

Tonya Williams on behalf of Park Neighbors

January 10, 2017

VIA IZIS

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

**Re: Park Neighbors Report on Discussions with Applicant, Z.C. Case No. 16-11,
Consolidated PUD & Related Map Amendment @ Square 2890, Part of Lot 849**

Dear Members of the Commission:

On behalf of the Park Neighbors, the Party in Opposition to the above-referenced application, I hereby submit the following report on discussions with the Applicant as requested by the Commission. *Unfortunately, the meetings yielded very little in the way of progress, and instead underscored the importance of timely, substantive community engagement and input early in the process, especially with those living adjacent to a large multi-stage, multi-site development such as the one proposed by the applicant.*

Early on in our initial discussion with the development team and Ms. Angie Rodgers (representing the New Communities Initiative) it became apparent that even if the developers were sympathetic and willing to make changes to their proposal to address issues raised by those in opposition, there was no incentive to compromise on the things that matter most (i.e., density and scale) because they would risk losing city support gained through private negotiations with city officials -- the terms and conditions of which we were told are confidential. Once the development plan is complete, and submitted to the Commission for approval, citizens are largely powerless to demand changes or force the city, or the developers, to explore potentially viable alternatives. Consequently, without intervention, their unwillingness to make any concessions leaves affected communities with few, prohibitively expensive and adversarial options to pursue if the project is ultimately approved. Sadly, without the extraordinary step taken by this Commission, at this very late stage in the process, to mandate a meeting between the Applicant and the Park Neighbors, whose interests were not advanced at any formal stage of the "community engagement" process, including at the ANC-level with the recusal of their representative, ANC1A10 Commissioner Rashida Brown, the limited discussion that occurred about specific objections collectively raised about this project by numerous individuals and groups via testimony, letters, petitions, surveys, meetings, etc., in various forums, would never have occurred.

The Parties met on December 20, 2016, for about an hour, and again on January 5, 2017, during which the Park Neighbors reiterated concerns expressed by those living within 200 feet of the proposed Bruce Monroe development, and therefore most directly impacted, and others who testified in opposition before the Commission . During the meetings, Park Neighbors sought to learn what modifications, if any, the the Applicant was willing to make to their proposal, with the goal of potentially ending their opposition to the application. Specifically, Park Neighbors raised the following issues, noting that they should not be considered as a list of a la carte items from which the developer could pick and chose from in exchange for support, but rather as representing the list of issues that the Park Neighbors sought to discuss and resolve. The Applicant's ultimate responses are noted in italics set off by a heading.

1. **Height/Scale:** At 9 stories, and 120 feet at its maximum height, the building is too tall and out of character with the surrounding 2-3 story row houses, which are under 35 feet. The Park Neighbors proposed reducing the height of the building by 2 stories, and moving a portion of the residential units to the Park Morton site which is much larger (3.83 acres versus, 1.72 acres at Bruce Monroe Community Park) and has the ability to accommodate additional units, as evidenced by a previously Council-approved redevelopment plan.

APPLICANT RESPONSE: *See the response contained under "Density" below.*

2. **Density:** The Bruce Monroe site is slated for 273 units, which would add approximately 700 new residents to the block; more than triple the current population. Conversely, the Park Morton site, despite its much larger size, would only have 126 residential units. This unbalanced distribution will result in an unwanted, and unnecessary increase in density which could be redistributed in part, by moving a portion of the residential units to the Park Morton site (which would require changes to the current design) which has the capacity to accommodate additional units, as evidenced by a previously Council-approved redevelopment plan.

APPLICANT RESPONSE: *In our first meeting, in response to the Park Neighbors' thoughts and alternatives to reduce height/scale and density at the Bruce Monroe site, Mr. Binitie made it exceptionally clear that further discussion was not warranted because they would not make any substantive design changes unless they were requested by a "higher power", which was specifically defined as the Office of Planning and/or the Zoning Commission. This sentiment was reinforced and expanded upon during the second meeting, which Mr. Binitie was not able to attend, when in response to proposed alternatives, the Park*

Neighbors were told that even if the the alternatives to redistribute density between the two sites were found to be viable, and did not affect or significantly reduce the total number of residential units across both sites, they would not support reducing the density and scale at the Bruce Monroe site because they felt that the current proposal would be approved by the Commission. And, while this response was disheartening, based on the type and level of “community engagement”, or lack thereof, with those most significantly affected by the the Bruce Monroe development, it is not surprising, and is further evidence that the main concerns of those living adjacent to the Bruce Monroe site and their input were never seriously entertained.

The Park Neighbors also suggested alternatives to the current, multi-phase “build first” plan which would allow for the construction of a development with less density of the Bruce Monroe site, without unnecessarily displacing current Park Morton residents, but these conversations never gained traction because of the refusal to consider density reducing alternatives without explicit instruction from a “higher power”.

Without direct intervention by the Zoning Commission, changes that could result in support by the surrounding community will not even be explored, and therefore we implore the Commission to use its considerable authority to mandate the submission and consideration of alternatives that would result in a reduction of scale/height and density at the Bruce Monroe site, without substantially reducing the total number of residential units, or further upsetting the already unbalanced distribution of mixed-income units between the two sites.

3. Park Space

- Maximize park space by removing townhouses: The Park Neighbors suggested moving the townhouses to the Park Morton site to maximize available park space at the Bruce Monroe site which is currently used as a community garden. The townhouses are not a necessary or connected component of the larger Bruce Monroe development, which includes the senior building and a large apartment building, and could certainly be accommodated at the Park Monroe site, which is larger, and is already mostly composed of townhouses. Additionally, any such changes should be made in a way that reduces displacement of current Park Morton

residents, and supports the need for larger dwellings for larger families who are currently cramped in two bedroom units.

- Conceptual plan for the park to ensure the needs and desires of the community are possible, and to inform any necessary adjustments to the development plan before start of construction: At both meetings, the Park Neighbors asked for a conceptual markup of the proposed park within the remaining space at the Bruce Monroe site; a request that has been ignored throughout the “community engagement” process which supports the notion that the creation of the park is an afterthought, and not really a part of the development plan -- which is why Park Neighbors and others have challenged the developer’s (and the city’s) assertion that the park should be considered as a “community benefit” in weighing what the developers is giving in exchange for what they are getting in the PUD process. Ironically, the commitment to the park is the one area where actual plans for approval have not been submitted, and the New Communities Initiative has steadfastly refused to engage in developing proposals until the community is consulted, but after the project approval, citing the importance of community engagement at the beginning of the park planning process, which is exactly the opposite of what they have done with the development of the Bruce Monroe site as it relates to the issues that matter. This has brought them to a point where they are committed to a plan that is opposed by large segments of the surrounding community, and nearly unanimous opposition by those represented by the Park Neighbors who live immediately adjacent to the park.

APPLICANT RESPONSE: *The developer and Ms. Rodgers, on behalf of the New Communities Initiative, summarily rejected the proposal to move the townhouses to the Park Morton site, without even considering the possibility or viability of the proposal, and instead advanced an emotional argument which incorrectly suggested that the Park Neighbors proposal did not consider the needs of large families as a priority in the redevelopment process. Although the removal of the townhouses would likely require an additional step/phase in the current multi-phase project, we believe that changes could be made that are in keeping with the “build first” principles and the commitment to larger units for larger families.*

Ms. Rodgers also refused to produce even a conceptual plan for the park for fear that the community might object to the plan that the city has sworn

in submissions and testimony that they commissioned/conceived long ago, which they guarantee will produce a much improved park, and contain all of the current services (with the exception of one basketball court). This, we believe, is disingenuous since the community was not given this same courtesy regarding the future use of the Bruce Monroe site, but were instead given a plan to accept and discussion around changes and tweaks were largely confined to small changes around the margins, but did not attempt to address the core issues of opposition.

We believe that this is a proposal that has a high likelihood for a win-win solution, but there must be willingness on the development side to engage in creating a workable alternative; something that as outlined in earlier responses, will not happen without the intervention and direction of a “higher authority”. As a defined “higher authority”, we ask that the Commission require the development team to submit alternatives that would achieve the above-mentioned goal which could result in greater support from the community.

4. **700-Block Alley:** The Park Neighbors outlined concerns expressed by residents of the 700-block, which dead-ends at the border Bruce Monroe Community Park, who are opposed to re-opening the alley to pedestrian and vehicular traffic. Most strongly believe that unnecessarily opening the east end of the 700-block alley will encourage vehicle and pedestrian cut-throughs, idling while waiting for residents of the apartment building, and loitering, especially at night after the park closes because there will be no place for the large number of residents to go since the oversized development does not provide ample outdoor space for the new residents within its footprint.

APPLICANT RESPONSE: *The developer initially seemed open and even agnostic to the idea of keeping the alley closed in response to concerns expressed by the majority of 700-block residents. However, in our second meeting, the Applicant reported that it was DOTs preference to open the alley, over the objection of residents, and therefore this decision was not something that they could direct or accommodate, even if they were inclined to do so. Nonetheless, they agreed to revisit the issue with DOT in hopes, at the very least, getting a more concrete and detailed response. They also agreed to explore the possibility of re-grading, re-paving, and repairing the dangerous*

conditions in alley, which has extremely narrow entry and exit points, and which has been a near constant and unaddressed complaint of the residents for at least six years.

While we would very much like to see the hazardous alley repaired, we believe it is the duty and responsibility of the city, separate and apart from this PUD application, because of the resulting run-off, damage to personal vehicles, and severely restricted access for service vehicles and access to city services.

5. **Traffic/Parking:** The proposed development at Bruce Monroe will dramatic increase density (more than threefold over the current population), and will exacerbate existing traffic issues on the very congested surrounding streets (Columbia Rd., Irving St., Sherman Ave., and Georgia Ave.) and at intersections projected to operate at failing levels. The proposed plan fails to adequately address the predictable parking challenges created by the increased density from this project, and the numerous other developments being built in our area that will increase the population by almost 2,000 residents. These roads are also all designated "emergency evacuation routes", which may present safety concerns in the event of an actual emergency. In addition, the city has proposed dedicated bus lanes for Irving St. and Columbia Road, which will eliminate half of the currently available street parking in the future. And finally, the plan makes no provisions for the inevitable increase in residential and visitor parking demands for this development and other approved developments in the area which will bring more than 1900 residents and visitors to our densely populated area.

APPLICANT RESPONSE: The Applicant still contends that the 107 dedicated parking spaces are more than enough to accommodate the parking needs of the 274 unit development and its future residents and visitors. However, they agreed to amend their proposal to restrict access to residential parking permits for the market-rate residents only, a move that we note may have an effect on their ability to rent such units at "market rates" if their predictions about parking needs prove to be incorrect.

While we appreciate the change advanced by the Applicant, we remain concerned that their amended plan for parking does not go far enough to address the traffic issues that will be a direct result of the development, nor

does it address visitor parking requests that could also result in a dramatic loss of already limited parking for current residents.

6. **Inadequate Benefits Package:** The list of “public” benefits the developer is required to offer is insufficient, not to the benefit of the *entire* public, required to mitigate issue caused by the development project, or of little to no value. (i.e., park and street naming opportunities, a smart transit screen for the residents of the apartment building, a therapeutic pool for the senior building, upgraded street lights, etc.)

While mentioned as a potential area of addressing community concerns, neither party advanced a proposal for additional benefits, as discussions focused on larger, existing objections to the development plan, as proposed.

Additional Items

- In meeting with the developers, the Park Neighbors specifically acknowledged that during the hearing, the Zoning Commission instructed the developers to amend their plan to address aesthetics elements of their design that were not in keeping with the look and feel of the surrounding neighborhood; nor does it incorporate the structural elements that are present in a community of row houses. Since this is, and has been an ongoing concern and objection of the Commission, we did not submit previously stated concerns as an objection to the proposed plan as a part of our meetings and negotiations with the developer. However, during our second meeting on January 9th, the developers shared amended plans related to aesthetics, that they intend to submit as a part of the amended package compromise with those living immediately adjacent to the development.

Since these changes were made at the request of the Commission, they should not be counted as a compromise made at the request of the Park Neighbors as a result of the Commission mandated meetings. Objections to the very modern gray and starkly white, glass structure were widespread, and included some who were otherwise in favor of the development at Bruce Monroe Park, but not the design.

- In conjunction with the discussions around density and scale/height, the Park Neighbors raised the possibility of reorienting the apartment buildings to “front” Georgia Avenue, instead of Irving Street. The change would reduce the intrusion of the development into the current residential area, and would be more in keeping with the positioning of the large/tall apartment buildings along Georgia Avenue, and other commercial strips that the Applicant referenced as comparables in their submission. This request for consideration and discussion was made with the understanding and acknowledgement that at the beginning of what has been characterized as “community engagement” when many neighbors believed they were participating in a real two-way discussion aimed a larger, more substantive compromise on major issues of concern (i.e. density and scale), some neighbors requested that the building not front Georgia Avenue. However, once the final plan was revealed, which was much taller and occupied a greater footprint (much more than the promised 50/50 split between park and development), the issue of orientation was never revisited. As such, we asked the developers to revisit the feasibility of reorienting the building which would allow for more “useable” and perhaps greater park space.

APPLICANT RESPONSE: *Once again, the Applicant was not inclined to entertain the possibility of returning to an orientation that is consistent with their initial proposal, and, even though it is part of what the community would like to consider, they refused to engage in further discussion around the matter unless directed to do so by a “higher power”.*

Since the request is in keeping with their original proposal, and they would not voluntarily work with the Park Neighbors to examine alternatives, we ask that the Commission require the developer to present options that “front” Georgia Avenue as a part of a package to items to consider in response to community objections and concerns.

SUMMARY

The Park Neighbors and other groups in opposition to the current proposal for the Bruce Monroe site, with whom we have kept in close contact, were very encouraged when the Commission mandated meetings between the so-called “200 footers”, and the development team, to discuss potential areas of compromise. Unfortunately, as previously mentioned, there was very little willingness on the part of the developer and Ms. Rodgers, to engage on the core, priority issues raised by the Park Neighbors

without specific and mandatory direction from the Zoning Commission. As has been the case all along, compromise has only been considered around the margins.

We do not believe that such limited discussion and restricted areas of consideration constitute actual community engagement, or a good faith effort to win the support of those who will be most directly affected by the development. The Applicant appears to be committed to maximizing the size and scope of the Bruce Monroe development at all costs, unless otherwise compelled, even in the face of viable alternatives which could potentially win them, and the project, substantial community support. *Accordingly, we remain opposed to the proposed development and application as proposed, and ask that the Commission direct the Applicant to consider what we believe to be reasonable and viable alternatives.*

Sincerely,

/s/ Tonya Williams

Tonya Williams
Park Neighbors