

Stronghold Civic Association

...serving the Stronghold community for more than 20 years

RESOLUTION

Specific provisions and benefits for inclusion in the Community Benefits Agreement (CBA) of the *Vision McMillan Partners (VMP) Planned Unit Development (PUD) application for mixed use development of the McMillan Sand Filtration Site.*

Purpose and Scope

This document presents the Stronghold Civic Association (SCA)'s recommendations for items to be included in the McMillan Community Benefits Agreement (CBA).

This document is not intended to be a starting point for a CBA, and does not weigh in on all issues that have been raised by our neighbors in the Bloomingdale Civic Association and others. On the contrary, we find we are in broad agreement on many of the core issues (traffic, site density, repurposing of historic structures, etc.). SCA does not believe that it – or the other neighborhoods – will be fairly represented in a CBA negotiation if the community is represented only by the ANC. We expect that the surrounding civic associations would be a part of the CBA creation, negotiation, and signing process due to the ongoing changes of elected officials for a long-term project such as McMillan.

To give voice to the communities surrounding the site, the McMillan Advisory Group (MAG) was created by the District in 2006. A central tenet of the MAG's function is to represent and to advocate for community interests. Those communities abutting the site (Stronghold and Bloomingdale) are given disproportionate MAG representation (four representatives each compared with one representative for other communities further away) to account for the proximity inequality of negative impacts, both during and after site construction. We believe the CBA should reflect this weighting based on proximity. In fact, the MAG already has representation from all of the neighboring communities as well as the ANCs. The MAG is inclusive, was created for advocating for community interests, and has been actively engaged since the project's inception. While strong arguments can be made for the ANC's involvement, *there is no justification for excluding the MAG or affected civic associations from participating directly in the process* (e.g., negotiating and being included as signatories for the final CBA). Therefore, Stronghold insists that the CBA be created, negotiated, and signed by the MAG and the civic associations, not just the ANCs.

In addition, the McMillan site development, as a public-private partnership, has placed residents in a no win situation for negotiating CBA content. Since the District is not a signatory of the CBA, the community is being asked to "have faith" that most of the significant elements of the CBA (e.g., Community Recreation Center) being funded through the District's budget (e.g., tax revenues), not by the development team, will come to pass as described and advertised. For other non-tangible but of equal and sometimes more importance (e.g., creation of street car service, parking improvements, etc.) for

which the development team does not have control, the community is not afforded a binding mechanism by which to be assured that those elements, key to the success of the proposed development, will be faithfully completed. Therefore, SCA expects that the CBA be comprehensive and inclusive in its scope and that both VMP and the District be signatories to assure residents that all parties approach this process in good faith and with full accountability.

In the absence of a comprehensive CBA with all the elements outlined below included, SCA is not supportive of the current PUD as submitted.

Background

The McMillan Sand Filtration Site, a 25 acre parcel with national historic designation, is directly west of the Stronghold community, with most of our residents living within one block of the site. As such, Stronghold and other abutting communities are deserving of receipt of targeted CBA benefits and amenities. In addition, because the McMillan development will most directly impact the abutting communities, those communities are given special consideration with regard to proposed changes to the development plan for those items that are of greatest negative impact.

Below is a list of topic areas and specific items for inclusion in the CBA. The proposed content is the result of monthly public discussions at our Stronghold Civic Association (SCA) meetings since the project was first proposed, a door-to-door survey, special CBA Stronghold community meetings, door fliers with contact information to provide input, and ultimately adopted at the SCA meeting on April 7th, 2014.

Although some of the listed elements are already included in the filed PUD, we have included them here in case the project plan is changed in the future.

ELEMENTS AND SPECIFIC ITEMS TO BE INCLUDED IN THE CBA

Financial, Administrative, and Accountability Structures

Similar to the Bloomingdale Civic Association (BCA), SCA is adamant that the residential communities adjacent to the McMillan development deserve to receive in full any benefits promised including the means for sustaining such benefits indefinitely. It further believes that receipt of such initial and sustaining benefits is greatly enhanced by specification in the CBA of related financial, administrative and accountability structures. We concur and support these structures as put forward and described in the BCA McMillan Resolution dated March 24, 2014.

In addition, for transparency and accountability, we expect that should a CBA be created and signed, that the final agreement be made publically available at the time of the signing. The CBA must include an itemized breakdown of the budgeted costs as well as the source of the funds (e.g., the District or VMP or

other source). Should the amenity be fulfilled for less funds than allocated, the unused funds are redistributed to other amenities under the direction of CBA accountability structure as outlined in the BCA CBA resolution mentioned above.

Traffic, Safety and Transit

1. Reduce the commercial density, including building heights, of the planned development to meet the District Comprehensive Plan, thus decreasing the overall number of new vehicular trips to the site for the new development. In the absence of an adequate traffic mitigation strategy, the only solution remains to be substantial reduction in the number of planned residential and commercial spaces.
2. Create a McMillan Traffic and Transportation Pact. Before any construction may commence, a traffic and transportation pact is to be signed by the Mayor (current at time), councilmembers McDuffie & Graham (or Nadeau if after January 2015) and the Directors of the District Department of Transportation and the Washington Metropolitan Area Transit Authority. The pact will outline the necessary traffic and transportation amelioration recommendations and include a timeline for when the recommendations will be implemented. Further, the traffic and transportation amelioration recommendations shall be tied to specific aspects of the development; if the city does not implement these recommendations for the development that is built, the next set of development shall not happen.
3. Provide a full-day express transit option between north side of the McMillan development and the Brookland Metro stop, making the service or an equivalent short-term alternative available as soon as ground is broken on the site. At a minimum, make the service available at the same hours as the Brookland metro operating hours and reaching each stop at least once every 20 minutes.
4. The city shall commission a further study of the [Metro Brown Line](#). The city shall contract with an independent transportation engineering firm to conduct a full economic analysis of this line – including costs to build and maintain and ROI.
5. Prioritize the already studied Metro 80-bus improvements for service along the N Capitol corridor. This includes providing the funding for expediting the 80X and Neighborhood Connector buses (and the purchase of new vehicles to ensure these lines are operational). These lines should have adequate capacity during peak hours of service.
6. DDOT should reconsider their decision and make the Michigan Ave Streetcar line a Phase 1 priority (it is currently a Phase 3 priority). Given not only McMillan, but also the major other developments on that corridor, this should be an easy decision. Further, it should have one route and travel E/W along that route (it is currently split between Michigan and Irving).
7. Reduce the number of Bus Route 80 stops, to make it a more viable commuter alternative.
8. Extend the intersection of N Capitol and the N Service Court to include Franklin St, adding a signal and cross-walks.

9. Allow left hand turns from N Capitol northbound to Michigan Ave, including the provision of a dedicated left-turn lane.
10. At the intersection of N Capitol and Evarts St NW, add a signal and crosswalks. Allow left turns out of Evarts St NE onto N Capitol, facilitating this by delaying the northbound N Capitol red-to-green change. This will allow southbound traffic to move and exiting Evarts NE traffic to merge before northbound traffic blocks the path.
11. Remove pedestrian crossings of N Capitol at Girard and Douglas Sts.
12. Implement a solution to reduce and calm through-traffic in the alleys that parallel N Capitol, potentially including posted speed limits, prior to ground-breaking at the site.
13. Install mirrors around the Boneyard Studios, 21 Evarts St NE, to improve traffic safety and visibility in that area.
14. The plan should include: cross-walks across North Capitol with pedestrian right of way; elevator in the Community Center and exterior ramps throughout the site to ensure pedestrian safety and access for persons of all ages and disabilities; divided paths for cyclists and pedestrians on Olmsted Walk; and a network of bike lanes to the area to support the Transportation Impact Studies support and reliance on bicycle transportation as one of its mitigation strategies.

Parking

1. In the Transportation Impact Study, address the possible benefits and impacts of allowing parking on both sides of N Capitol between 2311 N Capitol St (adjacent to the cemetery) and Michigan Av at all times. Since N Capitol has functionally two-lanes of vehicular traffic (two lanes traveling northbound and two lanes of traffic southbound) South of Rhode Island Ave and North of Hawaii Ave, there may not be no or limited traffic benefit of adding the additional lane of traffic only between Rhode Island Ave and Hawaii Ave.
2. Define a dedicated residential parking zone for Stronghold, limiting parking within Stronghold (including any available parking on the northbound side of N Capitol) to permitted Stronghold residents 24/7. Issue each household one additional visitor parking permit for Stronghold. Note that this is intended as an overlay to Ward 5 parking; that is, Stronghold residents get both Ward 5 and Stronghold permits. As with the rest of this document, Stronghold includes the residences on the northbound side of N Capitol from Adams St to Michigan Ave. In addition, Ward 5 parking permits will be provided to all Stronghold residents (currently, not all N Capitol residents are granted Ward 5 parking stickers).
3. Increase enforcement of parking rules both on streets and in the alleys.
4. Ensure that parking on ALL streets within the McMillan development is public (including the planned street parking albeit potentially metered) and not reserved solely to McMillan residents on

the currently planned private roads. If additional parking is required for residents and/or visitors of the site, provide parking structures to accommodate them.

Parking and Staging During Construction

1. Guarantee and enforce that during construction, all construction vehicles and the personal vehicles of workers on the site will not be parked on any of Stronghold streets, including N Capitol.
2. Guarantee and enforce that construction vehicles, dump trucks, or any other vehicles serving the site will not be staged on N Capitol, the unit block of Channing St NW, First St NW between Adams St and Michigan Ave, Michigan Ave between Franklin St and Columbia, or any of the residential streets within Stronghold.
3. Guarantee and enforce that no contractor or city agency will purchase or lease any of the properties in Stronghold for use as an office or staging area related to the development, and will enter into no agreements to park, store or stage equipment or personnel related the development within the bounds of Stronghold.

Buildings

1. The buildings on the site must abide to the spirit of DC's Comprehensive Plan for McMillan including medium density residential and moderate density commercial spaces (less than five stories).
2. The site should be zoned with distinct residential and commercial areas as was proposed in the Stage One PUD (2/24/12). Land covenants should be put in place that state no further increase in building heights or changes to the exteriors be allowed without community and historic preservation approval.
3. Increase the set-backs for the grocery/apartment building off of North Capitol to 100 feet as put forward in the original development plan. The Olmsted Walk should also follow the site's original path. Increase set-backs off of Olmsted Walk to allow for green space in front of town homes to reflect design and beauty of surrounding neighborhoods.

Park Use

1. The park space plan still lacks much needed recreation and gathering spaces. Remove the loop road on the South Service Court as currently proposed and replace with a loop extension off of the southern end of "Quarter Street" (North/South road to the east of Half Street), allowing access, drop-off/pick-up for the Center. With the current proposed loop road removed and the space of the South Service Court incorporated as part of the open Park space, the size of the park both meets the currently advertised 8 acres of space as well as allows for the additional inclusion of the following outdoor amenities: children's playground with separate spaces for kids less than 7 years of age and those older than 7 years of age, dog park, outdoor performance space, skate/board park, and designated spaces for community activities (farmer's markets, holiday events, art shows, etc.).

2. On the Olmstead walk, provide exercise stations and signage for their use.

Community Recreation Center

1. We support the inclusion of a Community Recreation Center on the site within the proposed area of the Park.
2. We would replace the currently planned weight room with a multi-functional space that can support the following activities: basketball games, volleyball games, martial arts classes, exercise classes included cycling and aerobics, and dance classes.
3. Before the issue of any building permits for the site, we would like specific details of what elements and how much of Cell 28 is going to be preserved and incorporated as part of the Community Recreation Center.
4. We support the planned “museum space” describing the historic significance of the site and the process of water purification through sand filtration.
5. Add an underground, indoor performance space, incorporating the vaulted features of the sand filtration cell as part of the design. The space would seat up to 100 people and include a stage, lighting, etc. necessary for community/school theater productions.

Historic Preservation and Reuse of Structures

1. The current plan identifies two cells – Cell 14 and Cell 28 – for preservation, adaptation and reuse. Prior to award of any building permit, at least or 2 or 3 additional underground cells must be identified for preservation, adaptation and re-use along with the proposed use of each included in an amended PUD.
2. Since the cells are historically significant and distinguishingly unique, we also strongly recommend more creative commercial and community uses for these spaces (e.g., unroofing parts of a cell to create an open-air courtyard with surrounding restaurants/performance spaces).
3. The funding for the preservation and repurposing of the above and below ground historic structures, including the two additional sand filtration cells listed above, must to identified and put into escrow *before* the issuance of any building permits for the site. The funding should cover not only necessary structural/integrity improvements that are necessary but also include the necessary utilities (water, gas, electricity, telecommunications, etc.) for their repurposing or reuse.
4. Fund and include signage to identify McMillan as a national and/or district historic landmark, including it as part of a historic walking tour.

Senior and Affordable Housing

1. 20% of all residential units should be allocated for affordable housing. We support VMP's amendment to this PUD to make 100% of the senior housing units affordable and use a definition of Average Median Income in the city of DC alone. We strongly recommend that the number of affordable senior housing units be increased to 150 and include mobility-accessible row homes. Given proximity to hospitals and other places of employment, both affordable and affordable senior housing designations should *not* expire after 15 years of occupancy, but remain affordable for the next 100 years.

Workforce and Educational Development

1. A \$1,000,000.00 scholarship escrow account shall be created for the use of both children and adults for educational purposes. The account will be incorporated in a sustainable endowment to fund scholarships and tuition assistance to fund both formal education as well as workforce-readiness programs. The neighboring civic associations, along with the adjacent ANCs, will establish an educational commission that will oversee the program and participate as part of the awarding process. Eligibility for such funds will be limited to residents residing within one mile of the McMillan site.

Environment

1. Ensure that measures are put in place to minimize dust, exhaust fumes, noise, and other negative impacts of construction of this scale and over this prolonged period of time.
2. Conduct a water safety study of the water supplying Stronghold homes before, during, and after the completion of construction to ensure that the water meets or exceeds current EPA safety standards. If environmental toxicants are found, a fund will be established to mitigate exposure and to compensate affected parties.
3. VMP to provide appropriate and safe rodent mitigation in Stronghold once construction begins until the project is completed.
4. VMP to amend its Transportation Impact Study to include the negative impacts of damage to homes on North Capitol as a result of increased vibration to foundations/basements from the increased projected traffic. If mitigation measures are required, those measures take place before the PUD is approved.
5. VMP to establish a \$1 million escrow account for the purposes of mitigating any damage incurred to neighboring homes or structures as a result of the construction activities. If inspections are required, VMP will bear the cost of those inspections but the inspector to be chosen by the home or land owner. If claims are made against the account and the value falls below \$500,000.00, VMP will add the addition funds need to restore the account to the original \$1 million value. VMP will replenish the funds as needed throughout the construction phase and until three years post completion of the project.

Neighborhood Beautification

1. We support the BCA proposal to develop an overpass community park over the North Capitol underpass that will span the overpass north of Rhode Island Avenue (as far as architecturally possible) and south to Seaton Place. The overpass community park will serve not only to provide a unique community beautification and recreational space, but also serve to reduce environmental noise and pollutants resulting from increased traffic on North Capitol associated with the McMillan development. Maintenance of this park shall be the City's responsibility. Construction of the overpass community park shall commence prior to the award of building permits for the McMillan sites Phase 2 construction.
2. Until such time as Phase 2 building permits are issued, VMP will sod, landscape, maintain, and make available for public park use all land reserved for Phase 2 construction. (i.e., Parcels 2 and 3 per PUD application). Such beautification of Phase 2 construction land will be initiated prior to award of Phase 1 building permits.
3. We support the recommendations of the 2010 North Capital Street Study and request that they be implemented prior to the beginning of Phase 2 of the planned PUD and in conjunction with the North Capitol over-pass park mentioned above. Specifically, between Bryant Street and Michigan Ave, the sidewalks should be widened along North Capitol on the NE side, with the "green curb" space widened like on the planned NW side. Within this space, planting trees and other vegetation with the input of SCA in the design process. In the traffic median, for that area not included in planned left turn lanes, develop the space into "green" including grass and tree planting similar to that seen on the refurbishment of Sherman and New Hampshire, NW. Replace the lighting fixtures on North Capitol, the side streets of Stronghold, and the Stronghold alleys as described in the aforementioned study.
4. VMP shall provide \$30,000.00 of funding for the beautification of Stronghold streets/alleys. This may include items such as sidewalk repair, planting of trees and other plants, and tree well fencing. The specifics will be coordinated between VMP and SCA at a future date but before approval of the PUD. Execution of this effort will be completed before construction begins on the McMillan site.
5. VMP shall provide the funds to restore the McMillan Fountain and place it within the boundaries of the new McMillan site.
6. Expand the North Capitol Street NE sidewalk, next to Prospect Hill Cemetery, between T Street and the end of the access road, four to six (4-6') feet to provide safer walking space and help beautify the block.

A copy of this Resolution shall be sent immediately to ANC5E, the McMillan Advisory Group (MAG), Vision McMillan Partners, the DC Office of Planning, the DC Zoning Commission, Ward 5 Councilman

Kenyan McDuffie, other DC Council Members whose districts adjoin the McMillan site, and others upon request.

This Resolution was approved on April 7, 2014 by unanimous vote at the April Stronghold Civic Association's monthly meeting.

La Toria Brent, President, Stronghold Civic Association