INTERSECT

NEWSLETTER

September 8, 2004 OF THE Volume 8 Number 4

WASHINGTON REGIONAL NETWORK FOR LIVABLE COMMUNITIES

FORUM ANNOUNCEMENTS

WRN Fall Forums Series:
Housing Strategies for a Smart Growth City

WRN's fall forum series addresses current dilemmas and opportunities for building and maintaining affordable housing and mixed income neighborhoods in the District of Columbia and the region. In part, this series will inform the D.C. Comprehensive Housing Strategy Task Force process. The series will also explore how federal polices dramatically impact local affordable housing supply. Watch for upcoming events and check our website: www.washingtonregion.net.

Mallternatives: How Retail Fits into Transit-Oriented Development

By Cheryl Cort

Downtown District of Columbia, like other cities, used to be a shopping destination with major department stores. Some time ago, this shopping decamped to the suburbs, and the city has struggled ever since to recapture stores and shoppers. Speaking at WRN's forum July 12 on retail and transit-oriented development, Seth Harry, new urbanist architect, planner and retail development specialist, outlined the dynamics of how high volume, high capacity roads and automobile-oriented mega stores have disconnected retail from a community context.

Harry explained that while basic categories of retail (the goods that households need to purchase) have not changed, store sizes and formats have in response to the need and ability to capture a larger number of households to remain competitive in the low density/large road land use patterns prevalent in suburbia. As a result, while the actual sales per square foot of individual stores as well as square footage of retail space per household has not essentially changed, the distance that shoppers travel has.

"The bigger the box, the more powerful the draw," Harry said. He pointed out that the big box model of relying on bigger and bigger roads leads these large scale retailers to

(continued on page 3)

Metro's Leaders Appeal for Public Outcry on Essential Funding

By Cheryl Cort

Washington Metropolitan Area Transit Authority (WMATA or "Metro") Board chairman and Maryland representative Robert Smith and Arlington County representative Christopher Zimmerman agreed strongly on the need for public outcry over Metro's dire funding needs. The two Metro leaders spoke at an August 11 forum moderated by Bruce DePuyt, host of Newschannel 8's *Newstalk*. The forum was co-hosted by WRN and the Sierra Club.

Smith said that there is not a groundswell among the public talking about Metro's funding problem. "People need to get involved in the system, a lot more people."

When Smith joined the board last year, he was surprised to learn that Metro "doesn't have a dime saved" to replace 30-year old facilities, as a homeowner would. Smith said that the public and Metro board members expect all the jurisdictions Metro serves to pay for the rehabilitation of the aging system. According to Smith, "that's the billion dollar problem, it's not something you can fix right away."

Zimmerman concurred, "We need everyone to see this as the problem that needs to be solved," Zimmerman said. Today, the system carries more people than anyone ever dreamed of 30 years ago, Zimmerman said.

The current $1.5 billion unfunded six-year capital program proposed by Metro staff, which will buy 120 rail cars and 185 buses and provide essential rehabilitation of the aging infrastructure, is "what we need to avert disaster" according to Zimmerman. He said that Metro has developed 10- and 20-year capital investment programs of billions of dollars to meet demand, improve service and expand the system. However, support for such high expenditures was considered unrealistic. These plans by WMATA, he said, were continually pared down until the Metro staff proposed a $1.5 billion capital renewal program to provide the bare minimum necessary to repair the system and keep up with growing ridership.

(Continued on page 4)

WASHINGTON REGIONAL NETWORK
FOR LIVABLE COMMUNITIES

WRN advocates transportation investments, land use policies, and neighborhood designs that enhance existing communities and the environment of the Washington D.C. region.

1777 CHURCH STREET, NW, WASHINGTON, DC 20036
PHONE: (202) 667-5445 FAX: (202) 667-4491
EMAIL: STAFF@WASHINGTONREGION.NET
WEB: HTTP://WWW.WASHINGTONREGION.NET

Cheryl Cort, Editor; Peter Buryk, Elizabeth Cox & Jennifer Port contributing writers; editorial assistance by Lyn Stoesen.

(Mallternatives continued from page 1)

continuously abandon their last big box store in order to create an even bigger one in their never-ending efforts to control marketshare. According to Harry, this leads to "a lot of empty real estate." Harry suggested that stronger, more coordinated land use and transportation planning will lead to the community context itself defining the most appropriate types and scales for retail centers, including neighborhood store, main street shops, town center shops, and regional shopping districts.

Repairing the viability of urban retail relies on household densities and walkability that allow retailers to serve a market within a "ped-shed" of households within walking distance of the store, or at most, a short drive on local streets.

Harry said that parking to serve most types of retail will be a reality for the near future until such densities for walkability are achieved. He cited Vancouver, British Columbia as an example of a community having a high enough level of density and livable, walkable neighborhoods to support true urban retail. "You need real density to get a pedestrian scale," Harry said, not just something that looks urban.

Randy Gross, an economic development consultant, also spoke at the event. Gross said that market potential for retail depends on not just the number of households in the trade area, but the expenditure ability of those people. He said that retail amounts to a minor part of a transit-oriented development strategy. Instead, retail lives off of housing and jobs located near retail, which may be sited to take advantage of transit. Metrorail stations have provided some expansion of a retail market, but the key factor is an increase in the number of households and employment, Gross said. He emphasized that mixed-use development provides an opportunity to reduce traffic if more people are able to walk to stores.

Regarding the question of scale, Gross said it is important for a community to develop its own vision for development. He suggested that retail development strategies are successful when based on enhancing a sense of place and fostering a distinct identity. Gross suggested that expanding existing retail might be a better strategy than working to bring in new stores. He stressed that a mix of national and independent retailers is a healthy strategy for sustained success. He also suggested that attracting some higher income households to lower income neighborhoods helps create healthy, diverse communities that can support a broader mix of retail. Both Harry and Gross stressed that communities should decide what kind of communities they want to be and what kind of retail best makes those neighborhoods good places to live.

Region's Travel Model Shows Roadbuilding Bias, Study Documents

By Cheryl Cort

The Washington region's transportation traffic model overstates the benefits of new highways, and understates the benefits of better transit service, according to a new independent study sponsored by Environmental Defense. Based on this study, the environmental group calls on the region's leaders to urgently address the travel model's many flaws. The results of this model are of critical importance to the region because they form the basis for assessing what kinds of transportation investments will be required to meet future travel needs and manage traffic congestion.

According to the analysis by Smart Mobility, Inc., a transportation modeling consulting firm commissioned by Environmental Defense to conduct the study, the National Capital Region Transportation Planning Board (TPB) continues to use a traffic model that contains many errors that are considered outside acceptable practice and that produce large errors on estimating amounts of traffic and transit riders during rush hour. In addition to the independent study by the environmental group, the analysis concurs with many of the concerns raised by an audit conducted by an expert panel from the Transportation Research Board (a division of the National Research Council), which was commissioned by the TPB itself to assess the adequacy of its travel model.

Without correcting these errors, Smart Mobility asserts, "the region cannot be confident that the planning efforts underlying billions of dollars of public investments are valid, or whether air quality standards crucial to public health will be achieved."

The following are examples of specific problems with the model identified by Smart Mobility:

1. The model shows large errors in vehicle counts for freeways carrying large volumes of traffic. These model traffic counts are a good indicator of how well the entire travel model performs. Given the level of inaccuracy, the study suggests that the poor model results call for a complete reworking of the TBP model rather than tinkering with portions of it.

2. The model relies heavily on ad hoc adjustment factors or "fudge factors" that are insensitive to changes in travel time and travel cost, and hide induced traffic that is produced by widening or building new highways, as well as dampening the traffic reduction benefits of investments that improve public transportation, walking and bicycling.

3. The transportation model is run in a manner that does not properly balance its books to produce sound, consistent and repeatable estimates of travel time and traffic flows. This

(Continued on page 3)

(Travel Model Continued from page 2)

likely causes the model to overestimate future traffic volumes on congested roadways. Therefore, the model overestimates the need for additional roadway capacity.

4. The transportation model consistently produces very large errors in estimating how many cars and transit riders travel during morning and evening rush hours when compared with actual counts of traffic or transit riders. This means the model produces significant errors in estimating congestion, travel time delay, and how people will respond to changes in highways, transit, and travel costs. This undermines the credibility of any analyses done with the model.

There is a fundamental disconnect between the assumptions used for air quality analysis and the estimates of travel produced by the transportation model. This has until now been ignored by the TPB staff, but is of great concern to the Transportation Research Board Review Committee and Environmental Defense because it means that the models cannot be trusted to produce reliable estimates of traffic, congestion delay, air emissions, or the differences between various alternative transportation investments and scenarios. Unless these errors are corrected, the model cannot fairly characterize the congestion and delay that shape travel behavior in our region, and the response of travelers to changes in highway capacity like the InterCounty Connector (ICC) highway, value priced lanes (HOT lanes), or Metro improvements.

5. TPB staff recently found errors of 20 percent or more in base year employment estimates. The household and employment inputs are the foundation of travel demand modeling and affect all outputs. These problems have until now been covered up by the extensive use of adjustment factors that directly affect the model's estimates of travel and traffic.

Despite the potential that an improved model could produce different results - possibly showing worse air pollution - Michael Replogle of Environmental Defense urged the TPB to revamp the model. Replogle said, "investments in better analysis tools can yield huge payoffs in better decisions that produce more efficient transportation systems and better travel choices, while better protecting the environment and public health."

Support *Intersect,* Join WRN

Join WRN and support *Intersect*. WRN a basic contribution is $35 for individuals and $200 for organizations.

Thanks! WRN thanks the following donors for their support of our efforts to promote livable communities in the Washington region: Prince Charitable Trusts, The Woodbury Fund, Christine Matthews, Carol Casperson, Teera Games and Paula Van Lare.

Vienna Metro Development Project Deferred

By Peter Buryk and Cheryl Cort

Ambitious plans to redevelop a 70-acre area into a mixed-use transit-oriented community at the Vienna Metro station in Fairfax County, Va., were postponed again by the Fairfax County Planning Commission until October 14. At a July 22 public hearing, citizens testified both for and against the proposed Fairlee-Metro West project. Supporters cited the developers' commitment to smart growth principals, while opponents criticized higher residential densities in a suburban area and questioned if Metrorail has the capacity to serve future growth.

The project proposes up to 2,350 residential units, 300,000 square feet of office space, and between 25,000 and 75,000 square feet of retail space. In July 2003, the Planning Commission voted to defer consideration of the Out-of-Turn Plan Amendment to the Comprehensive Plan covering the project due to the complexity of the issues and a desire to have more time to evaluate the proposal. After another round of public testimony in July 2004, the Planning Commission voted to defer its decision until September and again deferred to October. Part of the plan's distinctiveness originates from its voluntary buyout of 61 existing homeowners to make way for more than 2,000 new residences, along with offices and shops.

The Metro West project, located south of the Vienna Metro station between Interstate 66 and Route 29, would create a community based on transit-oriented design principles emphasizing pedestrian access, higher residential densities, and a mix of uses. Most new residents would live within a quarter-mile of the Metro station and could safely walk to the station, offices and shops. Retail spaces would cater to neighborhood residents and would not serve as a shopping destination for the larger community. Plans also include parks and community meeting facilities.

The proposed development provides for approximately 100 affordable housing units, or roughly 4 percent of the total number of new homes. Sixty-one of those units will replace existing affordable homes on the site, and the remainder will satisfy requirements of Fairfax County's Affordable Dwelling Unit ordinance.

WRN pointed out in testimony at the July hearing that although it would like to see more affordable housing, it supports the proposal because it will offer a dramatic increase in the amount of housing at this Fairfax Metro station. This increase would allow more moderate-income families to live close to mass transit. WRN noted that Fairfax County provides the lowest amount of affordable housing per capita in the area according to a recent study by the organization.

(Continued on page 4)

(Vienna continued from page 3)

WRN, along with the Sierra Club and the Coalition for Smarter Growth, testified in favor of the project citing development like Metro West as an important contribution to accommodating the Washington region's rapid growth and demand for housing, retail, and offices accessible by transit. Smart growth advocates explained that walkable communities near transit like Metro West reduce residents' reliance on cars and congested highways, and help improve air quality.

105 Acres of Metro Land Offered for Development

By Cheryl Cort

More than 105 acres of Metro-owned land at six Metro stations in the District of Columbia, Prince George's and Montgomery County, Maryland are offered for development under the Washington Metropolitan Area Transit Authority (WMATA or "Metro") annual "Joint Development Solicitation" issued in July. No properties in Virginia were included in this year's solicitation.

The solicitation calls for transit-oriented development on Metro lands that meet Metro'' Joint Development Program goals adopted in 2002. Projects will be preferred that best meet these criteria, including those that: reduce automobile dependency; increase pedestrian/bicycle trips to transit; foster safety in surrounding areas of transit stations; improve connections to transit stations, including bus access; provide mixed-use development, including housing, retail and office uses; create opportunities to obtain goods and services near transit stations; and offer active public spaces.

In D.C., the two sites offered by Metro are at the Anacostia and Fort Totten Metro stations. The west parcel offered at Fort Totten Metro station is currently a 425-space surface parking lot. The request for proposals asks that WMATA facilities be replaced on site. No reduction in parking is mentioned, although D.C. has requested a 43 percent reduction in replacement parking for the Rhode Island Avenue Metro station joint development site. A strong preference by the D.C. Office of Planning for projects that provide affordable housing and optimize allowable density was cited. The east WMATA parcel at the Fort Totten Metro station was awarded to Clark Realty previously and is approved for 320-360 rental housing units. The project will reconnect a closed street, create apartment buildings fronting the street, offer on-street parking and locally serving retail across from the Metro station entrance.

The Anacostia site owned by WMATA is within the Anacostia Framework Plan area and is being promoted by the D.C. Office of Planning as an opportunity area to create a "highly walkable civic area with relatively higher densities of residential development and ground floor convenience

(105 Acres Continued from previous column)

retail uses." The main parcel covers 4.63 acres and is designated for high-density use allowing for a floor area ratio of 6.0. However, bus bays for 24 bus routes currently cover a majority of the parcel, and would need to be replaced as part of any project.

In Prince George's County, development at the new stations at Largo Town Center and Morgan Boulevard will be guided by the county's Development District Overlay Zone which includes design standards and provisions for parking reductions and site plan flexibility. At Morgan Boulevard, however, WMATA is moving forward with plans to construct two parking garages flanking each side of the station entrance, totaling 2,100 parking spaces.

Other development sites offered were located at New Carrollton and Grosvenor Metro stations. Written expressions of interest in the sites are due Sept. 10. Full proposals are due Oct. 22.

(Metro's Leaders continued from page 1)

While Smith focused on securing funds from the federal government to support renewing the system, Zimmerman emphasized that every level of government needs to pitch in - federal, state and local. According to Zimmerman, broader public support for the system is justified because transit is a great benefit to the region's economy, private land-owners and drivers who would contend with worse traffic if transit riders drove to work.

At the Aug. 19 WMATA Board and Budget Committee meetings, Metro's leaders adopted a funding plan to request member governments to fund a six-year Infrastructure Renewal Program for $524.9 million, a Rail Car Program for $600.6 million, and a Bus Program for $171.5 million. It is assumed that the federal government will pay the full cost of the Security Program ($143.5 million). WMATA expects a significant portion of the other programs to be funded by the federal government. The Budget Committee approved a change to purchase an initial 50 buses now rather than the full original 185 buses. While the committee committed to fully fund the bus program, prior to additional purchases, member jurisdictions will evaluate the future needs of Metrobus and local bus service. The final decision on the entire funding package will be made at the October 21 board meeting.

At the Aug. 19 Budget Committee meeting, the staff presented a projected operating budget deficit of $42 million for FY06 and $31 million for FY07. Although ridership is forecast to increase by 2 percent on rail and 0.5 percent on bus for a 3 percent growth in revenue, labor costs, along with new service expenses are driving an over 6 percent increase in costs. The board adopted a resolution calling for the establishment of a "blue ribbon" panel to address the issue of dedicated funding for both operating and capital needs.

Montgomery Considers Tightening Inclusionary Housing Policy

By Cheryl Cort

County leaders agree that Montgomery County's 30-year old Moderately Price Dwelling Unit Program (MPDU) is due for an overhaul. Despite many changes along the way and remarkable accomplishments - the county leads the region and the nation in the production of affordable housing as part of private developments - the law crafted 30 years ago is failing to meet many of the challenges of the hot housing market in an affluent, job-rich urbanizing county.

The MPDU law requires that residential developments of 35 or more units provide 12.5 to 15 percent of the units at prices affordable to moderate income households. Projects that include more than the minimum 12.5 percent MPDUs are eligible for a density bonus on a sliding scale up to 22 percent overall increase in density if 15 percent of the units are MPDUs. The density bonus is designed to compensate developers for the cost of the affordable units. As residential development has increasingly shifted to high-rise zones, height and density limitations along with the high cost of high-rise construction have constrained the MPDU program's ability to compensate developers. In high-rise zones, this has led to developers typically being allowed to buy-out of half of their MPDU obligation through fees contributed to a county housing fund. Buy-outs have been criticized for allowing developers to pay too little for avoiding building MPDUs on site.

Responding to piecemeal bills in 2003, then Montgomery Council President Michael Subin commissioned council staff to conduct a comprehensive review of the MPDU program, which was completed in February 2003. Following this report's release, two sets of legislative proposals emerged from different alliances of council members. Councilmember Nancy Floreen spearheaded a set of bills and five zoning text amendments (ZTAs) to implement the changes. Councilmember Marilyn Praisner offered a single bill that closely follows the council staff report's recommendations. These bills and ZTAs will be considered by the Planning Board and County Council in September, along with two other bills from last year: one barring buy-outs altogether, and one requiring MPDUs in large lot residential zones.

Key issues addressed by the proposed legislation are intended to correct what many county government staff, elected officials and housing activists see as critical shortcomings in the existing program. The following is a brief review of some of the main issues addressed by the legislative proposals:

Control Period of Affordable Units: While the county has produced more than 11,000 housing units over the program's 27-year history, only about 4,000 units remain in the program today. Thus, the council is considering extending the control periods, which is currently 10 years for ownership units and 20 years for rental housing. The Floreen bill would extend the control period to 30 years for for-sale and rental units. The Praisner bill follows the staff report recommendation and proposes 99 years for all MPDUs, with a provision to create funds to compensate owners and provide rehabilitation loans for their properties.

Projects Covered by MPDU law: The Praisner bill proposes reducing the size of a residential development project requiring MPDUs from 35 to 20 units. The Floreen bill proposes no changes.

High-Rise Zones: The Floreen legislation addresses the density restrictions in urban zones in a series of ZTAs mentioned below. The Praisner bill offers the staff report recommendation that reducing the MPDU requirement from 12.5 to 10 percent be allowed in high-rise buildings where height is restricted by the master plan. This is in response to developers typically paying fees instead of building about half of the MPDUs required in high-rise zones where additional density is restricted.

Unbundling High Condo Fees: The Praisner bill follows the staff recommendation to separate out non-essential condo fees such as recreation facilities in order to reduce the fee, which can cause the overall housing cost to be unaffordable to an eligible household.

Buy-Outs: The Floreen bill permits a developer to buy-out of on-site MPDU requirements only if the county finds that condo or homeowner association fees for an "indivisible package of services and facilities" make the unit unaffordable to eligible households. The bill further requires that any buy-out fee paid by the developer must equal the cost of building 25 percent more MPDUs than would have been required on-site. The bill also allows MPDUs to be provided in another location within the same planning area if fees are deemed too high or limits on development would not allow the applicant to achieve the density allowed while building all MPDUs. The Praisner bill provides for buy-outs only in the case of high fee housing where fees cannot be separated, for example in senior or special needs housing.

The Zoning Text Amendments (ZTAs) proposed by Floreen and colleagues address land use regulations in two categories: those around transit stations, and those far from transit stations. To address the problem of density limitations preventing MPDU production in high-rise development districts, Floreen offers ZTAs to reduce public use space requirements and surpass height and density limits in order to locate bonus market rate units and MPDUs on site. Civic groups have strongly objected to these provisions.

(Continued on page 6)

Others, however, have suggested a compromise.

“Both these exceptions [offered in the Floreen ZTAs] are much more sweeping than needed to encourage developers to build the 12.5 percent on site,” according to Pam Lindstrom, a longtime Montgomery civic and smart growth activist. Lindstrom suggests choosing one of a number of alternatives of less permissive provisions to achieve the full 12.5 percent MPDUs on site: a reduction in public use space from 20 to 10 percent (rather than reduced to 5 percent as proposed by the Floreen ZTA), or lot coverage increase from 75 to 80 percent, or possibly adding one additional story to the building. Developers are offered a density bonus for extra MPDUs provided above 12.5 percent. Fitting these market rate bonus units on site is not necessarily possible or desirable, Lindstrom said. She recommends focusing on achieving construction of the 12.5 percent MPDUs on site, which does not require a density bonus.

“The few extra MPDUs would not justify a large overall increase in the number of market rate units,” Lindstrom explained, if a density bonus was in excess of master plan limits. The staff report states that the best way to address scale and bonus densities desired is in the master plan. This proposed legislation however, is in part a response to master plans that are currently constraining the siting of MPDUs in development projects.

A ZTA introduced last year calls for requiring MPDUs in certain large lot zones if the parcel has sewer service. Only a limited number of properties would be affected, and the yield of total number of MPDUs would be low, according to the staff report. At last year’s hearing, civic groups opposed this proposal, as well as some housing activists and smart growth groups. Some objected to increased rural densities, while others did not see enough benefit relative to the negative impacts of increased densities far from urban infrastructure.

The County Council will hold a public hearing Sept. 23 at 7:30 pm. For more information call: 240-777-7931, or see: <http://www.montgomerycountymd.gov/csltmpl.asp?url=/content/council/2004news/mpdu.asp>

UPCOMING EVENTS

Wednesday, September 15, 12:30-1:30 pm: **Envision Utah: Lessons from the Front.** Discussion of Salt Lake City's smart growth strategy, with a focus on key strategies and useful lessons on growth planning for all regions. Free. National Building Museum, 401 F Street, NW. See <http://www.nbm.org>.

September 18 - 19: **Green Festival**. Events at the DC Convention Center promoting social justice, ecology, sustainable economy. See <http://www.greenfestivals.com>.

Saturday, September 18, 9 am - 3 pm: **The Virginia Environmental Assembly 2004**: Reconnecting Virginia focuses on the connection between land use, smart growth, rail and road transportation and the environment. $25 or $35 at the door, including lunch. Barboursville Vineyards, VA. See <http://www.vcnva.org/vea/2004/>.

Tuesday, September 21: **The first national Low Impact Development Conference** will highlight techniques to mitigate the effects of urbanization and development on water quality. UMUC Marriott Inn and Conference Center, Adelphi, MD. See <http://www.mwcog.org/environment/LIDconference/>.

September 21 & 22, 9 am - 4 pm: **Safe Routes to Schools training course hosted by City of Rockville**, in cooperation with the Metropolitan Washington Council of Governments, the Federal Highway Administration. Register by Sept. 15 by calling the City of Rockville Bikeway Coordinator at 240-314-8626 or e-mail jradan@rockvillemd.org.

Wednesday, September 28, 12:30-1:30 pm: **Building for the 21st Century**: The Cost and Financial Benefits of Green Buildings. Free. National Building Museum, 401 F Street, NW. See <http://www.nbm.org>.

Friday, September 30: **Public comments due on VTrans 2025**, Virginia's long range transportation plan that focuses on future trends and needs of motorists, rail and transit passengers, cyclists and pedestrians. See <http://www.sotrans.state.va.us/VTrans/home.htm>.

October 17 - 19: **53rd Virginia Transportation Conference.** Discussion of Virginia's Transportation Challenge: Enhancing Mobility Through Safer, Simpler, Smarter Solutions. Hotel Roanoke and Conference Center, 110 Shenandoah Ave., Roanoke, VA. For more information and to register, call 804-225-4698 or see <http://www.vatransconf.org/default.html>

WRN Contribution Form

Individual
- □ $35 basic individual
- □ $50 friend
- □ $100 supporter
- □ $150 sustainer
- □ other ______

Organizational
- □ $60 small
- □ $200 basic
- □ $500 sustaining

Name:

Title:

Organization:

Address:

Email:

Home Phone:

Work Phone:

Fax:

Send WRN Updates via: __email __regular mail __fax

□ Are you interested in volunteering with WRN?

Please add $20/person for Intersect to be faxed long distance or mailed.

Please return this form with a check payable to WRN, 1777 Church St, NW, Washington, DC 20036. WRN is a 501c (3) non-profit organization and contributions are tax deductible to the extent allowed by law. Thank you!