

Dear Zoning Commissioners,

I am a DC citizen writing to request that you deny the text amendment to divide the current MU-4 zoning category into MU-4A and MU-4B.

This division of the MU-4 zone is being proposed because it is relevant to the redevelopment of the Penn Branch Shopping Center. Neighbors and the project developer agreed that the proposed lower-density MU-4A zone would better fit this site. I don't take issue with the fact that the developer and neighbors reached a compromise for this project. In fact, I'm glad they were able to do so!

However, I find it extraordinary that a negotiation between a developer and local residents in just one neighborhood would produce a proposal for an entirely new zone in the zoning code. If adopted, this new zone would be available for re-zonings throughout the District. Already, some of the people testifying before you and submitting comments are proposing that the new MU-4A zone be applied immediately to certain areas that are currently zoned at MU-4, instantly reducing the number of units that could be built on any given site. With the city facing a crisis of housing affordability, it is cavalier and dangerous to wipe so much potential housing off the zoning map with a single stroke.

Even if the proposal to immediately downzone certain areas is not applied, I am still opposed to this amendment to the zoning code because it sets a precedent that will almost certainly be used in the future. Should we create new zones every time a local group of neighbors and a developer reach a specialized agreement for redevelopment? If the Commission passes this proposal, it would demonstrate to DC citizens that a viable way forward for any development compromise to create a new zone. The Zoning Commission must understand that such a situation cannot be the standard method for development negotiations. The existing PUD process is currently facing problems, but the solution is to fix PUDs - not abandon them in favor of adding ever more complexity to the zoning code.

Finally, for Penn Branch specifically, I don't live in the neighborhood and want to emphasize that I am supportive of any good-faith negotiations between a developer and local residents. My issues here are with the process being used to enforce this negotiation, and the effect it will have city-wide. I am disappointed that the OP decided to make this a city-wide case rather than using a solution that would only apply to the question at hand. Is there any reason that the Penn Branch site cannot simply be upzoned to MU-4, but with the developer agreeing to abide by the agreement? There is no requirement in MU-4 zones to build out to the absolute maximum level that the zoning code allows.

I hope that you consider these comments in your deliberations, and thank you for reading them.

Sincerely,

Michael Whelan

Submitted on 7/21/2018 by:  
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