



Testimony of Stephen Varga

ZC Case No. 19-01 of Wesley Hawaii, LLC

1 Hawaii Ave. NE
Square: 4023, Lot: 1

September 16, 2019

Introduction

Good afternoon Mr. Chairman and Members of the Commission. My name is Stephen Varga, Director of Planning Services at Cozen O'Connor. I am testifying today in support of the application. You have a copy of my resume entered into the record.

In preparation for this testimony, I have reviewed the application and performed planning and zoning research for the Property and surrounding neighborhood.

My testimony will focus on the sole question of the project's inconsistency with the FLUM and how despite the FLUM designation, in my professional opinion, the application and project are not inconsistent with the Comprehensive Plan.

Framework Element/Maps

As Meridith mentioned earlier, the Commission can find that the project is not inconsistent with the Comprehensive Plan even with the mistaken FLUM designation. This is because the Comprehensive Plan and its policies are to be interpreted **as a whole**. The competing policies in the plan must be balanced, and no single policy or map should govern. In turn, the Commission can find a PUD and map amendment not inconsistent with the Comprehensive Plan even when at odds with one map, so long as the Commission finds it is outweighed by the other map and policies.

Here, the project is not inconsistent with numerous policies in the Comprehensive Plan as well as the Generalized Policy Map. These consistencies outweigh any inconsistency with the incorrect FLUM designation for the property.

In terms of the FLUM designation, it is clear the property was mistakenly designated for parks, recreation and open space due to its location near two cemeteries. The Comprehensive Plan points out that the FLUM "does not follow parcel boundaries" and this is a perfect example of how that can result in a mistaken designation. More importantly, the nature of the property and its use indicate that the parks, recreation and open space designation is incorrect. This designation is not intended for a privately-owned piece of property that is improved with an

apartment building and separated from the cemeteries by public roads. A moderate-density residential designation is more appropriate as it would match the designation of nearby residential neighborhoods.

Notwithstanding the mistaken FLUM designation, the project is consistent with the Generalized Policy Map's designation for the Property of "Neighborhood Conservation Area." There is no change to the existing residential use at the Property. The Project's modest increase in density and massing will provide for more modern unit layouts, additional affordable units for the community, and amenities for residents. The Project will conserve and enhance the residential character of the Fort Totten neighborhood, as recommended in a neighborhood conservation area.

Land Use Element

This application also furthers many policies in the Comprehensive Plan. In terms of the land use element, this element is given greater weight because it integrates the policies and objectives of all the district elements. Wesley Housing detailed in its application statement at pages 21-22 that the project is consistent with several land use policies, including LU-2.1.3, LU-2.1.5, and LU-2.2.4. I did want to highlight LU-2.1.3 in particular, which reads as follows:

LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.

In my professional opinion, this application is not inconsistent with this policy as well as the other land use element policies identified in Wesley Housing's statement.

Housing Element

The Project is also consistent with the Housing Element of the Comprehensive Plan. I will not walk through all 8 relevant housing element policies identified in the application statement, but the housing element is of critical importance and the application is producing 36 new affordable units and preserving 34 existing affordable units to further these goals.

The Project is comprised of 100% affordable units for low- to moderate-income residents and maintains the level of affordability for residents in the Existing Building. The Project will result in a net increase of 36 new affordable units, approximately half of which will be larger, "family-sized" units. By incorporating 22 family-sized units, including 15 3-bedroom units, the Project satisfies the important "Housing for Families" recommendation in the Housing Element at H-1.3.1.

Also, the Applicant took proactive steps to ensure no current residents would be displaced as a result of the Project. As stated earlier, the Applicant and current residents entered into a development agreement that permits current residents to return to the Property after it has been constructed. The agreement also offers paid relocation and cost protection to current residents. In

this way, the Project will not displace any residents, as recommended in the Housing Element at H-2.1.3.

Area Elements

The Property is located in the Rock Creek East planning area, and the project is not inconsistent with rock creek east policies 1.1.1, 1.1.2, 1.1.5 and 1.1.6. As noted, the Project will greatly improve the quality of the building for residents and upgrade the landscaping substantially through tree plantings and attractive shrubbery. Further recommendations in the area element call for the rehabilitation of existing housing and development of new housing, particularly low-cost affordable housing for seniors. Given that a large portion of the existing tenants are seniors, that demographic will stand to benefit from the affordability and other improvements proposed by the Project.

Finally, in my review of the application, I also found the project to be consistent with two transportation elements, seven environmental protection elements, and six urban design elements, as outlined in the application statement.

The Project's consistency with the Housing Element, the Rock Creek East Element and other policies in the transportation, environmental and urban design elements outweighs the incorrect FLUM designation. In particular, the project's proposal to bring 70 units of high-quality, affordable housing is not only a point of emphasis in the Comprehensive Plan, but has clearly become a vital planning goal for our city's leaders.

Conclusion

Based on my evaluation of the Project in light of applicable planning documents, I believe the PUD is effective at balancing numerous priorities including providing housing, especially affordable and family-friendly housing, and enhancing the property through landscaping improvements, all the while limiting impacts to neighboring residential properties, and thereby maintaining compatibility with the surrounding stable neighborhood. In short, I believe the proposed PUD and related map amendment is not inconsistent with the comprehensive plan despite its mistaken designation on the future land use map. Thank you for your consideration. I would be happy to answer any questions.