

Exhibit D

Evaluation of Consistency with the Comprehensive Plan and Other Adopted Policies

In review of a petition for a text amendment to the Zoning Regulations, the Commission must find the proposal to be not inconstant with the Comprehensive Plan (D.C. Law 23-0217 (Comprehensive Plan Amendment Act of 2017) and D.C. Law 24-0020 (Comprehensive Plan Amendment Act of 2020)) (the “Comprehensive Plan”) and other adopted public policies related to the subject Property. *See* Subtitle X § 1300.2.

The Comprehensive Plan guides development in Washington, DC, both broadly and in detail, through maps and policies that address physical development in the city. 10A DCMR § 103.2. The District of Columbia Court of Appeals has held that when reviewing a zoning application, the Commission should consider the Comprehensive Plan “as a whole” even if an application presents inconsistencies with individual objectives or elements of the Comprehensive Plan. *See Friends of McMillan Park v. District of Columbia Zoning Comm’n.*, 211 A.3d 139, 144 (D.C. 2019).

Racial equity is a primary focus of the Comprehensive Plan. As part of the Comprehensive Plan analysis, the 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.

The following racial equity analysis is guided by the Zoning Commission’s Racial Equity Analysis Tool (the “**Racial Equity Tool**”)¹ and the Office of Planning’s Equity Crosswalk (effective August 21, 2021) (the “**Equity Crosswalk**”), which highlights the Comprehensive Plan policies and actions that explicitly address racial equity.

I. PART ONE: EVALUATION OF COMPREHENSIVE PLAN CONSISTENCY

Pursuant to Part One (Racial Equity Analysis Submissions – Guidance Regarding the Comprehensive Plan) of the Racial Equity Tool, the Applicant has conducted a thorough evaluation of the Petition’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. Overall, when viewed through a racial equity lens, the Petition is not inconsistent with the Comprehensive Plan.

Table 1 identifies the specific Comprehensive Plan policies that will be advanced by the Petition, as described in more detail below. The table also highlights policies that explicitly focus on advancing racial equity, as identified by the Equity Crosswalk.

¹ See <https://dcoz.dc.gov/release/zc-racial-equity-analysis-tool-new>.

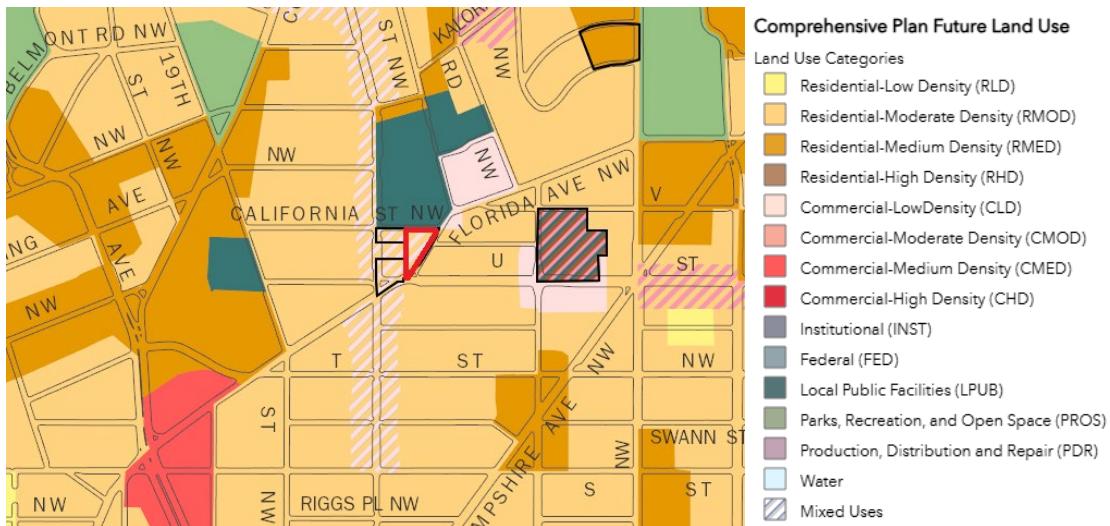
Table 1: Summary of Comprehensive Plan Policies Advanced by the Project	
Policies in <u>bold underlined</u> text denote policies that are specifically referenced in the OP Equity Crosswalk as being explicitly focused on advancing equity.	
Land Use Element:	LU-2.1.3, LU-2.3.1, LU-2.4.1
Economic Development Element:	ED-3.1.1, ED-3.1.8
Urban Design Element:	UD-2.2.3
Mid City Area Element:	MC-1.1.4, MC-1.1.6, MC-2.4.2, MC-2.4.5

A. Framework Element and Maps

The Framework Element in the Comprehensive Plan incorporates guidelines for interpreting two primary policy maps, the Future Land Use Map (“FLUM”) and the Generalized Policy Map (“GPM”). The D.C. Council recently amended the Framework Element, which states the “[GPM] and the [FLUM] are intended to provide generalized guidance for development and conservation decisions, and are considered in concert with other Comprehensive Plan policies.” 10A DCMR § 228.1. “By definition, the [FLUM] is to be interpreted broadly and the land use categories identify desired objective.” *Id.* As such, the zoning of any given area should be guided by the FLUM “interpreted in conjunction with the Comprehensive Plan, including the Citywide Elements and the Area Elements.” *Id.*

i. Future Land Use Map

The Property is designated for Moderate Density Residential and Low Density Commercial uses on the FLUM.



The Framework Element defines these designations as follows:

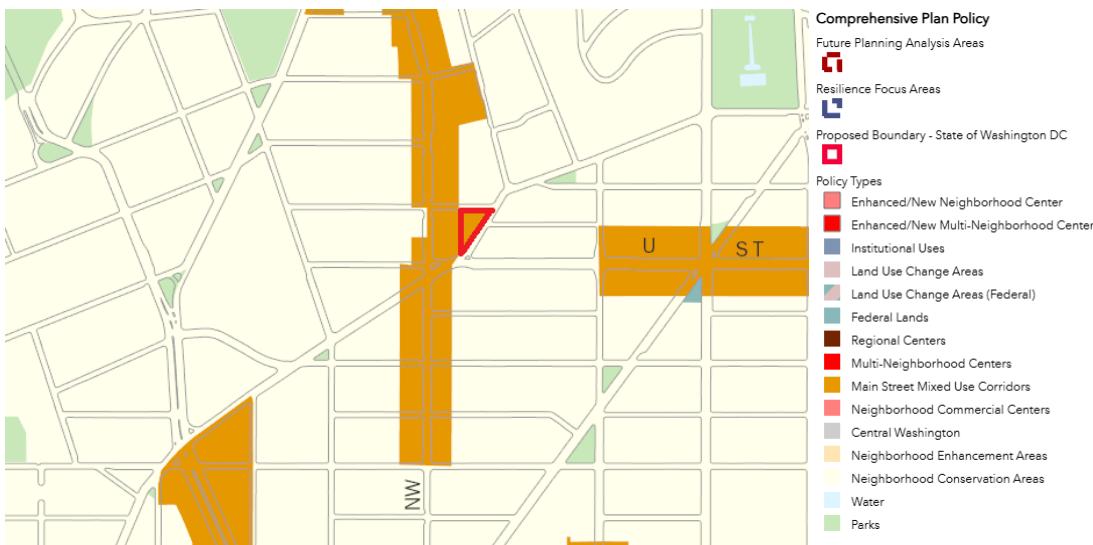
- **Moderate Density Residential:** This designation is used to define neighborhoods generally, but not exclusively, suited for row houses as well as low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single-family homes, two- to four-unit buildings, 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.
- **Low Density Commercial:** This designation is used to define shopping and service areas that are generally lower in scale and intensity. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts that draw from a broader market area. Their common feature is that they are comprised primarily of commercial and mixed-use buildings that range in density generally up to a FAR of 2.5, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-3 and MU-4 Zone Districts are consistent with the Low Density category, and other zones may also apply. 10A DCMR §227.13.

The Property's mixed-use categorization is applied to "areas where the mixing of two or more land uses is especially encouraged," including for "established, pedestrian-oriented commercial areas that also include substantial amounts of housing" and "commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future." 10A DCMR § 227.20.

The Petition is not inconsistent with the FLUM designation because it will reinforce the Property as pedestrian-oriented location for commercial uses that can serve the neighborhood. The Petition does not alter the zoning or density of the site but simply seeks to encourage additional commercial uses that are currently prohibited in the Overlay.

ii. Generalized Policy Map

The Property is designated as a Main Street Mixed Use Corridor on the GPM.



The Framework Element defines this designation as follows:

- **Main Street Mixed Use Corridors:** These are traditional commercial business corridors with a concentration of older storefronts along the street. The area served can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper-story residential or office uses. Some corridors are underutilized, with capacity for redevelopment. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment. 10A DCMR § 225.14.

The Petition is not inconsistent with the GPM designation because it aims to bolster the Property as a contributing piece in the 18th Street and U Street commercial corridors. The Petition seeks to modestly expand the permitted uses at the Property to help avoid vacancies in the Existing Building, which detract from the overall pedestrian-oriented neighborhood and GPM goals.

B. Land Use Element

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods:

Recognize the importance of balancing goals to increase the housing supply, including affordable units, and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to create vibrant neighborhoods in all parts of the District requires an emphasis on conserving units and character in some neighborhoods and revitalization in others, although all neighborhoods have a role to play in helping to meet broader District-wide needs, such as affordable housing, public facilities, and more. 10A DCMR § 310.10.

Policy LU-2.3.1: Managing Non-Residential Uses in Residential Areas

Maintain zoning regulations and development review procedures that prevent the encroachment of inappropriate commercial uses in residential areas. Limit the scale and extent of non-residential uses that are generally compatible with residential uses but present the potential for conflicts when they are excessively concentrated or out of scale with the neighborhood. 10A DCMR § 312.3.

Policy LU-2.4.1: Promotion of Commercial Centers

Promote the vitality of commercial centers and provide for the continued growth of commercial land uses to meet the needs of residents, expand employment opportunities, accommodate population growth, and sustain Washington, DC's role as the center of the metropolitan area. Commercial centers should be inviting, accessible, and attractive places, support social interaction, and provide amenities for nearby residents. Support commercial development in underserved areas to provide equitable access and options to meet the needs of nearby communities. 10A DCMR § 313.9.

The Petition will encourage neighborhood commerce and promote the Property as part of the broader neighborhood without sacrificing character or inappropriately encroaching on residential areas. The proposed use allowances will better align the Property with the surrounding Adams Morgan and U Street commercial corridors. Avoiding vacancy at the Property will contribute to the vibrancy of the area. The Property is situated so that it is within an established commercial area and is otherwise buffered from residential uses in the Overlay.

C. Economic Development

Policy ED-3.1.1: Neighborhood Commercial Vitality

Promote the vitality and diversity of Washington, DC's neighborhood commercial areas by retaining existing businesses, attracting new businesses, supporting a

strong customer base through residential density, and improving the mix of goods and services available to residents. 10A DCMR § 713.5.

Policy ED-3.1.8: Neighborhood Retail District Identity and Promotion

Brand the distinct character of retail districts through signature promotional events, signage, streetscape, and district gateways. Additionally, encourage unique retail clusters where appropriate. 10A DCMR § 713.12.

The Petition will promote the vitality and diversity of the Adams Morgan and U Street commercial areas by attracting new businesses to a location that has struggled with vacancies. The Petition would also reinforce the Property's contribution to the restaurant and entertainment districts on 18th Street and U Street, or otherwise attract new neighborhood-serving businesses, such as a grocer that can sell off-premises alcoholic beverages or a veterinary hospital.

D. Urban Design Element

Policy UD-2.2.3: Neighborhood Mixed-Use Centers

Undertake strategic and coordinated efforts to create neighborhood mixed-use centers that reinforce community identity and form compact, walkable environments with a broad mix of housing types, employment opportunities, neighborhood shops and services, and civic uses and public spaces. New buildings and projects should support the compact development of neighborhood centers and increase the diversity of uses and creation of public spaces where needed. 10A DCMR § 909.8.

The Petition reinforces the Property as part of the surrounding mixed-use neighborhood by offering additional use types that promote a walkable, compact neighborhood.

E. Mid City Area Element

Policy MC-1.1.4: Local Services and Small Businesses

Support the small businesses and essential local services that serve Mid-City. Encourage the establishment of new businesses that provide these services in areas where they are lacking, especially on the east side of the Planning Area. Support local services, small businesses, and their surrounding corridors using Main Streets, business improvement districts (BIDs), and Department of Small and Local Business (DSLBD) clean teams. 10A DCMR § 2008.5.

Policy MC-1.1.6: Mixed-Use Districts

Encourage preservation of the housing located within Mid-City's commercially zoned areas. Within mixed-use areas, such as Mount Pleasant Street NW and Columbia Road NW, encourage commercial uses that do not adversely impact the established residential uses. 10A DCMR § 2008.7.

Policy MC-2.4.2: Preference for Local-Serving Businesses

Enhance the local-serving, multicultural character of the 18th Street NW/Columbia Road NW business district. Encourage small businesses that meet the needs of local

residents, as well as an appropriate mix of establishments that both neighbors and visitors to the area can enjoy. Develop and implement strategies for support and retention of minority-owned businesses. 10A DCMR § 2014.10.

Policy MC-2.4.5: Reed-Cooke Area

Support existing housing within the Reed-Cooke neighborhood, maintain heights and densities at appropriate levels, and encourage small-scale business development that does not adversely affect the residential community. 10A DCMR § 2014.13.

The Petition will achieve the goal of the Mid City Area Element to promote local and small businesses. By allowing off-premises alcohol sales, restaurants and veterinary hospitals, the Property is more likely to attract local and small businesses that provide services that neighbors and visitors can enjoy.

Nonetheless, the Petition remains consistent with the Adams Morgan Policy Focus Area, which calls for small-scale businesses that do not adversely affect the residential community in Reed-Cooke. As noted in the Applicant's accompanying Statement of Purpose and Objectives, the Property is uniquely positioned in the Reed-Cooke neighborhood to limit adverse affects on the residential community. Given its unique island location, the Petition will have limited to no adverse affect on the surrounding community.

The Property is the southern-most parcel in the Overlay and is naturally separated from residential properties in the Reed-Cooke neighborhood. These residential properties are located to the north and east of Florida Avenue, with much of the Reed-Cooke residential community beginning two blocks from the Property in Square 2567.² Even so, there are intervening non-residential uses between the residential community and the Property, including a self-storage establishment in Square 2562 and the Marie Reed Recreation Center and soccer field in Square 2558, 2560 and 2562.

The Property is also an “island” that does not directly abut any other private properties, residential or otherwise. The closest residential neighborhood is to the east of the Property across the 80-foot-wide Florida Avenue NW; however, this residential area is not within the Reed-Cooke neighborhood and was not subject to the rezoning in case numbers 86-12 and 88-19.

The Property’s prominent location on U Street and Florida Avenue intertwines the Property with commercial and entertainment establishments on Adams Morgan’s 18th Street NW and to the east on U Street NW. The location makes the Property uniquely suitable for the type of commercial uses that would be exempted under the Petition.

² There is a multi-family apartment building called “Reed Row” and three rowhome lots at the corner of Florida Avenue and V Street that are approximately one block from the Property.

F. Adams Morgan Vision Framework

In 2016, the Office of Planning issued the Adams Morgan Vision Framework (the “Vision Framework” that provides a strategic planning document for the Adams Morgan neighborhood. The Property is within the study area that is subject to the Vision Framework.

As it relates to the Petition, the Vision Framework calls for “redefining retail” in Adams Morgan. The Vision Framework acknowledges that Adams Morgan’s retail challenges “are reflected in its turnover and vacay rates for retail space.” *See* Vision Framework, pg. 12. At the time of publication, the Vision Framework noted a vacancy rate of 9% for retail businesses, finding this to create a condition “where the stores and restaurants become fragmented rather than a cohesive retail ‘district.’” *Id.* To address these challenges, the Vision Framework recommends offering “appealing options for everyone” to reinforce the neighborhood’s sense of community. *Id.*

Additionally, the Vision Framework calls for identifying distinct retail nodes with unique characteristics. The Vision Framework identifies the Property as within Subdistrict 4, which is defined as “a gathering point for several retailers that target Adams Morgan’s younger, hipper crowd.” *Id.* at pg. 13.

The Petition is consistent with the goals of the Vision Framework because it will allow the Property to reduce its vacancy rate by targeting a wider variety of tenants that fit the overall character of the neighborhood directly around the Property. The limited new uses fit the theme of Subdistrict 4 and align with the types of businesses that at the junction of 18th Street NW, Florida Avenue NW, U Street NW.

II. PART II: APPLICANT’S COMMUNITY OUTREACH AND ENGAGEMENT

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. 10A DCMR § 213.7. As a process, a racial equity lens is employed when the most impacted by structural racism are meaningfully involved in the creation and implementation of the policies and practices that impact their lives. The 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 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 Racial Equity 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 proposal.

Table 2: Community Outreach and Engagement

Description of the affected community (including defining characteristics).
The Property is located within Advisory Neighborhood Commission 1C. The affected community includes residents and businesses in the Reed-Cooke and Adams Morgan neighborhoods. The defining characteristics of the community include the mixed-use, pedestrian-friendly nature of the area where residents and businesses are in close proximity to one another.
Characteristics of the affected community that influenced outreach plan/efforts.
The Applicant's approach to community outreach was based on a balancing of resident and business interests.
Community outreach timeline/dates of major meetings and points of engagement.
<p>The applicant has conducted the following meetings:</p> <p>3/10/25 – In-person meeting with Single Member District 1C01 Commissioner Daniel Michelson-Horowitz (SMD for the Property), who is also the Chair of ANC 1C's Planning, Zoning and Transportation (PZT) Committee</p> <p>3/19/25 – Attend virtual meeting of ANC 1C PZT Committee, which votes unanimously to support the proposed text amendment; the Committee also noted it would be supportive of removing the Property from the Overlay</p> <p>4/2/25 – Attend virtual public meeting of ANC 1C, which votes unanimously to support the proposed text amendment (a copy of letter of support is enclosed)</p>
Outreach methods utilized (including specific efforts employed to meet community needs and circumstances).
Virtual meetings and email/phone communications.
Members of the affected community that would potentially benefit from the proposed zoning action.
Local businesses that need prominent space to rent to serve their customers and residents seeking neighborhood-serving commercial uses.
Members of the affected community that would potentially be burdened by the proposed zoning action.
Although the Applicant has not received any negative feedback related to the Petition, the Applicant understands there is likely a segment of the surrounding neighborhood that does not support new commercial uses for off-premises alcohol sales or restaurants. It is arguable that these use types could impact the residential community; however, the Applicant believes the Property is suitable for these uses due to its location and “island” siting.
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.
None at this time.

Potential positive outcomes of the proposed zoning action identified by the affected community.
None at this time.
Potential negative outcomes of the proposed zoning action identified by the affected community.
None at this time.
Changes/modifications made to the proposed zoning action that incorporate/respond to the input received from the affected community.
The Applicant has not yet made changes to respond to community input.
Input received from the affected community not incorporated into the proposed zoning action.
None as of this time.
Efforts taken to mitigate potential negative outcomes identified by the affected community.
None as of this time.

III. PART III: DISAGGREGATED DATA REGARDING RACE AND ETHNICITY

As outlined in Part III of the Racial Equity Tool, the Office of Planning will provide disaggregated race and ethnicity data as it pertains to the Project and the Property.

IV. PART IV: ZONING COMMISSION ANALYSIS

Part Four of the Zoning Commission's Racial Equity Tool provides the criteria with which the Zoning Commission shall evaluate a proposed action through a racial equity lens. This evaluation is guided by the following questions:

- What Comprehensive Plan policies related to racial equity will potentially be advanced by approval of the zoning action?
- What Comprehensive Plan policies related to racial equity will potentially not be advanced by approval of the zoning action?
- When considering the following themes/questions based on Comprehensive Plan policies related to racial equity, what are the anticipated positive and negative impacts and/or outcomes of the zoning action?

Table 3 indicates how the Project will generally result in positive impact to racial equity through the indicators specifically included in **Part IV** (Criteria to Evaluate a Zoning Action Through a Racial Equity Lens) of the Racial Equity Tool.

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)	-As there are no residents at the Property, physical displacement would not occur.	
Economic (Indirect)	-Much of the Existing Building is vacant and, therefore, there would be no displacement.	
Cultural (Indirect)	-Cultural displacement would not occur; thus, no mitigation is necessary.	
Housing		
Availability of Housing	No impact	
Preservation of Affordable Housing	No impact	
Replacement Housing	No impact	
Housing Burden		
Homeownership Opportunity	No impact	
Larger Unit Size	No impact	
Employment		
Entrepreneurial Opportunities	-The Petition increases the types of commercial uses at the Property thereby potentially attracting entrepreneurs to open new businesses	
Job Creation	-The Petition will lead to new businesses that lease space at the Property and, therefore, can create new job opportunities.	
Access to Employment	-New job opportunities in a location that has excellent access to public transportation	
Transportation/Infrastructure		
Public Space/Streetscape Improvements	No impact	
Infrastructure Improvements	No impact	
Access to Transit	No impact	
Pedestrian Safety	No impact	
Education/Health/Wellness		
Schools	No impact	

Healthcare	No impact	
Open Space/Recreational	No impact	
Environmental		
Environmental Changes	No impact	
Sustainable Design	No impact	
Remediation	No impact	
Access to Opportunity		
Neighborhood Retail and Service Uses	-The Petition aims to encourage neighborhood serving retail at the Property including off-premises alcohol sales, a restaurant and/or veterinary hospital.	
Residential Amenities	No impact	