



May 3, 2022

**VIA IZIS**

Chairman Anthony Hood  
D.C. Zoning Commission  
441 4<sup>th</sup> Street, N.W., Suite 200S  
Washington, D.C. 20001

**Cc:** (via email) Jeffrey Utz; David Lewis; ANC 4C

**Re:** Written Testimony of Friends of 14<sup>th</sup> Street  
ZC Case 21-18/ Dance Loft Ventures LLC  
Hearing Date – May 5, 2022

Chairman Hood:

On behalf of our clients, Friends of 14<sup>th</sup> Street (FOFS), we hereby submit the written testimony of the following members of FOFS as well as our expert, Reju V. Radhakrishnan, for entry into the record for this case:

1. Ted Hallinan
2. Dana Baughns
3. Ann Garlow
4. Katherine Milikin
5. Peter Bouma
6. Andy Elting
7. Julio Fernandez
8. Reju V. Radhakrishnan

Thank you for your consideration.

Sincerely,

/s/ Edward L. Donohue for Friends of 14<sup>th</sup> Street

**Enclosures**

**TESTIMONY OF TED HALLINAN  
MEMBER FRIENDS OF 14<sup>th</sup> STREET**

**ZONING COMMISSION of THE DISTRICT OF COLUMBIA  
DANCE LOFT LLC PUD APPLICATION ZC 21-18**

**May 5, 2022 – 4PM**

Good Evening Chairperson Hood and members of the Zoning Commission ---. Thank you for the opportunity to testify. My name is Ted Hallinan, I am a long time DC resident living at 1418 Crittenden Street NW for the past 20 years; and my house backs up to the proposed project site in Square 2704. I'm also a registered architect licensed to practice in DC for 28 years; and most of my work has been on downtown projects like the Washington Convention Center, the SEC Headquarters at Station Place and Capitol Crossing. I am testifying today to request that you oppose the Dance Loft Application for a PUD and related Map Amendment to upzone the site from MU-3A to an MU-5A Zone.

**I. DANCE LOFT VENTURES PUD IS TOO BIG.**

The project will overwhelm the surrounding homes on Crittenden, Buchanan and 15<sup>th</sup>. Streets as proposed: it's inconsistent with the attendant neighborhood development in this part of the city. We oppose the size, height, and density of the 101-unit project in a residential neighborhood where the RF-1 zoned two-story town homes in Square 2704 will be dwarfed.

The Dance Loft Ventures application proposes a height of 66'8" feet with a penthouse, for a completed penthouse roof height of 75'4" plus an additional 6'6" of rooftop enclosure for condensing units and solar panels making the completed project elevation 81'10" above the measuring point in 14<sup>th</sup> Street NW. It also seeks to extend the entire mass of the proposed building from the eastern lot boundary 295 feet to the west into the alley areas directly behind the existing row houses, overshadowing a 100- year-old residential community. The topography of the site trends

upward to roughly 20 feet above the measuring point on 14th Street towards the western end of the development resulting in a building that, at its lowest penthouse roof, tops out at 58'0" plus an additional 6'6" of rooftop enclosure bringing the total built height to 64'6" above the west alley behind the houses that front 15<sup>th</sup> Street. This is considerably higher than the adjacent row houses, that are typically 22'0" to 25'0" at their highest elevation in the rear yards facing the proposed Dance Loft Ventures project. The setbacks shown in the Application do not mitigate this kind of height discrepancy.

## **II. BACKGROUND**

While the Comprehensive Plan and the Central 14<sup>th</sup> Street Vision Plan and Revitalization Strategy (Small Area Plan), authored in 2012, call for consideration with respect to additional density on 14<sup>th</sup> Street NW to achieve certain land-use objectives in DC the heart of our objection is that the Dance Loft is making a huge over-reach. Please note that the Small Area Plan says: "*Pursue land use changes and infill development that is designed with contextual sensitivity...*" (emphasis added) and specifically addresses the Value Furniture site by identifying it as the "best redevelopment potential" and outlines its favorable attributes from that perspective and goes further to say that "that the development concept includes ground floor retail, ideal for a neighborhood grocery, with two to three floors of residential above." And as you know parking is a concern for residents and businesses. While the recently adopted Comprehensive Plan identifies this area as a potential site for more intensive development, the Small Area Plan speaks to our concern in a more holistic way "This part of 14<sup>th</sup> Street serves as a natural transitional block for lower density commercial uses and is compatible with the residential uses on the west side of the corridor." The Small Area Plan continues "The surrounding residential uses between Crittenden and Buchanan consist of single-family homes with rear yard backing to the opportunity (Dance Loft PUD) site, in all cases, height and density should front 14<sup>th</sup> Street and step back away from existing residential neighborhoods. Community residents emphasized the need for future development in this node, remain sensitive to the surrounding neighborhood character and height.

Adequate setbacks from adjacent residential properties should be supported as appropriate.” Our opposition to the proposed PUD is not without merit. It is not an academic exercise for the homeowners that share a backyard or adjacent street with this development, it is fundamentally about context. That context is generally recognized in the Small Area Plan. How does a building proposing to extend into the alley at a height that is between 2 ½ to 3 times taller than its immediate neighbors really make sense? The bulk of the building, at 295’ feet in length does not have the benefit of a reasonable residential right of way to mitigate its mass; it’s shoved into an area fronted by 10 and 15 foot-wide alleys that it shares with rowhouses. If this project goes forward as planned it will establish an objectionable precedent for the rest of DC. Can an under-sized alley typically developed to service to the area that surrounds it become the ascendant or primary element in the square, especially at this scale? I offer that this subverts good planning practice.

In an effort to fundamentally understand the impact this project will have on our neighborhood, our group pooled resources to build a 1/8” = 1’0” scale model of the proposed project in Square 2704. We built it from dimensions included in the Dance Loft PUD application and the topographic information available to us from DC Octo GIS Services (to obtain the site contours of Square 2704) and included alleys, sidewalks, roadways and sample houses. The model brought the kind of physical clarity that the Applicant was unwilling to provide. It demonstrates for many of us that the project is out of scale for the neighborhood. I’ve included photos of the model in the written testimony so that you can see how the scale of the proposed development is inconsistent with the existing neighborhood and overwhelms it; a condition that the renderings in the Application do not address fully. Especially at the unmarked one-way alleys that directly ring the site. I offer that the project’s scale will create special problems with respect to how it impacts our homes over the long term.

### **III. DANCE LOFT IS A GIANT POP-UP**

The underlying question for those of us opposed to this project is, how did we get here? We think that the design process neglected to fully consider the existing conditions of the theater that occupies the bulk of the site at 4618 14<sup>th</sup> Street when the Small Area Plan was authored in 2012. The single-story theater's footprint extends back into Square 2704 - 295'0" from the property line at the east side facing 14<sup>th</sup> Street. The theater built in 1921, around the same time that our houses were built was only operation for several years, it later became distribution space and remained largely the same since the late 1920's, until its current life as the Value Furniture store. This site had been largely overlooked by the city as zoning regulations evolved and our neighborhood remained largely unchanged for many years as a mix of town and single-family houses with only nominal consideration of the potential outcomes as evidenced in the Small Area Plan. Commercial and mixed-use zones in our area of 14<sup>th</sup> Street; and identified in the Small Area Plan, are typically 80'-100'0" back from the property lines at 14<sup>th</sup> Street – this one is 295'0" back, almost three times the depth! Does zoning have to follow an address when that specific address is especially problematic from an urban design point of view? The Small Area Plan touches on this matter by talking about engagement with the surrounding residential community, but does not go far enough to restrict this type of invasive proposal. The MU Zoning or Commercial Zoning, in the case of the Small Area Plan, makes more sense from a development perspective when it acts as 80' – 100' boundary or border to the 14<sup>th</sup> Street arterial like it does in many of the photos of the buildings lining 14<sup>th</sup> Street included in the Application. I offer that the photographs of these recent multi-family developments on 14<sup>th</sup> Street NW to south of this project, between Node One and Node Two (if we refer back to the Small Area Plan), do more to show that these taller four to six story projects are better suited to the 80' – 100' deep sites that do not encroach so aggressively on the finer grained residential zones. In all cases, these are bounded by alleys that run parallel to 14<sup>th</sup> Street.

Furthermore, in 2012 the DC Office of Planning prepared the Historic Alley Buildings Survey. Even though 16th Street Heights was not included in the Survey, this area has alley development that is consistent with the rest of DC in that the alleys here were developed in service to the dominant neighborhood form: typically, row houses. Regardless of the context, alley buildings, such as garages or carriage houses are typically smaller than the surrounding residential or commercial development in the area and do not seek to dominate it. Time, effort, and tax-payer dollars went into this Survey and while our neighborhood may not merit historic consideration, the form and substance of its urban fabric should not be set aside in favor of a ham-fisted and ordinary project that the applicant asserts is exceptional. We believe that an exceptional design would be the result of a more community focused process that yields new ideas and balanced results for how best to integrate the Applicants admirable pursuits of providing affordable housing, arts space and retail in a challenging and constrained site. My personal view is that the Applicant squandered a tremendous opportunity to show us how a contextually rich and thoughtful design could establish a model for alley redevelopment throughout the city that would be welcomed by all.

#### **IV. ENVIRONMENTAL CONCERNS CONSTRUCTION OPERATIONS, HEALTH, AND SAFETY**

As a practical matter the Applicant has not addressed our concerns about demolition and construction of the project., it simply states that the “Applicant will deliver it at an appropriate time” The houses surrounding this site are all 100 years old, some in good, newly renovated condition and others not so much. When we asked about these important topics the Applicant downplayed our concerns about them. While the ANC 4C letter of support, dated April 2022 claims that the Applicant will sponsor methods for the neighbors to engage with the project during construction, we are requesting that a comprehensive Construction Management Plan be included in any PUD or legislation surrounding the re-development of this site NOW. This is not an aspect of the

Application that the neighborhood feels can be left up to future engagement with the Applicant when our interactions to date have been less than cordial. We have concerns about the existing building and its demolition. Are there hazardous materials that will be demolished and how will they be treated at the site and removed? It is very likely that the Applicant obtained an environmental report, prior to closing, outlining potential hazardous materials at the site along with recommendations for further action related to abatement and the like, why hasn't this information been shared with us? The nearby work at the WMATA bus barn, across 14th Street from the project site, has caused many of us to pay closer attention to environmental problems that have arisen at that site; and begs the question, what's happening at the Dance Loft site on the environmental front? Lead paint, asbestos and other contaminants are common in buildings constructed in the 1920s. We do not want the management of these matters left to a future date. We're concerned about our health and safety and that of our families.

## **V. DURING CONSTRUCTION**

We are concerned about site access and parking for construction and site labor. Where will the people who work at this project park and be located? How will the site be accessed? Many of us use the alleys to park and the alleys are used by the trash trucks. What will become of the alley itself? DDOT recently re-did the concrete topping in the alleys, and it is unclear as to how the old theater and proposed site engages the alley construction itself? Will the condition of the alleys be maintained or repaired at the end of construction? We believe that construction must be solely accessed from 14th Street NW without the need to access the alley to accomplish this work. Will the Applicant be required to post bonds?

Many of us are concerned about the condition of our homes during construction and the risk associated with being so close to demolition and new construction operations. The homes in Square 2704 and the surrounding blocks are just over 100 years old, the Applicant should engage a third-party engineering or other professional services firm to survey and document all of the adjacent buildings and provide us with an opportunity for routine review or monitoring for

cracks or settlement problems attributable to that construction activity and a method to address them properly. While FOFS opposes the project altogether, we recognize that if Dance Loft or if another PUD Application for that site comes along that a Comprehensive Construction Management Plan must be included in the legislation or final order.

## **VI. NOTEWORTHY MISREPRESENTATIONS INCLUDED IN THE APPLICATION**

After careful review of the Dance Loft PUD Application, I think it's important to point out that the Applicant has mischaracterized several points with respect to neighborhood concerns. I attended seventeen Dance Loft meetings since March 2021 and consider that these have been some of the most contentious, I've ever attended in both my career and professional life. *§I.A. In addition, the Applicant has made significant revisions to the Project in response to neighborhood concerns raised prior to this filing.*

*§ IV.B.1.c. Alternative Plans: In addition, over the course of several community meetings with adjacent neighbors, the Applicant proposed alternative massing, including a proposal that reduced the height of the Project a full story in the rear of the building, but also reduced setbacks (i.e., reduced the separation from the Project to nearby houses). However, those alternatives were generally regarded as not acceptable to many of the abutters, so the applicant did not develop such alternatives further.*

It is important to note that this representation is inaccurate. During the presentation that I attended, the Applicant showed us a sketch of a proposal and simply put it aside without any opportunity for conversation and debate. Clearly, Hobson's choice. The abutters would prefer that the mass of the building be scaled back considerably.

*§ IV.B.2 Privacy concerns have been addressed by claiming that set-backs, "considerably mitigate these concerns."* Over the course of our meetings with the Applicant there was a lack of transparency regarding privacy to the extent that when questioned about balconies and their design the Applicant team did not answer the question and our neighborhood was unable to ascertain the design or number of balconies until the design was shown in the Application. In fact,



early renderings did not detail balconies projecting from the bulk of the building towards the surrounding alley, they only became apparent in the Application and showed them to be an open picket and rail design.

With respect to parking concerns, in early presentations beginning in March 2021 the Applicant proposed 20 spaces to serve 99 units, and over the course of the project upped the unit count to 101 units and 13,165 SF of retail/entertainment space, over the course of the project the applicant offered to increase parking to 40 spaces, when in fact the DCMR requires 55 spaces. The Applicant is requesting zoning flexibility to seek a reduction in parking from 55 spaces to 40 spaces. It appears that DDOT agrees with the Applicant and supports their request. The Applicant's claim that they are addressing the neighborhood's concerns is misleading and really should not be the topic of conversation in this kind of engagement, but here we are.

Moreover, the expanded width of the alley serving the Project's parking area from 14th Street is a requirement imposed on the project through regulations included inside the DCMR and not a concession to the Community. Alley access into buildings has a Building Code minimum of 15'0". In short, the building code dictates the alley dimension, it's not something the Applicant can proffer to the community, unless they want to make it bigger than the code required minimum. They also make the assertion that the associated 500 square foot reduction in the building footprint is a result of the Applicant's largesse.

Over the course of our interactions with the Applicant our concerns about the height, density and bulk have been set aside in favor of a narrative that places the Applicant at the center of a righteous pursuit of affordable housing, entertainment and retail space that is far above our paltry agenda as to make it apparent that they are not required to address our concerns and routinely dismiss them out of hand. It's easy to dismiss us when the Applicant casts those of us who oppose them as enemies of their good and righteous pursuit.... all while talking about the financial viability of this project that compels them to build it to 101-units with its attendant height, density, and bulk. Profitability is not a dirty word when a developer is undertaking a project, but to

tell your neighbors that you won't walk them through your financial deal when you've publicly made the claim that the project is only financially viable as it's currently designed, without any reasonable public engagement, is disingenuous.

Moreover, Dance Loft Ventures claims that their Application has features that make for an exceptional urban design, when we think that environmentally responsible construction or LEED Gold ratings, renewable energy offerings are the bare minimum of what can be considered responsible design in 2022. The Application is shot through with self-laudatory assertions, but particularly galling is this, “the Applicant has really tried to address the neighbors’ concerns but it's unfortunate that differences remain.” I offer that neither the process nor the product are exceptional in any way. In fact, the building is an unimaginative brick box dropped into a lot that could be anywhere that does not engage the alleys that surround it in a meaningful way. Consideration of the existing context is central to redevelopment efforts like this. I think our community and city deserve better, a more thoughtful and skilled engagement could yield a better project for all of us.

I'll close this evening to say that I'm invested in my neighborhood and our community, I think my work on this project and in my profession reflects that. I think our neighborhood deserves good faith compromise from this Applicant, and to date, that has not occurred and for this reason I am asking the Zoning Commission to deny the Dance Loft Application for a PUD and related Map Amendment to upzone the site from MU-3A to an MU-5A Zone, and to instead insist that it effectively engage with FOFS to reach a reasoned compromise. Thank you for your consideration and for giving me the opportunity to speak tonight.

**BEFORE THE ZONING COMMISSION  
of the DISTRICT OF COLUMBIA**

**TESTIMONY OF DANA R. BAUGHNS**

**Friends of Fourteenth Street (“FOFS”) Party Member**

**CASE NO. 21-18 (DANCE LOFT VENTURES, LLC)**

**Application for a Consolidated PUD and Related Map Amendment**

**@ Square 2704, Lots 64, 815, 819, 821, 823, 828, and 830-833**

**THURSDAY, MAY 5, 2022**

Good Afternoon/Evening Chairman Hood and Members of the Commission

My name is Dana Baughns and I have lived at 4611 15<sup>th</sup> Street NW with my two children for almost 16 years. I am a Chief Legal Officer for a global staffing provider where I have worked for 14 years, commuting by car into work five days a week. On the weekend, I work for my children like most parents, regularly driving them to their various sporting events in the region, as well as shopping for a family of four for the week. My property is within 15 feet across the alley from the Applicant’s property. Unlike other alley systems in the neighborhood, Square 2704 does not have separate garages across the alley for parking. (See Baughns Exhibit A herein - Applicant’s Exhibit A.01.3 Existing Zoning v Proposed Amendment showing unique alley system for Square 2704.) My property, and several others do not have a garage on it or any other off-street parking. I share this personal information to provide some perspective and context about my home.

I am not a developer, an architect, or a builder. I do not have any background in zoning and have never had the need or desire to jump into a zoning process or dispute. I have been actively engaged in the processes leading up to this hearing out of sheer necessity and to thoughtfully understand the impact to my home, my investment and legacy for my children. I am uniquely impacted and qualified to provide perspective on behalf of my family and the Friends of Fourteenth Street (“FOFS”) regarding the negative impact(s) of the proposed height, density and scale of this building as outlined by the Dance Loft Ventures PUD application and related Map Amendment (“Applicant”).

The Applicant acknowledges in the record that height and density has been a primary issue for certain neighbors and the Applicant also acknowledges that it has done nothing to address the specific concerns of height and density. The Applicant has often touted the support of others for the arts and affordable housing as a reason not to address FOFS concerns of height, density or scale of the building. Instead, the Applicant has and continues to offer up other project modifications as faux concessions and compromise when the changes it has made elsewhere in the project do not address height, density or scale. The changes made by the Applicant were otherwise required to align with other regulations, safety concerns and done primarily to advance the building design as proposed by the Applicant. Importantly, none of the preapplication changes outlined by the Applicant addressed the specific concerns of height, density or scale. Instead of engaging in a good faith discussion, the Applicant flatly refused to make any concession or compromise on the height or density, or even take into consideration where it could scale the building differently and maintain the necessary density to remain eligible for affordable housing subsidies.

As it relates to density, the Applicant continues to maintain it cannot reduce the number of the 67 affordable units without impacting available subsidies. (See Applicant's Exhibits in the Record at 525C, 525D and 525E). The consideration of addressing density goes beyond just the affordable units. However, the Applicant has taken the density concerns (which are directly related to our height concerns throughout the entire alley system) and promoted that our opposition is to affordable housing. It is not. The Applicant has not considered any reduction or restructure of the other 34 residential units not classified as affordable; or even reconfiguring the Dance Loft retail space. These two obvious considerations can and could have been made to address some of the density concerns, which could impact the available height and scale options, while still maintaining eligibility for applicable affordable housing subsidies.

In relation to addressing the height concerns, we would like this Commission to require a height reduction to the rear two-thirds of the building and shift those units to the front of the building on 14<sup>th</sup> Street. This scale alternative would be a reasonable compromise with FOFS and immediately impacted properties. Reducing the floors to the rear/back approximately 2/3rds of the building could consist of four levels (three levels above ground) and a setback penthouse; and the front approximately 1/3 of the building can scale up on the 14<sup>th</sup> Street commercial corridor and consist of six levels and a penthouse. (See Baughns Exhibit B herein (emphasis added) – Applicant's Exhibit A.02.1 Context Neighboring Issues). The Applicant flatly rejected this alternate scale consideration in June 2021. When meeting with abutting property owners the Applicant stated : 1) changing the scale of the building would not be financially feasible for the Applicant; and 2) that many other neighbors supported the Dance Loft Project as proposed, so the Applicant really didn't need to consider any change or incur additional costs in redesigning options for our

consideration or in compromise. From then until now the Applicant has not met with members of FOFS or discussed this alternate scale proposal in substance. The Applicant advised in that meeting that it considered its obligation to meet with us fulfilled, and that it would proceed with its application with the height, density and scale it proposed because it believed it had the support to do so. The concerns regarding height, density and an alternate scale have been summarily dismissed since June 2021 from any further dialogue.

I submit to this Commission that many, most, if not all of the supporters the Applicant relies upon do not or will not live in the shadows of the proposed scale of this building through the alley system. FOFS sought to understand the Applicant's proposed scale and commissioned the build of a scaled model to first understand the height and scale of the building and proposed setbacks, and then to hopefully foster a productive discussion with the Applicant. Unfortunately, no productive discussion ever occurred. Despite using all the public measurements shared by the Applicant for the scaled model, the Applicant questioned the accuracy of the scaled model. The Applicant was invited to produce its own scaled model of the project to promote additional discussions on height, density, and scale. The Applicant declined to produce its own model or meet to discuss height, density or scale. Instead and again, the Applicant defaulted back to its supporters of the arts and affordable housing as a reason not to engage in a good faith and productive discussion even about the height and scale.

I strongly caution this Commission to not be misled by the Applicant. The Applicant is disingenuous in how they consistently re-cast support which is specifically for the arts, affordable housing and other community benefits, as also support for the height, density and scale of the Applicant's proposed building. The Applicant has wholly ignored our concerns, and now attempts to shroud its neglect and complete disregard

of the height, density and scale concerns as deep community engagement. This is not accurate or truthful. A careful review of the letters of support reveals that supporters do not address the very specific concerns raised by FOFS regarding height and density. The letters of support do specifically address the arts, affordable housing, and other neighborhood benefits. Indeed, FOFS members have expressed support of the Dance Loft and what it can continue to offer our community. FOFS members have also stated their support of providing a path for affordable housing in this neighborhood and fostering greater diversity on many levels. However, our primary concern and opposition has been and remains the height and density, which are each separate and apart from supporting the arts and affordable housing. Instead of the Applicant engaging in productive dialogue about how to address the height and density concerns, it has proffered an all or nothing height and density proposal and spent its time bullying homeowners like me, dubbing us all as non-supporters of the arts and affordable housing, racists, and wealthy homeowners suffering from NIMBYism. We have repeatedly asked for a good faith discussion to reach a reasonable compromise in the height and scale. To date, the Applicant has done nothing but decline to engage on these very specific concerns because it simply believed it did not have to, and unfortunately was never compelled to do so by our ANC Commissioners.

As support for the height and scale, the Applicant provides what it has termed as “Context Precedent Along 14<sup>th</sup> Street A.02.5” of several four-story buildings. (See Baughns Exhibit C herein -- Applicant’s Exhibit A.02.5 “Context Precedent Along 14<sup>th</sup> Street A.02.5”). Again, please do not be misled by the Applicant. These contextual photos are only precedent for multi-level dwellings that do not protrude into the alley system as the Applicant’s property does in Square 2704. I submit to this Commission that the context to be taken from the photos in that exhibit is that

none of those buildings extend into the alley system, impacting abutting properties on the blocks that run both parallel and perpendicular to the property—like that which is proposed by the Applicant for Square 2704. The properties pictured in the attached Exhibit B are not within 10ft and 15ft from the property lines of the homes on the streets that run parallel and perpendicular to 14<sup>th</sup> Street, impacting natural light, shadowing over neighboring properties, and impacting privacy and personal use and enjoyment of other property owners. The Applicant's exhibit does not depict similarly situated properties. The Applicant has not provided any precedent for erecting a structure that will double in size, dwarfing surrounding homes, which by great measure changes the character and environment of the homes abutting the Applicant's property. The precedent to be taken and followed from the photos in the exhibit is to require the building to largely scale on 14<sup>th</sup> Street, like the others pictured, and reduce the height in the rear 2/3<sup>rd</sup> to four levels (three levels above ground).

I implore the Commission to not be fooled by the Applicants attempt to supplant the privacy concerns of FOFS by providing photos of a single family's taller rowhouse window with a potentially direct line of sight into neighbor's window or yard in an attempt to discredit the valid privacy concerns of multiple families regarding a direct line of site from multiple windows that will tower over abutting properties from the Applicant's proposed building. The Applicant assumes arguendo that the singular or limited instances pictures, makes it now acceptable in the aggregate for dozens of units to have a direct line of sight into multiple surrounding homes on the three sides of the building.

I request this Commission to deny the application in its entirety and require the Applicant to reconsider its design and reduce the height of the back two-thirds of the proposed building and instead increase the height on the 14<sup>th</sup> Street commercial



corridor. Many of the objectives of the Applicant and the community benefits to the entire Ward 4 can still be achieved under the alternate scaling of the building, which also factors in the primary concern by the FOFS regarding the height, density and scale.

Submitted by Dana Baughns

4611 15<sup>th</sup> Street NW

Washington, DC 20011

## **Ann Garlow – Testimony**

### **History of 16<sup>th</sup> street Heights**

The headlines say it all, “ DC’s Sleeper neighborhood”, “Taking it slow on God’s boulevard”. 16<sup>th</sup> street heights is an oasis of almost suburban living in the city, intentionally so. It’s accessible to downtown, the beltway, Bethesda and Rock Creek Park. The area used to be known as Maple Grove Farm owned by John Saul in the mid 1800’s. Early zoning laws regulated that houses had to be fully detached which set the style of house apart from row houses downtown. There are a significant number of detached houses sprinkled through the neighborhood.

The passage of the District of Columbia Organic Act of 1871 led to 16<sup>th</sup> street heights being developed into a series of subdivisions. Streetcars accelerated the growth of the area. Two historic streetcar facilities are currently used by Metrobus and in the process of being renovated. The Capital Traction Company car barn at 4615 14<sup>th</sup> street NW is now the Northern Division garage and the 14<sup>th</sup> and Colorado turnaround is now the terminal for 52,53,54 buses.

Once the regulations changed so that row houses could be built in 16<sup>th</sup> street heights, they were designed by some of the most prominent architects of the early 20<sup>th</sup> century including Harry Wardman. In its time 16<sup>th</sup> street heights was considered modern and planned. Homes were built around squares of green that included carriage houses in some blocks and open green spaces in others. Air and light were primary design elements so that there was natural ventilation in the houses involving transom windows and air shafts in the middle of the house. If you lived in a Wardman row house, all the rooms had windows and doors with transoms that opened into the next room or hallway so that there was a constant exchange of air. The blocks along 14<sup>th</sup>-16<sup>th</sup> street from Arkansas avenue north are also on a hill so that enhanced the

natural ventilation and views. Some of the detached homes and row houses have views all the way down to the US Capitol and the Washington Monument.

Intentionally the area has few apartment houses and large retail operations. There was a small department store at the corner of Decatur and 14<sup>th</sup> street which is now Andromeda Transcultural Health. The Park theater was designed by Charles E. Wire in 1923 to present silent movies of the era. The Tivoli theater opened around the same time. The Tivoli won the audiences of the era and the Park theater closed in 1929. The building became a succession of businesses including a Value Village, a storage company with rental spaces, a furniture store still in existence and Dance Loft. The street was deliberately designed with small retail spaces along 14<sup>th</sup> street and located across the street from the Northern Bus Barn or at the time the streetcar barn.

The neighborhood went through the difficult riots of the '60's which left long term economic pain. Retail operations were boarded up and took years to revive. Houses turned over from original or secondary owners and became inventory for affordable housing. In recent years the residential nature of the neighborhood has been renewed. There still aren't any large buildings of any kind. The city began to focus on large developments at Walter Reed after it was decommissioned and in Fort Totten. Those areas have all ranges of affordable housing, performance space and plenty of green space for families.

## **History of Dance Loft.**

As described in her professional profile on-line, Diana Movius is a senior climate and forest policy administrator at Climate Advisors. She runs Dance Loft as a side hustle and has devised a number of different iterations of it to try and find a profitable business. She began leasing the former Park Theater in 2012. In 2014 Ms. Movius partnered with Paul Gordon Emerson to bring a state-of-art entertainment facility to the location. Mr. Emerson's vision was to bring a 6,000' home for the performing arts to the Park theater. During the partnership with Mr. Emerson, Ms. Movius opened the Dance Loft(Warehouse) which sprang up in 2017. The vision turned the space into a concert venue for raves, wedding, parties and entertainment. All without the proper licenses and included serving alcohol. The capacity listed for that enterprise was 500. A list of performers included Raffi, Sarah Myers, AYBEE, Kevin Yost and Danny Krivitt.

By 2019 the focus again shifted this time to include Stephen Clapp, a social activist director who sought to bring more relevant programming to the venue. He stayed for 10 months and left to direct another dance operation in DC. Since then the direction of Dance Loft has fallen to Ms. Movius and Etta Hulcher. Dance Loft has a miniscule board and

low to no profile in the dance or performing arts world in DC. Ms. Hulcher left Dance Loft in February, 2022. Now Diana scrambles to lease studio space to artists to survive.

Diana's vision has been flawed and unfocused with respect to Dance Loft or Warehouse and indifferent to the neighborhood from the beginning. She now hopes to use her lack of affordable housing experience to bring an outsize apartment building and studio space into a planned, historic neighborhood never intended to have a large building in a mostly residential block. During the lead up meetings for the PUD, Etta attended the meetings and Diana was mostly absent. Too busy I presume solving climate issues or looking for renters for her space.

## **Environmental Justice and Heleos/DL**

In the context of affordable housing, HUD states that “environmental justice is an integral part of HUD’s mission and outlined the following concepts:

1. Prevention of adverse environmental and health effects on minority and low-income populations by HUD actions
2. Engagement of minority, low-income and indigenous populations in the communities where HUD action is proposed
3. Recognition of areas of local and cultural significance where a HUD action is proposed
4. Integration of environmental justice practices and concepts in project planning

Directly across the street from the proposed building on square 2704 sits a bus barn on the brink of renovation. The city hasn’t agreed to implement an electric fleet raising the red flag on a residential large apartment building directly across from the construction and eventual return of a diesel fueled bus barn. The bus barn property has already been identified as containing toxic elements from long buried fuel tanks and additional fluids used for diesel bus maintenance. Add to that excavation scheduled to take place over years to remove the toxic

elements. Concern has already been raised about the foundations in the houses around the area which date back at least 100 years. Sounds like a perfect storm of illness, distress and discomfort. Further, the proposed building sits on top of a bus stop. If diesel buses run again, they will contribute to dirty unhealthy air. This neighborhood has already been identified as being more at risk for lung ailments and illness, especially in young populations. The proposed building has a significant number of 2-3 bedroom units ostensibly for families with young children. Does it seem just to place them across the street from a diesel bus barn renovation, on top of a bus top and behind a street that has a high level of daily traffic?

Heleos/DL have consistently refused to add green space to their building and given the reduction of natural light in most of the units because of close row homes, they are creating a dark, dank, air trapped building with no natural ventilation. There has been no mention made by Heleos/DL on how to manage building a “dead” air building in an area that already has significant air pollution. No amount of green LEED building can change the fact that the square stands to be affected by the bus barn, bus stops and low to no natural ventilation in the alleys. Sounds to me like environmental discomfort if not disaster.

**List of affordable housing projects under construction RIGHT NOW IN WARD 4**

5610 Colorado Avenue DHCD 34

1214 Madison Street DHCD 1

929 Kennedy Street DHCD 2

5422 1st Place DHCD 1

4910 Georgia Avenue DHCD 3

4804 Georgia Avenue DHCD 2

6800 Georgia Avenue DMPED 38

5581 S. Dakota Avenue DMPED 5

818 Kennedy Street DHCD 2

4328 Georgia Avenue DHCD 2

4014 Georgia Avenue DHCD 1

218 Vine Street DCHFA DHCD 92

1445 Spring Street DCHFAC DHCD 13

1320 Main Drive: Assisted living: DMPED DHCD 54

1001 Spring Road DMPED DCHFA DHCD 58

4408 Georgia Avenue DHCD 2

4310 2ns Street DHCD 1

611 Kennedy Street DHCD 1

423 Quincy Street DHCD 1

218 Vine Street DHCD 37

225 Vine Street DHCD 3

1212 Madison Street DHCD 1

1015 Spring Road DMPED DHCD 3

5000 New Hampshire Avenue DHCD 56

505 Jefferson DHCD 14

**Total: 427 under construction**



**TESTIMONY OF KATHERINE MILIKIN & PETER BOUMA  
MEMBER FRIENDS OF 14<sup>th</sup> STREET**

**ZONING COMMISSION of THE DISTRICT OF COLUMBIA  
DANCE LOFT LLC PUD APPLICATION ZC 21-18**

**May 5, 2022 – 4PM**

Good Evening Chairperson Hood and members of the Zoning Commission and staff. Thank you for the opportunity to testify.

We moved to 16<sup>th</sup> Street Heights in 2002 and raised children in a diverse community of neighbors that understands the value of connecting among each other. In these 20 years, we have waited for good and thoughtful development to occur behind our home while being good customers to all the commercial entities. The former owners of Value Furniture cared little about their property and its maintenance or their engagement with surrounding neighbors. (While our view of the barbed-wire fencing is not pretty, we have beautiful sunrises and light throughout the day.) We hoped for new neighbors that would treat their community more thoughtfully.

This past year has been an effort in futility in talking with the new owners. The applicant's current success is in dividing a neighborhood that values the same thing—a community with older residents, new families, couples, singles, as well as the accompanied ethnic and economic diversity. The applicant's public relations caricature of opposition as anti-affordable housing and NIMBYs has overshadowed the legitimate concerns of neighbors who believe that this overreach does not set new and current residents up for success.

For example, there are few amenities to support these new residents (e.g. grocery stores, pharmacies, parking). The Small Area Plan, noting the neighborhood's prominent charm, advocated for development to be contextually sensitive and to attract a medium scale grocery anchor to support existing businesses and spur increased foot traffic from neighbors west of the bus barn. While the applicant's proposal may not violate the letter of the plan, it does not align with the spirit of it. Infill in this area is not contextually sensitive to neighbors nor does it support current businesses. The applicant did not take into account its immediate surroundings, providing a balance of community values and assets. If they had, our community would not be divided against itself nor would it be potentially losing five small businesses. Businesses that survived the pandemic.

The Small Area Plan listed parking as a concern for neighbors as well as businesses and should be considered as part of the redevelopment process. It has been a concern of abutting neighbors from the first conversation. The applicant and submitted traffic consultants do not take into consideration the simultaneous redevelopment of the bus barn that will increase the

number of cars in a congested area, nor the state of parking on Sundays. We ask you to find parking in the neighborhood on any Sunday morning. The study is flawed from the outset.

Furthermore, the applicant has designated only 20 spaces for residents. Likely, new residents will park on the streets, like most of us. In terms of security for families and residents who will park in the neighborhood, they will park away from their homes as we do when coming back after 9pm. We have an 18YO daughter who parks blocks away after dark due to a lack of parking on our own block; we stay up to ensure she gets home safely. These are real concerns and not mere inconveniences.

If the proposal moves forward, new residents will need better transportation options for their trips to grocery stores, physicians, or pharmacies to be successful. The DanceLoft while representing lofty ideals will not meet new residents' needs in the same way as groceries and doctors. The Small Area Plan advocated for a grocery store in the current space with two or three floors of residential units above it. In that scenario, residents of affordable housing would have easy access to the most important thing—food.

Regarding density, the applicant originally proposed 99 units. In the current proposal, the applicant plans to build 101 units. After hearing concerns from neighbors about the density, the applicant ignored them and answered with an increase number of units with no real explanation. Now, the applicant has offered that 101 units is the threshold for its viability but has failed to justify it. When faced with concerns from neighbors, the applicant has chosen to expand/increase. The applicant notes that project opponents have not proffered an alternative. We are not architects nor urban planners. We live and work in this city and we are open to variations of development that allow for compromise. This opportunity is not a binary choice. It is not zero sum. It is BOTH/AND.

With approval from elected officials and the Zoning Commission, this development would supply half of Ward 4's affordable housing units in the pipeline. Abutting neighbors will carry most of that burden. The Small Area Plan identified multiple parcels to support the need for affordable housing with considerable neighborhood support. In many ways and in this instance, we have squandered the opportunity to develop this parcel in ways that benefit its current residents and that provide the important amenities new residents need to live and work in this amazing city.

We hope you will consider the spirit of the Small Area Plan as useful to this discussion and reject the Applicant's current proposal.

Respectfully,

Katherine Milikin and Peter Bouma  
4609 15<sup>th</sup> Street, NW

**TESTIMONY OF ANDY ELTING  
MEMBER FRIENDS OF 14<sup>th</sup> STREET**

**ZONING COMMISSION of THE DISTRICT OF COLUMBIA  
DANCE LOFT LLC PUD APPLICATION ZC 21-18**

**May 5, 2022 – 4PM**

***DRAFT***

Good Evening Chairperson Hood, members of the Zoning Commission, and staff. Thank you for the opportunity to testify here today. My name is Andy Elting and I am a 16 year District resident who lives with my wife and two young children at 1419 Buchanan Street NW, directly abutting the PUD in question. I am testifying today to request that you oppose the Dance Loft Application for a PUD and related Map Amendment to upzone the site from an MU-3A to an MU-5A Zone.

When my family was considering a move 3 years ago from our previous home in Petworth, our foremost priorities were space, light, safety, and quiet. When we purchased our home, our understanding was that the existing zoning would allow for development of the lot in question, which is directly behind our home, in keeping with the character of the neighborhood. In fact, we were supportive of the idea of developing the existing Dance Loft space until we learned of the height and footprint proposed for this project, which would encompass the entirety of the internal alley space of the block. As the scale of that proposal became clear, first came shock, then concern. But as the developer continued, throughout a series of community meetings, to insist that any compromise on scale would negatively impact the profitability of their concept, we became frustrated.

We feel the developer has cherry-picked individual comments made by neighbors and built in lesser compromises on parking and retail space in an attempt to claim they were

addressing our concerns while never giving us a meaningful compromise on the central concern we all share over the size of the proposal. The one alternative proposal presented after we repeatedly expressed concerns over the height of the PUD lowered the height by one floor, but removed all setbacks, bringing the entire mass of the building to the edge of the property line, just ten feet from our back fence.

Our frustration has not just been with the developer. Throughout this process, we also became frustrated with the city for its shortsightedness and failure to protect residents from this exact scenario: a developer trying to take advantage of neglectful zoning with a proposal that at face value is a clear overreach. Had the city simply recognized that the existing structure at 4618 14th Street NW encroaches in a unique and burdensome way on the surrounding homes (which the alley system was constructed to service) and acted accordingly to amend the allowable zoning, we would not be here today arguing over the height and footprint of this proposed project.

I implore you to heed my concerns and those of my neighbors. The developer has crafted an impressive public relations campaign to sell this proposal using carefully chosen presentations that do not reflect what we neighbors will experience on a daily basis if this building is constructed as proposed. Not once have I seen a rendering that accurately represents what we will face from our backyards or the windows of my children's bedrooms.

And my kids are what it really comes down to for me. As a parent, I have grave concerns about what this PUD means for emergency vehicle access, for my own family, for my neighbors, and for the residents of the proposed building. Currently, the alley that runs east to west from 14<sup>th</sup> to 15<sup>th</sup> between Crittenden and Buchanan measures about 18 feet with an additional 2 feet of ground level building footing that extends from the building into the alley. The proposed plan

would narrow the alley by nearly half – taking it down to 10 feet wide. This is not wide enough for those who live here to continue to safely traverse the alley and makes it impossible for sanitation vehicles to pass, especially on trash pickup days when we are directed by the city to leave our trash and recycling cans in the alley, while also severely narrowing the existing alleyway turning radius around the rear corners of the proposed building. While the developer will be widening the section of the alley that serves as an entrance from 14th street to 15 feet in order to accommodate increased traffic flow to their own parking spaces, they are unsafely narrowing the rest of the space that is utilized by existing residents.

It is also worth noting that homes on this square – and particularly those on the Buchanan Street side, already have significantly smaller backyards than most of our neighbors on nearby blocks, giving us very little space between our homes and the proposed development. With that in mind, I also have concerns that the close proximity of the PUD's extended footprint means that construction will pose environmental health and safety concerns to all surrounding neighbors, including many with young children and others with health conditions that would be negatively impacted by such close construction. And while I won't speak in detail on the subject, I know many neighbors share our concerns about how nothing has been offered in writing to protect the investment we have made in our homes from construction-related damage to our foundations and exteriors.

We are simply asking for a meaningful compromise. The developer purchased the property and drew up this proposal without any input from neighbors and they have since refused to compromise in any meaningful way regarding the size and scale of the building. We as neighbors have reasonable expectations for what we should see from our homes and backyards. All we want is development of the interior alley portion within the constraints of the current

zoning. I know there has been a lot of discussion about how this proposal addresses the need for affordable housing in Ward 4 and I think all of my neighbors agree that more affordable housing is necessary. I for one welcome it in our neighborhood, but according to our own DC Councilmember, this proposal accounts for nearly half of all the deeply affordable housing units in the pipeline for Ward 4. Why is one square block being asked to bear half of the affordable housing proposed for the entire Ward? The developer has repeatedly stated that any reduction in the number of units would make the project financially unviable, by which they mean their model becomes less profitable. It's clear that the developer has overestimated what they could and should achieve in this space. Their miscalculation should not be rewarded at the expense of my family and my neighbors. Rather, I feel it is your responsibility to correct their miscalculation here today by denying the Application for PUD and related Map Amendment as presented, so that the developer will finally be compelled to engage in serious discussions about rightsizing this project for the neighborhood. I ask you to please do so. Thank you for your time.

**BEFORE THE ZONING COMMISSION  
of the DISTRICT OF COLUMBIA**

**TESTIMONY OF JULIO FERNANDEZ**

**CASE NO. 21-18 (DANCE LOFT VENTURES, LLC)**

**Application for a Consolidated PUD and Related Map Amendment**

**@ Square 2704, Lots 64, 815, 819, 821, 823, 828, and 830-833**

**THURSDAY, MAY 5, 2022**

Dear Chairman Hood and Members of the Commission,

My name is Julio Fernandez and I have lived on the 1400 block of Buchanan St, NW for 16 years. I am a member of the Hispanic/Latino community here in DC and am testifying this afternoon in opposition of Case No. 21-18. Specifically, I am testifying about letters of support filed on the record of this case because it is important to accurately characterize those letters and provide context when those letters are compared to the seemingly small number of letters of opposition.

As of April 15, there have been approximately 430 letters in support of this project. In contrast, as of the same date, there have been approximately 40 opposition letters filed. Most letters of support are from individuals that do not live in the immediate area surrounding this project and thus, are not representative of individuals that will be *negatively directly* impacted by this project. In its Pre-Hearing Statement, the Applicant asserts that “the Commission may consider the interests of those who will

benefit from the Project in addition to the more parochial interests of those who reside closest to the Project.” While this is true, it is important to highlight that these more “parochial” interests should not be disregarded, either in part or in whole, than those of supporters that span the boundaries of the District of Columbia, the mid-Atlantic and other jurisdictions such as Florida, Massachusetts, and California.

As previously noted, as of April 15, there have been approximately 430 letters in support of this project. Most of those letters are from individuals that reside away from the immediate area that will be impacted by this project. These letters of support are from individuals that span the District of Columbia – letters that come from across Ward 4 and from other locations such as Tenleytown, Mt. Pleasant, Kalorama, Crestwood, and Embassy Row to name just a few. But these letters of support also come from individuals in North Carolina, Maryland, Virginia, Michigan, Pennsylvania, California, Florida, and New York. In its Pre-Hearing Statement, the Applicant states that individuals “further afield but in the District of Columbia, and some surrounding states” *may* [emphasis added] travel significant distances to attend, teach, and/or perform at the project site. The Applicant also writes that “some non-District residents supporting affordable housing *might* [emphasis added] want to become District of Columbia residents, and *perhaps* [emphasis added] would be District residents if the District had a greater supply of affordable housing choices.” This may be true, but I urge the Commission to weigh such possibilities of what may happen against the very tangible and certain negative impact of this project on current residents that live in this neighborhood, especially those that abut the project site or live near it.

The Commission must not, should not, and cannot give greater weight to letters of support from Tenleytown, Kalorama, Northampton, MA or Estero, FL based on the



mere possibility that individuals from these locations may be patrons of the Dance Loft and might move to reside in this building. The Applicant stresses the key role that the arts play for the District of Columbia, drawing “visitors, students, performers, teachers and others from surrounding jurisdictions into the District,” and by extension inferring that when completed, this project will serve as a catalyst to help drive the District’s economy. It is true that the arts play a vital role in the fiber of our city, and I have been a supporter of the arts for many years. However, Applicant’s statements in this regard are extremely aspirational and I urge the Commission to see them as such.

Many of the letters of support filed on the record do come from residents in other areas of the city. They also come from neighbors that live close to the project site itself – approximately 6 letters from residents that report to live on Square 2704. In contrast, approximately 10 letters of opposition have been filed from residents that report to live in the same area. This number goes up by approximately 15 letters of opposition when you include the blocks immediately to the north, west, and south of Square 2704. These approximately 25 letters of opposition – when added to the opposition from businesses in the immediate area which have filed for Party Status – signify a much larger number of letters of opposition. Many neighbors that live in the immediate area who oppose this project are not able to voice that opposition in a digital manner. The painful reality is that residents in the immediate area of this project site will be *negatively directly* impacted if Applicant’s PUD application is approved as it currently stands.

The simple truth is that District residents far from this project site are not the ones that will suffer the development’s negative impacts described in more detail by my neighbors.

I urge the Commission to appropriately weigh letters of support filed on the record of this proceeding against letters of opposition submitted by neighbors that live in the immediate area who are the ones that will be *negatively directly* impacted – on a daily basis – once this project is completed. I also urge this Commission to appropriately weigh opposition from the businesses that will be displaced once construction begins. Lastly, please understand that while we fully support affordable housing and the arts, we oppose this project based on its current size and scale.

I appreciate the opportunity to provide this testimony today and welcome any questions you may have.

## **TESTIMONY OF REJU VIJAYA RADHAKRISHNAN, P.E., IN OPPOSITION TO THE 4608-4618 14<sup>TH</sup> Street NW, PUD, Z.C. Case No. 21-18. (May 5, 2022)**

My name is Reju Vijaya Radhakrishnan. I am the Senior Transportation Engineer at MCV Associates, Inc. My office address is 4605 Pinecrest Office Park Dr, Alexandria, VA 22312.

I have reviewed the Transportation Statement prepared by Gorove/Slade, dated March 21, 2022, Supplemental Transportation Assessment dated April 4, 2022 and DDOT Report dated April 22, 2022. Based on my review, I conclude that the Gorove/Slade Transportation Statement is incomplete and does not meet the CTR Guidelines.

### **EXISTING CONDITIONS – TRAFFIC COUNTS**

Section 3.2.5 of the DDOT Guidelines for Comprehensive Transportation Review (CTR) Requirements states that at a minimum, the study area will include intersections where site impacts are most likely to occur, including all access points, adjacent streets/intersections at the boundary of the site. Section 3.2.6 of the CTR requirement further states that if the site currently generates traffic, all current site access driveways will be included in the TMCs. The current study only focuses on three (3) intersections on 14<sup>th</sup> street adjacent to the site. No traffic counts were performed at the intersection of the alley with 15<sup>th</sup> Street NW and Crittenden Street NW. No intersections were studied to the west of the site. Therefore, the current activity levels on the public alleys adjoining the proposed site and operational analysis on neighborhood streets were not adequately studied.

### **BACKGROUND CONDITIONS – EXCLUSION OF WMATA NORTHERN GARAGE TRAFFIC**

Section 3.2.8 of the CTR requirement states the CTR will account for vehicle trips generated by developments in the study area that have an origin/destination within the study area. The WMATA Northern Garage across the proposed site is currently nonoperational for redevelopment. The redevelopment project is anticipated to begin in 2022 with a total duration of three to four years and is expected to be operational in 2026.

The Gorove/Slade study did not include this project as part of the Background traffic. The study states that “sufficient details are not currently available to estimate the net increase trips for this site relative to the existing operations for this garage.”

Some of the pertinent details on this project are available on the WMATA website and are as follows: about 150 buses are expected to be stored and maintained at this facility. Additionally, the project includes amenities within the building such as office space for Uptown Main Street; 27,500 square feet of retail space; and a community room with capacity of up to 150 seating and up to 200 standing. The redevelopment project will include 306 onsite parking spaces for employees and non-revenue vehicles

as well as 20 parking spaces for retail employees. The primary access to the facility would be via the 14<sup>th</sup> Street NW.

It is anticipated that construction-related impacts such as lane closures will last for the duration of construction which is 3-4 years, even with the implementation of maintenance of traffic measures.

The inclusion of traffic from this project and capacity reduction scenario due to long-term lane closures is an important element that were not addressed in the traffic study. Moreover, the concurrent nature of construction activity of these two projects on both sides of 14<sup>th</sup> Street NW is anticipated to increase the per vehicle delay during peak periods at neighborhood intersections during the construction period. The traffic from this project is likely to have a significant impact on the neighborhood streets and should have been included in the traffic study for both the background, and total conditions.

### **SITE TRIP GENERATION – MODE ASSUMPTIONS**

Section 3.2.3 of the CTR Requirements states that a CTR is expected to include further analysis of vehicle impacts if the proposed site generates 25 vehicle trips in the peak directions for either peak period, AM, PM, or weekend. The current study estimates the PM peak hour trip to be 24 vehicle trips. The trip computations assumed that only 35% of the residential trips are going to be based on the auto-mode of travel. The consequence of this assumption is underestimation of peak hour vehicle trips as the study assume more people would use the metro than travel by cars. This assumption is erroneous as the nearest metro rail station is 0.9 miles away and well outside the 0.5-mile walkshed.

The WMATA Development Related Ridership Survey (DRRS) shows the auto-mode to be 39% for the study area. This survey shows the distance between the residential site and station have a stronger correlation with mode share. The Metrorail use decreases by 0.87 percent for every 100 feet increase in distance a residential site is located from the station. Furthermore, the Census Transportation Planning Products (CTPP) which provides information on the characteristics about where people live and work, their journey to work, commuting patterns, and the modes they use for getting to work, finds the auto-mode to be about 46% for the study site area. Based on these survey data, the conservative assumption for auto-mode travel is about 45%. Computing residential trips on this basis will increase the PM peak hour trips to more than 25 vehicle trips thereby triggering the Traffic Impact Analysis Component of CTR.

The two land uses, Retail and Theatre are expected to generate considerable traffic during the weekend. The table below shows weekday versus weekend trips generated by the site. These trips were estimated using the ITE Trip Generation Handbook. The AM and PM trips were computed by Gorove/Slade and the weekend trips were computed by MCV.

ITE Code	Land Use	AM Total Trips	PM Total Trips	Saturday Total Trips	Sunday Total Trips
820	Shopping Center	2	7	27	53
460	Arena/Theater	0	23		
221	Multifamily Housing (Mid-Rise)	36	44	49	39

As seen, the weekend trips are considerably higher than the weekday peak hour trips. The study should have also analyzed the peak hour traffic during the weekend period. Further, as DDOT points out the ITE code 460 used in the Trip Generation for the Theater Land Use has a sample size of only one study. Data from similar land uses in the Washington DC area should have been collected for the weekday and weekend period to capture reliable trip generation rates and to estimate the peak hour trips.

## **TRIP DISTRIBUTION**

The trip distribution of site generated trips does not consider the existing count patterns and do not assign trips on east-west streets, some of which are currently operating at levels of service D. Almost all the trips in the study are assigned north and south on 14<sup>th</sup> Street NW and few inbound trips on Buchanan St, west of 14<sup>th</sup> Street NW. The trip distribution conspicuously ignores assigning trips on the Crittenden St NW and Buchanan St NW, east of 14<sup>th</sup> St NW and as it is the norm to distribute trips generated by the site throughout the study area network.

## **PARKING**

The study proposes to provide 19 parking spaces and 21 noncompliant stacked spaces. This is 55 spaces less than the ZR16 parking minimum of 74 spaces. The study does not address visitor parking and the demand on neighborhood streets as result. The study analyzed parking conditions on a weekday evening and a Saturday evening. Based on the adjacent land uses, particularly the church, a Sunday analysis should also be done. The Ethiopian Orthodox Tewahedo Religion Church is at proximity to the site, and it seems that parking is an issue during the times when the church services are active. With limited parking proposed at the site, and the proposed theatre expected to attract more infrequent visitors, the parking analysis on Sunday evening should have been done.

## **ALLEY OPERATIONS**

The current activity levels on the public alley are not captured adequately in the existing conditions as no traffic counts were performed at the intersection of the alley with 15<sup>th</sup> Street NW and Crittenden St NW. Many residents rely on the alley for vehicular access to their property. The alleys are not wide enough for two-way operations. This poses a challenge for vehicles entering/exiting the site from/to multiple access points at the same time having to negotiate the long alleys with limited sight distances. This will most likely increase the chance of conflicts.

## **CONCLUSIONS**

The traffic analysis conducted by Gorove/Slade is incomplete and erroneous and therefore the study results are not valid.