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June 24, 2006

Carol Mitten, Chair, and Commissioners  
Zoning Commission of the District of Columbia  
% Ms Sharon Schellin  
Office of Zoning  
441 4<sup>th</sup> St NW, Room 201  
Washington DC 20002

RE Case # 06-22 Ball Park

ZONING COMMISSION  
District of Columbia

CASE NO. 06-22 Ltr.

EXHIBIT NO. 33

Dear Chairperson Mitten and Commissioners,

I cannot be at the Commission hearing on June 26, and I cannot find any detail on line about the issues before the Commission on Monday evening, but I write to raise some questions about the project, which I assume to be parking investments for the new baseball stadium

I have read the newspaper article about a "compromise" proposal for providing parking for the stadium (Washington Post, 6/22/06, B1) The alternatives seemed both to be centered only on a single location (1<sup>st</sup> and N Streets SE). The team owners propose an above ground garage, and the Mayor and the Miller Corporation a garage below and above ground, with condos wrapped around it

The city is therefore faced with a dilemma The above ground garage is objectionable on all counts, aesthetic and financial, especially on that site The garage will block the primary approach to the stadium, create a dreary and most-times deserted path to the stadium and beyond - to any development built South of the stadium - and to access to the public riverway park. And financially, to build on so valuable a piece of real estate parking spaces that will be used only for a few hours on only 180 days of the year is a foolhardy investment (Let us learn from the experience of Seattle where the city-financed parking garage located adjacent to two in-town stadiums is lightly used most of the year )

The Mayor's "compromise," in which Miller would be given development rights, looks more desirable, from the little we know about it Aesthetically, it is clearly a better approach Financially, the luxury condos would produce revenue for the city. And, important to those of us concerned with the District's desperate need for affordable housing, it would offer 140 units that would be affordable to "lower income" households

But the proposal raises many questions We don't know what the Sports and Entertainment Commission is asking of the Zoning Commission, nor what alternatives have been explored We don't know what income levels the affordable units would serve, nor how long the proposed length of affordability And I, at least, don't understand why, once again we are being asked

to choose between low- and moderate-income housing and other kinds of development, in this case, parking for baseball games

**The Law (The Anacostia Waterfront Act of 2004) requires that in all residential development on all publicly-owned land within the Anacostia Waterfront, 30% of the units must be affordable, 15% of the units at 30% of AMI (about \$26,000 income for a family of four), and 15% at 60% AMI (about \$65,000) That would mean a very welcome 198 units (not 140, as the newspaper reports) The law assumes that the cost of financing the affordable units will come out of the value of the land. The Law does *not* assume that the value of the land will also subsidize infrastructure, other public amenities, or *parking spaces***

(The law is in keeping with the reasoning of the Mayor's Comprehensive Housing Strategy Task Force that one-third of all units should be devoted to low- and moderate-income housing in every residential development built on publicly owned land, since it is on such large parcels that most housing, including the 19,000 low- and moderate-income, will be built in the next fifteen years Indeed, the CHS goal of producing 19,000 additional permanently affordable units in mixed income communities cannot be met without using the value of that portion of the public land to provide the deep subsidies necessary to build low-income housing )

A call from the proposed developer of this project late yesterday afternoon (Friday, June 23, 2006) to one of our affordable housing advocates asked for support of the Williams/Miller plan, even though he was not able to provide much more detail The developer says the details can be worked out and the affordable housing requirements met, in which case this proposal would get enthusiastic support from housing advocates If the requirements have to be adjusted, perhaps they could be eased in return for permanent affordability, using the same rationale that the Commissions employed in the Inclusionary Zoning case (#04-133) – that if the benefit received is permanent, so should be the term of affordability on the subsidized units

I hope the Commissioners will ask very hard questions at the June 26 Hearing

What other alternatives were considered? Must the parking be at 1<sup>st</sup> and N Streets? Why not a few blocks north or south or southwest? Why not invest in the permanent up-grading of public transportation – both Metro capacity and feeder service to handle the flow of fans? This is not, after all, a suburban ball park

What exactly is the affordable housing component? What percentage of total units, what size, for what income groups, at what cost of subsidy per unit, for what period of affordability?

What other resources might be brought to bear on this project? Could parking fees be increased? Might the Sports and Entertainment Commission contribute its share of the expected parking revenue? Would the team owners do the same? What more could the developer contribute? Could the businesses that expect to prosper from having the team and a new stadium contribute? Might other friends of baseball do the same? Could the parking be paid for over the years by income from parking? Could the parking-plus-public transportation be structured differently?

My larger concern is that if an exception – say, a reduction of the affordable housing requirement by the Commission or by the Council – is made in this case, the exception will become the rule and set the standard for all future development of affordable housing on public land in the Anacostia Waterfront, without the affordable housing requirements of the Anacostia Waterfront Act ever having been given a fair test

Thank you for your attention

Sincerely,



Janet W. Brown

Janet Welsh Brown