

**DC for Reasonable Development: Ward 3 Accountability Group (DC4RD:W3AG)**  
**Testimony Zoning Commission Case No. 18-03**  
**October 29, 2018**

DC4RD:W3AG asks the Commission to deny the PUD and Map Amendment application in this case as inconsistent with the Comprehensive Plan. Approval of the application will be done so not in accordance with the law.

*Affordable Housing*

PUD's allow for greater flexibility from zoning than otherwise allowed. Inclusionary Zoning is one of these allowed "matter-of-right" zoning parameters, one that must be far surpassed to be considered a benefit substantial in nature during PUD review. To compare the needs of Ward 3's affordability against a matter-of-right IZ metric limits the ability of the City and Ward planners, as well as developers, to align with plan policies expecting us to build an inclusive successful neighborhood and city. Attachment 1.

The fact is, the pittance of affordable units being provided cannot be deemed a substantial benefit in this case, or ever. Moreover, the lack of family sized units (3+ bedrooms) is unacceptable at a time of a affordability crisis for families. Moreover, Ward 3 suffers from an exclusive planning track record. Perpetuating exclusivity in this PUD is not lawful as the project will only exacerbate issues of exclusivity by offering a building that only wealthy single professionals (and their roommates) may enjoy.

The livable, walkable neighborhoods being promoted by smart-growth advocates are thus only livable and walkable by a certain class and race of District residents when you look at the incomes needed to pay for the rents being charged by these PUD projects (Search the tag: #affordablefarce). The poor planning around housing and the exclusive nature of the residential components of PUD's being approved around the city, as in this case, breaks with the Human Rights Act, the Fair Housing Act, and with basic principles of the Comprehensive Plan and zoning regulations. DC4RD:W3AG expects 30% of the residential density be dedicated to family sized affordable housing to stop the exclusive classist results of poor planning in DC, especially in Ward 3.

*Cumulative Impacts and Public Services (Capcities and Upgrades)*

Along with the other exclusive projects being approved nearby (now and expected in the future) there will be thousands of new people in the area. This project will bring about hundred of those new people at the site living and working and representing another hundred toilets, t.v.s, lights, ovens, microwaves, bus & metro riders, another hundred people needing healthcare services, recreational services, educational services, another hundred people calling the police or needing FEM's help, etc.

Additional population is considered overcrowding (per underlying statues and the purpose of zoning code per the regulations) with the additional abuse on existing public services very real and happening in absence of transparent planning around existing infrastructure and public service capacities and needed upgrades as development is considered and coming online, as being proposed here.

This is nothing new and the Commission is aware of the many Comprehensive Plan policies that show a whole neighborhood approach to transparent planning is required when stamping approved on PUD applications (one-after-another-after-another).

Moreover, the developers are required to pay their "fair share" of needed upgrades across a series of existing public service modalities, but without OP coordinating this comprehensive impact assessment and mitigation, the Commission cannot properly balance the needs and protect the surrounding community. Without a comprehensive public review that is transparent in its methods, this PUD application stands under-evaluated and any approval would be in contradiction of the plan policies and zoning regulations.

### *Conclusion*

Among other issues, the two categories above are critical to DC4RD:W3AG who stand members and residents who could not attend the hearing, were not notified of the hearing tonight, or otherwise are not informed about the zoning processes and how to engage with them as lay people.

Submitted by,  
Chris Otten, Co-facilitator  
DC4RD:W3AG  
dc4reality@gmail.com  
202 810 2768

## **ATTACHMENT 1**

### **The narrative about housing, and affordable housing, has not changed since 2006 → AFFORDABLE HOUSING is critical to BUILDING SUCCESSFUL AND INCLUSIVE DC NEIGHBORHOODS.**

10A-DCMR-218.3 The recent housing boom has triggered a crisis of affordability in the city, creating a hardship for many District residents and changing the character of neighborhoods. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively.

10A-DCMR-218.5 Each neighborhood is an integral part of a diverse larger community that contributes to the District's identity. Growing an inclusive city means that all neighborhoods should share in the overall social responsibilities of the community, including housing the homeless, feeding the hungry, and accommodating the disabled.

10A-DCMR-500.3 These issues affect every facet of the Comprehensive Plan. They influence land use and density decisions, shape infrastructure and community service needs, determine transportation demand, and even drive employment strategies for District residents. At the most basic level, it is the availability of safe, decent, affordable housing that will determine whether the District's vision for an inclusive city will be realized. The type of housing constructed and the cost of that housing will influence whether we as a city can attract families with children, maintain neighborhood diversity, and provide economic opportunity for all. 500.3

10A-DCMR-500.14 On a neighborhood level, the recent housing boom has challenged the District's ability to grow a city of inclusive and racially and economically diverse communities. The District has been relatively successful in developing new affordable housing, building or rehabilitating 17,700 affordable units in the last six years alone. However, most of this production has occurred in the very neighborhoods where such housing was already concentrated. 500.14

10A-DCMR-500.18 One of the critical issues facing the city is how to retain and create more housing units that are large enough for families with children.

10A-DCMR-500.19 Family households with children need larger housing units with more bedrooms. Of the city's existing housing stock, only one-third of the units have three bedrooms or more. Eighty percent of recent new construction has been apartments, with fewer bedrooms.

10A-DCMR-500.21 The availability of single-family housing and housing with more rooms are two factors that are positively correlated with retaining family households. Of course, there are many other factors that are important including affordability, crime, and school quality.

*The Comprehensive Plan is Title 10A of the DC Municipal Regulations (google "DCMR")*

10A-DCMR-506.12 Policy H-1.4.6: Whole Neighborhood Approach

Ensure that the construction of housing is accompanied by concurrent programs to improve neighborhood services, schools, job training, child care, parks, health care facilities, police and fire facilities, transportation, and emergency response capacity. 506.12

**The policies and action tasks in CHAPTER 5 of the Comp Plan demonstrate the importance of affordable family housing in building an inclusive successful city (some examples below):**

<https://planning.dc.gov/node/638832>

<p><b>Policy H-1.2.1: Affordable Housing Production as a Civic Priority</b> 10A-DCMR-504.6 Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city.</p> <p><b>Policy H-1.2.5: Workforce Housing</b> 10A-DCMR-504.12 In addition to programs targeting persons of very low and extremely low incomes, develop and implement programs that meet the housing needs of teachers, fire fighters, police officers, nurses, city workers, and others in the public service professions with wages insufficient to afford market-rate housing in the city.</p> <p><b>Policy H-1.3.1: Housing for Families</b> 10A-DCMR-505.6 Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments.</p> <p><b>Policy H-2.1.7: Direct Rental Assistance</b> 10A-DCMR-509.11 Develop and fund programs that provide direct rental subsidies for extremely low-income households (earning less than 30% of areawide median income), including homeless individuals and families in need of permanent shelter. Continue support for federally funded rental assistance programs, including public housing, project-based Section 8, and the Housing Choice Voucher Program.</p>	<p><b>Policy H-2 Housing Conservation: Retaining Our Housing Stock</b> 10A-DCMR-508.1 Preservation of housing in the District--especially affordable housing--is perhaps an even higher priority than increasing housing supply. This section focuses on two aspects of housing conservation: (1) retaining affordable housing units specifically and (2) retaining existing housing stock generally.</p> <p><b>Policy H-2.1.1: Protecting Affordable Rental Housing</b> 10A-DCMR-509.5 Recognize the importance of preserving rental housing affordability to the well-being of the District of Columbia and the diversity of its neighborhoods. Undertake programs to protect the supply of subsidized rental units and low-cost market rate units.</p> <p><b>Policy H-2.1.3: Avoiding Displacement</b> 10A-DCMR-509.7 Maintain programs to minimize displacement resulting from the conversion or renovation of affordable rental housing to more costly forms of housing.</p> <p><b>Policy H-2.1.4: Conversion of At-Risk Rentals to Affordable Units</b> 10A-DCMR-509.8 Support efforts to purchase affordable rental buildings that are at risk of being sold and converted to luxury apartments or condominiums, in order to retain the units as affordable. Consider a variety of programs to manage these units, such as land banks and sale to non-profit housing organizations.</p>
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*The Comprehensive Plan also expects action!*

Action H-1.2.G: Land Trusts

Action H-2.1.A: Rehabilitation Grants

Action H-2.1.B: Local Rent Subsidy

Action H-3.1.G: Tenant Purchase Program

10-A512. H-3.1 Encouraging Home Ownership