

**Testimony of Max Skolnik
Commissioner ANC-6D01
Before the Zoning Commission of the District of Columbia
Case No. 05-38
February 15, 2007**

Good evening Members of the Zoning Commission,

My name is Max Skolnik, the ANC Commissioner for SMD 6D01, representing the neighborhood in which the Marina View Towers project is located. The developer Fairfield Residential LLC, doing business as Marina View Trustees LLC, has proposed to renovate the existing buildings and construct two new buildings on the site of the parking lots for Buildings 1000 and 1100. I am testifying on behalf of Advisory Neighborhood Commission 6D, and I urge you to give *great weight* to our concerns.

In exchange for the support of ANC 6D, Fairfield Residential LLC has agreed to the following community benefits:

1. A condominium discount purchase program whereby existing Marina View Towers tenants may purchase a condominium at a discount of approximately \$100 per square foot. This would amount to a contribution of \$3.2 million, and there is an expectation that more than 50 residents would take advantage of this offer. We want to be clear that this is an integral benefit of the project, and our support could be affected if this benefit is removed due to a negative condominium conversion vote.
2. A program to ensure that existing tenants will have the opportunity to rent in the new buildings at no additional cost.
3. Financial contributions of \$17,000 each to Jefferson JHS, Amidon ES, and Bowen ES for program and infrastructure improvements.
4. \$15,000 financial contribution to the Friends of the Southwest Library.
5. \$15,000 for a renovation study of the Town Center West Park.
6. A transportation demand management program.
7. Historical and architectural preservation of the original I.M. Pei design.
8. Landscaping improvements on site.
9. Coordination on shared drive areas and provision of public access for pedestrian/bicycle traffic.
10. Setting aside of 11,541 square foot of gross floor as affordable units to households having an income not exceeding 80% of area median income.
11. First Source Employment Agreement

On February 12, 2007, at the monthly meeting of the currently six-member Advisory Neighborhood Commission 6D, at which a quorum was present and all six members were in attendance, we voted unanimously (6-0) to support Fairfield Residential LLC's Planned Unit Development application, Zoning Commission Case No. 05-38 with the following reservations:

Setbacks: We believe that the setbacks of the newly constructed buildings along M Street SW should be consistent with and equivalent to the setbacks approved, or to be approved, for the

neighboring Waterfront Mall, and in no event less than 22 feet from the curb line. We feel this action is necessary to minimize nearby residents' loss of views, open space, and light. We strongly believe that a cohesive neighborhood and streetscape need to be maintained given the high volume of development expected along this corridor. It is in the interest of all businesses and residents that pedestrian traffic and aesthetic views are unimpeded. We do not support the approval of this PUD unless Fairfield Residential has satisfied this requirement.

Business Status: At the February 2007 ANC meeting, representatives from the DCRA Office of the Rental Administrator presented information on the business status of Fairfield Residential LLC. ANC 6D and the community need to be assured that Fairfield Residential LLC is qualified to do business in the District of Columbia, has executed all of the proper documentation, and is in good standing in regards to all filings and fines. We do not support the approval of this PUD unless Fairfield Residential LLC has satisfied these requirements.

Other Issues of Concern:

- **Density:** ANC 6D recognizes that these two buildings will more than double the density on this property. We are concerned that the balance of our economically mixed neighborhood will be altered significantly by the addition of new, high-priced rental units that the developer has already told us will range in price from \$1,000 - \$4,000. We are committed to maintaining the historic race and class diversity of the Southwest community.
- **Tenant Issues:** A critical component of this project is the safeguarding of the current tenants' rights. We need to ensure that the requirements of these longtime residents are fully addressed. The tenants should be provided with every opportunity under the law to exercise their rights, which according to the Office of the Rental Administrator has not been the case at this point in the process. We also are concerned that the applicant will be a short-term owner and that their intention is to transform the property into a Real Estate Investment Trust soon after the conversion and renovation is complete. We need to be assured that if the tenants vote not to convert, the proposed \$3.2 million housing benefit is not lost. We urge the Commission to protect the tenants throughout this process, including assistance with the convening of a condominium conversion vote and written assurances concerning rights should they wish to stay in residence.
- **Open Space:** Given the loss of open space through the closing of the parking lots, ANC 6D believes that the "Great Lawn" and other landscaped areas should be accessible to the general public – who are increasingly losing open space (e.g., Monument Realty's removal of public gardens along 4th Street) and being walled off from open areas throughout Southwest.
- **LEED Certification:** Given new construction standards in place throughout the District, ANC 6D strongly supports a high level of LEED certification for this PUD.

I ask you please to strongly consider the objections that ANC 6D has to this PUD and urge the Commission to give *great weight* to our concerns. Thank you for your time.

Respectfully,
Max Skolnik
Commissioner, ANC 6D

**ANC 6D RESOLUTION
IN SUPPORT OF FAIRFIELD RESIDENTIAL'S
PLANNED UNIT DEVELOPMENT AND ZONING MAP AMENDMENT APPLICATION
AT MARINA VIEW TOWERS**

ZONING COMMISSION CASE NO. 05-38

Marina View Towers is located at 1100 and 1000 Sixth Street, SW within the Single Member District of ANC 6D Commissioner Max Skolnik. The developer, Fairfield Residential, LLC has proposed to renovate the existing buildings and construct two new buildings on the site of the parking lots of the two buildings.

Herein be it Resolved that on this the 12th Day of February 2007, ANC 6D Supports Fairfield Residential LLC's PUD application, Zoning Commission Case No. 05-38, with the following conditions:

- that the setbacks of the newly constructed building to be located on M Street, SW be consistent with and equivalent to the setbacks approved, or to be approved, for the adjacent Waterfront Mall but in no event less than 22 feet from the curb line, in order to minimize nearby residents' loss of vistas, open space and light, air and view; and that final setbacks for the Marina View PUD Application be deferred until, and be considered in conjunction with, the final consideration of setbacks along M Street, SW for the Waterfont Mall PUD;
- that it can be determined that the Applicant is duly licensed to do business in the District of Columbia by the Department of Consumer and Regulatory Affairs;
- that any fines having been levied by the District of Columbia Department of Consumer and Regulatory Affairs against the applicant (and any of appellations) are paid in full; and
- that a formal condominium conversion and renovation plan be prepared by the Applicant and distributed to the Marina View Towers residents not less than 30 days after the approval of this PUD so residents may vote on the plan in accordance with District law.

Let it be known that this Resolution was officially adopted at a duly noticed meeting of ANC 6D at which a quorum was present (a quorum comprising 4 of 6 commissioners), on February 12, 2007 by a vote of 6-0.

Roger Moffatt, Chairman

February 12, 2007