

**Union Market Neighbors
(For Better Planning)
411 New York Avenue, NE #2B
Washington, DC 20002**

November 3, 2016

**Re: Zoning Commission Case No. 16-09; Rescind Party Status Request;
Further Contested Issues, Concerns and Testimony**

Union Market Neighbors have had to pull our party status request because we were unsuccessful as a small non-profit to find legal counsel in time for the hearing. This by no means diminishes our concerns and contested issues with the proposed project in ZC Case 16-09.

Our participating members on Florida Avenue NE, and surrounding low rise residential community to the east, south, and the north, will be significantly impacted by the massive construction project and operation of 600+ residential units and a 175+ room huge hotel **on only 2 acres!** WOW!

Further, the cumulative adverse affect of this project on the surrounding neighborhood (including several other hotels), without coordination of the 15+ other poorly coordinated PUD's planned for the area will have substantial, concrete and direct adverse affects on the public services currently used by UMN participants.

There is no mention of hotels being included in any of the Future Land Use Map designations or on the Generalized Policy Map or in the Comprehensive Plan policies for this area. There are no plans for where tour buses will park or wait while waiting for hotel guests, and how this may impact the surrounding community. The Comprehensive Plan, taken as whole as the Commission should know consists of

policies that discuss the greater impacts hotels present especially in proximity to residential districts.

The public services that will be impacted, among others, include public transit (which is being threatened with cuts <http://greatergreaterwashington.org/post/34036/metros-latest-budget-proposal-includes-huge-cuts-to-rail-and-bus-service/>), public utilities services (gas, water, sewer), not to mention the adverse affects on our quality of life -- air, water, congestion, traffic, and noise. There are no applicant studies, or those by the city that shows the current level of public services won't be adversely impacted by this project, especially at a size and density larger than what is anticipated in the Comprehensive Plan.

The Applicant admits the site is heavily contaminated with pollutants. The massive size of the project and expected construction therein will disturb much more of these pollutants than would otherwise if the project was scaled down to actually match the Medium-density residential and Moderate density commercial densities as anticipated by the DC Comprehensive Plan and Future Land Use Map.

A LEED Silver goal for the project cannot be considered an amenity, and thus cannot be used to say that the environmental impacts of this project will be mitigated. This project will adversely impact the air, water, noise, and quality of life permanently. There are no studies on any of these environmental impacts that will be associated with this PUD application by either the applicant or the city.

The near bare minimum "affordable" housing to be provided as part of the PUD can not be considered an amenity. 80% AMI is no longer considered affordable in the District of Columbia, yet the vast

majority of the units being proffered as affordable are for those single residents making 80% AMI. There is only a pittance of affordable units set at 50% AMI. Further, the vast majority of the units are not for families, which is exactly the types of housing the Comprehensive Plan would consider an amenity. Serving single professionals making \$50-75,000 a year and saying this meets the bare minimum affordability requirements is an absolute joke and cannot be considered an amenity and is unacceptable according to the PUD standards.

Between the luxury hotel being proposed and the small town's worth of luxury residential units for singles, the displacement and gentrification pressures will increase and believe this should be obvious for city planners and the applicant. There is no study or analysis of increasing displacement pressures by this project, and the others in the area cumulatively, on the surrounding low-rise residential communities. This is especially true for UMN elders who are on fixed incomes. They will witness their property taxes skyrocket when city property tax appraisers who will now take into account the level of luxury units and hotel space being proffered here. Neither the applicant nor the city planners provide any analysis of this and therefore provide for no mitigation conditions to avoid displacement of existing residents and small businesses per guidance and directives of the Comprehensive Plan.

DHCD is the agency monitoring and managing affordability, and affordable units around DC, including the the residential areas around Union Market, to inform the Commission about statistics as to current affordability numbers – like the number of units, levels of affordability, what existing affordable family housing is at risk – in the surrounding community?

The Office of Planning has not conducted a comprehensive review of the myriad array of adverse impacts this project will have on the surrounding community. This contradicts fundamental planning principals let alone basic PUD planning rules. The Zoning Commission cannot allow the project to proceed without a comprehensive review by relevant agencies as required by the PUD municipal regulations.

UMN seeks a comprehensive review of the adverse impacts on public services and the environment for the surrounding community as required by the law. UMN seeks a project that actually meets the designations of the Future Land Use Map as required by the law. UMN seeks a proper evaluation of the impacts on existing public services -- transit, utilities, pipes, infrastructure --so that proper mitigation conditions can be included in any final decisions on this project and the many others in the area. UMN seeks conditions that provide protections from displacement, like property tax freezes for the surrounding neighborhood, both commercial and residential. UMN seeks reports about adverse affects by the project by all relevant District agencies (OP, DPW, DDoT, DOES, DSLBD, DMPED, DHCD, Metro, Washington Gas, Pepco, DC Water, among others) to help determine if the PUD can be found to be acceptable for this location and to provide for full and proper mitigation of adverse affects.

DDOT has determined that bus lines around the site are at capacity now. And all are now aware of how limited and dangerous the Wmata Metro system has been and will be given it is also near or at capacity. DDOT does not look at how this project to generate less traffic if it was smaller, say 4 stories shorter, 5 stories shorter, 6 stories shorter. So it would be fair to say this proposed high-density project will generate far greater traffic than the most

recent use of the site.

DDOT has not determined the capacity of the Metro to simultaneously serve the PUD project and continue to serve the existing community given the new transit trips predicted for this project. Same goes for buses.

Neither DDOT nor OP have coordinated with the developer to determine any contributions for including more public transit services, to offset Wmata safety repair costs, and other public right of way improvements.

The OP reports how that no studies of noise or air quality have been conducted to determine how this project will affect the surrounding neighborhood. No relevant District agencies have weighed in to determine the waste, emissions, and other issues the hotel and high-density uses at this site will bring onto the surrounding community. *Comprehensive Plan Policy: LU-2.4.11*

Specifically, there are no reports in writing from the DC Department of Environment exploring at least an evaluation of the environmental impacts this PUD will have on the surrounding residential communities. Further, there are no reports from the DC Department of Public Works. Fire and Emergency Management Services, or Metropolitan Police Department.

There is no sense from DC Water to get specificity as to the water needs of the proposed project such as how much fresh water this project will require on a daily basis and will the fresh water capacity currently serving the surrounding community be affected by this new stress on the public water systems. It is fair to say that

the amount of sewage coming from this proposed project will be far greater than the existing water and sewer needs.

The Office of Planning has not considered the coordination of the municipal public systems that will be impacted by this project, among the others in the area, and hence there is no qualitative understanding of contributions from the public and the applicant to upgrading the municipal water, electric and gas systems that will serve this PUD project.

There are no reports from DC Water, Washington Gas or Pepco on the record. OP has not determined the capacities of these utilities in serving the PUD site, and the existing community simultaneously. There is no sense of who will pay the repair bill for a catastrophic collapse of any of these public utility systems during construction or after the project is operating.

And OP has not coordinated an evaluation of emergency response capacity with the Fire Department or MPD about this project considering the volume and density of new residents and commercial entities in case of an emergency or in terms of daily safety protections currently serving the community.

The PUD application gives no sense of how many jobs will this project create, will they be of a living wage, and there is no sense or reports from any relevant agencies to determine how many local residents in the surrounding communities will be sought after and employed in the jobs created by this project. There are no reports on the record from DC's Department of Employment Services and Department of Small and Local Business Development.

There has been no evaluation of how the project among the others around Union Market will displace the existing small businesses currently serving the surrounding communities.

All of which UMN seeks can be easily found in the Comprehensive Plan across several Chapters and in several Elements which if actually read and followed by the city planners, namely the Office of Planning, and by the Zoning Commission, would actually lead to a project that either does not adversely affect the surrounding community, or provides for mitigation conditions that can be found acceptable in protecting the surrounding community from adverse affects. This has not happened to date. We hope it will.

As submitted by email to zcsubmissions@dc.gov, and by IZIS on this the 3rd day of November, 2016,

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Relevant Comprehensive Plan policies, among others: UD-2.2.1; UD-2.2.2; UD-2.2.4; UD-2.2.8; LU-2.3.2; LU-2.3.3; LU-2.3.4; LU-2.4.8; H-1.3.A; E-4.1; E-4.1.3; E-4.2; E-4.3; E-4.3.5; E-4.5.C; E-4.8.2; ED-3.2; ED-3.2.1; ED-3.2.6; ED-3.2.7; ED-3.2.A; ED-3.2.D; ED-4.2.4; ED-4.2.7; ED-4.2.12; CSF-1.1; CSF-1.1.1; CSF-1.1.2; CSF-1.2.2; CSF-1.2.6; CSF-3.2; CSF-4; CSF-4.2; IN-1.2; IN-1.2.2; IN-2.1.1; IN-5; IN-6; IN-6.1.3; H-2.1; H-2.1.3; H-2.1.1; H-2.1.4; H-2.1.A; H-2.1.E; H-2.2.3; H-2.2.E; H-1.1.3; H-1.2; H-1.2.1; H-1.2.7; H-1.2.B (commercial office linkage to housing), inter-alia.