

For the Record of the November 20, 2023

Hearing of the DC Zoning Commission Case 23-02

In Opposition

Submitted by Parisa Norouzi, Executive Director, Empower DC

Empower DC urges the Zoning Commission to postpone its decision making in Case 23-02. We attest that this proposal is not yet ripe for zoning action, as the property has not been declared 'surplus' by the DC Council, a public process for selecting a developer has not ensued, and layers of community engagement and planning pertinent to the future of this public land in the heart of a historic Black community have not taken place.

Empower DC is a citywide grassroots organization that for the past 20 years has worked with impacted residents to advance equitable development, environmental justice and racial equity.

Since our founding in 2003, we have held our headquarters at 1419 V St, NW – just a short distance from the subject property. We grew out an organization called Washington Inncity Self Help (WISH) which held its headquarters in that same location since the early 1980's.

During our long tenure in the U St community, and through our work addressing the use of public land, we have witnessed a disturbing trend towards the disposition of public property for private use without adequate public engagement and proper planning to address citywide public needs.

From 2005-2010 we led the People's Property Campaign which brought residents together from all Wards to call on the DC Council to amend DC Code 10-801 governing the surplus and disposition of public land, and to use public land to further public needs not private interests.

While our efforts led to a revision in 10-801, requiring that DMPED hold a community hearing on the question of whether land is surplus prior to bringing a resolution for disposition – overall, the city's undemocratic and inequitable development practices have continued unabated.

The amended Comprehensive Plan requirements for a 'racial equity lens' is both within city planning and zoning. There has not only been inadequate racial equity impact analysis and public engagement for the current zoning proposal on the table, there are additional layers of planning pertaining to public land that have not been conducted in a meaningful way.

Public land may not be developed by private entities without first the DC Council voting to approve a resolution declaring the land surplus. That process includes a duly noticed public hearing, and the issuance of a Racial Equity Impact Assessment by the DC Council Office of Racial Equity.

As there are proposals on the table to maintain this site for public use – such as for the creation of a social housing pilot project and possibly a public library, in addition to rebuilding the existing fire and police station – this site is absolutely needed for public uses.

If DMPED were to pursue private development for this site, there would need to be a public process to inform a Request for Proposals, and then review those proposals and select a developer, prior to the DC Council approving a resolution for a Land Disposition Agreement.

Only after these other steps are completed will we know whether the proposed project requires an increase in allowable density.

For the Office of Planning to request the Zoning Commission to rule at this time is a reversal in the order of operations that should take place to ensure proper planning and engagement.

And, as in the case of the Alexander Crummell School, it is possible that the DC Council will not approve the surplus resolution, and that the site will remain in public hands.

The Office of Planning is asking the Zoning Commission to rule now as though the future use of this site is a fait accompli – yet it is not.

To remind the Commission – the subject site is in the heart of a historic Black community which has lost the vast majority of its Black population over the last 2 decades. Black land takings and racial covenants were in place in the areas surrounding this site in earlier years. Nothing has been done to adequately study, engage and propose solutions to these harms. The Office of Planning has not even engaged the longstanding Black churches nearby to the site.

Determination of whether the site itself should be increased in density will only be possible after the required engagement, planning and decision making at the DC Council has been completed.

We urge the Zoning Commission to postpone its proceedings on case 23-02.

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