

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, AICP
Deputy Director, Development Review & Historic Preservation
Jonathan Kirschenbaum, AICP
Development Review Specialist

DATE: September 4, 2020

SUBJECT: ZC Case 19-30 – Public Hearing Report for a Petition by ANC 5D to Rezone 13.5 acres¹ from RA-2 (apartment zone) to RF-4 (residential flat zone²) and to Rezone 4.3 acres from RA-2/MU-4 to MU-5A (mixed-use zone).

I. BACKGROUND

At its April 27, 2020 virtual public meeting, the Zoning Commission (“Commission”) set down for a public hearing case 19-30, a two-fold petition for an areawide map amendment submitted by ANC 5D. The Zoning Commission also set down a petition to rezone Lot 827 in Square 4494 from RA-2 to RF-4 at its May 11, 2020 virtual public meeting, which was inadvertently omitted from the original map amendment petition. The petition that was set down was to rezone approximately 4.3 acres of land from MU-4 to MU-5A and rezone approximately 13.5 acres of land from RA-2 to RF-4.

The zoning map (Exhibit 7) and the application/petition form (Exhibit 1) in the case record indicates lots 127-132, 138-142, and 166-170 in Square 4507 as being rezoned from MU-4 to MU-5A³. These lots are located along Benning Road, NE west of 18th Street, NE. After set down, the Office of Planning (“OP”) discovered that the existing zoning for these lots is RA-2 and not MU-4. OP discussed this with the Office of Attorney General (“OAG”), and notified the applicant who filed a correction to the record (Exhibit 28) reflecting the proposal to rezone these lots from RA-2 (not MU-4) to MU-5A, so the proposal to rezone these lots to MU-5A has not changed.

Accordingly, this report analyzes a three-fold petition for an areawide map amendment submitted by ANC 5D - from RA-2 to RF-4, RA-2 to MU-5A, and MU-4 to MU-5A.

II. RECOMMENDATION

OP recommends that the Commission **approve** this petition from the ANC, as amended.

¹ Includes public streets and public alleys.

² RF zones typically permit single family houses or flats as a matter-of-right. However, the RF-4 zone permits apartment houses with a maximum number of three dwelling units as a matter-of-right.

³ The existing zoning for Lots 88 and 89 in Square 4506 is split-zoned between RA-2 and MU-4 but were indicated in Exhibits 1 and 7 as being zoned MU-4. Both lots are proposed to be rezoned to MU-5A, which has not changed from the initial proposal.

The OP set down report (Exhibit 14), noted some concern about the inclusion of lot 66 in square 4495 in the proposed RF-4 zone because the site is currently developed with a small apartment building, and the current Future Land Use Map (“FLUM”) identifies this lot for medium density residential, whereas RF-4 is considered a low to moderate density residential zone. After raising this concern, ANC 5D explained to OP that they would continue to request that this lot be included in the RF-4 map amendment to require that any new building on the lot have a row house appearance should it be redeveloped in the future. While OP appreciates this reasoning, given the FLUM designation and the existing building form, OP continues to feel that it would be appropriate to not include this one property in the rezoning, so that it would remain zoned RA-2 similar to the adjacent properties also developed with small apartment buildings to the north of it.

III. SUMMARY OF ANALYSIS

The applicant provides arguments for the rezoning being not inconsistent with the Comprehensive Plan. The proposal to rezone from RA-2 to RF-4 (“RF-4 Area”) would be not inconsistent with the Comprehensive Plan, including the Future Land Use Map (“FLUM”), which designated this area for moderate density residential development. The area of the proposal to rezone from RA-2 to MU-5A and MU-4 to MU-5A (“MU-5A Area”) along Benning Road, NE, is currently predominantly designated for moderate density residential development, a designation which is not completely consistent with long-term, existing development patterns. While the RA-2 zone over a portion of the area would be not inconsistent with this designation, it is important that it be included in the MU-5A rezoning to create a cohesive mixed-use corridor. Neither the existing MU-4 nor the proposed MU-5A zones would typically be considered consistent with this designation in isolation. However, OP concurs with the ANC that, in this particular instance, the MU-5A zone would be considered to be not inconsistent with the Comprehensive Plan as a whole, given the existing land use patterns, the Generalized Policy Map designation, the policies and actions of the Comp Plan written elements, the specific direction contained within the Policy Focus Area of the Upper Northeast Area Element, and the direction found within approved small area plans, as described in the OP set down report of April 14, 2020 (Exhibit 14). In addition, the ANC has, through the ongoing Comprehensive Plan update process, requested a FLUM amendment for the entire area in question to medium density residential/moderate density commercial, a designation that the proposed MU-5A zone would be consistent.

It is important that the rezonings for both the RF-4 area and the MU-5 area be evaluated in concert, as each helps to make the case for the other’s consistency with planning objectives for the neighborhood and for the District. As such, OP would not support “bifurcating” the application where only the downzoning of the RA-2 portion would proceed forward. However, the Commission would have the option to take proposed and final action, but not issue the final Order until Council action is taken on the proposed FLUM amendment.

IV. APPLICATION-IN-BRIEF

Applicant:	ANC 5D
Proposed Map Amendment:	RA-2 to RF-4 and RA-2/MU-4 to MU-5A.
Ward and ANC:	Ward 5, ANC 5D
Legal Description:	See Appendix I for a map of subject squares and lots.

Property size:	<u>RF-4 Area:</u> 13.5 acres (approx.) <u>MU-5A Area:</u> 4.3 acres (approx.) <u>Total Area:</u> 17.8 acres (approx.)
FLUM:	<u>RF-4 Area:</u> Moderate Density Residential, except for a small portion of Square 4495, which is Medium Density Residential. <u>MU-5A Area:</u> Moderate Density Residential, except for extreme eastern portion, which is Medium Density Residential.
Generalized Policy Map Designation:	<u>RF-4 Area:</u> Neighborhood Conservation Areas. <u>MU-5A Area:</u> Main Street Mixed Use Corridors, except for west of 18 th Street, NE, which is within a Neighborhood Conservation Areas.

V. COMMENTS FROM SET DOWN MEETING

The following summarizes comments and requests for additional information relating to the petition from the set down meeting:

Comment	Applicant Response	OP Analysis
ZC – The applicant should document that outreach has been undertaken to the entire community.	ANC 5D held numerous community meetings and “sidewalk talks” prior to and after submitting its application (Exhibit 25).	The applicant conducted extensive community outreach on the proposed rezonings using a variety of activities, and has provided additional summary of this analysis at Exhibit 25. OP staff from Development Review attended both a community meeting on November 1, 2019 and a virtual meeting on May 20, 2020 to discuss how OP evaluates map amendment applications and gave an overview of the proposed map amendments. OP staff from Neighborhood Planning also attended the meetings to discuss the Comprehensive Plan.

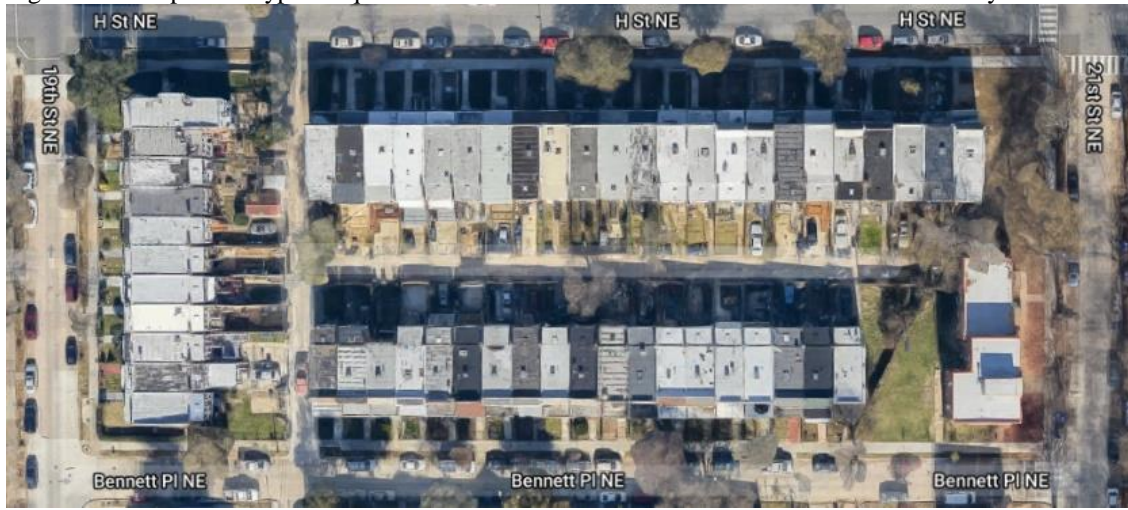
VI. SITE AND AREA DESCRIPTION

The proposed ANC 5D map amendment is generally bounded by Benning Road, NE to the south, H Place, NE and the midblock of Square 4495 to the north, 18th Street, NE and the midblock of Square 4507 to the west, and 21st Street, NE to the east. The MU-5A area is located along the northern side of Benning Road, NE while the RF-4 area is located north of the properties fronting onto Benning Road. The area is located just east of the Hechinger Mall and west of the historic Langston Dwellings. See Appendix I for a location map with the proposed map amendment area shown.

RF-4 Area

The proposed RF-4 area has a predominate building typology of two-story residential row houses built between the mid-1920s and the mid-1940s. Most properties are used as either single-family houses or flats. Many squares have cohesive sets of row houses planned by a single developer and built to the same height with uniform front setbacks and rear yards (Figure 1). Adjacent properties outside of the proposed RF-4 area are typically developed with small two-story attached apartment houses and three- and four-story detached apartment houses, most of which are zoned RA-2.

Figure 1. Example of a typical square in the RF-4 area with uniform front setbacks and rear yards.



Source: Google Maps.

Under the 1936 Zoning Regulations, most of the proposed RF-4 area was in a zone that permitted detached, semi-detached, and row single-family houses, and prohibited flats and apartment houses. When the 1958 Zoning Regulations took effect, the zoning of the area was changed to the R-5-B (now RA-2) zone, which permitted flats and small apartment houses as a matter-of-right. Despite this, most properties in the proposed RF-4 area have remained two-story single-family row houses or flats until recently, as described below.

Currently, the area has just started to see redevelopment to the potential allowed under the RA-2 zone. There are approximately three properties within the proposed RF-4 area that are either under construction for apartment houses or recently constructed apartment houses, each with four to five apartments. These apartment houses are three- and four-stories in height and are attached to the end of cohesive rows of two-story single-family houses or flats. They are larger in scale compared to the predominate building typology (Figure 2), including projecting out to the front and the rear of existing buildings. The applicant also informed OP that an additional property is proposed to be converted, by-right, to a nine-unit apartment house on an interior lot.

Figure 2. Before and after comparison of a recent apartment house conversion from a semi-detached single-family house.



Source: Google Street View.

MU-5A Area

The proposed MU-5A area has a variety of uses, including two- and three-story residential row buildings, three-story mixed-use buildings, low-rise retail uses, a gas station, and a decommissioned power plant related to Langston Dwellings. Most properties were built between the mid-1920s and 1940, except for one property developed in 1960. The DC Streetcar runs the entire length of the proposed MU-5A area along Benning Road, NE. Adjacent properties outside of the proposed MU-5A area, include properties in the proposed RF-4 area to the north, Langston Dwellings to the east, and variety of residential and retail uses ranging from two- to five-stories to the south, and an approved 90-foot mixed-used PUD and Hechinger Mall, currently designated for medium density mixed use development, to the west, on the same side of Benning Road, NE.

Under the 1936 Zoning Regulations, the area was split between two zones that permitted commercial uses. When the 1958 Zoning Regulations took effect, the area west of 18th Street, NE was zoned C-M-1 (low intensity industrial) while the area east of 18th Street, NE was zoned C-2 (moderate density mixed use). By 1996, the area west of 18th Street, NE was rezoned R-5-B and the area east of 18th Street, NE was rezoned C-2-A (moderate density mixed use, now MU-4 under ZR-16).

VII. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES

The applicant proposes to rezone approximately 13.5 acres of land from RA-2 to RF-4. The general purpose and intent of the existing RA-2 zone and the proposed RF-4 zone is described below:

Existing RA-2 Zone:

- Provides for areas developed with predominately moderate-density residential apartment house uses (Subtitle F § 300.3).

Proposed RF-4 Zone:

- The RF-4 zone was created as part of 2016 Zoning Regulations, but to date has not been mapped in any part of the District. It is intended to provide for areas:
 - Predominately developed with row houses of three or more stories and within which may also exist a mix of small apartment buildings and conversions;
 - Adjacent or proximate to higher density zones including residential, mixed-use, and downtown areas; and
 - With an established row house character and appearance, and continued residential use of larger row house buildings (Subtitle E § 600.1 – 600.3).

The applicant proposes to rezone approximately 4.3 acres of land from RA-2 and MU-4 to MU-5A. The general purpose and intent of the existing RA-2 zone is described above, and the existing MU-4 zone and proposed MU-5A zone is described below:

Existing MU-4 Zone:

- Intended to:
 - Permit moderate-density mixed-use development;
 - Provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and
 - Be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers (Subtitle G § 400.3).

Proposed MU-5A Zone:

- Intended to:
 - Permit medium-density, compact mixed-use development with an emphasis on residential use;
 - Provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core; and
 - Be located on arterial streets, in uptown and regional centers, and at rapid transit stops (Subtitle G § 400.4).

The following table compares the existing RA-2 zone to the proposed RF-4 zone:

	Existing Zone: RA-2	Proposed Zone: RF-4
Permitted Uses:	Apartment Houses, Single Family Houses, and Flats ⁴	Single Family Houses, Flats, and Apartment Houses with 3 or less units ⁵
Lot Area:	None prescribed	1,800 sq. ft. min. (row)
		3,000 sq. ft. (semi-detached)
		4,000 sq. ft. (all other structures)
Lot Width:	None prescribed	18 ft. min. (row)
		30 ft. min. (semi-detached)
		40 ft. min (detached)
Height:	50 ft. max./No story limit	40 ft. max./3 story max.
Penthouse Height:	12 ft. max./1 story max.	12 ft. max./1 story max.
	15 ft. mechanical max./2 story max.	
FAR (floor-area-ratio):	1.8 max.	1.8 max.
	2.16 max. with IZ	
Maximum Number of Dwelling Units:	None prescribed	3 dwelling units max.

⁴ These are general uses permitted in the RA-2 zone. For a complete list of permitted uses please refer to Subtitle U § 400.

⁵ These are general uses permitted in the RF-4 zone. For a complete list of permitted uses please refer to Subtitle U § 300.

	Existing Zone: RA-2	Proposed Zone: RF-4
Lot Occupancy:	60% max.	60% max.
Front Setback:	None prescribed	Front setback must be in range of existing front setbacks
Roof Top or Upper Floor Addition	Non prescribed	Removal of an original roof top architectural element is prohibited (i.e. cornices; porch roofs; turret; dormers)
Rear Yard:	4 in. per 1 ft. of principal building height but not less than 15 ft.	20 ft min.
Rear Extension:	None prescribed	A rear addition may not extend more than 10 ft. past the farthest rear wall of any adjoining property
Side Yard:	8 ft. min. for detached or semi-detached buildings with one or two dwelling units	5 ft. min. for detached and semi-detached buildings
	No side yard is required for all other buildings but if a side is provided it shall be 4 ft. min.	No side yard is required for all other buildings but if a side is provided it shall be 5 ft. min.
Vehicle Parking:	1 space per 1 dwelling unit (single family house)	
	1 space per 2 dwelling units (flat)	
	1 space per 3 dwelling units in excess of 4 dwelling units (apartment house)	1 space per 2 dwelling units (apartment house)
Bike Parking:	None prescribed for single family houses or flats	
	1 space per 3 dwelling units for long-term parking (apartment houses)	
	1 space per 20 dwelling units for short-term parking (apartment houses)	
GAR:	0.4 min.	None prescribed
Pervious Surface:	None prescribed	Lot less than 1,800 sq. ft. - 0% min.
		Lot between 1,801 and 2,000 sq. ft. – 10% min.
		Lot larger than 2,000 sq. ft. – 20% min.

The following table compares the existing RA-2 and MU-4 zones to the proposed MU-5A zone:

	Existing Zone: RA-2	Existing Zone: MU-4	Proposed Zone: MU-5A
Permitted Uses:	Apartment Houses, Single Family Houses, and Flats ⁶	Use Group E: Residential, Retail, Service, and Office ⁷	
Lot Area:	None prescribed		
Lot Width:	None prescribed		
Height:	50 ft. max.	65 ft. max.	

⁶ These are general uses permitted in the RA-2 zone. For a complete list of permitted uses please refer to Subtitle U § 400.

⁷ These are general uses permitted in the MU-4 and MU-5A zones. For a complete list of permitted uses please refer to Subtitle U § 512.

	Existing Zone: RA-2	Existing Zone: MU-4	Proposed Zone: MU-5A
			70 ft. max. with IZ
Penthouse Height:	12 ft. max./1 story max.		12 ft. max./1 story max.
	15 ft. mechanical max./2 story max.		18 ft. mechanical max./2 story max.
FAR (floor-area-ratio):	1.8 max.	2.5 max. (1.5 max. for non-residential)	3.5 max. (1.5 max for non-residential)
	2.16 max. with IZ	3.0 max. with IZ	4.2 max. with IZ
Lot Occupancy for Residential Use:	60% max.		80% max.
	60% max. with IZ	75% max. with IZ	
Rear Yard:	4 in. per 1 ft. of principal building height but not less than 15 ft.	15 ft. min.	
Side Yard:	8 ft. min. for detached or semi-detached buildings with one or two dwelling units	8 ft. min. for detached or semi-detached buildings with one dwelling unit	
	No side yard is required for all other buildings but if a side is provided it shall be 4 ft. min.	No side yard is required for all other buildings but if a side is provided it shall be at least 2 in. for 1 ft. of building height but no less than 5 ft. min.	
Vehicle Parking:	1 space per 1 dwelling unit (single family house)		
	1 space per 2 dwelling units (flat)		
	1 space per 3 dwelling units in excess of 4 dwelling units (apartment house)		
Bike Parking:	None prescribed for single family houses or flats		
	1 space per 3 dwelling units for long-term parking (apartment houses)		
	1 space per 20 dwelling units for short-term parking (apartment houses)		
GAR:	0.4 min.	0.3 min.	

VIII. PLANNING CONTEXT

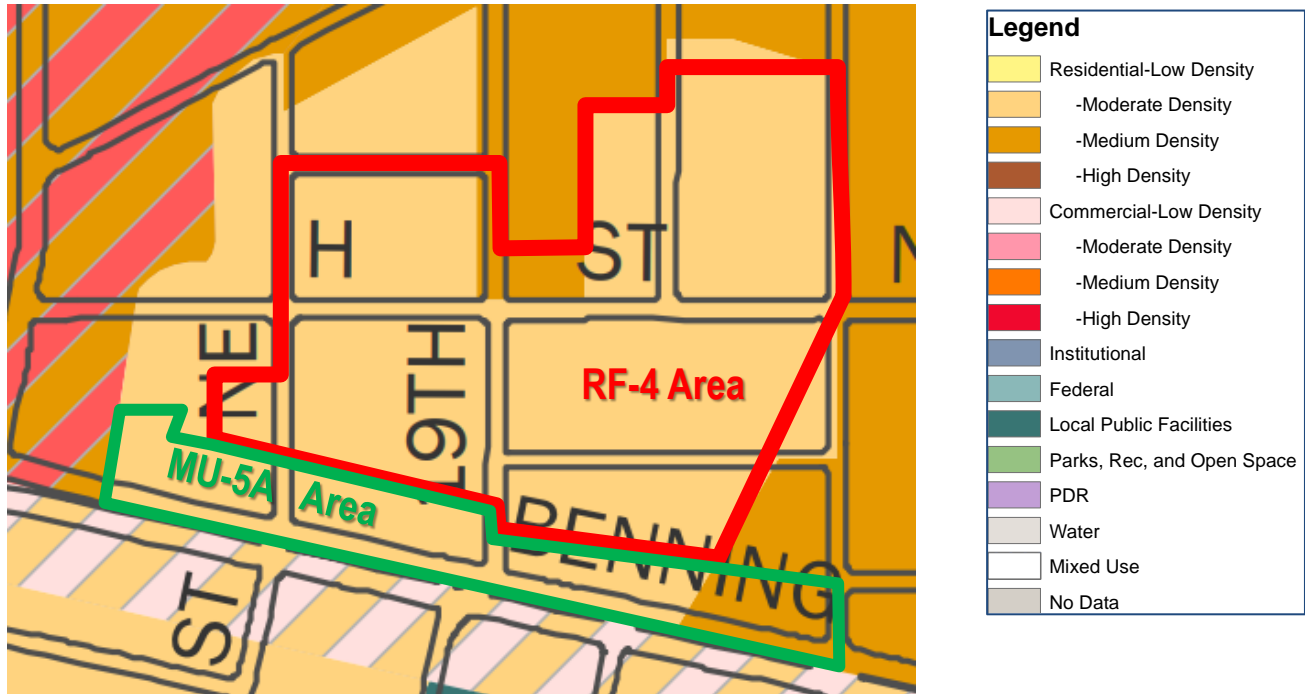
Title 11 Subtitle X § 500.3 requires that the Zoning Commission determine that a proposed zoning map amendment “*is not inconsistent with the Comprehensive Plan and other adopted policies and active programs related to the subject site.*”

As fully discussed in the OP set down report of April 14, 2020 (Exhibit 14), the proposed map amendments would be not inconsistent with the Comprehensive Plan.

Generalized FLUM

The FLUM indicates that the area proposed to be rezoned to RF-4 is appropriate for Moderate Density Residential, except for a small southwestern portion of Square 4495, which is designated for Medium Density Residential.

The FLUM indicates that the area proposed to be rezoned to MU-5A is appropriate for Moderate Density Residential, except for the extreme eastern portion, which is designated for Medium Density Residential.



Below is a description of each FLUM designation from the Framework Element of the Comprehensive Plan⁸.

Moderate Density Residential: This designation is used to define neighborhoods generally, but not exclusively, suited for row houses as well as low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single-family homes, two- to four-unit buildings, row houses, and low-rise apartment buildings. In some neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). Density in Moderate Density Residential areas is typically calculated either as the number of dwelling units per minimum lot area, or as a FAR up to 1.8, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The R-3, RF, and RA-2 Zone Districts are consistent with Moderate Density Residential category, and other zones may also apply. 227.6

Medium Density Residential: This 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. 227.7

Moderate Density Commercial: This designation is used to define shopping and service areas that are somewhat greater in scale and intensity than the Low-Density Commercial area. Retail, office, and service businesses are the predominate 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

⁸ Enacted by District Council on February 11, 2020 under the “Comprehensive Plan Framework Amendment Act of 2019.”

Density Commercial areas. Density typically ranges between a FAR of 2.5 and 4.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-5 and MU-7 Zone Districts are representative of zone district consistent with the Moderate Density Commercial category, and other zones may also apply. 227.11

Mixed Use Categories: *The Future Land Use Map indicates areas where the mixing of two or more land uses is encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding to the categories defined on the previous pages. The Mixed Use category generally applies in the following three circumstances:*

- a. Established, pedestrian-oriented commercial areas which also include substantial amounts of housing, typically on the upper stories of buildings with ground floor retail or office uses;*
- b. Commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground floor retail or office uses and upper story housing; and*
- c. Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist but a plan dictating the precise location of these uses has yet to be prepared. 225.18*

The general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other (for example, ground floor retail with three stories of housing above), the Future Land Use Map may note the dominant use by showing it at a slightly higher density than the other use in the mix ... 225.19

A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. ... 225.21

The RF-4 zone would permit low- to moderate-density residential development and would be appropriate for the map amendment area, as it is predominately characterized by single-family row houses typically with two- to four-dwelling units. OP does have concern about the inclusion of lot 66 in square 4495 in the proposed RF-4 zone because the FLUM identifies the area of this lot as medium density residential. Such a land use designation would not typically be associated with a map amendment to RF-4, which is considered a moderate density zone.

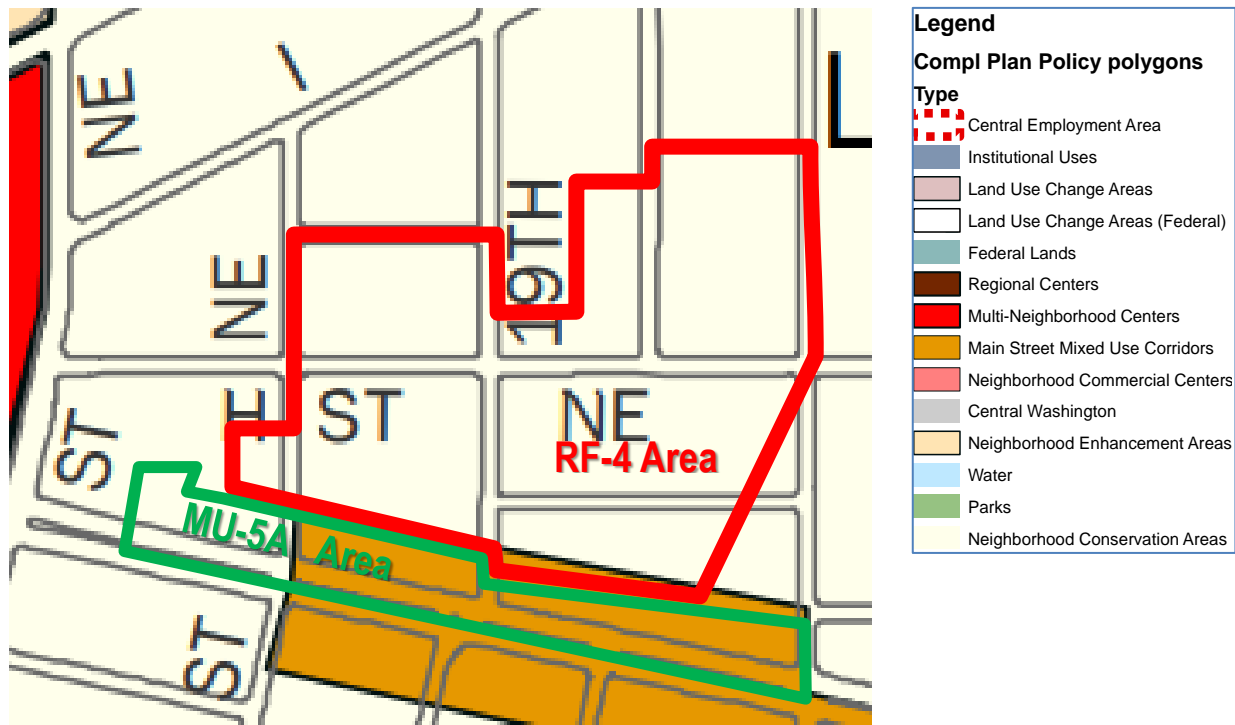
The proposed MU-5A zone would, when read alone, typically not be considered consistent with existing designation of Moderate Density Residential; neither would the existing MU-4 zone. The existing RA-2 zone over a portion of the area would typically be considered consistent with this designation. However, the FLUM is intended to be read generally and broadly and in concert with other maps and the text of the Comprehensive Plan. As stated by the applicant (ANC 5D), the direction of the FLUM, particularly for this case, needs to be read in conjunction with the existing development pattern in the area, the Policy Map designation, and the text of the Comprehensive Plan, for this proposal.

The proposed map amendment to change the existing RA-2 and MU-4 zones to a MU-5A zone would not be inconsistent with Comprehensive Plan's proposed FLUM designation of mixed Moderate Density Commercial and Medium Density Residential, a recommended designation also submitted by ANC 5D. The MU-5A zone would permit mixed-use residential and commercial uses to be developed at a moderate to medium density. This type of density would be supported by the proposed FLUM amendment and would complement the existing mixed-use development in the areas adjacent to the MU-5A area.

Generalized Policy Map

The Generalized Policy Map indicates that the proposed RF-4 area is designated as Neighborhood Conservation Area.

Most of the area proposed to be rezoned to MU-5A area is designated a Main Street Mixed Use Corridor. One block to the west of 18th Street, NE is currently designated Neighborhood Conservation Area. There is a pending policy map amendment to change the designation west of 18th Street, NE to Main Street Mixed Use Corridors to match this designation east of 18th Street, NE. Given the existing factors, and that the Policy map is intended to be read generally, this report analyses the consistency with the Comprehensive Plan based on the Main Street Mixed Use Corridors designation.



Below is a description of each policy map designation from the Framework Element of the Comprehensive Plan.

Neighborhood Conservation Areas: *Neighborhood Conservation areas have 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 Comprehensive 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. 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 Comprehensive 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 (see Section 206.4) and displacement should emphasize preserving affordable housing and enhancing neighborhood services, amenities, and access to opportunities. 225.5

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

The proposed map amendment to change the existing RA-2 zone to RF-4 would not be inconsistent with the Comprehensive Plan's Policy Map, which anticipates retention of residential uses and the established neighborhood character. The map amendment would still permit new, smaller scale apartment house construction, but would help ensure that existing buildings are not replaced, and that renovations and additions are more compatible with the existing scale of the neighborhood.

The proposed map amendment to change the existing RA-2 and MU-4 zones to a MU-5A zone would not be inconsistent with the Comprehensive Plan's Policy Map, which anticipates commercial corridors that serve multiple neighborhoods and can be easily accessed by pedestrians. The map amendment would maintain the mixed-use nature of the corridor and would continue to support neighborhood commercial uses along a transit rich corridor. Further, the map amendment would provide for additional capacity to create additional residential uses above commercial uses, and would further support a pedestrian-oriented public realm.

Citywide Elements and Area Elements

The proposed zoning map amendments would also further many important policy objectives of the Comprehensive Plan, particularly with respect to policies within the Land Use, Housing, and Urban Design Citywide Elements and the Upper Northeast Area Element. These policies cited in the OP set down report (Exhibit 14) and the ANC submissions work together to support appropriately designed row building development and rehabilitation in the RF-4 area, while reinforcing and strengthening the mixed-use character of the MU-5A area.

The proposed map amendment to RF-4 would provide additional development controls to help retain the existing character of the neighborhood. Importantly, there would be less incentive to demolish and replace existing housing stock. Small apartment houses and flats would still be permitted in the RF-4 zone but there would be more incentive to retain existing row houses or flats, or build larger family sized units as part of matter-of-right apartment house construction.

The proposed map amendment to MU-5A would, on balance, further important and specific goals and objectives of the Comprehensive Plan, including the policy focus area of the Upper Northeast Area Element, and the approved Benning Road Corridor Redevelopment Framework Plan and the H Street, NE Strategic Development Plan. The proposed MU-5A zoning also offsets any potential

inconsistencies arising from the proposal to down-zone the RA-2 portion to RF-4. As such, it is appropriate to assess the two map amendments in concert, both in terms of their development impacts, and in terms of the overall consistency with the goals and objectives of planning for the District and this neighborhood.

OP anticipates that through these map amendments, any small loss of potential new housing in the RF-4 zone would be more than offset by the increase in density that would be permitted by the MU-5A zone. The MU-5A area would increase maximum permitted residential FAR, which would permit many new housing units over what the RA-2 and MU-4 zones currently permit. It would also create more incentive to build apartment houses with 10 or more units, which would be subject to the inclusionary zoning requirements. The overall increase in residential density in the MU-5A would be appropriate along Benning Road, NE, which is a wide and mostly commercial corridor with major bus routes and the streetcar. The proposal to rezone a portion of the RA-2 area to MU-5A would help to create a cohesive mixed-use corridor along Benning Road east of the Hechinger Mall, and would be consistent with the proposed FLUM and Policy Map designations submitted by the ANC. It would also help to effectuate other policies and objectives of the Comprehensive Plan and other plans for this area, which support reinforcing Benning Road, NE as a medium-density mixed-use corridor

IX. OTHER PLANS

As described in the OP set down report and as noted above, the map amendment from RA-2/MU-4 to MU-5A would further many of the goals of the Benning Road Corridor Redevelopment Framework Plan, such as promoting the continued mixed-use character of the area, encouraging taller buildings to frame Benning Road, NE, providing additional market rate and affordable residential development capacity, and increasing commercial and retail services to the surrounding neighborhoods. This proposal would also help to achieve the Mayor's vision for the creation of 36,000 new housing units, including 12,000 affordable units, by 2025 by encouraging new housing, including affordable and family sized housing.

X. OTHER DISTRICT AGENCIES

DDOT submitted a memo to the record noting no objection to the map amendments (Exhibit 27).

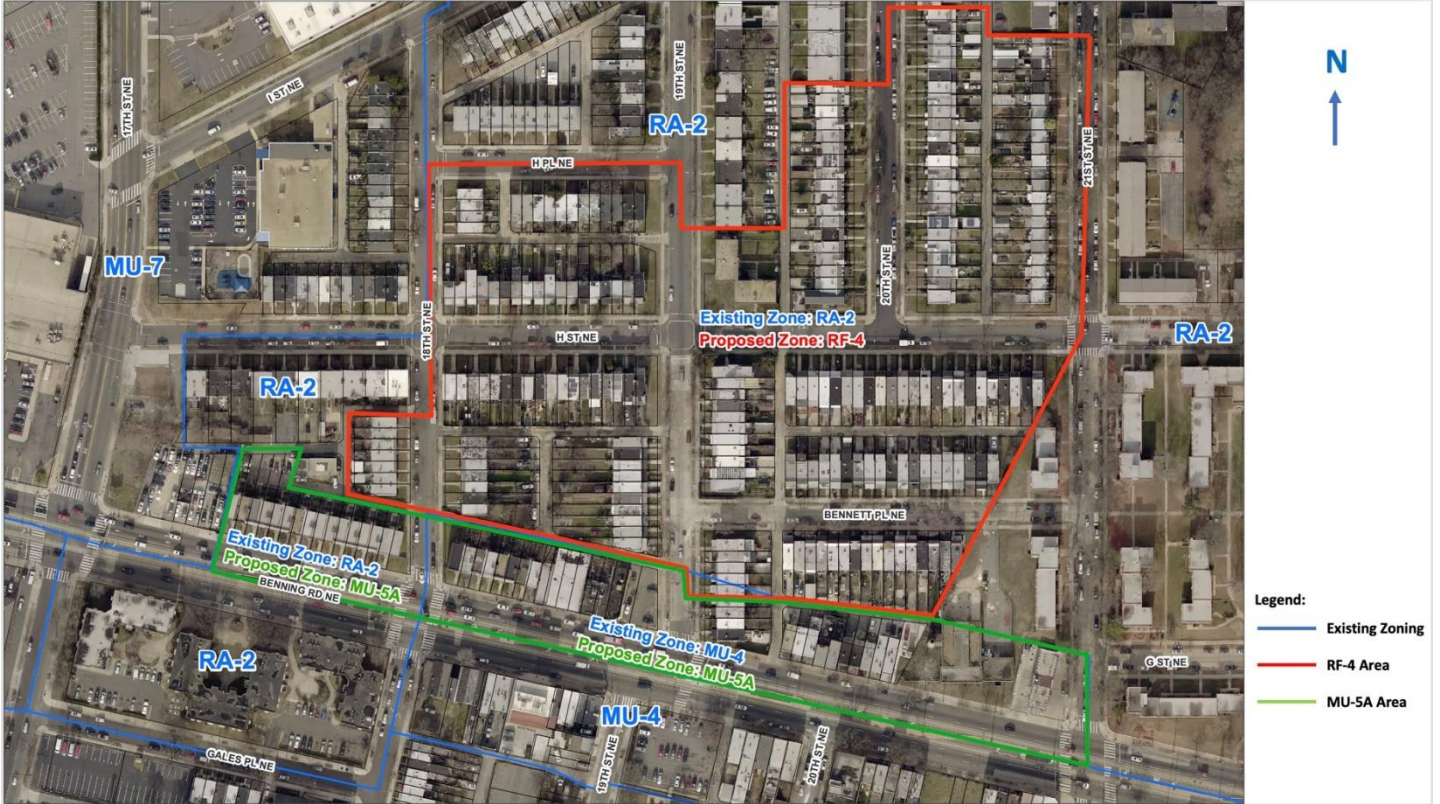
XI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 5D is the applicant for this petition. At its regularly scheduled meeting on November 12, 2019, ANC 5D voted to pass a resolution for the two-fold petition for a map amendment (Exhibit 3).

XII. COMMUNITY COMMENTS

At Exhibit 29 is one letter of opposition to the proposed map amendment from RA-2 to RF-4. As of the date of this report, there were no other comments submitted to the record.

Appendix I⁹



⁹ This map was created by OP.