

**DC for Reasonable Development: Ward 5 Study Group
Comments in request of remedy in ZC Case No. 17-15
By Chris Otten, March 25, 2018**

On February 23, 2018, Zoning Commission proposed rulemaking established in ZC Case No.17-15 was published in the DC Register. This is the first time we had seen anything of the notice or announcements about this site, and this action to remap it.

According to the agency record, Exhibit 26, the public has 30 days to comment about this map amendment starting when the rulemaking was published in the DC Register. Since the rulemaking was published on February 23, 2018, public comments are due today, March 25, 2018, as we have submitted timely now.

Argument in opposition to the rulemaking

All map amendments are to be found not inconsistent with the Comprehensive Plan. "Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital... ." DC Code § 6-641.02.

The agency record shows a failure to live up to the fundamental principles of the Comprehensive Plan as it relates to a transparent and open review of impacts as it relates to this proposed map amendment, which will take this parcel (as soon others in precedent to follow) to high-density zoning parameters.

Despite the increase in density offered by this map change, no studies on affects to the environment, transit systems, gentrification, infrastructure, and other public services (like capacity of local schools, clinics, libraries, police/fire) have been evaluated.

DCMR 10A-2507.6 Policy IM-1.5.4: Transparency in Decision-Making

Strongly encourage transparent decision-making in all land use and development matters, making information available and accessible to residents and maintaining open lines of communication with the public as plans are developed.

Map amendments have the propensity to bring great fortune to developers, but also great misfortune to the existing community and the area around where these dramatic changes are proposed.

DC for Reasonable Development: Ward 5 Study Group and our allies live, work, and play in the area. We are elders, families with children, everyday workers, longtime District residents. We are harmed without a thoughtful and thorough review of planning changes as has sadly happened in this case, ZC Case No. 17-15.

The Commission's arbitrary decision-making here fails the basics of the Comprehensive Plan:

- Policy IM-1.1.6: Studies Preceding Zoning Case Approvals
- Policy E-3.4.2: Transparency of Environmental Decision-Making
- Policy E-4.1.3: Evaluating Development Impacts On Air Quality

- Policy E-4.3.5: Noise and Land Use Compatibility
- Policy IM-1.1.3: Relating Development to Infrastructure Capacity
- Policy LU-2.4.9: High-Impact Commercial Uses
- Policy T-1.1.1: Transportation Impact Assessment
- Policy T-1.1.2: Land Use Impact Assessment
- Policy CSF-1.1.1: Adequate Facilities
- Policy IN-6.1.3: Developer Contributions
- Policy UD-2.3.2: Large Site Scale and Block Patterns

We expect imminent harm from this map amendment as it will affect the quality of life for DC4RD: Ward 5 members and those of our allies.

This map amendment means much bigger projects than now allowed. More density means more people using and abusing the existing levels public services, water, air, transit, etc., etc.

Members living in Ward 5 in proximity to this site and others nearby deserve to review acute studies seeking to ensure protections of the existing residents. Without identifying potential impacts, we risk imminent harm because there can be no mitigation conditions in the remapping, or perhaps, if done the studies would show that remapping the site to a much more reasonable Medium-density district is a better alternative.

We ask this rulemaking be put on hold or canceled until the fundamental due process of protections are afforded to the impacted communities around this site.

Thank you,

Chris Otten, co-facilitator

DC for Reasonable Development

202-810-2768

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING
Z.C. Case No. 17-15
(Zoning Map Amendment @ Lot 85 in Square 3846 from PDR-2 to MU-6)

The Zoning Commission for the District of Columbia (Zoning Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of its intent to amend the Zoning Map to rezone Square 3846, Lot 85 from the PDR-2 zone to the MU-6 zone.

Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The following rulemaking action is proposed:

The Zoning Map of the District of Columbia is amended as follows:

SQUARE	LOT	Map Amendment
3846	85	PDR-2 to MU-6

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.