

May 1-2, 2014

Anthony Hood, Chairman
DC Zoning Commission
c/o Office of Zoning
Government of the District of Columbia
One Judiciary Square
441 4th Street, NW
Washington, D.C. 20001

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Subject: Testimony in Opposition to proposed McMillan Park PUD (Case # 13-14)

Dear Chairman Hood:

Thank you for considering my testimony **against** the Vision McMillan Partners' (VMP) consolidated PUD, master plan, and proposed rezoning of the Historic McMillan Park property to CR and C3C Zone Districts. I have revised it slightly since attending the Zoning Commission's first hearing on the VMP applications last night. I am a native Washingtonian currently living in Ward 4—or what VMP's PR subcontractor (paid with my tax dollars) likes to call a member of the “non-local . . . special-interest opposition” who has “hijacked Friends of McMillan.” (I haven't run into such a person.) In truth, I'm a volunteer friend of McMillan Park.

The extraordinary expanse of green bordering North Capitol Street, dotted with mysterious ivy-topped relics of some romantic age, has had a hold on me since I was 17 years old, when I drove past it twice weekly en route to a high-school internship. I was in no hurry to untangle the mystery of this evocative place; its strange beauty and promise captured my imagination—one day I imagined the fence would come down, and the place would awaken. Forty-three years later, I crossed paths with a dedicated group of residents for whom McMillan Park is a beloved neighborhood feature, and I learned from them about the marvelous below-and above-ground history of the neglected site—and its impending doom. I was amazed to think that back in 1970, that almost wild place topped a still functioning early 20th century plant for purifying much of the city's water.

I am stunned that the fate planned for the Sand Filtration Site at McMillan Park after nearly 70 years of internment is **obliteration**. *How can it be that earning a place on the National Register of Historic Places and a listing by the D.C. Preservation League affords no protection for a site of aesthetic, historic, technological, and civic significance to this city and nationally?* How many parks do residents west of Rock Creek Park have available to them for recreation? How many 25-acre parks by the Olmsted architectural firm does Washington, D.C., have, that our elected officials can be so cavalier with this one?

Moreover, I am appalled that the Mayor and the Deputy Mayor for Planning and Economic Development are so hell-bent on converting this historic place to just another revenue generator that it falls to the Zoning Commission to play back-stop for due process and the rule of law.

The proposed VMP plan utterly ignores the *Summary of Recommendations for Site Revitalization of McMillan Park* (DC Office of Planning, February 2002), a city-led effort to study and distill community priorities for the site. This study barred many of the proposed uses for McMillan Park, including hospital/medical facilities, as well as high-rise office and residential buildings. Key recommendations included:

- **“A minimum of 50% (approximately 12.5 Acres) of the McMillan site should be revitalized as publicly accessible open space.”**

- **“The remainder of the site should be developed with low and moderate intensity uses.”**
- **“Vistas from the site are significant and should be preserved in conjunction with development of public open space.”**

The National Trust for Historic Preservation weighed in during hearings held by the Historic Preservation Review Board (HPRB) on VMP’s plan. In the Trust’s October 2013 letter to the HPRB, the deputy general counsel wrote, “a development plan consistent with these recommendations—widely spaced buildings, limited to four stories, with lower transitional heights and picturesque rooflines—could well be compatible with the historic character of the site, and could be an enormous asset to the City. **But the current proposal does not even come close.**” [Boldface added.]

The City and VMP like to frame the absurd situation in which it is promoting the destruction of an officially historic property by asserting that the District’s payment of \$9.3 million to the federal government released it from the obligation to preserve the filtration cells below and the parkland above.¹ Not so. As the National Trust pointed out, **“the proposed development does not comply with the covenants that conditioned the sale of the land from the federal government to the City” in 1987.** . . . The whole purpose of the preservation covenants was to ensure that the transfer of the property from the federal government to the City would have ‘no adverse effect’ on the historic McMillan Reservoir site. **The requirement of ‘no adverse effect’ simply cannot be reconciled with these proposed plans.**” [Boldface added.]

The HPRB *actually acknowledged* that VMP’s plan for the site, which would demolish 90 percent of the historic structures there—and to which the board gave an unreasoning pass—“will result in substantial demolition, as defined in the preservation regulations, and therefore [is] inconsistent with the purposes of the Historic Landmark and Historic District Protection Act. . . .” (<http://friendsofmcmillan.org/wp-content/uploads/2013/10/NTHP-comments-to-HPRB-re-McMillan-Reservoir-w-enclosure-Oct-31-2013.pdf>)

The DMPED/VMP plan requires review and approval by the Mayor’s Agent under the D.C. Historic Landmark and Historic District Protection Act, as well as review by the federal Advisory Council on Historic Preservation, due to the acknowledged failure of the District of Columbia to adhere to the preservation covenant signed with the federal government’s General Services Administration.

This should have happened before the Zoning Commission was asked to approve map changes and grant a PUD. I can’t help but think that the DMPED and VMP are attempting to push through the map changes and PUD in hopes that winning Zoning Commission approval will force the Mayor’s Agent and the Advisory Council on Historic Preservation to go along with the deal.

The grant of a PUD and a map change—let alone a radical change in zoning, as is applied for here—should be a rare act in which the “proffered benefits” are so great as to be undeniable. What is the undeniable benefit to be realized by building at the McMillan Sands Filtration site? Why would the city choose to run rough shod over a park, any park, let alone a park of historic significance just to

¹I have not had time to research and confirm this personally, but the story I’ve heard is that the first thing then-Mayor Sharon Pratt Kelly did after acquiring McMillan Park was to denude it of its old trees, in order to erase its park-ness and soften it for development. She was operating under different conditions, when the District was more desperate for revenue. We do not now need to attract business at any cost.

build housing and retail? Surely there are other sites in Bloomingdale or Stronghold upon which to raise a grocery, luxury condos, affordable housing.

Yes, I get that developers' *raison d'être* is to develop. But that is not my concern, nor, I assert, should it be the goal of the City or the Zoning Commission to enable speculators. Yes, speculators: There is no demand for those "medical office buildings"—ask the hospitals in the area—nor is there a crying need in the city for high-priced condos—the free market takes care of that. The only thing the market doesn't seem to respond to is the very great need for affordable housing, and it's not as if VMP is offering a generous amount of (actually) affordable housing—just the minimum required, and at rents as yet to be divulged.

And speaking of economics, I learned last night that the City is once again playing chump to developers. Let's see: The City is going to pay for creating a stable foundation—development pads, I believe VMP called them—upon which VMP will build high-rise offices and multi-family dwellings, as well as townhouses, and a recreation center with pool; that ought to cost a pretty penny! The City is going to pay for the roads, but they will be private, although VMP assured you last night that they will look just like any other roads in D.C., with the same parking regulations and signage. The City is going to pay for the parks, which will then belong to VMP and be managed by a private organization, which most likely will set restrictions access. I believe I noticed that all the green areas, including the 6+ acres in the southern section, fall under the commercial zoning that VMP has requested. How long before they decide to develop that 6-acre lawn, I wonder, since they own it and have the commercial zoning in place?

I urge you to be more skeptical of the traffic study the developer commissioned. I recently spent 50 minutes in a cab on North Capitol Street, between 8:30 and 9:20 on Thursday morning, traveling between Missouri Avenue and Union Station. If in fact the developers do manage to rent or sell all of what they plan to build on the site—a mile from the nearest Metro station—I envision traffic will only become more hellish along that corridor and on surrounding streets.

Wading past the architectural jargon about palettes and horizontality suggesting a place that will in the end be unrecognizable, VMP's buildings are of that Mid-Century-Revival (that's mid-20th century) style that one finds cropping up in all the hot neighborhoods; see Shaw in particular. In short, Anyplace, DC. What VMP tries to pass off as the "McMillan Parks" suggest nothing more than a community college campus in the suburbs or an exurban office "park." The renderings are slick, the nighttime lighting looks like it will be spiffy, but preservation—*covenanted* preservation in this case—aims to preserve a sense of place. This plan sacrifices our history to Mammon. The ivy-covered silos from the sands filtration era stand as lonely beacons entombed in the latest iteration of Crystal City.

DMPED has demonstrably withheld significant aspects of its deals with developers (at Hine School and at the West End Library site, for example; these deals have been and are being challenged in court), allowing the ZC to make its decisions without full information. I am not being glib when I suggest that you file a Freedom of Information Act request to get all the documents that have been exchanged between DMPED (including Planning) and VMP before you concede a PUD and map changes. In other municipalities, the zoning commission's role is seen as putting the public interest ahead of all other concerns. In the District, it seems the ZC is expected to smooth the way for every investor and construction company that comes down the pike.

The District of Columbia aspires to be a world city, but we fall short in our smallness of vision.

There is more than one way to build a great city; sometimes it means investment without immediate fast-cash pay-back, as the proponents of the City Beautiful—including the forbearers who created McMillan—knew well. Yes, we should start from scratch. We should hold a world-wide competition

for designs that conform to preservation guidelines for revitalizing McMillan Park and its underground infrastructure. I would like to see my government conduct itself in a way commensurate with the gifts it has received from the city fathers and mothers who came before us. One of those gifts is an amazing 25-acre green space where below ground, water was purified, and above, city residents came for renewal. Let's act like a world-class city and make McMillan VISIONARY.

I urge the Zoning Commission to reject Vision McMillan Partners first-stage consolidated PUD and the related map amendment (Case #13-14).

A handwritten signature in cursive script that reads "Andrea E. Rosen".

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