

TAB E

July 26, 2024

NOTICE OF INTENT TO FILE A ZONING APPLICATION

**Application to the
Zoning Commission for the District of Columbia for
Approval of a Zoning Map Amendment**

Ward Memorial AME Church, Ward Memorial Church, and The Ward Memorial AME Church, Benning DC (collectively, the “Applicant”) hereby give notice of its intent to file an application for a Zoning Map amendment with the Zoning Commission for the District of Columbia (“Commission”) pursuant to Subtitle Z, Section 304 of the District of Columbia Municipal Regulations, Title 11 (“11 DCMR” or the “Zoning Regulations”). Pursuant to 11-Z DCMR § 304.5, the application will be filed with the Zoning Commission not less than forty-five (45) days from the date of this notice.

The property included in the application consists of Lots 147 and 852 in Square 5088, and Lot 74 in Square 5087 (the “Property”). The address for Lots 147 and 852 in Square 5088 is 241 42nd Street, NE. The address for Lot 74 in Square 5987 is 227 42nd Street, NE. The three lots total approximately 31,502 square feet of land area and are generally bounded by Clay Street, NE to the north; 42nd Street, NE to the east; and private property to the south and to the west. Brooks Street, NE bisects the Property. The Property is located in Ward 7 and is within the boundaries of ANC 7F-03.

The Property is presently zoned RA-1. The Applicant is seeking a Zoning Map amendment to rezone the Property to the RA-2 zone. The purpose of the RA-2 zone is to permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements of the zone district and the RA-2 zone is intended to provide for areas developed with predominantly moderate-density residential. See 11-F DCMR §§ 101.3(a), 101.5.

The RA-2 zone permits a maximum building height of 50 feet. 11-F DCMR § 203.2. The maximum permitted density in the RA-2 zone is 1.8 floor area ratio (“FAR”) as a matter of right and 2.16 FAR for inclusionary zoning developments. 11-F DCMR §§ 201.1, 201.4. The maximum permitted lot occupancy in the RA-2 zone is 60%. 11-F DCMR § 210.1.

The Property is designated as Moderate Density Residential on the Comprehensive Plan Future Land Use Map (“FLUM”). On the Comprehensive Plan Generalized Policy Map (“GPM”), Lots 147 and 852 in Square 5988 are designated as a Neighborhood Enhancement Area; and Lot 74 in Square 5987 is designated as a Neighborhood Conservation Area.

This notice is given pursuant to 11-Z DCMR § 304.5 which requires written notice to be sent to the affected Advisory Neighborhood Commission (“ANC”) and to owners of all property within 200 feet of the perimeter of the property involved a proposed Zoning Map amendment.

Should you need additional information regarding the proposed Zoning Map amendment application, please contact Leila Batties at 202-419-2583 or leila.batties@hklaw.com.

Certificate of Notice

I HEREBY CERTIFY that on July 26, 2024 a copy of the attached Notice of Intent to File a Zoning Application was sent via first-class mail to the owners of property within 200 feet of 241 42nd Street NE (Square 5088, Lots 147 and 852), 227 42nd Street NE (Square 5987, Lot 74), and Advisory Neighborhood Commission 7F, as required by the Zoning Regulations pursuant to Subtitle Z §§ 304.5, 304.6 and 304.7(e).

Additionally, prior to filing the subject application, the Applicant has met with and discussed the proposed project with Commissioners from Advisory Neighborhood Commission 7F and D.C. Office of Planning staff. The Applicant has also met with the Marshall Heights Community Development Organization. The Applicant is coordinating to present at Advisory Neighborhood Commission 7F's next public meeting.


Eric J. DeBear
Madeline Shay Williams