

SPRING VALLEY • WESLEY HEIGHTS
Citizens Association
WASHINGTON, D.C.

**Testimony of Dr. Jeffrey L. Kraskin, President
Spring Valley-Wesley Heights Citizens Association
Z.C. Case No. 19-10
October 10, 2019**

Good evening, my name is Dr. Jeffrey Kraskin and I am President of the Spring Valley-Wesley Heights Citizens Association (SVWHCA). The Spring Valley-Wesley Heights Citizens Association (SVWHCA) was incorporated in 1952 and is the longest continuous citizens group representing the interests of the Spring Valley and Wesley Heights sister-neighborhoods.

Spring Valley residents will experience the impact of this proposed development. That is why you will see many signs in neighbors' front yards, especially along Massachusetts Avenue, opposed to this project. The Association opposes this application because it does not meet the requirements of Chapter 3 of the Zoning Code for Planned Unit Developments, specifically:

1. The project does not offer the appropriate balance of meaningful public benefits, as required under Section 300.1 (b); and
2. The project will generate new unmitigated public safety risks inconsistent with Section 300.1 (c) and 304.4 (b) of the PUD regulations.

Affordable Housing

As Zoning Commission Chairman Hood has indicated, a supply of affordable housing is a critical public benefit and has been made a priority for approval of any PUD application. As the Commission may recall, we opposed a nearly identical Valor proposal in Z.C. 16-23 because of the inadequate supply of affordable housing that was being proffered through the city's inclusionary zoning regulations. The amount of affordable housing proposed in this application is still inadequate and does

not meet the requirements for meaningful public benefits required under Section 300.1 (b) of the PUD regulations. Although some cited the proposed 29 affordable housing units as reason for approving this project, we think that Valor's proffer does not go far enough.

Although this housing may be labeled "affordable," neither Valor, nor OP, have indicated whether these 29 units will be work-force housing – housing affordable for a D.C. public school teacher or a first responder? That is an important element missing from this discussion so far.

The Rock Creek West area is a lucrative market for developers. That is precisely why Valor should provide more affordable housing than the 29 units they now propose. As we said in Z.C. 16-23, the city should be demanding more of new development in Ward 3, especially given the limited opportunity to build new housing west of Rock Creek.

As a city, however, we should not accept poorly planned development that puts public safety at risk and sacrifices neighborhood-serving retail just to secure a minimum number of affordable housing units. We can and we must insist that developers, like Valor, do better. And as a city, we should be able to protect neighborhood character while creating opportunities for new residents, including young families, to enjoy what prompted many of us to choose – and continue to choose – living in these neighborhoods.

Our goal of providing affordable housing in the city or in the Ward should not rest on this proposal or even the city's inclusionary zoning rules. We are concerned that OP seemed to suggest earlier this week that inclusionary zoning is the only means to ensure affordable housing in our city. If that is the case, then this city will not meet the challenge that lies ahead. Inclusionary zoning is a tool in our city's affordable housing toolbox; but, as other cities' experiences show, it is not a silver bullet. Nor is inclusionary zoning the only criteria to assess the amount of affordable housing in an area. As Exhibit

205 in the record of this case indicates, Ward 3 provides nearly 13,000 rent-controlled apartments, second in the city only to Ward 1.

The campus planning process also provides an opportunity for this Commission to address affordable housing. Take for example, American University. As the growth in undergraduate enrollment outpaces the supply of on campus housing, we are losing affordable units in our neighborhood to university master leasing programs. So, in our campus planning process and as we consider the future of rent control, we must be as vigilant in safeguarding affordable housing as we are in mandating affordable housing through inclusionary zoning.

Public Safety Risks

Our primary concern with this project remains public safety. The reliance on existing alleys as the major means for the movement of vehicular and pedestrian traffic through the site will create new public safety problems and demonstrates this site may not be appropriate for the footprint of the building that is being proposed.

The solution to mitigating the safety problems is to widen the proposed sidewalk or pedestrian path in the North/South alley, ensure that this pedestrian path is actually a sidewalk raised up from the alleyway, itself, and widening the alleys beyond what is proposed in Valor’s application. (Although Valor cites plans to provide a “sidewalk” in the north-south alley, the company disavowed in testimony before this Commission that it was building a sidewalk and instead is now offering what it calls a “pedestrian path.” Valor then justifies a narrow width for this pedestrian path that would make it difficult for a mother to wheel a baby carriage through the alley or somebody in a wheelchair to navigate the alley safely or even to provide some formal separation between pedestrians and cars, trucks, bikes, and scooters.) **We believe the alleys should be re-envisioned and designed as**

open and sustainable visually appealing “streetscapes” that can be used and enjoyed by residents as well as accommodate the needs for more retail, truck deliveries, and access to the parking lot for residents and retail customers. But, that would require a more creative utilization of land and space.

We also find other aspects of the public benefits package in this proposal to be deficient and not to be public benefits at all, but sources of additional problems that will require additional mitigation. This is discussed in more detail in our formal statement.

Loss Of Retail Space

Of particular significance, this new development will reduce the retail available at the site by more than half. So, it is hard to get excited about Valor’s proposal to reserve 13,000-16,000 square feet for a so-called full service grocery store. Everybody wants the convenience of a corner neighborhood grocer. But, the grocery store at this location did not survive because of the competition from larger stores within less than a 15 minute car ride. Our neighborhood is not a grocery store desert and there is not a wall that separates us from services available to us just across the DC line – which is closer and more accessible for us than coming to a zoning hearing. Even before SuperFresh closed, residents developed new shopping habits. Certainly, many people in our neighborhood are more excited about the new Wegmans that will be opening near the Valor site.

We do not oppose a grocery store at the site. But, whether Valor seeks to brand the grocery store as an amenity under Section 305.5 (j) or 305.5 (q) of the PUD regulations, the grocery store may be nice, but it does not qualify as a neighborhood amenity under Section 3 of the Zoning Code.

Hawk Light

We have had the opportunity to observe two operational Hawk Lights within the area. Our experience leads us to question the value of this proposed Hawk Light which most likely would create

traffic back-ups and encourage more drivers to cut through neighborhood streets in Spring Valley. This will put more adults and children in our neighborhood at risk.

DDOT has just published the final recommendations of its Rock Creek Far West Livability Study which included streets adjacent to the project boundary. The purpose of the study was to improve transportation safety in our neighborhood. That study identified pedestrian safety problems at the 48th Street, Massachusetts Avenue, and Fordham Road intersection and at the 49th and Massachusetts Avenue intersection. Despite these safety concerns at these two intersections, it is noteworthy that DDOT's study did not include a recommendation to install a mid-block Hawk light between the two intersections. Moreover, there was no public outcry for a Hawk light as part of DDOT's engagement with the public on the Livability Study.

Valor's testimony in this case has left us confused as to whether Valor is moving forward with the Hawk light or studying the Hawk light and then providing about \$250,000 worth of public benefits in lieu of the Hawk light. But, we do not consider it a project benefit.

Truck Unloading In North/South Alley

Valor also has committed to clean up the alley to limit the number of trash receptacles and encourage all deliveries to the historic shopping center to take place in the north-south alley instead of on Yuma Street. However, the latest list of public benefits does not include the promise that all trucks deliveries will be removed from Yuma Street. In fact, Valor's testimony was that trucks could still unload on a more heavily-utilized Yuma Street or alternatively, it would explore opening the median on Massachusetts Avenue to allow trucks to turn left across two oncoming lanes of traffic to unload in what is already a fully utilized parking lot. Logic would suggest this would require a fully signalized mid-block light for safety, not a Hawk light.

Neighborhood Input

Finally, we are disappointed that Valor has not reached out since it withdrew its Design Review case. Valor invited us along with others to a meeting on September 19, 2019 to discuss its PUD proposal. This meeting was held only after it was requested by ANC 3D Chairman Chuck Elkins. In requesting the meeting, Elkins stressed that “as a matter of principle, any developer who comes into our neighborhood with a PUD proposal should engage with the full community and that Valor has not had such a meeting since developing its PUD proposal.”

Unfortunately, ANC 3D recommended approval of the PUD application before this meeting took place. There was little incentive for Valor to consider any suggestions that were made at the meeting, but it had already been stipulated that the meeting would not cover the most critical issues tied to density and the meeting was **NOT** to be a negotiating session.

Although we disagree with the analysis and conclusions reached by ANC 3D in this case, it is noteworthy that the ANC 3D report asks the Zoning Commission to consider some of the recommendations we are making in this testimony – wider sidewalks in the alleys and additional retail.

However, we recognize the due diligence done by ANC 3E in this case – although we do not agree with their conclusion. However, ANC 3E’s efforts seem to stand in stark contrast to the approach taken by our ANC 3D representatives.

So, we ask the Commission to carefully examine this proposal and assess what are the neighborhood benefits and how do they stack up against the public safety risks, the loss of retail, and the missed opportunity for a meaningful number of affordable housing units. **We think this proposal falls short; could be substantially improved; and does not warrant your approval at this time.**