

**BEFORE THE DISTRICT OF COLUMBIA  
ZONING COMMISSION**

**AN APPLICATION FOR A ZONING MAP AMENDMENT  
FROM THE RA-2 ZONE DISTRICT TO THE  
RA-4 ZONE DISTRICT**

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**SQUARE 2672, LOT 718  
1459 COLUMBIA ROAD, NW**

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**EMORY UNITED METHODIST CHURCH**

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**NOVEMBER 7, 2024**

Respectfully submitted by:

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**List of Exhibits**

| <b>Exhibit</b> | <b>Description</b>  |
|----------------|---|
| A              | Plat of Subject Property from the D.C. Surveyor's Office  |
| B              | Relevant portion of the Comprehensive Plan Future Land Use Map  |
| C              | Relevant portion of the Comprehensive Plan Generalized Policy Map   |
| D              | Relevant portion of the 2016 Zoning Map showing existing zoning and proposed zoning of the Subject Property   |
| E              | Comprehensive Plan Analysis   |
| F              | Name and mailing address of the owner of the property to be rezoned   |
| G              | Form 100 – Zoning Commission Application Signature Form   |
| H              | Letter of Authorization   |
| I              | Certificate of Proficiency  |
| J              | Certificate of Notice, Notice of Intent, and List of Addresses of Owners of Property within 200 feet of the Subject Property  |
| K              | The name and addresses of the owners of all property located within two hundred feet of the Property and the names and addresses of each lessee having a lease with the owner for all or part of any building located on the Property |

## **I. INTRODUCTION**

Emory United Methodist Church (the “Applicant”) submits this Statement in Support of an amendment to the Zoning Map of the District of Columbia (the “Zoning Map”) pursuant to 11-X DCMR § 501.1 and to 11-Z DCMR §§ 201.2(e), 304 of the 2016 Zoning Regulations of the District of Columbia (the “Zoning Regulations”). More specifically, the Applicant is seeking to rezone the property identified as Lot 718 in Square 2672 (more commonly referred to as 1459 Columbia Road, NW) (the “Property”) from the RA-2 zone to the RA-4 zone (collectively, the “Application”). A plat from the District of Columbia Office of the Surveyor depicting the Property is attached as Exhibit A.

In accordance with 11-X DCMR § 500.3, the Application is not inconsistent with the Comprehensive Plan, including the Property’s designation on the Comprehensive Plan’s Future Land Use Map (“FLUM”) and Generalized Policy Map (“GPM”). The Property is located in the Mid-City Planning Area, and the proposed Zoning Map amendment advances the objectives and recommendations of the Mid-City Planning Area. The proposed map amendment is also consistent with the purposes of the Zoning Enabling Act of 1938, as amended (52 Stat. 797; D.C. Official Code § 6-641.01 *et seq.* (2012 Repl.)) (the “Zoning Act”), in that it will create conditions that are favorable to public health, safety, welfare, and convenience. As demonstrated below, approval of the Application will result in positive outcomes for the Property, the Mid-City Planning Area, and the District. Specifically, the Application will achieve the following:

- Establish zoning on the Property that is not inconsistent with the Comprehensive Plan, as required under the Home Rule Charter;
- Establish zoning on the Property that will allow a medium density residential development as supported by the Property’s FLUM designation Medium Density Residential;
- Permit an increase in allowable residential density at the Property and facilitate the redevelopment of the Property consistent with the Property’s GPM designation;
- Provide opportunities to redevelop the Property with new, affordable multifamily housing;
- Contribute to the affordable housing supply of the Mid-City Planning Area, where mixed-income, diverse neighborhoods are desired and encouraged pursuant to certain Comprehensive Plan objectives; and,
- Facilitate progress towards achieving racial equity by advancing numerous Comprehensive Plan policies geared towards fostering an inclusive city, and by providing new housing opportunities and access to other desirable neighborhood amenities to households that may not otherwise be able to afford to live in the Columbia Heights, U Street, Mount Pleasant, and LeDroit Park neighborhoods.

## **II. DESCRIPTION OF THE PROPERTY AND THE SURROUNDING AREA**

### ***A. Description of the Property***

The Property consists of approximately 19,460 square feet of land area (approx. 0.44 acres), and is located within the Columbia Heights neighborhood in northwest Washington, DC. The Property is located within Square 2672, which is bounded to the north by Irving Street, NW, to the south by Columbia Road, NW, to the east by 14<sup>th</sup> Street, NW, and to the west by 15<sup>th</sup> Street, NW. The Property is more particularly bounded by a public alley to the north, Columbia Road, NW, to the south, and multifamily housing developments to the east and to the west. The Property is situated within the Columbia Heights neighborhood.

The Property is within the jurisdictional boundaries of Advisory Neighborhood Commission (“ANC”) 1A. Additionally, the Property is located less than 1,000 feet from the Columbia Heights Metrorail Station and is within 0.25 miles of several WMATA bus routes, specifically the 52, 54, 59, D32, H2, and H4 routes.

### ***B. Description of the Surrounding Area***

The area surrounding the Property is comprised of multifamily residential uses, neighborhood-serving retail uses, and commercial uses. Specifically, the area northeast of the Property, and south of Irving Street, NW, and west of 14<sup>th</sup> Street, NW, consists of the Highland Park Apartments, retail uses, and commercial uses, whereas the area south and west of the Property consists of moderate-density and medium-density residential uses. Further, the DC USA retail development is located less than 1,000 feet from the Property, and includes multiple retail and commercial uses such as a Petco, DSW Designer Shoe Warehouse, IHOP, Chick-fil-A, Marshalls, Best Buy, Target, Lidl, Chase Bank, and Bank of America.

## **III. FUTURE LAND USE MAP AND GENERALIZED POLICY MAP DESIGNATION**

### ***A. Future Land Use Map Designation***

As shown on the portion of the FLUM, attached as Exhibit B, the Property is designated as Medium Density Residential.

### ***B. Generalized Policy Map Designation***

As show on the portion of the GPM, attached as Exhibit C, the Property is located within a Neighborhood Conservation Area.

The Comprehensive Plan Evaluation provides a detailed analysis of the Property’s FLUM and GPM designations. See Exhibit E.

#### **IV. EXISTING AND PROPOSED ZONING**

The Application proposes to rezone the Property from the RA-2 zone to the RA-4 zone. The RA zones are residential zones that are designed to provide for residential areas suitable for multiple dwelling unit development, and supporting uses. 11-F DCMR § 101.1.

##### ***A. Existing RA-2 Zoning***

As shown in Exhibit D, the Property is currently zoned RA-2. The purpose of the RA zones “is to permit flexibility of design by permitting all types of urban residential development if it conforms to the height, density, and area requirements of the zone and to permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones.” 11-F DCMR §§ 101.3(a)–(b). More specifically, the RA-2 zone provides for areas developed with predominantly moderate-density residential uses. 11-F DCMR § 101.4.

##### ***B. Proposed RA-4 Zoning***

Pursuant to 11-Z DCMR § 201.2(e), the Applicant requests a Zoning Map amendment to rezone the Property from the RA-2 zone to the RA-4 zone. The purpose of the RA zones “is to permit flexibility of design by permitting all types of urban residential development if it conforms to the height, density, and area requirements of the zone and to permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive residential zones.” 11-F DCMR §§ 101.3(a)–(b). More specifically, the RA-4 zone provides for areas developed with predominantly medium- to high-density residential. 11-F DCMR § 101.7.

The Comprehensive Plan Framework Element states density ranging from 1.8 to 4.0 FAR is consistent with the Medium Density Residential category. 10-A DCMR § 227.7. The Comprehensive Plan Framework Element also states that the Medium Density Residential category may yield a density greater than 1.8 to 4.0 FAR when complying with Inclusionary Zoning. 10-A DCMR § 227.7. The RA-4 zone permits 3.5 FAR as a matter of right and 4.2 FAR with Inclusionary Zoning. *See* 11-F DCMR § 201.1; *see also* 11-F DCMR § 201.4. Therefore, the density permitted by the RA-4 zone is consistent with the density range contemplated by the Comprehensive Plan Framework Element.

*[intentional page break]*

***C. Comparison of Existing and Proposed Development Standards***

|                             | <b>EXISTING ZONING:<br/>RA-2</b>   | <b>PROPOSED ZONING:<br/>RA-4</b>   |
|-----------------------------|--|--|
|                             | <b>Allowed / Required as<br/>Matter-of-Right</b>   | <b>Allowed / Required as<br/>Matter-of-Right</b>   |
| <b>Density<br/>(FAR)</b>    | 1.8 (2.16 w/ IZ)   | 3.5 (4.2 w/ IZ)  |
| <b>Height</b>               | 50 ft.   | 90 ft.   |
| <b>Penthouse<br/>Height</b> | 12 ft. and 1 story, except 15 ft. and second story permitted for penthouse mechanical space                                      | 20 ft. and 1 story plus mezzanine, except second story permitted for penthouse mechanical space                                  |
| <b>Lot<br/>Occupancy</b>    | 60%  | 75%  |
| <b>Front<br/>Setback</b>    | N/A  | N/A  |
| <b>Rear Yard</b>            | 4 in. per 1 ft. of building height, but no less than 15 ft.  | 4 in. per 1 ft. of building height, but no less than 15 ft.  |
| <b>Side Yard</b>            | None required, but if provided, min. 4 ft. (min. 8 ft. for detached or semi-detached buildings containing 1 or 2 dwelling units) | None required, but if provided, min. 4 ft. (min. 8 ft. for detached or semi-detached buildings containing 1 or 2 dwelling units) |
| <b>GAR</b>                  | 0.4  | 0.3  |

**V. STANDARDS APPLICABLE TO ZONING MAP AMENDMENT APPLICATION**

The requested Zoning Map amendment is submitted as a contested case pursuant to 11-Z DCMR § 202.1(e). Pursuant to the Zoning Act, there are a number of criteria that must be applied by the Zoning Commission in adopting and amending the Zoning Regulations and the Zoning Map. The Zoning Act provides 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 . . .” The Zoning Act further provides:

[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.

Furthermore, in all map amendments, the Commission shall find that the map amendment is not inconsistent with the Comprehensive Plan nor with other adopted public policies and active programs related to the subject site. 11-X DCMR § 500.3.

## **VI. EVALUATION OF PROPOSED MAP AMENDMENT AND COMPLIANCE WITH STATUTORY STANDARDS**

### ***A. Consistency with the Comprehensive Plan***

As discussed in Exhibit E, the Application is not inconsistent with the Comprehensive Plan, as adopted by the D.C. Council pursuant to D.C. Law L23-0217 (Comprehensive Plan Amendment Act of 2017) and D.C. Law 24-0020 (Comprehensive Plan Amendment Act of 2020), including the FLUM and the GPM (D.C. Resolution R24-0292).<sup>1</sup>

### ***B. Advancement of Health, Safety and the General Welfare***

The proposed Zoning Map amendment will advance public health, safety, and the general welfare of the District of Columbia. The requested rezoning to the RA-4 zone will allow the Property to be repurposed with higher residential density, thus contributing to the ongoing revitalization of the neighborhoods located near the Property. The map amendment will protect

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<sup>1</sup> D.C. Law 23-0217 took effect on August 27, 2020, and included amendments to the Comprehensive Plan Framework Element. D.C. Law 24-0020 took effect on August 21, 2021, and included amendments to the Comprehensive Plan, citywide elements, area elements, and the Generalized Policy Map and Future Land Use Map. The Generalized Policy Map and Future Land Use Map were formally approved on November 16, 2021, pursuant to Resolution No. 24-0292.



the health and safety of District residents by allowing for the future redevelopment of the Property that is not inconsistent with the Comprehensive Plan, including the FLUM and GPM.

### ***C. No Adverse Consequences***

The proposed Zoning Map amendment will not result in adverse consequences. Instead, the requested rezoning will contribute to several positive and important benefits as it will more closely align the Property's zoning with the Property's FLUM designation, which will result in greater development opportunities than what currently exist. The subsequent redevelopment of the Property has the opportunity to improve the Property's current condition, thereby enhancing the quality of the entire community. Further, the map amendment will not generate any negative external effects because the proposed Zoning Map amendment will more closely align the Property's zoning with the Property's FLUM designation and other Comprehensive Plan policies. Moreover, the proposed Zoning Map amendment will facilitate progress towards achieving racial equity in the District, as it does not lend to predictable outcomes based on one's socioeconomic status.

### ***D. Proposed RA-4 Zone Would Create Favorable Conditions***

The proposed Zoning Map amendment will bring the Property into greater conformance with the Property's Medium Density Residential FLUM designation and other Comprehensive Plan policies. The proposed Zoning Map amendment will positively impact the Mid-City Planning Area by supporting additional residential development, which will be subject to Inclusionary Zoning Plus. As discussed in the Comprehensive Plan Evaluation, the requested rezoning will also advance a number of policies embodied within various elements of the Comprehensive Plan, and the requested rezoning is not inconsistent with the Comprehensive Plan when read as a whole. Overall, approval of the Application will promote the efficient use of land in a manner that will, among other things, increase the District's housing and affordable housing supply.

## **VII. COMMUNITY OUTREACH AND ANC COORDINATION**

The Property lies within the boundaries of Advisory Neighborhood Commission ("ANC") 1A. The Property specifically lies within the jurisdiction of ANC 1A03. The single member district ("SMD") representative for ANC 1A03 is Commissioner Carlo Perri.

Prior to filing the Application, the Applicant met with Commissioner Dieter Lehmann Morales, Chairperson of ANC 1A; Commissioner Carlo Perri; and, Max Ewart, Chairman of ANC 1A's Housing Justice and Zoning Committee ("HJC Committee"), to discuss the Application. On November 4, 2024, the Applicant presented the proposed map amendment to ANC 1A's HJC Committee, and the committee voted unanimously (6-0) to recommend that the full ANC support the requested rezoning of the Property from the RA-2 to RA-4 zone. The Applicant anticipates presenting the Application to the full ANC in November or December.

## VIII. CONCLUSION

For the reasons stated herein, the Applicant submits that the proposed rezoning of the Property from the RA-2 zone to RA-4 zone is not inconsistent with the Comprehensive Plan, and the proposed rezoning advances the objectives of the Zoning Act. Accordingly, the Applicant respectfully requests that the Commission schedule a public hearing for the Application, and ultimately grant the requested Zoning Map amendment.

Respectfully submitted,

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