

Z.C. Case No. 17-27  
Map Amendment  
Spring Flats MD, LLC  
Square 2902, Lots 804 & 807

Testimony of:

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1. Good evening Mr. Chairman and members of the Commission.
2. My testimony this evening on Case No. 17-27 will focus on the requested map amendment's consistency with the District Elements of the Comprehensive Plan.
3. For the sake of the record, the standard of review for a map amendment is found in Subtitle X § 500.3, which states that the "Zoning Commission shall find that the amendment is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site."
4. The Petitioner requests to rezone the Subject Property from RF-1 to RA-2.
5. The existing RF-1 zoning of the Subject Property, which is also found throughout the surrounding area, is one of five "Residential Flat" zones which are designed to be mapped in areas identified as low-, moderate-, or medium-density areas that are suitable for residential life and supporting uses.
6. The Zoning Regulations describe the RF-1 as being a moderate-density zone, and the Framework Element describe it as being compatible with the Moderate Density Residential land use category on the Future Land Use Map ("FLUM").
7. As required under the Zoning Act of 1938, as amended by the Home Rule Charter, and Subtitle X § 500.3, the request to rezone the Subject Property to RA-2 is not inconsistent with the District Elements of the Comprehensive Plan.

8. The Comprehensive Plan is a broad policy framework that, among other purposes, is intended to:

- Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development;
- Guide executive and legislative decisions on matters affecting the District and its citizens;
- Guide public and private development to achieve District and community goals;
- Maintain and enhance the District's natural and architectural assets; and
- Assist in the conservation, stabilization, and improvement of each neighborhood and community.

9. The Implementation Element provides that “[d]ecisions on requests for rezoning shall be guided by the Future Land Use Map read in conjunction with the text of the Plan (Citywide and Area Elements) as well as Small Area Plans pertaining to the area proposed for rezoning.

10. The requested RA-2 zone is one of the “Residential Apartment” zones which permit flexibility of design by permitting all types of urban residential development provided they conform to established height, density, and area requirements.

11. The RA-2 zone is specifically described in the Zoning Regulations as providing for areas predominately developed with moderate-density residential development.

12. Like the Subject Property's existing zoning, the Framework Element also states that the RA-2 zone may be compatible with the Moderate Density Residential land use category on the FLUM in some locations, and the Commission has found the RA-2 (former R-5-B) zone to be compatible with the Moderate Density Residential designation in multiple cases.

13. The Subject Property is designated as “Local Public Facilities” on the FLUM, which is reflective of its prior institutional use.

14. The Framework Element describes the Local Public Facilities designation as:

- “including land and facilities occupied and used by the District of Columbia government or other local government agencies (such as WMATA), excluding parks and open space.
- Uses include public schools including charter schools, public hospitals, government office complexes, and similar local government activities.
- Zoning designations vary depending on surrounding uses.”

10-A DCMR § 225.15

15. According to the “Guidelines for Using the Generalized Policy Map and the Future Land Use Map,” contained within the Framework Element, the FLUM “does not show density or intensity on institutional and local public sites. If a change in use occurs on these sites in the future...the new designations should be comparable in density or intensity to those in the vicinity.
16. The Commission has applied this guideline in multiple PUDs and map amendment cases where it compared the requested map amendment for properties designated Local Public Facilities to the FLUM designations and character of the surrounding context.
17. The proposed rezoning is consistent with the surrounding neighborhood context, which is primarily residential with a variety of housing types and densities including row dwellings, flats, and apartment homes. In addition, mixed-use commercial and residential buildings are located along Georgia Avenue, one block east of the Subject Property. Thus, the proposed rezoning to the RA-2 zone is comparable in density and intensity to uses in the vicinity.
18. Furthermore, the requested map amendment is not inconsistent with the Moderate Density Residential FLUM designation of the surrounding context. As stated above, the Comprehensive Plan specifically references the RA-2 zone as being compatible with the Moderate Density Residential land use category in some locations. Considering the site’s proximity to the Georgia Avenue corridor, Metrorail, and other mid-rise apartment and institutional buildings in proximity to the site, the requested RA-2 zoning is appropriate for the Subject Property.

19. Based on the foregoing, and including previous Commission precedent, the request to rezone the Subject Property to RA-2 is not inconsistent with the Comprehensive Plan.
20. The Generalized Policy Map (“GPM”) designates the Subject Property as a Neighborhood Conservation Area.
21. The Framework Element describes Neighborhood Conservation Areas as areas that:
  - Have very little vacant or underutilized land.
  - Are primarily residential in character.
  - Maintenance of existing uses and character is anticipated over the next 20 years.
  - Any change is expected to be modest in scale and consist primarily of scattered site infill housing, public facilities, and institutional uses.
  - Major changes in density are not expected but some new development and reuse opportunities are anticipated.
22. The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities exist but they are small in scale. The diversity of land uses and building types should be maintained and new development should be compatible with the scale and architectural character of each area.
23. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.
24. The requested map amendment is not inconsistent with the GPM. The RA-2 zone will support the future redevelopment of the Subject Property, which is presently vacant and underutilized, with new residential development that will be consistent with the residential uses in the surrounding neighborhood.
25. In addition to the FLUM and GPM, decisions on requests for rezoning must also be guided by the objectives and policies of the Com Plan’s Citywide and Area Elements, which are thoroughly analyzed in the Petitioner’s Statement in Support.
26. Overall, the requested map amendment is not inconsistent with the Citywide and Area Elements of the Comprehensive Plan, as applicable.

27. The subject petition is not inconsistent with the Land Use Element, and specifically with policies that promote:

- Development around Metrorail Stations, particularly new housing;
- Infill development of vacant land;
- Conservation, enhancement, and revitalization of neighborhoods; and
- Rehabilitation of vacant and underutilized buildings.

28. Perhaps most notably, the subject petition is not inconsistent with the Housing Element, and specifically with policies that pertain to:

- Development of new housing on vacant and underutilized property;
- Production of housing for families, both market-rate and affordable.
- Production of affordable housing on publicly-owned site; and

29. As is shown in the chart submitted by the Petitioner in response to the Commission's request at setdown, the requested map amendment will facilitate the construction of approximately 185 units of new housing, including approximately:

- 88 units of low- and very-low MFI senior affordable housing;
- 87 units of mixed-income multi-family housing at the low-, very-low, and market rate MFI levels, including many affordable three-bedroom units; and
- 10 townhome style condominiums

30. As discussed in detail in the case record, the requested map amendment is also not inconsistent with the policies of the Transportation, Environmental Protection, and Historic Preservation Elements.

31. The Subject Property is also not inconsistent with the objectives and policies of the Rock Creek East Area Element. According to the Comp Plan, during development of the Plan the Rock Creek East community indicated a need to protect established neighborhoods will also providing a variety of housing choices, including housing options for seniors, lower income households, young professionals, middle class families, and persons with special needs, as well as affluent households." The community also indicated that the "important historic resources in the Planning Area should be recognized and protected."

32. The requested map amendment addresses these priorities as it is not inconsistent with Rock Creek East policies that promote directing growth toward the areas in close proximity to the Georgia Avenue/Petworth Metrorail Station, and production of new mixed-income housing and senior affordable housing on District-owned land near the Metrorail and specifically on the Subject Property.
33. In conclusion, the Petitioner's request to rezone the Subject Property from RF-1 to RA-2 is not inconsistent with the Comprehensive Plan, including the Future Land Use Map and Generalized Policy Map.
34. The requested map amendment will further the public health, safety, and general welfare of the District of Columbia by facilitating redevelopment of the Subject Property, which is currently vacant and underutilized, with a substantial amount of market-rate and affordable housing that will be compatible with surrounding development and contribute to the ongoing revitalization of the Petworth neighborhood and the Georgia Avenue corridor. The map amendment will also promote the general welfare through jobs created as a result of the redevelopment of the Subject Property, both short-term and long-term, and through new revenue to the District.
35. The subject petition will not result in the overcrowding of land or the undue concentration or population, nor will it have any significant adverse impacts on traffic congestion in the surrounding area. The zoning map amendment will facilitate redevelopment of an underutilized site one block away from Georgia Avenue, a designated "Great Street," and in close proximity to Metrorail and Metrobus. The requested map amendment will not generate any negative external effects, but will instead promote the efficient use of high-value land in a manner that will, among other things, enhance the city's affordable housing stock and preservation of historic assets.
36. Based on the forgoing, I believe the requested map amendment to rezone the Subject Property from RF-1 to RA-2 meets the standard of review that is applicable to requests for map amendments under the Zoning Regulations; and therefore, the Commission should grant the Petitioner's request.