



Chairman Hood and Members of the Zoning Commission. My name is Gail Fast, and I am the President of the Council of Co-Owners of Town Square Towers. I have been authorized by the Town Square Towers Board of Directors to provide written testimony on behalf of our residents.

Town Square Towers (TST) is in opposition to Zoning Case 22-06 for the following reasons:

The Southwest Small Area Plan (SW SAP) was developed and adopted by the DC Council in 2015 and incorporated into the 2021 Comprehensive Plan. It is found in the Area Element, as Policy AW -2.5.2, which states that the SW SAP, *“provides land use guidance for the Future Land Use Map. The Southwest Neighborhood Plan aims to provide Southwest residents and property owners with assurances of what future development may look like, including recommendations to preserve and enhance existing assets and ensure that Southwest retains social, economic, and racial diversity.”*

The SW SAP identifies this parcel as Medium-Density Commercial and when the Office of Planning incorporated it into the Comp Plan, it was rezoned to MU-12, with a maximum height of 65’ and a FAR of 80%. Given that it took the Office of Planning six years to finalize the Comp Plan after the SW SAP was adopted by the Council, plus all the numerous meetings and feedback from developers and residents, they too recognized that this parcel should be consistent with the character of the residential neighborhood it is located in and zoned it what it is today.

A guiding principle in the SW SAP is the desire to maintain a community that is economically, socially, and culturally diverse. You can only achieve diversity when everyone is seated at the table. The amount of affordable housing proffered by the Applicant is 15%, which is a paltry 75 out of 498 units. That means that 423 units will be market-rate. And during the Applicant’s presentation at ANC 6D’s special meeting, when asked repeatedly how many of those units would be at 50% MFI, sadly -- the Applicant could not answer. Their submission indicates that the affordable units will be no more than 60% MFI, which for an individual their income can be as high as \$54,200. The Applicant is proud of their affordable housing proffer when they say, *“it will foster a mixed-income community.”* However, the reality is that there are 5X the number of market rate units than affordable units. This is another example of **racial economic inequality** given that income levels for black/brown residents in Southwest (and DC) are significantly lower than white residents. This project does nothing to maintain Southwest’s mantra of ensuring we remain an economically diverse community as it another example of flooding the market with high-priced rental units. How can that not lead to gentrification?

The Advisory Group and all the residents of Southwest who helped shape the SW SAP were adamant that the north side of Maine Ave/M Street remain consistent with the neighboring residential buildings so as not to create a cascading effect of a “wall” along Maine and M to South Capitol St. This is critical in keeping with design principles of high/low that is the hallmark of Southwest.

Finally, as it pertains to the SAP and Comp Plan, *“if”* the Office of Planning and Zoning Commission support this project and agree that this project is not inconsistent with either the SW SAP or Comp Plan, why did over 200 Southwest residents and an Advisory Group made up of local civic leaders, waste their time and energy creating and cultivating the Southwest Small Area Plan? Why does the Office of Planning spend countless hours and hold numerous community meetings to get feedback when revising Comprehensive Plans?



Should we tell Congress Heights and Pennsylvania Avenue East – STOP, DON'T BOTHER because these plans mean nothing when they can be overturned by an Applicant at whim? Why ask residents to go through a process to create Vision Frameworks or Development Guidelines when all developers need are land use attorneys who know how to navigate through the zoning regulations to get their desired developments built?

Zoning regulations state the purpose of a PUD process is supposed to be a trade-off. Higher "quality" development when there is a "commendable number or quality of meaningful public benefits." Town Square Towers opposes this project because this Application lacks both quality and quantity of community benefits.

The proffer of an artistic rendering on the east-facing façade of a building that will be eventually torn down is not a proffer. And a \$75,000 proffer toward the design and installation of public art along Maine Avenue begs the question, why? First, the Applicant has never attended a civic meeting to discuss their "proposed" proffer with the community nor asked the community if they even want public art on Maine Avenue. And it begs discussion -- what about another Developer who also has a project on Maine Avenue and has also proffered to install public art along Maine Avenue as their community benefit? Will the real Developer whose proffering public art stand up?

Next, installing protected bicycle lanes on 9th Street SW is not a proffer. It is a mitigation as protected bike lanes are a part of DDOT's Vision Zero.

The Applicant is also proffering their retail space to be filled with a grocer. Town Square Towers opposes a grocer for the following reasons. First, a grocer will lead to additional car traffic as the Applicant's parcel is at the far end of the SW SAP planning area. Unlike the Safeway, which is in walking distance of where most Southwest residents live, shoppers will have to drive to shop at the Applicant's grocer. This will only add to the traffic and congestion this project will already cause. Second, grocers require deliveries from many large trucks which will need to navigate the Applicant's proposed "private" drive to get to their loading bay. Trucks will then exit on to G Street SW navigating a very narrow street and already dangerous intersection. Finally, without a signed commitment from the grocer, the Applicant's proffer is not worth the paper it is written on.

Finally, the Applicant's proposed proffer in their Transportation Management plan includes an easement/private drive leading to their loading dock which would be one-way north and two-way south road. They are going before the Public Space Commission for approval. Town Square Towers strongly objects to the curb cut and the easement as it will become a "cut-through" for traffic on Maine Avenue to circumvent Wharf traffic on 9th Street SW. TST has first-hand knowledge that the curb cut will only lead to an increase in traffic and congestion on G Street SW as our private drive which connects G Street SW with I Street SW is a favorite route for



vehicles to avoid getting caught in traffic on 7th Street SW as they make their way to/from the Wharf. We support our neighbors at Capital Square, who are party to this project, and who have already weighed in on their opposition to this proposed TDM enhancement.

And finally, the federal government will not allow a light on 9th Street SW as there is not enough distance from the ramp to the light which could cause a back-up of traffic on interstate 395.

Therefore, based on our comments and concerns, Town Square Towers asks the Zoning Commission to oppose Case 22-06.

Thank you.

President, Town Square Towers Council of Co-Owners