

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Crystal Myers, Development Review Specialist
JLS
Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: September 9, 2022

SUBJECT: Zoning Commission Case 21-14, OP Hearing Report: Application for a Map Amendment to Rezone 2026 Jackson St. NE from R-1B to MU-4.

I. RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission **Approve** this application for a map amendment to rezone 2026 Jackson St. NE from R-1B to MU-4.

The MU-4 zone could potentially implement the recommendations of the recently updated Comprehensive Plan (2021). On balance, the MU-4 zone would not be inconsistent with the Comprehensive Plan and IZ Plus is appropriate in this case.

II. BACKGROUND

The subject property is the parking lot which had served a church on adjacent and separate property also owned by the Applicant. The parking lot sits at the intersection of Jackson St. NE, 22nd St. NE, and Rhode Island Ave. NE, which all have MU-4 zoned properties directly across the street from the site. The Applicant's adjacent property, located at 3200 22nd St. NE, recently received Board of Zoning Adjustment approval for variance relief to convert into a 10-unit apartment building, (BZA 20630). The Applicant is now requesting to rezone the subject property from R-1B to MU-4 to allow a moderate density mixed use development on the property.

At its April 14, 2022, public meeting the Commission voted to set the case down for public hearing. The map amendment request has not been amended since set down.



SITE AND ZONING

III. COMPREHENSIVE PLAN

OP provided a full analysis of the proposal against the Comprehensive Plan maps and policies, including analysis through a racial equity lens, as part of the set down report, [OP Setdown Report at Exhibit 25](#). That analysis is summarized below.

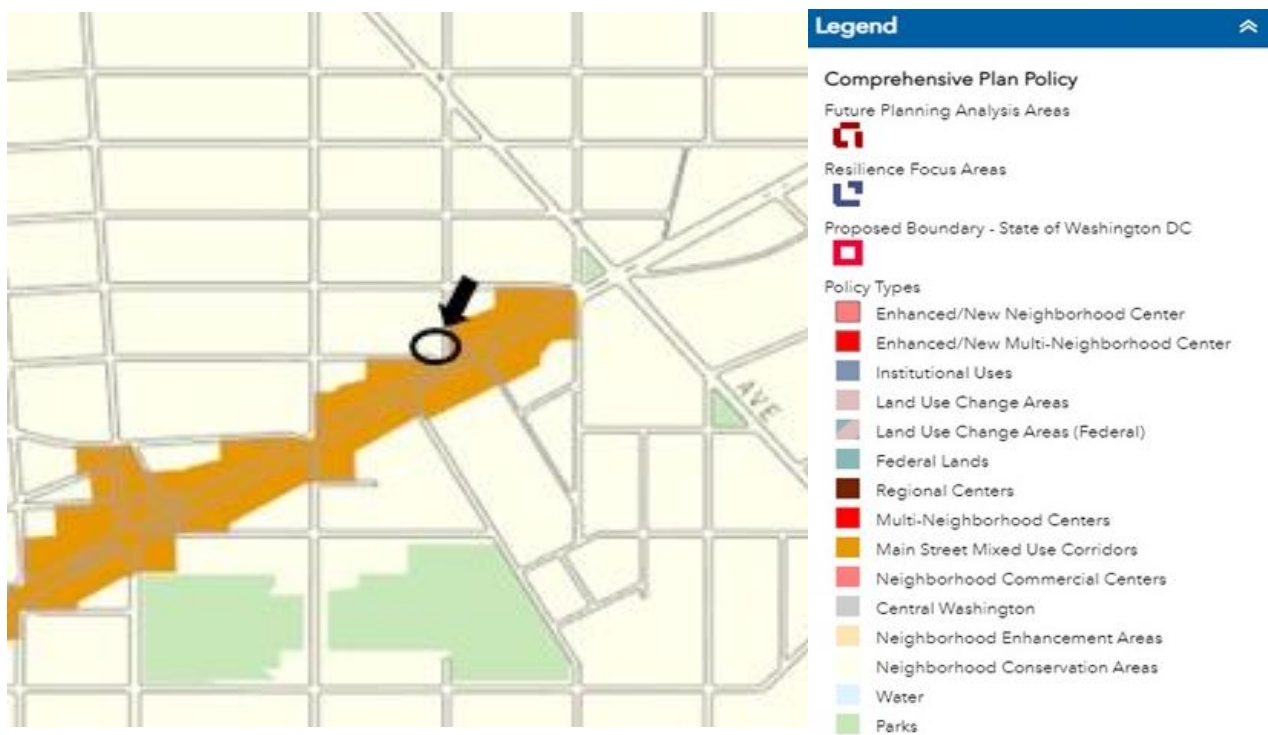
Future Land Use Map



Future Land Use Map

The Future Land Use Map indicates that the subject property is designated for mixed-use moderate density residential and moderate density commercial. The moderate density residential designation is used to define neighborhoods generally, but not exclusively, suited for row houses and low-rise garden apartment complexes; the moderate density commercial designation anticipates densities typically ranging between 2.5 and 4.0 FAR, with greater density possible when complying with Inclusionary Zoning. The MU-4 zone is a mixed-use zone that permits a maximum density of 3.0 with IZ, but no more than 1.5 FAR may be non-residential.

Generalized Policy Map



Generalized Policy Map

The Generalized Policy Map indicates that the subject property is within the Neighborhood Conservation policy area and adjacent to a Main Street mixed use corridor. The Neighborhood Conservation Area designation allows for new development within the area's existing scale. The property is surrounded by MU-4 zoned properties so a MU-4 development would not be out of scale for the area. The site is also adjacent to the Main Street Mixed-Use Corridor policy area, which encourages mixed use development, and it is across the street from the MU-4 properties within that area.

Comprehensive Plan Written Elements

The proposed MU-4 zone would particularly further the objectives of the Land Use, Transportation, and Housing elements by potentially converting this parking lot site into a pedestrian friendly development with a mix of market rate and affordable housing and new retail.

The proposed MU-4 zone should also further the objectives of the Upper Northeast Area Element by encouraging infill development on the site and potentially providing more housing options to the area.

The Comprehensive Plan Analysis Through a Racial Equity Lens

The [OP Setdown Report at Exhibit 25](#) includes a full analysis of the Comprehensive Plan through a racial equity lens. Equity is conveyed throughout the Comprehensive Plan, particularly in the context of zoning, where avoiding displacement of existing residents, the provision of affordable housing, and creating access to opportunity is a priority. The subject site is undeveloped so there is no displacement caused by the requested zoning amendment.

The subject site is within the Upper Northeast Planning Area. According to the American Community Survey, 67 percent of the Upper Northeast Planning Area (“Planning Area”) is Black and 10 percent of the population is Hispanic/Latin origin. In the 2020 Census, the median household income in the Planning Area was \$69,072 which is lower than the District’s median household income of \$92,266.

Though difficult for many to afford, the cost of housing in the Planning Area is less than the District as a whole. The Planning Area’s median house value in 2020 was \$488,180 and the District-wide median house value was \$646,500. The proposed map amendment has the potential to increase the total supply of housing units in the Upper Northeast area, which could help alleviate the pressure on housing costs and make the area more accessible to lower income households.

Overall, the map amendment has the potential to create additional affordable housing through an IZ Plus set-aside requirement. It is likely that the MU-4 zone could require a set-aside requirement of 95 percent of the utilized bonus density which would result in 4,479 sq. ft of residential floor area for the IZ program. The IZ program requires affordable housing units to be available to households earning either no more than 60 percent MFI for rental housing or 80 percent MFI for ownership housing. The potential affordable housing units that could be created under the requested MU-4 zone would be substantially higher than if the property were developed by-right under the existing R-1-B zone which would only yield one dwelling unit and no affordable housing. Providing additional affordable housing units on this property could benefit non-white populations who on average have lower incomes than white residents.

Creating Access to Opportunity: The proposed MU-4 zone has a maximum permitted density of 3.0 FAR which includes the bonus for inclusionary zoning. However, 1.5 FAR may be used exclusively for non-residential purposes. This creates an opportunity for a range of non-residential uses such as neighborhood retail, service or office uses. These uses offer employment opportunity and based on the location of the site adjacent to a residential neighborhood the non-residential uses could support a walkable community.

IV. COMMENTS FROM OTHER DISTRICT AGENCIES

As of the date of this report, there are no comments in the record from other District Agencies.

V. ANC COMMENTS

ANC 5C submitted a report in support on June 1, 2022, (Exhibit 32).

VI. COMMUNITY COMMENTS

In the record there are four letters in support (Exhibits 13, 15-17,19), a petition in support signed by three residents, (Exhibit 20), and a letter in opposition, (Exhibit 18).