



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

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April 5, 2021

Anthony Hood, Chairman
Board of Zoning
441 4th Street, NW,
Washington, DC 20001

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VIA E-MAIL: zcsubmissions@dc.gov

RE: ZC Case # 20-12 - Westminster Presbyterian Church, Westminster Community Partners, Bozzuto Development Company & Bozzuto Homes, Inc.

Dear Chairman Hood & Members of the DC Zoning Commission:

At a regularly scheduled and properly noticed Special Public Meeting held on March 30, 2021, for the expressed purpose of addressing ZC Case #20-12 PUD, with a quorum being present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 5-0-2 to oppose ZC Case 20-12, the application of Westminster Presbyterian Church, Westminster Community Partners, Bozzuto Development Company & Bozzuto Homes, Inc. for a Consolidated PUD and Related Map Amendment from R-2 to MU-2, 400 I Street, SW (Sq. 499, Lot 52).

ANC-6D stipulates that the Applicant – certainly, that part of the project partnership represented by Westminster Presbyterian Church -- has for a century and a half provided exemplary service to the Southwest Neighborhood. Westminster has also been a pillar of the Southwest community and has a rich history at its current 4th & I Streets location for many decades. They were the original home of Food & Friends, serving hundreds of meals a day to patients with HIV/AIDS during the darkest days of the epidemic, and has for years had a harm reduction program in the church. For over twenty years they have hosted more than 1,000 live performances at both their weekly Friday Jazz Nights and Monday Blues Nights. And Westminster has opened its doors to countless SW Community events including meetings, holiday food drives and candidate forums.

Had it not been for two extraordinarily salient items of concern within a list of other more manageable issues, instead of opposing this project, ANC-6D may

have provided conditional support for this project. However, our Commission felt so strongly about these points that we voted instead to oppose the project outright with the hope that in doing so the Zoning Commission can better hear our strenuous objections and direct the Applicant to openly and completely address these points before moving forward with this project.

ZC Case 20-12 is not simply the construction of a new church. It is a PUD. And as with all PUDs, there is the expectation of benefit to accrue to the neighborhood in which Applicant seeks to build beyond what existing Zoning allows.

When this project was initially discussed with the ANC, it was presented fairly simply: The church required significant renovation. As other religious institutions in the City have similarly done, the Applicant has chosen to align with a development partner to provide them with a new church in exchange for church property upon which they would be accorded the right for additional construction on the remaining property. What was so admirable about the project as initially presented by Westminster was that the most significant Community Benefit that this PUD would provide was not simply a new church – or the preservation of any of the commendable functions that currently take place within the existing church’s structure -- but the addition of an entire building devoted to new senior housing, a significant percentage of which would be affordable at 60% of Median Family Income (MFI).

The Affordable Housing Issue

The Southwest Small Area Plan defines the community’s commitment to be an “exemplar of equity and inclusion.” Thus, redevelopment must serve Southwest residents across the demographic spectrum of income, age, race and household types. This is an increasing challenge. As density in Southwest increases, new below market rate units are becoming a dramatically smaller percentage of the whole. An even smaller proportion of those below market rate units support individuals aging in place. And it is in that senior population where our city is experiencing a significantly increased need.

And so it was that ANC-6D was delighted when Westminster first began discussions about this project several years ago to redevelop the church’s property and include a new all-senior below market rate building in the heart of our new town center. A net gain of a 123 units of affordable senior housing units in SW? Now, that was a Community Benefit we could support enthusiastically!

Then it started to get complicated.

ANC-6D's first major concern with this project began after set down and we discovered things that caused us to question the simplicity of what had been initially presented.

While it's not a done deal yet, Bozzuto, a partner in the Westminster venture, is also one of the developers in the partnership group that has been initially announced by DCHA to rebuild Greenleaf Public Housing. During past few months ANC-6D has become deeply concerned that the Applicant has portrayed a slightly revised version of what had been initially presented to the ANC. Broad references have been made to public housing residents to suggest that the Westminster senior building will be counted toward the Build First, one-for-one *replacement* of the 190 units in the Greenleaf senior building as part of the Greenleaf redevelopment plan, a distinctly different approach from what had been proffered initially and one that greatly affects the final Westminster product.

Were that to occur, Bozzuto would eliminate the original Community Benefit that they'd proffered as component of the Westminster project -- *a net gain of 123 new affordable units of senior housing in Southwest* --- in order to satisfy one of the requirements for their Greenleaf partnership. This two-for-the-price-of-one scenario would still allow Bozzuto to continue to develop the separate 99 market rate units in the Westminster venture. And it is with this scenario that ANC-6D takes great exception.

ANC-6D believes the only place one should be able to get a double dip in SW is at Ben and Jerry's.

While Westminster has unofficially and informally dismissed this approach, Bozzuto distinctly has not. Although we have asked, ANC-6D has received nothing in writing from Bozzuto to assure us formally that the Westminster has and will not be put forward as part of their Greenleaf project but will continue to provide the widely touted **net** 123 units of **new** affordable senior housing in Southwest as originally presented. Once that is committed to, ANC-6D insists that it be clearly stated as part of the Final Zoning Order.

This confusion, or double dipping, is a critical problem to ANC-6D. ANC-6D is committed to ensuring that current Southwest residents can age in place and contribute to the iconic diversity that has made our community unique, as well as to ensuring that none of our public housing residents are displaced and all continue to be part of our diverse community. Using Westminster to serve both compromises the objectives of the Westminster and Greenleaf redevelopment projects.

Specifically, Westminster will be offering units at 60% of MFI, which is twice the 30% cap for most if not all Greenleaf seniors. The Greenleaf Senior building has 190 units, 124 of which are two-bedroom units, while all of Westminster's 123

units are only studios (34) or one bedroom (89). Greenleaf seniors are provided a range of services, including congregate and individual meal deliveries, and a variety of social services routinely provided to low-income seniors, all of which will need to continue. We hope that the Westminster senior building will provide many services that seniors need or desire, but plans and funding for services are different, have not yet been described, and may be considerably less than those provided to Greenleaf residents.

ANC-6D is also concerned that the affordable units provided in the Westminster senior building will not be “forever” affordable, but will only be such until their financing package changes. It seems to us that the affordability component of this project should remain in place for the life of the building itself, and to extinguish this very tangible community benefit presumes that the need for continued affordability will similarly diminish. We believe that is a false premise. ANC-6D requests that there be an insistence that this remains senior affordable for life of building regardless of its current funding structure.

Additionally, ANC-6D had been advised by the Applicant that the western tower would be constructed as a condominium. We would appreciate a further understanding of what IZ will be required in both buildings in the future, whether as rental units or otherwise.

The Transportation Issue

DDOT made it clear to ANC-6D in a recent monthly business meeting that they were going to convert the Eye Street corridor from 7th Street, SW to 4th Street, SE into a roadway with protected bike lanes as soon as Summer 2021. ANC-6D, while in support of protected bike lanes, is also reticent to embrace this particular one in totality since it so significantly impacts this project.

ANC-6D's second considerable concern about the Westminster Project is best highlighted on page 9 of the DDOT report to Zoning of April 2 where DDOT states,

“The Applicant should be aware that DDOT is currently in the planning process to convert the I Street bike lanes from conventional lanes to protected bike lanes, which may impact on-street parking on the south side of I Street. The Applicant will need to work with the DDOT Bicycle and Pedestrian team during permitting to incorporate the final bike lane configuration on I Street SW. The Applicant will need to work with the DDOT curbside management team during permitting to identify an appropriate curbside management plan that includes the protected bike lane design for I Street SW and updates to the curbside signage and restrictions accordingly. The no-parking entrance will likely need to be reduced to 60-ft and may need to shift entirely towards Makemie Place SW without the breaks as currently shown on the plan.”

In one innocuous paragraph, DDOT has eviscerated the existing plans that the Applicant has put forward to safely move residents into and out of their senior building and the Westminster Church facility. Indeed, the Applicant's Transportation Plan diminishes this problem by providing only a one line statement in more than thirty pages that speaks of nothing other than it will mean a loss of two on street parking spaces.

Without appropriate plans for lay-bys to provide safe entry into this project, this is a project that needs to completely reconsider its relation to the street and the manner in which its residents will be able to access their homes safely. ANC-6D strenuously objects to embracing any new development where residents – let alone a building full of seniors -- must run the gauntlet of bicycle commuters envisioned by DDOT. What DDOT envisions as a protected commuter bikeway along very busy Eye Street does nothing to protect the residents of this project. Should this protected bikeway be developed as proposed, it will be not only impassable but impossible.

ANC-6D acknowledges that the Applicant has agreed that this project will not seek Residential Parking Permits (which the streets do not have presently), and will explicitly put such indications in any rental and sales agreement. This stipulation will also be part of the Final Zoning Order.

Additional Issues

The Applicant's Set Down Report states that the building will contain approximately 18,513 square feet of GFA devoted to new facilities for the Church, including assembly/congregation space, a kitchen and dining area, conference rooms and offices, and a community art gallery. The rest of the project, considered as one building will be devoted to approximately 222 residential units, of which approximately 123 units will be senior affordable housing reserved for households earning up to 60% of MFI and approximately 99 units of market-rate housing.

What Makes A Senior Building a Senior Building

The senior-only component of the Project is authorized by and in direct response to Mayor's Order 2019-036 May 10, 2019 which provides the "Housing Framework for Equity and Growth" requiring the District to provide for senior housing. The District is committed to "[its] seniors [who] represent the bedrock of our community," and it is committed to providing "safe and affordable places for them to age in place." For that we all must be grateful.

ANC-6D is pleased that all of the affordable units will be constructed concurrently with the market rate units. They will be constructed out of the same high quality materials as the market rate units, will have comparable residential amenities as the market rate units, and built simultaneously by the same construction company as a single building. Accordingly, although all of the affordable units will be located within the Senior Tower, comparable to the market rate units and developed as part of a high-quality and harmonious development project.

The Applicants have spent considerable time and energy on the architectural portions of this project and they have made changes to the original design after objections raised by our ANC and the Zoning Commission. ANC-6D greatly appreciates the addition of balconies in the senior building and believes that they will provide enhanced quality of life for those residents lucky enough to have one. Our Commission also supports the suggestion of OP to add balconies to the market rate building – especially on its western face looking at Town Center Park – the SW Duck Pond. Absent this feature an opportunity is surely missed.

But while others have spent a significant time addressing the exterior features of this project, our ANC has had more concerns about what is to be designed within. Nowhere in any of the drawings presented or discussions that we've had with the Applicant have we been given an understanding of precisely what makes this a senior building beyond labeling it as such.

ANC-6D strongly supports incorporating universal design principles within this project. And we strongly urge the Applicants to proceed with this PUD only after consultation with a Certified Aging-in-Place Specialist (CAPS) who can help to ensure that what is developed – especially in the senior building -- will truly address the needs of residents as they age.

Home Innovation Research Labs, NAHB 50+ Housing Council and AARP developed the CAPS program to address the growing number of consumers that will soon require modifications in existing housing. But Westminster is a new project. And as such, universal design elements should be incorporated at the very outset. It's a lot easier to incorporate universal design features to a new home to create a safe and comfortable environment that promotes independence and allows a senior to age in place -- then to retrofit an old one.

How are the interior of these units to be configured? Are these units going to be ADA compliant? Will they have easy access and multi-level cabinetry? Will washing machines and dryers be in each unit or relegated to a single laundry room? Will washer/dryers be only front loading and raised off the ground? How will electric outlets be placed – at suggested 22 inches above rather than at 12 inches that contributes to falling? Will the bathrooms have bathtubs or walk-in showers? Will there be wall mounted appliances so no stooping will be required? What about door and cabinetry handles throughout the project, so as not to present a problem for those coping with arthritis? Will the project have

anti-skid tiles to prevent slippage in the bathroom? And will there be adjustable height showerheads? And where will grab bars be located? How will the flooring be handled in each unit and in the common areas? Will there be railings in the hallways? Will there be thresholds or will they be flush with the floor to make it easy for a wheelchair and walker to get through a doorway? How will interior lighting be handled?

The extent of what ANC-6D knows about the interior of these buildings is how they will be contained within a series of abstract squares and rectangles on a piece of paper representing the apartments in which seniors will be living. ANC-6D believes that it is more than high time that senior buildings in the District of Columbia are actually designed for the population that they seek to house.

ANC-6D believes that the Westminster senior building should also be distinct from the services and activities of Westminster Presbyterian Church. The Westminster Senior Building will be a secular facility open to all. While the church remains the driving force behind the development of this new facility, and we applaud the foresight and activism of the church in this regard, the new building ought not to be perceived as appended to the church's mission and potentially present a confusion with the religious mission of the church. ANC-6D hopes to see protocols for outreach, screening and management that will reinforce the senior building as an independent operation.

Accordingly, ANC-6D would like to have a better understanding of the physical delineation, architecturally, between the new church building and the congregate spaces afforded within the senior building itself.

Family Sized Units in the Market Rate Building

ANC-6D agrees with OP's analysis – and supports the contention-- that not providing family sized units – especially in the market rate building is a serious mistake. We encourage the Applicant to add a number of 3-bedroom units in the market rate building in furtherance of 1914.14 Policy AW-2.5.11.

What Makes a Church a Church

ANC-6D has been supportive of the Applicant's desire to develop their property in a manner that provides the Applicant an opportunity to have the Westminster Church building itself "not be required look like a church," as the Applicant has stated, "but BE a church." ANC-6D absolutely supports putting many of the functional aspects of the property on the north side of the building. Therefore, the proposed building design that incorporates the Church's primary functions at

the “rear” of the building is fully supportive of the Church’s mission and appropriate for their continued programming at the PUD Site.

ANC-6D also supports the Applicant’s design of the ground floor to accommodate a number of functions at once for the market rate building, the affordable building and the church itself. Accordingly, ANC-6D supports the Applicant’s requirement for overall occupancy beyond what is traditionally allowed. .

About That Tower of Light

ANC-6D has long opposed extraneous signage and lighting on buildings that have come before us for review. We are very cognizant of the impact of lighting especially as it impacts surrounding residences. Accordingly, ANC-6D asks for more information about the lighted tower at the easternmost edge of the property. At 8 foot wide and as tall as the building and then some makes a very bold architectural statement.

The approximately 95-foot-high cross embedded in the northern end of the eastern façade and embellishment of the senior building has been retained. Exhibit 23 A2 Sheet A-2.1 shows that the cross would be backlighted by the glass tower and lighting behind the cross’ left arm. ANC-6D agrees with OP’s request that the applicant clarify the backlighting of all parts of the cross on the I Street façade of the eastern tower (Exhibit 21 A2, Sheet A-2.1). We note that the cross with backlit tower, and attached to the senior building, are a significantly more prominent icon than has been used by the other churches that have undergone redevelopment in Southwest.

The ANC is also aware of other developers – some within our own ANC – who have, over the years, revised on their own accord what has been allowed as a consequence of a Zoning action. We would be remiss were we not to consider with somewhat more precision the exact parameters of the tower of light, its potential for color changes and intensity change, messaging, and impact on the surrounding residential community.

About the Plantings

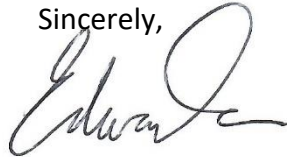
ANC-6D is greatly concerned that there is still no indication of what will become of the heritage trees located on or adjacent to the property. The project would include the public space improvements usually required by the District Department of Transportation’s Public Space Committee. While the public space improvements may include items not required by DDOT, these have not been highlighted. The building would have terraces on at least two levels, would include 11,668 square feet of green roof areas, and would have shade trees atop lower-level roofs. ANC-6D appreciates that OP in their hearing report had asked the Applicant to examine the potential impact of the building and its

construction on the trees long the linear park pace adjacent to the southern building wall. The Applicant has not submitted an arborist's report or assessed potential impact. This is problematic.

ANC-6D agrees that the Applicant needs to provide a more complete assessment of the building's impact on the plantings in the linear park to the south of the Project. That stretch of property will be an integral part of the larger Duck Pond project and the ANC wants to ensure that its impact is minimal. Moreover, we agree with OP's request that the Applicant provide an arborist's assessment of the impact of the project on the trees and public space in the District-owned land to the south.

ANC-6D appreciates the opportunity to express our concerns on ZC Case 20-12 and request that you will give our advice on this issue great weight under law. Should you have any questions, please contact me at 202-930-3720 or edward.daniels@anc.dc.gov .

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Daniels", written in a cursive style.

Edward Daniels
Chairman, ANC 6D