

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

**STATEMENT IN SUPPORT OF  
A PETITION FOR A ZONING MAP AMENDMENT**

**FROM THE PDR-1 DISTRICT  
TO THE MU-4 and MU-5A  
DISTRICT**

**SQUARE 750, LOTS 128 and 156-158**

**May 21, 2018**

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## TABLE OF CONTENTS

|  |    |
|--|----|
| LIST OF EXHIBITS.....  | 3  |
| I. INTRODUCTION.....   | 4  |
| II. DESCRIPTION OF THE SITE AREA AND SURROUNDING AREA .....                              | 4  |
| III. EXISTING AND PROPOSED ZONING .....  | 6  |
| A. <i>EXISTING ZONING</i> .....  | 6  |
| B. <i>PROPOSED ZONING</i> .....  | 6  |
| C.    EFFECT OF THE PROPOSED MAP AMENDMENT.....  | 7  |
| IV. STANDARDS APPLICABLE TO A PETITION FOR A ZONING MAP AMENDMENT .....                  | 7  |
| V. EVALUATION OF PROPOSED MAP AMENDMENT AND COMPLIANCE WITH STATUTORY<br>STANDARDS ..... | 8  |
| A.    COMPREHENSIVE PLAN .....   | 8  |
| 1.    Future Land Use Map .....  | 9  |
| 2.    Generalized Policy Map.....  | 11 |
| 3.    Land Use Element.....  | 11 |
| 4.    Transportation Element .....   | 13 |
| 5.    Housing Element .....  | 14 |
| 6.    Economic Development Element .....   | 16 |
| 7.    Environmental Protection Element .....   | 17 |
| 8.    Capitol Hill and Central Washington Area Elements .....                            | 18 |
| B.    NoMA VISION SMALL AREA PLAN .....  | 20 |
| C. <i>HEALTH, SAFETY, AND GENERAL WELFARE</i> .....                                      | 23 |
| D. <i>NO ADVERSE CONSEQUENCES</i> .....  | 23 |
| E. <i>PROPOSED MU-4 and MU-5A DISTRICT WOULD CREATE FAVORABLE CONDITIONS</i> .....       | 23 |
| VI. COMMUNITY OUTREACH AND ANC COORDINATION .....  | 24 |
| VII. CONCLUSION .....  | 24 |

**LIST OF EXHIBITS**

| <b>Exhibit</b> | <b>Description</b>  |
|----------------|---|
| A              | Plats of Site Area from the D.C. Surveyor's Office                |
| B              | Relevant portion of the 2016 Zoning Map                           |
| C              | Relevant portion of the Comprehensive Plan Future Land Use Map    |
| D              | Relevant portion of the Comprehensive Plan Generalized Policy Map |
| E              | NoMA Vision Small Area Plan - Transition Area A page 5.11         |

## **I. INTRODUCTION**

Lean Development, LLC (the “Petitioner”), through undersigned counsel, submits this statement in support of its petition to amend the Zoning Map of the District of Columbia (the Zoning Map) to rezone portions of lots 156-158 in Square 750 from the PDR-1 to the MU-4 zone, and rezone lot 128 and portions of lots 156-158 in Square 750 from the PDR-1 District to the MU-5A District (collectively, the “Site Area”). A series of plats showing the Site Area is attached as Exhibit A and a zoning map showing the portions proposed for rezoning to the MU-4 and MU-5A attached as Exhibit B.

As described herein, the requested Zoning Map amendment is not inconsistent with the Comprehensive Plan and would not create any adverse impacts on surrounding properties. The Zoning Map amendment will result in a number of important benefits to the surrounding community and the District of Columbia as a whole. The proposed Zoning Map amendment to the MU-4 and MU-5A Districts will ensure that the zoning designation for the Site Area is consistent with its designation on the Comprehensive Plan’s Future Land Use Map (“FLUM”), which designates the Site Area as Low Density Commercial and Moderate Density Residential. The proposed Zoning Map amendment will also advance the objectives and recommendations of the NoMA Vision Small Area Plan (the “NoMA SAP”), adopted by the DC Council on June 19, 2009.

## **II. DESCRIPTION OF THE SITE AREA AND SURROUNDING AREA**

The Site Area is located in Square 750, which is bounded by K Street NE to the north, 2nd Street NE to the west, I Street NE to the south, and 3rd Street NE to the east. Parker Street NE bisects the northern and southern portions of the Square. As shown on the Zoning Map attached as Exhibit A, the majority of Square 750 is zoned MU-5A. Five lots and a portion of the sixth lot in the northwestern portion of the Square however are zoned PDR-1. Four of the lots, clustered at the corner of K Street NE and 2<sup>nd</sup> Street NE, comprise the Site Area.

The Site Area is irregularly-shaped and consists of 5,001 square feet of land area according to the online records of the District’s Office of Tax and Revenue. It has approximately 46 linear feet of frontage along K Street NE to the north and is located approximately 0.4 miles from the NoMa-Gallaudet University-New York Avenue Metro Station and 0.5 miles from the Union Station Metro Station.

The surrounding area within proximity to the railroad tracks has traditionally been used for light industrial or commercial purposes. Row housing has been mixed-in with these uses near the tracks and becomes the dominant type of use east of 3rd and 4th Streets, NE. The neighborhood is experiencing rapid change, with denser residential uses replacing areas that the Office of Planning (“OP”) has called “now-derelict industrial and commercial uses” when reviewing prior redevelopment applications.

The neighborhood has become a center of substantial office development and has emerged as a cluster of mid- to high-rise residential developments. It is within one-half mile of

two federal agency headquarters buildings: to the north, the Bureau of Alcohol, Tobacco, Firearms & Explosives 350,000-square-foot structure at New York and Florida Avenues, NE; to the south, the Securities & Exchange Commission and other office tenants located in the 1.3 million-square-foot Station Place complex on 2nd Street from F to H Streets, NE. Residential developments have also been constructed at the Capital Children's Museum site at 3rd and H Streets, N.E., and in various buildings at 318 I Street, NE; 300 L Street, NE; and on the east side of 3rd Street between K and L Streets, NE.

As shown on the portion of the FLUM attached as Exhibit C, the Site Area is designated for mixed use Low Density Commercial and Moderate Density Residential land uses, and directly abuts land designated for high-density commercial to the west. The Property was placed in its current land use designation during the 2006 Comprehensive Plan cycle when it was recognized that mixed-use development should be encouraged in close proximity to Metrorail stations. As shown on the Generalized Policy Map ("GPM") attached hereto as Exhibit D, the Site Area is designated within a Neighborhood Conservation Area and directly abuts the NoMA/New York Avenue Metro neighborhood commercial center designation area and Central Employment Area boundary line to the west.

#### **A. Recent Nearby PUD Approvals**

The site to the north is the subject of Z.C. Case No. 05-36, the First Stage and Consolidated PUD and related Map Amendment for the Union Place/ Loree Grand development (the "200 K Street Approval"). The initial approval was issued in 2006, and rezoned that site from the C-M-C [current PDR-3] and C-2-B [current MU-5A] to the C-3-C [MU-9]. The 200 K Street Approval permitted a total development of approximately 850,000 s.f., of which approximately 830,000 s.f. were residential and 17,500 s.f. were retail/ child development center. Of this approval, approximately 237,000 s.f. are the "Loree Grand" apartment house between K, 3rd and L Streets NE. That building was approved for a maximum height of 90 feet (10 stories) and 202 residential units. That building has been constructed. Along 2nd Street, the 200 K Street Approval permitted approximately 560,000 s.f. with a maximum height of 121 feet (12 – 14 stories) and up to 500 units of residential.

The site to the south, the former Children's Museum Site at 2nd and I Street has been redeveloped with Pullman Place, an approximately 110'-tall, 40+ unit building constructed pursuant to ZC Case No. 04-22. That approval also permitted up to 445 units in two new structures, both of which could be up to 110' in height (11 stories) over the entire site.

In addition, just across 2nd Street, the Burnham Place development over the AMTRAK tracks is proposing approximately 1.5 million square feet of office space, more than 1,300 residential units, more than 500 hotel rooms and 100,000 square feet of retail. Burnham Place would be designed to offer a host of features including: Visual transformation of an existing rail yard and overpass into a thriving commercial neighborhood; grand plazas and parks, new station entrances accessible from H Street, and an elevated "greenway" for walking, running, and biking which will provide a direct connection into the NoMA neighborhood; multiple new pedestrian connections to and from the adjoining neighborhoods; design with great sensitivity to historic resources and assets; and coordination of planning with all stakeholders and multiple reviews at the local and federal levels. The NoMA SAP also provides specific

recommendations for Burnham Place.

### **III. EXISTING AND PROPOSED ZONING**

#### **A. Existing Zoning**

The Site Area is presently located in the PDR-1 District. The PDR-1 District is intended to permit moderate-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones. *See* Subtitle J § 200.1. The PDR-1 District permits a maximum density of 2.0 FAR for restricted uses and 3.5 FAR for the permitted uses listed in Subtitle J § 202.2, and a maximum building height of 50 feet. *See* Subtitle J §§ 202, 203.1. Even though the Site Area is designated in part for Moderate Density Residential uses on the FLUM, the current PDR-1 designation does not permit new multi-family residential development as a matter-of-right.

#### **B. Proposed Zoning**

The Petitioner requests a Zoning Map amendment to rezone portions of lots 156-158 in Square 750 (“Northern Portion” of the Site Area) from the PDR-1 to the MU-4 zone, and rezone lot 128 and portions of lots 156-158 in Square 750 (“Southern Portion” of the Site Area) from the PDR-1 District to the MU-5A District. The MU-4 District is intended to permit moderate density mixed-use development, and provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core. *See* Subtitle G § 400.3. The MU-5A District is intended to permit medium density, compact mixed-use development with an emphasis on residential use, and provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core. *See* Subtitle G § 400.4.

The MU-4 District permits a maximum density of 2.5 FAR (3.0 with IZ), of which no more than 1.5 FAR may be devoted to non-residential uses. *See* Subtitle G § 402.1. Also, the MU-4 District permits a maximum building height of 50 feet with no limit on the number of stories. *See* Subtitle G § 403.1. The MU-5A District permits a maximum density of 3.5 FAR (4.2 with IZ), of which no more than 1.5 FAR may be devoted to non-residential uses. *See* Subtitle G § 402.1. Also, the MU-5A District permits a maximum building height of 65 feet (70 with IZ) with no limit on the number of stories. *See* Subtitle G § 403.1.

#### **C. Effect of the Proposed Map Amendment**

As described in detail below, the requested Zoning Map amendment from the PDR-1 District to the MU-4 and MU-5A Districts is not inconsistent with the Comprehensive Plan, will further the objectives of the Zoning Act, advance the objectives, provisions and policies of the Comprehensive Plan and recommendations of the NoMA SAP, and satisfy each of the

statutory standards applicable to Zoning Map amendments. The proposed Zoning Map amendment would permit small-scale retail and residential uses as a matter-of-right on the Site Area, and would increase the maximum height and density on the Northern Portion of the Site Area to 50 feet and 2.5 FAR (3.0 FAR with IZ), and 65 feet (70 with IZ) and 3.5 FAR (4.2 with IZ) on the Southern Portion of the Site Area. These densities are consistent with the height and FAR permitted as a matter-of-right for the properties located immediately around the Site Area and wider neighborhood.

In addition, the proposed rezoning would:

1. Implement the FLUM’s designation of the Site Area for mixed use;
2. Serve as a transitional moderate and medium density mixed-use buffer between the high density downtown to the west and the moderate density rowhouse Capitol Hill neighborhood to the east; and
3. Allow the construction of a moderate and medium density mixed use development on the Site Area, which is consistent with elements of the Capitol Hill Area Element of the Comprehensive Plan, NoMA-specific neighborhood recommendations in the Central Washington Area Element, as well as fulfill the specific recommendations set forth in the NoMA SAP for “Transition Area A.”

#### **IV. STANDARDS APPLICABLE TO A PETITION FOR A ZONING MAP AMENDMENT**

The requested Zoning Map amendment is submitted as a rulemaking pursuant to Subtitle Z § 201.7(b)(2) which states, in relevant part, that rulemaking cases may be initiated by a petitioner that “owns all of the property proposed to be rezoned, but the ownership pattern is geographically scattered or otherwise of a character that raises land use policy questions to a greater degree than highly localized issues of fact and effects on neighboring properties.” As discussed below, the Site Area is identified in the East NoMA Neighborhood “Transition Area A” in the NoMA SAP, which establishes a “Desired Land Use Mix” for “Moderate to Medium Densities” and “Residential/neighborhood-serving retail mix.” *See* NoMA SAP, p. 5.11.

The Zoning Act sets forth a number of criteria that must be applied by the Zoning Commission in adopting and amending the Zoning Regulations and Zoning Map. The Zoning Act states that the Zoning Regulations are designed to promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital. D.C. Code § 6-641.01 (2001). The Zoning Act further provides that:

[z]oning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to

provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

D.C. Code § 6-641.02 (2001). The Commission must apply these standards and criteria in determining whether to approve a requested map amendment. The proposed rezoning of the Northern and Southern Portions of the Site Area from the PDR-1 District to the MU-4 and MU-5A Districts respectively will promote each of the purposes described above.

**V. EVALUATION OF PROPOSED MAP AMENDMENT AND COMPLIANCE WITH STATUTORY STANDARDS**

**A. Comprehensive Plan**

The District has a collaborative, three-tier system of city planning comprised of Citywide Elements, Ward-level Area Elements, and Small Area policies. The Citywide and Area Elements are both part of the Comprehensive Plan, and carry the same legal authority. See 10A DCMR § 104.6. The GPM and FLUM are also part of the Comprehensive Plan. Small Area Plans, likewise, are adopted by the Council and are used to supplement the Comprehensive Plan in particular geographic areas. 10-A DCMR §§ 2503.1–2503.3. The NoMA SAP was adopted by the D.C. Council on June 19, 2009, and, accordingly, supplements the guidance provided in the Citywide and Area Elements.

To determine what is “not inconsistent” with the Comprehensive Plan, the Citywide Elements, Area Elements, the GPM, FLUM and the NoMA SAP should be reviewed in the aggregate. See 10A DCMR § 108 (“How to use the Comprehensive Plan”). The GPM and the FLUM are intended to provide generalized guides for development and conservation decisions, See 10A DCMR § 226, while the Small Area Plan identifies area and neighborhood specific goals, and target sites to maximize redevelopment efforts. See 10A DCMR § 2503.3. Importantly, the Comprehensive Plan establishes that, “the zoning of any given area should be guided by the Future Land Use Map, interpreted in conjunction with the text of the Comprehensive Plan, including the citywide elements and the area elements, as well as approved Small Area Plans.” 10A DCMR § 226(d) (emphasis added).

The rezoning of the Site Area to the MU-4 and MU-5 Districts furthers the recommendations of the NoMA SAP, and, accordingly is not inconsistent with the Comprehensive Plan, in satisfaction of Subtitle X § 304.4(a).



## 1. Future Land Use Map

The FLUM, which is adopted as part of the Comprehensive Plan Land Use Element, sets forth a generalized depiction of intended land uses over a period of approximately 20 years. The Framework Element of the Comprehensive Plan states that the FLUM is not a zoning map. *See* 10A DCMR § 226.1(a); *see also* Z.C. Order No. 11-13; Z.C. Order No. 10-28. Whereas zoning maps are parcel-specific and establish detailed requirements for setback, height, use, parking, and other attributes, the FLUM does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards. *Id.* By definition, the FLUM is to be interpreted broadly. *Id.* Decisions on requests for rezoning shall be guided by the [FLUM] read in conjunction with the text of the Comprehensive Plan (Citywide and Area Elements) as well as Small Area Plans pertaining to the area proposed for rezoning. *Id.* at § 2504.5.

As shown on Exhibit C, the FLUM designates the Site Area as mixed-use Low Density Commercial and Moderate Density Residential. The Low Density Commercial designation is used to define shopping and service areas that are generally low in scale and character. 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 uses that draw from a broader market area. Their common feature is that they are comprised primarily of one- to three-story commercial buildings. The corresponding Zone districts are generally C-1 and C-2-A, although other districts may apply 10A DCMR § 225.8.<sup>1</sup>

The Moderate Density Residential designation is used to the District's row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city 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). The R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B district and other zones may also apply in some locations. 10A DCMR § 225.10.<sup>2</sup>

The Petitioner's proposal to retire PDR zoning on the Site Area and replace it with mixed-use is fully consistent with the FLUM designation. More specifically, rezoning the Northern Portion of the Site Area to the MU-4 District is consistent with the Low Density Commercial land use designation, and is identified to permit moderate density mixed-use development, and provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core. *See* 11G DCMR § 400.3. Therefore, the proposed Zoning Map amendment is consistent with the Site Area's designation on the FLUM.

Similarly, the Petitioner's proposal to rezone the Southern Portion of the Site Area to

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<sup>1</sup> The Comprehensive Plan Framework Element was prepared prior to the adoption of the 2016 Zoning Regulations and thus refers to the zone districts contained in the 1958 Zoning Regulations. Under the 2016 Zoning Regulations, the zone districts that correspond to those identified in the Framework Element description of the Low Density Commercial designation are MU-3 and MU-4.

<sup>2</sup> The 2016 zone districts that correspond to those identified in the Framework Element description of the Moderate Density Residential designation are R-3, RF, RA-1, and RA-2.

the MU-5A District is not inconsistent with the FLUM designation for the Site Area. The MU-5A is identified to permit medium density compact mixed-use development with an emphasis on residential use and provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core. See 11G DCMR § 400.4.

The rezoning of the Southern Portion of the Site Area to MU-5A is in context with the surrounding neighborhood. As noted, the Site Area is situated on the northwest corner of Square 750, which itself is surrounded to the north, west, and south by higher density designated areas on the FLUM. See Figure 1 below. Property immediately abutting the Site Area to the north calls for Medium Density Residential, and property immediately abutting the Site Area to the west is High Density Commercial; property to the south of Square 750 is mixed use Medium Density Residential and Moderate Density Commercial.

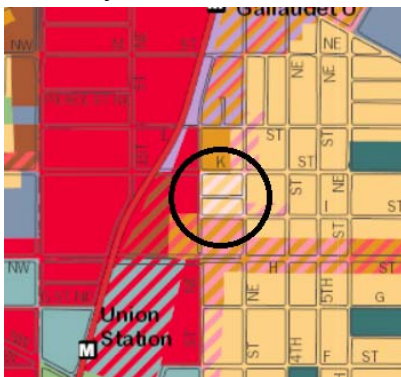


Figure 1: Square 750 surrounded to north, west, and south by higher-density designations

Rezoning the Southern Portion of the Site Area to MU-5A would facilitate the development of additional density on the Site Area along the rear face of the existing structure on Lot 157, which coincides with the proposed boundary between the Northern and Southern Portions, thereby presenting an opportunity to retain existing facades along K Street. Further, it would continue the zoning pattern with abutting property, which is also zoned MU-5A. PDR zoning lies immediately to the east of the Site Area, and the vast majority of Square 750 is already zoned MU-5A. In this way, the rezoning of the Southern Portion of the Site Area to MU-5A will facilitate the Site Area’s role as a transition point from the more dense zoning districts to the west to the lower-density zoning districts to the east, just as the higher-density designated areas to the north and south currently do.

In any case, as referenced above, and the “Guidelines for Using the GPM and FLUM” expressly state that “by definition the FLUM is to be interpreted broadly” and “the zoning of any given area should be guided by the Future Land Use Map interpreted in conjunction with ... **approved Small Area Plans.**” 10A DCMR § 226(a),(d) [emphasis added]. As discussed throughout, the Site Area is located within a specifically-identified part of the East NoMA neighborhood that is recommended for “Moderate to **Medium** densities”. [emphasis added]

When all of these relevant factors are taken into consideration, the proposed Zoning Map amendment from PDR to mixed-use is not inconsistent with the Site Area’s designation on the FLUM.

## 2. **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 Comprehensive Plan and in follow-up plans, to manage this change. 10A DCMR § 223.1. The GPM is intended to “guide land use decision-making in conjunction with the

Comprehensive Plan text, the FLUM, and other Comprehensive Plan maps.” *Id.* at § 223.2. Boundaries on the map are to be interpreted in concert with these other sources, as well as the actual physical characteristics of each location shown. *Id.*

As indicated on Exhibit D, the GPM designates the Site Area as a Neighborhood Conservation Area. The Comprehensive Plan provides that Neighborhood Conservation Areas “are primarily residential in character” and where “Major changes in density over current (2005) conditions are not expected but some new development and reuse opportunities are anticipated.” 10 DCMR § 223.4. “Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.” 10 DCMR § 223.5.

The proposal to rezone the Site Area from the PDR-1 District to the MU-4 and MU-5A Districts will help to implement the policies embodied in the GPM by serving as a transition from both the higher-density NoMA/New York Avenue Metro neighborhood commercial center designation (to the west) and institutional use designation (to the south) to the lower-density residential Capitol Hill neighborhood to the east. The density proposed by the petition will be in concert with the existing scale and architectural character of the neighborhood. This is particularly the case with new projects in the neighborhood, many of which exceed the matter-of-right density available under MU-4 and MU5A zoning.<sup>3</sup> Further, the rezoning will enable development that is primarily residential in character, and include limited commercial uses, including new neighborhood-serving retail and service uses which are consistent with the District's planning goals for the Site Area as evidenced by the FLUM.

### **3. Land Use Element**

The underlying goal of the Land Use Element is to:

[e]nsure the efficient use of land resources to meet the long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries. 10A DCMR § 302.1.

The proposed Zoning Map amendment will advance this important goal by complying with the policies listed below and set forth in the Land Use Element of the Comprehensive Plan.

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<sup>3</sup> See ZC 05-36 (200 K Street), a total development of approximately 850,000 sq ft.; ZC 04-22 (Pullman Place), a 110' building, and ZC 16-13 (JS Congress Heights), a rezoning from C-M-1 (current PDR) to the C-2-B (current MU-5A) as part of a PUD for a project of 6.0 FAR and 90' in height.

Policy LU-1.3.1: Station Areas as Neighborhood Centers - Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, reduce reliance on the automobile, enhance neighborhood stability, create a stronger sense of place, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each Metro station area is unique and must be treated as such in planning and development decisions. The Future Land Use Map expresses the desired intensity and mix of uses around each station, and the Area Elements (and in some cases Small Area Plans) provide more detailed direction for each station area. 10A DCMR § 306.10

Policy LU-1.3.2: Development Around Metrorail Stations - Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas. 10A DCMR § 306.11

Policy LU-1.3.3: Housing Around Metrorail Stations - Recognize the opportunity to build senior housing and more affordable “starter” housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations. 10A DCMR § 306.12

The proposed Zoning Map amendment will advance the District’s policies for transit-oriented development. Due to the Site Area’s location within close proximity to two Metrorail stations and the transit-rich H Street corridor, rezoning the Site Area to allow for mixed residential and retail uses will encourage development around the Metrorail station, thus reducing automobile congestion, improving air quality, providing a range of retail goods and services, reducing reliance on the automobile, enhancing neighborhood stability, creating a stronger sense of place, and capitalizing on the development and public transportation opportunities that already exist, including the new streetcar along H Street NE. See 10A DCMR § 306.10. The Zoning Map amendment would also create an excellent opportunity for sensitive infill redevelopment on underutilized land in close proximity to downtown. It would also permit the development of new housing, including affordable housing, adjacent to the Metrorail and

other public transportation options, which is important given the reduced necessity of auto ownership and related reduction in household expenses in this location.

*Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods - Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. 10A DCMR § 309.8*

The Zoning Map amendment would advance the objectives of Policy LU-2.1.3 by allowing for future mixed-use redevelopment that would increase the District’s housing supply and expand neighborhood-focused commerce. Doing so at the Site Area would help to continue the revitalization of the NoMA neighborhood while serving as a transition point from downtown to Capitol Hill.

*Policy LU-3.1.4: Rezoning of Industrial Areas - Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDR activities or is located such that industry cannot co-exist adequately with adjacent existing uses. Examples include land in the immediate vicinity of Metrorail stations, sites within historic districts, and small sites in the midst of stable residential neighborhoods. In the event such rezoning results in the displacement of active uses, assist these uses in relocating to designated PDR areas.*

The proposed Zoning Map amendment would replace the ability to construct PDR uses with the new ability to develop residential and retail uses at the Site Area as a matter-of-right.

#### **4. Transportation Element**

The overarching goal for transportation in the District is to “[c]reate a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents.” 10A DCMR § 401.1. The proposed Zoning Map amendment advances this goal by allowing for new, mixed-use development at the Site Area that will allow future residents and customers to take advantage of NoMA’s multi-modal transportation system that meets the needs of District residents, the regional workforce, and visitors. Moreover, the new mixed-use development permitted on the Site Area as a result of the Zoning Map amendment will help to support the local economy and enhance the quality of life for District residents. The Zoning Map amendment also advances the specific policies listed below:

*Policy T-1.1.4: Transit-Oriented Development - Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points.*

*Policy T-1.2.3: Discouraging Auto-Oriented Uses - Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas. 10A DCMR § 404.8.*

The proposed Zoning Map amendment will discourage auto-oriented uses by allowing for productive residential and retail use on the edge of downtown and only two blocks from the public transportation-rich H Street Corridor.

*Action T-1.3.A: Regional Jobs/Housing Balance: Continue the efforts to ensure that the concepts of infill, mixed-use and transit-oriented development are promoted at the regional level; to design transportation systems that connect District residents to local jobs; and to provide opportunities for non-resident workers to also live in DC. 10A DCMR § 405.14*

The Zoning Map amendment will advance policies related to infill, mixed-use, and transit-oriented development. Redevelopment of the Site Area under the MU-4 and MU-5A zones could include residential and small-scale retail uses, thus providing non-resident workers opportunities to live in the District and reducing the need for District residents to use a car to fulfill daily needs. Residents of the Site Area and the surrounding residential neighborhood would be able to walk or easily take Metrobus, streetcar, or Metrorail to the Site Area’s neighborhood-serving retail components. Similarly, employees of the retail uses would be able to easily access their job through the multiple and convenient public transportation options. Altogether, the proposed Zoning Map amendment will help to create the type of jobs/housing balance envisioned by Action T-1.3.A.

## **5. Housing Element**

The District’s overarching goal for housing is to “[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia.” 10A DCMR § 501.1. The proposed Zoning Map amendment will advance this goal and several policies within the Housing Element as follows:

*Policy H-1.1.1: Private Sector Support: Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 10A DCMR § 503.2.*

The proposed Zoning Map amendment will allow the Petitioner to provide new,

high-quality housing on the Site Area to meet the needs of existing and future District residents. As stated herein, the transit-oriented location of the Site Area adjacent to the Union Station, New York Avenue Metrorail stations, and H Street Corridor, and the mix of uses likely to be developed on the Site Area, are consistent with the District’s land use policies and objectives.

*Policy H-1.1.3: Balanced Growth: Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing. 10A DCMR § 503.4.*

The proposed Zoning Map amendment will allow for the development of new housing, including affordable housing, on an underutilized site, thus expanding the range of housing types in the area and advancing this Policy’s directive to ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs.

*Policy H-1.1.4: Mixed Use Development: Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. 10A DCMR § 503.5.*

The proposed Zoning Map amendment will allow for development of a mix of uses, including housing, on the Site Area. The Site Area is located within walking distance to two Metro Stations and the H Street Corridor. Furthermore, the Site Area will be redeveloped as a mixed-use project with residential and retail uses, which will advance the District’s goals in Policy H-1.1.4.

*Policy H-1.2.3: Mixed Income Housing - Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing.*

In addition to enlarging the District’s housing supply in general, the project would likely trigger participation the Inclusionary Zoning (“IZ”) program, thereby producing a number of units that serve a range of household types and incomes.

## **6. Economic Development Element**

The goal of the Economic Development Element is to:

[s]trengthen the District’s economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the

success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy. 10A DCMR § 701.1.

The proposed Zoning Map amendment advances this overarching goal as well as specific policy objectives by facilitating redevelopment of a site that will create new jobs for District residents and generate tax revenue for the District. Furthermore, the redevelopment of the Site Area that would be facilitated by the proposed Zoning Map amendment will help advance the continued revitalization of NoMA, and bring patrons to new and existing local businesses within the neighborhood.

More specifically, the Zoning Map amendment will advance the following specific policies of the Economic Development Element:

*Policy ED-2.2.1: Expanding the Retail Sector: Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas. 10A DCMR § 708.4.*

Consistent with Policy ED-2.2.1, the Zoning Map amendment will allow for retail development at the Site Area. Doing so will capitalize on the spending power of existing and future residents of the neighborhood and will encourage additional retail growth in NoMA.

*Policy ED-2.2.3: Neighborhood Shopping - Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally- owned, non-chain establishments because of their role in creating unique shopping experiences. 10A DCMR § 708.7*

*Policy ED-3.1.1: Neighborhood Commercial Vitality - Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents. 10A DCMR § 713.5*

*Policy ED-3.1.2: Targeting Commercial Revitalization - Continue to target government economic development programs to areas of greatest need, including older business areas and commercial centers that inadequately serve surrounding areas. Focus on those areas where the critical mass needed to sustain a viable neighborhood commercial center can be achieved. 10A DCMR § 713.6*



Consistent with Policies ED-3.1.1 and 3.1.2, the proposed Zoning Map amendment would enable development of new shopping opportunities at the Site Area to better meet the demand for basic goods and services for District residents. The new development would have the potential to attract new businesses, and improve the mix of goods and services available to nearby residents.

## **7. Environmental Protection Element**

The overarching goal for the Environmental Protection Element is:

Protect, restore, and enhance the natural and man-made environment in the District of Columbia, taking steps to improve environmental quality, prevent and reduce pollution, and conserve the values and functions of the District's natural resources and ecosystems. 10A DCMR § 601.1.

The proposed Zoning Map amendment advances this goal as well as specific policy objectives by retiring the potential use of the Site Area for PDR purposes in favor of facilitating residential and retail redevelopment in line with environmental protection recommendations.

*Policy E-1.1.1: Street Tree Planting and Maintenance - Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods.*

*Policy E-1.1.3: Landscaping - Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.*

*Policy E-2.2.1: Energy Efficiency - Promote the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses. The overarching objective should be to achieve reductions in per capita energy consumption by DC residents and employees.*

The proposed Zoning Map amendment would allow the construction of a LEED-certified development that would provide public space improvements such as the planting of trees and other landscaping measures beyond those associated with lower-scale redevelopment. These green elements would fulfill aesthetic and tangible benefits to pedestrians. In addition, such a development would likely feature numerous energy efficiency features that would curb energy consumption.

## **8. Capitol Hill and Central Washington Area Elements**

The Site Area is located on the northwest extent of the Capitol Hill Area Element of the Comprehensive Plan, and directly abuts the Central Washington Area Element, which

contains many recommendations for NoMA – the neighborhood for which the Site Area is a part. As noted in the Area Element, “In many respects, Capitol Hill is a ‘city within the city.’ The community has well defined physical boundaries that enhance its sense of identity.” 10A DCMR § 1500.4. The Site Area is located on the perimeter of the Capitol Hill Area Element in the East NoMA neighborhood, comprising a transition point between high density downtown and moderate density Capitol Hill. Capitol Hill Area Policy CH-1.1.5 recommends that “sharp contrasts in scale and character” be avoided where high density and moderate density areas abut one another.

The proposed Zoning Map Amendment would work to guide future development at the Site Area to fulfill this recommendation because the moderate and medium density mixed use buildings that could be constructed would serve as a buffer from the high density development of downtown to the west and the blocks of moderate density rowhouses in Capitol Hill to the east, thereby preventing a “sharp contrast”, as recommended. Further, the redevelopment of the Site Area enabled by the proposed Zoning Map amendment would allow for compatible mixed use infill development that adds to the housing stock and meets the day-to-day retail needs of a diverse range of District residents.

As noted above, the Site Area directly abuts the Central Washington Area Element, which contains many NoMA recommendations – the neighborhood for which the Site Area is a part. Therefore, relevant references from that Area Element have been included below.

*Policy CW-1.1.1: Promoting Mixed Use Development - Expand the mix of land uses in Central Washington to attract a broader variety of activities and sustain the area as the hub of the metropolitan area. Central Washington should be strengthened as a dynamic employment center, a high-quality regional retail center, an internationally-renowned cultural center, a world-class visitor and convention destination, a vibrant urban neighborhood, and the focus of the regional transportation network. New office and retail space, hotels, arts and entertainment uses, housing, and open space should be encouraged through strategic incentives so that the area remains attractive, exciting, and economically productive.*

*Policy CW-1.1.4: New Housing Development in Central Washington - Encourage the development of new **high-density housing** in Central Washington, particularly in the area north of Massachusetts Avenue, east of Mount Vernon Square, and the L’Enfant Plaza/Near Southwest. This area includes Mount Vernon Triangle, Northwest One, **NoMA**, and the L’Enfant Plaza/Near Southwest. **Ground floor retail space and similar uses** should be strongly encouraged within these areas to create street-life and provide neighborhood services for residents. A strong Downtown residential community can create pedestrian traffic, meet local housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security.*

The Zoning Map Amendment would allow for the construction of a moderate and medium density mixed-use development featuring small-scale, neighborhood-oriented

ground-floor retail uses. In addition to permitting housing as a matter-of-right use and enlarging the District's housing supply in general, the project would likely trigger participation the IZ program, thereby producing a number of units that serve a range of household types and incomes. Due to the Site Area's unique location sandwiched between downtown and Capitol Hill, a future mixed-use development would provide a buffer between downtown and Capitol Hill.

*Policy CW-1.1.9: Neighborhood-Serving Retail in Central Washington - Ensure that Central Washington's retail uses serve not only the regional market, but also the local neighborhood market created by residential development within the area. This should include basic consumer goods like drug stores, hardware stores, and grocery stores, to supplement the major anchors and specialty shops.*

The Zoning Map Amendment would allow for the construction of a moderate and medium density mixed-use development featuring small-scale, neighborhood-oriented ground-floor retail uses, thereby fulfilling the intent of the recommendation.

*Policy CW-2.8.1: NoMA Land Use Mix - Promote NoMA's development as an active mixed use neighborhood that includes residential, office, hotel, commercial, and ground floor retail uses. A diverse mix of housing, serving a range of household types and incomes, should be accommodated. 10A DCMR § 1618.9.*

The Zoning Map Amendment would allow for the construction of a moderate and medium density mixed-use development featuring small-scale, neighborhood-oriented ground-floor retail uses. In addition to enlarging the District's housing supply in general, the project would likely trigger participation the IZ program, thereby producing a number of units that serve a range of household types and incomes.

*Policy CW-2.8.2: East of the Tracks and Eckington Place Transition Areas - Create a production/arts and live-work, mixed-use area east of the CSX railroad tracks **between H Street NE and Florida Avenue NE**, and in the area east of Eckington Place and north of New York Avenue. Some of this area is shown as "Mixed Use Production Distribution Repair/Residential" areas on the Future Land Use Map. The intent of this designation is not to blend industrial uses with housing, but rather to retain viable industrial activities until market conditions support their conversion to live/work space, housing, artists studios, and similar uses. Mixed use squares in the NoMA area have unique characteristics that allow for a balance of industrial, residential, and office uses. The industrial striping on the Future Land Use Map anticipates some office use. These two areas should generally not be developed as largescale commercial office building areas. **Mixed use development, including housing, should be encouraged in both locations.** 10A DCMR § 1618.10. [emphasis added]*

The Site Area is located east of the CSX railroad tracks and is between H Street NE and Florida Avenue NE. The Zoning Map Amendment would promote a mixed-use development which includes housing, thereby fulfilling the intent of the recommendation.

*Policy CW-2.8.4: Protecting the Neighborhoods Abutting NoMA - Provide appropriate scale transitions between NoMA and existing adjacent residential neighborhoods in Eckington and Capitol Hill to conserve the fine-grained row house fabric of these communities. Service facilities, loading docks, and other potentially objectionable features should be located away from sensitive uses such as housing. 10A DCMR § 1618.12.*

The Zoning Map Amendment would allow the construction of a moderate and medium density mixed-use development that would serve as a point of transition from the high density downtown to the moderate density rowhouse neighborhood of Capitol Hill to the east, thereby conserving the adjacent residential character present.

*Action CW-2.8.A: Implement the NoMA Vision Plan -Implement the NoMA Vision Plan and Development Strategy, including its recommendations for land use, infrastructure, transportation, environmental improvements, streetscape, open space, identity, and neighborhood quality. 10A DCMR § 1618.14*

The Zoning Map Amendment would fulfill the site-specific recommendations of the NoMA SAP as discussed at length in the following section.

#### **B. NoMA Vision Small Area Plan**

The Site Area falls within the NoMA SAP study area, approved in Resolution R18-0138 by the D.C. Council on June 19, 2009. The planning objectives described in the previous section are further echoed and extended in this relevant SAP, now currently being incorporated as part of the PlanDC Comprehensive Plan amendment process. The SAP was initiated to outline objectives, preferences, and concerns shared by area stakeholders and the District government for the appropriate redevelopment of properties within the study area and formulate a development strategy for its implementation. Importantly, the NoMA SAP was adopted to “serve as the legal mechanism governing new project approvals and the coordination of public initiatives and investments.” NoMA SAP, pg. 5.2.

The Site Area is identified in the East NoMA Neighborhood “Transition Area A”, in the NoMA SAP. See NoMA SAP, pg. 5.11 at Exhibit E. Transition Area A is described as “An eclectic mix of the new and old, and a carefully designed transition between high and low buildings.” In the Vision section, the recommendations for this area are described in full as follows:

- **A residential neighborhood with neighborhood-oriented retail. The scale is larger near the tracks and H Street and tapers-down towards the existing neighborhood fabric.**
- **Residential projects should include small scale retail to support residents.**

- *Encourage creative, adaptive re-use of historic structures with special consideration for structures currently pending historic designation.*
- *Ensure that additions or alterations maintain historic integrity of structures.*
- *Further relate to scale of adjacent residential neighborhoods with human-scaled architectural and streetscape elements.*
- *New architecture should be comfortable with adjacent neighborhoods, without resorting to false historic elements.*
- *Contemporary architecture should be encouraged as long as scale transitions and related architectural elements provide continuity and visual interest.*

[emphasis added]

The Site Area is at the southeast intersection of K Street NE and 2<sup>nd</sup> Street NE, one property removed from the tracks indicated in the first bullet point above. This would suggest that the appropriate scale for the Site Area is “larger” than development heading east from the Site Area which itself is already zoned MU-5A.

Further support of higher density for the Site Area is located in the Desired Land Use Mix section for which Transition Area is recommended for “Moderate to Medium Densities” and “Residential/neighborhood-serving retail mix.” See NoMA SAP, pg. 5.11 at [Exhibit E](#).

While the terms “moderate to medium densities” are not defined in the NoMA SAP, the Comprehensive Plan provides definitions of “moderate and medium” commercial and residential classifications, which are instructive. Those definitions are below:

**Moderate Density:** Permitted uses include row dwellings and mixed-use buildings to a maximum of five stories. Generally, 3.0 FAR to 4.0 FAR and heights of 50’-70’ have been found to be “consistent” with a “Moderate Density” recommendation.

**Moderate Density Residential:** This designation is used to define the District’s row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city 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). The R-3 [R-3-], R-4 [RF-1], R-5-A [RA-1] Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B [RA-2] district and other zones may also apply in some locations. See 10A DCMR § 225.4

**Moderate Density Commercial:** This designation is used to define shopping and service areas that are somewhat more intense in scale and character than

the low-density commercial areas. 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 uses that draw from a broader market area. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A [MU-4], C-2-B [MU-5A], and C-3-A [MU-7], although other districts may apply. See 10A DCMR § 225.9 [emphasis added]

**Medium Density:** Permitted uses include mixed-use buildings to a maximum of eight stories. Generally, 4.5 FAR to 6.0 FAR and heights of 70’-90’ have been found to be “consistent” with a “Medium Density” recommendation.

**Medium Density Residential:** This designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. The R-5-B and R-5-C Zone districts are generally consistent with the Medium Density designation, although other zones may apply. See 10A DCMR § 225.5

**Medium Density Commercial:** This designation is used to define shopping and service areas that are somewhat more intense in scale and character than the moderate-density commercial areas. Retail, office and service businesses are the predominant uses. Areas with this designation generally draw from a citywide market area. Buildings are generally larger and/or taller than those in moderate density commercial areas but generally do not exceed eight stories in height. The corresponding Zone districts are generally C-2-B, C-2-C, C-3-A, and C-3-B, although other districts may apply. See 10A DCMR § 225.10.

The Zoning Map Amendment requests to rezone the Northern Portion of the Site Area to the MU-4 zone and the Southern Portion to the MU-5A zone. Based on the Comprehensive Plan definitions of the desired land use mix identified in the NoMA SAP, the Zoning Map Amendment request is fully consistent with the recommendation. In particular, rezoning the Southern Portion of the Site Area to the MU-5A District is consistent with the corresponding land use designation, as the MU-5A District is identified to permit medium-density, compact mixed-use development with an emphasis on residential use, and provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core. See Subtitle G § 400.4. [emphasis added]

Based on these recommendations, we believe the Zoning Map Amendment request is fully consistent with the recommendations in the NoMA SAP. Allowing for mixed-use and higher density development at the Site Area will allow for the type of small-scale retail and residential uses prioritized by the District for this transition area and retire PDR use of the site as recommended by the FLUM. Redevelopment of the Site Area will capitalize on its close

proximity to two Metro Stations and H Street NE, and serve to continue revitalization of the neighborhood. The Zoning Map amendment will allow for a mix of uses where they are currently not permitted, thus enabling use of the site as a transition point from the more-intensive uses to the west to the less-intensive scale of buildings to the east. It will encourage the development of new housing, affordable housing, and neighborhood-serving retail uses to meet the needs of District residents, visitors, and employees.

### **C. Health, Safety, and General Welfare**

The proposed Zoning Map amendment would further the public health, safety, and general welfare of the District of Columbia. The requested rezoning to the MU-4 and MU-5A Districts will allow the Site Area to be put to a more productive use, thus contributing to the ongoing revitalization of the NoMA neighborhood in a manner that transitions in a compatible fashion with surrounding development to the east. The Zoning Map amendment will protect the health and safety of District residents by allowing for future redevelopment of the Site Area with a height and density that is consistent with the FLUM, the GPM, and with the existing zoning surrounding the entire Site Area, such that the proposed Zoning Map amendment will not have any adverse effects on adjacent properties. The Zoning Map amendment will also promote the general welfare through providing badly-needed housing inventory, as well as short-term and long-term jobs for retail uses on the Site Area which will also generate new tax revenue for the District government.

### **D. No Adverse Consequences**

The Zoning Map amendment will not result in adverse consequences. Rather, the requested rezoning will contribute to several positive benefits as it will facilitate the redevelopment of an important transition area from the density of downtown to the Capitol Hill neighborhood. Future redevelopment will provide housing inventory on a site where it is currently not permitted and improve the environmental quality of the Site Area's current condition. The Zoning Map amendment will not generate any negative external effects, but will instead promote the efficient use of high-value land in a manner that will enhance the quality of life for current and future District residents.

### **E. Proposed MU-4 and MU-5A Districts Would Create Favorable Conditions**

As described above, the proposed Zoning Map amendment will bring the zoning of the Site Area more into conformance with the current mixed use FLUM designation. The requested rezoning will advance a number of policies embodied in the various elements of the Comprehensive Plan, and will further the recommendations of the NoMA SAP. Overall, the rezoning will allow the future development of a wide range of residential and small-scale retail uses on the Site Area while eliminating the possibility of future industrial development in contravention to both the FLUM and the GPM designations for the Site Area.

**VI. COMMUNITY OUTREACH AND ANC COORDINATION**

Prior to filing this petition, the Petitioner reached out to Advisory Neighborhood Commission (“ANC”) 6C, the ANC in which the Site Area is located. The Petitioner had presented a much larger redevelopment proposal for the Site Area to the ANC 6C’s Planning, Zoning and Economic Development Committee in March. If requested, the Petitioner will present the petition to the ANC prior to the public hearing. The Petitioner has also met with the Office of Planning to discuss the petition and will continue to work with the Office of Planning leading up to the public hearing.

**VII. CONCLUSION**

For all of the reasons stated herein, and specifically when reading the NoMA SAP jointly with the FLUM, the Petitioner submits that the proposed rezoning of the Site Area from the PDR-1 District to the MU-4 and MU-5A Districts meets all of the requirements for an amendment to the Zoning Map. Furthermore, the proposed rezoning is not inconsistent with the broad interpretation of the FLUM when considered in conjunction with Comprehensive Plan text as directed, and will further each of the specific objectives set forth in the Zoning Act. Accordingly, the Petitioner respectfully requests that the Commission schedule a public hearing on this petition and grant the requested Zoning Map amendment.

Respectfully Submitted,

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