
Testimony before Chairman Phil Mendelson
Committee of the Whole
District of Columbia Council

RE: Support with amendments for B22-663
Comprehensive Plan Amendment Act of 2018 (Framework Element)

By Cheryl Cort
Policy Director
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Good afternoon Chairman Mendelson and member of the Committee. My name is Cheryl Cort, and I am the policy director for the Coalition for Smarter Growth. The Coalition for Smarter Growth is the leading non-profit organization in the Washington, DC region dedicated to making the case for smart growth. Our mission is to promote walkable, inclusive, and transit-oriented communities, and the land use and transportation policies and investments needed to make those communities flourish.

First, we agree with the many criticisms of the Comp Plan process. We should have had a more robust revision process, like the one we had in 2006. With a more iterative public process, we could have had a more constructive and informed debate than the one we are having now.

Given the new challenges we face as a growing, rather than declining, city, we need to plan together for a future of an increasingly popular place to live. Not planning for that future will not help those who are struggling to be part of the city's renewed prosperity. By not planning for a growing city, we will de facto push out those who are most vulnerable and even those of modest incomes. Doing nothing and pretending that we can stop people from coming to the city is not a solution. It only aggravates the problem for vulnerable residents. Welcoming more people in our city can benefit all, and protect the environment. We must craft the right policies to ensure this is the case.

Regarding the substance of the bill, we agree with the broad sentiment that the Framework Element bill fails to address our city's most pressing land use issue: affordable housing. This is the glaring omission - the bill's lack of urgency in addressing the need to ensure that residents of all incomes can afford to live in the city. We urge the DC Council to fix this, and ensure that preservation and creation of affordable housing, and the prevention of displacement are central themes in all aspects of land use planning, policy and development review. This is not the only way we must address housing affordability, but it is an essential part of a larger strategy.

We are working with the DC Housing Priorities Coalition, which represents a broad range of groups, from affordable housing advocates to for-profit developers. We support the proposed amendments submitted by the group. We have agreed on core principles that need to be part of the Comp Plan: we need more affordable housing, stronger policies to prevent displacement, and more housing in general to keep up with demand. We also need a functional Planned Unit Development (PUD) process to exchange zoning flexibility for community benefits, most especially affordable housing.

The bill moves us forward on some of our concerns, and fails us on others. We support the appropriate clarifications to make the Comp Plan and maps internally consistent and better explain the original intent. The bill begins to better balance the needs of a growing population with the interests of current residents. We support the clarifications about the Zoning Commission's authority to reconcile sometimes competing priorities in the Comp Plan and make the best decision based on specific cases. We support clarification of the PUD process, which is designed to offer zoning flexibility, increased density and height to a development proposal in exchange for public benefits in a public process. If we do not restore the predictability, we will lose the benefit of the required public engagement, and the public benefits of PUDs.

We know that the new uncertainty has already caused developers building both market rate and affordable housing to not pursue PUDs, and to either build matter of right, or not at all. This puts us further behind in keeping up with affordable housing preservation and production, and housing in general. For the many affordable housing complexes in need of the flexibility of a PUD, this uncertainty is a threat to the success of a critical preservation or creation project. PUDs have been an important tool for leveraging market value or simply used flexibility to replace and increase affordable housing. Here are some examples:

- 965 Florida Ave. NW is a public land deal by the U Street Metro station, where more housing at low and extremely low-income levels will be built due to a PUD – 97 units at 50% median family income, and 32 units at 30% median family income, with no additional subsidy.
- Portner Place at 14th & V Street helped the residents in a TOPA deal replace their aging apartments and double the number of affordable homes on site to 96 homes, along with building 270 market rate apartments. This was achieved through a PUD.
- Unfortunately, like most PUDs today, the Bruce Monroe PUD has been delayed for 6 months, leaving the residents of the Park Morton public housing property waiting for a resolution. This PUD will deliver 94 public housing replacement units as part of a larger mixed-income project that includes a new park and a variety of housing types from apartments to townhouses.
- In Fort Dupont Park, the Meadow Green Courts Residents Association has forged an agreement with the owner to build 89 replacement and new units. This is an increase of 33, and includes more 2- and 3-bedroom units, senior housing, elevators and increased security. A majority of the units will be affordable and replace obsolete affordable housing. This agreement depends on the flexibility of a PUD. But will the PUD be appealed and threaten the affordable financing for the project?
- Redeveloping Lincoln Heights and Richardson Dwellings Public Housing in Deanwood also relies on several PUDs to replace and upgrade 630 homes. The flexibility of the PUDs enables the replacement homes to be provided to fulfill the commitment to replace units one for one, and “build first” and minimize displacement. Will these PUDs be appealed, even if the process builds broad community support and benefits?

While we know that PUDs are a useful tool for many affordable housing developments, we know they have also added affordable housing to residential projects in high cost areas. A recent PUD approved at Tenleytown Metro will provide 10% rather than the baseline 8% affordable IZ apartments at 60% median family income. A townhouse development near the Brookland Metro station is offering ten 3- and 4-bedroom affordable homes, 6 of them at 50% of median family income, along with 70 market-rate family sized homes. This PUD was just appealed despite ANC and community support, and other public benefits like preserved open space and a new playground; and many compromises.

However, other PUDs in high cost areas have not provided enough affordable housing. This we can change through this bill. The Zoning Commission has pressed developers to provide more affordable housing above IZ levels, but didn't think they had enough leverage to push for more. The Commission has said its authority is too limited to require strong measures to address the needs of existing residents on-site faced with displacement. This bill can address these problems.

Given the administration's disappointing response, we urge the DC Council to step up and ensure the Framework Element bill does all that it must. On the one hand, we support the bill's language to make the Comp Plan internally consistent, be more supportive of new housing, clarify the Zoning Commission's authority, and clarify the purpose of a PUD.

On the other hand, we ask that the bill be amended to establish affordable housing as a top priority in the land use decision-making process. Along with planning for the future of a growing city, the Comp Plan must focus on preserving and producing more affordable housing. We must also better address potential displacement of residents on-site in buildings proposed for redevelopment. We must plan together for the success of all current and future residents, and a better, more inclusive city.

Thank you for your consideration.