

Dear Members of the Board of Zoning Adjustment:

I am in receipt of your letter dated January 5, 2017 about the BZA Application No. 19450.

I am gravely concerned about DC Government's intention to build a homeless shelter inside the perimeter of the 2nd District Police Station on Idaho Avenue, NW (Ward 3C) that is in breach of following any exhaustive search or proven analysis of all reasonably alternatives sites Washington DC has to offer. I am further aggravated by the dismissive attitude of the Mayor's Office, DC Council's Members and by the Director of the Department of Human Services (DHS) who continue to completely undermine the City's safety and security concerns and places residents at risk of Police's failure to promptly and effectively respond to emergency calls.

The rush that DC Council and DHS are placing on building a facility that does not meet a number of zoning criteria is based on poorly compiled assessments such as a traffic study that does not address traffic at all - in fact, not once is the word 'traffic' even written in the report, a parking study that did not consider variables over time, a non existing environmental impact, a non existing independent study on police operations, the destruction of valuable land that for decades has been the pride of this community, not to mention the total lack of consideration on how homeless residents will move in and out of the shelter due to lack of affordable housing, nor how they will be safely lodged when their children will be forced to share communal toilets and prepare food in corridors for lack of privacy and cooking facilities.

The City has claimed the availability of wrap around services. However, they never took into account even the most basic needs, regardless of length of residency, including the lack of an on site day care facility or other essential amenities that homeless residents would usually need. Homeless residents will have to bus themselves across town with no assistance having to transfer various times before reaching their habitual work/school destinations.

The requested impact assessments, including environmental factors, traffic, parking, noise, and property values are either poorly and hastily done or not done at all in the race to the Board of Zoning Adjustment (BZA) hearing on March 1, 2017. Questions persist about the size and design of the playground located immediately next to private homes, the impact on residents of a large fueling dock inside the Police station perimeter, the excessive height and design of the facility itself, and the impact on police operations and flexibility, both during 18-plus months of construction and long after. Protection of existing screening trees, guarantee of noise and light mitigation, and limited extent of screening and privacy landscaping are also of concern.

This makes me question whether these Government Officials are not motivated to act in the best interest of its tax paying constituents but rather by greed and self-serving political ambition. The astronomical price ticket for the proposed construction clearly enables developers to syphon DC's tax coffers at will. There is also no evidence whatsoever that this construction will be better managed than what the City has so poorly done to date. The current plan is to build a six story building to house 200+ individuals, and an adjacent parking lot to accommodate the current overflow of Police cars by destroying the landscape and breaching all promises, per DC Council's repeated promises to the community that it would not interfere with the adjacent community garden, tennis courts, dog park and children's playground which serve a wide number of people going beyond local residents. The City's architect made repeated cryptic comments that the City took pains to minimize the shelter's effect on the tennis courts and the community garden contradicting what the City told the community in earlier meetings that its plans would have no effect on the tennis courts or the Garden.

The Second District Police station has a vital role in serving and protecting a large part of Washington DC. It must be able to respond quickly and effectively to diffuse any escalation of terrorism and violence. This construction will severely put at risk its effectiveness. A position it cannot afford to be in since it serves the "Embassy Row" corridor, White House Administration (VP and staff living in the neighborhood), National Mall, and the White House itself. My main concern is that the building of this shelter will hamper police operations for everyday situations. As we all know, DC is ground zero for terrorist attacks and the 2nd District Police station plays a crucial role with the Department of Homeland Security (which is a few blocks away) as a staging and response area. Not to look into how this will hamper effective police and security response is simply unconscionable.

The April 29, 2016, letter from then-DGS Director Christopher Weaver to councilmember Mary Cheh clearly stated "complicating factors ... make this (Idaho Police lot) site unsuitable for our purposes". This remains valid and on public record. That the Council voted to build on the Idaho site a month later, despite DGS's negative assessment, demonstrates its failure to consult with the community or to consider other sites. The zoning

Board of Zoning Adjustment
District of Columbia
CASE NO. 19450
EXHIBIT NO.73

application falsely claims the City carried out an "exhaustive search" for alternative sites, none of which was communicated or documented to affected residents. The ANC voted unanimously on June 20, 2016, to object to lack of notice and to examine essential issues that needed to be addressed prior to such an important policy change to no effect. http://anc3c.org/?wpfb_dl=385

To date, costs for merely building this facility have been estimated at \$24.5 million. This is without counting the additional cost for destroying, building and then destroying again the adjacent gardens, tennis courts and nearby amenities tax paying citizens will no longer benefit during a period of at least 18 months. In fact, there is no guarantee that these will ever be reset to their original state after the construction since the City has a history of breaking its promises by mentioning excuses such as lack of budget.

Let's not forget the lack of safety concerns by having police cars rushing in and out of a parking lot adjacent to a children's playground where children will be crossing these very same residential streets. The 24/7 police traffic in this highly residential area will exacerbate the neighborhood with fumes, sirens, and constant hub-in, not to mention runoff from the parking lots.

This land was never intended to be used as a parking lot. Mr. Weaver's letter to Councilmember M. Cheh of April 29, 2016, further stated "the loss of the park availability at the location may interfere with the Department of Parks and Recreation's (DPR) master plan for park availability for this neighborhood. These complicating factors create an unknown delay and thus make this site unsuitable for our purposes."

As a US Citizen and DC taxpayer I ask that an enquiry be conducted on the lack of accountability and misappropriation of DC taxpayers' funds. I also ask that independent studies be conducted to exhaust all reasonable alternatives as well as comprehensive and thorough studies about the impact of the proposed construction would have on its neighborhood for all the aspects mentioned earlier. There is no transparency about how and with what budget the shelter will be managed to be fully functional. The unconscionable state of DC General, the documented rise in family homelessness in DC despite city claims of improvements, and the failure of the City to enforce its own requirements that developers direct a percentage of constructed units for affordable housing attest to a chronically-failed system, which DC now wants to impose throughout the city.

The City is clearly:

- (1) misappropriating taxpayer funds;
- (2) refusing to work with the community as demonstrated by its refusal to move the BZA meeting date (scheduled for March 1, 2017) to allow the community to react to the City's sudden 11th hour changes of February 6, 2017 that are not allowing community input. The City is seeking half a dozen zoning exceptions and variances show that the building is too big, too tall, and incompatible with the site. It violates BZA requirements that requested variances and exceptions must not "substantially impair the intent, purpose and integrity of the zone plan" and must "harmonize" with the zone plan. The city plans to file its amended BZA application on February 8, 2017. The city's various zoning requests and special exception requests for the city should be denied because the proposed use is far outside what is permitted in this zone, the proposed facility is completely inconsistent with the surrounding neighborhood, and the proposed facility places two incompatible buildings on the same lot;
- (3) lacking of transparency by not providing independent and thoroughly conducted impact and risk studies. The city has offered no justification for overriding zoning requirements and has not exhaustively examined alternative sites. The DHS director and other speakers' responses at the January 31, 2017 meeting with the ANC-3C's constituents underscore the unsuitability of the site. The assertion that the building must house 50 families, must have ten per floor, must be on DC-owned land, must be six stories high, and must get multiple exceptions and variances as it is not compatible, are untrue, as the public record shows on the Mayor's previous Ward 3 site and other shelters;
- (4) in breach by lack of competitive request for proposals from developers, as demonstrated by the exorbitantly costly construction plans that will surely have overruns - costs alone now well surpass \$24.5 million, double that originally projected at other site. The City's traffic report by Integra Realty Resources Patrick Kerr and Samuel Sherwood's May 6, 2015 assessment prepared at the request of Chairman Mendelson states on page 9 that "our opinion is the market value of the value of the (Wisconsin Avenue) site is \$2,500,000". The other two Ward 3 properties identified and rejected by Council cost \$2.5 million and \$2.7 million, respectively. The cost of the police-parking ramp alone is far more than it would cost to acquire a vacant lot, or existing buildings, and avoid the ongoing damage, disruption and multiple exceptions required for the Idaho police lot. The June 20, 2016 ANC resolution requesting assessment of alternative sites for cost and impact purposes remains valid despite its summary rejection by the Council; and
- (5) hiding possible alternative hidden agendas to satisfy high paying donor voters for DC officials' re-election.

On January 31, 2017, the Interim Chief of Police, Peter Newsham, announced at the DHS-ANC-3C community meeting that its Police operations and parking would not be impacted by the construction of the homeless shelter as the parking would be built before the shelter. If that had been the case, then why has the City suddenly decided thereafter to destroy the Newark Street Community Garden and its tennis courts? The City's traffic report by Integra Realty Resources Patrick Kerr and Samuel Sherwood's May 6, 2015, mentioned options local residents had for parking, including parking inside the privately owned parking lots of Cathedral Commons or in the underground parking of National Cathedral. If residents should be parking there, why would the City not accommodate Police cars during the 18 months construction? Surely it would be less expensive than destroying, paving and then unpaving and restoring the adjacent community gardens and tennis courts.

According to ANC Commissioner Nancy MacWood, the city has to provide "evidence that the variance it is seeking will not substantially harm the intent, purpose, and integrity of the zone plan". The standard of review for special exceptions includes an assessment of whether the exception will generally be in harmony with the intent and purpose of the zoning regulations and zoning map, and whether it will not tend to adversely affect the use of neighboring property."

The \$24.5 million plus price tag can produce a better, dignified, and appropriate facility, which is what residents, should insist upon for the city's homeless families.

If we are so concerned about budget limitations, especially with the threat of the new Administration clawing back funds, wouldn't the City want to clearly prove the best use of its funds by conducting a more transparent and exhaustive site search and bidding the construction more competitively?

Thank you for your attention and action. Your acknowledgement of receipt of this letter by return reply is appreciated.

Yours sincerely,

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