

Evaluation of Comprehensive Plan Consistency & Racial Equity Analysis

I. Introduction

The subject property consists of Lots 71, 72, and 803 in Square 2855, and has approximately 14,664 square feet of land area (the “Property”). The lots are addressed as 1337 Girard Street NW, 1339 Girard Street NW, and 1327 Girard Street NW, respectively. 1327 Girard Street is currently vacant, while 1337 and 1339 Girard Street are each improved with rowhouse structures used as apartments. The Property is currently zoned RF-1, and the Applicant seeks a zoning map amendment to rezone the Property from RF-1 to RA-4.

Andy and Debbie Wilson LLC (the “Applicant”) is the owner of 1327 Girard Street. The rezoning to RA-4 is sought to facilitate developing this vacant land in a similar manner to existing RA-4 zoned land located on the same block of Girard Street. 1337 and 1339 Girard Street are located between Applicant’s land and the existing RA-4 zoned land, and they are included in this rezoning application to ensure there will be no remaining gap of RF-1 zoned land between the Applicant’s land and the existing RA-4 zoned land should the rezoning be approved. The owner of 1337 Girard Street is in support of the rezoning application, while the owner of 1339 Girard Street initially expressed support but ultimately could not be reached for a formal letter of support. See the letters of authorization and the letter of explanation included in the application submission. 1327 Girard Street has 7,532 square feet of land area, while 1337 and 1339 Girard Street each have 3,566 square feet of land area; together they make the 14,664 square foot Property subject to rezoning.

As set forth below, the proposed zoning map amendment is not inconsistent with the Comprehensive Plan (the “Comp Plan”) for Washington DC. The Comp Plan guides the District’s development, both broadly and in detail, through maps and policies that address the physical development of the District. See 10-A DCMR § 103.2. The Comp Plan also addresses social and economic issues that affect and are linked to the physical development of the city and the well-being of its citizens.

As part of its review, the Zoning Commission (“Commission”) must find the proposed zoning map amendment is not inconsistent with the Comp Plan. See 11-X DCMR § 500.3. As stated in the Framework Element, in making decisions as to Comp Plan consistency, “the [Commission] must consider the many competing, and sometimes conflicting, policies of the [Comp Plan], along with the various uses, development standards and requirements of the zone districts. It is the responsibility of the [Commission] to consider and balance those policies relevant and material to the individual case...and clearly explain its decision-making rationale.” See 10-A DCMR § 224.8. To approve the proposed zoning map amendment, the Commission must consider and balance potential Comp Plan consistencies and inconsistencies to make an overall determination as to whether the map amendment is “not inconsistent” with the Comp Plan when read as a whole. As part of its Comp Plan evaluation, the Commission must also consider the recommendations of any adopted plans and active programs that are applicable to the subject site, including adopted Small Area Plans (“SAPs”), which are approved by resolution by the D.C. Council and provide more detailed planning guidance for a defined geographic area. Unless an SAP has been made binding on the Commission through its enactment as part of a Comp Plan amendment, an SAP provides only supplemental guidance to the Commission, but

only to the extent that it does not conflict with the Comp Plan. *Id.* § 224.5. In this case, the Property is located within the Columbia Heights Neighborhood Investment Fund Plan (“Investment Plan”) and the Columbia Heights Public Realm Framework Plan (“Framework Plan”).

The following sections of this evaluation contain the Applicant’s evaluation of the proposed Zoning Map amendment’s overall consistency with the Comp Plan. In conducting its Comp Plan evaluation, the Applicant has considered the goals and policies of the Comp Plan elements that are applicable to the proposal, through a racial equity lens. In addition, the Applicant’s evaluation incorporates community feedback, includes a specific assessment of potential Comp Plan inconsistencies, and includes an assessment of the SAPs. As detailed below, overall, the Applicant finds that the proposal to rezone the Property from RF-1 to RA-4 is not inconsistent with the Comp Plan when read through a racial equity lens. In particular, the Applicant finds that the proposed rezoning will facilitate redevelopment of the Property that is consistent with the moderate density and medium density residential development that is contemplated by the FLUM, and that will advance several policies within the Mid-City, Land Use, and Housing Elements.

II. Racial Equity and the Comprehensive Plan

Overall, the purpose of the Applicant’s requested map amendment is to facilitate residential housing construction and increase the available housing supply in the District of Columbia (the “District”), which will help lower overall housing costs in the District. Promoting increased housing supply should be inherently viewed as promoting racial equity and is both non-controversial and politically neutral.

A primary focus of the Comp Plan, as reflected throughout its various policies, is achieving racial equity. The Framework Element of the Comp 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.” *See* 10-A DCMR § 213.8. Indeed, the importance of equity to District residents was made abundantly clear when the D.C. Office of Planning (“OP”) conducted its D.C. Values survey in Spring 2019. In addition to equity, city residents also expressed concerns about rising costs and inequitable access to opportunities for housing, businesses, employment, and other necessities. Overall, livability, equity, and safety were considered the most critical values. *See* 10-A DCMR §§ 107.17–107.22.

As stated in the Framework Element and as further discussed below, equity is both an outcome and a process. *See* 10-A DCMR § 213.6. Equity exists where all people share equal rights, access, choice, opportunities, and outcomes, regardless of characteristics such as race, class, or gender. Equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities. An important factor to advancing racial equity is to acknowledge that equity is not the same as equality. *Id.* “As an outcome, the District achieves racial equity when race no longer determines one’s socioeconomic outcomes, when everyone has what they need to thrive, no matter where they live or their socioeconomic status; and when racial divides no longer exist between people of color and their white counterparts. As a process,

we apply a racial equity lens when those most impacted by structural racism are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives, particularly people of color.” *See* 10-A DCMR § 213.9.

Equity is conveyed through the Comp Plan, particularly in the context of zoning, where certain priorities stand out, including affordable housing, displacement, and access to opportunity. To help guide the Commission in applying a racial equity lens to its decision making, the Implementation Element reads, in relevant part, “[a]long with consideration of the defining language on equity and racial equity in the Framework Element, guidance in the citywide Elements on District-wide equity objectives, and the Area Elements should be used as a tool to help guide equity interests and needs of different areas in the District.” *See* 10-A DCMR § 2501.6.

As related to zoning actions, racial equity is not a separate consideration from the normal legal standard of review. Rather, the Commission properly considers equity as an integral part of its analysis as to whether a proposed zoning action is “not inconsistent” with the Comp Plan. The scope of the racial equity review and the extent to which Comp Plan policies apply depend upon the nature of the proposed zoning action. In this case, the Commission shall evaluate the requested Zoning Map amendment through a racial equity lens to make its determination as to whether the requested rezoning is not inconsistent with the Comp Plan as a whole.

A. 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* 10-A DCMR § 213.7. The Applicant believes in inclusive, community engagement, and will work closely with the community and the affected ANC throughout the map amendment process.

B. 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.” *See* 10-A DCMR § 213.6. As stated above, under the Comp Plan, the Commission shall carry out its Comp Plan evaluation for the Application through a racial equity lens. Applicant posits the proposed map amendment increasing Applicant’s multiunit residential construction fundamentally promotes racial equity by introducing more starter-level housing into the District compared to, as an example, luxury single family/mansion construction.

III. Zoning Commission Racial Equity Tool Analysis

To provide analysis which will allow the Commission to carry out its Comp Plan evaluation through a racial equity lens, the Applicant has utilized the 2023 Racial Equity Tool

available on the on the Office of Zoning’s website, as required by 11-Z DCMR 304.7. The Racial Equity Tool has four parts:

- Part One is a discussion of the Citywide and Area Elements of the Comp Plan that explicitly focus on advancing equity. The Commission expects a discussion of these elements, as applicable, from the Applicant (and the Office of Planning) in racial equity analysis submissions that analyze a zoning action through a racial equity lens.
- Part Two is a discussion from the Applicant on community outreach and engagement efforts.
- Part Three is disaggregated data regarding race and ethnicity, to be provided by the Office of Planning.
- Part Four is the criteria to evaluate a zoning action through a racial equity lens. The Commission will use the data provided in racial equity analysis submissions from the Applicant and the Office of Planning in Parts One through Three in evaluating a zoning action’s consistency with the Comp Plan through a racial equity lens.

Parts A and B of this section address the Comp Plan consistency analysis and community outreach required by Parts One and Two of the Racial Equity Tool, respectively. This information combined with the data provided by the Office of Planning in Part Three will allow the Commission to evaluate the criteria in Part Four of the Tool.

A. Part One: Racial Equity Analysis Submissions

As required by Part One of the Racial Equity Tool, the Applicant has conducted a thorough evaluation of the proposed map amendment’s consistency with the Comp Plan, including the FLUM, the GPM, the policies of all applicable Citywide and Area Elements, and all other applicable adopted public policies and active programs.

i. Comprehensive Plan Overview and Application

The Comp Plan guides the District's development, both broadly and in detail, through maps and policies that address the physical development of the District. *See* 10-A DCMR § 103.2. The Comp Plan also addresses social and economic issues that affect and are linked to the physical development of the District and the well-being of its citizens. The Comp Plan provides the general overview of how change will be managed in the years ahead and, thus, is intended to be interpreted broadly. *See* 10-A DCMR § 103.5.

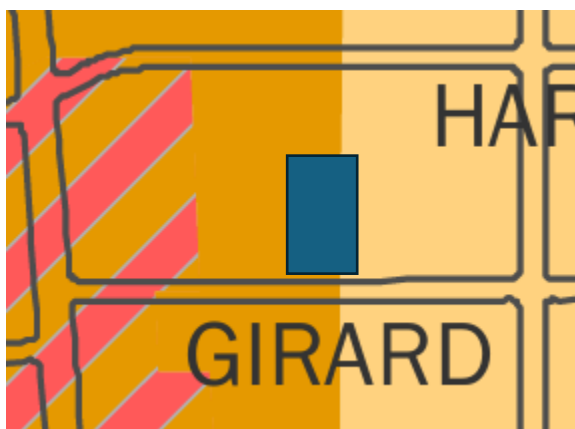
Because the Comp Plan is the one plan that guides the District's development, it carries special importance in that it provides an overall direction and shapes all other physical plans the District may adopt. *See* 10-A DCMR § 103.2. The Comp Plan includes detailed maps and policies for the physical development of the District, and addresses social and economic issues that affect the District and its citizens. The Comp Plan allows the District to ensure its resources

are used wisely and efficiently and that public investment is focused in areas where it is most needed. *See* 10-A DCMR § 100.13. Subsection 228.1(d) (10-A DCMR § 228.1(d)) of the Comp Plan reads, in relevant part, the “zoning of any given area should be guided by the [FLUM] interpreted in conjunction with the text of the Comp Plan, including Citywide Elements and the Area Elements, as well as approved Small Area Plans.”

ii. Future Land Use Map

The FLUM shows the general character and distribution of recommended and planned uses across the city, and, along with the GPM, is intended to provide generalized guidance on whether areas are designated for conservation, enhancement, or change. *See* 10-A DCMR §§ 200.5 and 224.4. The land use category descriptions on the FLUM describe the general character of development in each area, citing typical FARs as appropriate. However, the granting of density bonuses may result in densities that exceed those typical ranges stated in the land use category descriptions. *See* 10-A DCMR § 228.1(c). By definition, the FLUM is to be interpreted broadly and the land use categories identify desired objectives. *See* 10-A DCMR § 228.1(a). Decisions on requests for rezoning shall be guided by the FLUM read in conjunction with the text of the Comp Plan (Citywide and Area Elements) as well as Small Area Plans pertaining to the area proposed for rezoning. *See* 10-A DCMR § 2504.5.

As shown below, the FLUM designates the Property as both **Moderate Density Residential** and **Medium Density Residential**.



The Framework Element describes **Moderate Density Residential** as follows: 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.

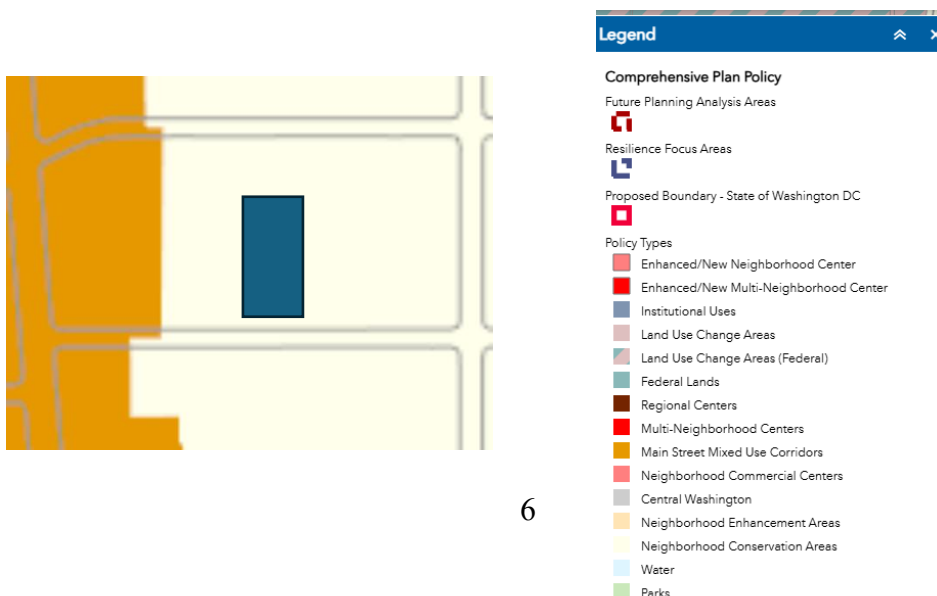
The Framework Element describes the adjoining **Medium Density Residential** as: “[t]his designation is used to define neighborhoods or areas generally, but not exclusively, suited for mid-rise apartment buildings. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. Pockets of low and moderate density housing may exist within these areas. Density typically ranges from 1.8 to 4.0 FAR, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-3 Zone District is consistent with the Medium Density Residential category, and other zones may also apply.”

The Applicant’s proposed map amendment to rezone the subject parcels to RA-4 allows a base 3.5 FAR, so it is within the range of Medium Density Residential. The rezoning to RA-4 is sought to facilitate developing Applicant’s vacant land in a similar manner to existing RA-4 zoned land located on the same block of Girard Street. 1337 and 1339 Girard Street are located between the Applicant’s land and the existing RA-4 zoned land, and they are included in this rezoning application to ensure there will be no remaining gap of RF-1 zoned land between the Applicant’s land and the existing RA-4 zoned land should the rezoning be approved.

iii. Generalized Policy Map

The purpose of the GPM is to categorize how different parts of the District may change between 2005 and 2025. It highlights areas where more detailed policies are necessary, both within the Comp Plan and in follow-up plans, to manage this change. *See* 10-A DCMR § 225.1. The GPM is intended to “guide land use decision-making in conjunction with the Comp Plan text, the FLUM, and other Comp Plan maps. Boundaries on the map are to be interpreted in concert with these other sources as well as the context of each location.” *See* 10-A DCMR § 225.2.

As shown below, the Property is designated in a **Neighborhood Conservation Area** and is adjacent to a Main Street Mixed Use Corridor:



The GPM explains that a **Neighborhood Conservation Area** “[has] little vacant or underutilized land. They are generally residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will typically be modest in scale and will consist primarily of infill housing, public facilities, and institutional uses. Major changes in density over current (2017) conditions are not expected but some new development and reuse opportunities are anticipated, and these can support conservation of neighborhood character where guided by Comp Plan policies and the Future Land Use Map. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided.” *See* 10-A DCMR § 225.4.

The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs. Limited development and redevelopment opportunities do exist within these areas. The diversity of land uses and building types in these areas should be maintained and new development, redevelopment, and alterations should be compatible with the existing scale, natural features, and character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map and Comp Plan policies. Approaches to managing context-sensitive growth in Neighborhood Conservation Areas may vary based on neighborhood socio-economic and development characteristics. In areas with access to opportunities, services, and amenities, more levels of housing affordability should be accommodated. Areas facing housing insecurity and displacement should emphasize preserving affordable housing and enhancing neighborhood services, amenities, and access to opportunities. *See* 10-A DCMR § 225.5.

The proposed map amendment aligns with the Property's designation as a Neighborhood Conservation Area. This designation does not prohibit development and is in fact consistent with Applicant's proposed residential development. The proposed RA-4 rezoning is within the allowable residential zoning for a Medium Density Residential designated area, which is consistent with the FLUM designations similar to the existing RA-4 zoned land located on the same block of Girard Street as the Property.

iv. Mid-City Element

The Property is located within the Mid-City Element of the Comp Plan. *See* 10-A DCMR § 2000.1. The Mid-City Planning Area encompasses the 3.1 square miles located in the geographic center of Washington, DC. It extends from Rock Creek Park on the west to the CSX rail corridor on the east. Its southern edge is formed by Florida Avenue NW and U Street NW, and its northern edge is formed by Spring Road NW and Rock Creek Church Road NW. Most of

this area has historically been in Ward 1, although the easternmost portion is currently part of Ward 5 and the southernmost portion is currently in Ward 2.

Mid-City is one of the most diverse parts of Washington, DC. Although it is one of the smallest of the 10 planning areas geographically, it is the most populous and most dense. Much of the area was developed during the late 19th and early 20th centuries, giving it a rich and historic urban character. The area includes row house neighborhoods, such as Adams Morgan, Bloomingdale, Columbia Heights, Eckington, LeDroit Park, Park View, Pleasant Plains, and Mount Pleasant. It includes large apartment communities along streets such as 14th Street NW, 16th Street NW, and Columbia Road NW. It is also home to several large institutions, such as Howard University, Howard University Hospital, and the McMillan Sand Filtration Site. *See* 10-A DCMR § 2000.2.

The Comp Plan states that the 2017 Census “indicat[ed] a tight housing market.” *See* 10-A DMCR § 2004.1. The Comp Plan’s area element evaluation for Mid-City includes “[h]ousing opportunities should be increased for people at all income levels so that Mid-City can remain a diverse neighborhood” and “[n]ew condominiums, apartments, and commercial development should be directed to the areas that are best able to handle increased density, namely areas immediately adjacent to Metrorail stations” which would include the Property in relatively close proximity to Columbia Heights metro station. *See* 10-A DCMR § 2007.3.

The Applicant’s proposed rezoning to RA-4 is consistent with the following Policies and Actions for Mid-City (“MC”):

- Policy MC-1.1.2 Directing Growth;
- Policy M.C. 1.1.3 Infill and Rehabilitation;
- Policy M.C. 1.2.1 Cultural Diversity;
- Policy M.C. 2.2.1 Columbia Heights Metro Station Area Development; and
- Policy M.C. 2.2.2 Public Realm Improvements.

The surrounded improvements parcels already contain multiunit residential developments. Permitting Applicant’s RA-4 rezoning ensures redevelopment of the currently vacant Property to materially increase the housing supply around the Columbia Heights metro area. The existing multiunit condominiums have attracted a diverse community to the Columbia Heights area surrounding the Property, as reflected in the composition of the local ANC-1A, and promoting additional similar residential development will greatly contribute to the diverse profile of this area. In addition, the area will benefit from supporting sidewalk and public realm improvements accompanying residential development of the Property.

v. Land Use Element

The Land Use Element is the cornerstone of the Comp Plan. It establishes the basic policies guiding the physical form of the District, and provides direction on a range of development, preservation, and land use computability issues. The element describes the range

of considerations involved in accommodating an array of land uses within Washington, D.C. *See* 10-A DCMR § 300.1. Through its policies and actions, the Land Use Element addresses the numerous, challenging land use issues that are present in the District, including, among others:

- Providing adequate housing, particularly affordable housing;
- Enhancing neighborhood commercial districts and centers;
- Balancing competing demands for finite land resources;
- Directing growth and new development to achieve economic vitality and creating jobs while minimizing adverse impacts on residential areas and open spaces;
- Promoting transit-accessible, sustainable development; and
- Siting challenging land uses.

10-A DCMR § 300.2.

More than any other part of the Comp Plan, the Land Use Element lays out the policies through which growth and change occur. The Land Use Element integrates and balances competing policies of all the other District Elements. *See* 10-A DCMR § 300.3. The Implementation Element further recognizes the “overlapping nature” of the Comp Plan elements, stating that “an element may be tempered by one or more of the other elements,” and further states, “because the Land Use Element integrates the policies of all other District Elements, it should be given greater weight than the other elements.” *See* 10-A DCMR § 2504.6.

The policies and actions of the Land Use Element all aim to utilize land resources efficiently to achieve the following goals:

- Protect the health, safety, and welfare of District residents, institutions, and businesses;
- Address past and current inequalities disproportionately impacting communities of color;
- Provide for additional housing and employment opportunities; and
- Effectively balance the competing demands for land to support a growing population and the many activities that take place within Washington, DC’s boundaries.

10-A DCMR § 302.1

Land Use Element Evaluation

The proposed RA-4 rezoning advances several key land use policies, mainly promoting increased housing supply that is transit-accessible to the nearby Columbia Heights metro station and increasing foot traffic for local businesses. Building relatively compact multi-unit housing efficiently uses the land in the Columbia Heights area and promotes the following Land Use Elements:

- LU-1.1 Supporting Growth

- LU-1.4 Transit-Oriented and Corridor Development
- LU-1.4.1 Station Areas as Neighborhood Centers
- LU-1.4.2 Development Around Metrorail Stations
- LU-1.4.3 Housing Around Metrorail Stations
- LU-1.4.5 Design to Encourage Transit Use
- LU-1.4.6 Development Along Corridors
- LU-1.4.7 Parking Near Metro Stations
- LU-2.1.1 Variety of Neighborhood Types
- LU-2.1.2 Neighborhood Revitalization
- LU-2.1.3 Conserving, Enhancing and Revitalizing Neighborhoods
- LU-2.1.8 Explore Approaches to Additional Density in Low and Moderate Density Neighborhoods
- LU-2.1.10 Multi-Family Neighborhoods
- LU-2.1.11 Residential Parking Requirements
- LU-2.2 Maintaining Community Standards
- LU-2.2.4 Neighborhood Beautification
- LU-2.2.5 Enforcement of Approval Conditions
- LU-2.3 Residential Land Use Compatibility
- LU-2.4 Neighborhood Commercial Districts and Centers
- LU-2.4.1 Promotion of Commercial Centers
- LU-2.4.5 Encouraging Nodal Development

vi. Transportation Element

The Transportation Element provides policies and actions that are devoted to maintaining and improving the District’s transportation system and enhancing the travel choices available to District residents, visitors, and workers. These transportation-related policies are integrally related to other Comp Plan policies that address land use, urban design, and environmental protection. The close interplay between these policy areas is necessary to improve safety, mobility, and accessibility in the District. *See* 10-A DCMR § 400.1.

The overarching goal for transportation in the District is to “[c]reate 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 enhance the quality of life for District residents.” *See* 10-A DCMR § 401.1.

Transportation Element Evaluation

The proposed rezoning of the Property to the RA-4 Zone advances the District’s transportation policies by supporting transit-oriented development and pedestrian-friendly infrastructure. By permitting greater residential density at the Property, the map amendment

aligns with Policy T-1.1.4, which promotes investing near transit stations, such as the Columbia Heights Station, and bus corridors, such as those along 14th and 11th Streets (Metrobus routes D50 and D44, respectively). This will improve the overall accessibility and walkability of the neighborhood while improving bicyclist and pedestrian safety, consistent with Policies T-3.2.2, T-2.3.3, T-2.4.1, and T-2.4.2. The map amendment will foster equitable transportation access by ensuring more new residents can have homes in proximity to transit, thereby ensuring they can use the transit network to access job opportunities and services, removing the impediments raised by income or physical ability where automobile travel is necessary. This is consistent with Policies T-1.1.7 and T-1.3.1, which together encourage leveraging the area's robust transit infrastructure to serve low-income residents.

Accordingly, the map amendment is not inconsistent with the Transportation Element and is anticipated to advance the specific policies listed below:

- T-1.1.2: Land Use Impact Assessment
- T-1.1.4: Transit-Oriented Development
- T-1.1.7: Equitable Transportation Access
- T-1.1.8: Minimize Off-Street Parking
- T-1.2.3: Discouraging Auto-Oriented Uses
- T-2.1.6 First- and Last-Mile Connections
- T-2.2.1: Multimodal Connections
- T-2.3.1: Better Integration of Bicycle and Pedestrian Planning
- T-2.3.2: Bicycle Network
- T-2.3.3: Bicycle Safety
- T-2.4.1: Pedestrian Network
- T-2.4.2: Pedestrian Safety

vii. Environmental Protection Element

The Environmental Protection Element addresses the protection, conservation, and management of Washington, D.C.'s land, air, water, energy, and biological resources. This Element provides policies and actions for addressing important issues such as climate change, drinking water safety, the restoration of the tree canopy, energy conservation, air quality, watershed protection, pollution prevention, waste management, the remediation of contaminated sites, and environmental justice. The biological, chemical, and hydrologic integrity of the environment are key indicators of the quality of life in the District. Furthermore, environmental sustainability is linked to resilience, population health, and community prosperity. Good environmental management and pollution prevention are essential to sustain all living things and to safeguard the welfare of future generations. *See* 10-A DCMR § 600.1.

The overarching goal for the Environmental Protection Element is to protect, restore, and enhance the natural and human-made environment in Washington, DC, taking steps to improve environmental quality and resilience, adapt to and mitigate climate change, prevent and reduce pollution, improve human health, increase access to clean and renewable energy, conserve the value and functions of the District's natural resources and ecosystem, and educate the public on ways to secure a sustainable future. *See* 10-A DCMR § 601.1.

Environmental Protection Element Evaluation

The site does not feature significant existing environmental resources, but it does have green space located between the sidewalk and the street that has existing street trees. These are anticipated to remain following development because the applicant does not plan to add a driveway entrance from Girard Street. This is consistent with Policy E-1.1.2 due to preservation of the existing green space. Development of the proposed building will integrate sustainable landscaping practices, such as native planting and green infrastructure, to the extent practicable consistent with Policy E-2.1.3. Landscaping of the property consistent with the environmental policies of the Comp Plan will promote racial equity by creating a welcoming pedestrian environment that enhances the character of the neighborhood.

Accordingly, the map amendment is not inconsistent with the Environmental Protection Element and is anticipated to advance the specific policies listed below:

- E-1.1.2: Urban Heat Island Mitigation
- E-2.1.2: Tree Requirements in New Development
- E-2.1.3: Sustainable Landscaping Practices
- E-4.1.2: Minimize Off-Street Parking

viii. Historic Preservation Element

The Historic Preservation Element guides the protection, revitalization and preservation of the Washington, D.C.'s valuable historic assets. *See* 10-A DCMR § 1000.1. It defines the District's role in exercising preservation leadership, promoting awareness of Washington, D.C. history, identifying and preserving historic resources, and ensuring compatible design in historic neighborhoods. *Id.* The element recognizes historic preservation as an important responsibility at all levels of government and as a valuable planning tool that provides an opportunity for community input, development collaboration, partnerships, and education. *Id.* Historic preservation offers a sustainable urban development model that fosters a sense of community well-being and an appreciation of the multifaceted achievements of past Washingtonians. *Id.*

The overarching goal for historic preservation is to preserve and enhance the unique cultural heritage, beauty, and identity of Washington, D.C. by respecting the historic physical form of the District and the enduring value of its historic structures and places, sharing responsibility for their protection and stewardship, and perpetuating them for the benefit of the residents of the District and the nation. *See* 10-A DCMR § 1001.1.

Historic Preservation Element Evaluation

Although the surrounding area is not in a DC Historic District, some of the surrounding buildings are known to date from the 1900s with a few from the 1890s. The Applicant intends to develop a building that will respect the existing character and scale of the neighborhood. Although the building will be close to the height of newer buildings located near the intersection of Girard Street and 14th Street, the proposed design features a top floor which will be set back from those below it, reducing the building's apparent mass from street level. The houses across

the street from the Property are also set at a higher elevation than the buildings on the same side of the street, which will reduce the apparent height disparity between the two sides of the street. The proposal is therefore not inconsistent with Policy HP-1.6.1 because the historic character and image of the District will be maintained. Racial equity will be served along with Policy HP-2.5.3 because approval of the zoning map amendment will allow compatible new infill development at a greater density, allowing more people to live in and enjoy the existing neighborhood character, including historically marginalized groups.

Accordingly, the map amendment is not inconsistent with the Historic Preservation Element and is anticipated to advance the specific policies listed below:

- HP-1.6.1: Washington, DC’s Historic Image
- HP-1.6.2: Preserving the District’s Historic Character
- HP-1.6.3: Enhancing the District’s Historic Character
- HP-1.6.4: Downtown and Neighborhood Character
- HP-2.5.3: Compatible Development

ix. 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 District. *See* 10-A DCMR § 500.1. The District continues to face significant demand for more housing, and – in particular – affordable housing across a range of income levels. Other critical housing issues that the District is facing include furthering fair housing opportunities, especially in high-cost areas; fostering housing production to improve affordability; promoting more housing near transit; maintaining healthy homes for residents; and providing housing integrated with supportive services for older adults, vulnerable populations, and residents with disabilities. *See* 10-A DCMR § 500.2.

The overarching goal of the Housing Element is to provide a safe, decent, accessible, and affordable supply of housing for all current and future residents of the District. *See* 10-A DCMR § 501.1. A multi-pronged strategy is needed to facilitate production, address regulatory and administrative constraints, and deliver a substantial number of the new units that are affordable to District residents, particularly to moderate and lower income residents. *See* 10-A DCMR § 502.5.

Housing Element Evaluation

The proposed zoning map amendment will inherently support the Housing Element by allowing higher density on the Property, allowing creation of more dwelling units than would otherwise be allowed and thereby advancing towards meeting the District’s housing production goals. Should the amendment be approved, the Applicant intends to make full use of the inclusionary zoning provisions of the Zoning Regulations to reach the highest possible density under the new RA-4 Zone, ensuring an appropriate percentage of the new units will be affordable housing. The map amendment aligns with Policy H-1.1.1 by enabling private-sector participation

in increasing housing supply in the area, and with Policy H-1.1.8, by enabling additional affordable housing which will make the area more inclusive.

Accordingly, the map amendment is not inconsistent with the Housing Element and is anticipated to advance the specific policies listed below:

- H-1.1.1: Private Sector Support
- H-1.1.2: Production Incentives
- H-1.1.3: Balanced Growth
- H-1.1.8: Production of Housing in High-Cost Areas

B. Applicant's Community Outreach and Engagement

As required by Part Two of the Racial Equity Tool, the Applicant has conducted outreach to the affected ANC1A, in which the property is located. In addition to proactive engagement, Part Two of the Racial Equity Tool also requires the applicant to consider the affected community and address various questions as they pertain to the proposed zoning action, to the extent possible.

The Applicant met with the ANC at their public meetings on May 21st, 2025, and July 16, 2025, and with the ANC's Housing and Zoning Committee on April 3rd, 2025, June 5th, 2025, and February 5th, 2026. In addition, the Applicant coordinated with ANC commissioners to meet with a group of interested neighbors on March 2nd, 2026. Based on those meetings, as well as written feedback received from members of the community, The Applicant offers answers to the relevant questions of Part Two of the Racial Equity Tool as follows:

What community is impacted by the zoning action?

The community impacted by the proposed map amendment would primarily include the residents in the immediate vicinity of the Property, i.e. people living on the 1300 block of Girard Street as well as people living on the 1300 block of Harvard Street who will share an alley with the Property. A larger impact is not anticipated because the residential development will not draw many visitors to the site the same way a commercial or mixed-use development would.

Who would potentially be burdened as a result of the zoning action?

Based on feedback received from community members, residents living in the immediate vicinity may be burdened by the increased number of residents living on their block. Concerns raised included the District's ability to provide services to the new residents, including sanitation, park maintenance, and public safety; and the impact of additional residents trying to park their cars on the public street. There were additional short-term concerns about the impact of construction activity. In response to these concerns, the Applicant notes that the proposed new building will have a private trash disposal service and so will not burden municipal trash pickup services. Because more people will live on the block, public safety will be improved based on the "eyes on the street" principle, as there will be more people to watch for and report on safety

issues. The property owners will pay taxes which could be used to help pay for park maintenance. The proposed building will meet the parking requirements of the Zoning Regulations, the parking provided will prioritize access for disabled residents and deliveries, and the Applicant anticipates that most new residents will take advantage of nearby transit options. Finally, the Applicant is committed to ensuring that construction of the proposed building is minimally disruptive and that all construction debris will be cleaned up. The property has frontage on both Girard Street and an alley, and the Applicant anticipates utilizing this to their advantage during construction to ensure access is not blocked for residents on either right-of-way.

Within the community, who would potentially benefit as a result of the zoning action?

Residents in the immediate vicinity will benefit because the proposed new building will fill in a vacant lot that has proved problematic for the community since the prior building was razed. Although the vacant lot is currently used as a pedestrian shortcut between Girard Street and the alley at the Property's rear, residents in favor of the rezoning have expressed concerns with conditions on the lot, including sinkholes, it being used as an unofficial dog park, and a possible rat infestation. Developing a new building will remove these issues; if rats are found, the applicant will ensure they are exterminated rather than merely displaced during construction, and the Applicant is also investigating ways the new building could be designed to preserve the pedestrian shortcut. Residents in favor of the rezoning also spoke about the need for housing affordability throughout the District, and how increased density beyond that afforded by the current zoning should be implemented to help address the District's housing scarcity. Residents in the immediate community stand to benefit from increased housing affordability in the District as much as newcomers do, should they want to move elsewhere in the District or want family or friends to be able to live nearby.

Are there negative conditions in the community that are the result or present discrimination?

Based on the Applicant's community outreach regarding the proposed zoning map amendment, the Applicant did not identify any negative conditions in the community that are the result of past or present discrimination.

How were your outreach efforts proactive in terms of meeting community needs and circumstances?

The Applicant reached out to ANC1A to present the proposed zoning map amendment at their own public meetings on their established schedule. Doing this met community needs and circumstances by ensuring the meetings were held at a time when residents would already be available and gathered to discuss local issues. For the meeting with neighbors arranged with help from the ANC commissioners, the Applicant worked with the commissioners to find a mutually agreeable time and agreed to a hybrid meeting format to maximize the convenience of attending.

What was the overall timeframe and frequency of your outreach?

The Applicant met with the ANC at their public meetings on May 21, 2025, and July 16, 2025, and with the ANC's Housing and Zoning Committee on April 3, 2025, June 5, 2025, and February 5, 2026. In addition, the Applicant coordinated with ANC commissioners to meet with a group of interested neighbors on March 2, 2026. The Applicant is committed to ongoing outreach to the ANC and the community following the application for a zoning map amendment to ensure transparency of the process.

Will members of the community be displaced (either directly or indirectly) as a result of the zoning action?

No members of the community will be displaced because the Applicant proposes to develop a vacant lot rather than redevelop a building where residents currently live. The owners of the two lots which would be rezoned along with the Applicant's lot have not reported any plans to redevelop their properties in response to the map amendment. The map amendment will not cause indirect displacement because it will increase, rather than decrease the local housing supply.

Did community outreach inform/change your zoning action? If so, how does it incorporate or respond directly to the community input received?

The application for a zoning map amendment is a direct result of community outreach. At the initial April 3rd meeting with the ANC Housing and Zoning Committee, the Applicant shared a proposal for an 8-unit building that could have been built under the existing RF-1 zoning. The response from the committee was that the vacant lot should be developed with more density considering its proximity to larger buildings and the Columbia Heights Metro Station, and that provided parking should be reduced. At the May 21st meeting with the ANC, the Applicant shared a new proposal for a nine-story building which would need RA-4 zoning, and the members of the ANC gave their preliminary support to the proposal, encouraging the Applicant to seek a map amendment. Following the March 2nd meeting with interested neighbors, the Applicant again revised the proposal to eight stories, in order to address concerns regarding the scale of the building and ensure the building will respect the existing character and scale of the neighborhood.

IV. Potential Comp Plan Inconsistencies

The foregoing Comp Plan analysis given in Part One of the Racial Equity Tool demonstrates the many ways the proposed Zoning Map amendment aligns with the policies and goals of the Comp Plan, including the FLUM and GPM. However, as set forth in decisions by the D.C. Court of Appeals ("Court"), it is not sufficient to simply identify the policies that would be advanced when evaluating a proposal for consistency with the Comp Plan. Rather, because there is intentional overlap within and between the Comp Plan elements, a Comp Plan evaluation must recognize any potential inconsistencies and explain why said inconsistencies are outweighed by other Comp Plan policies and/or competing considerations. The Court has provided the following specific guidance:

“The Comp Plan is a broad framework intended to guide the future land use planning decisions for the District. Thus, even if a proposal conflicts with one or more individual policies associated with the [Comp] Plan, this does not, in and of itself, preclude the Commission from concluding that the action would be consistent with the [Comp] Plan as a whole. The Comp Plan reflects numerous occasionally competing policies and goals, and, except where specifically provided, the [Comp] Plan is not binding. Thus, the Commission may balance competing priorities in determining whether a proposal would be inconsistent with the Comp Plan as a whole. If the Commission approves a [proposal] that is inconsistent with one or more policies reflected in the [Comp] Plan, the Commission must recognize these policies and explain [why] they are outweighed by other, competing considerations.” *Friends of McMillan Park v. District of Columbia Zoning Comm’n*, 149 A.3d 1027, 1035 (D.C. 2016) (“*McMillan*”) (internal citations and quotations omitted).

The Implementation Element reflects similar guidance: “[r]ecognize the overlapping nature of the [Comp Plan] elements as they are interpreted and applied. An element may be tempered by one or more of the other elements.” 10-A DCMR § 2504.6.

Consistent with the guidance provided in the Implementation Element and by the Court, the Applicant conducted a thorough Comp Plan evaluation using a racial equity lens, and, as detailed throughout this statement, finds the proposed Zoning Map Amendment to be not inconsistent with the Comp Plan when read through such racial equity lens. In conducting its 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 following list of outweighing policies and other considerations would outweigh any such inconsistency:

- LU-1.1 Supporting Growth
- LU-1.4 Transit-Oriented and Corridor Development
 - LU-1.4.1 Station Areas as Neighborhood Centers
 - LU-1.4.2 Development Around Metrorail Stations
 - LU-1.4.3 Housing Around Metrorail Stations
 - LU-1.4.5 Design to Encourage Transit Use
- T-1.1.4: Transit-Oriented Development
- T-1.1.7: Equitable Transportation Access
- T-1.1.8: Minimize Off-Street Parking
- T-1.2.3: Discouraging Auto-Oriented Uses
- H-1.1.1: Private Sector Support
- H-1.1.2: Production Incentives
- H-1.1.3: Balanced Growth

- H-1.1.8: Production of Housing in High-Cost Areas

V. Small Area Plans (SAPs)

As part of its Comp Plan evaluation, the Commission must also consider the recommendations of any adopted plans and active programs that are applicable to the subject site, including adopted Small Area Plans (“SAPs”), which are approved by resolution by the D.C. Council and provide more detailed planning guidance for a defined geographic area. In this case, the Property is located within the 2008 Columbia Heights Neighborhood Investment Fund Plan (“Investment Plan”) and the 2004 Columbia Heights Public Realm Framework Plan (“Framework Plan”). Parts A and B of this section address the Fund Plan and the Framework Plan, respectively.

A. Columbia Heights Neighborhood Investment Fund Plan

The purpose of the 2008 Investment Plan is to set community priorities for how neighborhood investment funds authorized by the 2004 Neighborhood Investment Act should be utilized over a five-year period. Although the five-year period has elapsed and there have been no updated Investment Plans approved for the area, the proposed zoning map amendment is nevertheless consistent with the goals of the plan, specifically the goal of increasing the number of available affordable housing units (Investment Goal 7). The Investment Plan recommends using funds to acquire and rehabilitate vacant and underutilized sites to develop new affordable housing units (Investment Goal 7, Strategy A). The Applicant’s private acquisition of 1327 Girard Street will serve the same purpose because they will develop the vacant lot with a new building that makes full use of the Zoning Regulations’ inclusionary zoning provisions.

B. Columbia Heights Public Realm Framework Plan

The purpose of the Framework Plan is to define, protect, and strengthen public places and streetscapes, which integrate public space with private and public development along 14th Street and the surrounding Columbia Heights neighborhood. The subject Property is located in the Core Study Area of the Framework Plan, within a 5-minute walk of the Columbia Heights metro station (Page i). It is also very near to Focus Area 4 (Page 2.10), and along an R2 Residential Secondary Street (Page 2-25). The proposed zoning map amendment will not be inconsistent with the Framework Plan, because the Framework Plan’s design recommendations principally affect streetscape elements, including sidewalk treatment, street trees, street lighting, and street furniture, which the Applicant does not intend to negatively affect in any material way.

VI. Conclusion

The Applicant submits that, based on the foregoing analysis, the proposed rezoning of the Property to the RA-4 Zone meets all of the requirements for an amendment to the District’s official zoning map. The proposed zoning map amendment is consistent with the District’s plans and policies for the Property and the surrounding area. Furthermore, the proposed rezoning is not inconsistent with the Comp Plan and will advance the goals and policies of the Comp Plan when

viewed through a racial equity lens. The Applicant respectfully requests that the Commission schedule a public hearing on this application and grant the requested Zoning Map amendment.