

**BEFORE THE ZONING COMMISSION
FOR THE
DISTRICT OF COLUMBIA**

**Milestone East Capitol 2, LLC
Milestone East Capitol 3, LLC
Milestone East Capitol 4, LLC
Milestone East Capitol 5, LLC**

**STATEMENT IN SUPPORT OF A PETITION
FOR A ZONING MAP AMENDMENT
FROM THE RA-1 DISTRICT TO THE RA-2 DISTRICT
FOR
SQUARE 5411, LOT 802
SQUARE 5412, LOT 801
SQUARE 5413, LOT 802
SQUARE 5413N, LOT 801**

January 7, 2019

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EXHIBIT	DESCRIPTION
A	Surveyor's Plat
B	Aerial Photographs Showing the Property and Surrounding Neighborhood
C	Annotated Zoning Map
D	Relevant Portion of the Comprehensive Plan Future Land Use Map
E	Relevant Portion of the Comprehensive Plan Generalized Policy Map
F	Letter of Support from Meadow Green Tenants Association

I. INTRODUCTION

This statement and the attached exhibits are submitted on behalf of Milestone East Capitol 2 LLC, Milestone East Capitol 3 LLC, Milestone East Capitol 4 LLC, and Milestone East Capitol 5 LLC (the “**Applicant**”) in support of its application to the District of Columbia Zoning Commission (the “**Commission**”) to amend the Zoning Map of the District of Columbia (the “**Zoning Map**”) to rezone Square 5411, Lot 802; Square 5412, Lot 801; Square 5413, Lot 802; and Square 5413N, Lot 801 (the “**Property**”) from the RA-1 District to the RA-2 District. The Applicant plans to demolish all of the existing buildings at the Property in phases, and replace them with new buildings. A “Tenant Assignment and Development Agreement” (“**Development Agreement**”) was negotiated and executed in 2017 to protect the existing tenants at the Property. *This Agreement assures no involuntary displacement of the current residents at the Property.*

Applicant	Milestone East Capitol 2 LLC Milestone East Capitol 3 LLC Milestone East Capitol 4 LLC Milestone East Capitol 5 LLC
Proposed Map Amendment	From RA-1 to RA-2
Address	3610 Minnesota Ave., SE 3501 - 3547 East Capitol St., SE 127 35 th Street, SE 3425 East Capitol St., SE
Ward, ANC & SMD	Ward 7, ANC 7F06
Legal Description	Square 5411, Lot 802; Square 5412, Lot 801; Square 5413, Lot 802; and Square 5413N, Lot 801

Property Size	520,216 square feet
Future Land Use Map Designation	Moderate Density Residential
Generalized Policy Map Designation	Neighborhood Conservation Area

This application is being filed as a contested case pursuant to Subtitle Z §§ 201.2 and 304 and Subtitle X, Chapter 5 of the Zoning Regulations. As discussed more fully in Section VIII below, the requested map amendment is not inconsistent with the Comprehensive Plan, would not create any adverse impacts on surrounding properties, and would result in a number of important benefits to the surrounding community and the District of Columbia as a whole. The proposed map amendment to the RA-2 District will ensure that the zoning designation for the Property is consistent with the site's designation on the Future Land Use Map (“**FLUM**”) of the Comprehensive Plan, which designates the Property for Moderate Density Residential Use.

II. DESCRIPTION OF THE SUBJECT PROPERTY AND SURROUNDING AREA

The Meadow Green Courts Apartments (“**Meadow Green**”) is an existing apartment community of 461 units in 53 buildings on five contiguous Squares or blocks. The site is approximately 12 acres, located at the intersection of Minnesota Avenue and East Capital Street, SE within the Fort Dupont Park neighborhood (Ward 7). Built in the early 1940’s the buildings, and units within those buildings, are functionally and economically obsolete.

As shown on the Zoning Map attached hereto as Exhibit C, the Property is currently zoned RA-1. The Future Land Use Map of the Comprehensive Plan designates the Property as Moderate Density Residential. (See, Exhibit D). The Property is designated within a Neighborhood Conservation Area on the Generalized Policy Map. (See, Exhibit E). The Property is also located within the Far Northeast & Southeast Area Element of the Comprehensive Plan.

The portion of Meadow Green, which is the subject of this Map Amendment, consists of 520,216 square feet of land area currently configured as four (4) separate squares and is situated south of East Capitol Street, west of Minnesota Avenue, north of B Street and east of 34th Street. (See, Exhibit A and Exhibit B).

Square 5414, located directly west, across 34th Street (34th Street is 90 ft. wide), is improved with two-story homes (R-3 Zone). Further west are CSX railroad tracks in the PDR-1 Zone. Squares 5418 and 5419 are located directly south across B Street (B Street is 90 ft. wide), and are split-zoned R-3/RA-1 and are improved with two-story homes and two-story apartment buildings.¹ To the north of the Property is East Capitol Street (160 ft. wide) and the properties located on the other side of East Capitol Street are zoned MU-4. The Property borders Minnesota Avenue (90 ft. wide) on the east. Square 5410, located on the other side of Minnesota Avenue, is split-zoned R-3/RA-1. The two streets which bisect the four squares, A Street (which runs east-west) and 35th Street (which runs north-south) are 50ft. and 60ft. in width, respectively.

There is a significant grade change at the Property (approximately 50 ft. change in elevation from east to west) from Minnesota Avenue on the east to 34th Street to the west. In addition, over 30 existing Heritage Trees will be protected on the Property, which will provide a significant shade canopy creating long-term community aesthetic, environmental and health benefits.

¹ While the majority of these squares are in the R-3 zone, the northeast corner of Square 5418 and the northwest corner of Square 5419 are zoned RA-1 and contain two-story apartment buildings.

III. RECENT BZA APPROVALS AND DEVELOPMENT BY THE APPLICANT

The Applicant received two BZA approvals (BZA Case 18972-A² and 19704-A) within the last five years for projects located within Meadow Green. Only one of properties, subject to those zoning approvals, will be rezoned as a result of the current application. See Exhibit C.

A. BZA Case 18972-A

The BZA approved the first phase of the Meadow Green Redevelopment in 2015 pursuant to BZA Order 18972-A. The BZA granted a variance from the loading requirements and a special exception from the new residential developments requirements to construct a new residential development, “**Milestone Senior Housing**”, consisting of 60 multi-family affordable rental housing units for seniors on lot 800 in Square 5410 (“**Milestone Senior Housing Property**”). The Milestone Senior Housing Property is located to the east of Minnesota Avenue. The Applicant is NOT requesting to rezone the Milestone Senior Housing property from its current RA-1 Zone. That project is currently underway, with demolition of the existing three buildings and ongoing excavation of the site. The Milestone Senior Housing project has received the required permits and funding with an expected date of operations to begin in the spring of 2019.

B. BZA Case 19704-A

The BZA approved the second phase of the Meadow Green redevelopment in 2018 pursuant to BZA Order 19704-A.³ The property which was the subject of that BZA Order, at

² The applicant for BZA Case 18972-A was Greenway Apartments L.P., a related entity of the current Applicant.

³ This Corrected Summary Order was issued to correctly reflect the reduced number of units proposed as 89 units (down from 90 units as originally proposed), to cite the plans commensurate with the 89-unit building, and to correctly reflect the Zoning Commission member voting on the case as Mr. Shapiro, not Mr. Hood.

125 35th Street, S.E. (Square 5413, Lot 802), is among the Property listed to be rezoned from RA-1 to RA-2. BZA Order 19704-A approved, pursuant to 11 DCMR Subtitle X, Chapter 9, a special exception under the new residential development provisions of Subtitle U § 421, and pursuant to Subtitle X, Chapter 10, variances from the floor area ratio requirements of Subtitle F § 302, the lot occupancy requirements of Subtitle F § 304, and the rear yard requirements of Subtitle F § 305, to construct a new 89-unit apartment house and retain seven existing apartment houses in the RA-1 Zone.

At the time, the Applicant indicated that it intended to file a planned unit development (“**PUD**”) application for the larger Meadow Green Courts site later in the year, but sought relief through BZA Case 19704-A based on deadlines of the annual funding cycle for Low Income Housing Tax Credits (“**LIHTC**”).

After further consideration, the Applicant has decided to reduce the density of the project and to request a map amendment for the Property, instead of a PUD. The Applicant has met with both the existing tenants and Advisory Neighborhood Commission (“**ANC**”) 7F with regard to this change in plan.

IV. COMMUNITY OUTREACH

The Applicant has met with the community on several occasions over the years to discuss the development of a Master Plan for the Property (“**Master Plan**”).

A. Existing Tenants

The Meadow Green Courts Tenants Association (the “**Tenants Association**”) registered as a tenant organization under the Tenants Opportunity to Purchase Act (“**TOPA**”), giving it the exclusive right to exercise any rights under TOPA in connection with the Property. In May 2017, the Tenants Association assigned its rights under TOPA to the developers in exchange for certain

benefits (“**Development Agreement**”). This Development Agreement, in part, provides rent protections and commits the Applicant to fund temporary relocation for qualifying tenants. This Development Agreement also assures no involuntary displacement of the Property’s residents.

Since that time the Applicant has reached out to the Tenants Association to provide updates on the Master Plan. This includes discussions regarding the proposed map amendment. The Tenants Association is in favor of the rezoning of the Property from the existing RA-1 to the RA-2 zone. (See Exhibit F, Letter of Support from Tenants Association).

B. ANC

Most recently, the Applicant met with ANC 7F on October 9, October 16, and November 13, 2018, prior to the circulation of the Notice of Intent to File the Map Amendment Application, to discuss the proposed map amendment. The ANC and Applicant are currently negotiating a Community Benefits Agreement (“**Community Agreement**”).

V. EXISTING AND PROPOSED ZONING

A. Existing Zoning and Proposed Zoning

The Property is currently zoned RA-1. (See, Exhibit C). The RA-1 zone “provides for areas predominantly developed with low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments.” 11 DCMR Subtitle F §300.2. The RA-1 zone district does not permit new multi-family residential development as a matter of right. The maximum permitted height in the existing RA-1 District is 40 feet/3 stories with a minimum lot area of 1,800 square feet with a maximum Floor Area Ratio (“**FAR**”) of 0.9 and a maximum lot occupancy of 40%. 11 DCMR Subtitle F §303.1, 201.2, 302.1, 304.1.

The Applicant is requesting a map amendment to rezone the Property to the RA-2 District. The RA-2 District, in contrast to the RA-1 District, “provides for area developed with

predominantly moderate-density residential.” 11 DCMR Subtitle F §300.3. This is consistent with the Property’s designation on the Future Land Use Map of the Comprehensive Plan.

The maximum permitted matter-of-right height in the RA-2 is 50 feet with no limit on the number of stories. 11 DCMR Subtitle F §303.1. The maximum FAR in the RA-2 District is 1.8. 11 DCMR Subtitle F §302.1. In the RA-2 District, the maximum percentage of lot occupancy is 60% 11 DCMR Subtitle F §304.1.

The following table summarizes, in more detail, the effect of the proposed RA-2 zone in comparison to the existing RA-1 zone:

ZONING	<i>EXISTING RA-1</i> MATTER-OF-RIGHT (MOR)⁴	<i>PROPOSED RA-2</i> MATTER-OF-RIGHT
Permitted Uses Subtitle U, Chapter 4	Subtitle U, Chapter 4 <u>Examples of Matter-of-Right Permitted Uses:</u> Detached, Semi-Detached, Attached and Multi-Family Dwellings,* Child Development Center, Recreation Building, Elderly Development Center, Adult Treatment Facility. <i>*All New Residential Developments in the RA-1 Zone District, except those comprising of all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment (BZA) as a special exception.</i>	Subtitle U, Chapter 4 <u>Examples of Matter-of-Right Uses Permitted Uses:</u> Detached, Semi-Detached, Attached and Multi-Family Dwellings, Child Development Center, Recreation Building, Elderly Development Center, Adult Treatment Facility. New Residential Developments in the RA-2 Zone District <u>do not</u> require zoning approval.
Height Subtitle F, §303.1	40 ft./3 stories max	50 ft./no limit on stories
Penthouse Height Subtitle F, §303.2	12 ft./1 story max	12 ft./1 story max Mechanical space = 15ft./2nd story
Lot Area Subtitle F, §201.2	Row Dwelling = 1,800 sf min For residential uses permitted as a special exception the lot area shall be as prescribed by the BZA	None prescribed For residential uses permitted as a special exception the lot area shall be as prescribed by the BZA

⁴ MOR = allowed without having to seek zoning approval.

ZONING	<i>EXISTING RA-1</i> MATTER-OF-RIGHT (MOR)⁴	<i>PROPOSED RA-2</i> MATTER-OF-RIGHT
Lot Width Subtitle F, §201.4	None prescribed For residential uses permitted as a special exception the lot width shall be as prescribed by the BZA	None prescribed For residential uses permitted as a special exception the lot width shall be as prescribed by the BZA
Inclusionary Zoning (“IZ”) Subtitle C, §1001.2(b) Subtitle C, §1002.3	Triggered by 10 or more dwelling units Bonus: Up to 20% more gfa than permitted as a matter-of-right No modification to height or lot occupancy Set aside requirements varies depending on construction material (8-10%)	Same
Floor Area Ratio (“FAR”) Subtitle F, §302.1 IZ Subtitle C, §1002.3	0.9 FAR max Additional 20% IZ Bonus Density = 1.08 FAR	1.8 FAR max Additional 20% IZ Bonus Density= 2.16 FAR
Lot Occupancy Subtitle F, 304.1	40% max	60% max
Rear Yard Subtitle F, 305.1	20 ft. minimum	4 inches per ft. of height of building, but not less than 15ft.
Side Yard Subtitle F, §306	3 inches per ft. of height of building, but not less than 8 ft. When a new multiple dwelling is erected that does not share a common division wall with an existing bldg. or a bldg. being constructed together with the new building, it shall have a side yard on each resulting free-standing side. A side yard shall not be required along a side street abutting a corner lot.	None required, but if provided, 3 inches per ft. of height of building, but not less than 4 ft. When a new multiple dwelling is erected that does not share a common division wall with an existing bldg. or a bldg. being constructed together with the new building, it shall have a side yard on each resulting free-standing side. A side yard shall not be required along a side street abutting a corner lot.

ZONING	<i>EXISTING RA-1</i> MATTER-OF-RIGHT (MOR)⁴	<i>PROPOSED RA-2</i> MATTER-OF-RIGHT
Courts Subtitle F, §202	Residential, more than 3 units: <u>Minimum Width Open Court</u> 4 in./ft. of height of court; 10 ft. min <u>Minimum Width Closed Court</u> 4 in./ft. of height of court; 15 ft. min <u>Minimum Area Closed Court</u> Twice the square of the required width of court dimension; 350 sq. ft. min	Same
Green Area Ratio (“GAR”) Subtitle F, §307.1	0.4	Same
Vehicle Parking Spaces Subtitle C, §701.5	<u>Single Dwelling Unit</u> 1 per principal dwelling <u>Residential Flat</u> 1 per 2 dwelling units <u>Multiple Dwelling Unit</u> 1 per 3 dwelling units in excess of 4 units, except: 1 per 6 units of publicly assisted housing, reserved for the elderly and/or handicapped	Same
Loading Subtitle C, §901.1	None prescribed	For more than 50 dwelling units: 1 loading berth 1 service/delivery space 1 loading platform
Bicycle Parking Spaces Subtitle C, §802.1	<u>House or Flat</u> None prescribed <u>Apartment</u> Long Term Spaces: 1 space for each 3 dwelling units Short Term Spaces: 1 space for each 20 dwelling units	Same

B. Effect of the Proposed Map Amendment

As discussed in more detail below, the proposed map amendment from RA-1 to RA-2 is not inconsistent with the Comprehensive Plan and will further the objectives of the Zoning Act, and the objectives of the Council in the adoption of the Comprehensive Plan. The requested rezoning of the Property to RA-2 satisfies each of the statutory standards applicable to map amendments. The proposed map amendment would permit multi-family residential development of the Property as a matter-of-right. The proposed map amendment would increase the maximum height on the Property from 40 feet to 50 feet with a maximum FAR of 2.16.

In addition, the proposed rezoning would:

- a) Implement the Future Land Use Map's designation of the Property for Moderate: Density Residential uses; and
- b) Permit the matter-of-right development of new residential uses on the Property, which is consistent with the Property's designation within a Neighborhood Conservation Area on the Generalized Policy Map.

VI. REDEVELOPMENT PLAN

The redevelopment plan, enabled by the zoning map amendment, includes a phased demolition followed by construction of new buildings with residential units, and indoor and outdoor community spaces. The creation of the mixed-income community will not result in a displacement of current residents, as defined by the previously referenced Development Agreement. The new buildings will be an upgrade from the existing, obsolete buildings and will provide off-street parking, in-unit washers & dryers, in-building mailboxes and trash disposal and improved security. Preservation of more than 30 Heritage Trees will provide a significant shade canopy creating long-term community aesthetic, environmental and health benefits. The

new buildings will house approximately 907 total residential units, with at least 400 Affordable Units (“**Affordable Units**”).⁵ The Applicant commits that the existing residential unit mix at the Property of 1 (23%), 2 (65%) and 3 (11%) bedroom units will be retained for the approximately 400 Affordable Units, with more three-bedroom units for Current Residents wherever possible. The unit mix of the remaining approximately 507 units is to be determined based on community needs and market conditions over the next eight to ten years, in consultation with ANC 7F. Under the terms of the Development Agreement, the Current Residents receive a number of protections, which are summarized as follows:

- Rent increase protection – annual increases limited to Cost of Living plus 2% for all eligible Residents.
- Temporary relocation and right to return for all eligible Residents.
- All costs of relocation borne by the Developers.
- 10% discount from market price of “for-sale” homes for eligible Residents.

The Developers are committed to creating meaningful, long-term employment opportunities in apartment maintenance and construction for residents of Ward 7. The Applicant’s affiliated workforce development not-for-profit (Turnaround, Inc.) is already an active employer of Ward 7 residents. Turnaround, Inc. is also the managing member of each of the Applicant’s entities. Turnaround, Inc.’s goal is to increase the employment of Ward 7 residents in all aspects of the redevelopment. The Applicant intends to use government financing for construction of the new buildings on the Property. As a result, this financing will require additional employment requirements and monitoring under the DC laws and regulations.

⁵ “**Affordable Units**” means households earning 60% of Area Median Income or less, adjusted for household size.

VII. STANDARDS APPLICABLE TO AN APPLICATION FOR A ZONING MAP AMENDMENT

The Zoning Act sets forth a number of criteria that must be applied by the Commission in adopting and amending the Zoning Regulations and Zoning Map. The Zoning Act states that the Zoning Regulations are designed to “promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital ...” D.C. Code §6-641.01 (2001). The Zoning Act further provides that:

[z]oning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

D.C. Code §6-641.02 (2001).

The Commission must apply those standards and criteria in determining whether to approve a requested map amendment, as set forth below, the proposed rezoning of the Property from the RA-1 District to the RA-2 District will promote each of the purposes described above.

VIII. EVALUATION OF PROPOSED MAP AMENDMENT AND COMPLIANCE WITH STATUTORY STANDARDS

As described in detail below, the proposed map amendment meets each of the specific requirements set forth in the Zoning Act. The Commission should therefore approve the application.

A. The Comprehensive Plan

The rezoning of the Property to the RA-2 District is “not inconsistent with the Comprehensive Plan” and is in fact consistent with and implements many of the elements of the Comprehensive Plan.

1. The Future Land Use Map

The Future Land Use Map of the Comprehensive Plan designates the Property for Moderate Density Residential Uses. (See, Exhibit D). Moderate Density Residential areas are intended to include row house neighborhoods which also include a mix of housing types (2-4 unit buildings, row houses and low rise apartment buildings). In older inner city neighborhoods, like the Fort Dupont Park neighborhood, there are existing multi-story apartments which were built prior to the enactment of the 1958 Regulations. Both the existing RA-1⁶ District and the RA-2 District⁷ are specifically included as zones within the definition of the moderate density residential land use category. 10 DCMR §225.4. The proposed map amendment to RA-2 will allow the matter-of-right development of a multi-family residential uses on the Property. Thus, the proposal is consistent with the Property's designation on the Future Land Use Map.

⁶ Formerly classified as the R-5-A Zone District prior to the 2016 Zoning Regulations Rewrite.

⁷ Formerly classified as the R-5-B Zone District prior to the 2016 Zoning Regulations Rewrite.

2. The Generalized Policy Map

The Generalized Policy Map designates the Property within a Neighborhood Conservation Area. (See, Exhibit E). The Comprehensive Plan provides that Neighborhood Conservation Areas “are primarily residential in character... where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing... some new development and reuse opportunities are anticipated.” 10 DCMR §223.4 “The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas, but they are small in scale. The diversity of land uses and building types in these areas should be maintained a new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.” 10 DCMR §223.5.

3. Compliance with the Citywide Elements of the Comprehensive Plan

The proposed map amendment is consistent with the citywide elements of the Comprehensive Plan and will advance a number of the stated goals and policies.

a. Land Use Element

The Comprehensive Plan provides that “[b]ecause the Land Use Element integrates the policies and objectives of all the other District Elements, it should be given greater weight than the other elements as competing policies in different elements are balanced.” 10 DCMR §300.3 The underlying goal of the Land Use Element is to:

[e]nsure the efficient use of land resources to meet the long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of

neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries. 10 DCMR §302.1.

The proposed map amendment will advance this important goal by complying with the following policies set forth in the Land Use Element of the Comprehensive Plan.

Policy L U-2.1.1: Variety of Neighborhood Types

Maintain a variety of residential neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods. The positive elements that create the identity and character of each neighborhood should be preserved and enhanced in the future. 10 DCMR §309.5.

The requested rezoning to RA-2 will not have negative impacts on the existing identity and character of the neighborhood because it will replace existing obsolete multi-family buildings and will activate the site, provide new housing for the existing tenants, and will help improve the aesthetics and safety of the surrounding neighborhood.

Policy LU-2.1.2: Neighborhood Revitalization

Facilitate orderly neighborhood revitalization and stabilization by focusing District grants, loans, housing rehabilitation efforts, commercial investment programs, capital improvements, and other government actions in those areas that are most in need. Use social, economic, and physical indicators such as the poverty rate, the number of abandoned or substandard buildings, the crime rate, and the unemployment rate as key indicators of need. 10 DCMR §309.7.

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic

resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. 10 DCMR §309.8.

The redevelopment of the Property, as a result of the requested map amendment, will utilize sustainable elements to help restore the environment since any development on the Property will have to comply with the District's Green Building Act and Stormwater Management Regulations.

Policy LU-2.2.4: Neighborhood Beautification

Encourage projects which improve the visual quality of the District's neighborhoods, including landscaping and tree planting, facade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements. 10 DCMR §310.5.

As part of the redevelopment at the Property enabled by the rezoning to RA-2, the existing obsolete buildings will be replaced with new multi-family housing with new outdoor community spaces to be accessed by the surrounding community.

b. Housing Element

The stated goal of the Housing Element of the Comprehensive Plan is to “[d]evelop and maintain a safe, decent, and affordable supply of housing for current and future residents of the District of Columbia.” 10 DCMR §501.1. The proposed map amendment is consistent with the general and specific policies set forth in the Housing Element of the Comprehensive Plan, including the following:

Policy H-1.1.1: Private Sector Support

Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 10 DCMR §503.2.

Consistent with Policy H-1.1.1, the map amendment will enable the development of up to 2.16 FAR for new housing to replace the existing apartment buildings on the Property. The existing apartment buildings were built in the early 1940's and are now functionally and economically obsolete. This will be consistent with the current use.

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing.

10 DCMR §503.4.

The requested zoning will encourage the redevelopment of the Property with higher density housing, including affordable housing.

4. Compliance with the Area Elements of the Comprehensive Plan

In addition to the citywide elements, the Comprehensive Plan includes ten geographically based “area elements.” The Property is located in the Far Northeast & Southeast Area Element of the Comprehensive Plan. One of the planning and development priorities for this area is the renovation and should be taken to preserve affordable housing units in these complexes. The “best approach may be to replace deteriorated multi-family housing with new housing that better meets community needs.” 10 DCMR §1707.2. As discussed below, the proposed map amendment is consistent with the following objectives and policies set forth in the Far Northeast & Southeast Area Element:

Policy FNS-1.1.2: Development of New Housing

Encourage new housing for area residents on vacant lots and around Metro stations within the community, and on underutilized commercial sites along the area's major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast, taking steps to ensure that the housing remains affordable for current and future residents. 10 DCMR §1708.3.

The proposed map amendment will significantly advance the objectives of Policy FNS-1.1.2 since rezoning the Property from the RA-1 to RA-2 zone will facilitate moderate density residential development to replace the existing housing while ensuring that the housing remains affordable for current and future residents. In addition, the Applicant has committed to maintaining the existing residential mix at the Property of 1 (23%), 2 (66%) and 3 (11%) bedroom units will be retained for approximately 435 newly constructed affordable units.

B. Health, Safety, and General Welfare

The proposed map amendment would further the public health, safety, and general welfare of the District of Columbia. The requested rezoning to the RA-2 District will ensure that the Property is developed in a consistent manner with its land use designation and the surrounding residential uses. By facilitating the redevelopment of the Property with an upgraded the proposed map amendment will protect the health and safety of District residents. The map amendment will also promote the general welfare by allowing the redevelopment of the Property with a residential use that is appropriate and in furtherance to the existing residential use and will generate new jobs for District residents and significant tax revenues for the District government.

C. No Adverse Consequences

The rezoning from RA-1 to RA-2 will not result in adverse consequences. Rather, the requested rezoning will contribute to several positive benefits as it will facilitate the redevelopment of important residential housing while not displacing the existing tenants. The future redevelopment will provide housing inventory to replace the existing multifamily housing built in the early 1940's which are functionally and economically obsolete. The proposed map amendment will not result in the overcrowding of land or the undue concentration of population, nor will it have any significant adverse impacts on traffic congestion in the surrounding area.

D. Development under the RA-2 District Would Create Favorable Conditions

As discussed above, the proposed map amendment will further a number of the policies embodied in the District's Comprehensive Plan. The rezoning will allow the redevelopment of the Property with a moderate density multiple dwelling residential use on the Property that is consistent with both the Future Land Use Map and the Generalized Policy Map designations for the Property.

IX. CONCLUSION


For all of the reasons stated herein, the Applicant submits that the proposed rezoning of the Property from RA-1 to RA-2 meets all of the requirements for an amendment to the Zoning Map. The proposed map amendment is consistent with the District's policies for this Property and for the development of the surrounding area. Furthermore, the proposed rezoning is not inconsistent with the Comprehensive Plan, and in fact aligns the Property's zoning with the Comprehensive Plan. Finally, the requested rezoning will further each of the specific objectives set forth in the Zoning Act.

Respectfully submitted:

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