



Eckington
Civic Association

Phil Mendelson
Chairman, D.C. Council
1350 Pennsylvania Avenue, NW, Suite 410
Washington, DC 20004

April 28, 2021

Chairman Mendelson,

The Eckington Civic Association respectfully requests that you reverse your decision to drop Mayor's Amendments 2419.2 and 2419.3 (the Eckington Amendments) from the Future Land Use Map (FLUM) in the Comprehensive Plan Act of 2021.¹

Eckington strongly supports adding desperately needed new housing to maintain our neighborhood's affordability and diversity, and these amendments were developed with extensive, years-long community input. Your decision to drop the Eckington Amendments from the FLUM directly contradicts the wishes of our community.

Simply put, dropping the Eckington Amendments at this late stage, despite the support of the Eckington Civic Association, ANC 5E, Office of Planning, and Ward 5 Councilmember Kenyan McDuffie (and the absence of any on-record opposition²) is an example of the "exclusionary and inaccessible" process that the Council Office on Racial Equity found objectionable in its Racial Equity Impact Assessment of the Comprehensive Plan Amendment Act of 2020.³

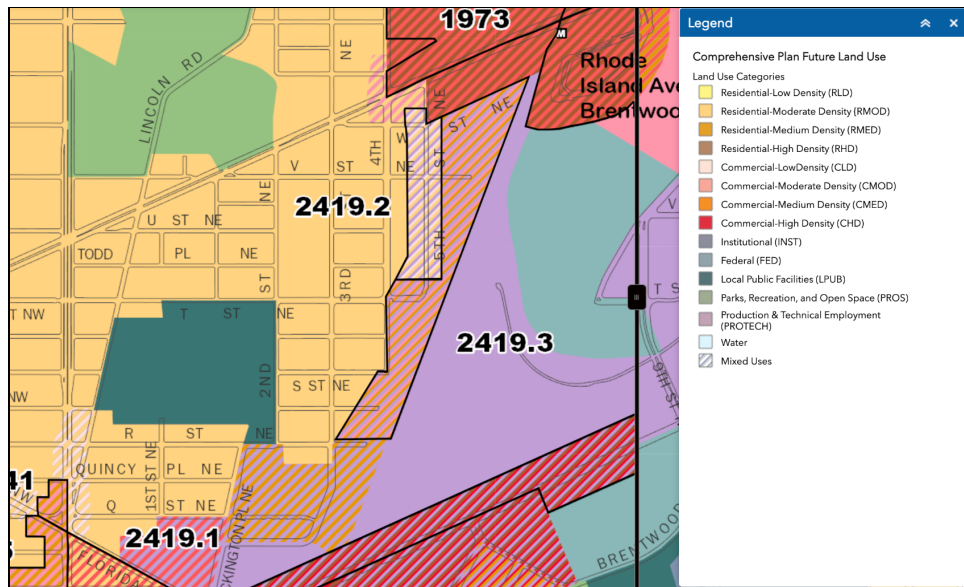
Eckington's Metro- and trail-adjacent properties are precisely where D.C. must add more housing if the city is going to achieve its affordability, equity, and environmental goals. Furthermore, the continued concentration of Production, Distribution, and Repair (PDR)-designated land in Wards 5 and 7 poses "racial equity issues," as you have acknowledged in discussions about this Comprehensive Plan. But by dropping these amendments, you will perpetuate those issues until the next planning cycle.

For these reasons, and as explained in further detail below, we respectfully request that you reinstate the Eckington Amendments in the Comprehensive Plan Amendment Act of 2021.

¹ See B24-1, Comprehensive Plan, Sec. 2(b)(33) ("The areas shown as the Mayor's proposed amendments #2419.2 and 2419.3, generally west of the Metrorail line and extending between R Street to W Street NE, are rejected. The area retains the existing FLUM designation of Production Distribution and Repair.").

² See Record and Live Testimony, Comprehensive Plan Act of 2020, *available at* <http://chairmanmendelson.com/cow/compplan/>.

³ *Available at* <https://www.dcraciaequity.org/reia-database>.



Map of Mayor's Amendments 2419.2 and 2419.3 (The Eckington Amendments)⁴

The Eckington Amendments reflect a sincere community-driven effort to preserve Eckington's diversity and affordability.

When the Eckington Civic Association first proposed amendments for inclusion in the Comprehensive Plan in 2017, we acknowledged the need to embrace physical change to maintain the character of our community:

Eckington already has experienced the pressures of growth, and that will likely continue, if not increase, in the coming years. These recommendations address the concerns and goals of Eckington residents and allow us to plan for growth in a way that maintains Eckington's relative affordability, diversity, and family-friendly appeal, while incentivizing retail and commercial development in key areas, and encouraging higher-density development close to Metro stations and along the Metropolitan Branch Trail.⁵

These words were prescient. In the four years that the Eckington Civic Association has advocated for the Eckington Amendments, our concerns have been validated. According to Zillow, the value of a single family home has increased from \$643,000 in 2017 to \$801,000 today.⁶ The simple truth is that Eckington will become increasingly unaffordable unless we embrace physical changes to our neighborhood, and define for ourselves how and where we want that change.

⁴ See Comprehensive Plan Future Land Use Map, Office of Planning, available at <https://dcgis.maps.arcgis.com/apps/webappviewer/index.html?id=a20689b0eacc48beb26164c6f3980a46>.

⁵ Eckington Civic Association Comprehensive Plan Text Amendments (as originally drafted in 2017), available at <https://eckingtoncivicassociation.files.wordpress.com/2017/04/eckington-comp-plan-amendments.pdf>.

⁶ Eckington Market Overview, Zillow <https://www.zillow.com/eckington-washington-dc/home-values/> (see the single family home tab on the Zillow Home Value Index).

In these amendments, we have risen to that challenge. If the PDR land in our neighborhood can be used for housing, we could easily welcome several thousand new residents over the next decade. Hundreds of new units will be affordable under D.C.'s inclusionary zoning program, and there will be several opportunities to use city-owned land to add 100 percent affordable buildings to our housing stock.

Importantly, these amendments were developed with extensive community input. Between countless community meetings and a dedicated working group of neighbors who love Eckington, we spent months identifying where and how our neighborhood's needs were not being met, and articulating our collective vision for the neighborhood, with equity, affordability, and an acute awareness of the pressures facing our neighborhood front of mind. Unsurprisingly, then, the proposed Eckington Amendments garnered unanimous support from the Eckington Civic Association, ANC 5E, Councilmember McDuffie, and the Office of Planning.

With the proposed amendments, land currently zoned exclusively for PDR would also present opportunities to address significant gaps in city services for local residents. For instance, the D.C. Public Library recently acknowledged in its facilities master plan that Edgewood, Eckington, and Stronghold fall within a service gap.⁷ DCPL is proposing to add a branch library in our corner of Ward 5 and has, to their immense credit, suggested incorporating affordable housing in that future project. As things stand, though, the only DCPL facility within our borders is used for storage (The Lemuel Penn Center at 1709 3rd Street NE). The paradoxical result is that Eckington is viewed by city officials as a suitable location to store library books but not a place where residents can read them.

While it is true that change may come to Eckington even without the Eckington Amendments, it is also true that failure to embrace the Eckington Amendments to the FLUM will unnecessarily create future veto-gates that may very well be exploited by individuals or entities that are hostile to the housing that we need, and to the wishes of our community. Your proposal to drop the Eckington Amendments at this late stage threatens to render meaningless years of community engagement and input.

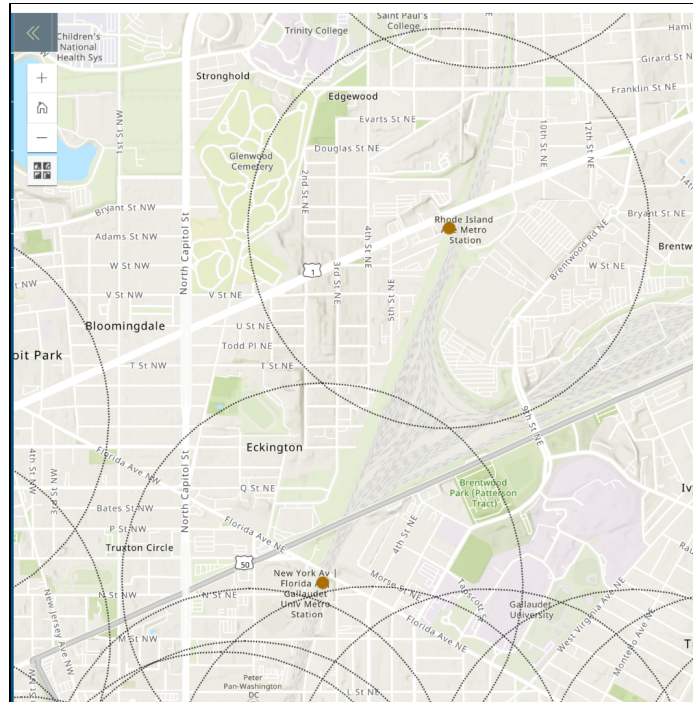
Failure to embrace community-supported residential and commercial uses of Metro and trail-adjacent is a major missed opportunity.

In the Committee Report for the Comprehensive Plan Act of 2021,⁸ you note your desire to strike a balance between neighborhood preferences for housing and retail uses and acknowledged "racial equity issues" and the "the need to retain enough [Production Distribution and Repair (PDR)] land to meet the District's needs and the near impossibility for finding new areas for PDR uses."⁹ But let us not mince words: no balance is being struck in Eckington. Removing the Eckington Amendments would override community-led efforts to encourage land uses that are completely compatible with the city's housing and environmental goals.

⁷ Next Libris: Facilities Master Plan 2021-2030, *D.C. Public Library*, available at http://www.dclibrary.org/sites/default/files/DCPL_NextLibris_111020-Web.pdf.

⁸ Committee Report on Bill 24 -1, the "Comprehensive Plan Amendment Act of 2021," D.C. Council Committee of the Whole, available at <https://www.dropbox.com/sh/spty70s5oo5yfem/AADUSUH999hZBrW8TCr2V9Zra?dl=0&preview=B24-1%2C+Comp+Plan+-+PACKET.pdf>.

⁹ *Id.* at 9.



Map of Eckington showing 1/2 mile radius of NoMa and Rhode Island Metro Stops¹⁰

The Eckington Amendments represent a critical opportunity to add housing and neighborhood-facing businesses in locations that are easily accessible by public transit, walking, or biking. All of the impacted property falls within a half-mile radius of either the NoMa or Rhode Island Avenue Red Line Metro stations, and also fall within a block of the Metropolitan Branch Trail—one of the few connected and protected micromobility corridors in Northeast DC.

In fact, one would be hard-pressed to find many better locations for housing that can accommodate residents who cannot afford to own a car or who prefer more sustainable lifestyles. It is this accessibility that is already driving residential growth in Eckington. In the Southeast corner of our neighborhood, we are about to welcome approximately 1,500 new residents in two private developments. In the Northeast corner of our neighborhood, we are supporting efforts to rezone several properties for high density residential and moderate density commercial uses.¹¹ The proposed embrace of additional housing and retail uses of PDR land in Eckington reflects our embrace of a future for our neighborhood that is both obvious and inevitable.

To the extent that there is a conflict between residential and PDR land uses in Eckington, it already exists.

We have heard from your office that you are concerned about reducing the availability of PDR land within the city. The Eckington Amendments would not remove PDR from the FLUM; rather

¹⁰ Transit Within Reach: Walksheds, *Metropolitan Washington Council of Governments*, available at <https://www.mwcog.org/maps/map-listing/transit-within-reach-walksheds/>.

¹¹ Letter supporting “South RIA” map amendment that would rezone several properties from PDR-2 to MU-10, *Eckington Civic Association*, June 25, 2020, available at <https://app.dcoz.dc.gov/Content/Search/Download.aspx?exhibitid=217099>.

they would make it easier for property owners to pursue residential and commercial uses of the land within our proposed amendment area. Almost all of the existing PDR uses are perfectly compatible with new or existing residential and commercial uses. For example, an air compressor repair shop¹² is currently located one block away from several residential properties, and that will continue to be the case even if the Eckington Amendments are reinstated.

We have also heard from your office that your decision to remove these amendments is driven at least in part by two assumptions: first, that there is no existing conflict between Eckington's current residential makeup and adjacent industrial uses; and second, that these amendments would increase the conflict between PDR land use and residential and commercial-zoned areas by bringing them closer together in our neighborhood.

Both of these assumptions are mistaken. The truth is that our neighborhood already abuts heavy industrial activity, whether we like it or not. A stroll down the Metropolitan Branch Trail or a search through DC air quality complaints makes that exceedingly clear.

For example, the Fort Myer asphalt plant, located in Northeast Eckington, is legally permitted to emit significant amounts of sulphur dioxide and other particulates into the air and the lungs of Eckingtonians and other Ward 5 residents.¹³ The plant is already in close proximity to existing housing (and their occupants), users of the Metropolitan Branch Trail, as well as those who work and study at the Carlos Rosario International PCS Sonia Gutierrez Campus (which is directly across the street from the asphalt plant). The science is clear that even low concentrations of sulphur dioxide and other particulate matter in the air is harmful to human health, particularly children, older adults, and individuals with asthma.¹⁴ The Eckington Civic Association, Eckington's Advisory Neighborhood Commissioners, and representatives of Councilmember McDuffie's office are routinely copied on air quality complaints relating to this plant. For these reasons, there is no question as to whether changing the zoning designation will *create* a conflict with the operation of the asphalt plant, or any other pollution or hazard created by industrial activity nearby. Instead, the reality is that a conflict between uses *already exists*.

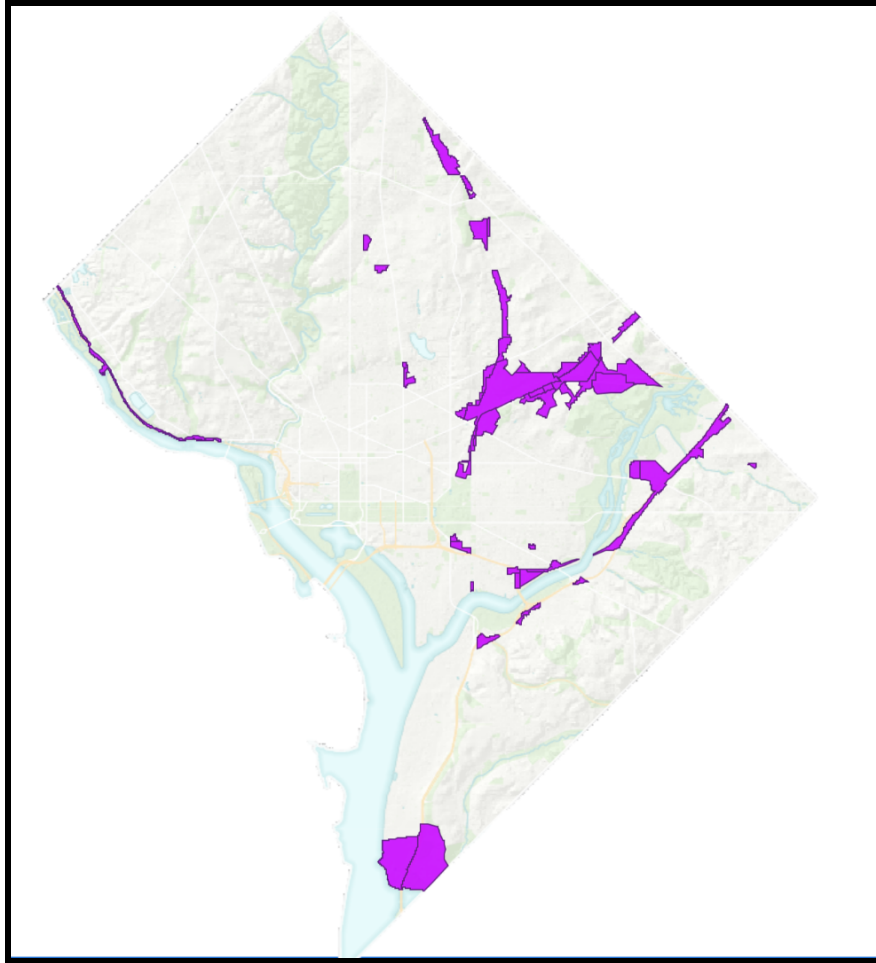
These environmental justice concerns should be addressed in another setting, but at the very least, the Council should not make the problem worse by dropping the Eckington Amendments from the Comprehensive Plan. As you know, communities of color are more often harmed by this pollution because industrial areas are more often built near them. That is the case here in DC as well, where Wards 5 and 7 are disproportionately burdened with PDR-designated land compared to the rest of the city. This is a fairly recent phenomenon. As recently as 2003, large portions of Ward 6 that are now home to two stadiums and mixed use developments were zoned exclusively for industrial purposes.¹⁵

¹² See District of Columbia Location, *Washington Air Compressor Rental Co.*, available at <https://www.washair.net/washington-dc.htm>.

¹³ Fact Sheet and Statement of Basis for Proposed Permitting Action, *D.C. Department of Energy and Environment*, April 11, 2016, available at https://doee.dc.gov/sites/default/files/dc/sites/ddoe/release_content/attachments/Fact%20Sheet%20and%20Statement%20of%20Basis%20FMCC%20Plant%201%20Permit%20028-R1.pdf.

¹⁴ See, e.g., Sulfur Dioxide, *American Lung Association*, available at <https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/sulfur-dioxide>.

¹⁵ See D.C. Historic Zones, D.C. Office of Zoning, available at <https://maps.dcoz.dc.gov/HistoricZoning/>.



2016 Office of Zoning Map of PDR-zoned land¹⁶

An obvious, more equitable solution to this imbalance that preserves the availability of industrial-zoned land in the city would be to designate more PDR-zoned areas in non-Ward 5 and 7. But instead, by eliminating the Eckington Amendments, you are insisting that communities with existing PDR must continue to deal with the consequences of industrial activity, and ought not to have a say in the matter.

We hope that you and other members of the council do not remove the Eckington Amendments based on the mistaken belief that such action will prevent conflicting land uses. The conflict already exists in our neighborhood, and these Amendments will do nothing to change that.

There are better solutions to concerns about PDR-zoned land.

As you and your colleagues consider how to address D.C.'s need for PDR-zoned land, we hope you recognize that there are many alternatives to rejecting amendments that have broad community support. To name just a few:

¹⁶ Zoning Regulations of 2016 Overview, D.C. Office of Zoning, *available at* <https://dcgis.maps.arcgis.com/apps/MapJournal/index.html?appid=ae5830535a384a7f9ae40527f607b32e§ion=8>.

1. The Council should scrutinize the purported rationale for preserving exclusively PDR-zoned land and ensure that that rationale actually applies in Eckington. For instance, the draft Committee Report claims that “District law requires ABC distributors to house products within the District;” however, we are unaware of any ABC distributor that is located in Eckington.
2. The Council should reconsider laws that create artificial pressures to locate PDR uses in metro-accessible locations like Eckington. It is not self-evident that D.C. needs to locate certain activities within its borders, especially since D.C.’s unique jurisdictional boundaries create unique challenges for our city. No one would suggest, for example, that D.C. should set aside enough agricultural land within its borders to feed current and future populations. We do not need to use land with such a high opportunity cost to park dump trucks and store excess construction material.
3. The Council and the Office of Planning should consider alternative locations for lower-impact uses that make up a large portion of Eckington’s PDR-zoned land. The city should consider doing an audit of potential locations for surface level parking lots that are not located in transit-rich environments or that are compatible with these kinds of uses.
4. Perhaps most importantly, the principles of environmental justice might be better served if the Council took seriously the need to locate PDR land more evenly across the city. It is lamentable that we find ourselves in a situation where nearly all PDR land is located in Wards 5 and 7. Eckington residents already bear the impacts of our own proximity to heavy industrial activity. It begs the question of why the solution is to perpetuate this inequity for ten more years by rejecting our neighborhood's desire for change, as opposed to equitably distributing it across other Wards.

Conclusion

For these reasons, we respectfully request that you reinstate Mayor’s Amendments 2419.2 and 2419.3 to the Future Land Use Map in the Comprehensive Plan Act of 2021. Both of these amendments were the product of extensive, open, community-led efforts to preserve Eckington’s affordability and diversity. They have won the support of the Eckington Civic Association, ANC 5E, the Office of Planning, and Ward 5 Councilmember McDuffie. Please do not hesitate to contact us at eckingtoncivic@gmail.com or at 202-210-1528.

Best,

Conor Shaw
President
Eckington Civic Association

Shelley Vinyard¹⁷
Former Chair
ECA Development Committee

¹⁷ Ms. Vinyard led the open, community-led process for conceptualizing and drafting the Eckington Civic Association’s proposed amendments to the Comprehensive Plan.

cc: Ward 5 Councilmember Kenyan McDuffie
At-Large Councilmember Anita Bonds
At-Large Councilmember Christina Henderson
At-Large Councilmember Elissa Silverman
At-Large Councilmember Robert White
Evan Cash, Committee and Legislative Director, Committee of the Whole
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