GENE SOLON SUPPLEMENTAL TESTIMONY ON CASE 02-38, WATERSIDE MALL (NOW WATERFRONT), APRIL 7, 2003

Commissioners, I found the February 13th and March 31st hearings on Case 02-38 fascinating samples of human political behavior! I was surprised (and gratified) that some Southwesters who presented themselves on March 31st as proponents of the proposed PUD actually roundly criticized it (on planned building height and position, and on coordination with waterfront plans, among other things)! Good – the PUD is *eminently* criticizable!

In this message to you, I will continue to be straightforwardly honest, not only about the PUD – but also about the March 31st testimony of witnesses, *and* about the behavior of D.C. Zoning Commission members. I fervently hope that my honesty *impels* you, rather than deters you, from being as alert, as probing, as informed, as analytical, as logical, as objective, as fair and as professional as absolutely possible. And, of course, I fervently hope that you reject all requests for height and zoning concessions until planning for Southwest D.C. development becomes as intelligent, as coordinated and as humane as is deserved by any citizenry, *including* those who reside in the capital of our nation.

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D.C. ZONING COMMISSION
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1. Commissioners, as you'll recall, at the close of my March 31st testimony, I pleaded with you to grill me and test my testimony's allegations, logic and conclusions – and I was disappointed that you did not do so. Instead, all I got were comments from zoning commissioner Hood aimed at encouraging me to give good marks to a seriously inadequate and flawed final version of the DDOT woefully late "traffic study" report. When I pointed out just one of a *group* of report flaws -- its lack of address of the developers' (belated) plans to enhance two previously overlooked peripheral roadways so that they would each accommodate two-way traffic -- Mr. Hood referred me to the latest version of the developers' plans, which, he led me to believe depicted only one-way traffic on these roadways. Recall that I said that this was "news to me." Well, I've since checked with a Kaempfer Co. official – and found that the developers' plans were what I had said they were! *The DDOT report was indeed wrong!* Further, if there's any validity in DDOT's claim that the peripheral roadways cannot serve as north-south connectors because they are too close to 3rd and 6th Sts. for stop lights to be emplaced at them, why didn't the DDOT report include a reference to stop *signs (some already standing there!)*, inventions DDOT and its consultants suddenly, happily "discovered" when, at a community meeting, I suggested them as alternatives to stop lights? Why did DDOT behave as it did? While I commend Mr. Hood for honestly displaying ambivalence in musing whether or not he himself would "use" the proposed 4th St. cut-through out of a legitimate fear of "congestion" on it, why did Mr. Hood otherwise behave as he did? And why didn't you zoning commissioners *question* me -- about traffic lights vs. stop signs, about DDOT plans that severely limit shoppers' parking space on the proposed 4th St. cut-through, about lack of DDOT data on the relative percentages of increased commuter vs. local 4th St. traffic, about diversion of commuter traffic *away* from 4th St., and about other DDOT-botched subjects?

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Exhibit 101

2. I believe ANC 6D chairperson Assalaam was treated unfairly by zoning commissioner May who -- decrying the ANC's description of the PUD as Crystal City-like, with 'canyons" -- referred to planned 112-foot (plus 18.5 foot mechanical penthouse) M St.

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buildings as though they were Potemkin Village structures, i.e., only M St. facades. The *truth* is that these planned buildings are three-dimensional – the *truth* is that they, and their Eye St. counterparts *would* form canyons along *both* narrow Eye St. (near Amidon School and churches) *and* planned 4th St. cut-through! *Mr. Assalaam was indeed right!* Why did Mr. May behave as he did? And why did his zoning commission colleagues remain silent in the face of his behavior?

3. Zoning Commission chairperson Mitten suggested that the retail establishments the Southwest community desired might not survive in a community whose existing purchasing power might not be adequate. I respectfully suggest to Ms. Mitten that, contrary to the developers' offices-first, residences-last plans and *long* construction time-line, ample residential facilities should be constructed -- and filled with tenants – *early*, so as to provide the increased community purchasing power she might find reassuring. (I and so many other Southwesters, including Mr. Charles Szoradi, Mr. Harold Sanders and other architects, have *long* advocated this.) I stress that more community *residents*, not commuting office workers, will attract more *community*-oriented retailers – saving Southwest from the dead-zone curse. Also, instead of a roadway for visitors to drive *through*, a pedestrians-only shopping area could be made *attractive* enough for visitors with purchasing power to bring their money *to!* Why didn't the Commission recognize all this from the very beginning of its address of Case 02-38?

4. Commissioners, please note that accompanying this message are more of the so easily collected anti-PUD petition signatures, bringing the total submitted to you to over 730. Note, too, that I have crossed out signatures of those I found to have signed more than once, or who didn't show that they actually resided in Southwest D.C., or whose entries were void in other ways. Unlike witness Robert Mittendorf, I do not count such entries as part of the universe of "responses." Why does self-proclaimed anti-PUD witness Mittendorf continue to misrepresent, and misinterpret, the results of the flawed survey he testified about – and inflate the total of "respondents" (*by including non-Southwesters, and non-D.C.ers, and about 100 forms he, himself, admits are void)*? And why do he and pro-PUD witnesses Naomi Monk and Margaret Feldman refuse to allow me the opportunity to review, under supervision, the original, un-redacted survey forms? Commissioners, from the data I have, the legitimate survey respondents were against the PUD by more than 58% to less than 42%.

5. Commissioner Hood seemed satisfied that Greenleaf residents "were at the table," helping to shape the PUD. Well, we learned that some of them were at a Thanksgiving dinner table bearing food bought by the developers, and that Ms. Monk, *who had been pro-PUD even before the PUD was discussed at ANC and other community meetings*, arranged for that event. Ms. Monk has recently written that she considers herself Greenleaf's Tracey Hook's "mentor." Please recall that, after indicating organizational affiliation, Ms. Hooks and Ms. Monk testified as individuals, and *not* on behalf of any Greenleaf or other organization. At community meetings, Greenleaf and other public housing residents took *anti*-PUD positions, and signed my petition. As I've already stated, well before last Thanksgiving, *Ms. Hooks was among the majority of Southwest Neighborhood Assembly (SWNA) board members who signed my petition* – and I had offered no dinners, or anything else. Note that, *after* sitting at the table at the developers' Thanksgiving event, she sat alongside Ms. Monk at your hearing room table, and testified in favor of the PUD. Why did she do this? And why wasn't Ms. Monk asked to *specify* the

"many" suggestions from Southwesters she *claimed* were adopted by the developers? Certainly not building height reduction, or setbacks, or parking space, or more retail space – or the elimination of the overwhelmingly opposed roadway cut-through! (By the way, in a Southwest community of almost 12,000, SWNA attracted only some 213 voters, *total*, in its recent annual election of officers. My goodness, I myself got 222 votes when I ran for ANC office from a Single Member District!)

6. Recall that witness Paul Barnette boasted that a Harbour Square Board of Directors had unanimously voted for the PUD. Of course, that is *not* the case! The board voted for a confusing, egregiously misleading motion of his – and I have already provided you with written proof that neither the motion *nor* the board endorsed the PUD's roadway cut-through feature! Harbour Square *residents* who filled out survey forms *overwhelmingly* opposed the PUD's roadway cut-through and its hi-rise buildings! So, why do you think Mr. Barnette testified as he did?

7. Recall that witness Michael O'Dell falsely claimed to you that MPD 1st District police car drivers use only 7th St. to get to emergencies at Harbour Square (where he lives) and other sites south of the mall. Now, I'm the secretary of the MPD 1st District Citizens Advisory Council, and I know that police car drivers also use 3rd St., and 6th St., and other streets to get from 1st District headquarters to sites south of the mall – and, in fact, they use *many* other streets when they are directed to proceed to those sites from *wherever* away from headquarters they happen to be on patrol! Also, when Mr. O'Dell claimed that a new 4th St. stretch would allow police cars to get to Harbour Square sooner, didn't zoning commissioners, who had just heard DDOT's recommendations for "raised" 4th St. crosswalks, imagine scenes from "Bullitt" and "Dirty Harry" movies, in which cars fly high over San Francisco's up-and-down streets? Can you imagine police cars careening over north-side raised crosswalks and speed bumps, hard-landing onto DDOT-suggested dainty faux-brick asphalt, and again doing take-offs and landings to get to south-of-the-mall distress sites? Talk about collateral damage! Why did Mr. O'Dell testify as he did? And why was his testimony not questioned?

8. Witness Avis Black dramatically proved that the proposed PUD had *not* been adequately studied by D.C. government agencies, including the Zoning Commission, when she testified that her company, Safeway, Inc., stood *against* the PUD – because it did not provide for unloading shopping cart contents into vehicles at street level. Why hadn't zoning commissioners questioned OP and the developers about this on February 13th, and previously? Why hadn't zoning commissioners addressed, early on, the paucity of surface parking space in the PUD? Just days ago, I learned from an Arena Stage staff member that, because of inadequate parking space at the theater, Arena Stage patrons are routinely forced to use some of the *mall's* north parking lot. Further, the Arena Stage renewal plan, *itself*, unfortunately fails to provide for parking for some 200 *additional* patrons able to occupy unobstructed seats the new plan makes available! Please note that my mall area alternative plans substantially *increase* the amount of parking space at the north side of the mall – for patrons of Arena Stage, Safeway, and other establishments. Note that, with the central pickup/drop-off crescent and the southeast corner parking pad (like the southwest one, but hidden in the photo) these alternatives offer Safeway patrons more drive-up access than the PUD does. A lay-in road can be added, if needed.

9. Harbour Square witness Jonathan Miller effectively questioned the wisdom of a sloppy, reflexive application here of an unproven back-to-the-streets theory, and just as effectively questioned the very existence of a back-to-the-streets trend, when he recalled his own Japan and California experiences. He buttressed my testimony that experts who have done their homework have concluded that pedestrians-only malls can be a *fine* urban planning strategy. Of course that's true – that's why the new D.C. convention center isn't cut through at blocked 8th St., and that's why Woodrow Wilson Plaza isn't cut down the middle!

10. Tiber Island witness Susie Humphreys' testimony was right on target: the PUD's roadway *would* pose a totally unnecessary safety hurdle for handicapped persons such as herself. Also, as she said, our dingy old mall *has* served as a meeting place for her, a south-of-the-mall resident now, and her erstwhile neighbors who still live north of the mall -- and, as well, for mayor Williams, when he was orating on his record and his policies. Even OP's Andrew Altman instinctively recognized the potential of a new pedestrians-only shopping center here when, last October 16th, he personally invited some 70 Southwesters to meet him at the mall – after brazenly admonishing us not to speak against the roadway cut-through and other PUD features to you and others! Please thoroughly contemplate *all* of the splendid beauty accurately depicted in the following excerpt from my review of the October meeting Altman organized:
"I WAS ANGERED WHEN OFFICE OF PLANNING DIRECTOR ANDREW ALTMAN ADMONISHED US NOT TO RAISE OUR CONCERNS AT FORTHCOMING PUBLIC HEARINGS (OF COURSE WE WILL). BUT I GRINNED AND CHUCKLED WHEN HE INVITED US, INSTEAD, TO MEET WITH HIM AND HIS STAFF INSIDE WATERSIDE MALL, OUR COMMUNITY MEETING PLACE, WHERE AT A TABLE CHOCK FULL OF PRETTY LITERATURE, THEY WILL TRY TO CONVINCE US THAT WE SHOULD ALLOW THE DESTRUCTION OF THAT VERY MEETING PLACE – IN ORDER TO ALLOW A TOTALLY UNNECESSARY ROADWAY TO REPLACE IT."

Commissioners, why have you let OP and the developers off so easily? Why have you been so inclined to grant the developers waivers and concessions? Why has the astonishingly poorly conceived PUD been allowed to proceed this far? Why are Zoning Commission procedures so stacked against opponents of bad development plans?

Commissioners, both the scandalous history and serious flaws of the PUD have now been made crystal clear to you, and you now know that the Southwest community is overwhelmingly opposed to the PUD. I again plead that you refrain from granting the mall area developers *any* further concessions or zoning changes -- until they and D.C. planning officials call a halt to the empty, graceless dance they lured us to, and until they and the community *really* meet "at the table" and, *together, in good faith*, produce plans for humane, intelligent mall area redevelopment that is properly integrated with such redevelopment in the rest of Southwest D.C.!

***Please* help us! *Please* employ the best of your talents *and* consciences! Thank you.**

Gene Solon

Gene Solon
(202) 484-1184
gsol@erols.com

PETITION

We, the undersigned residents of Southwest D.C., strongly favor renovation of Waterside Mall that retains its pedestrians-only quality, because that quality is good for business, enhances the shopping process, prevents further traffic gridlock -- and protects the safety of our children, our seniors, and our handicapped residents. **We favor ample, *appropriately placed* close-in surface parking, but we oppose unnecessary traffic** that further endangers ourselves and our neighbors, and we oppose the taking away of the shopping convenience we Southwesters now enjoy. **We therefore oppose the cutting through of our shopping center with a roadway.**

Name (print)	Signature	Address	Phone	Email
Anita MARTIN	Anita Martin	300 M St SW Washington DC 20024	479-0467	
Joseph Brown	Joseph Brown	1538 D St SE Wash. DC 20003	546-2502	
HAJJ ALHADITH	N. Al Hadith	1247 Carrollsburg Pl. Wash, D.C. 20024	554-9449	
Nusrat B. Alhadith	NBAlhadith	1247 Carrollsburg Pl SW Washington DC 20024	554-9449	
Carrolena Key	Carolena Key	1311 Delaware Ave. SW Wash. DC 20024	488-8959	
ANITA Allen	Anita Allen	201 P St, SW #20 Wash., DC 20024	484-1230	
Ivory Treakle	Ivory Treakle	1415 James Creek Pkwy SE 20024		

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Name (print)	Signature	Address	Phone	Email
Jennifer Kimball	Jennifer H Kimball	1016 S. 3rd	202-488-0583	
Mubeena Ahmed		800 4th St SW	210-2481	
THEODORE SMITH	Theodore Smith	800 4th ST SW	863-7075	

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Name (print)	Signature	Address	Phone	Email
~~Lionel Bell~~	~~Lionel Bell~~			
Gary Scott	Gary Scott	1425 4th St (SW). Wash. D.C. 20024	(202) 302-0285	GLSCOTT0321 @AOL.COM
Greg Scott	GREG SCOTT	700 7th St. S.W. WASH, D.C. 20024		
~~Richard Greenfield~~	~~Richard Greenfield~~	2261 Arnold Rd	~~(301) 894-7967~~	
Richard Greenfield	Richard Greenfield	Temple Hills, MD. 20748		
~~Kelly Mitchell~~	~~Kelly Mitchell~~			

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Name (print) Signature Address Phone Email

Shirley young 401 MST SW - 2 554-901(
(202)

Ron Hoobs 325 P.ST. SW. 202 ~~210-8667~~
488-8309
(202)

Gennette Jones 401 MST SW
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~~Brenda Johnson 2715 Rubens Pl.~~
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