



January 10, 2020

Mr. Andrew Trueblood, Director
District of Columbia Office of Planning
1100 4th Street S.W., Suite 650 East
Washington, DC 20024

Dear Director Trueblood,

On behalf of the Brookland Neighborhood Civic Association (BNCA), I am submitting the following comments on the draft Comprehensive Plan elements released for public review in October of 2019. These comments reflect the input of BNCA members developed through several sessions in 2017 to determine key priorities for the organization in advocating for the Brookland community. We offer major observations below as well as several specific requests regarding changes we believe are imperative to make to the current draft. In particular, we strongly urge that the area known as the Brookland Green outside the Brookland Metro Station be designated as permanent park space on the Future Land Use Map (FLUM). OP rejected our proposal in this regard and instead “up-FLUMed” the area around the Station, including all of the Green, to medium-density, mixed-use commercial and residential. While BNCA is not opposed to infill redevelopment near Metro stations, preservation of the Green has long been a community priority, known and reflected in public documents, including a November 2013 WMATA solicitation for proposals to redevelop its property, which makes clear that the Green is to be preserved. This oversight also illustrates BNCA’s broader concern that the draft released by OP tends to privilege unmanaged private redevelopment at the expense of important public amenities, public participation, and public oversight.

I. The Public Review Process

We appreciate the efforts of OP in developing the proposed changes to these voluminous materials as well as OP’s public engagement efforts. However, OP should take the time to develop responses and share its rationale for accepting or rejecting all significant public comments, before submitting the package to the DC City Council. Without the benefit of a more fully developed administrative record, the Council will be starting from square one when it takes up this package of draft Comprehensive Plan materials from OP, including what will likely be thousands of public comments on which OP will not have provided the Council the benefit of its views.

II. Major Comments

a. BNCA’s Prior Comments Remain Largely Unaddressed

Many of our prior comments remain valid and outstanding. In our letter of June 21, 2017, BNCA identified the following priorities for the Brookland area:

- Continue to recognize Brookland as a stable residential and historic neighborhood that should be conserved in existing character;

- Preserve economic, racial, and cultural diversity and inclusiveness;
- Maintain and preserve affordable housing for all age groups and family sizes;
- Preserve and enhance accessible public green space;
- Preserve and protect historic sites and properties;
- Protect and preserve Brookland's environmental health including land, air, water, trees, urban habitats, and climate;
- Encourage revitalization of Brookland's commercial areas with a high priority on working with local businesses and contractors;
- Assure a multiplicity of transportation/commuter options (e.g., walkable streets, safe and accessible bike trails, convenient bus and subway service, east/west connectivity), while reducing impacts from through-traffic and heavy trucks.

Attached is a copy of this letter, along with our specific 2017 proposals, for your convenience.

We also reiterate our prior comments that the Comprehensive Plan should continue to affirm that development projects requiring review and approval by land-use decision-making bodies must be tied to findings of consistency with the Comprehensive Plan, Small Area Plans, and accompanying maps (e.g., Generalized Policy Map, Future land Use Map). In determining consistency with the Comprehensive Plan, land-use decision-making bodies currently have ample authority to weigh competing Comprehensive Plan priorities so long as they have 1) made findings of fact on material contested issues, 2) there is substantial evidence in the record to support each finding, and 3) their conclusions of law follow rationally from those findings. The authority of land-use decision-making bodies (e.g., the Zoning Commission, the Board of Zoning Adjustment, etc.) need not and should not be enlarged to permit further discretion in interpreting, ignoring, and/or applying the Comprehensive Plan. Further discretion would undermine the very purpose of the District's Comprehensive Plan which is to provide reliable predictability of the effect of both Comprehensive Plan provisions and zoning regulations as well as the role of affected citizens in shaping development projects and amenities that accompany them.

b. The Draft Lacks A Guiding Focus for Brookland and the Upper Northeast

Unfortunately, OP's draft of the Plan takes a step back from expressing policies or priorities that would effectively guide future governmental action and development. For example, all of section 2407 of the Upper Northeast Element (UNE) has been deleted, which had set "Planning and Development Priorities" for the Upper Northeast. While the section may have needed updating, deleting it entirely renders the entire Element adrift, without any overarching sense of direction or goals for the area including Brookland. This is the opposite of "planning."

This creates three areas of incoherence in OP's draft as it relates to the Upper Northeast, and Brookland in particular, that OP or the Council must rectify:

- The failure to discuss integration of new development into existing neighborhoods in Ward 5, and the associated issues of gentrification, loss of racial and economic diversity, historical character, and displacement (not to mention day-to-day quality of life impacts such as traffic congestion).

- The failure to recognize that much green space in Brookland is institutional and under intense development pressure, and thus will be lost unless proactive measures are taken to preserve and enhance these areas.
- The draft's new emphasis on preserving PDR (i.e., industrial) land uses in Ward 5 is unmoored from the separate, high-priority need for additional affordable, working, and middle-class housing and associated commercial/retail opportunities, guided by principles of transit-oriented development.

1. Failure to Recognize Need for Integration of Old and New and Weakening of Existing Language

The draft avoids any meaningful discussion of the economic and social issues that accompany the high degree of development pressure affecting Upper Northeast and Brookland in particular. In the proposal round, Ward 5 received over 60 proposals for map changes, twice as many as any other ward in the City. In the face of that development pressure, the imperative must be to deploy effective mechanisms for public engagement and participation and design policies to channel and foster that development for the public good. To the contrary, OP's draft does little more than set the stage for high-density development as a matter of right, effectively weakening the already limited ability of the community to have input in how the neighborhood grows and develops.

Thus, OP's draft changes regarding the area around the Rhode Island station and corridor found in UNE section 2415.2 and 2415.4 use passive voice or tout the benefits of greater infill development with no discussion of the challenges and needs associated with an area in transition. Major changes in the character of the neighborhood can be anticipated just by looking at the draft FLUM changes OP has put out, which generally provide for higher density mixed uses in this corridor on Brookland's southern edge: See, for example, Tracking No.'s 1739 (Giant-Home Depot shopping complex), 1973 (Rhode Island shopping center), 2191 (Brookland Manor redevelopment), 25013 (1300 Rhode Island Ave.). Many aspects of these changes may indeed be positive, but they will bring many challenges as well. What does OP's draft have to say about how to manage this period of intense transition in this area? Virtually nothing.

Significantly problematic from BNCA's perspective, the discussion of development around the Brookland Metro Station in UNE section 2416 has been changed to weaken the existing concepts and recommendations for integration of development near the Metro with the existing neighborhood. BNCA supports OP's edits to UNE section 2416 that now make a clear and explicit call to implement the recommendations of the Brookland/CUA Metro Station Small Area Plan (SAP). However, in that very same section, certain changes in language have been proposed by OP that are contrary to the recommendations of the SAP. For instance, at 2416.3, OP has changed the language regarding preserving existing low-scale residential uses "along and east of 10th Street NE," to simply "east of 13th Street NE" (emphasis added), thus moving the planning interface two blocks to the east (and skipping over Brookland's existing commercial "downtown" along 12th St.). This is contrary to the SAP, which provided at Recommendation 12: "Develop low-density residential along the west side of 10th Street between Otis Street and Newton Street; alternatively utilize this area as an expanded open space to transition to the lower scale residential area *east of 10th Street.*" Brookland/CUA Metro Station SAP, Ex. Summary, at

15 (emphasis added). Thus, whether under a scenario of preserving the Brookland Green, or developing new housing, the SAP calls for integration with the existing neighborhood with sensitivity, starting at 10th Street NE. OP's new language here bulldozes that.

The easiest solution would be to reverse the text edits OP has drafted in that particular sentence of 2416.3. Further, as discussed in the following section, OP and the Council also must revise the FLUM map change (Tracking No. 9997) in order to clearly protect the Brookland Green.

2. Preserving Green Space as Institutional Lands Face Development

Brookland clearly faces development pressure on “greenfield” lands that are currently forested or otherwise undeveloped—and the FLUM changes will accelerate such development. OP's draft is inadequate on preserving green space and creating new park lands for public recreation. It is noteworthy that OP's draft, in the element on Parks and Recreation, appropriately continues to state:

Functional open space refers to undeveloped land used for purposes other than parks and conservation. Such space comprises hundreds of acres of public and private land in the District, including sites that are valued for their large trees, scenic vistas, and natural beauty. Some of these sites are regarded as public amenities, with features like hiking trails and lawns for picnics and other forms of recreation. *Such spaces are particularly important in neighborhoods like Brookland, where conventional parks are in short supply.* There and elsewhere in the District, the grounds of seminaries, hospitals, and cemeteries are informally serving some of the functions usually associated with a neighborhood park.

Retaining public access to these assets is important to the well-being of surrounding neighborhoods.

Draft Comprehensive Plan, Parks and Open Space Element 818.1 and 818.2 (emphasis added). Unfortunately, nowhere in the UNE element is this problem acknowledged, much less policy solutions or other actions put forward as a means of addressing it.

There is a significant disconnect between the acknowledged issue in the Parks and Open Space Element and what the City is allowing to happen with the FLUM changes in Brookland. Indeed, OP's draft FLUM puts all significant institutionally-owned green space in Brookland on the chopping block: The Brookland Green (between 10th Street and the Brookland Metro Station), per proposal Tracking No. 9997 (put forward by OP itself); the Howard Divinity Campus, per proposal Tracking No. 2348; the Franciscan Monastery, per proposal Tracking No. 649; and the St. Josephite Seminary, per proposal Tracking No. 2170.

Notably, three of these properties are not in close proximity to a Metro station, belying the notion that their development for housing could be considered “transit-oriented” development. New housing in these parcels has the potential to lock in additional vehicular traffic and associated emissions and parking needs. Nonetheless, if indeed these parcels are going to be developed, then by the Plan's own admission (at section 818.1 and .2 quoted above),

strong, proactive measures and commitments are needed to avoid significant loss of green space, habitat, and recreational space. OP or the Council must devise a strategy for balancing new growth with preserving environmental and recreational values enjoyed by many in the Brookland community. Recognition of this issue is wholly lacking in the current draft.

With respect to the Brookland Green, OP's proposed FLUM change (Tracking No. 9997) is even more inexplicable. As we documented in our June 2017 proposal letter (with respect to proposal Tracking No. 1775), this land, currently owned by WMATA, has already been recognized by WMATA as needing protection under an agreement reached with the City and neighborhood through the work of Councilmember Kenyan McDuffie. In a November 2013 Joint Development Solicitation (attached to our 2017 letter), WMATA specifically made clear that all proposals must preserve the Brookland Green. In a press release dated March 18, 2014 (also attached to our 2017 letter), former Mayor Vincent Gray announced the District's plans to do a land swap with WMATA to preserve the Green.

The BNCA has received no information suggesting that the plans for the Green have changed. (If they have, it is incumbent on the City to immediately disclose to the community all of the facts and circumstances relating to any such change.) Yet OP has rejected BNCA's proposal to designate the Green as park space and instead has proposed to increase the density of land use for mixed-use residential/commercial and to extend that designation over the area encompassing the Green. See Tracking No. 9997. As noted above, this is not only inconsistent with the announced plans for the Green, it is also inconsistent with the Brookland/CUA Small Area Plan, which recognizes the need to buffer high-density development at the Station with the low-scale residential areas along and east of 10th Street (as discussed in the section above).

Green space such as provided by the Brookland Green, and other institutional properties around Brookland, is important to the quality of life of all residents. Even small areas of green space afford opportunities for recreation and enjoyment of the natural environment that are otherwise difficult to access in a large urban core like DC. The tree canopy in such spaces is protected under DC's tree law and supports urban wildlife. Large trees and permeable lands provide stormwater management services that are important to DC's compliance with federal environmental laws and are intended to be protected and expanded under DC's environmental programs. The failure to provide for adequate park space and green space now not only could immediately negatively affect the community. It also will result in costlier solutions needed later to make up for the failure to adequately plan for such spaces from the get-go. Such is the lesson of the park currently being constructed at the District's expense in NoMa, belatedly and after years of high-density residential development.

3. The Novel Emphasis on Retaining PDR in Upper Northeast

The draft places a high degree of emphasis on preserving PDR-designated land in Upper Northeast. See, for instance, the changes at UNE section 2408.4 (infill development must be compatible with existing PDR), 2408.10 (calling for co-location of residential infill with PDR), 2415.6 (calling for mixed-use housing and PDR around the Rhode Island Avenue Metro Station). Thus, OP rejected one of BNCA's proposed amendments (Tracking No. 1920), to change the FLUM designation from PDR to mixed use residential and commercial for the area from Girard

St. NE south to Douglas St. NE between the CSX railroad tracks and 10th St. NE. The reason OP gives for rejecting this change is that it is “inconsistent with completed plans or policy documents or is inappropriate.” No further explanation is given. DC Office of Planning, Log of Proposed Amendments to the Maps of the Comprehensive Plan, at 74. However, this area is already in the process of being redeveloped into housing and retail due its close proximity to the Metro Red Line. The light uses currently found in this area seem to be consistent with a commercial designation rather than PDR.

While certain types of uses within the PDR category are compatible with residential and commercial infill and may indeed be desirable or needed, this is certainly not the case for all PDR uses. Indeed, existing uses within the PDR areas along the CSX tracks in Ward 5 include a number of heavy industrial uses (including associated heavy truck traffic with high diesel emissions) that are not appropriate to continue with the increasing residential character of the area, and associated schools, restaurants, shops, and a growing pedestrian and biking network anchored by the Metropolitan Branch Trail. The current draft contains no discussion of what kind of PDR uses OP envisions is appropriate to continue. Further, the Environmental Protection Element of the draft—while laudably heavy on the need to reduce GHG emissions—contains *no discussion* on the impacts of urban industrial toxic air pollution and runoff. Nor does it acknowledge the more acute exposure pathways to these toxins resulting from the close proximity of heavy industrial uses to residential areas. This is a serious oversight and environmental justice issue that requires attention from OP and the Council.

III. BNCA proposals rejected by OP that should be revisited

The following proposals from BNCA were rejected by OP and we believe OP should review and reverse these decisions:

- Tracking No. 1775: Designate the Brookland Green, between 10th St. and the Brookland Station Kiss & Ride, as open park space in the FLUM
- Tracking No. 1920: Change the FLUM from industrial (production, distribution, and repair (PDR)) to mixed use residential and commercial for the area from Girard St. NE south to Douglas St. NE between the CSX railroad tracks and 10th St. NE
- Tracking No. 1758: Add language to narrative element for Upper Northeast to note protection of the Brookland Green.
- Tracking No. 1822: Add language regarding ameliorating excessive truck traffic
- Tracking No. 1927: Add language to protect certain properties as historical.

We look forward to working with OP and the Council to address these issues as the Comprehensive Plan moves to the Council.

Sincerely,



Daniel Schramm
President, BNCA