

TESTIMONY TO THE DC ZONING COMMISSION

March 23, 2017

Presented by Bertha G. Holliday

**Regarding Issue 4 (ADVERSE IMPACTS) Of
The DC Zoning Commission's Remand Proceedings
On ZC 13-14: McMillan Sand Filtration Site PUD**

**Applicants: Vision McMillan Partners, LLC and
the DC Deputy Mayor of Planning and Economic Development**

Good evening. My name is Bertha Holliday. I live at 49 T Street NW. I am an ANC5E Commissioner, 2nd Vice President of the Bloomingdale Civic Association (BCA), and a BCA-designated representative to the McMillan Advisory Group (MAG). This evening, I present remarks simply as a Bloomingdale resident, as informed by my participation in various deliberations related to the development of the McMillan Sand Filtration Site during the past 10 years.

I would like to address a few of the concerns noted in the Zoning Commission's announcement of this limited scope hearing related to ZC's deliberations related to the DC Court of Appeals remand of the Final Order of case 13-14 – the McMillan Site development. Specifically, my remarks focus on Issue 4 – Adverse Impacts – and some of the associated issues posed by the Court of Appeals in the ZC announcement of this hearing. Specifically, emphasis will be placed on two issues: the valuing of public and community benefits, and recommendations for increasing the value of the McMillan site's community benefits. These remarks are offered in hope they might serve to: a) strengthen the McMillan Site PUD's community benefits, and by so doing, b) effect greater balance between development incentives requested (estimated conservatively at \$100 million), and public and community benefits received.

Principles for the Valuing of Public and Community Benefits.

It can be argued that it is unlikely that any person or entity can with high confidence determine the value of the McMillan development's public and community benefits relative to development incentives received. This is largely due to the uncertainty of the use and functions of the development's proposed 850,000 square foot healthcare building, which developers have called "the economic engine" of the McMillan development. However, the proposed major use of the building has changed several times including use as: hospital inpatient services,

specialty outpatient clinics, medical research laboratories, and medical staff personal offices. To date no formal letter of interest has been provided by any medical entity for any of these uses. Alternatively, the building could conceivably be used primarily for general commercial or government office space. Each of these uses has differing implications for such factors as number of employees, number of daily auto trips, space required, building height needs, tax revenue to be generated, and other benefits and adverse impacts. This is why it is so difficult to confidently value the development's benefits relative to its developer incentives.

Consequently, the following three general principles are offered for the valuing of public and community benefits relative to developer incentives received.

1. Highest value should be given to those benefits that: a) are demonstrated to be of high priority to affected communities (community benefits), and/or demonstrate high priority by DC policymakers as reflected in the City's major plans, policies, and budget priorities (public benefits). Lower value should be given to those benefits rooted primarily in the needs and priorities of the Developer.
2. Highest value should be given to benefits with tangible, measurable outcomes that serve to respond to either an acknowledged adverse impact associated with a proposed development, or an acknowledged public concern. Lower value should be given to other tangible, measurable outcomes. Lowest value should be given to benefits that are neither tangible nor measurable, and/or are viewed as having limited impact on a targeted adverse impact or public concern, and/or involve efforts/activities required by law.
3. Highest value should be given to benefits that: a) promote and do not adversely impact the character of a development's abutting neighborhoods; b) provide needed neighborhood improvements (e.g., beautification, preservation of social and economic diversity, improved quality of life of residents – especially children, youth, and seniors), c) promote human development and well-being (e.g., through education, culture, recreation, health, etc.), and d) promote neighborhood empowerment and inclusiveness through support of efforts and activities requiring civic engagement and participation.

Specific Recommendations for Increasing the Value of Community Benefits Associated with the McMillan Development

1. Review and respond to the ANC 5E's prior 7/22/15 request for re-programming of \$1.75 million dollars in agreed upon benefits that subsequently were deleted from the Site's Community Benefit Agreement due OAG's determination that those benefits (designated for employee shuttles) did not in fact reach the level of a 'benefit'. Re-programmed funds, totaling \$1.225 million, would be used to increase benefits for other agreed upon ANC 5E high priority items—namely, neighborhood beautification,

scholarship funds, and strengthen STEM education at Dunbar and McKinley High Schools and the Langley Campus, (See IZIS, Case 13-14, Exhibit 882).

2. Require an additional \$200,000 in community benefits funding for a North-South traffic study of the McMillan development's impact on traffic in route to and from I-295, I-395, U.S. Highway 50, and the Baltimore-Washington Parkway through several Mid-City neighborhoods of low- to moderate-density with minimal street infrastructure and, according to DDOT, current 'failure' at many of their major intersections. Specifically, a traffic study is needed of all arterial and selected neighborhood streets south of the Site (i.e., Bryant Street. to New York Avenue; 4th St NW to 4th St., NE), including recommendations for mitigation. Study would commence prior to award of any underground demolition permits.
3. Re-consider ANC 5E's previous request for a special ZC hearing focused on the provision of authoritative information related to the legality, costs and benefits, and possible alternatives associated with the configuration, construction and financing of what appears to be social-economically separated and racially segregated (due to the City's demographics) housing in the proposed Parcel 4 building (IZIS, Case 13-14B, Exhibit 58). This request not only gains added salience because the proposed Parcel 4 building potentially establishes a troubling precedent for the configuration of future affordable senior housing throughout the City, but also in consideration that (a) the Parcel 4 building provides no (0%) non-separated/segregated affordable housing, and (b) DCMR 11-2605 notes affordable housing in a mixed-income building generally may not be segregated from the rest of the development.

Thank you so very much for your time and consideration.