Testimony before the Hon. Kenyan McDuffie, Chairman

Committee on Business and Economic Development

Regarding a public hearing on:

PR22-979, “Bruce Monroe Disposition Extension Approval Resolution of 2018”

By Cheryl Cort

Policy Director

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Please accept these comments on behalf of the Coalition for Smarter Growth (CSG). The Coalition for Smarter Growth is the leading organization working locally in the Washington, D.C. metropolitan 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.

We wish to express our support for PR22-979, the extension of the Council’s land disposition resolution from 2016 for the critically important Bruce Monroe Planned Unit Development (PUD). This land disposition and PUD will greatly advance the city’s efforts to deliver the quality replacement housing that Park Morton residents deserve and have been promised for far too long. Residents live in deteriorating, obsolete buildings that must be replaced as soon as possible. We have tracked the process over the long years and were happy to see it produce great plan with broad community support for housing and a new park.

We are dismayed that the approved PUD has been delayed by the appeal of four petitioners at the Court of Appeals for nearly a year and a half. The groundbreaking was planned for the beginning of 2018, but this is on hold due to the appeal. To help the Court understand the importance of the Bruce Monroe plan, we worked with a number of groups to submit an amicus brief. In our amicus brief, we sought to explain why the Bruce Monroe PUD is critical not only to the residents of Park Morton, but more broadly to the preservation and creation of affordable housing in this high-demand neighborhood (please see attached).

The Bruce Monroe redevelopment plan is the right plan for the right site. While the Bruce Monroe site has hosted interim recreational uses since the obsolete school building was demolished several years ago, the public space was not well planned, and lacks the investment of a permanent community park. The Bruce Monroe redevelopment plan offers important public benefits by providing a variety of new kinds of homes for a variety of households, and a new community park. The new park will be designed through a community consultation process to ensure that it meets the needs of a range of users. DC’s record on building new parks or revitalizing old ones is quite good, and we have high expectations for this space too. The site is also conveniently located next to the largest bus corridor in the region, and within walking distance to several Metro stations. We commend the long term affordability requirements for the affordable housing and suggest that the District use an in-perpetuity covenant for all its public land dispositions.

The Bruce Monroe and Park Morton PUDs were approved by the DC Zoning Commission in April 2017. While the Park Morton redevelopment plan was not contested, it cannot move forward without the Bruce Monroe site first delivering new replacement homes for many of the current Park Morton residents. The Bruce Monroe site is the second and largest component of the revitalization plan to ensure all Park Morton units are fully replaced.

The Bruce Monroe PUD will include 273 residential units, including 90 public housing replacement units for the Park Morton public housing complex, located four blocks northeast of the Bruce Monroe site. Park Morton residents will have priority for the public housing units on the Bruce Monroe site.

The remainder of the new homes will consist of about 109 low-income units affordable at 60 percent median family income, and approximately 70 units at market rate. The Bruce Monroe development will consist of an apartment building, a 76-unit affordable senior building, and eight townhouses. The new buildings will better provide for a changing Park Morton community’s needs by providing 1, 2, and 3 bedroom units, in contrast to current Park Morton units which are all 2 bedrooms. Bruce Monroe was a school site until the building was demolished in 2009, and has served as a park as an interim use. The plan for the site would create a permanent one-acre park alongside the new buildings. The Bruce Monroe plan demonstrates that PUDs can be a powerful tool to make the most of the opportunity to preserve and create affordable housing, tailored to the needs of the community it serves.

The Petworth and Park View neighborhoods are in high demand, with housing prices soaring, but new housing opportunities are not keeping pace with demand. The Bruce Monroe and Park Morton redevelopment plans will secure a place for many of our long-time and low-income residents in this changing neighborhood. The Bruce Monroe plan ensures the District government is using the tools it has – leveraging public land and land use policy -- to preserve the diversity of our neighborhoods in the face of so much change.

Unfortunately, the delay of the Bruce Monroe plan is not an isolated incident. While in the past, a PUD decision might be contested occasionally, today most PUDs are vulnerable to appeal to the DC Court of Appeals where they can be delayed for months or years. PUDs were designed as a flexible zoning tool that enabled a development to receive increased usable space in exchange for greater public benefits and public input. Many projects that would have been a PUD are now being built as a matter of right or simply rezoned. These paths leave out the community input and benefits that is designed *into* the PUD process. Affordable housing developers have decided to not pursue PUDs due to the risk, and we are all losing valuable affordable housing units with the switch. Both affordable and mixed income developers are forgoing increased housing opportunities due to the loss of PUDs as a flexible public process now that all PUDs are vulnerable to appeal and extensive delay. This year, we counted about 5,000 homes in the District of Columbia, including 700 dedicated affordable homes that have been stalled by lawsuits appealing approved PUDs.

The Park Morton redevelopment plans offer an exciting opportunity for replacing and recapitalizing aging public housing and follows the four principles set out by the New Communities Initiative (NCI) which is in charge of rebuilding the Park Morton homes. The NCI is guided by four principles:

1. **One for one replacement** to ensure there is no net loss of existing affordable housing units;
2. Creating opportunities for residents to **stay in the community**, e.g. by ensuring that current residents have priority for new replacement units;
3. Building **mixed-income housing** to end the concentration of low-income housing and poverty; and
4. **Build first**, which calls for the development of new housing *prior to* the demolition of existing housing, so as to minimize the displacement of existing residents within the community.

While all four of these principles are satisfied in the case of the Bruce Monroe and Park Morton PUDs, the last principle – build first – is particularly important. The “build first” principle can be difficult to implement in practice, but adherence to this principle where it is feasible allows residents to remain integrated within their community during the process of redevelopment. The proximity of the Bruce Monroe and Park Morton sites will allow the District to satisfy the “build first” principle in a way that will set an example not only for the District, but for the country. This “build first” approach is only made possible by the availability of the Bruce Monroe site near Park Morton. That’s why it’s so important for the Council to reaffirm the use of the site to fulfill the District’s commitment to build first, replace all the existing homes, enable residents to stay in their community, and create additional affordable homes for seniors, families and individuals, along with some market rate homes to be added to the mix.

We urge the Council to reaffirm its earlier decision to support the well-crafted Bruce Monroe plan. We also urge the Council to do everything it can to expedite implementation of this broadly supported plan to replace the homes promised to Park Morton residents, as well as deliver a diversity of new affordable and market rate homes, and build a new community park for everyone to enjoy.

Thank you for the opportunity to testify.

Attachment: Brief of the Amicus DC Appleseed Center for Law and Justice in Support of Affirming the DC Zoning Commission.