

**Zoning Commission**

**Case No. 16-11**

**December 5, 2016**

Good evening Commissioners, thank you for this opportunity to speak. We are the Park Neighbors - neighboring homeowners of Bruce Monroe Community Park and we oppose the Applicant's request for a map amendment and consolidated PUD.

I want to be clear from the outset that we fully support the timely redevelopment of Park Morton, and believe that the redevelopment of Park Morton is in the best interests of its residents and the community.

Let me say that again - We FULLY support the redevelopment of Park Morton, and believe that OUR neighbors at Park Morton deserve quality housing.

What we DO NOT support is the Bruce Monroe Community Park redevelopment plan, as proposed, by the Applicant because contrary to the assertions of the Applicant and the Office of Planning, the redevelopment plan for the Bruce Monroe Community Park site is inconsistent with the Comprehensive Plan.

We hope to have a civil discussion about our objections today and in written briefs to be submitted after this hearing. Of great concern to us, however, is the possibility that you will accept the Applicant's unsupported assertion that they MUST develop the park as proposed or they can't redevelop Park Morton at all. We ask that you not allow the Applicant to hold Park Morton and its residents hostage in this proceeding.

We ask that instead you hear our concerns, examine their proposal, and consider alternatives that are worthy of exploration. Time and time again we have asked the developers to justify why they must place a high density apartment building on Bruce Monroe Park to proceed. The Applicant has failed to provide such justification, even though other options with configurations that more fairly

distribute the mass and density in a more balanced manner between the two sites were initially considered.

Sadly, if the entire community, including those of us who live immediately adjacent to the park had been engaged in a meaningful and timely manner, we might not even be here today. And, in the year plus that the Mayor's office and the Applicant have worked to aggressively push this project they could have produced a development plan with the support of the entire community. Instead, we have been forced by the project's flaws to contest the Applicant's request here today.

It is our contention that the Applicant has failed to justify their need for a map amendment and a consolidated PUD to the level requested and that their proposals are inconsistent with the Comprehensive Plan. The Applicant has failed to show how the destruction of 64% of a park (temporary or otherwise), development of a high density apartment building, creation of a private street which does not meet DDOT standards, and unmitigated adverse impacts such as increased traffic and pollution are consistent with the Comprehensive Plan.

That said, we also recognize that the Park Neighbors probably wouldn't be opposing the development plan if it consumed less of the existing park, the 50% promised by the Mayor, and if their plan was closer to the height, density and lot occupancy granted by right. Instead, the Applicant proposes developing 64% of the park and, for the large apartment building, seeks variances that take the height from 50 feet to 90 feet, density from 2.5 to 6.0 FAR, and lot occupancy from 60% to 80%. The relief requested for the high density apartment building is even more egregious when you consider that  $\frac{1}{3}$  of the high density apartment building would be built on land that is currently zoned at R-4, and thereby restricted to 35 feet, by right. 35 feet is the height of the surrounding row houses, which would be dwarfed by this unnecessarily large building.

In considering the Applicant's request and our objections we ask that you keep the following in mind:

1. **The Applicant claims that the ANC supports this project.** However, that support should be accompanied by a giant disclaimer. ANC1A10, the Single Member District within which Bruce Monroe Community Park is located, was not represented in ANC proceeding and the resulting report to the Commission. Without explanation, our ANC1A10 Commissioner, Rashida Brown, went silent on the entire Park Morton redevelopment project soon after the Bruce Monroe Park component was announced in October, 2015. All communication efforts from her constituents, including emails and calls were simply ignored. Then, on the evening of the vote by ANC 1A to support the surplus of the park, Ms. Brown surprisingly announced her recusal from the issue and the ANC voted by a narrow 5-4 margin to approve the surplus. Her constituents were never informed that she intended to recuse herself, and no replacement representation was ever created on the ANC, or in other forums where the input of those living around the park should have been included. Once the resolution to support surplussing the Bruce Monroe Park site was passed, the ANC1A Chair, Kent Boese, who represents the Single Member District near Park Morton, asserted that the ANC had to further support the disposition of Bruce Monroe Community Park or the ANC would lose any influence on the proceedings; this same argument was used to encourage Commissioner support for the Applicant's PUD submission. Due to the lack of representation for the community surrounding the Bruce Monroe Community Park, the ANC1A submissions should not be given 'great weight' in this proceeding.
2. **The Applicant claims that the community has been heavily involved in this project.** And that is certainly true for the Park Morton part of the project, in which Park Morton residents and their representatives have been engaged in a robust process since 2008 that has produced two redevelopment plans. However, it is laughable to assert that there was substantial community involvement for the Bruce Monroe Community Park part of the proposal. To find "community involvement" here would be to redefine "community involvement" as subjecting the community to a series of meetings where the same, limited information was repackaged, where city officials and the

Applicant to answer any substantive questions, and where there was no actual opportunity for real discussion. When it became clear that the community engagement plan lead by the New Communities Initiative was, by design or incompetence, merely a half-hearted attempt to comply with what was required, attendance from the community dropped dramatically, although the community's valid objections and concerns remain. In addition to Ms. Brown's recusal as ANC representative, Ms. Brown was also the appointed the representative of our community to the influential Park Morton Steering Committee; however, she was also recused from that Committee and no replacement representative from our neighborhood was even sought. Due to the lack of meaningful dialogue and input from the entire community, including the neighbors of Bruce Monroe Community Park who will be most directly impacted by the proposed development of the park, you should not consider the Applicant to have engaged the community in a meaningful way.

- 3. The Applicant claims that Bruce Monroe Community Park was always intended to be a temporary park and development was always in its future.** That is false. Before it was a park it was a public school. When the school was torn down, the community was promised that a new school would be built on that site. That didn't happen. What DID happen is that the neighborhood fought to have the land used as a park and got over \$2 million in investment from the city to make it the park that it is today. Where the Park's future is concerned, the surrounding community has repeatedly shown through surveys and submitted comments that it wants and needs a permanent park that is large enough to accommodate our diverse and growing community. Furthermore, the Applicant's claim that there is already other sufficient green space in the surrounding area, citing examples such as the quad at Howard University, which is clearly not a park, or public shows a lack of understanding about the importance of sufficient public green space in the creation of successful and thriving communities. Additionally, their failure to designate the remaining undeveloped area as a permanent park, provide an actual plan for the park, and/or provide adequate funding for a park shows their disregard for the community's desired use of the land.

4. **The Applicant claims that this PUD is just like other PUDs that have already been approved along Georgia Avenue.** This assertion is incorrect. For the following reasons, this PUD should be viewed as unique and not fairly comparable to other PUDs in the area.
- a. Again, the community involvement process of this project versus any other along Georgia differ wildly.
  - b. Redeveloping dilapidated mixed use buildings or vacant lots into a shiny new building is one thing, developing a park is another thing entirely. This project cannot be lumped together or fairly compared to the other PUDs the Applicant cites as examples, as this is the only one involving a public park.
  - c. This land is public land. This land was acquired through eminent domain and was intended for public use, and as ANC1A Chairman Boese said at the DC Council surplus hearing using eminent domain to create housing “would be inappropriate at best and illegal at worst.”
  - d. In support of their requests, the Applicant cites previous PUD approvals that are along the Georgia Avenue corridor. However, these projects are outside the Pleasant Plains section of mid-city (from Irving to Euclid) which the Comprehensive Plan plainly states “should develop a distinct identity.” The other PUDs that the Applicant cites as examples are not within this Irving to Euclid corridor nor are there any approved PUDs to this one.
  - e. And, as previously notes,  $\frac{1}{3}$  of the proposed large apartment building is on the portion of the site currently zoned Residential. We are not aware of another PUD in the vicinity that has been granted a map amendment from R-4 to C-2-B PUD.
5. **The Applicant claims that this proposal is “not inconsistent” with the Comprehensive Plan.** We believe that is incorrect. The Applicant’s proposal is inconsistent with the Comprehensive Plan and should therefore be rejected:
- a. **Scale:** At 90 feet, or 120 feet including the habitable penthouse and mechanicals, the building is too tall and out of character with the

surrounding 2-3 story row houses. There are no buildings in the immediately surrounding area that are taller than 60 feet.

- b. Density:** The Bruce Monroe Community Park site is slated for 273 units, which would add approximately 700 new residents to the block, more than triple the current population.
- c. Architectural Character and Design:** The massive gray and white, glass-paneled structure proposed by the developer is not in keeping with the look and feel of the surrounding neighborhood, which is historic in character and mostly composed of small, brick row houses.
- d. Traffic:** The project and the associated dramatic increase in density will exacerbate existing traffic issues on the very congested surrounding streets (Columbia Rd., Irving St., Sherman Ave., and Georgia Ave.) and at already failing intersections according to the traffic analysis submitted by the Applicant.
- e. Parking:** The plan fails to adequately address the predictable parking challenges created by the increased density from this project, and increased density from the numerous other developments being built in our area, which will increase the population by almost 2,000 residents. 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.
- f. 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 to the neighbors around Bruce Monroe Community Park. For example: providing a park where one already exists, a street naming opportunity, a smart transit screen for the residents of the apartment building, a therapeutic pool for the senior building, upgraded street lights.
- g. Parkland:** Finally, the Comprehensive Plan strongly supports the need for parkland and the destruction of parkland cannot be consistent with the Comprehensive Plan. In discussing the needs and challenges of Mid-City, the Comprehensive Plan unequivocally states that:

“Mid-city”, which includes our area, has a severe shortage of parkland. As the densest part of the city, and one with many young children, recreational needs are amongst the highest in the city, and most area parks lack the land and amenities to meet these needs." The dearth of parks in the mid-city area is a serious problem that must be addressed as its population grows -- "all recreation areas must be retained and new areas must be provided whenever possible." "The community is in dire need of additional parkland -- although mid-city is the densest part of the city, the ratio of park acreage per resident is among the lowest in the city."

The Applicant's examples of other nearby green space are disingenuous, since many of their examples either aren't public, or aren't green space at all. Therefore, we ask that the commissioners consider the proposed 36% of the site to be left as park to be insufficient. And further request that the commissioners direct the Applicant to create a plan for the permanent preservation of a public park.

**We would like to leave you with a few questions to consider as you reflect on testimony you have heard today ...**

1. Why does the sought Map amendment include areas that will supposedly remain park? This is especially troubling because the Mayor's resolution for the surplus and disposition of a portion of the Bruce Monroe Community Park states that the remaining land can be "used for a park, or other public purposes." As such, we believe that, if at all possible, the Zoning Commission should amend the Applicant's for a map amendment to prevent future encroachment into the remainder of the park that the Applicant claims as a benefit under this PUD.
2. In addition, why doesn't the PUD proposal include the development of the park as a permanent park if the Applicant is allowed to include it as a benefit

being offered to the community? What guarantee does the community have regarding the preservation of park space?

3. Finally, why does the Map amendment for the senior housing building also include the portion of the site designated for townhouses? Is a map amendment needed at all for the townhouses if they are actually going to be townhouses and only built to the stated 40 feet?

**Finally, regarding any opportunity for filing written briefs, including the proposed findings of fact and conclusions of law which we are encouraged by Section 3026.1 to submit.** Given the timing with the holidays, our work commitments, and our strong desire to provide the Commission with detailed and well reasoned submissions, we ask that the Commission allow extra time for the filing of written briefs and at least 40 days from the close of this hearing for the submission of the findings of fact and conclusions of law. Thank you.