

11/4/13 Testimony of ANC 2A

on ZC Case No. 08-06A- The Zoning Regulations Review (ZRR)

Chairman Hood, and members of the Zoning Commission, for the record, I am Florence Harmon, Chair of Advisory Neighborhood Commission (ANC) 2A. ANC 2A includes the both Foggy Bottom and West End neighborhoods. The ANC has filed its written resolution dealing with the Zoning Regulations Review (ZRR), and I'd like to summarize the highlights.

ANC 2A provided comment on the following issues: Subtitle A, Subtitle B, Subtitle I, Subtitle W, Subtitles X & Z, Subtitle Y, Subtitle Z, and other Subtitles. While tonight's oral testimony is to address Subtitles A, W, X, Y, and Z., I am unable to testify at the Commission's other six hearings this week and next week (e.g., on November 14th on Subtitle I, Downtown Zones). Therefore, I am available tonight to answer Commissioner questions on issues identified in the ANC 2A's advance submission regarding the other Subtitles.

The most serious issue for Foggy Bottom-West End is Office of Planning's (OP) attempt to redefine large parts of our neighborhood (including where long-term and short-term residents reside) as being part of the Central Employment Area (CEA), which indicates a downtown, commercial area. It is of concern that OP has determined that the character of West End is commercial in nature, thus justifying the expansion of the CEA, when the opposite is true. Numerous condominiums and apartment buildings exist and more are rapidly being built in West End. It is imperative to contain the boundaries of the Central Employment Area (CEA) and not expand the use of Transferable Development Rights (TDRs) into residential neighborhoods, such as West End. Also, there may be a change in law that is required before OP's redefinition (including its expanded TDRs receiving zones) can be legally included in ZRR. I also understand that expanding the CEA into our residential portions of West End, will also eliminate the requirement of Environmental Impact Statements, which are a necessary analysis when development occurs in areas that elderly, children and professionals reside.

On a related matter, ANC 2A opposes OP's new allowable increases in density, percent nonresidential uses, and height for Planned Unit Developments (PUDs). In addition, since much of the West End is zoned C-2-C, OP's automatic height increase from 90 feet to 110 feet in C-2-C zones would dramatically change the character of this mixed use area.

The next most important substantive issue is OP's proposed revised rules governing future acceptable PUD benefits and amenities. ANC 2A's view is based on long-term experience identifying and negotiating appropriate PUD amenities for our neighborhood, most of which do not include upgrades of public land or governmental services, which ANC 2A believes should be paid by taxpayer funds, not developers. For example, ANC 2A recently negotiated an \$100,000 amenity for the Foggy Bottom-West End Village, an established non-profit, which will serve the needs of the many elderly in our community. Mayor Gray recently cut the ceremonial ribbon, marking the start of this aging-in-place non-profit, which is a nationally recognized provider of

services to the elderly. PUD amenity monies provided the seed money for this valuable non-profit to begin operations in our neighborhood. Therefore, ANC 2A strongly recommends that the Commission continue to allow the identification of non-public PUD benefits and amenities which are desired for the immediately impacted community.

Additionally, as Councilman Evans mentioned in his letter filed September 9, 2013 in this matter, we ask that the Zoning Commission consider removing the proposed parking regulations from the plan entirely and - instead - consider requesting that OP develop a fully-researched, data-driven analysis of the parking demands of the District. The OP proposal does not provide for sufficient parking and will lead to issues for visitors to our homes and ultimately deter both residential and commercial interest in the neighborhood.

We respectfully urge the Zoning Commission to give careful attention to the concerns articulated in the ANC's resolution and requests that the Zoning Commission give "great weight" to ANC-2A's October 16, 2013 ZRR resolution.

Thank you.

Florence Harmon
Chair, ANC 2A