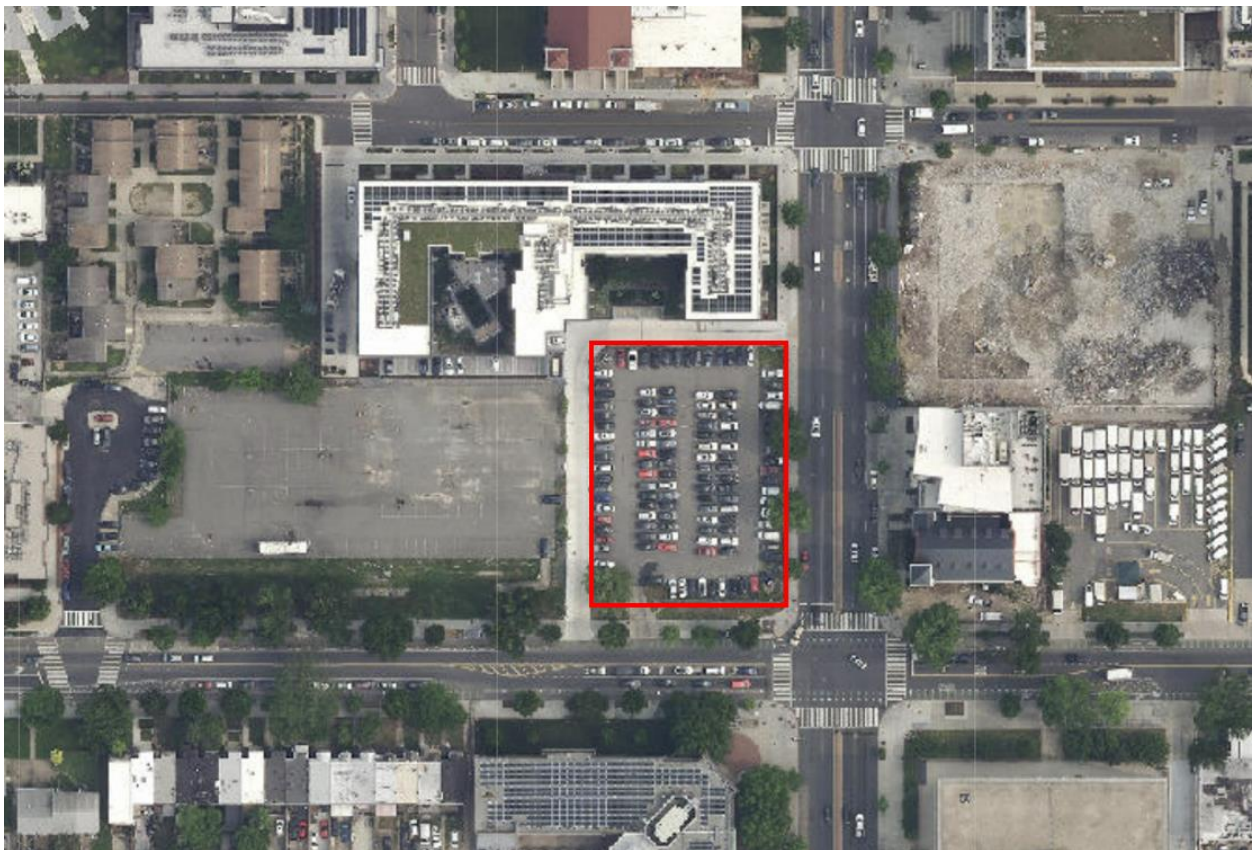


NW ONE PHASE 3 OWNER, LLC

**APPLICATION TO THE
ZONING COMMISSION OF THE DISTRICT OF COLUMBIA
FOR A
ZONING MAP AMENDMENT**

Square 621, Lot 860



April 7, 2025

Applicant

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Exhibit	Description
A	Plat of Property from the D.C. Surveyor's Office
B	Zoning and Comprehensive Plan Maps of Property and Surrounding Context
C	Evaluation of Comprehensive Plan Consistency
D	Form 100 – Zoning Commission Application Signature Form
E	Letter of Authorization
F	Certificate of Notice, Notice of Intent, and List of Addresses of Owners of Property within 200 feet of the Property

I. INTRODUCTION

NW One Phase 3 Owner, LLC (the “**Applicant**”), on behalf of the District of Columbia acting by and through the Deputy Mayor for Planning and Economic Development (“**DMPED**”), 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) and 304 of the 2016 Zoning Regulations of the District of Columbia (the “**Zoning Regulations**”). More specifically, the Applicant is seeking to rezone the property located at Lot 860 in Square 621 (the “**Property**”), from the MU-4 Zone District to the MU-9A Zone District (the “**Application**”). A building plat showing the Property is attached as **Exhibit A**.

As required pursuant to 11-X DCMR § 500.1, the proposed Zoning Map amendment is not inconsistent with the Comprehensive Plan (the “**Comp Plan**”), including the Property’s designation on the Comp Plan’s Future Land Use Map (“**FLUM**”) and Generalized Policy Map (“**GPM**”), and advances the objectives and recommendations of the Central Washington Planning Area. The proposed map amendment is also consistent with the purposes of the Zoning Act of 1938, approved June 20, 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.

II. DESCRIPTION OF THE PROPERTY AND THE SURROUNDING AREA

The Property is located in the Northwest quadrant of the District in Ward 6 and is bounded by North Capitol Street to the east, K Street NW to the south, and a public alley to the west and north. The Property contains approximately 25,452 square feet of land area. The Property is currently improved with a surface parking lot.

The Property is located two blocks north of Union Station. The area surrounding the Property includes a mix of multifamily residential, commercial and local and federal government offices, and retail uses, particularly in the adjacent NoMa neighborhood. Gonzaga College High School is immediately south of the Property across K Street NW. The Property is within the boundary of Advisory Neighborhood Commission (“**ANC**”) 6E03.

As shown on the Comp Plan maps attached as **Exhibit B**, the majority of the Property is designated mixed-use High Density Residential and Medium Density Commercial on the FLUM, with a portion of the Property on the north end designated for mixed-use High Density Residential and Medium Density Commercial, and the Property is within the Central Washington designation on the GPM. As discussed below and in **Exhibit C**, the proposed Zoning Map amendment is not inconsistent with the Comp Plan when read as a whole, and with other adopted public policies and programs related to the Property, and when viewed through a racial equity lens.

The Property is part of Northwest One (“**NW One**”), a multi-phase redevelopment being executed by the Applicant pursuant to a Land Disposition and Development Agreement (“**LDDA**”) with the District of Columbia. The overall NW One redevelopment is part of the New Communities Initiative focused on revitalizing the area along North Capitol Street NE including the former Temple Courts Apartments that previously occupied the Property and the adjacent parcels. The requested rezoning will facilitate the third and final phase of the overall NW One redevelopment, which includes approximately 665 new units of mixed-income multifamily housing, including replacement units for the former Temple Court Apartments, and potential ground-floor retail / community space. Phase 1, located immediately north of the Property, consists of a seven (7)-story building with 220 residential units, with 150 affordable housing units at 60% of Median Family Income (“**MFI**”) and below, including 65 replacement units at 30% of MFI, and was completed in 2022. Phase 2, immediately west of the Property, consists of a six (6)-story, all-affordable building with 212 residential units at 60% of MFI and below, including 72 replacement units at 30% of MFI and below, and is currently under construction and expected to be completed in Q1 of 2025. The final Phase 3 of the redevelopment is proposed to consist of a ten (10)-story building with approximately 180–233 mixed-income residential units, including Temple Courts replacement units, with potential retail /community use located on the ground floor. With completion of all three phases, NW One will provide a total of approximately 600–665 mixed-income residential units, with a mix of market-rate units, units reserved for households earning a maximum of 60% of MFI, and units reserved for households earning a maximum 30% if MFI.

III. EXISTING AND PROPOSED ZONING

The Applicant proposes to rezone the Property from MU-4 to MU-9A. The MU zones are designed to provide facilities for housing, shopping, and business needs, including residential, office, service, and employment centers. 11-G DCMR § 101.2. The purposes of the MU zones are to, among other things: (i) provide for a varied mix of residential, employment, retail, service, and other related uses at appropriate densities and scale throughout the city; (ii) reflect a variety of building types, including shop-front buildings that may include a vertical mixture of residential and non-residential uses, or buildings containing all residential or non-residential uses; and (iii) ensure that infill development is compatible with the development pattern within the zone and surrounding areas. *Id.* § 101.3.

The discussion below details the specific purposes and distinctions between the existing and proposed zoning for the Property.

A. Existing MU-4 Zoning

As shown in **Exhibit B**, currently the Property is zoned MU-4. The Zoning Regulations describe the MU-4 Zone District as intended to permit moderate-density mixed-use development, provide for facilities for shopping and business, housing, and mixed uses, and be located in low- and moderate-density residential areas with access to main roadways and rapid transit stops, among other things. 11-G DCMR § 101.9. The maximum permitted density in the MU-4 Zone District is 2.5 FAR, or 3.0 FAR for an Inclusionary Zoning (“**IZ**”) development, of which a maximum 1.5 FAR may be devoted to non-residential use. *Id.* § 201.1. The maximum permitted height in the MU-4 Zone District is 50 feet, not including penthouse.

B. Proposed MU-9A Zoning

The Applicant requests a Zoning Map amendment to rezone the Property to the MU-9A Zone District. The MU-9 zones are intended to permit high-density, mixed-use development and to be located in or near the Central Employment Area. 11-G DCMR § 101.14. The maximum permitted density in the MU-9A Zone District is 6.5 FAR, or 7.8 FAR for an IZ development, of which up to 1.0 FAR may be devoted to nonresidential use. *Id.* § 201.1. The maximum permitted height in the MU-9A Zone District, not including the penthouse, is 90 feet, or 100 feet for an IZ development. *Id.* § 203.2.

C. Comparison of Development Standards

The following table compares the matter-of-right development standards of the existing and proposed zoning for the Property:

	Existing	Proposed
Zone	MU-4	MU-9A
Representative Uses	MU-Use Group E Residential, Office, Retail, Lodging, Service, Daytime Care, Eating and Drinking Establishment	MU-Use Group F Residential, Office, Retail, Lodging, Service, Daytime Care, Eating and Drinking Establishment
Height	50 ft.	90 ft. (100 ft. with IZ)
Penthouse Height	12 ft. (habitable) 15 ft. (mechanical)	20 ft.
Density (FAR)	2.5 (3.0 with IZ) 1.5 for non-residential	6.5 (7.8 with IZ) 1.0 for non-residential
Lot Occupancy	60% or 75% with IZ	N/A
Rear Yard	15 ft.	2.5 inches per 1 ft. of height (12 ft. minimum)
Side Yard	N/A If provided, 2 in. per 1 ft. of height (5 ft. minimum)	N/A If provided, 2 in. per 1 ft. of height (5 ft. minimum)
Green Area Ratio	0.3	0.2

IV. STANDARDS APPLICABLE TO APPLICATION FOR ZONING MAP AMENDMENT

The requested Zoning Map amendment is submitted as a contested case pursuant to 11-Z DCMR § 201.2(e). There are a number of criteria that must be applied by the Commission in adopting and amending the Zoning Regulations and the Zoning Map. The Zoning Act states 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 cases, the Commission shall find that the Zoning Map amendment is not inconsistent with the Comp Plan and with other adopted public policies and active programs related to the subject site. 11-X DCMR § 500.3.

V. EVALUATION OF PROPOSED MAP AMENDMENT WITH STATUTORY STANDARDS

A. Comprehensive Plan / Racial Equity Impact Evaluation

1. Racial Equity and the Comprehensive Plan

Equity, and particularly racial equity is a primary focus of the Comp Plan, especially in the context of zoning where certain priorities stand out, including affordable housing, avoiding displacement of existing residents, and creating and increasing access to opportunity. The Framework Element states that equity is both an outcome and a process, and exists where all people share equal rights, access, choice, opportunities, and outcomes, regardless of characteristics such as race, class, or gender. 10A DCMR § 213.6.

The Comp Plan emphasizes that considerations of equity, and particularly racial equity, must be part of a District agency’s evaluation and implementation of Comp Plan policies and actions. To do this, the Implementation Element calls for agencies to prepare and implement tools

that will assist in evaluating and implementing the Comp Plan through a “racial equity lens.” The Commission considers racial equity as an integral part of its analysis as to whether a proposed zoning action is “not inconsistent” with the Comp Plan. 10A DCMR § 2501.8.

The focus of the racial equity lens component of a Comp Plan evaluation can depend upon the type of zoning action being proposed, the location of the zoning action, and the extent to which the zoning action can address localized and citywide equitable development issues. To assist the Commission in applying a racial equity lens to its Comp Plan determinations, the Commission has developed a Racial Equity Tool that applicants are expected to utilize throughout the process of a proposed 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: (i) gain insight on negative conditions that may exist in the community, particularly those that are a result of past and present discrimination, (ii) develop an understanding of community priorities, and (iii) solicit input on potential positive and negative outcomes of the proposed zoning action.

Preparation of the following Comp Plan evaluation was guided by the Commission’s Racial Equity Tool and was also informed by the D.C. Office of Planning’s Equity Crosswalk (effective August 21, 2021) (the “**Equity Crosswalk**”), which highlights Comp Plan policies and actions that explicitly address racial equity. Finally, the planning guidance and data pertaining to the Central Washington (“**CW**”) Planning Area contained in **Table 1** below were considered in the preparation of the Applicant’s Comp Plan evaluation:

Table 1: Planning Guidance and Goals
<ul style="list-style-type: none"> · Housing Equity Report (October 2019) housing goals for the CW Planning Area: <ul style="list-style-type: none"> · Total housing production goal (market rate and affordable): 3,940 units (3,706 total units have been produced since 2019)* · Affordable housing production goal: 1,040 units (876 units have been produced or newly covenanted since 2019)* · Comprehensive Plan policies supporting increased density and housing affordability in Central Washington, development along corridors, production of housing in high-cost areas, redevelopment of existing income-restricted housing and affordable housing, and development along preeminent view corridors. · CW planning and development priorities / concerns: promotion of a mixed-use, living downtown; increasing diversity and affordability in Central Washington; and maintaining downtown as a place for local residents as well as a national gathering place.
* Source: https://open.dc.gov/36000by2025/

2. Evaluation of Comprehensive Plan Consistency



Figure 1: Excerpt of GPM showing Property located within the Central Washington area.

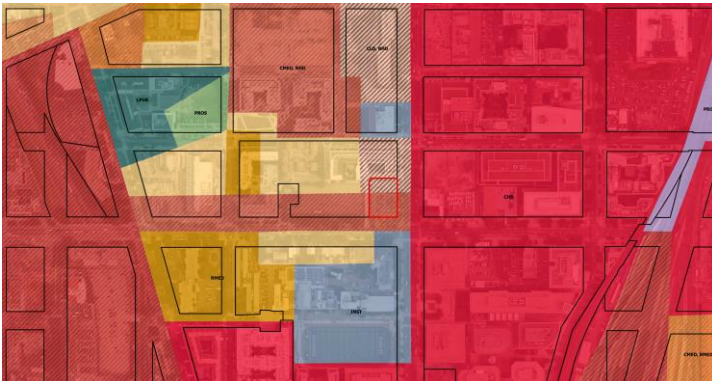


Figure 2: Figure 2: Excerpt of FLUM showing Property located within two high-density Mixed-Use areas on the FLUM.

Per **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 Zoning Map amendment’s consistency with the Comp Plan, including the policies of all applicable Citywide and Area Elements, the FLUM, GPM, and any other applicable adopted public policies and active programs. The Applicant’s full Comp Plan evaluation can be found in **Exhibit C**, including a detailed discussion of the proposal’s consistency with the FLUM and GPM.

Overall, and when viewed through a racial equity lens, the Applicant finds the proposal to be not inconsistent with the Comp Plan. As adopted by the D.C. Council as part of the 2021 amendments to the Comprehensive Plan, the Property is located within the Central Washington area on the GPM (**Figure 1**). As shown in **Figure 2**, the

Property is located within two areas that are both designated for high-density Mixed-Use development on the FLUM. The southern two-thirds of the Property is located within an area designated for Mixed Use (Medium Density Commercial / High Density Residential) development that extends westward along K Street to New Jersey Avenue. The remaining northern one-third of the Property is located within an area designated for Mixed Use (Low Density Commercial / High Density Residential) development that extends northward along North Capitol Street to New York Avenue, excluding the Mt. Airy Baptist Church site, which is designated Institutional.

Central Washington is not a specific category on the GPM. This is due to the area’s unique and varied characteristics that cannot be defined by any one GPM category. Instead, the Comp Plan relies upon specific detailed policies within the Central Washington Area Element to define the long-term policy direction of Central Washington, both generally and for specified areas. The consistency of the proposed Zoning Map amendment with applicable policies of the Central Washington Element is provided below. Generally, the proposed MU-9A zone will facilitate high-density mixed-use development on the Property that is consistent with the general type and scale of development that is characteristic of Central Washington.

As stated above, the Property is split between two Mixed Use areas on the FLUM, Mixed Use (Medium Density Commercial / High Density Residential) and Mixed Use (Low Density Commercial / High Density Residential). A “Mixed Use” designation is a specific FLUM land use category and is assigned to areas where the mixing of two or more land uses is encouraged, but not mandatory. The Mixed Use FLUM designation is intended primarily for larger areas where no single use predominates today, or areas where multiple uses are encouraged in the future. 10-A DCMR § 227.3. One of the areas specified by the Framework Element where the Mixed Use designation is typically found includes, but is not limited to, commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. *Id.* § 227.20(a). The combination of uses and the general density of development in any given Mixed Use area are not intended to be strictly interpreted by the stripe patterns on the FLUM, but rather the stripe patterns are intended to provide guidance in combination with applicable Comp Plan policy guidance. If the desired outcome is to emphasize one use over another, the FLUM may note the dominant use by assigning it a higher density. *Id.* § 227.1. The Area Elements and applicable small area plans, if any, may also provide detail on the mix of uses envisioned for an area.

In this case, both Mixed Use areas within which the Property is located contemplate high-density mixed-use development with an expressed preference for residential use. Policy guidance in the Central Washington Area Element and recommendations within the Northwest One Redevelopment Plan (“**NW1 Plan**”) also encourage the development of higher density residential use on the Property. The proposed Zoning Map amendment to MU-9A is not inconsistent with the FLUM. The Framework Element does not provide guidance on typical densities or specific zones that are considered consistent with the Mixed Use land use category. Rather, the Framework Element states that “a variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. In this case, the Applicant believes the proposed MU-9A is the most appropriate mixed use (MU) zone to achieve the type of development that is contemplated by the FLUM, Comp Plan policy guidance, and the recommendations of the NW1 Plan. As is clearly demonstrated in Table 1 of the Applicant’s full Comp Plan evaluation attached as **Exhibit C**, the MU-9A zone is the ideal zone to implement the Property’s FLUM designation for residentially oriented high-density mixed-use development. While all of the zones listed in the table allow for high-density mixed-use development, the proposed MU-9A zone is specifically intended for areas in or near the CEA and along arterial streets, and the one that most favors residential use by limiting non-residential density to 1.0 FAR. Further, all of the other high-density mixed-use zones listed in the table are either designed for other locations in the city (such as in the vicinity of the waterfront (MU-14) or the downtown core (MU-15), and/or allow much greater (and even favor) non-residential development.

Table 2 below identifies the specific Comp Plan policies that will be advanced by the proposed Zoning Map amendment. Regarding Comp Plan policies that explicitly focus on advancing racial equity, as identified by the Equity Crosswalk, the additional residential density on the Property will promote a variety of neighborhood types to help accommodate population growth and advance affordability, racial equity, and opportunity (LU-2.1.1). The increased multi-family housing, which will be subject to affordability requirements set forth in an LDDA between the Applicant and the District, will assist the District in achieving its housing production goals for Central Washington and the District as a whole (H-1.2.2). It will also help preserve the affordable

housing that long existed on the Property prior to being demolished by facilitating the Applicant's planned redevelopment of the site with prior residents having an opportunity to return in accordance with the LDDA and the original New Communities Initiative principles (H-2.1.1, H-2.1.2, H-2.1.6, H-2.1.9). Finally, redevelopment of the Property will replace the impervious surface parking lot that currently occupies the Property with a new high-density residential development, with potential ground-floor retail use, that is subject to District green building standards, thus helping to reduce urban heat island effect (E-1.1.2).

In accordance with guidance provided by the Implementation Element and the D.C. Court of Appeals, while carrying out its Comp Plan evaluation the Applicant was careful to identify any instances where the proposal may be viewed as being potentially inconsistent with certain Comp Plan policies. Upon review, the Applicant did not identify any instances where the proposed Zoning Map amendment is categorically inconsistent with specific Comp Plan policies. As such, there is no need to balance any potential inconsistencies with other competing Comp Plan policies or considerations. That said, to the extent the Commission may find the proposed Zoning Map amendment to be inconsistent with one or more individual Comp Plan policies, the Applicant submits that the outweighing policies and other considerations listed in **Table 2** would outweigh any such inconsistency.

Table 2: Summary of Comp Plan Policies Advanced by the Proposed Zoning 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.	
	Central Washington Area Element
CW-1.1.1, CW-1.1.4, CW-1.1.5, CW-1.1.11, CW-2.8.B	
	Land Use Element
LU-1.4.6, LU-1.5.1, <u>LU-2.1.1</u>	
	Housing Element
H-1.1.1, H-1.1.3, H-1.1.4, H-1.1.6, H-1.1.8, H-1.2.1, <u>H-1.2.2</u> , <u>H-1.2.3</u> , H-1.2.4, H-1.2.11, H-1.4.4, <u>H-2.1.1</u> , <u>H-2.1.2</u> , <u>H-2.1.6</u> , <u>H-2.1.9</u>	
	Environmental Protection Element
<u>E-1.1.2</u> , E-4.2.1	
	Urban Design Element
UD-1.1.2, UD-1.1.3, UD-1.4.1, UD-1.4.3	
Potential Inconsistency	Competing / Outweighing Policies and Considerations
· None identified	· FLUM designation Mixed Use (Medium Density Commercial / High Density Residential) and Mixed Use (Low Density Commercial / High Density Residential)

Table 2 (continued): Evaluation / Balancing of Potential Comp Plan Inconsistencies	
Potential Inconsistency	Competing / Outweighing Policies and Considerations
<ul style="list-style-type: none"> None identified 	<p><u>Central Washington Planning Area Element</u></p> <ul style="list-style-type: none"> <u>CW-1.1.4: New Housing Development in Central Washington</u> <u>CW-1.1.5: Central Washington Housing Diversity</u> <u>CW-2.8.B: Northwest One New Community</u> <p><u>Land Use Element</u></p> <ul style="list-style-type: none"> LU-1.4.6: Development Along Corridors LU-1.5.1: Infill Development <p><u>Housing Element</u></p> <ul style="list-style-type: none"> H-1.1.1: Private Sector Support H-1.1.6: Housing in Central Washington H-1.2.1: Low- and Moderate-Income Housing Production as a Civic Priority H-1.2.4: Housing Affordability on Publicly Owned Sites H-1.2.11: Inclusive Mixed-Income Neighborhoods <u>H-2.1.2: Preserving Affordable Rental Housing</u> <u>H-2.1.6: Long-Term Affordability Restrictions</u> <u>H-2.1.9: Redevelopment of Affordable Housing</u>

3. 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. 10-A DCMR § 213.7. As a process, racial equity is employed when those most impacted by structural racism are meaningfully involved in the creation and implementation of the policies and practices that impact their lives. The Commission's Racial Equity 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 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 3** addresses the questions set forth in **Part II (Community Outreach and Engagement)** of the Racial Equity Tool. The responses were informed by the Applicant’s research on the community that could potentially be impacted by the zoning action. More importantly, the responses were informed by the community engagement conducted by the Applicant.

Table 3: Community Outreach and Engagement
Description of affected community (including defining characteristics).
Affected Advisory Neighborhood Commission (“ANC”): For purposes of the proposed Zoning Map amendment, ANC 6E, the ANC within which the Property is located, is considered the “affected ANC.” The affected community includes former residents of Temple Court Apartments and the Golden Rule Center, eligible to return to the new development through the Temple Courts replacement units. The affected community also includes current residents near of the surrounding area, represented by the ANC. The neighborhood is a diverse and urban neighborhood with residents focused on safety and housing affordability.
Characteristics of the affected community that influenced outreach plan / efforts.
The Applicant’s approach to community outreach was centered on addressing residents’ priorities around affordable housing, safety, and minimizing disruptions during construction. Engaging with former tenants, the Washington Interfaith Network (“WIN”), and the ANC ensured transparency and responsiveness to community needs.
Outreach methods utilized (including specific efforts employed to meet community needs and circumstances).
The Applicant conducted meetings with WIN, former tenants of Temple Court Apartments and the Golden Rule Center, and ANC representatives to discuss the project’s impact and ensure feedback was incorporated into planning.
Community outreach timeframe / dates of major meetings and points of engagement
The Applicant has engaged with the community since the inception of its redevelopment effort, dating back to the Applicant’s execution of the LDDA in 2020, engaging with WIN and former residents of the Temple Court Apartments and the Golden Rule Center during that period and continuing its outreach as each phase of the NW One redevelopment has progressed. Most recently, the Applicant met with ANC 6E at its regular monthly public meeting on September 24, 2024 to present the proposed Zoning Map amendment.
Members of the affected community that would potentially benefit from the proposed zoning action.
The former residents of the Temple Court Apartments and the Golden Rule Center will benefit directly from the proposed Zoning Map amendment through access to the proposed Temple Courts replacement units that will be included in the Applicant’s redevelopment that the rezoning would facilitate. Additionally, the broader community will gain from the availability of more new, high-quality housing, including affordable housing, and improved safety measures.
Members of the affected community that would potentially be burdened by the proposed zoning action.







Current residents may face temporary disruptions during the construction phase of the proposed Phase 3 redevelopment.
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.
Safety and crime reduction were identified as primary concerns. Residents highlighted the need for improved security measures to ensure a safer living environment. Former residents emphasized the importance of stable, affordable housing to avoid displacement.
Potential positive outcomes of the proposed zoning action identified by the affected community.
The project delivers mixed income housing including Temple Courts replacement units, fulfilling commitments to former residents. It also improves safety with the addition of on-site security during hours when property management is not present.
Potential negative outcomes of the proposed zoning action identified by the affected community.
The community has responded very positively to the proposed Zoning Map amendment and redevelopment and has not identified any potential negative outcomes.
Changes / modifications made to the proposed zoning action that incorporate / respond to input received from the affected community.
While not directly related to the Zoning Map amendment requested by this Application, the community has requested to adjustments to the proposed redevelopment plan, which the Applicant has incorporated into its proposal: <ul style="list-style-type: none"> • The project includes a security plan with dedicated on-site personnel during off-hours to address safety concerns, with some overlap in security and property management coverage; and • Potential inclusion of retail use on the ground level of the project.
Input received from the affected community not incorporated into the proposed zoning action.
N/A
Efforts taken to mitigate potential negative outcomes identified by the affected community.
Since the proposal only seeks a Zoning Map amendment, there is no specific development plan under review for this Application to which potential mitigation measures can be applied. However, the Applicant will continue to work closely with the ANC and WIN ensure clear communication regarding construction timelines and to minimize disruptions as the proposed future redevelopment moves forward. Additionally, the Applicant will continue to make itself available to the community throughout the project to address concerns as they arise.

4. Racial Equity as an Outcome








The Framework Element states that “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” 10-A 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. *Id.* § 213.9.

Table 4 below assesses the proposed Zoning Map amendment against several equitable development indicators. The indicators address those that are specifically included in Part IV (Criteria to Evaluate a zoning Action through a Racial Equity Lens) of the Commission's Racial Equity Tool, in addition to others that are often included in racial equity impact assessments.




As demonstrated in **Table 4**, the outcomes of the proposal have the potential to positively impact racial equity by facilitating the Applicant's planned redevelopment of the Property which will bring new housing to the Property, both market rate and affordable. More importantly, the proposed rezoning will allow the Applicant to undertake the next phase of construction of the affordable replacement units that are envisioned in the District's New Communities Initiative, Northwest One Redevelopment Plan.

Table 4: 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						
Physical (Direct)		<ul style="list-style-type: none">• No direct physical displacement of existing tenants during construction as the Property has been vacant and improved with a surface parking lot since approximately 2008.• No direct commercial displacement as no businesses currently operate on the Property.				
Economic (Indirect)		<ul style="list-style-type: none">• Indirect displacement of tenants or residents is not expected to occur in the area surrounding the Property.• Additional housing provided by future redevelopment of the Property will add to housing supply and can help reduce development pressure on existing housing stock in the vicinity of the Property.• Additional replacement housing will provide increased opportunity for former tenants to return to the site.• Potential for indirect displacement can be mitigated by the new and replacement affordable housing that will be provided on the Property.				
Cultural (Indirect)		<ul style="list-style-type: none">• Increased housing on the Property will help existing residents in CW and nearby neighborhoods to remain in their neighborhoods.• Additional replacement housing will provide former tenants a long-awaited opportunity to return to their neighborhood.				

Housing		
Availability of Housing	<ul style="list-style-type: none"> Proposed MU-9A zone will permit construction of new housing in excess of what can be constructed under existing zoning on the Property, including new and greater affordable housing and affordable replacement housing. 	●
Preservation of Affordable Housing	<ul style="list-style-type: none"> There is currently no affordable housing on the Property to preserve. The construction of new affordable housing on the Property through additional density made available by the Zoning Map amendment, as well as replacement of the prior Temple Court Apartments units, would help alleviate pressures on existing housing stock in the neighborhood and thus help preserve the affordability in nearby neighborhoods. 	●
Replacement Housing	<ul style="list-style-type: none"> The proposed Zoning Map amendment will allow the Applicant to undertake the next phase of construction of the affordable replacement housing units that are envisioned in the District's New Communities Initiative, Northwest One Redevelopment Plan. 	●
Housing Burden	<ul style="list-style-type: none"> Increased affordable housing supply in the CW Planning Area can help temper increases in housing costs in nearby neighborhoods. New housing on the Property will be constructed to modern energy and efficiency standards that are capable of reducing utility costs. The rent levels for the new and replacement affordable housing constructed on the Property will be regulated by the LDDA between the District and the Applicant, and/or the DHCD published IZ rent schedule. 	●
Larger Unit Size	<ul style="list-style-type: none"> Ability to construct a greater amount of housing on the Property compared to existing zoning will increase the potential for new larger units to be provided in any future development. The replacement affordable units that will be constructed on the Property under the LDDA between the Applicant and the District will include a number of larger units that are generally comparable to the units that existed in the former Temple Courts development. 	●

Employment		
Entrepreneurial Opportunities	<ul style="list-style-type: none"> The Applicant's redevelopment of the Property could result in new entrepreneurial opportunities as a result of LDDA requirements for the Applicant to contract with CBEs for at least 35% of the contract dollar volume of the development, at least 20% equity and 20% development participation of CBEs in the development, and a requirement for the Applicant to enter into a First Source Agreement. 	
Job Creation	<ul style="list-style-type: none"> The Applicant's redevelopment of the Property will provide new job opportunities as a result of LDDA requirements for the Applicant to contract with CBEs for at least 35% of the contract dollar volume of the development, at least 20% equity and 20% development participation of CBEs in the development, and a requirement for the Applicant to enter into a First Source Agreement. 	
Job Training	<ul style="list-style-type: none"> The Applicant's redevelopment of the Property may provide apprenticeship and job training opportunities as a result of the First Source Agreement required under the LDDA. 	
Access to Employment	<ul style="list-style-type: none"> The construction of new affordable and market rate housing and replacement affordable housing, with potential ground-floor retail use, in proximity to Metrorail will increase access to potential off-site job opportunities and on-site job opportunities if ground-floor retail is provided. 	
Transportation / Infrastructure		
Public space / Streetscape Improvements	<ul style="list-style-type: none"> Redevelopment of the Property facilitated by proposed Zoning Map amendment will trigger District Department of Transportation ("DDOT") requirements to reconstruct adjacent streetscape to current DDOT standards, including the removal / minimization of curb cuts. 	
Infrastructure Improvements	<ul style="list-style-type: none"> Redevelopment of the Property will require stormwater infrastructure to manage runoff in accordance with current District stormwater regulations. Redevelopment of the Property will provide improvements in pedestrian infrastructure around the Property. 	
Access to Transit	<ul style="list-style-type: none"> Property is in proximity to Metrorail (NoMa/Gallaudet Station and Union Station) and priority bus routes (X2, X9, 80, 96). 	

Pedestrian Safety	<ul style="list-style-type: none"> · Elimination of curb cut(s) along K Street. · Reconstruction of adjacent public sidewalks. · Improved pedestrian circulation and streetscape around the Property. · Improved urban design adjacent to sidewalk by potential construction of building to property line. 	●
Education / Health / Wellness		
Schools	<ul style="list-style-type: none"> · Proposed Zoning Map amendment will not provide improvements to schools. · Residential development resulting from the rezoning may increase enrollment at nearby public schools. 	●
Healthcare	<ul style="list-style-type: none"> · Proposed Zoning Map amendment will not provide improvements to healthcare. · Rezoning may increase utilization of nearby healthcare facilities. 	●
Open Space / Recreational	<ul style="list-style-type: none"> · Proposed Zoning Map amendment will not provide improvements to open space and recreational uses. · Residential development resulting from the rezoning may increase utilization of nearby open space and recreational uses. 	●
Environmental		
Environmental Changes	<ul style="list-style-type: none"> · Redevelopment of the Property will improve the environmental conditions of the Property (currently an impervious surface parking lot) through compliance with GAR requirements, DC Green Building Act requirements, and DOEE stormwater regulations. · Reduced urban heat island effect through removal of existing surface parking lot. · Improved on-site storm water management. 	●
Sustainable Design	<ul style="list-style-type: none"> · Transit-oriented development and improved pedestrian connectivity and walkability. · Sustainable development carried out in accordance with DC Green Building Act and DOEE stormwater requirements. 	●
Resilient Design	<ul style="list-style-type: none"> · Sustainable development carried out in accordance with DC Green Building Act and DOEE stormwater requirements. 	●
Remediation	<ul style="list-style-type: none"> · Any remediation that is required will be carried out in accordance with DOEE requirements. 	●

Access to Opportunity		
Neighborhood Retail and Service Uses	<ul style="list-style-type: none"> Proposed MU-9A zone allows a limited amount of commercial use which may result in an increase the amount of retail and service uses in the area. The proposed project for the Property also includes potential new ground-floor retail space. Increased housing on the Property may increase access to, and utilization of, nearby retail and service uses. 	
Residential Amenities	<ul style="list-style-type: none"> High-quality amenities will be available to all residents in any future residential development on the Property. 	
Arts & Culture	<ul style="list-style-type: none"> Rezoning is not expected to increase access to arts and culture. 	

B. Health, Safety, and General Welfare

The proposed Zoning Map amendment will further the public health, safety, and general welfare of the District of Columbia. The requested rezoning to the MU-9A Zone District will allow the Property to be put to more productive use, thus contributing to the revitalization of the NW One site, the surrounding community, and ANC 6E overall. The Zoning Map amendment will protect the health and safety of District residents by allowing for future redevelopment of the Property with a height and density that is not inconsistent with the Comp 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 facilitate the redevelopment of a centrally located site with new development that can bring new housing (market rate and affordable) and achieve the vision for NW One set forth in the New Communities Initiative. Redevelopment of the Property will replace the existing surface parking with a high-quality development that will help address some of the critical planning and development objectives of the CW Area. The Zoning Map amendment will not generate any significant negative external impacts, but will instead promote the efficient use of high value land along North Capitol Street in a manner that will enhance the neighborhood, Ward 6, and the District as a whole.

D. Proposed MU-9A Zone Would Create Favorable Conditions

As described above, the proposed Zoning Map amendment would be consistent with the Property's designations on the FLUM and GPM and will realize the New Communities Initiative vision for the site of the former Temple Court Apartments. The proposed Zoning Map amendment will positively impact the surrounding Planning Area by supporting additional development on a centrally located site on North Capitol Street. As detailed in **Exhibit C**, the requested rezoning will advance numerous policies embodied in the various elements of the Comp Plan. Overall, the rezoning will promote the efficient use of high value land in a manner that will, among other things, support a substantial amount of new housing, including affordable housing.

VI. COMMUNITY OUTREACH AND ANC COORDINATION

As noted above, the Property lies within the boundaries of ANC 6E, and the Applicant has also conducted extensive outreach with WIN and the former residents of the Temple Court Apartments and the Golden Rule Center since it began pursuing the multiphase redevelopment of NW One. Most recently, the Applicant presented to ANC 6E at its regular monthly public meeting on September 24, 2024, prior to mailing the Notice of Intent to File a Zoning Application for the requested Zoning Map amendment. The Applicant offered to meet with the ANC again during the notice period, but the ANC deferred an additional presentation until after the Application is filed. The Applicant looks forward to continuing to work with the ANC, WIN, the former residents, and any other interested community stakeholders and neighbors as the Application and redevelopment move forward.

VII. CONCLUSION

For all of the reasons stated herein, the Applicant submits that the proposed rezoning of the Property from MU-4 and MU-9A is not inconsistent with the Comp Plan and will further the objectives set forth in the Zoning Act. Accordingly, the Applicant respectfully requests that the Commission schedule a public hearing on this application and grant the requested Zoning Map amendment.

Respectfully submitted,

/s/ Christine A. Roddy

/s/ Lawrence Ferris