



Government of the District of Columbia
Advisory Neighborhood Commission
Box 75115
Washington, DC 20013



October 19, 2010

Ms. Sharon S. Schellin
Secretary of the Zoning Commission
Office of Zoning
One Judiciary Square
441 4th Street NW, Suite 210S
Washington, DC 20001

RE: ZC Case 08-06-12 –ANC 6A Comments on Comprehensive Zoning Regulations Review for Planned Unit Developments (PUDs)

Dear Ms. Schellin:

At a regularly scheduled and properly noticed meeting on October 14th, 2010, our ANC voted 7-0-0 (with 5 Commissioners required for a quorum) to provide the following comments on the framework for the Comprehensive Zoning Regulations Review for Planned Unit Developments (PUDs).

First, our Commission supports the OP proposal to make the bonus density a fixed percentage of the underlying zone. The current system, in which the PUD standards allow for a 20% density bonus in a C-2-A zone but a 71% density bonus in a C-2-B zone, appears arbitrary and lacks rational justification. In contrast, the proposed system eliminates this wide disparity in bonus density between zones.

Second, we appreciate OP's effort to quantify community amenities with a point system to better insure that there is greater equanimity of community amenities between PUDs. However, there are currently insufficient details about how this proposal might work to insure that there is still enough flexibility in PUD amenities to tailor community amenities to specific communities. We ask the Zoning Commission to require OP to provide more details of this system before it approves the proposed framework.

Finally, our ANC believes that Type 3 PUDs should be eliminated or severely restricted in the revised regulations. Under the current system, most proposed PUDs have an associated map amendment, resulting in bonus density above what is allowed under the basic PUD regulations. This bonus density "double dipping" circumvents the intent of Council approved planning documents and encourages land speculation that retards the redevelopment of commercial Corridors. In 2007, ANC 6A proposed two text amendments that prevented map amendments as part of a PUD application in the H Street NE Neighborhood Commercial Overlay (ZC #07-10 and #07-22) to address these concerns. ANC 6A's text amendment request in ZC case #07-22 is

attached to this letter and details how the map amendment in Capitol Place PUD (ZC #05-37) was both the product of and the catalyst for land speculation on the H Street Corridor and how the map amendment in this case undermined the goals and polices outlined in the H Street NE Strategic Plan.

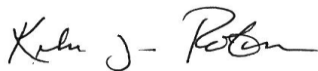
If the new PUD regulations are implemented within the framework proposed by the Office of Planning, it is likely that Type 3 PUDs will continue to dominate PUD applications because developers will not required to justify the need for a second bonus density before proposed the PUD. We believe that the Zoning Commission should implement policies and procedures to encourage the vast majority of PUD applications to be Type 1 or Type 2 by either eliminating Type 3 PUDs or by:

1. Eliminating Type 3 PUDs in Neighborhood Commercial Overlays and residential zones and;
2. Eliminating the ability for Type 3 PUDs in other zoning districts to be approved in a consolidated PUD process. ANC 6A instead urges the Zoning Commission to require Type 3 PUDs to go through a 2-stage process where the first stage requires the applicant to justify why a map amendment is necessary and doesn't undermine the Comprehensive Plan or other Council approved plan.

We look forward to a full discussion of these issues regarding PUDs at future Zoning Commission hearings.

Please be advised that Commissioner Drew Ronneberg, Commissioner David Holmes or any member of the ANC 6A Economic Development and Zoning Committee are authorized to represent the ANC for the purposes of this case. Commissioner Ronneberg can be reached at 202 431-4305 or ronneberg6a02@gmail.com.

On behalf of the Commission,



Kelvin J. Robinson
Chair, Advisory Neighborhood Commission 6A

cc: Harriet Tregoning, Office of Planning Director
Jennifer Steingasser, Office of Planning
Karen Wirt, ANC 6C Chair