

Mana Rabiee
1961 H St NE
Washington DC 20002
Cell: 202-300-1077

September 16, 2020

DC Zoning Commission
441 4th Street, NW
Suite 200S
Washington, DC 20001

Greetings:

My name is Mana Rabiee and I am a property owner in the impacted zone. Let me start by saying that I believe housing is a human right. In the interest of full transparency, I am also a part-time realtor generally in favor of smart urban development. I want to be able to exercise my right to develop my own property within reason and to maintain its development value as an asset. I believe my neighbors have that right, as well. I believe the proposed RF-4 zone change undermines the development of housing in the impacted area and ironically moves against the mayor's broader plan to increase housing density in our city. **I wish to vociferously state my opposition here to the proposed zone change itself. But I especially want to voice my extreme exasperation with the DC Zoning Commission's unfortunate decision to move ahead with this significant change during the COVID state of emergency, which by its very nature prevented adequate legal notification to the very property holders who will be most impacted.**

I want to start by generally thanking my local ANC for their efforts in this matter. I understand the petitioners initially wanted to rezone our area as Historic (which could have effectively foreclosed on the possibility of any meaningful housing development happening in our neighborhood) and that the ANC pushed back on that idea, opting instead for the RF-4 designation. I also thank the ANC for their well-intended efforts in the face of COVID to try to educate the neighborhood on the rezoning issue.

However -- the ANC's hands were tied for much of the year because of the current state of emergency during which communication, outreach, dissemination, education, etc, have been intrinsically difficult to execute. **I do not believe that a critical mass of the roughly 225 property owners within the zone change have a working understanding of the issue and how it specifically impacts them. Therefore, I ask the Commission to delay final approval of the zone change until it is concretely established that a majority of the impacted homeowners have been properly informed and allowed to provide feedback.**

The District of Columbia Zoning Commission has already acknowledged that there is no business as usual for the entire remainder of the year. Citing COVID, it approved in late April on an emergency basis extending by six months the validity period of a broad range of projects that were set to expire this year.

If individual projects are granted an effective stay from expiration for the rest of 2020, why then is the Commission moving ahead with a drastic zone change during 2020 that will impact over two hundred private property owners?

My ANC went through great effort to notify the community with flyers left at doors, some door knocking, weekend outdoor table information sessions, etc. However, the Commission still has not concretely laid bare just how many of the impacted homeowners have a proper, working knowledge of the zone change. I wish to argue that the ANC efforts, however much robust and well-intended, were not adequate to give proper notification.

I myself door knocked along just three blocks of the neighborhood after work one night some two weeks ago. Of the 18 people I spoke with face to face in masks, 14 had little or no idea of the zone change. Some thought the green notices were about utility work, some thought they were about speed bumps that were set to come to the area, others had heard of a zone issue but didn't know exactly what that was. The four people who did know of the change were already active in the ANC or were receiving the newsletter, etc.

I acknowledge that my poll was unscientific, but if you extrapolate those numbers out, I think it's reasonable to think that the residents who were already looped into ANC sphere of contact were the ones being properly notified, and that those outside of the ANC world remained largely ignorant of the coming change.

Rather than placing the burden of adequate legal notification on a volunteer-run ANC during a state of emergency, the city ought to have made official contact by mail, much like it might when alerting homeowners to real property tax issues etc. The city could have mailed out one, two, even three proper DC government letters over time – letters that look official and say 'This is important' -- and then asked the ANC to *supplement* those efforts with, for example, phone calls and voicemails; not flyers that were apparently mistaken as junk mail or posters that were mistaken as gas company notices for street work. It was, I think, unfair to place upon the shoulders of the volunteer ANC the important business of zoning change that could very well negatively impact the property values of these homes. These homes are arguably the single most valuable asset we will likely ever own in our entire lives and the homeowners deserved proper notification from the city about changes to how these properties are being regarded.

Let me illustrate by sharing with you the verbatim feedback I received during my one late afternoon of door knocking:

757 19th St NE said they don't know what zone they live under, had never heard of the RF-4 zone, had seen the green announcement for "some type of meeting" but thought it was for "work that was being done out here" and that "you wouldn't pay attention to it" when looking at the posters, which were tightly wound around poles versus posted flat for easy reading.

762 19th St NE said they had "looked at the poles but never read it" because it was hard to read "wrapped around" the pole and that "it was like they don't you to read it, that's not sufficient legal notice". They too don't recall seeing flyers or getting phone calls .

758 19th St NE said didn't know what the "green flyers" were about and hadn't received calls of flyers.

756 19th St NE were renters who spoke little English and had never heard of the zone issue.

754 19th St NE were renters who also had not heard of the change or recalled seeing/paying attention to the notices in the street.

752 19th St NE were renters who hadn't read the notices and didn't know about the change.

748 19th St NE had not heard of RF-4 zone change but had seen the green notices and "didn't read them". She recalled no one contacting her directly about this.

1925 Bennet Pl NE were renters. I don't have any other notes for them.

1927 Bennet Pl NE had expected the area to "UP zone instead of down zone" and had hoped to use their home one day as development property for their future investment. They don't recall getting flyers and had taken photos of the posters on the poles but didn't know the details.

1937 Bennet Pl NE were renters who also had no knowledge.

1941 Bennet Pl NE were renters who heard of a zone change but no other info and not flyers or door knocking or calls that they could recollect.

1930 Bennet Pl NE had seen the posters but said "it doesn't explain the situation" and again, like the others said they don't recall seeing flyers at home, or door knocking, or calls etc.

1926 Bennet Pl NE had seen the signs and thought it was for the "speed bumps" coming to the neighborhood.

1924 Bennet Pl NE were renters who were "not sure" about what was going on, that it had "something" to do with zoning

I urge the Zoning Commission to allow the COVID state of emergency to end and allow for more complete notification to the property owners so that the most important stakeholders in this matter can have a true voice. We don't necessarily have to start from scratch, no. But the city needs to be more proactively involved in the notification process for this change to appear fair.

Thank You.

Mana Rabiee

END

On Wed, Sep 16, 2020 at 3:50 PM Mana Rabiee <mana.rabiee@gmail.com> wrote:

Greetings,

Please see below my submitted written testimony. May I have guidance on whether I can also submit additional documentation that won't fit into my 3 minutes?

Many thanks

Mana Rabiee

Cell: 202-300-1077

Thank you. My name is Mana Rabiee and I'm a property owner in the impacted zone. In the interest of transparency, I'm also a part time realtor generally in favor of smart development. I want to start by first

thanking my local ANC for their efforts in this matter. I understand the petitioners initially wanted to rezone our area as Historic, something that could have effectively foreclosed on the possibility of any meaningful housing development happening in our neighborhood, and that the ANC pushed back on that, opting instead for the RF-4 designation. I really want to thank them for that.

I also thank the ANC for their robust efforts in the face of COVID to educate the neighborhood on the rezoning. I am in fact in opposition to the zoning change but I'm reserving my three minutes here to speak exclusively on the DC Zoning Commission's unfortunate decision to forge ahead with a zone change during a state of emergency when, by its very nature, communication, outreach, dissemination, education, all of that, is intrinsically difficult to pull off, no matter how hard my ANC tried it best to do.

I door knocked just three blocks of my neighborhood after work one night some two weeks ago. And of the 18 people I spoke with face to face in masks, 14 had little or no idea of the zone change. Some thought the green notices were about utility work, some thought they were about speed bumps coming to the area, some had heard of a zone issue but didn't know exactly what. The 4 people who did know, were active in the ANC and were on the newsletter etc.

I think it's reasonable to think that if you were a resident already looped into ANC sphere of contact, and I argue most residents in DC aren't closely aware of or active in their ANC, that you didn't know what was about to happen to your property's zoning.

Rather than placing the burden of adequate legal notification on a volunteer-run ANC during a state of emergency, the city ought to have sent out one, two, even three proper DC government letters over time – letters that look official, and say "This is important" -- and asked the ANC to supplement that effort with, say, phone calls and voicemails – if the city really expected adequate notification to the over 200 property owners impacted. Not flyers that were apparently mistaken as junk mail or posters that were mistaken as gas company notices for street work. That was, I think, an unfair expectation to place on the ANC to get out proper legal notification to the homeowners on something that impacts the single most valuable asset they will likely ever own in their entire lives.

So my urgent request to the Zoning Commission, is to allow the COVID state of emergency to end and to – not revisit the issue from scratch – but to allow for more complete notification to the property owners, so that the most important stakeholders in this matter can have a true voice.

Thank you.

END