

URBAN HOUSING ALLIANCE

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Testimony of Urban Housing Alliance, Campbell Johnson and Dorchester Tenants Association

on

Dorchester House Associates, LLC & Kalorama West, LLC PUD & Zoning Commission Case #04-36

March 30, 2006/ April 13, 2006

Presented by:

**Campbell C. Johnson, III
Chair, Urban Housing Alliance
President, Dorchester Tenants Association
(throughout relevant period)**

Good evening, my name is Campbell C. Johnson, III. First, I thank you for holding this hearing. However, I believe the hearing is premature because it is only looking at several issues and I believe you need a balanced, comprehensive and broader perspective. If approved, the proposed actions will cause irreversible harm to a fragile, at risk neighborhood. In the present context of the neighborhood's development, the proposed project will be totally out of scale for the adjacent streets, neighborhood configuration and heavy traffic congestion that already exists. Despite proposed street reconfigurations and traffic pattern adjustments, this project will deeply undermine the quality of life for all residents living in the neighborhood. (Four large apartment driveways enter the streets within one half block of the proposed project.) It will conflict with the interests of the neighborhood in maintaining its residential character and it conflicts with the Reed-Cooke Overlay, which was developed in consideration of the residents' desire to maintain its residential character.

Citadel Gas Station and Storage Tanks

Also, before considering approval of the proposed actions, the Commission should give serious consideration to the fact that this property abuts a building (The Citadel 1631 Kalorama Road, N. W.) that previously included an automobile gas station. Environmentally, neither the applicant nor the prior owners have done anything toward removing the gas tanks that were kept underground. The Citadel building's entire property line abuts the proposed site of the applicant. The only place that underground gas tanks could have been located is under the south side of the parking lot on which the applicant's building and garage will be located. (District government officials indicated that the three 4,000 gallon storage tanks would not have been located in the building)

The Environmental Health Administration indicated that data reported to the Underground Storage Tank Division stated that the tanks were removed December 2005.

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However, the proprietor of the neighboring Dorchester Market, a police officer and this witness have no information indicating that any such tanks were removed from the parking lot area or from within the building. Since the above persons are in that vicinity on a daily basis, it is clear that the tanks were not removed.

Lack of Notice to Dorchester House Tenants

Notices of the Zoning Commission hearing were only placed at one entrance to the building. (This witness saw no notice at all.) There are four entrances to the building. Many persons who drive or use one of the other entrances were likely to have not seen the official notice.

In his attached April 4, 2006 notice to tenants, which was placed in the elevators, the applicant claimed to have met with the tenants association. This meeting took place in mid March 2006. On this occasion, Mr. Hoskinson did not make the presentation in the Dorchester House lobby, where he and others customarily meet with tenants. His presentation took place two blocks away where disabled and elderly tenants would face substantial obstacles in attending. Neither Mr. Hoskinson or his new management company provided tenants with notice of this meeting.

While Mr. Hoskinson had been silent about his project with Dorchester tenants, I understand that he has "shopped" the project to at least two neighborhood groups, without success. I understand that he is offering a \$100,000 contribution to Jubilee Housing based on his receipt of work permits related to this project.

Motion

Having applied for party status on three bases, I move for a continuance of this hearing until the Commission requests and receives a report from the Department of Health in regard to removal of the gas tanks or abatement of the potential for creating a major health hazard for residents in the neighborhood and to provide an opportunity for all Dorchester House tenants to be provided with proper notice of the hearing. For reasons regarding credibility, identified below, I ask that the Commission not rely on the applicant to provide a commissioned/contracted report on this situation.

I am a tenant in the Dorchester House, a 394-unit building that includes a number of professional and business offices and several stores. The building is located at 2480 Sixteenth Street, N. W. I was elected president of the Dorchester Tenants Association in 2000 and have been a tenant and board member for 26 years. The proposed development project will be on the parking lot right behind our building.

Silence about the Project while Shopping the Project

Only within the past two weeks has Mr. Hoskinson provided any opportunity for Dorchester tenants to learn about this project. On this occasion, Mr. Hoskinson did not make the presentation in the Dorchester House lobby, where he and others customarily meet with tenants. His presentation took place two blocks away where disabled and elderly tenants would face substantial obstacles in attending.

While Mr. Hoskinson had been silent about his project with Dorchester tenants, I understand that he has "shopped" the project to at least two neighborhood groups, without success. I understand that he made a \$100,000 contribution to Jubilee Housing that was in some way related to this project.

Economic Development and Neighborhood Connections

I am Chair and CEO of the Urban Housing Alliance, which is a D.C. community-based organization. Three of our directors reside in the Dorchester.

The Alliance's mission is to design, organize and implement empowerment initiatives with at-risk residents to challenge displacement. Our constituents include renters, homeowners, seniors, disabled persons, aspiring homeowners and small, community-serving businesses. We believe that economic development can and should uplift a community. It does not have to uproot its residents.

I have 30 years of professional economic development experience in the private and public sectors. I am a former Controller in a major mid-Atlantic bank; EVP of a national development finance firm and business development manager in a state economic development department.

I try to look at the big picture when considering an economic development project. Looking at the big picture and the small picture, this project and a principal in the project, Mr. John Hoskinson, do not deserve the Commission's approval of this application. It will be a huge mistake for the neighbors, the neighborhood and the District of Columbia.

Disregard for Tenant Safety & No Benefit of a Doubt

In presentations of this sort the Commission may accept an applicant's statements on face value or afford an applicant the benefit of a doubt. For substantive and verifiable reasons, this deference should not be granted to Mr. Hoskinson and this application.

For more than a decade Mr. Hoskinson led the Dorchester's property management company (MPM, Inc.) and the Dorchester House ownership group. His business policies

and practices clearly demonstrate a callous disregard for the safety and well-being of tenants and an absence of truthfulness.

During the evening of Wednesday, April 6th, 2005 a powerful fire (see attached Dorchester Tenants Association NEWS, April 10, 2005) destroyed much of apartment 242. At least 10 fire trucks responded to the blaze. Firemen used axes to break into the doors of 14 apartments on the affected wings of the second and third floors. While flames were confined to the one apartment, there was considerable smoke damage throughout the affected second floor wing. Heavy smoke was observed on most floors.

As DTA president, I interviewed about 50 tenants outside the building on Kalorama Road and Euclid Street. **They reported no fire alarms sounded although at least three tenants reported pulling the switches. No smoke detectors were heard anywhere in the building. No staffers were organized to provide notification to tenants before the firemen arrived. Firemen evacuated many tenants.**

Thursday evening Mr. Hoskinson held a meeting in the lobby to inform some tenants about the fire. He claimed that fire alarms are tested monthly. But, questioned tenants stated that fire alarms had not been heard in at least three years. Mr. Hoskinson claimed that the alarms are tested monthly, silently.

Interestingly, the fire inspector met with tenants a day or so later. After examining the building, the fire inspector indicated that testing fire alarms required the sounding of the alarms. Also, after repairs were made, testing of fire alarms could be heard throughout the building for several days.

For more than six months following the fire and fire inspections, one of the building's three elevators was shut down. The reason was because the emergency telephones on all of the elevators would not communicate with the desk. Management failed to contact a repair company to make the repairs for at least three months.

These are not isolated incidents. During the winter several years ago, Mr. Hoskinson allowed Dorchester tenants to suffer a lack of heat & hot water for more than three months. (See attached DTA NEWS, December 2000 & November 13, 2003) Space heaters were provided to tenants only after DTA alerted tenants that management should provide these to help compensate for the failure of the boiler.

In an effort to get a Capital Improvement petition passed for a very expensive and unnecessary fire suppression system, Mr. Hoskinson used stale dated contracts; project diagrams that were shown during the hearing not to reflect the actual project; and failed to produce many required business and management certifications.

At the end of the DCRA hearing Mr. Hoskinson's proposal was found so lacking that he instructed his attorney to ask the hearing examiner for leave to withdraw his proposal "without prejudice". While the pro-management examiner granted this request, he was reversed on appeal.

Mr. Hoskinson would claim that he is providing affordable housing units in the current building and the new structure. However, the affordable units did not result from any kindness of Mr. Hoskinson but from the diligent efforts of DTA, another group of tenants, and various individual tenants to challenge illegal rents other housing violations.

In fact, Mr. Hoskinson has displayed highly developed level of greed and fundamental hostility toward tenants around this time last year, when he purchased a building west of the park. The Washington Post reported that he took out the central air conditioning so that he could charge tenants for individual air conditioners that he would require them to purchase from him.

Increased Parking Congestion

The streets throughout the immediate area are very congested and parking is extremely difficult. Over 120 cars currently park on the Dorchester parking lot. Mr. Hoskinson has made no provision for current residents to park during the construction period.

The proposed spaces on the Dorchester's green space is problematic. For example, parking adjacent to Euclid Street will place residents in that area at a great risk of breakins since the security fence will have to be undermined.

Additionally, Mr. Hoskinson has oversold the current parking lot. The prices are among the highest in the neighborhood. While there is a waiting list of residents, he has also sold spaces for "daytime" users to maximize his profits.

It is clear that the spaces in the new building's garage will be so expensive that most tenants will not be able to afford the rates. Mr. Hoskinson's greed will not just jeopardize current tenants now but aggravate congestion in the future.

Existing Heavy Neighborhood Traffic Burden

First, it must be noted that Kalorama Road and the adjacent streets are very small with one driving lane in each direction. These streets are currently heavily burdened with neighborhood and commuter traffic. The proposed apartment building would cause major gridlock throughout the day and evening on all adjacent streets. The proposed variances and one-way routing of traffic on Kalorama Road and 17th Street are not well thought out and would not solve the project's problems. (For example, a one-way 17th Street would be one block from Mozart Place, which is also one way northbound.)

Kalorama Road has two major apartment buildings on it. There are two large condominium-apartment buildings currently under construction at the corner of 17th Street. A huge project was recently completed a short block and a half away toward 18th Street.

Currently, during rush hours, eastbound Columbia Road traffic detours on to Euclid Street. At these times eastbound Euclid Street bumper-to-bumper traffic usually extends from 16th Street to beyond 17th Street. It can take at least five lights before you can cross 16th Street. Gridlock is a frequent occurrence. (Throughout the day, 17th Street picks up Columbia Road's overflow westbound traffic, which would otherwise turn south on 18th Street. This traffic goes to Kalorama Road then turns right toward 18th Street.)

Westbound on Euclid Street, bumper-to-bumper traffic congestion extends from 17th Street almost to 14th Street. There is frequent gridlock on 15th and 16th Streets at the intersections with Euclid Street, Kalorama Road and other streets extending to Florida Avenue and U Street to the south and Columbia Road to the north.

During rush hour Northbound on 16th Street, the congestion usually extends from Euclid Street down the hill three blocks to Florida Avenue. It takes at least four lights to get past Euclid Street.

The proposed street changes and addition of a traffic light at 16th & Kalorama Road will not resolve the traffic problems. It will only shift it to less busy streets and further reduce the quality of life of neighborhood residents.

For the above reasons the application should be denied. At least it should be continued until more important data from residents and the Department of Health can be provided. On behalf of the organizations I represent, I would also like to provide more information and evidence.

Thank you.

Campbell C. Johnson, III