GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 25-14
Z.C. CASE NO. 25-14
4347 Hunt Place Holdings, LLC
(Zoning Map Amendment @ Square 5094, Lot 103)
May 14, 2026

Pursuant to notice, at its virtual public hearing on April 6, 2026, the Zoning Commission for the District of Columbia (the "Commission") considered an application (the "Application") by 4347 Hunt Place Holdings, LLC (the "Applicant") for approval of an amendment to the Zoning Map from the MU-3A zone to the MU-8B zone[1] (the "Map Amendment") for Lot 103 in Square 5094 (the "Property"), pursuant to Subtitle X § 500.1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations ("DCMR"), Zoning Regulations of 2016, to which all subsequent section references are made unless otherwise specified).

The Commission considered the Application as a contested case pursuant to Subtitle A § 210 and Subtitle Z, Chapter 4. For the reasons stated below, the Commission **APPROVES** the Application.

FINDINGS OF FACT

I. BACKGROUND

Parties

1. The following were automatically parties to this proceeding pursuant to Subtitle Z § 403.5:
   - The Applicant; and
   - Pursuant to Subtitle Z §§ 101.8 and 403.5(b), the ANC 7C, within which the Property is located.

2. The Commission received no requests for party status.

Notice

3. Pursuant to Subtitle Z § 304.5, the Applicant mailed a Notice of Intent to file the Application to ANC 7C and all property owners within 200 feet (ft.) of the Property on June 3, 2025 (Ex. 2C).

[1] The Applicant had initially requested approval of an amendment to the Zoning Map from the MU-3A zone to the MU-7A zone (Exhibit ["Ex."] 1). However, prior to the April 6, 2026, virtual public hearing, at the request of Advisory Neighborhood Commission ("ANC") 7C, the Applicant requested approval for an amendment to the MU-8B zone instead (Ex. 11; April 6, 2026, Public Hearing Transcript ["Tr."] at 11).

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4. The Applicant filed the Application on July 22, 2025 (Ex. 1–3).

5. On July 25, 2025, the Office of Zoning ("OZ") sent copies of the Notice of Filing to the following:
   - The Applicant;
   - ANC 7C;
   - ANC Single Member Districts ("SMD") 7C04, 7C07, and 7C09;
   - Office of ANCs;
   - The Ward 7 Councilmember;
   - At-Large Councilmembers and the Chairman of the Council;
   - Office of Planning ("OP");
   - D.C. Department of Transportation ("DDOT");
   - D.C. Department of Buildings ("DOB");
   - D.C. Department of Energy and Environment ("DOEE"); and
   - Office of Zoning Legal Division ("OZLD").

   (Ex. 9).

6. Pursuant to Subtitle Z § 402, OZ sent notice of the April 6, 2026 virtual public hearing, on February 4, 2026, to the following:
   - The Applicant;
   - ANC 7C;
   - ANC SMDs 7C04, 7C07, and 7C09;
   - Office of the ANCs;
   - The Ward 7 Councilmember;
   - At-Large Councilmembers and the Chairman of the Council;
   - OP;
   - DDOT;
   - DOB;
   - DOEE;
   - OZLD; and
   - Property owners within 200 feet (ft.) of the Property.

   (Ex. 16, 17).

7. OZ published notice of the April 6, 2026, virtual public hearing in the February 13, 2026, *District of Columbia Register* (73 DCR 001496 *et seq.*), as well as on the calendar on OZ's website (Ex. 15).

8. The Applicant posted notice of the virtual public hearing on the Property on February 24, 2026, in accordance with Subtitle Z § 402.3 and maintained such notice in accordance with Subtitle Z § 402.10 (Ex. 19, 23).

The Property

9. The Property is located in Central Northeast/Mahaning Heights neighborhood of Ward 7, within the Deanwood area, and is bounded by Hunt Place, N.E. to the north, the intersection

of 44th Street, N.E., Hunt Place, N.E. and Nannie Helen Burroughs Avenue, N.E. to the northeast, 44th Street, N.E. to the east, a public alley to the south, and a commercial property zoned MU-4 to the west. The Property contains approximately 12,000 square feet (sq. ft.) of land area and is located within the 100-year floodplain (Ex. 2).

10. The Property is improved with a parking lot and a single-story building that was used most recently as a liquor store. The building is currently vacant (Ex. 2).

11. A mix of uses surround the Property, including low- to mid-rise residential uses, neighborhood serving low- to moderate-density retail and commercial uses, lower scale Production, Distribution, and Repair uses, and some fast-food uses (Ex. 2).

12. The Property is located approximately 0.5 miles from the Minnesota Avenue Metro Station and approximately 0.8 miles from the Benning Road Metro Station. The V2, V4, and X9 Metrobus lines are approximately 0.25 miles from the Property. The X9 is considered a Priority Metrobus Route (Ex. 2).

Current Zoning

13. The Property is currently zoned MU-3A (Ex. 2).

14. The Mixed Use (MU) zones are designed to provide facilities for housing, shopping, and business needs, including residential, office, service, and employment centers (Subtitle G § 101.2).

15. In particular, the MU-3 zones provide for low-density mixed-use development and convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development (Subtitle G § 101.8).

16. The MU-3A zone imposes the following limits and permissions for matter of right development:
    - A maximum density of 1.0 floor area ratio ("FAR") (1.2 FAR for inclusionary zoning ("IZ") developments) and a maximum non-residential FAR of 1.0 (Subtitle G § 201.1);
    - A maximum building height of 40 ft. and three stories (Subtitle G § 203.2);
    - A maximum penthouse height of twelve 12 ft., except 15 ft. for penthouse mechanical space, and one story, except second story permitted for penthouse mechanical space; (Subtitle G § 205.1);
    - A minimum rear yard of 20 ft. (Subtitle G § 207.5); and
    - A maximum lot occupancy of 60% (Subtitle G § 210.1).

Comprehensive Plan (Title 10-A of the DCMR, the "CP")

Equity and the Comprehensive Plan

17. Pursuant to Subtitle X § 500.3, the Commission shall find that the Map Amendment is not inconsistent with the CP and with other adopted public policies and active programs related to the Property.

18. In applying the standard of review applicable to the Map Amendment, the CP requires the Commission to do so through a racial equity lens (CP § 2501.4-2501.6, 2501.8). Consideration of equity is intended to be based on the policies of the CP, and part of the Commission's considerations of whether the Map Amendment is "not inconsistent" with the CP, rather than a separate determination about a zoning action's equitable impact.

19. The CP Framework Element states that equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities, but is not the same as equality (CP § 213.6). Further, "[e]quitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices [and] holistically considers land use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, healthcare, technology, workforce development, and employment opportunities." (CP § 213.7). The District applies a racial equity lens by targeting support to communities of color through policies and programs focusing on their needs and eliminating barriers to participate and make informed decisions (CP § 213.9).

20. The CP Implementation Element provides guidance to help the Commission in applying a racial equity lens to its decision making. Specifically, the Implementation Element states "[a]long with consideration of the defining language on equity and racial equity in the Framework Element, guidance in the Citywide Elements on District-wide equity objectives, and the Area Elements should be used as a tool to help guide equity interests and needs of different areas of the District." (CP § 2501.6). In addition, the CP Implementation Element suggests preparing and implementing tools to use as a part of the Commission's evaluation process. Consistent with Comprehensive Plan guidance, the Commission utilizes a Racial Equity Tool in evaluating zoning actions through a racial equity lens; the Commission released a revised Tool on February 3, 2023. The Tool requires submissions from applicants and the Office of Planning analyzing the zoning action's consistency with the Citywide and Area Elements of the Comprehensive Plan, and Small Area Plans, if applicable; a submission from applicants including information about their community outreach and engagement efforts regarding the zoning action; and a submission from the Office of Planning including disaggregated race and ethnicity data for the Planning Area affected by the zoning action. The Racial Equity Tool emphasizes community outreach and is intended to facilitate proactive and meaningful engagement with the community most likely to be affected by the proposed zoning action to gain insight on negative conditions that may exist in the community, particularly those that are a result of past and present discrimination, develop an understanding of community priorities, and solicit input on potential positive and negative outcomes of the proposed zoning action.

Generalized Policy Map (the "GPM")

21. The CP's GPM designates the Property as a Neighborhood Commercial Center within a Resilience Focus Area, which the Framework Element and Land Use Element, respectively, describe as follows:
    - Neighborhood Commercial Centers: *"Neighborhood Commercial Centers meet the day-to-day needs of residents and workers in adjacent neighborhoods. The area served*

by a Neighborhood Commercial Center is usually less than one mile. Typical uses include convenience stores, sundries, small food markets, supermarkets, branch banks, restaurants, and basic services such as dry cleaners, hair cutting, and childcare. Office space for small businesses, such as local real estate and insurance offices, doctors and dentists, and similar uses, also may be found in such locations. Many buildings have upper-story residential uses. Unlike Main Street Mixed Use Corridors, the Neighborhood Commercial Centers include both auto-oriented centers and pedestrian-oriented shopping areas....New development and redevelopment within Neighborhood Commercial Centers must be managed to conserve the economic viability of these areas while allowing additional development, including residential, that complements existing uses." (CP § 225.15–225.16); and

- Resilience Focus Areas: *Areas where future planning efforts are anticipated to ensure resilience to flooding for new development and infrastructure projects, including capital projects, especially in areas within the 100- and 500-floodplains. In the Resilience Focus Areas, the implementation of neighborhood-scale, as well as site-specific solutions, design guidelines and policies for a climate adaptive and resilient city are encouraged and expected. Boundaries shown are for illustrative purposes. Final boundaries will be determined as part of any future analysis for each area (CP § 304.8).*

Future Land Use Map (the "FLUM")

22. The CP's FLUM designates the Property as Mixed Use – Medium Density Residential/Medium Density Commercial as follows:
    - Medium Density Residential – *"This designation is used to define neighborhoods or areas generally, but not exclusively, suited for mid-rise apartment buildings. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. Pockets of low and moderate density housing may exist within these areas. Density typically ranges from 1.8 to 4.0 FAR, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-3 Zone District is consistent with the Medium Density Residential category, and other zones may also apply." (CP § 227.7*); and
    - Medium Density Commercial – *"This designation is used to define shopping and service areas that are somewhat greater in scale and intensity than the Moderate Density Commercial areas. Retail, office, and service businesses are the predominant uses, although residential uses are common. Areas with this designation generally draw from a citywide market area. Buildings are larger and/or taller than those in Moderate Density Commercial areas. Density typically ranges between a FAR of 4.0 and 6.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-8 and MU-10 Zone Districts are consistent with the Medium Density category, and other zones may also apply." (CP § 227.12).*

Far Northeast/Southeast Area Element

23. The Property is located within the Far Northeast / Southeast Area Element (the "FNS Area Element") of the Comprehensive Plan. The Far Northeast/Southeast Area encompasses the

8.3 square miles located east of I-295 and north of Naylor Road S.E. (CP § 1700.1). Far Northeast and Southeast is known for their established neighborhoods and its diverse mix of housing (CP § 1700.2). The area has a robust transportation network, including the Benning Road and Deanwood Metro stations, Interstate I-295, and several major avenues linking neighborhoods to the underserved communities in Wards 7 and 8 to Central Washington (CP § 1700.2).

24. The FNS Area Element identifies the Deanwood area as a Policy Focus Area (CP § 1710.1). In particular, the CP promotes a focus on neighborhood-serving commercial development in Deanwood along the Nannie Helen Burroughs Corridor with low-density mixed-use zones converted into higher density zones (CP § 1712.11). Neighborhood-serving medium-density development and commercial uses along Nannie Helen Burroughs Avenue are also encouraged to create and invest into community-owned small businesses, adding and creating jobs for District residents and establishing retail and service uses that support the surrounding residential community (CP § 1712.14).

Nannie Helen Burroughs Corridor Small Area Plan

25. The Property is located within the Nannie Helen Burroughs Corridor Small Area Plan.

26. The Nannie Helen Burroughs Corridor Small Area Plan encourages mixed-use, infill development that supports housing diversity, neighborhood-serving retail, and vibrant, walkable communities—particularly along key segments of the corridor and near significant intersections (Ex. 2D).

II. THE APPLICATION

Proposed Zoning

27. The Application, as revised, proposes to rezone the Property from the MU-3A zone to the MU-8B zone (Ex. 3, 10-11).

28. The MU-8 zones are intended to permit medium density mixed-use development with a focus on employment and residential use; be located in uptown locations, where a large component of development will be office-retail and other non-residential uses; and be located in or near the Central Employment Area, on arterial streets, in uptown and regional centers, and at rapid transit stops (Subtitle G § 101.13).

29. The MU-8B zone imposes the following limits and permissions for matter of right development:
    - A maximum density of 5.0 FAR (6.0 FAR for IZ developments) and a maximum non-residential FAR of 4.0 (Subtitle G § 201.1);
    - A maximum building height of 70 ft. with no limit on the number of stories (Subtitle G § 203.2);
    - A maximum penthouse height of 20 ft. and one story, except second story permitted for penthouse mechanical space (Subtitle G § 205.1);

- A minimum rear yard of two and one-half inches per one ft. of height, 12 ft. minimum (Subtitle G § 207.9);
- No side yard is required for a building or structure other than a detached or semi-detached single household dwelling which requires a minimum side yard of eight ft.; however, if a side yard is provided for a building other than a detached or semi-detached single household dwelling, it shall be no less than five ft. and (Subtitle G § 208.2, 208.3); and
- No maximum lot occupancy (Subtitle G § 210.1).

Applicant's Justification for Relief

Not Inconsistent with the CP

30. The Application stated that the Map Amendment would not be inconsistent with the CP, nor would it be inconsistent with other adopted public policies and active programs applicable to the Property, as detailed below in Findings of Fact ("FF") Nos. 31–44 (Ex. 2D, 11).

GPM

31. The Application asserted that the Map Amendment would not be inconsistent with the Property's GPM designation as a Neighborhood Commercial Center because:
    - The MU-8B zone permits more commercial density than the Property's current MU-3A or the originally proposed MU-7A zoning, which will facilitate redevelopment of the Property, potentially resulting in much needed commercial amenities such as retail, service, and job-generating uses that meet the day-to-day needs of residents and workers in the adjacent neighborhoods.

    (Ex. 2D, 11).

FLUM

32. The Application asserted that the Map Amendment would not be inconsistent with the Property's FLUM designation of Mixed Use (Medium Density Residential/Medium Density Commercial) because:
    - The Medium Density Residential category contemplates density typically ranging from 1.8-4.0 FAR, but states that greater density may be possible when complying with IZ (CP § 227.7; Ex. 2D);
    - The Medium Density Commercial category specifically cites the MU-8 zone as a consistent zone and contemplates a range in density between a FAR of 4.0 and 6.0, with greater density possible when complying with IZ (CP § 227.12; Ex. 11);
    - The MU-8B zone is specifically intended to permit mixed-use development and permits a maximum FAR of 5.0 (6.0 for an IZ development), of which up to 4.0 FAR can be devoted to non-residential use (Subtitle G § 201.1); and
    - The density permissions of the MU-8B zone fall within the density ranges contemplated by the Property's FLUM designations (Ex. 11).

Racial Equity

33. The Application asserted that the Map Amendment furthers CP racial equity goals. Specifically, the Map Amendment will facilitate the redevelopment of the Property under

a higher-density mixed-use zone. The Map Amendment could help to catalyze economic growth, addressing food insecurity and known retail and service use deficiencies in the Deanwood area. The Map Amendment also could lead to reinvestment in the Nannie Helen Burroughs Corridor, which would support employment and entrepreneurial opportunities for local residents (Ex. 2D, 11).

34. *Displacement* – The Applicant stated that the Property does not contain any active tenants, residents, or users, so it avoids any direct displacement of residents or businesses (Ex. 2D).

35. *Community Outreach and Engagement* – The Applicant stated that it engaged with the community regarding the Map Amendment, including ANC 7C and the Deanwood Citizens Association. The Applicant noted that ANC 7C specifically requested that the Applicant seek a rezoning to the MU-8B zone instead of the originally proposed MU-7A zone to allow for greater commercial density in an area with an abundance of housing and an oversaturation of affordable housing (Ex. 2D).

FNS Area Element

36. The Application asserted that the Map Amendment advances the goals of the FNS Area Element. Rezoning the Property to the MU-8B zone provides an opportunity to redevelop an underutilized site with new construction that can provide commercial activity and reinvestment in the Nannie Helen Burroughs Corridor and the Deanwood area (FNS-1.1.A: Façade Improvements; FNS-1.1.3: Directing Growth; FNS-1.1.4: Retail Development; FNS-2.2.1: Strengthening Deanwood's Core; FNS-2.2.2: Nannie Helen Burroughs Avenue; FNS-2.2.5: Neighborhood-Serving Commercial Uses) (Ex. 2D, 11).

Land Use Element

37. The Application asserted that the Map Amendment is not inconsistent with the policies of the Land Use Element because the Map Amendment encourages mixed-use development along a large corridor with good Metrorail and Metrobus access and may provide new residential units as well as neighborhood-serving commercial uses. Further, the height and density permitted under the proposed MU-8B zone appropriately balances the need to respect the character, scale, and integrity of the adjacent existing neighborhood (LU-1.4.6: Development Along Corridors; LU-2.1.1: Variety of Neighborhood Types; LU-2.1.2: Neighborhood Revitalization; LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods; LU-2.1.10: Multi-Family Neighborhoods; LU-2.2.4: Neighborhood Beautification; LU-2.4.1: Promotion of Commercial Centers) (Ex. 2D, 11).

Transportation Element

38. The Application asserted that the Map Amendment is not inconsistent with the policies of the Transportation Element. The Map Amendment enables new mixed-use development, inclusive of housing and retail/services uses, on a site that is located approximately 0.5 miles from the Minnesota Avenue Metro Station, approximately 0.8 miles from the Benning Road Metro Station, and approximately 0.25 miles from the V2, V4, and X9 Metrobus lines. In connection with future redevelopment of the Property, the Map Amendment also has the potential to trigger pedestrian and bicycle infrastructure improvements that enhance the pedestrian experience and to better utilize the existing

parking lot (T-1.1.4: Transit-Oriented Development; T-1.1.8: Minimize Off-Street Parking; T-3.2.F: Encourage Shared-Use Parking) (Ex. 2, 2D).

Housing Element

39. The Application asserted that the Map Amendment is not inconsistent with the policies of the Housing Element because the Map Amendment increases the permitted residential density at the Property, thus creating new opportunities for varied housing types. The Property is located within the FNS Area Element, where the recommended number of affordable housing units is satisfied (H-1.1.1: Private Sector Support; H-1.1.9: Housing for Families; H-1.3.1: Housing for Larger Households; H-1.3.2: Tenure Diversity) (Ex. 2D, 11).

Environmental Protection Element

40. The Application asserted that the Map Amendment is not inconsistent with the policies of the Environmental Protection Element because future development of the Property could incorporate energy-efficient systems, sustainable design features, landscaping and environmental enhancements, and, as a property within the 100-year floodplain, would comply with the District's Green Building Act and stormwater management regulations (E-1.1.2: Urban Heat Island Mitigation; E-1.1.B: Development in Floodplains; E-2.1.2: Tree Requirements in New Development; E-2.1.3: Sustainable Landscape Practices; E-3.2.3: Renewable Energy; E-3.2.7: Energy-Efficient Building and Site Planning; E-4.1.1: Maximizing Permeable Surfaces; E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff; E-4.2.1: Support for Green Building) (Ex. 2D, 11).

Economic Development Element

41. The Application asserted that the Map Amendment is not inconsistent with the policies of the Economic Development Element. The proposed MU-8B zone supports new, local retail and service uses including grocery stores or supermarkets or offices and builds physical capacity for such new business to open where none currently exists. The proposed MU-8B zone also creates opportunities for nearby residents to own, operate, and work in businesses in their neighborhood, including potentially minority-owned and women-owned businesses. Furthermore, the rezoning directly responds to the community's need and want for greater commercial intensity at the Property (ED-1.1.4: Promote Local Entrepreneurship; ED-1.1.5: Build Capacity and Opportunities; ED-2.2.3: Neighborhood Shopping; ED-2.2.4: Support Local Entrepreneurs; ED-2.2.5: Business Mix; ED-2.2.6: Grocery Stores and Supermarkets; ED-3.2.8: Certified Business Enterprise Programs; ED-4.2.1: Linking Residents to Jobs; ED-4.2.3: Focus on Economically Disadvantaged Populations; ED-4.2.6: Entry-Level Opportunities; ED-4.2.12: Local Hiring Incentives) (Ex. 2D, 11).

Potential Inconsistencies with the CP

42. The Applicant did not identify any potential inconsistencies with the CP.[2]

[2] The Applicant had initially identified that the proposed rezoning to the MU-7A zone may be potentially inconsistent with the Property's medium-density mixed-use FLUM designation and that the MU-8 zone was a "representative

Nannie Helen Burroughs Corridor Small Area Plan

43. The Application asserted that the Map Amendment is not inconsistent with the vision and goals of the Nannie Helen Burroughs Corridor Small Area Plan, which encourage mixed-use, infill development that supports housing diversity, neighborhood-serving retail, and vibrant, walkable communities—particularly along key segments of the corridor and near significant intersections (Ex. 2D, 11).

Public Hearing Testimony

44. At the April 6, 2026, virtual public hearing, the Applicant presented its case, including testimony from Martin Sullivan, Partner, Sullivan & Barros, LLP (Tr. at 10–17, passim).

III. RESPONSES TO THE APPLICATION

OP Reports and Testimony

45. OP submitted a report dated December 4, 2025, recommending that the Commission set down the Application for a public hearing (the "OP Setdown Report") and concluding that the Map Amendment is not inconsistent with the CP for the following reasons:
    - **GPM** – The Generalized Policy Map designates the subject property as a Neighborhood Commercial Center. The proposed MU-8B zoning would permit the former retail establishment to be replaced by a larger neighborhood-focused commercial and/or residential development. The Property is also within the 100-year floodplain and within a Resilience Focus designated area. If the Property redevelops, it would be required to meet all DC green building, stormwater management, floodplain, and climate adaptive solutions that contribute to the District's watershed resilience. Therefore, the proposed Map Amendment would not be inconsistent with the GPM's Neighborhood Commercial Center designation;
    - **FLUM** – In the most recent Comprehensive Plan update, the Property's FLUM designation was changed to Mixed Use Medium Density Residential and Medium Density Commercial. The proposed MU-8B zone allows for medium density mixed use development and would be more in line with these designations than the existing MU-3A zone. Therefore, the Map Amendment would not be inconsistent with the FLUM designation for the Property;
    - **Racial Equity** – The OP Setdown Report provides a racial equity analysis, anticipating that the MU-8B zone generally leads to positive impacts, and that the Map Amendment, when evaluated through a racial equity lens, is not inconsistent with the CP because:
        - Direct Displacement – The Map Amendment would not result in direct displacement of any residents or businesses because the Property is currently vacant;
        - Indirect Displacement – OP does not anticipate the Map Amendment resulting in indirect displacement because future redevelopment of the Property could support other local businesses.

zone[] for the medium-density mixed-use designation." However, the Applicant amended the Application to propose rezoning the Property to MU-8B instead (Ex. 2D, 10).

- Physical – It is not likely that the proposed rezoning would result in negative impacts on the physical environment. Redevelopment would result in public space, streetscape, and stormwater infrastructure improvements. The Property will be required to comply with the most current standards and codes.
- Employment Opportunity – Any development of commercial space could provide job and small business opportunities on the Property site. Further, new development could result in jobs related to construction, building maintenance, property management, retail and service uses;
- Disaggregated Race and Ethnicity Data – The OP racial equity analysis provides disaggregated race and ethnicity data for the Far Northeast/Southeast Planning Area, in which the Property is located. Based on the data it compiled, OP made the following observations and conclusions:
  - In the 2012-2016 period, the Far Northeast/Far Southeast Planning Area had a population of 79,912 or about 12.12% of the District's total population. In the 2012-2016 time period, Black residents made up the largest portion of the population in the planning area, at 93.8% of the area's residents. This is also considerably more than for the District as a whole (48.3%). In the 2019-2023 period, Blacks continued to make up the largest portion of the population but the percentage fell slightly to 88.35%, although the number of Black residents increased by 687;
  - The median income of the Far Northeast/Far Southeast Planning Area was below that of the District as a whole in both the 2012-2016 and 2019-2023 time periods. Black or African American residents had the lowest median income of all segments of the population in both time periods, ($36,614 and $58,784). Whites, Asians, and "Some Other Race" had higher median incomes, and larger increases between the two time periods;
  - Between 2012-2016 and 2019-2023, the percentage of owner occupancy in the District rose only slightly, from 40.7% to 41.1%. The percentage of owner occupancy in the Far Northeast/ Southeast Planning Area rose at a higher rate, from 35% to 41.2%, to a level similar to that of the District as a whole. White and Hispanic or Latino households had the highest percentage of owner-occupied housing in the Far Northeast/Far Southeast Planning Area at 81.5% and 54.6% respectively in the 2019-2023 time period. The percentage of Black and African American homeowners grew between the two time periods by 5.0% to 39.7%, slightly above the District wide average of 34.9%;
  - In the 2012-2016 time period, the 18.2% unemployment rate in the Planning Area was more than twice the rate for the District as a whole. While the unemployment rate fell for both the District and the Planning Area in the 2019-2023 time period, the Planning Area's unemployment rate remained over twice that of the District's at 13.5%; and
  - The Far Northeast/ Southeast Planning Area exceeded the Mayor's 2025 affordable housing goal for the Planning Area by providing 1,267 affordable units, or 258.6% of the target amount;

- **FNS Area Element** – The Map Amendment would not be inconsistent with the polices and actions of the FNS Area Element. The MU-8B zone allows for a level of density that should encourage more mixed-use development without disturbing the character

of the surrounding single-family neighborhood. The additional density could result in bringing highly desired neighborhood services, retail revitalization, and employment opportunities. Specifically, the Map Amendment furthers the following policies of the FNS Area Element: FNS-1.1.1: Conservation of Low-Density Neighborhoods; FNS-1.1.4: Retail Development; FNS-2.2.2: Nannie Helen Burroughs Avenue; FNS-2.2.5: Neighborhood-Serving Commercial Uses;

- **Land Use Element** – The proposed Map Amendment would be not inconsistent with the Land Use Element. The Map Amendment would allow an appropriate step up in density from the low-to-moderate density neighborhood that surrounds the Nannie Helen Burroughs Corridor. The Property is also within the 100-year floodplain and a Resilience Focus designated area, so if the Property redevelops it would be required to address all environmental and floodplain standards and should adopt climate adaptive solutions that contribute to the District's watershed resilience using DOEE's Resilient Design Guidelines. Specifically, the Map Amendment furthers the following policies of the Land Use Element: LU-1.1.1: Future Planning Analysis and Resilience Focus Areas; LU-1.4.6: Development Along Corridors; LU-2.1.2: Neighborhood Revitalization; LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods; LU-2.1.8: Explore Approaches to Additional Density in Low and Moderate-Density Neighborhoods;
- **Transportation Element** – The proposed Map Amendment would not be inconsistent with the policies of the Transportation Element. The Property is 0.5 miles from the Minnesota Avenue Metrorail station and is served by multiple bus lines. These public transit options would allow people to access the Property without being required to have a car. Redevelopment of the Property could improve the pedestrian-oriented environment by enhancing pedestrian links and providing safer crossings. Specifically, the Map Amendment furthers the following policies of the Transportation Element: T-1.1.4: Transit-Oriented Development; T-1.1.7: Equitable Transportation Access; T-1.3.1: Transit-Accessible Employment;
- **Housing Element** – The proposed Map Amendment would be not inconsistent with the polices and actions of the Housing Element, which encourages more density for mixed use development. The Property currently has a vacant retail establishment. If the Property were redeveloped, the MU-8B zone's additional density would permit more housing than currently allowed by the existing zone. A residential or mixed-use development could have both market rate and affordable housing, including IZ units. A mixed-income residential development could help keep the area affordable and attract demographically and economically diverse households to the area. Specifically, the proposed amendment furthers the following policies of the Housing Element: H-1.1.1: Private Sector Support; H-1.1.3: Balanced Growth; H-1.2.9: Advancing Diversity and Equity of Planning Areas; H-1.2.11: Inclusive Mixed-Income Neighborhoods;
- **Environmental Protection Element** – The proposed Map Amendment would not be inconsistent with the policies of the Environmental Protection Element. Future development of the Property must comply with the District's environmental protection regulations, including the Green Building Act, stormwater management regulations, and Sustainable DC Plan. These regulations require site and landscape improvements

to increase sustainability and to reduce stormwater runoff. This is especially important because the Property is within the 100-year floodplain. Redevelopment could include adaptive design considerations to reduce flooding risks. Specifically, the Map Amendment furthers the following policies and actions of the Environmental Protection Element: E-1.1.B: Development in Floodplains; E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoffs; E-4.2.1: Support for Green Building;

- **Economic Development Element** – The Map Amendment would not be inconsistent with the Economic Development Element. The Map Amendment could facilitate new development on the Property, and the additional density could help to expand retail in the area which is needed in this underserved community. The Property's access to public transit makes it very appropriate for additional commercial development, and both customers with and without cars would be able to visit the Property. Specifically, the Map Amendment furthers the following policies of the Economic Development Element: ED-2.2.3: Neighborhood Shopping; ED-3.1.1: Neighborhood Commercial Vitality; and
- **Potential CP Inconsistencies** – The OP Setdown Report did not identify any potential inconsistencies with the CP.

(Ex. 12).

46. The OP Setdown Report also stated that IZ Plus, pursuant to Subtitle X § 502.1(b), is not appropriate for the Map Amendment because a disproportionate amount of affordable housing already exists in the Far Northeast/Southeast Planning Area. In addition, 1,267 new affordable units have been produced since 2019, which far exceeds the new affordable housing production target of 490 units. OP notes that the Property would remain subject to regular IZ requirements (Ex. 12).

47. The OP Setdown Report noted that the Map Amendment could encourage development in line with the Nannie Helen Burroughs Corridor Small Area Plan's vision for underutilized properties to be developed with housing and neighborhood-serving retail. The OP Setdown Report further noted that the Nannie Helen Burroughs Corridor Small Area Plan encourages revitalizing the corridor with improved economic opportunities and services for residents (Ex. 12).

48. The OP Setdown Report also noted that the Map Amendment would be in line with the Comprehensive Community Development Model ("CCDM") because greater density on the Property could bring more housing and job opportunities to the area. The CCDM is a community-led strategy designed to support neighborhood development in the northeast end of Ward 7 that addresses key challenges in housing, economic and workforce development, health and wellness, and youth development (Ex. 12).

49. OP submitted a hearing report dated March 26, 2026 (the "OP Hearing Report" and, together with the OP Setdown Report, the "OP Reports") that largely reiterated the OP Setdown Report's conclusions, including OP's recommendation that the Map Amendment be approved without IZ Plus (Ex. 21).

50. At the April 6, 2026 virtual public hearing, OP reiterated its support for the Application as detailed in the OP Reports (Tr. at 28–32).

DDOT Report

51. DDOT submitted a report dated March 27, 2026 (the "DDOT Report") stating that DDOT had no objection to the Application because the additional density permitted by the Map Amendment is expected to generate a moderate increase in walking, biking, and transit trips, and a small-to-moderate increase in vehicle trips, but that the impacts on the surrounding roadway network will be manageable. DDOT also concluded that the Map Amendment would support transit use and bring more pedestrian activity to the area, which is consistent with DDOT's approach to infill development, which should be dense, walkable, transit-oriented, and improve the public realm. DDOT also expects future redevelopment of the Property will be coordinated with DDOT (Ex. 22).

52. DDOT did not provide testimony at the April 6, 2026, virtual public hearing.

ANC Report and Testimony

53. On April 6, 2026, ANC 7C submitted a report dated April 6, 2026 (the "ANC Report") indicating that at a regularly scheduled and properly noticed public meeting on March 12, 2026, with a quorum present, the ANC voted 6-0-0 in support of the Map Amendment as part of its support for greater commercial development of retail options in the area. The ANC Report noted that ANC 7C is oversaturated with affordable housing apartment units—containing nineteen percent (19%) of the District's total units (Ex. 25).

54. At the April 6, 2026, virtual public hearing, SMD 7C09 Commissioner Carrie N. Brown testified in support of the Application. The Property is located within SMD 7C09. Commissioner Brown questioned the Applicant about upkeep and maintenance of the Property. The Applicant committed to staying engaged with Commissioner Brown to address upkeep and maintenance issues at the Property (Tr. at 25–27).

Organizations and Individuals in Support

55. No organizations or individuals filed letters or testified in support of the Application at the April 6, 2026, virtual public hearing.

Organizations and Individuals in Opposition

56. No organizations or individuals filed letters or testified in opposition to the Application at the April 6, 2026, virtual public hearing.

National Capital Planning Commission ("NCPC")

57. The Commission referred the Application to NCPC on April 8, 2026, for the thirty-(30) day review period required by § 492(b)(2) of the District Charter (Dec. 24, 1973, Pub. L. 93−198, title IV, § 492(b)(2); D.C. Official Code 6-6401.05)) (Ex. 26).

58. On April 30, 2026, NCPC staff filed a letter stating that the Map Amendment falls under an exception listed in NCPC's submission guidelines and is exempt from NCPC review (Ex. 28).

CONCLUSIONS OF LAW

1. Section 1 of the Zoning Act of 1938 (effective June 20, 1938, as amended, 52 Stat. 797 ch. 534; D.C. Official Code § 6-641.01 et seq. (2012 Repl.)) (the "Zoning Act") authorizes the Commission to create zones within which the Commission may regulate the construction and use of property in order 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."

2. Section 2 of the Zoning Act (D.C. Official Code § 6-641.02) further provides that:

> *Zoning 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 on 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 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.*

3. The Commission must ensure that the Zoning Map, and all amendments to it, are "not inconsistent" with the CP pursuant to § 492(b)(1) of the District of Columbia Home Rule Act. (§ 2 of the Zoning Act; D.C. Official Code § 6-641.02) Subtitle X § 500.3 incorporates this intent to the Zoning Regulations by requiring that map amendments be "not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site."

Not Inconsistent with the Comprehensive Plan (Subtitle X § 500.3)

4. The Commission concludes, based on the filings in the record and the testimony from the public hearing, that the Map Amendment from the existing MU-3A zone to the MU-8B zone is not inconsistent with the CP, including its maps and written elements and when viewed through a racial equity lens, and advances numerous CP policy goals and objectives.

5. Even if the Map Amendment conflicts with one or more individual policies associated with the CP, this does not, in and of itself, preclude the Commission from concluding that the Map Amendment would be consistent with the CP as a whole (*Durant v. D.C. Zoning Comm'n*, 65 A.3d 1161, 1168 (D.C. 2013)). In this case, the Commission acknowledges that the Applicant initially identified potential CP inconsistencies if the Property were rezoned to the MU-7A zone. The Commission notes that neither the Applicant nor OP

identified any potential CP inconsistencies if the Property were rezoned to the MU-8B zone. Thus, the Commission concludes that any potential inconsistencies with CP policies are outweighed by the CP policy goals and objectives that would be advanced by the Map Amendment. The Map Amendment is not inconsistent with the CP Maps and would advance policies of the Citywide Elements and the FNS Area Element, which support, among other things, increasing density to permit more mixed-use and housing, retail, and service use development on an underutilized property that is in proximity to transit (FF Nos. 31–45, 49–50).

GPM

6. The Commission concludes that the Map Amendment is not inconsistent with the GPM's designation of the Property as a Neighborhood Commercial Center because the Map Amendment permits redevelopment of a currently vacant infill site with medium density mixed-use development compatible with the scale and character of the surrounding area, and that could help to address the District's city-wide housing needs and provide commercial services for existing and future residents. The Commission further concludes that the Map Amendment is not inconsistent with the GPM's designation of the Property as a Resilience Focus Area because if the Property redevelops, it would be required to meet all DC green building, stormwater management, floodplain, and climate adaptive solutions that contribute to the District's watershed resilience (FF Nos. 21, 31, 45, 49).

FLUM

7. The Commission concludes that the Map Amendment is not inconsistent with the FLUM's designation of the Property as Mixed-Use Medium Density Residential and Medium Density Commercial. The Map Amendment to the MU-8B zone provides for increased density on a site that is vacant and underutilized and would facilitate development with housing and commercial and service uses. The 2021 update to the Comprehensive Plan modified the Property's FLUM designation to Mixed-Use (Medium Density Residential and Medium Density Commercial), thus contemplating greater density and commercial uses for the Property than allowed under the existing MU-3A zone. Consistent with the FLUM's preferred mix and intensity of uses, the MU-8B zone balances the density of residential and non-residential uses. The Commission finds the MU-8B zone appropriate for the Property as it allows for medium density development with a mix of residential and non-residential uses on the Property, as contemplated by the FLUM (FF Nos. 22, 32, 45, 49).

Racial Equity

8. The Commission concludes that the Map Amendment is not inconsistent with the CP when evaluated through a racial equity lens. The Commission reaches this conclusion based on the case record and the racial equity analyses provided by the Applicant, inclusive of community outreach and engagement information, and the OP Reports, inclusive of disaggregated race and ethnicity data for the Far Northeast/Southeast Planning Area (FF Nos. 17–20, 33–35, 45, 49). The Commission finds that the racial equity analyses provided address the components of the Commission's Racial Equity Tool and that the Map Amendment furthers CP racial equity goals, primarily because of its potential to facilitate

new mixed-use development, including housing, retail, and service uses, as discussed in more detail below (*Id.*):

- Displacement – The Map Amendment does not result in any direct displacement of residents or businesses because the Property is currently vacant. The Commission also acknowledges that the Map Amendment is unlikely to result in any indirect displacement and that future redevelopment of the Property could support local businesses (FF Nos. 34, 45, 49);
- Community Outreach and Engagement – The Applicant's racial equity analysis and April 6, 2026, virtual public hearing testimony included evidence that it conducted outreach with various community stakeholders including ANC 7C and the Deanwood Citizens Association. The Commission notes that the community specifically requested that the Applicant seek a rezoning to the MU-8B zone instead of the MU-7A zone, and that the Applicant amended its Application in response to community feedback. The Commission finds the Applicant's evidence of community outreach and engagement sufficient (FF No. 35). The Commission's evaluation of this Application only pertains to a Map Amendment to the MU-8B zone, that is whether the matter-of-right development standards of the MU-8B zone are not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the Property site. Notwithstanding, the Commission encourages the Applicant to continue its community outreach and engagement efforts during the redevelopment process; and
- Disaggregated Race and Ethnicity Data – OP's racial equity analysis included disaggregated race and ethnicity data for the Far Northeast / Southeast Planning Area showing that the Planning Area has a significantly higher percentage of Black residents than the District as a whole; and though the Black population has declined in percentage terms in recent years, it has increased in absolute population growth. Stark racial disparities exist in terms of median household income. The Planning Area data shows significant disparity between median household income is greatest between White residents and Black residents, with incomes among Black residents of the Planning Area lagging behind those in the District generally and showing only very modest growth over the past decade. Owner occupancy rates in the Planning Area have generally increased for all races over the past decade, except for "American Indian and Alaskan Native alone," and are at or slightly above District-wide occupancy rates except for "American Indian and Alaskan Native alone," "Native Hawaiian and Other Pacific Islander alone," and "Two or more races." Unemployment rates, the percentage of cost-burdened households, and poverty rates have all declined over the past decade (FF Nos. 45, 49). The Commission is encouraged that the provision of increased density on this vacant and underutilized Property will facilitate development opportunities resulting in increased commercial catalyzation along the Nannie Helen Burroughs Corridor, and the Commission is hopeful that the future development facilitated by the Map Amendment will attract a more diversified population, both along racial and economic lines, to the immediate Property area.

FNS Area Element

9. The Commission concludes that the Map Amendment furthers policies of the FNS Area Element based on the findings stated above (FF Nos. 23–24, 36, 45, 49).

Land Use Element

10. The Commission concludes that the Map Amendment furthers policies of the Land Use Element based on the findings stated above (FF Nos. 37, 45, 49).

Transportation Element

11. The Commission concludes that the Map Amendment furthers policies of the Transportation Element based on the findings stated above (FF Nos. 38, 45, 49).

Housing Element

12. The Commission concludes that the Map Amendment furthers policies of the Housing Element based on the findings stated above (FF Nos. 39, 45, 49).

Environmental Protection Element

13. The Commission concludes that the Map Amendment furthers policies of the Environmental Protection Element based on the findings stated above (FF Nos. 40, 45, 49).

Economic Development Element

14. The Commission concludes that the Map Amendment furthers policies of the Economic Development Element based on the findings stated above (FF Nos. 41, 45, 49).

Nannie Helen Burroughs Corridor Small Area Plan

15. The Commission concludes that the Map Amendment is in line with the Nannie Helen Burroughs Corridor Small Area Plan based on the findings stated above (FF Nos. 25–26, 43, 47, 49).

CCDM

16. The Commission concludes that the Map Amendment is in line with the CCDM based on the findings stated above (FF Nos. 48-49).

Great Weight to the Recommendations of OP

17. The Commission must give "great weight" to the recommendations of OP pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.)) and Subtitle Z § 405.9 *(Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).

18. The Commission concludes that the OP Reports, which provided an in-depth analysis of the Map Amendment, are persuasive and concurs with OP's recommendation that the Property's rezoning would not be inconsistent with the CP Maps, the Citywide Elements and FNS Area Element and would advance CP equity goals when evaluated through a racial equity lens, as discussed above (FF 45, 49). The Commission also concurs with OP that IZ Plus is not appropriate for the Map Amendment due to the mitigating circumstances of a

high level of existing affordable housing both within the Far Northeast/Southeast Planning Area and ANC 7C (FF Nos. 46, 49).

Great Weight to the ANC Report

19. The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.)) and Subtitle Z § 406.2. To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)). The District of Columbia Court of Appeals has interpreted the phrase "issues and concerns" to "encompass only legally relevant issues and concerns." (*Wheeler v. D.C. Bd. of Zoning Adjustment*, 395 A.2d 85, 91 n.10 (D.C. 1978) (citation omitted)).

20. The Commission acknowledges the recommendation of ANC 7C in support of the Map Amendment (FF No. 53). The Commission notes that ANC 7C's recommendation in support of the Map Amendment was tied to its desire for higher permitted commercial density to offset the oversaturation of affordable housing within ANC 7C (*Id.*).The Commission concludes that the ANC Report is persuasive and concurs with the ANC's recommendation that the Property be rezoned to the MU-8B zone. The Commission also acknowledges the testimony of Carrie N. Brown, SMD 7C09, raising concerns about the Property's overall maintenance (FF No. 54), and encourages the Applicant to communicate with both Ms. Brown and the surrounding community about ongoing upkeep and maintenance of the Property.

DECISION

In consideration of the record for Z.C. Case No. 25-14 and the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission concludes that the Applicant has satisfied its burden of proof and therefore **APPROVES** the Application to amend the Zoning Map As follows:

SQUARE	LOT	MAP AMENDMENT
5094	103	MU-3A to **MU-8B**

Proposed Action
Vote (April 6, 2026): 5-0-0 (Gwen Wright, Joseph S. Imamura, Anthony J. Hood, Robert E. Miller, and Tammy Stidham to approve)

Final Action
Vote (May 14, 2026): 5-0-0 (Tammy Stidham, Joseph S. Imamura, Anthony J. Hood, Robert E. Miller, and Gwen Wright to approve)

In accordance with the provisions of Subtitle Z § 604.9, this Z.C. Order No. 25-14 shall become final and effective upon publication in the *District of Columbia Register*, that is on September 25, 2026.

BY THE ORDER OF THE D.C. ZONING COMMISSION
A majority of the Commission members approved the issuance of this Order.

ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION

SARA A. BARDIN
DIRECTOR
OFFICE OF ZONING

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.