



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

November 24, 2021

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Anthony Hood, Chairman
Commissioners May, Miller, Shapiro, and Imamura
DC Zoning Commission
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Fredrica Kramer
Secretary
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Via email: Anthony.Hood@dc.gov

RE: Response to Applicant's Supplemental Post-Hearing Submission in ZC Case 20-12

Dear Chairman Hood and Commissioners:

ANC 6D voted at our October 18, 2021 Business Meeting to provide conditional approval for ZC Case 20-12, the Planned Unit Development (PUD) for Westminster Church Living, with comments transmitted by letter to the Zoning Commission.

COMMISSIONERS

SMD 1 *Vacant*
SMD 2 *Jared Weiss*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

ANC 6D does not meet as a Commission until December 13, 2021 and cannot call a Special Meeting during the Thanksgiving holiday week. In order to comply with the November 26th date set by the Chair and to give the Zoning Commissioners time to review ANC 6D's response to the Applicant's November 18, 2021 Supplemental Post-Hearing Submission in ZC Case 20-12, I am providing comments as Vice Chair on behalf of our Commission. The comments represent the views of the ANC Commissioners as obtained in phone conversations, and the Commission will endorse these comments by formal vote for the record at our December 13th Regular Business Meeting.

ANC 6D's October 18th conditional approval included three conditions to which the Applicant has now responded.

The Light Tower. Based on the Applicant's response to the current configuration and operation of the proposed light fixture, ANC 6D must continue to oppose the design of the light tower for the following reasons.

This light tower is solely a decorative embellishment inconsistent with the strong policy ANC 6D has advocated over the years—and which the

Zoning Commission has embraced—regarding other non-functional lighting in Southwest, Navy Yard and Buzzard Point.

Importantly, ANC 6D reminds the Commission that our Commission has made no objection to the inclusion of a cross to clearly delineate the presence of the church at the full height of the building or beyond. **But this is not a cross.** It is a large light sculpture that *contains* a cross. Were a cross to rise in the same place and be simply backlit, the ANC would have no objection.

Should the Commission endorse this tower as designed, ANC 6D believes it would set a clear and damaging precedent that would encourage other Applicants to advance similar non-utilitarian light structures on other buildings that come before the Commission in future cases, and provide little basis to oppose them. Not only would this bode ill for Southwest and undermine all we have worked hard to preserve in our residential community but it would impact projects across the entire District of Columbia.

Specific to Southwest, the proposed light tower is a wider, taller, and more prominent light feature than *any* in our ANC. The light tower appears to be fully 8 feet wide and extend above the roof line for nearly two stories. Several churches that have recently built new facilities in Southwest have chosen many different styles to incorporate their religious identity and iconography:

St. Augustine's has an unlit cross that also extends beyond the roof line as well as several other crosses integrated into window frames and façade; **Riverside Baptist** has a cross above the roof line but it is unlit; **St. Matthews** has a cross that stands in front of the new sanctuary's façade but is not backlit; and **The Kadampa Meditation Center** has several gilded objects that reflect its cultural iconography and are uplit with individual spots at night.

None chose to incorporate what is essentially a large light sculpture within their projects. Exhibit A of the Applicant's November 18th filing is presumably meant to illustrate the likely low intensity although it does not so specify, nor whether this is the maximum possible. Low light or otherwise, the fixture is inconsistent with policy that has been reinforced multiple times and should continue to be so.

Accordingly, the ANC urges the Commission -- in the strongest possible terms -- to exert the same level of review that it has exercised in other projects of significance -- including The Wharf project -- when it has come to evaluating how lighting would impact both the design and the surrounding neighborhood. Please do not set a precedent with this project.

Curbside Management. The second condition in our conditional approval was a request that the Final Order require completion of a curbside management plan prior to issuance of a building permit. Although not addressed in the Applicant's November 18th filing, the Applicant agreed in its October 22nd filing (Exhibit 54) to have included in the Order that it will have submitted a proposed plan to DDOT prior to issuance of the first certificate of occupancy to ensure safe ingress and egress at building entrances, and segregation and management of bicycle traffic in the protected bike lanes that will front the building. The final decision on the placement of no-parking entrances on I St. SW or Makemie Place will also be included in the plan.

Maintaining Affordability. ANC 6D asked that prior to the Final Order, the Applicant produce a complete analysis of options for maintaining affordability after the expiration of the Low-Income Housing Tax Credits. Senior affordable housing within this project is proffered as the most

significant community benefit in this PUD, and we continue to press for this critical benefit to support our commitment to remain demographically diverse.

ANC 6D finds the explication in the Applicant's November 18th filing, that residents at the time of the LIHTC retirement will be subject to the strictures of DC landlord-tenant law, to be wholly inadequate. Several projects in the District—two on the way in ANC 6D, will provide all-affordable housing for the life of the buildings. It is disappointing at least, and alarming at best, that as we are attempting to maintain Southwest's iconic diversity, the Applicant has made no attempt to suggest any approaches, including refinancing strategies as have been used by other projects, to maintain at least some component of affordability for the life of the project.

ANC 6D suggested in our October 18th letter to the Commission that after the LIHTC expiration, affordability might continue at no less than double the 2021 IZ requirement (8% -10%) for the life of the building. The Applicant has not explained what may or may not be available to this project, only that project residents as all other DC residents, will be subject to DC housing law. If we were to apply this logic to all below market rate redevelopment projects in Southwest, we would ensure that this "exemplar of diversity and inclusion" would turn into a pumpkin as redevelopment proceeds.

This project needs to go forward, Westminster needs to continue its great work for the community, and we fervently hope that the Zoning Commission will understand ANC 6D's strong concerns and require a design consistent with the surrounding community.

Sincerely,

Fredrica Kramer
Vice Chair, ANC 6D