

**TESTIMONY OF ANDY ELTING
MEMBER FRIENDS OF 14th STREET**

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

May 12, 2022 – 4:30pm

Thank you Chairman Hood, members of the Commission, and all the staff involved. I appreciate the opportunity to testify tonight

My name is Andy Elting and I live with my wife and two young children at 1419 Buchanan Street NW, which directly abuts the southwest corner of the PUD in question. When my wife and I purchased our home, our understanding was that the existing zoning and Comp Plan would allow for development of this space in keeping with the character of the neighborhood. And we were initially supportive of the idea of developing the existing Dance Loft space until we learned of the height and footprint proposed for this project, which again would encompass the entirety of the internal alley space of the block. As the developer continued throughout the PUD process to dismiss any compromise on scale, we became extremely frustrated

We as neighbors made it very clear from early in the process that our central concern was the size of the proposal. While the developer cherry-picked individual comments made by neighbors, such as “setbacks don’t matter” and built in lesser concessions, they consistently turned down the opportunity to compromise around that central concern.

As you heard last week, they’ve been open about that refusal. The one alternative proposal Mr. VanArsdale referenced last Thursday offered one less floor, but maintained their desired density by removing all setbacks, bringing the entire mass of the building to the edge of the

property line. Just to put that in context, it would have been over 50 feet of building just ten feet from our back fence. Of course we didn't find that acceptable.

Our frustration hasn't just been with the developer. Throughout this process, we also became frustrated with the city for its failure to protect residents from this exact scenario: a developer trying to take advantage of misguided 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 weigh my concerns and those of my neighbors in the context of the impressive public relations campaign the developer has executed to tout this proposal. They use carefully chosen presentations that do not reflect what we neighbors will experience on a daily basis if this building is constructed as proposed. Mr. Chairman, I appreciate your request to see a rendering representative of what we will face from our backyards because to date, I haven't seen one. Or one from the windows of my children's bedrooms.

And my kids are what it really comes down to for me. As a parent I still have serious 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 for the 10 foot wide alley portion Mr. Donohue referenced earlier. If that portion is not intended to be passable by trash trucks as Mr. Zeid said, I fail see how a fire truck or ambulance is going to access the surrounding homes or the PUD if needed.

And as mentioned by others this is also not wide enough for those who live here to continue to safely traverse the alley and makes it impossible on trash pickup days when we are directed by

the city to leave our trash and recycling cans in the alley. To clarify, the developer will be widening the section of the alley that serves as an entrance to their own parking spaces while 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 the rear of 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 risks to surrounding neighbors, including many young children like mine. 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.

At the end of the day, we're simply asking for a meaningful compromise. The initial proposal was drawn up 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. 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 would applaud this proposal if it were across 14th street, where there are no abutting residences. I welcome affordable housing in our neighborhood, but according to our DC Councilmember in the letter that the developer themselves submitted, 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 such a disproportionate amount of the affordable housing proposed for the entire Ward?

The developer stated earlier this evening and repeatedly over the last year that the project would be financially unviable if it were scaled down. In doing so, they admit that they have overestimated what they could and should achieve in this space. Their miscalculation should not be rewarded at the expense of my neighbors and my family. I feel it is the responsibility of the Commission 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. If the displaced tenants can be accommodated, why not us?

Chairman Hood, you said at the beginning of the evening last Thursday that you want to see parties come to an agreement. I was so glad to hear that because that's exactly what we're asking for tonight. And if you take nothing else away from my testimony, please remember this: there has not been any compromise on the central issue with the building's size. As I said, the developer freely admits it. They haven't moved on that issue because frankly, they haven't been given any reason to. Not by the ANC, not by our councilmember, and not by any other authority at any point in this process. It's been as we all heard last week: "I'll keep an open mind, but..." – everything but a rubber stamp. Mr. Chairman, members of the Commission, if you truly want us to reach an agreement and drop our opposition, the solution is simple: deny the Application for PUD and related Map Amendment as presented today and compel meaningful compromise.

Please don't tell developers that they can use the need for affordability to bypass the need for good faith negotiations with impacted neighbors, especially with a proposal with such unique size, proximity, and position relative to neighbors. Thank you for your time.