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Sent: Thursday, November 04, 2010 6:06 PM

To: Gray, Vincent (COUNCIL); Cheh, Mary (COUNCIL); Catania, David A. (COUNCIL); Mendelson, Phil (COUNCIL); Brown, Kwame (COUNCIL); Brown, Michael (Council)

Cc: MJSimon524@aol.com

Subject: Bill 18-867, "Comprehensive Plan Amendment Act of 2010"

Chairman Gray, Councilmembers Cheh, Catania, Mendelson, Brown and Brown:

Re: Bill 18-867, "Comprehensive Plan Amendment Act of 2010"

I am writing to urge you to reject OP's proposed amendment to Action LU-1.3.B: TOD Overlay Zone.

OP's proposed language is likely be interpreted as stating that regulations for TOD should be applied to all areas surrounding transit stations and stops. This would include a very large proportion of the commercial and medium to high density residential land in the District.

The current Comprehensive Plan is clear about the need to undergo a planning process to determine where TOD provisions are appropriate and how the TOD provisions should be applied in each TOD area. This added language undercuts the need to undertake that planning process, and as a result might be used to justify applying these provisions around all Metrorail stations and around all corridors that will have streetcar service or frequent bus service.

The language that is being replaced is clear in stating that during the ZRR process, the TOD overlay zone is being defined, but not mapped. The proposed language replaces this clear distinction, and appears to define where the TOD provisions should be applied, in spite of retaining some of the language about the planning process. There are many areas "surrounding transit stations and stops" in the District where application of the TOD provisions, including increased densities, elimination of minimum parking requirements and the imposition of maximum parking requirements, would not be appropriate and would have a negative impact on surrounding neighborhoods.

If not to prejudge the mapping of the areas where TOD provisions should be applied, there could be no reason for this language change.

I strongly urge you to reject OP's proposed amendment to Action LU-1.3.B.

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