

Testimony of ANC-6D
Before Zoning Commission of the District of Columbia
Z.C. Case No. 20-12
April 12, 2012

Good afternoon Commissioners. My name is Andy Litsky. I live at 423 N Street, SW. I have been authorized by unanimous vote of my ANC-6D to testify on its behalf at this hearing. I have served as an ANC Commissioner representing my SW neighborhood for 22 years.

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 6-0-1 to oppose in ZC Case 20-12,

Westminster Presbyterian Church has for nearly a century and a half provided exemplary service to the Southwest Neighborhood. 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 more than 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 for meetings, holiday food drives and candidate forums. Indeed, our own ANC has held our meetings at Westminster, as we have over the years at St. Augustine's, St. Matthew's, and Riverside Baptist. That fact that Westminster is a blessing to Southwest is indisputable.

But ZC Case 20-12 is not simply about the construction of a new church and preserving their good works. It is a PUD. And as such, there is the expectation of an additional benefit that must accrue to neighborhood in which Applicant seeks to build beyond what existing Zoning allows.

When this project was initially discussed with the ANC more than a year ago, it was presented fairly simply: The church required significant renovation. The Applicant chose 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 this project, as initially presented by Westminster, was that the greatest Community Benefit that this PUD would add an entire building devoted to net new senior housing, a significant percentage of which would be affordable at 60%. Now, that's a Community Benefit!

Since that time, however, the ANC has continued to hear reports that both Bozzuto and Westminster -- also partners in DCHA's Greenleaf Redevelopment project -- have been communicating at various meetings that **this** development -- the Westminster Development -- will be part of DCHA's Greenleaf Redevelopment Project -- at the very same time that the Applicant has continued ZC Case 20-12 before the Zoning Commission.

It is our profound hope that this afternoon, since ANC-6D has tried and failed to establish clear and definitive answers from the Applicants, that this Commission will be able to ascertain precisely where we are with this project at this time.

Development projects cannot be built on the come. It's all in the details. And those details have always been very clearly established before we reach this point in every other zoning matter with which I've been involved in more than two decades on the ANC. But not in this one.

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. But unfortunately, this case is still very much a moving target.

Here's why:

During a Zoom Meeting of the Greenleaf Advisory Committee meeting with DCHA on Thursday, April 8, 2021, Jeff Kayce, Senior Vice President, Managing Director, DC Metro, Bozzuto Development Company, asserted that the 123 units in the Westminster Senior Building would not be used for Greenleaf Build First units, in agreement with ANC6D. That is something we'd waited for some time to hear from the Applicant -- clearly and without equivocation -- from someone at the highest echelons of Bozzuto. Commissioners Ron Collins and Rhonda Hamilton, who share representation of Greenleaf were pleased with this clarification. **BUT THEN** Mr. Kayce stated said the 99 units in the West Building of the Westminster project *may* be used instead. This was the first anyone had heard that the 99 units were in play for Greenleaf. Hence, our confusion here this afternoon:

At that meeting, Mr. Kayce characterized these 99 units as "originally market rate" (implying rental) while they are proposed in the application before you as condominiums. Whether rental or condominium, these units have always been characterized as market rate units that were indispensable since they were needed to support the wholly subsidized 123 units in the senior building. Commissioner Kramer, who also attended that Thursday night meeting was perplexed stating that this entirely new prospect turned the project on its head once again. "It was like something out of Lewis Carroll," she said. What is up is down. What is east is west. What is big is small. So, I ask you-- precisely what proposal is the Zoning Commission reviewing this afternoon? On which side of the looking glass are we at this moment?

The other major participant in this venture is Dante's Partners. They are to construct the affordable senior building. Interestingly, Date's Partners credo is "Taking the Complexity out of Affordable Housing." Well, there's no time like the present.

To that precise point, ANC-6D is also concerned that the affordable units provided in the 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. And we all know that's not the case.

Until such time as Bozzuto and partners stop moving around walnuts on top of the cardboard box and tell us *precisely* what they are doing with this PUD, ANC-6D continues to oppose this Application and believes this case should move no further.

So, let's get the facts out on the table and make decisions about what we know *is* before us this afternoon. And it is on the information before us – that ANC-6D is pleased to provide our advice and counsel in the hopes that it will be accorded great weight under law.

Again.

Our first extraordinary concern is that we don't know precisely *what* is being proposed at this time by the Applicant.

Our second extraordinary concern is that there is currently no safe and effective curbside management plan to move seniors into and out the senior building - nor congregants attending church services nor those going to Jazz Night.

There is no doubt that this site is ideally situated. It is in the heart of Southwest, across the street from CVS, several restaurants and our neighborhood Safeway. It is a block from the Metro. And it is walkable to Arena Stage, The Wharf and both Nats Park and Audi Field. On paper this is a perfect site. But the problem is that we don't live on paper. We live in the real world.

DDOT's own filing in this case clearly states that the department will be constructing a protected bike lane along Eye Street from Seventh Street, SW and into Southeast that will run directly in front of this project.

DDOT suggests the following in their report:

“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.”

In one innocuous paragraph, DDOT, itself, 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, even the Applicant's own Transportation Plan diminishes this problem by providing only a one-line statement in more than thirty pages addressing only that it will mean a loss of two on street parking spaces. Really? And that's a transportation plan?

ANC-6D is supportive of protected bike lanes. Now, how about protecting seniors?

Before this Commission signs off on this project – with full understanding that DDOT intends to construct a protected bike lane that will run the entire length of Eye Street block in front of this development -- we implore you to do so only with a clear understanding in writing about how the residents will be accorded safe access to their homes. Because right now neither the Applicant nor DDOT can make that assertion. Pedestrian safety is not something that should ever be hashed out after-the-fact. It cannot be finessed.

So, those are our two major concerns. I'd like to briefly touch on a few of the ANC's subsidiary concerns that we've already laid out in great detail in our ANC report to the Commission in this case.

The Applicants have spent considerable time and energy on the outward 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 believe that they will provide enhanced quality of life for those residents lucky enough to have one. Our Commission also supports that 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.

While others have commented more about the facade, we've concerns about what's happening within. Nowhere have Applicants provided in their filings clarity about what makes this a senior building other than it is going to house seniors.

I am a senior myself who may one day seek to rent in this building. I am also someone who spent six years on State Executive Committee of AARP DC along with former Councilmember Jim Nathanson, Romaine Thomas and Denise Rolark Barnes. During my tenure, one my major takeaways was about universal design -- the features in a home environment that can create a safe and comfortable environment that promotes independence and enables seniors to age in place. And it's a lot easier and much less expensive to construct such a building at the outset than to retrofit one. I know, I've done it. Twice.

Precisely, how are the interior of these units going to be configured? Will they have easy access cabinetry? Will washers and dryers be front loading and off the floor? Will they be in each unit? How will electric outlets be placed? Will the bathrooms have easy entry tubs or walk in showers? What about the flooring in each unit and in the congregate spaces? How will hallways be handled? And the lighting? There's a much longer check list but I trust you get the picture.

The extent to which ANC-6D and this Commission now knows about the interior of these buildings is contained solely within a series of abstract squares and rectangles on a piece of paper currently representing the apartments in which real people – 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 encourages the Applicant to add a number of family sized 3-bedroom units in the market rate building in furtherance of 1914.14 Policy AW-2.5.11.
- ANC-6D believes that the Westminster senior building should also be distinct from the services and activities of Westminster Presbyterian Church. Accordingly, ANC-6D requires a more complete understanding of the physical delineation, architecturally, between the new church building and the congregate spaces afforded within the senior building itself.
- ANC-6D has long opposed extraneous signage and lighting on buildings that have come before us for review. 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 itself it makes a very bold architectural statement. We would be remiss were we not to consider with somewhat more precision exactly the parameters of the tower of light, its potential for color changes and intensity change, and impact on the surrounding residential community.
- ANC-6D agrees with OP 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 in testimony this afternoon on ZC Case 20-12 and hopes that you will give our advice on this issue great weight under law. I look forward to taking questions.