

**Case No 19659 before the Board of Zoning Adjustment
2118 Leroy Place N.W.**

**Summary of Hearing Testimony of John Sukenik
Member, Executive Committee, Sheridan-Kalorama Neighborhood Council**

Introduction: My name is John Sukenik. I'm a longtime resident of Sheridan-Kalorama, and a past president of the Neighborhood Council.

I'm going to cover **three matters in this testimony.**

(1) Concern about “Vacant and Abandoned” Properties in Sheridan-Kalorama”

There is no problem of large, vacant, and abandoned properties in Sheridan-Kalorama, particularly embassy properties. I know of one, which is a unique situation. **The problem is that a small number of properties, while vacant, are not in fact abandoned.**

Some foreign governments effectively stop occupying their buildings, as happened with 2118 Leroy, but rather than making them available for purchase, they retain ownership for unknown reasons and for long periods, sometimes even decades.

Once large residential properties that formerly were grandfathered diplomatic or institutional uses are returned to the marketplace, they are converted back to their original residential use, as the Zone Plan intends.

For 10 examples of several directly relevant reconversions, please see Case File Exhibit 105A, Tab B.

Such properties can take a while to sell, just as do most properties in Sheridan-Kalorama, regardless of condition. The higher the price, the fewer potential purchasers there are, and the longer a sale usually takes. 2241 Bancroft, cited by the applicant, represents a typical situation, having been introduced at a price exceeding \$6 million, and now asking just below that. A buyer always comes along eventually, and in the interim it is extremely rare for a residential property to be vacant, just as 2241 Bancroft is not.

(2) Facts of the Physical Condition and the Sale of 2118 Leroy

2118 Leroy is a perfect example of my statements above.

The property had been **all but vacant—but not abandoned—since 1907**, for around a decade. The condition of the building makes it **entirely suitable for a residential rehab**, despite assertions to the contrary.

Guillermo Rueda, a respected architect who is **directly experienced with reconversions in Sheridan-Kalorama**, has reviewed the plans and photos, and **attested to the building’s potential for residential use, given its many remaining residential elements.** See Case File Exhibit 105A, Tab M.

Well-known Kalorama real estate specialist, **Sylvia Bergstrom**, who was the listing agent for 2118, **advertised the building as follows.**

“Previously used as an embassy/currently set up as offices, this property could be a spectacular residence. The huge foyer boasts a beautiful staircase, leading to light-filled upper levels.” See Case File 105A, Exhibit B.

However, **the best evidence of potential for residential use** comes from the fact that there was **residential demand**, but it was snuffed out by FSMB’s paying \$4,150,000 for a property offered at \$3,500,000, and assessed for 2018 at \$3,367,000.

FSMB bid up the price by a startling \$650,000. Large associations should not be able **to buy their way to eligibility for special exceptions in residential neighborhoods** by paying preemptively high prices.

(3) Adverse Impacts the Proposed Office Use on the Residential Block and Area

I propose **a common sense assessment of adverse impacts**, one derived not from assertions, but from facts and our common knowledge and experience with DC life.

(A) Let's first review the setting of 2118 Leroy and its residents' sentiment regarding FSMB's proposed office use on their block, which is more than **75% single-family residential**.

- **2118 is mid-block**, not at Connecticut Ave end.
- The **hotel** on Connecticut does not interact with the rest of the block.
- **2118 is attached to single family residences on both sides**, one home with two adults, and the other with two adults and two children. **Both homeowners have filed statements of opposition.**
- Properties directly **across the street in front and across the rear alley behind** are **single family residences**, and **all have filed their opposition** to FSMB occupancy.
- Please consider the practical impact of being a resident of a single family home and having **25—or 15, for that matter—office workers in the building next door or across the street, every day of the work week.**
- The **ANC is unanimously opposing the applesation**
- As of 1/29/18, **64 Statements of Opposition** have been filed, representing 73 individuals, **including one from Councilmember Jack Evans.**
- **There are no statements of support.**

(B) Here are a few other facts keep in mind

- FSMB **initially claimed only 8 employees**, and they are **seeking approval now for 25**, while having noted that they have room for many more.
- FSMB is an association with **70 other state regulatory agencies as its members**. The **membership numbers** of its members are almost **incalculable**, given all the membership categories and sub-members.
- FSMB apparently plans to create **a showplace** for the association, as revealed by the FSMB CEO at the ANC meeting, when he expressed his effectively having a blank check to turn the building into a top notch office building, a condition from which it could never return to residential.
- FSMB, as a 501(c)(6), which is defined as **a group with a common business interest**, is **a large, wealthy membership association.**

(C) Visitors comings and goings will not be consistent with activity in a residential zone

FSMB has issued **an open invitation to members to drop by** its current Washington offices whenever they are visiting DC, **on FSMB business or not**. See Case File Exhibit 105A, Exhibit C, Tab K.

Further, it simply strains credibility to think that FSMB will not be regularly and frequently hosting **DC meetings of its extensive nation-wide network committees and work groups.**

(D) Staff comings and goings will be constant.

FSMB seeks approval on Leroy offices for **25 FTEs, a multiple of the size of any other daily occupancies on the block.**

FSMB does not exclude **part-timers or Temps**, and has even said people from **other FSMB locations** will work there for limited periods.

FSMB DC is **clearly a lobbying operation**. Job titles include Chief Advocacy Officer, Director, Federal Government relations, Director, State Policy and Legal Services, State Legislative and Policy Coordinator. **What do lobbyists do?** Host, entertain, visit, meet, Hill, etc.

(E) The intensity of office use will greatly increase.

For the past decade, **use of 2118 has been nominal at the most**, so any increase through FSMB's office use will be significantly more intense

(F) Event use will be a new and major disruption

There has been **no evidence submitted of prior event use**, and we don't know of any.

FSMB's pre-hearing statement acknowledges that there will be events at 2118. While these acknowledgements have to be evaluated against the reality of the organizations national scope, they include.

- "Receptions"** for 50 guests at least "once a quarter" _____
- Committee meetings and work group meetings** for 12 people "2 – 3 per quarter" (**some meetings at night**)
- Mid-February, **Board of Directors meeting, four days, 20+ people**

Taken together, these events will cause **a level of activity that is neither normal nor appropriate** on this residential block.

(G) Street Blockages on Leroy and in the alley behind FSMB

Leroy Place is a one-way, one lane street. If a vehicle is stopped in front of 2118 Leroy, **no other vehicle can pass.**

-Similarly only one vehicle at a time can pass **in the alley.**

-2118 has **no off-street or off-alley parking.**

-FSMB' proposed office will cause **back-ups on Leroy Place** as Ubers/ Cars/ Taxis drop off and pick up people going back and forth to the Hill and/or attending events. These backups will also make it difficult for neighbors who live on Leroy to access their driveways and homes.

(Street and Alley Blockages, cont.)

-Offices require a lot of **regular service visits** and FSMB at 2118 would mean either **backups on Leroy Place or alley blockages** due to:

Trash: How and where will it be picked up? Not enough room in the alley. Need private trash service.

Deliveries/ services.: Due to the narrow alley and normal company practices, deliveries and services will have to be made from Leroy Place; FedEx and UPS deliveries and pickups, nightly office cleaning, etc.

-Also, **other service providers** will visit the property much more often than for a residence, to provide telecommunications maintenance and repair; general building maintenance and repair; to use messengers, etc.

-None of these vendors would be able to find parking on the street, nor could be required to access the property from the narrow alley, so they would have to **double-park** their vehicles in the street while making their deliveries.

(H) Office/Event uses will cause further significant circulation impacts

-**Caterer drop offs and pick-ups** (generally before and after events); timing of these drop offs could coincide with residents needing to get in and out of their driveways.

-**Uber/ taxi drop off/ pick ups** before, after and during events (in the morning and evenings) – assuming 50 people, at least 30 drop offs and 30 pick ups, all between 5 and 8 pm, will block the street, especially with the high frequency “**Black Car drop off/ pick ups** before, after and during events (in the morning and evenings)

-Because **the Property is not readily convenient to many services**, or even coffee shops, the general office use would also cause other, more frequent **drop offs by caterers/delis/ Uber Eats, DoorDash etc., as people order in breakfast and lunch.**

(I) Parking will be impacted throughout the neighborhood.

No matter what claims are made, people will drive to FSMB and park in the neighborhood. There are only about six spaces on Leroy that are not restricted to resident use, so the surrounding streets will inevitably be adversely affected as well

(J) Other vehicular impacts will be felt throughout the neighborhood.

Leroy Place is a one-way street **going east** from Phelps Place down to Connecticut.

A vehicle cannot arrive at the Property without going through the neighborhood.

For a car, taxi, truck van, etc. **to arrive at 2118, the vehicle would have to take other residential streets**, which could likely increase the chances for **accidents** with other vehicles and pedestrians, especially due to the existence of blind hills and driveways throughout the neighborhood.

(K) Adverse economic impacts are all but certain.

FSMB’s extreme above-market purchase price will **drive up assessments and taxes of residents**. That damage might already have been done.

Going forward, **values of attached and nearby properties will be reduced by their proximity to an active and disruptive office use**, and the entire block will be less attractive purchasers seeking single family residences.

CONCLUSION: The proposed FSMB office use would greatly diminish **the residential quality of life** on Leroy place, and on the residential streets nearby. **The collective significance of FSMB's adverse impacts what matters, and they will be transformative for the single family residents.**

Bottom Line: FSMB's attempt to buy its way onto a residential block should not be approved. This major membership association would be a new, non-conforming and highly disruptive use that has no place in the middle of this R-3 block.