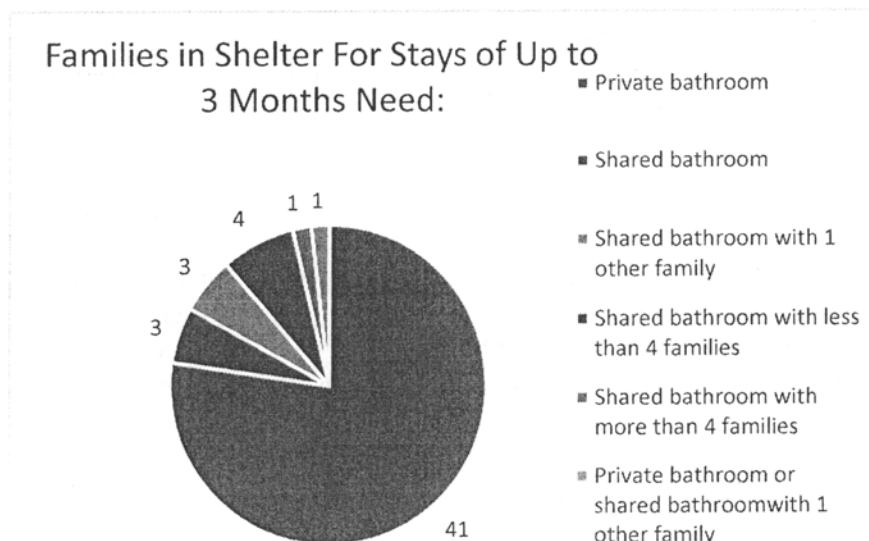
Law →

DC Code §4-753.01(d)(3) set the *minimum* number and type of bathrooms:

- 10% private bathrooms (only accessible to 1 family)
- 20% family bathrooms (accessible to all families but only 1 at a time)
- 2 multi-fixture bathrooms per floor

Interagency Council on Homelessness Design Guidelines → “the overwhelming recommendation was to maximize private bathroom space however possible without delaying closing DC General”

Community input* → 77-85%** of families: “It is critical to have a private bathroom and shower.”

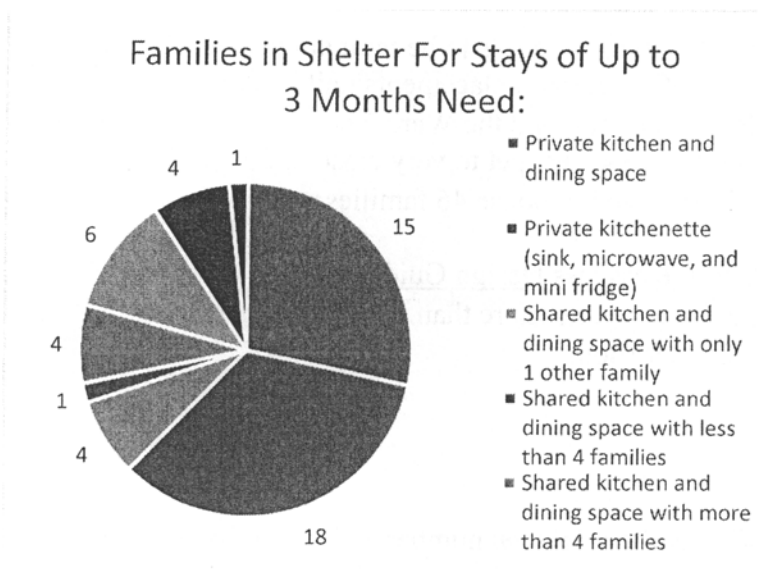


Cooking:

Law → DC Code §4-751.01(11A) mandates that any DC General replacement unit “includes space to store and refrigerate food.”

Interagency Council on Homelessness Design Guidelines → access to refrigerators and microwaves, space to store dry food, committee mixed as to whether each building should have a communal kitchen

Community input → 70-75%** of families: “Private cooking space is necessary.”
89%: “At least some access to cooking facilities (private or shared) is necessary.”



Other features:

Law → primarily silent, although laundry facilities and play space are required

Interagency Council on Homelessness Design Guidelines →

- Study rooms on each floor, large study room/library on main floor
- Access to computers
- Age-appropriate play space, indoor and outdoor

Community input →

- 88% of families reported a need for a place for kids to do their homework
- 96% of families reported a need for a computer lab or access to a computer
- 87% of families reported a need for a playground and play space outside for children

*In October 2015, the Washington Legal Clinic for the Homeless interviewed 53 homeless families about what features are critical in a homeless shelter. Full report found at <http://www.legalclinic.org/wp-content/uploads/2015/10/Family-Survey-Results-final-10-26-15.pdf>. **Percentages increase the longer the family stays in shelter. Families were asked the same question for the following time frames: 3 months, 3-12 months, and more than 1 year in shelter.