TESTIMONY OF MRS. THELMA E. JONES, PRESIDENT OF THE FAIRLAWN CITIZENS ASSOCIATION, INC. BEFORE THE BOARD OF ZONING ADJUSTMENT FEBRUARY 16, 2000 - 1:00 PM CONTINUATION - FEBRUARY 23, 2000 - 1:00 PM

Rec'd.
FEB 2 3 2000

GOOD AFTERNOON:

MY NAME IS THELMA E. JONES AND MY ADDRESS IS 2217 T PLACE, S.E. I AM HERE TODAY TO TESTIFY IN TWO CAPACITIES: ONE AS A RESIDENT; AND TWO AS THE PRESIDENT OF THE FAIRLAWN CITIZENS ASSOCIATION, INC. I WILL BE REITERATING MY AND THE RESIDENTS OF THIS COMMUNITY'S OPPOSITION TO APPLICATION NUMBER 16457 FILED BY PHIL FEOLA OF WILKES, ARTIS, HEDRICK & LANE, CHARTERED, AND MADELINE H. DOBBINS OF ARTER & HADDEN, LLP, TO REPRESENT THE OWNER OF THE PROPERTY KASS MA L.L.G., 1568 SPRING HILL ROAD, SUITE 400, MCLEAN, VA 22102.

BZA
Case No. 16457
Exhibit No. 122

Board of Zoning Adjustment
District of Columbia
CASE NO.16457
EXHIBIT NO.122

FIRST, I WOULD LIKE TO REQUEST DOCUMENTATION THAT I USE IN MY TESTIMONY TODAY BE ENTERED INTO THE RECORD AS PART OF MY TESTIMONY.

THE PROPOSAL STATES THAT KSI IS TO DEVELOP THE EAST PARCEL OF LAND UPON APPROVAL FROM BZA. THEN KSI WILL SELL THE WEST PARCEL TO VERTIX, LLC, TO BE DEVELOPED BY MR. GENE EDGECOMB. MR. EDGECOMB WILL OR HAS APPLIED TO THE DC DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) FOR ASSISTANCE TO DEVELOP THE WEST PARCEL. MR. KNAPP OF KSI SERVICES WILL DEVELOP THE EAST PARCEL, EVEN THOUGH MR. KNAPP HAS STATED TO ME THAT HE DID NOT WANT TO DEVELOP THE WEST PARCEL BECAUSE HE WANTED TO USE HIS OWN MONEY AND RECEIVE NO ASSISTANCE FROM GOVERNMENT FUNDS.

NOW, IF MR. KNAPP IS TO BUILD THESE APARTMENTS THAT HE IS STATING WILL COST A GREAT AMOUNT OF MONEY

TO PREPARE, DRAIN AND COMPACT THE SOIL, WHICH THEY HAVE ALREADY FOUND SOME SMALL AREAS OF WATER MENTIONED IN ONE OF HIS ENVIRONMENTAL STATEMENTS, AND TO OFFER THE RENTAL TO MEDIUM AND MODERATE INCOME FAMILIES, I HAVE NO DOUBT IN MY MIND THAT KSI SERVICES WILL BE OR HAS APPLIED TO HUD OR SOME OTHER GOVERNMENT AGENCY FOR MONIES.

UNDER EXHIBIT *TAB B* IN KSI'S PORTFOLIO, READS AS FOLLOWS:

> **MODERATE INCOME HOUSING PROGRAMS. IN ADDITION TO ITS LUXURY APARTMENT PORTFOLIO, KSI MANAGEMENT IS THE AREA'S LARGEST PROVIDER OF MODERATE INCOME HOUSING. THESE BUILDINGS, DEVELOPED BY KSI SERVICES, INC., COME ABOUT EITHER IN THE FORM OF NEW CONSTRUCTION OR VIA REHABILITATION. GOVERNMENT SPONSORED TAX CREDITS ALLOW KSI TO MARKET THESE PROPERTIES AS**

AFFORDABLE AND TO PROVIDE QUALITY HOUSING TO THOSE IN THE COMMUNITY WHO EARN LESS THAN THE AREA'S MEDIUM INCOME -- TYPICALLY ABOUT 60%. KSI PARTNERS WITH COMPANIES SUCH AS SUNAMERICA AND HUD TO BUILD AND MANAGE THESE TYPES OF PROPERTIES.

I HAVE HANDOUTS ABOUT THE RENT SCALE ACCORDING TO INCOME THAT I OBTAINED WHEN I TOURED WITH KSI SERVICES TO VIEW HIS APARTMENTS IN FAIRFAX, VIRGINIA, AND THE RENOVATED ONES IN BETHESDA, MD. I ALSO HAVE A PRINTED HANDOUT WHICH WAS GIVEN TO US AT A FAIRLAWN MEETING.

INCIDENTALLY, WHEN FAIRLAWN RESIDENTS ASKED MR. KNAPP ABOUT RENOVATING SOME OF THE MANY ABANDONED AND BOARDED-UP APARTMENTS, HE REITERATED THAT HE DIDN'T WANT GOVERNMENT MONEY. BUT IN MY PREVIOUS TESTIMONY ON MAY 5, 1999, I ENTERED INTO THE RECORD, AN

ARTICLE FROM THE *WASHINGTON POST* REGARDING THE BETHESDA PROJECT HE DID WITH MONEY FROM THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

I WOULD LIKE TO SHOW THE PICTURES OF SOME OF THE DWELLINGS THAT MR. KNAPP REFERS TO IN THE FREDERICK DOUGLASS COMMUNITY. THESE PICTURES ARE IN CLOSE PROXIMITY TO THE PROPOSED DEVELOPMENT OF THE HOMES AT WOODMONT. SOME ARE APPROXIMATELY TWO BLOCKS AWAY FROM THE DEVELOPMENT.

THE CONSTRUCTION OF AN ADDITIONAL 176 UNIT APARTMENT COMPLEX, ADDED TO 672 UNITS A MARBURY PLAZA, 213 UNITS AT THE SKYLAND APARTMENTS, AND 231 UNITS AT THE PARK NAYLOR APARTMENTS BRINGS THIS TO A TOTAL OF 1292 APARTMENT UNITS, NOT TO MENTION THE APARTMENTS DIRECTLY ACROSS THE STREET FROM THE PROPOSED KSI PROJECT. KSI DOES NOT MENTION THE

ALTAMONT CONDOMINIUMS, THE NEW HORIZON APARTMENT UNITS, NOR THE NAYLOR OVERLOOK APARTMENTS. KSI DOES NOT MENTION THEM BECAUSE INCLUDING THESE OCCUPIED UNITS, THE DENSITY WOULD BE OVERWHELMING IN THAT SMALL AREA ONCE OTHER VACANT APARTMENTS THROUGHOUT THE FREDERICK DOUGLASS AND FAIRLAWN COMMUNITIES HAVE BEEN RENOVATED OR REHABILITATED. MR. KNAPP DOES NOT SPEAK OF THE APARTMENTS TURNED INTO CONDOMINIUMS DIRECTLY ACROSS THE STREET FROM THE SITE HE INTENDS TO BUILD HIS APARTMENTS -- THESE CONDOMINIUMS ARE NOT SELLING.

UNDER *TAB E*, THE LIST OF LETTERS OF SUPPORT, MOST OF THESE LETTERS WERE OBTAINED BY MS. ROSILAND WHEELER STYLES WHO WROTE THE LETTERS AND ASKED THE PERSONS TO PUT THE LETTERS ON THEIR LETTERHEAD AND SIGN THEM. MANY OF THE SUPPORT LETTERS ARE FROM PEOPLE WHO DO NOT LIVE WITHIN 200 FEET OF THE SITE NOR

IN CLOSE PROXIMITY TO THE SITE.

NOW, I WANT TO TAKE A MINUTE TO TALK ABOUT THE LETTER THE CHAIR OF ANC 6C SUBMITTED. I LIVE IN CHAIRMAN RONALD KING'S SINGLE MEMBER DISTRICT. HE DID NOT INFORM ME NOR ANYONE IN THIS COMMUNITY ABOUT THE ANC MEETING. THE ANCs VOTED TO SUPPORT THIS PROJECT ON OCTOBER 4, 1999. I HAVE BEEN ATTENDING ANC MEETINGS ON THE FIRST MONDAY OF THE MONTH LONG BEFORE MR. KING BECAME AN ANC, A LITTLE OVER ONE YEAR. THE ONLY NOTICE MR. KING HAS PUT OUT IN THE COMMUNITY WAS ABOUT THE ECONOMIC SUMMIT, AND I HELPED HIM TO DO THAT WITH THE HELP OF THE FAIRLAWN CITIZENS ASSOCIATION BLOCK CAPTAINS.

MR. KING HELD A MEETING FOR HIS SINGLE MEMBER DISTRICT AT THE MARBURY PLAZA WHICH I DIDN'T KNOW ABOUT. HIS LETTER DOES NOT GIVE A DATE OF THE MEETING. THE RESIDENTS OF FAIRLAWN HAVE NOT HAD THE PRIVILEGE

OF BEING INVITED TO SMD MEETINGS BY ANC COMMISSIONERS. THE RESOLUTION WHICH IS INCLUDED IN THE RECORD IS NOT THE ONE VOTED ON AT THE OCTOBER 4, 1999, MEETING. AT THE MEETING, I ASKED FOR A COPY AND WAS TOLD THEY COULD NOT GIVE ME ONE AT THAT TIME BECAUSE KSI HAD JUST FAXED THE RESOLUTION TO COMMISSIONER JOHNSON THAT EVENING BUT THAT I WOULD EVENTUALLY RECEIVE ONE. I RECEIVED A COPY ON THURSDAY, FEBRUARY 3, 2000. COMMISSIONER JOHNSON PUT IT IN MY DOOR.

ON MONDAY, JANUARY 3, 2000, ANC6C COMMISSION DID NOT HAVE A QUORUM FOR A MEETING. A CALLED WAS MADE TO THE HOME OF COMMISSIONER WILSON WHO WAS SICK IN BED WITH THE FLU TO COME TO THE MEETING SO THEY COULD TAKE A VOTE ON THE AGREEMENT WHICH WAS PREPARED AND PRESENTED TO THE COMMUNITY BY MR. BERNARD GRAY OF THE FREDERICK DOUGLASS CIVIC

ASSOCIATION IN THE PRESENCE OF KSI REPRESENTATIVE SARA DAVIDSON. THE FOUR COMMISSION MEMBERS WHO VOTED FOR THE AGREEMENT WERE OLIVER JOHNSON, DRAKE WILSON, RONALD KING, AND TAMARA SPEIGHT. THE COMMISSIONER FOR 6C04 ABSTAINED BECAUSE SHE HAD JUST BEEN SWORN IN.

I ASKED IF SARA DAVIDSON WAS GOING TO SIGN FOR KSI SINCE SHE WAS THERE AS A REPRESENTATIVE. THE AGREEMENT HAD TWO CORRECTIONS TO BE MADE AND MR. KING STATED THAT THIS AGREEMENT WAS A DRAFT. I THEN RAISED THE QUESTION -- WHY WASN'T "DRAFT" STAMPED ON THE AGREEMENT? WHEN A DOCUMENT IS BROUGHT TO THE COMMUNITY AND VOTED ON WITHOUT THE COMMUNITY BEING INFORMED, THE DOCUMENT [redacted] AT THE ANC MEETING ON FEBRUARY 7, 2000, THE 2ND AGREEMENT WHICH WAS MODIFIED BY KSI WAS PRESENTED TO THE COMMUNITY.

NOW I WOULD LIKE TO TALK ABOUT THE TRAFFIC. I STILL MAINTAIN MY VIEW ON THE IMPACT OF TRAFFIC ON GOOD HOPE ROAD WHICH COMES TO GRIDLOCK. WITH THE WIDENING OF STREETS IN THE MARYLAND AND VIRGINIA DISTRICTS, THE AMOUNT OF TRAFFIC FLOW WILL INCREASE THROUGHOUT OUR COMMUNITY, THEREBY CAUSING MORE CARBON MONOXIDE AND POLLUTION.

PUBLIC TRANSPORTATION IN THE AREA AFTER RUSH HOUR LEAVES A GREAT DEAL TO BE DESIRED. EITHER THE BUS COMES BEFORE SCHEDULE OR RUNS BEHIND SCHEDULE.

PARKING IS STILL A BIG PROBLEM IN THIS AREA. AS YOU KNOW, MOST FAMILIES OWN TWO OR MORE CARS. BECAUSE OF THE FEE FOR PARKING AT THE MARBURY PLAZA APARTMENTS, A LOT OF THE TENANTS PARK ON NEIGHBORING STREETS. SO WITH MORE DENSITY COMING INTO THE COMMUNITY, IT WILL SOON BE CHAOS AS IN NEARBY VIRGINIA. I HAVE A *WASHINGTON POST* ARTICLE

THAT REPORTS ON THAT SITUATION.

THE GOODHOPE MARKETPLACE SHOPPING CENTER THAT SERVES WARDS 6, 7, AND 8 HAS ONE GROCERY STORE (SAFEWAY) AND THERE IS SOME DOUBT ABOUT BRINGING ANOTHER SUPERMARKET TO EAST OF THE RIVER. GIANT AND SAFEWAY HAVE FLATLY REFUSED. THE DOCUMENTATION WHICH I PRESENTED AT THE MAY 5 HEARING ABOUT KETCHAM ELEMENTARY IS BASICALLY THE SAME.

CRIME IS STILL A PROBLEM IN THIS COMMUNITY. I AM SUBMITTING COPIES OF THE RECENT STATISTICS FROM THE METROPOLITAN POLICE DEPARTMENT'S 6TH AND 7TH DISTRICTS.

LAST WEEK AT OUR CIVIC MEETING, MS. MARION BROOKS FROM DHCD STATED THAT NOTHING IS PLANNED AT THIS TIME FOR THE LOWER END OF GOOD HOPE ROAD ON THE HISTORIC DISTRICT SIDE.

IN CLOSING, WE THE MEMBERS OF THE FAIRLAWN

CITIZENS ASSOCIATION ARE AWARE THAT DEVELOPMENT OF THAT SITE IS TO TAKE PLACE. ALL WE ASK FOR IS A FAIR DECISION OF WHAT TYPE OF DEVELOPMENT THAT WILL KEEP THIS COMMUNITY STABLE. WE WOULD LIKE TO SEE SINGLE FAMILY DWELLINGS FOR HOME OWNERSHIP OR CONDOMINIUM OWNERSHIP AT THE END OF THE BUILD OUT. TO ASK THE PEOPLE TO PURCHASE THEM AT THE END OF 15 YEARS MANAGEMENT AFTER KSI HAS MADE HIS MILLIONS AND GONE ON TO MAKE MORE MONEY, WILL RESULT IN THE PURCHASERS HAVING TO REPLACE ROOFS, FIX PLUMBING, REPLACE HEATING SYSTEMS JUST LIKE WHAT IS HAPPENING AT MARBURY PLAZA.

THE FAIRLAWN CITIZENS ASSOCIATION REQUEST THAT THE BOARD OF ZONING TAKE A GOOD LOOK AT OUR TESTIMONIES. WE DO NOT WANT TO END UP WITH MORE ABANDONED AND BOARD-UP APARTMENTS IN OUR COMMUNITY.

I WAS NOTIFIED OF LAST WEDNESDAY'S HEARING ON MONDAY, FEBRUARY 7, 2000, BY MR. ROSENSTOCK OF THE PARK SERVICE. I CALLED MS. BAILEY AND INQUIRED ABOUT THE HEARING ON THURSDAY FEBRUARY 10, 2000. AT 4:45 THAT EVENING, MS. SHERRI PRUITT WILLIAMS CALLED TO INFORM ME OF THAT HEARING.

PLEASE TAKE A CLOSE LOOK AT THE PARK SERVICE LETTER BECAUSE THEY STILL HAVE SOME DOUBTS ABOUT THE CONSTRUCTION AND A 40 FT. WALL ON THE SOUTHWEST PORTION OF THE EAST PROPERTY. WE COULD END UP WITH ANOTHER CATASTROPHE LIKE THE "O" STREET WALL IN WARD SEVEN.

THE FAIRLAWN CITIZENS ASSOCIATION REQUEST THAT APPLICATION 16457 BE DENIED. IF THE BOARD FEELS THE APPLICATION BE APPROVED, WE RECOMMEND THAT THE FOLLOWING BE INCLUDED IN YOUR REPORT:

(1) THE CERTIFICATE OF OCFCUPANCY FOR THE

APARTMENT BUILDINGS BE LINKED TO THE COMPLETION OF THE SINGLE FAMILY HOMES AND THE TWO SHOULD BE COMPLETED FOR ACCUPANCY AT THE SAME TIME;

(2) ALL STRUCTURES BE COMPATIBLE TO THE EXISTING STRUCTURES ALREADY IN THE COMMUNITY WITH NO ALUMINUM SIDING; AND

(3) THE FRONTS OF ALL THE HOMES TO BE BUILT ON THE MAIN THOROUGHFARE FACE THE HOMES DIRECTLY ACROSS THE STREET ON GOOD HOPE ROAD.

PLEASE ASSURE US THAT THE DISTRICT OF COLUMBIA AGENCY WHICH HAS JURISDICTION AND RESPONSIBILITY FOR THAT ENDEAVOR BE APPRISED.

THANK YOU FOR ALLOWING ME TO TESTIFY AT THIS HEARING.