

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

**MAP AMENDMENT FOR AN AMENDMENT TO THE ZONING
MAP**

**241 42ND STREET NE & 227 42ND STREET NE
WASHINGTON, D.C. 20019
SQUARE 5088, LOTS 147 AND 852 & SQUARE 5087, LOT 74**

JANUARY 30, 2025

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I. INTRODUCTION

This statement and the enclosed documents support the application of Ward Memorial AME Church (the “**Applicant**”), to the D.C. Zoning Commission for an amendment to the Zoning Map (the “**Map Amendment**”) for the property located 241 42nd Street NE (Square 5088, Lots 147 and 852) and 227 42nd Street NE (Square 5987, Lot 74) (collectively, the “**Property**”). This Map Amendment is submitted pursuant to Subtitle X, Chapter 5 and Subtitle Z, Chapter 3 of the 2016 Zoning Regulations of the District of Columbia (the “**Zoning Regulations**”).

The Applicant requests this Map Amendment to rezone the Property from the RA-1 zone to the RA-2 zone in order to allow for the Property to be redeveloped with more affordable housing that may include grand-family and senior housing. The subject Map Amendment is consistent with the Property’s designation of “Moderate-Density Residential” on the Comprehensive Plan’s Future Land Use Map (“**FLUM**”) and the “Neighborhood Enhancement Area” designation on the Generalized Policy Map (“**GPM**”). For these reasons and others enumerated below, the Zoning Commission may approve this amendment to the Zoning Map pursuant to Subtitle X § 500.3 because the request is not inconsistent with the Comprehensive Plan and other adopted public policies when analyzed through a racial equity lens.

II. THE PROPERTY, THE SURROUNDING AREA, AND PLANNING GUIDANCE

The Property is located in the Mahaning Heights neighborhood, just north of Benning Road NE and east of Fort Mahan Park. The Property encompasses three lots with frontage on 42nd Street NE. In Square 5088, Lot 147 is 19,641 sq. ft. in land area and is currently improved with a church building used by the Applicant while Lot 852 is 5,873 sq. ft. in land area and is currently improved with a two-story structure used as the Applicant’s Fellowship Hall. The church building and fellowship hall are separated from the homes to the east by a 15-foot-widey alley running between Brooks Street NE and Clay Street NE.¹

The third lot is Lot 74 in Square 5987, which is located across Brooks Street NE from Lots 147 and 852. Lot 74 is 5,988 sq. ft. in land area and is improved with a two-story building previously used by the Applicant as a child development center, but currently vacant. The Property is located in Ward 7 within the boundaries of Advisory Neighborhood Commission (“**ANC**”) 7F.

The Property is zoned RA-1. The surrounding area is residential with some commercial uses along Benning Road. The areas to the south of the Property are also zoned RA-1 and feature low- to moderate-density multi-family buildings. The areas to the north and east of the Property are primarily single-family homes in the R-2 zone. While the section of Benning Road to the south of the Property features residential uses, Benning Road has commercial uses in nearby MU-7B-zoned areas. Additionally, Fort Mahan Park is located directly cross 42nd Street to the west of the Property.

The Property has access to multiple public transit options. The Property is located less than a half-mile from the Minnesota Avenue and Benning Road Metrorail stations. Metrobus lines V7 and V8 run along Benning Road NE with the closest bus stop less than one block from the Property.

¹ The northern portion of the alley is an unimproved “paper” alley.

Both the Minnesota Ave Metro and Benning Branch Library Capital Bikeshare stations are located about a half-mile from the Property. Walkscore.com indicates that the area has “Excellent Transit” and is “Very Walkable.”

From a planning perspective, the FLUM designates the Property for “Moderate-Density Residential.” As discussed in more detail under Section V, the “Moderate-Density Residential” designation applies to “areas characterized by a mix of single-family homes, two- to four-unit buildings, row houses, and low-rise apartment buildings.” *See* 10A DCMR § 227.6. The designation is consistent with the RA-2 Zone District. *See id.* The Comprehensive Plan’s GPM designates the Property and much of the surrounding neighborhood as a “Neighborhood Enhancement Area,” which is characterized by “substantial amounts of vacant and underutilized land” that provides “opportunities for compatible infill development.” *Id.* at 225.6.

III. EXISTING AND PROPOSED ZONING

The RA zones are designed to provide for residential areas suitable for multiple dwelling unit development and supporting uses and are intended to permit all types of residential development. The RA zones also allow limited non-residential uses that are compatible with adjoining residential uses. *See* Subtitle F § 101.1; 101.2(a); 101.2(d). The RA-1 zone is a residential zone that provides for “areas predominantly developed with low- to moderate-density development, including detached houses, row houses, and low-rise apartments.” *See* Subtitle F § 101.4.

The Applicant proposes a Map Amendment from the RA-1 zone to the RA-2 zone, which is characterized as “areas developed with predominantly moderate-density housing,” allowing for increased density for the proposed development of all-affordable housing. *Id.* at 101.5. The following table compares the development standards in the existing RA-1 zone and the proposed RA-2 zone for the Property:

| Development Standard | Existing RA-1 Zone | Proposed RA-2 Zone (Mandatory IZ+) |
|-----------------------------|--|--|
| FAR | 0.9/1.8 (IZ) max. | 1.8/2.16 (IZ) max. |
| Building Height | 40 ft./3 stories | 50 ft./no limit on # of stories |
| Penthouse Height | 12 ft./1 story | 12 ft. (18 ft. 6in. mechanical)/1 story (2 story mechanical) |
| Lot Occupancy | 40% | 60% |
| Rear Yard | 4 in./ft. of height | 4 in./ft. of height |
| Side Yard | One side yard at 8 ft. (detached or semi-detached) | None required; if provided, minimum of 4 ft. |
| Front Setback | N/A | N/A |
| Green Area Ratio | 0.4 | 0.4 |

IV. STANDARDS APPLICABLE TO A MAP AMENDMENT APPLICATION

The Zoning Act of 1938 (the “**Zoning Act**”) sets forth a number of criteria that must be applied by the Zoning Commission in adopting and amending the Zoning Regulations and Zoning

Map. *See* D.C. Code § 6-641.01 *et seq.* 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. *See* D.C. Code § 6-641.01. 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. *See* D.C. Code § 6-641.02.

The Zoning Commission must apply these standards and criteria in determining whether to approve a requested map amendment. This Map Amendment meets the standards as outlined below.

V. EVALUATION OF PROPOSED MAP AMENDMENT AND COMPLIANCE WITH STATUTORY STANDARD

A. Comprehensive Plan

The Comprehensive Plan establishes that, “the zoning of any given area should be guided by the Future Land Use Map, interpreted in conjunction with the text of the Comprehensive Plan, including the citywide elements and the area elements, as well as approved Small Area Plans.” *See* 10A DCMR § 227.1. Therefore, to find the Map Amendment not inconsistent with the Comprehensive Plan, the Citywide Elements, Area Elements, FLUM and GPM should be reviewed in the aggregate. *Id.* § 108. Under the recently enacted amendments to the Comprehensive Plan, the Zoning Commission is now required to “evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.” *Id.* § 2501.7. The Comprehensive Plan defines “racial equity” as “the moment when ‘race can no longer be used to predict life outcomes and outcomes for all groups are improved.’” *Id.* § 213.8. Accordingly, the Comprehensive Plan calls for “[a]ddressing issues of equity in transportation, housing, employment, income, asset building, geographical change, and socioeconomic outcomes through a racial equity lens.” *Id.* § 213.10.

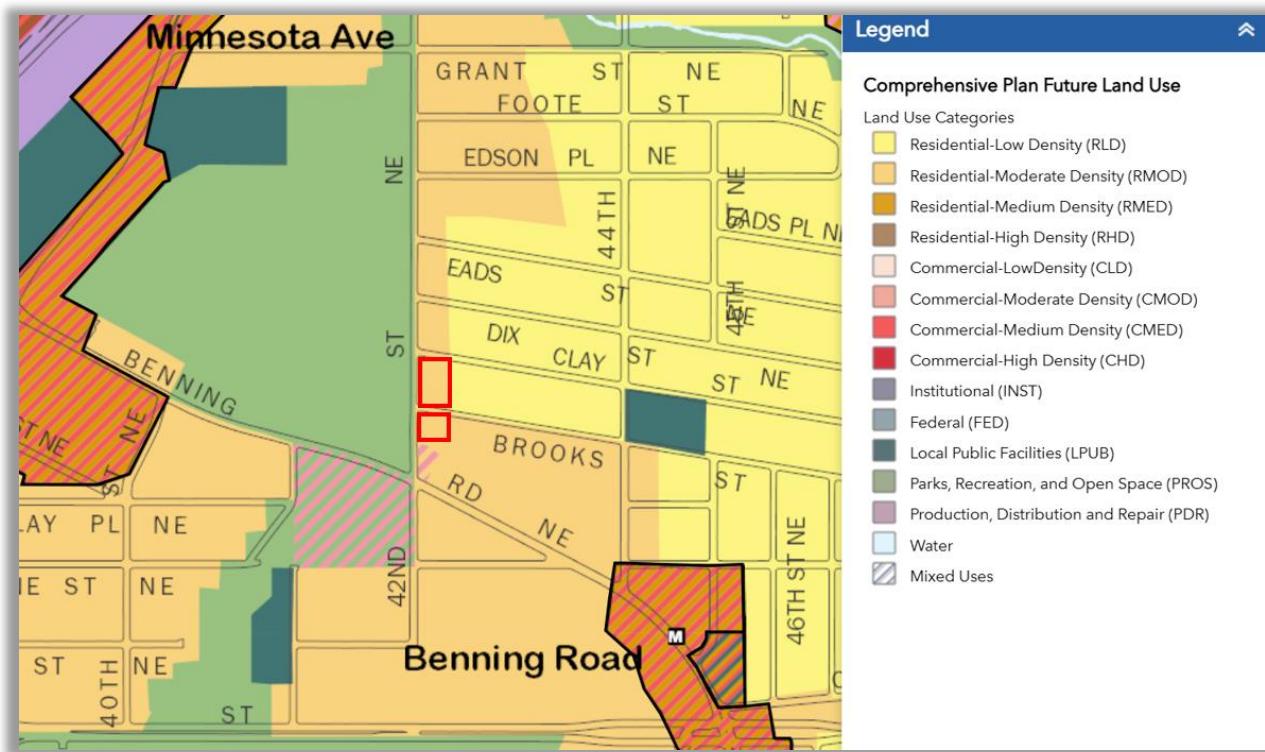
As described below, this Map Amendment is not inconsistent with the Comprehensive Plan, including the Framework Element and Maps, Land Use Element, and other pertinent policies, as viewed through a racial equity lens.

1. Framework Element and Maps

a. *Future Land Use Map*

The Comprehensive Plan's FLUM shows the general character and distribution of recommended and planned uses across the District, and along with the GPM is intended to provide generalized guidance on whether areas are designated for conservation, enhancement, or change. *Id.* §§ 200.5 and 224.4. Unlike the Zoning Map, the FLUM "does not follow parcel boundaries and its categories do not specify allowable uses or development standards." *Id.* § 228.1(a).

The FLUM provides that the Property is designated for "Moderate-Density Residential" use. The Moderate-Density Residential designation applies to "areas characterized by a mix of single-family homes, two- to four-unit buildings, row houses, and low-rise apartment buildings. *See id.* § 227.6.



The Framework Element defines this designation as follows:

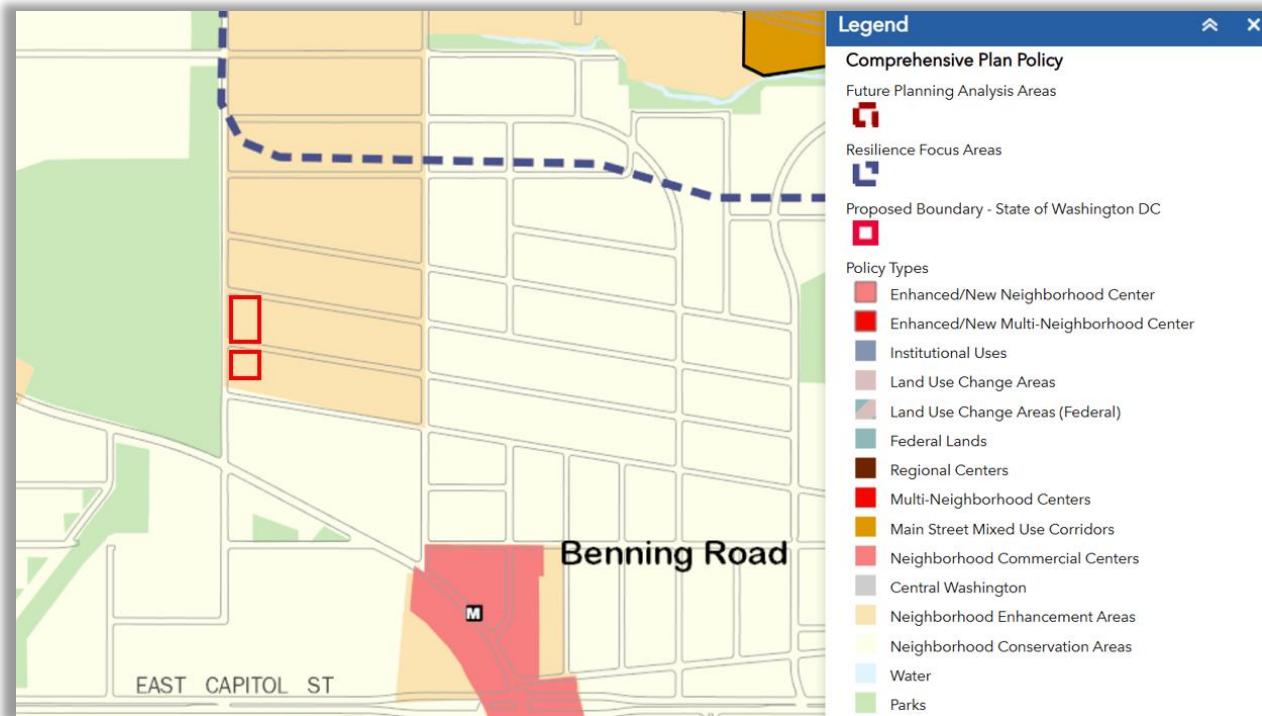
- **Moderate-Density Residential:** This designation is used to define neighborhoods generally, but not exclusively, suited for row houses as well as low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single-family homes, two- to four-unit buildings, row houses, and low-rise apartment buildings. In some neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). Density in Moderate Density Residential areas is

typically calculated either as the number of dwelling units per minimum lot area, or as a FAR up to 1.8, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The R-3, RF, and RA-2 Zone Districts are consistent with the Moderate Density Residential category, and other zones may also apply. 10A DCMR § 227.6

The Map Amendment is not inconsistent with the FLUM's designation for the Property because the Map Amendment seeks to amend the Zoning Map from RA-1 to RA-2, which expressly corresponds with the Moderate-Density Residential FLUM designation. Further, the modest increase in density under the RA-2 zoning is mitigated by the location of the Property. Lots 852 and 147 do not directly abut other private properties as they are bounded on three sides by a public road and an alley to the east. Additionally, Fort Mahan Park is located on the opposite side of 42nd Street NE just west of the Property. With the Property being just one block north of Benning Road NE, which is characterized by structures with higher densities, the proposed Map Amendment would allow for more affordable housing that is consistent with the development scheme of the surrounding area.

b. *Generalized Policy Map*

The Comprehensive Plan's GPM identifies the Property as a "Neighborhood Enhancement Area," which is characterized by "neighborhoods with substantial amounts of vacant and underutilized land" that "present opportunities for compatible infill development, including new single-family homes, townhomes, other density housing types..." *Id.* § 225.6.



The Framework Element defines this designation as follows:

- **Neighborhood Enhancement Area:** Neighborhood Enhancement Areas are neighborhoods with substantial amounts of vacant and underutilized land. They include areas that are primarily residential in character, as well as mixed-use and industrial areas. Many of these areas are characterized by a patchwork of existing homes and individual vacant lots, some privately owned and others owned by the public sector or non-profit developers. These areas present opportunities for compatible infill development, including new single-family homes, townhomes, other density housing types, mixed-use buildings, and, where appropriate, light industrial facilities. Land uses that reflect the historical mixture and diversity of each community and promote inclusivity should be encouraged. 10A DCMR § 225.6

The Map Amendment is not inconsistent with the GPM designation for the Property because the proposed RA-2 zone would still conserve and enhance the neighborhood while addressing city-wide housing needs. Lot 74 has been vacant for more than eight years and Lot 852 is underutilized by the existing fellowship hall. The Property offers an excellent opportunity for new and increased housing due to its proximity to public transit and Benning Road. The RA-2 zone allows for increased housing in a manner that is sensitive to the lower-density neighborhoods to the east. As such, this Map Amendment would help advance the objective of compatible infill development of Neighborhood Enhancement Areas.

2. Land Use Element

The Comprehensive Plan’s Land Use Element “lays out the policies through which growth and change can occur,” and, as such, “should be given greater weight than other elements.” *Id.* § 300.3. The element describes the range of considerations involved in accommodating an array of land uses within Washington, D.C. along with integrating and balancing competing policies in the other District Elements. *Id.* §§ 300.1, 300.3. The Map Amendment furthers the following Land Use Element policies:

Policy LU-1.4.4: Affordable Rental and For-Sale Multi-family Housing Near Metrorail Stations

Explore and implement as appropriate mechanisms, which could include community land trusts, public housing, and shared appreciation models, to encourage permanent affordable rental and for-sale multi-family housing, adjacent to Metrorail stations, given the need for accessible affordable housing and the opportunity for car-free and car-light living in such locations.

Policy LU-1.4.6: Development Along Corridors

Encourage growth and development along major corridors, particularly priority transit and multimodal corridors. Plan and design development adjacent to Metrorail stations and corridors to respect the character, scale, and integrity of adjacent neighborhoods, using approaches such as building design, transitions, or buffers, while balancing against the District’s broader need for housing.

Policy LU-2.1.1: Variety of Neighborhood Types

Maintain a variety of neighborhoods, ranging from low-density to high density. The positive elements that create the identity and design character of each neighborhood should be preserved and enhanced while encouraging the identification of appropriate sites for new development and/or adaptive reuse to help accommodate population growth and advance affordability, racial equity, and opportunity

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.

Policy LU-2.1.5: Support Low-Density Neighborhoods

Support and maintain the District’s established low-density neighborhoods and related low-density zoning. Carefully manage the development of vacant land and alterations to existing structures to be compatible with the general design character and scale of the existing neighborhood and preserve civic and open space

Policy LU-2.1.8: Explore Approaches to Additional Density in Low and Moderate Density Neighborhoods

Notwithstanding Policy LU-2.1.5, explore approaches, including rezoning, to accommodate a modest increase in density and more diverse housing types in low-density and moderate density neighborhoods where it would result in the appropriate production of additional housing and particularly affordable housing. However, detailed neighborhood planning is a condition predicate to any proposals. Infill and new development shall be compatible with the general design character and scale of existing neighborhoods and minimize demolition of housing in good condition.

The Map Amendment will further the policies of the Land Use Element through enabling the adaptive reuse of underutilized property near Benning Road NE, a major thoroughfare connecting the District on each side of the Anacostia River. Further, the Map Amendment would upzone the Property to allow for more housing in close proximity to public transit and a large public park. Nonetheless, the RA-2 zone represents a modest increase in permitted density that ensures any redevelopment at the Property will remain compatible with the surrounding neighborhood.

3. Transportation Element

The Transportation Element outlines “policies and actions to maintain and improve the District’s transportation system and enhance the travel choices of current and future residents, visitors, and workers.” *Id.* § 400.1. Accordingly, “[t]he overarching goal for transportation in the District is: Create a safe, sustainable, equitable, efficient, and multimodal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents.” *See Id.* § 401.1. The Map Amendment furthers the following policies in the Transportation Element:

Policy T-1.1.7: Equitable Transportation

Access Transportation within the District shall be accessible and serve all users. Residents, workers, and visitors should have access to safe, affordable and reliable transportation options regardless of age, race, income, geography or physical ability. Transportation should not be a barrier to economic, educational, or health opportunity for District residents. Transportation planning and development should be framed by a racial equity lens, to identify and address historic and current barriers and additional transportation burdens experienced by communities of color.

Policy T-1.2.2: Targeted Investment

Target planning and public investment toward the specific corridors with the greatest potential to foster neighborhood improvements, create equitable outcomes that reduce barriers and transportation burdens, and enhance connectivity across Washington, DC and corridors that serve as gateways to the District, welcoming visitors, residents, and workers.

The Map Amendment will further the above Transportation Element policies by encouraging more affordable housing on a site that is near public transit and Benning Road NE, a major corridor in the District. The addition of affordable housing enhances equitable transportation goals by ensuring residents, including the elderly, have reliable and safe access to transit, reducing transportation barriers to economic and educational opportunities.

4. Housing Element

The Housing Element “describes the importance of housing to neighborhood quality in the District, and the importance of providing housing opportunities for all segments of the population throughout the city.” *Id.* § 500.1. “The overarching goal for housing is to provide a safe, decent, healthy, and affordable housing supply for current and future residents in all of Washington, DC’s neighborhoods by maintaining and developing housing for all incomes and household types. The overall goal for the District of Columbia is that a minimum of one third of all housing produced should be affordable to lower-income households. The short-term goal is to produce 36,000 residential units, 12,000 of which are affordable, between 2019 and 2025.” *Id.* § 501.1. The Map Amendment furthers the following policies in the Housing Element:

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.

Policy H-1.1.5: Housing Quality

Require the design of affordable and accessible housing to meet or exceed the high-quality architectural standards achieved by market-rate housing. Such housing should be built with high-quality materials and systems that minimize long-term operation, repair, and capital replacement costs. Regardless of its affordability level, new or renovated housing should

be indistinguishable from market rate housing in its exterior appearance, should be generally compatible with the design character of the surrounding neighborhood, and should address the need for open space and recreational amenities.

Policy H-1.1.9: Housing for Families

Encourage and prioritize the development of family-sized units and/or family-sized housing options which generally have three or more bedrooms, in areas proximate to transit, employment centers, schools, public facilities, and recreation to ensure that the District's most well-resourced locations remain accessible to families, particularly in areas that received increased residential density as a result of underlying changes to the Future Land Use Map. Family-sized units and/or family-sized housing options include housing typologies that can accommodate households of three or more persons and may include a variety of housing types including townhomes, fourplexes and multi-family buildings. To address the mismatch between meeting the needs of larger households and the financial feasibility of developing family-sized housing, support family-sized housing options through production incentives and requirements that address market rate challenges for private development that may include zoning, subsidies or tax strategies, or direct subsidy and regulatory requirements for publicly owned sites.

Policy H-1.2.1: Low- and Moderate-Income Housing Production as a Civic Priority

The production and preservation of affordable housing for low- and moderate-income households is a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout all District neighborhoods.

Policy H-1.2.2: Production Targets

Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in Washington, DC from 2018 to 2030, or approximately 20,000 units, should be affordable to persons earning 80 percent or less of the area-wide MFI. In aggregate, the supply of affordable units shall serve low-income households in proportions roughly equivalent to the proportions shown in Figure 5.8: 30 percent at 60 to 80 percent MFI, 30 percent at 30 to 60 percent MFI, and 40 percent at below 30 percent MFI. Set future housing production targets for market rate and affordable housing based on where gaps in supply by income occur and to reflect District goals. These targets shall acknowledge and address racial income disparities, including racially adjusted MFIs, in the District, use racially disaggregated data, and evaluate actual production of market rate and affordable housing at moderate, low, very-low, and extremely-low income levels.

Policy H-1.2.3: Affordable and Mixed-Income Housing

Focus investment strategies and affordable housing programs to distribute mixed-income housing more equitably across the entire District by developing goals and tools for affordable housing and establishing a minimum percent affordable by Planning Area to create housing options in high-cost areas, avoid further concentrations of affordable housing, and meet fair housing requirements.

Policy H-1.2.7: Density Bonuses for Affordable Housing

Provide zoning incentives, such as through the PUD process, to developers proposing to build affordable housing substantially beyond any underlying requirement. Exceeding targets for affordable housing can refer to exceeding the quantity or depth of affordability otherwise required. The affordable housing proffered shall be considered a high priority public benefit for the purposes of granting density bonuses, especially when the proposal expands the inclusiveness of high-cost areas by adding affordable housing. When density bonuses are granted, flexibility in development standards should be considered to minimize impacts on contributing features and the design character of the neighborhood.

Policy H-1.3.1: Housing for Larger Households

Increase the supply of larger family-sized housing units for both ownership and rental by encouraging new and retaining existing single-family homes, duplexes, row houses, and three- and four-bedroom market rate and affordable apartments across Washington, DC. The effort should focus on both affordability of the units and the unit and building design features that support families, as well as the opportunity to locate near neighborhood amenities, such as parks, transit, schools, and retail.

Policy H-3.1.1: Increasing Homeownership

Enhance community stability by promoting homeownership and creating opportunities for first-time homebuyers in the District. Provide loans, grants, and other District programs to raise the District's homeownership rate from its year 2016 figure of 39 percent to a year 2025 figure of 44 percent. These programs and opportunities should acknowledge and address the significant racial gaps and barriers to home ownership. Increased opportunities for homeownership should not be provided at the expense of the District's rental housing programs or through the displacement of low-income renters.

Policy H-4.3.2: Housing Choice for Older Adults

Provide a wide variety of affordable housing choices for the District's older adults that enable them to age in their neighborhoods either by supporting their ability to remain in their homes or by providing new opportunities within multi-unit buildings that include Universal Design and intergenerational options. Take into account the income range and health care needs of this population. Recognize the coming growth in the older adult population so that the production and rehabilitation of affordable housing for older adults meets Universal Design standards and becomes a major District priority. Acknowledge and support the establishment of senior villages and wellness centers throughout Washington, DC that allow older adults to remain in their homes and/or communities and age in place.

The Map Amendment would advance the housing policies above by upzoning the Property to allow for more affordable housing on site. With a particular focus on grand-family and senior housing, a potential redevelopment in the RA-2 zone would create homeownership opportunities as well as larger family units, which are unique and desired in the District as it would contribute to the diversity of the District's housing stock.

5. Far Northeast and Southeast Area Element

Policy FNS-1.1.1: Conservation of Low-Density Neighborhoods

Recognize the value and importance of Far Northeast and Southeast's established single-family neighborhoods to the character of the local community and to the entire District. Comprehensive Plan and zoning designations for these neighborhoods reflect and preserve the existing land use pattern while allowing for taller and denser infill development that is compatible with neighborhood character.

Policy FNS-1.1.2: Development of New Housing

Encourage new mixed-use, mixed-income development for area residents on vacant lots and around Metro stations and on underused commercial sites along the area's major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast and seek to ensure that the housing remains affordable for current and future residents.

Policy FNS-1.1.6: Residential Rehabilitation

Encourage the rehabilitation of single-family homes in the Fairlawn and Twining neighborhoods, as well as the renovation of vacant deteriorating apartment units, especially in Marshall Heights, Lincoln Heights, Northeast Boundary, Greenway, Randle Highlands (south of Pennsylvania Avenue SE), and along 29th Street between Erie and Denver Streets.

The Far Northeast and Southeast Area Element prioritizes the development of housing with a particular focus on the creation of affordable housing. The Map Amendment will further these policies by rezoning the Property to increase the amount of affordable housing that could be provided at the Property and better utilize the land, while also remaining compatible with the surrounding low- to moderate-density neighborhood.

B. Racial Equity Analysis & the Comprehensive Plan

Racial equity is a primary focus of the Comprehensive Plan, especially as it relates to zoning and development where District-wide priorities such as affordable housing, avoiding displacement of existing residents, and creating and increasing access to opportunities are a major focus. The Framework Element states that equity is both an "outcome and a process," and that racial equity exists where all people share equal rights, access, choice, opportunities, and outcomes, regardless of characteristics such as race, class, or gender. *Id.* § 213.6.

The Comprehensive Plan places an emphasis on considerations of racial equity, which must be part of a D.C. agency's evaluation and implementation of Comprehensive Plan policies. Thus, the Implementation Elements calls for agencies to develop and implement tools to be used in evaluating and implementing the Comprehensive Plan through a "racial equity lens." Accordingly, the Zoning Commission considers racial equity "an integral part of its analysis as to whether a proposed zoning action is "not inconsistent" with the Comprehensive Plan. *Id.* § 2501.8.

The following racial equity analysis was guided by the Zoning Commission's Racial Equity Analysis Tool ("REA Tool") and the D.C. Office of Planning's ("OP") Equity Crosswalk (effective August 21, 2021) (the "Equity Crosswalk"), which highlights the Comprehensive Plan policies and actions that explicitly address racial equity. The analysis was also informed by the Far Northeast and Southeast Area planning guidance.

1. Evaluation of Comprehensive Plan Consistency

Pursuant to **Part I** (Racial Equity Analysis Submissions – Guidance Regarding the Comprehensive Plan) of the Racial Equity Tool, the Applicant has conducted a thorough evaluation of the proposed Map Amendment’s consistency with the Comprehensive Plan, including the policies of all applicable Citywide and Area Elements, the FLUM, GPM, and any other applicable adopted public policies and active programs. *See Section V(A) above.*

Overall, and when viewed through a racial equity lens, the Applicant finds the proposed Map Amendment to be not inconsistent with the Comprehensive Plan. As discussed herein, the Map Amendment is not inconsistent with the FLUM and GPM designations for the Property, both of which are supportive of moderate-density residential redevelopment. The Map Amendment will pave the way for the adaptive reuse of property owned by Ward Memorial AME Church with new all-affordable housing units, including grand-family and senior units. Both the Mayor’s Office and the D.C. Council have urged the creation of more housing with a particular emphasis on affordable housing. Based on publicly-available data, the Far Northeast and Southeast Planning Area has exceeded its housing production goals by more than double.² The Map Amendment will contribute to the success of the Far Northeast and Southeast Planning Area in meeting its affordable housing goals by slightly increasing the permitted density at the Property.

Table 1 below identifies the specific Comprehensive Plan policies that will be advanced by the Map Amendment, including policies that explicitly focus on advancing racial equity, as identified by the Equity Crosswalk.

| Table 1: Summary of Comprehensive Plan Advanced by the Proposed Map Amendment | |
|---|--|
| Policies in <u>bold underlined</u> text denote policies that are specifically referenced in the OP Equity Crosswalk as being explicitly focused on advancing equity. | |
| Land Use Element | |
| LU-1.4.4; LU-1.4.6; LU-2.1.1; LU-2.1.3; LU-2.1.5; LU-2.1.8 | |
| Transportation Element | |
| T-1.1.7; T-1.2.2 | |
| Housing Element | |
| H-1.1.3; H-1.1.5; H-1.1.9; H-1.2.1; <u>H-1.2.2</u> ; <u>H-1.2.3</u> ; H-1.2.7; <u>H-1.2.9</u> ; H-1.2.11; H-1.3.2; H-1.4.5; H-3.1.1; H-4.3.2 | |
| Far Northeast and Southeast Area Element | |
| FNS-1.1.1; FNS-1.1.2; FNS-1.1.6 | |

2. Racial Equity as a Process

The Framework Element states that racial equity is a process and that, as the District grows and changes, it must do so in a way that builds the capacity of vulnerable, marginalized, and low-income communities to fully and substantively participate in decision-making processes. *See 10A DCMR § 213.7.* As a process, a racial equity lens is employed when the most impacted by

² See <https://open.dc.gov/36000by2025/>.

structural racism are meaningfully involved in the creation and implementation of the policies and practices that impact their lives. The Zoning Commission’s REA Tool places a heavy emphasis on community outreach and engagement, which are expected to begin at the inception of any proposed zoning action. All submissions to the Zoning Commission shall be accompanied by a discussion of efforts taken by an applicant to meaningfully engage the community early in the zoning process.

The information contained in **Table 2** addresses the questions set forth in **Part II** (Community Outreach and Engagement) of the REA Tool. The responses were informed by the Applicant’s research on the community that could potentially be impacted by the zoning action as well as the Applicant’s direct outreach to the affected community in advance of submitting this Map Amendment.

| Table 2: Community Outreach and Engagement |
|--|
| Description of the affected community (including defining characteristics) |
| ANC 7F is the “affected ANC” with respect to the Map Amendment. The Applicant has engaged with the community through informational meetings organized by the Applicant, as well as with the ANC. Additionally, the Applicant has met with the Marshall Heights Community Development Organization (“ MHCDO ”) to discuss the proposed Map Amendment. |
| The affected community is the Mahaning Heights neighborhood in Ward 7 located in the Far Northeast and Southeast Area (“ FNS Area ”) and bounded by Benning Road NE to the south, Kenilworth Avenue Freeway to the west, Nannie Helen Burroughs Avenue NE to the north, and 44 th Street NE to the east. This area is primarily composed of Black residents, who make up more than 90% of the residential population. However, there remains a large gap between Black and White residents in terms of median household income, poverty status, and homeownership, with Black residents having lower levels of household income and homeownership. <i>See</i> 2017-2021 ACS (https://opdatahub.dc.gov/documents/e1f420315cb94e028e1c889b79de17e7/about). |
| The trends seen in the Mahaning Heights neighborhood mirror the long-standing challenges faced by Ward 7, which in comparison to the District, including less economic investment, housing development, employment opportunities, public safety and health. <i>See</i> https://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/Ward%207%20Heritage%20Guide.pdf . Even with rises in median income, poverty and unemployment rates remain high. <i>Id.</i> |
| The source of some of the economic disparity can be traced to 20 th century policies aimed toward limiting access and opportunity to Black residents, such as restrictive housing covenants. When these covenant were removed in the 1940s, the racial composition shifted as more Black residents moved into the area. <i>See</i> 10A DCMR § 1701.4. As the population in Ward 7 grew following the World War II, the city condemned large portions of Ward 7, which were predominantly Black and erected segregated housing. <i>See</i> Ward 7 Heritage Guide, pg. 10. Following <i>Brown v. Board of Education</i> , desegregation spawned “White flight” with middle class White residents moving to Maryland and other suburbs. <i>Id.</i> at 11; 10A DCMR § 1700.3. |

Despite this, vibrant neighborhoods and communities in the FNS Area grew over time with the reconstruction of H. D. Woodson High School in 2011; the opening of the Ron Brown College Preparatory High School in 2016; the construction or modernization of four libraries and five recreation centers; the Nationals Youth Baseball Academy; and the Unity Health Care Health Centers. *See 10A DCMR § 1701.4.* Community associations, churches, and nonprofits like the Marshall Heights Community Development Organization (“**MHCDO**”) are the backbone of the community and exemplify the spirit of Ward 7 and the FNS Area. *See 10A DCMR § 1700.3.*

Characteristics of the affected community that influenced outreach plan/efforts.

Both the ANC and MHCDO are active in the Mahaning Heights neighborhood. As such, the Applicant has engaged with the ANC, MHCDO, and community to arrange in-person meetings to discuss the Map Amendment and will continue these outreach efforts throughout the Map Amendment process.

Outreach methods utilized (including specific efforts employed to meet community needs and circumstances).

The Applicant’s efforts to engage with the community have included in-person meetings, emails, phone calls and virtual meetings. For the in-person public meeting held on November 23, 2024, the Applicant disseminated flyers at its monthly community food distribution event on November 15, 2024 as well as shared the flyer with ANCs in Ward 7, the Marshall Heights Community Development Organization, Ward 7 Faith Leaders, and with the Applicant’s congregation.

Community outreach timeline/dates of major meetings and points of engagement.

The dates of meetings and points of engagement related to the Map Amendment are as follows:

- 10/15/2024 – Virtual Presentation to ANC 7F
- 11/18/2024 – Call with Marshall Heights Community Development Organization
- 11/20/2024 – In-person meeting with Marshal Heights Community Development Organization Board of Directors
- 11/23/2024 – In-person community meeting and information session held at Applicant’s church

In addition to the above formal meetings, some of the Applicant’s congregation is comprised of nearby residents living near the subject Property who have engaged in discussions regarding the proposed Map Amendment and are supportive.

Members of the affected community that would potentially benefit from the proposed zoning action.

Residents, particularly grandparents and families, that are in need of affordable housing, will benefit from the proposed zoning action. Other community members that could benefit from the Map Amendment include residents seeking homeownership opportunities, as part of the Property could be redeveloped with condominium units. Further, the community as a whole could benefit from redevelopment at the Property that would include streetscape improvements consistent with DDOT standards, the installation of street trees, and enhanced lighting, thereby increasing pedestrian safety and comfort while simultaneously expanding equity by making the area more accessible. The Applicant also envisions on-going community programming at the Property consistent with the church’s mission.

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| Members of the affected community that would potentially be burdened by the proposed zoning action. |
| Adjacent property owners may experience construction-related disruptions as well as potential increases in traffic around the Property. |
| Community input on existing conditions and current challenges that have resulted from past or present discrimination, and current ongoing efforts in the affected community to address these conditions. |
| The Applicant has not received community feedback on this specific topic but will continue to work with the community to identify these factors. |
| Potential positive outcomes of the proposed zoning action identified by the affected community. |
| The community has generally voiced support for affordable and grand-family housing at the Property. |
| Potential negative outcomes of the proposed zoning action identified by the affected community. |
| No specific negative outcomes resulting from the Map Amendment have been identified by the community. |
| Changes/modifications made to the proposed zoning action that incorporate/respond to the input received from the affected community. |
| The Map Amendment proposes a zoning map amendment, and, therefore, does not entail a specific proposal to redevelop the Property. Accordingly, no changes or modifications can be made to the proposed zoning action.. |
| Input received from the affected community not incorporated into the proposed zoning action. |
| The community has stated an interest in obtaining more details regarding the proposed development under the proposed RA-2 zone, but as mentioned above, the Map Amendment does not provide for an assessment of specific architectural plans. |
| Efforts taken to mitigate potential negative outcomes identified by the affected community. |
| Since the Applicant proposes a Map Amendment, there are no specific mitigation measures warranted at this time. |

3. Racial Equity as an Outcome

The Framework Element states that the “equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities. Equity is not the same as equality” *See 10A DCMR § 213.6*. As an outcome, racial equity is achieved when race no longer determines one’s socioeconomic outcomes, and “when everyone has what they need to thrive” no matter where they live or their socioeconomic status. *See 10A DCMR § 213.9*.

Table 3 below correlates the Map Amendment with several equitable development indicators. Among others, the indicators addressed below include those that are specifically included in **Part IV** (Criteria to Evaluate a Zoning Action Through a Racial Equity Lens) of the Zoning Commissioner REA Tool. As demonstrated in the table below, the outcomes of the Map Amendment have the potential to positively impact racial equity.

Table 3: Evaluation of Equitable Development Indicators

| Key: | Positive Outcome | Negative Outcome | Neutral Outcome |
|---|---|------------------|---------------------------------|
| Indicator | Aspect(s) of Zoning Action Relating to Racial Equity | | Potential Racial Equity Outcome |
| Displacement (Direct and Indirect) | | | |
| Physical (Direct) | <ul style="list-style-type: none"> The Map Amendment will not cause physical displacement of residents as the Property is partially used as the Applicant's church with the other structure being vacant. The Applicant, which owns the Property, intends to redevelop the Property to include the existing church building and support space | | |
| Economic (Indirect) | <ul style="list-style-type: none"> The Map Amendment is not anticipated to cause indirect economic displacement; rather, the potential increase in density can increase housing supply and contribute to decreasing housing costs. | | |
| Cultural (Indirect) | <ul style="list-style-type: none"> The Map Amendment is not anticipated to cause any cultural displacement, as the Applicant intends to remain the owner of the Property and incorporate its church and programming within any redevelopment | | |
| Housing | | | |
| Availability of Housing | <ul style="list-style-type: none"> Increase in amount of housing that can be constructed at the Property. | | |
| Preservation of Affordable Housing | <ul style="list-style-type: none"> No affordable housing is currently located on the Property. | | |
| Replacement of Housing | <ul style="list-style-type: none"> No housing is currently located on the Property. | | |
| Housing Burden | <ul style="list-style-type: none"> The Property will be subject to IZ+ and any future residential development will incorporate a minimum affordability required. | | |
| Homeownership Opportunity | <ul style="list-style-type: none"> The Property could be redeveloped as a condominium with ownership units. | | |
| Larger Unit Size | <ul style="list-style-type: none"> The Map Amendment can allow for the renovation of the Existing Building to provide larger units that are suitable for families, specifically for grand-family housing. | | |
| Employment | | | |
| Entrepreneurial Opportunities | <ul style="list-style-type: none"> The Applicant intends to have community programming at the Property that may include a workforce development center, small business hub, and tech center. | | |
| Job Creation | <ul style="list-style-type: none"> Direct job creation is not anticipated, but through the proposed community | | |

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| | programming, the Applicant hopes to equip members of the community with the resources and skills necessary to seek, obtain, and keep employment. | |
| Job Training | <ul style="list-style-type: none"> The Applicant proposed job training at the Property. | |
| Access to Employment | <ul style="list-style-type: none"> Increased access to potential job opportunities due to additional housing in proximity to public transit. | |
| Transportation/Infrastructure | | |
| Public Space/Streetscape Improvements | <ul style="list-style-type: none"> A redevelopment of the Property is likely to lead to improvements in adjacent public space and streetscape improvements. | |
| Infrastructure Improvements | <ul style="list-style-type: none"> No infrastructure improvements are anticipated at the Property. | |
| Access to Transit | <ul style="list-style-type: none"> Less than a half-mile from the Minnesota Avenue and Benning Road Metrorail stations. One block from Metrobus lines V7 and V8. | |
| Pedestrian Safety | <ul style="list-style-type: none"> Potential improvements to streetscape would contribute to increased pedestrian safety around the Property. | |
| Education/Health/Wellness | | |
| Schools | <ul style="list-style-type: none"> Proximity to public schools including Woodson High School, Kelly Miller Middle School and Smothers Elementary School. | |
| Healthcare | | |
| Open Space/Recreational | <ul style="list-style-type: none"> The Applicant proposes to redesign some of the existing recreational space at the Property in the proposed development. The Property is located across the street from Fort Mahan Park. | |
| Environmental | | |
| Environmental Changes | <ul style="list-style-type: none"> The Applicant does not propose any environmental changes. | |
| Sustainable Design | <ul style="list-style-type: none"> The Applicant will explore sustainable design options pending approval of this Map Amendment. | |
| Remediation | <ul style="list-style-type: none"> The Applicant does not propose any remediation efforts at the Property. | |
| Access to Opportunity | | |
| Neighborhood Retail and Service Uses | <ul style="list-style-type: none"> The Property is less than a half-mile from the East River Park Shopping Mall. | |
| Residential Amenities | <ul style="list-style-type: none"> A potential redevelopment could include amenities. | |

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| Arts & Culture | <ul style="list-style-type: none"> As part of the proposed community programming, the Applicant intends to provide after-school programs for youth and cultural programs as well. | |
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C. Health, Safety and General Welfare

The proposed Map Amendment will further the public health, safety, and general welfare of the District and its residents. The Map Amendment would rezone the Property to the RA-2 zone, allowing for the development of affordable housing that is consistent with the Comprehensive Plan and compatible with the scale and pattern of the surrounding neighborhood. The Map Amendment also offers an opportunity to increase and diversify the District's housing supply through grand-family and senior housing. Whereas, absent the Map Amendment, the Property will continue to be underutilized.

D. No Adverse Consequences

This Map Amendment is not anticipated to have adverse consequences. Rather, the Map Amendment will allow for increased affordable housing to be located on underutilized lots along a major thoroughfare and in close proximity to public transit. The Applicant proposes a modest increase to density at the Property, which is largely buffered from adjoining uses and across the street from a park. The Map Amendment also allows for a re-investment in the Applicant's Property that will sustain the Applicant's presence and ability to offer religious services and community events.

VI. COMMUNITY OUTREACH

As detailed in Section V.B, the Applicant has met with community members, including MHCDO, to present and address questions. The Applicant presented the proposed Map amendment to ANC 7F on October 15, 2024. Additionally, the Applicant held several meetings with the community and MHCDO to discuss the Map Amendment in November 2024. The Applicant looks forward to on-going engagement with ANC 7F and the community after the Map Amendment is filed.

The Applicant also met with the Office of Planning on July 25, 2024 to review the proposed Map Amendment.

VII. CONCLUSION

For the reasons set forth above, this proposed rezoning of the Property from the RA-1 zone to the RA-2 zone meets the requirements of the Zoning Regulations pursuant to Subtitle X, Chapter 5 and Subtitle Z, Chapter 3. Accordingly, the Applicant respectfully requests the Commission setdown this Map Amendment, schedule a public hearing, and grant the requested Zoning Map Amendment.

Sincerely,
COZEN O'CONNOR



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