

January 8, 2020

Jordan Cox  
1025 First ST SE, Unit 1111  
Washington, D.C. 20003

Witness Statement in Opposition to Applicant's Request before the Zoning Commission

Case No. 19-23

Members of the Zoning Commission, my name is Jordan Cox and I am a resident and owner of a condominium at 1025 First ST SE, a building known as the Velocity, specifically unit 1111. I thank the Commission for hearing my testimony today about the proposed design plans for 80 M ST SE. I am opposed to the proposed design plans being considered by the Commission today because I believe it will have an adverse impact on the surrounding areas, specifically on the residential condo building my family and I live in, which is less than 100 feet north of proposed project, according to the Official Zoning Map maintained on the DC Office of Zoning's website. As I'll discuss further in my testimony, I believe the proposed additional floors and their design will have a negative impact on many residential units my building, including my own, by reducing the amount of light that reaches these units, as well as take away privacy. I also believe the additional shadow cast by the proposed additional floors may make people, cyclists, and vehicles less visible during the afternoon hours at the First and L ST intersection by my building. Lastly, as I'll discuss below, I have questions as to the quality of the interaction and outreach that occurred between the Applicant and homeowners, such as myself, in my building's residential community.

My wife and I bought our home in August 2018. As residents of DC who have lived in the city for more than a decade, we loved Navy Yard and were excited about the opportunity to own a part of it. We love our building because it doesn't feel like an apartment building, which we had lived in at previous times. It feels like a neighborhood with a community. It feels like a home, because it is our home. Even though there are other buildings and offices around us, we've never felt like we live in an office park. As the area continues to grow, I've generally been impressed at how Navy Yard has balanced residential communities and commercial developments.

The proposed project, however, would change that. As you know, the project includes a proposal to add two additional floors and a habitable penthouse, raising the height of the building from its current height of 90 feet in most locations, by 51 feet, minus the existing penthouse of 15.7 feet, according to the design review package and Exhibit 2E1. The additional floors would

substantially change the look and feel of our building for many residents. As the shadow study in Exhibit 9B shows, the proposed additional floors will cast a substantially larger shadow on the south side of the building, the side that I live on, at various points of the year, particularly during the winter months, impacting many residential units facing the south and south east, taking away natural light and diminishing the open air feeling. Dozens of homes will be impacted by this shadow, including my own most likely. The additional height of 80 M ST, due to its proximity to our residential building, may also make the area feel like more of an office park, rather than a community with a residential feel.

Moreover, again due to the proximity of 80 M ST to our building, the proposed design raises significant concerns about privacy for the residential units in our building, particularly for the floors that will be at a similar height as the additional two floors and penthouse space. The additional floors and penthouse, with their open design and glass wall facade, as depicted in Exhibit 2E1 will likely substantially reduce the privacy of residents living in 1025 First ST. The design would potentially reduce privacy for residents living in our building to a greater extent than the current design of 80 M ST SE, which predominantly consists of a brick structure with glass windows on the north facade, the part of the building facing many residential units in my building. The occupants in the additional floors would potentially have a clear and direct view into the residential units at the Velocity, including views into living spaces and bedrooms. The current structure, with its design of brick with glass windows, I believe gives the residential units, including my own, more privacy in relation to the office spaces at 80 M ST SE.

I am also concerned about the impact the proposed additional floors may have on part of the First and L ST SE intersection, which is directly adjacent to the building I live in, and is the intersection closest to our building's main pedestrian entrance. From the shadow study in Exhibit 9B, it appears that part of the intersection at First and L ST SE will be covered by the shadow cast by the proposed additional floors, specifically at the 3pm phase of the spring and fall seasons. In particular, the shadow study shows that a new shadow would be cast on the part of the intersection that includes the area on L ST where pedestrians would cross. This is an intersection that lacks stoplights and I believe is already unsafe. Motorists, as I've witnessed, run the existing stop signs, which at times are hard to see. The shadows from the additional floors would begin to cover part of the intersection earlier in the afternoon, at a time when many residents, including individuals in my household, might be returning home from work, potentially making it even more difficult to see pedestrians, cyclists, and vehicles. As such, the proposed project may make the intersection less safe, and, relatedly, may make it more dangerous to enter and exit the main pedestrian entrance of the building I live at. Neither the Applicant's transportation report (Exhibit 8) nor the D.C. Department of Transportation's report (Exhibit 10) seem to take into account the potential impact the shadow created by the new floors may have on the safety of the intersection.

I also have concerns with the shadow study conducted by Hickok Cole dated December 20, 2019 (Exhibit 9B), commissioned by the applicant. In the diagram, 1025 First ST SE is shown to have only 13 floors. However, our building has 14 floors. Consequently, assessing the full impact and new shadow created by the additional floors is difficult for residents of the Velocity,

including myself. It's also difficult to assess the full impact the newly created shadow will have, as the shadow study appears to be conducted only from one angle. As an individual owner, I do not possess the tools or resources to commission another shadow study from another firm.

Furthermore, I would like the Commission to consider the quality of the interaction and outreach that occurred between the Applicant and homeowners, such as myself, at the residential community I live in. In Exhibit 9, the Applicant says that they conducted community outreach, and that they engaged the residents of the Velocity condominium building at a meeting with building residents on December 12, 2019. As a resident of the Velocity, I do not recall having received an invitation to such a meeting. Had I known about this meeting, I would have been happy to meet with the Applicant to express my concerns about the impact the proposed design will likely have on the building I live in, as well as on the safety of the intersection at First and L ST. This would have given both myself and the Applicant more time to discuss any possible mitigation. From a conversation with the Applicant's counsel, it does not seem like this meeting was well attended, and was attended by 1 to 2 residents of the Velocity. I would question whether many residents living at 1025 First ST knew about this meeting. As such, I would not consider this significant engagement with our residential community.

You might wonder why more folks from our building aren't here tonight. In addition to the concerns I raised above, many residents in our building are working professionals, retirees, and others who simply do not have the time or resources to get involved in zoning matters. However, this issue impacts them as well, and I believe the Commission is aware that other residents at my building have concerns with this project. I'm here tonight because I care deeply about the quality of life that my family enjoys in our home, as well as the quality of life in our residential community. The addition of these proposed floors and the proposed glass wall design would detract from that quality of life, which has been enjoyed and valued. This isn't about being against development. The development that has occurred in Navy Yard has brought jobs and economic prosperity to the region. This is about a commercial development's negative impact on an already existing and thriving community. I thank the Commission for the opportunity to speak this evening, and would welcome any questions.

Sincerely,

A handwritten signature in black ink that reads "Jordan Cox". The signature is written in a cursive, flowing style.

Jordan Cox