



Testimony before  
the Hon. Phil Mendelson  
Chairman, Committee of the Whole regarding:

Performance Oversight Hearing for the Office of Planning

And

Support for PR 23-70, Director of the Office of Planning  
Andrew Trueblood Confirmation Resolution of 2019

By Cheryl Cort, Policy Director  
February 28, 2019

Thank you for the opportunity to testify. I am speaking on behalf of the Coalition for Smarter Growth, a 22-year old regional nonprofit based in D.C. which has led the way in advocacy for walkable, transit-oriented communities, transit, and affordable housing policies.

We have worked with the Office of Planning on a variety of issues important to our city including: community plans, development review, Inclusionary Zoning, the 2006 Comprehensive Plan task force, and 2016 zoning revisions.

D.C.'s continued growth in households and jobs is good for the city's fiscal health and for sustainability, but generates increasing pressure on our housing market. Low paid workers are losing ground as higher paid workers move to the city in search of a home near where they work. We want more people to live near where they work, but this dynamic means our land use policies must enable the creation of more housing to keep up with demand AND we must do more to build and preserve affordable housing for workers and residents who do not earn enough to pay market prices for housing.

### **Comp Plan should advance**

Updating the Comprehensive Plan is critical to our city's ability to plan for and meet the need for more housing, and to preserve and build more affordable housing. The Comp Plan Framework Element bill presented to you last year by the Office of Planning is the essential first step in a process. With increasing urgency, we ask the Council, OP, and the Mayor to amend and pass the Framework Element bill, and follow through with revisions to the rest of the Comp Plan. The three key Framework amendments needed are: (1) incorporation of OP's August 2018 amendments on affordable housing and housing supply, (2) clear commitments to comply with the Fair Housing Act and affirmatively further fair housing, (3) language addressing direct displacement and no net loss of affordable units in redevelopment.

Clarifying the language in the Framework Element is also an important first step in what the city needs to do to fix the Planned Unit Development (PUD) process -- a key tool for producing more housing and

more affordable housing. PUDs were a development review process designed to achieve public benefits and well-designed projects by enabling the Zoning Commission to approve a density bonus (i.e. build additional housing units). In exchange for the density bonus the project is required to provide “commendable” public benefits, of which affordable housing is certainly our greatest need. The PUD process is a public process conducted by the Zoning Commission, where ANCs are given great weight, anyone from the public can testify, and decisions are made based on the public record.

Unfortunately, indiscriminate appeals to the D.C. Court of Appeals have broken the PUD process. Thousands of market rate units and hundreds of affordable homes are caught up in appeals to PUDs. Moreover, PUD applications have dropped from 28 in 2015 to 3 in 2018, meaning the loss of thousands more units, as developers switch to matter of right, map amendments, or simply don’t build.

Just two examples:

- The fate of Park Morton public housing residents, hangs in the balance as a few homeowners near the Bruce Monroe PUD site on Georgia Avenue are able to delay in the court the plan to replace 90 units of public housing -- for a year and a half. While homeowners complain about building heights, traffic, parking, and a smaller permanent park, Park Morton residents live in deplorable housing conditions with great uncertainty about when plans for their new homes will move forward.
- In another case -- Jemal’s Washington Gateway project on Georgia Avenue in Shepherd Park near downtown Silver Spring -- 199 housing units with 33 affordable housing units, along with a new supermarket, were dropped when the PUD was appealed. In its place, on land that could hold so much needed housing, a one story retail building is being built by matter of right.

The D.C. Council as our representative legislative body must send a clear message to the D.C. Court and to the public, that the D.C. Council supports increasing the supply of housing to keep up with demand, and puts a priority on expanding affordable housing opportunities throughout the District. We need the D.C. Council to act now to amend and pass the Framework Element bill to include clear commitments on housing as a priority and as one step toward restoring PUDs as a tool for more housing and public benefits.

These last few years have been troubled for the Office of Planning. We are relieved that Andrew Trueblood is now the acting, and if confirmed, permanent Director. We believe that Mr. Trueblood has already demonstrated his capability to restore and lead OP in building a better future for all D.C. residents. Mr. Trueblood has already opened up and improved communication with residents and many different interest groups. He expresses a clear recognition of the importance of housing – where we all live – as central to D.C.’s future. We strongly support his effort to get the Comp Plan process back on track and we enthusiastically support his permanent appointment to Director of the Office of Planning.

We also urge the Mayor and the Council to fully fund OP, and enable the agency to bring in leading experts and consultants to quickly fix our Comp Plan and development review process. The consulting budget in recent years has been very limited, so we urge the Mayor and Council to provide sufficient contract funds for consultants that can accelerate OP’s initiatives.

Thank you for the opportunity to testify.