



Chairman Phil Mendelson

An Amendment
Bill 24-1, the Comprehensive Plan Amendment Act of 2020
Proposed Committee Print - April 20, 2021

Section 2(b) is amended by revising paragraph (36) (lines 177-182) to read as follows:

“(36) The area shown as the Mayor’s proposed amendment #1691, as High Density Commercial/Medium Density Residential/Parks Recreation and Open Space, and generally bounded by 1st Street NW, Michigan Avenue NW, North Capitol Street, and Evarts Street NW (extended), is changed to Medium Density Commercial/Medium Density Residential/Parks Recreation and Open Space.

Rationale:

This amendment pertains to the McMillan Reservoir sand filtration site. The large site has been approved for redevelopment through the Planned Unit Development (PUD) process by the Zoning Commission. The rationale for approval included the fact that the greater density allowed along northern portion of the site could be averaged over the entire site and thereby be consistent with the Comprehensive Plan. The PUD was appealed but was upheld by the DC Court of Appeals. Nevertheless, a strict reading of the current (pre-2020) Future Land Use Map would find that the approved density along Michigan Avenue more appropriately aligns with a Medium Density Commercial FLUM designation. It is absolutely not the intent of this amendment that the PUD should be amended to permit greater density and it should not be construed as such. Rather, out of caution it is the intent of this amendment to minimize the possibility of any further litigation over the siting and density of the redevelopment on the McMillan site as currently approved.