

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** Karen Thomas, Development Review Specialist  
Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

**DATE:** November 5, 2021

**SUBJECT:** Set down Report for a Petition to Rezone 641 S Street, NW (from the RF-1 zone to the ARTS-2 zone.)

**I. RECOMMENDATION**

The Applicant, S Street Village LLC, requests a map amendment for the property at 641 S Street, NW (Square 442, Lots 88,108,110,810 and 811 also referred to as “S Street Village”) from the RF-1 zone to the ARTS-2 zone.

OP recommends that the Zoning Commission **set down** the proposed map amendment for public hearing. OP also recommends the map amendment **would be appropriate** for IZ Plus.

The Comprehensive Plan provides that the zoning of any given area should be guided by the Future Land Use Map (FLUM) and Generalized Policy Map interpreted in conjunction with the text of the Comprehensive Plan, including the framework/equity, city-wide and area elements, as well as approved Small Area plans. A detailed discussion of how the proposal would not be inconsistent with the Comprehensive Plan, the Convention Center Strategic Development Plan and the Duke Plan is provided below.

**II. APPLICATION-IN-BRIEF**

<b>Applicant</b>	S Street Village LLC (for Manna Inc)
<b>Proposed Map Amendment:</b>	RF-1 to ARTS-2
<b>Address:</b>	614 St Street and 618 S Street
<b>Ward and ANC:</b>	6 / ANC-6E
<b>Legal Description:</b>	Square 442, Lots 88,108,110,810 and 811
<b>Property size:</b>	22,144 square feet
<b>Future Land Use Map Designation:</b>	Mixed Use - Medium-Density Residential and Medium-Density Commercial
<b>Generalized Policy Map Designation:</b>	Neighborhood Enhancement Area

<b>Small Area Plans</b>	<b>Duke Plan and Convention Center Plan</b>
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### III. SITE AND AREA DESCRIPTION

The subject property is currently developed with a 3-story brick mixed-use building (Lot 108) and two-story row structures on Lots 88, 810, and Lots 110 and 811. The combined properties are obliquely opposite the busy intersection of the Shaw/Howard University metro station at the corner of 7<sup>th</sup> Street and S Street and within walking distance of the Watha T. Daniel Library west of the site at 7<sup>th</sup> and Rhode Island Avenue. It is also two blocks east of the new and relocated Banneker High School at 9<sup>th</sup> and Rhode Island Avenue.

The portion of the 7<sup>th</sup> Street NW corridor to the west, north of Rhode Island Avenue and south of Florida Avenue is developed with a variety of retail, service, residential and office uses. To the east of the metro on S Street is the former Wonder Bread building in the ARTS-2 zone, now used as an office building, including a clinic for Children’s National Pediatrics. To the east across S Street are homes on Wiltberger Street and row homes in the RF-1 zone. To the south of the property, across the alley, fronting Rhode Island Avenue are row dwellings in the RF-1 zone and an apartment building. Generally, the area is a mixture of row dwellings, apartments, small retail and institutional uses.

#### Location and Zoning Map



#### **IV. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES**

The petition is to rezone 22,144 square feet of land area from the RF-1 to the ARTS-2 zone. The Zoning Regulations at Subtitle K § 800.1 state the purposes of the Mixed-Use-Uptown Arts (ARTS) zones (ARTS-1 through ARTS-4) are to:

- (a) *Promote the creation of arts, arts-related, and art-supporting uses;*
- (b) *Encourage a pedestrian scale of development, a mixture of building uses, adaptive reuse of older buildings, strengthened design character, public safety, and eighteen (18) hour activity;*
- (c) *Require uses that encourage pedestrian activity, especially retail, entertainment, and residential uses;*
- (d) *Provide for an increased presence and integration of the arts and related cultural and arts-related support uses;*
- (e) *Expand the area's housing supply in a variety of rent and price ranges;*
- (f) *Expand business and job opportunities, and encourage development of residential and commercial buildings;*
- (g) *Strengthen the design character and identity of the area by means of physical design standards;*
- (h) *Encourage adaptive reuse of older buildings in the area and an attractive combination of new and old buildings; and*
- (i) *Foster eighteen (18) hour activity and increased public safety.*

The ARTS district encourages mixed use, pedestrian-oriented development with bonus density incentives for preferred ground floor uses and height and setback requirements for areas adjacent to certain moderate density residential zones. The ARTS-2 zone similarly encourages “*medium- to high-density, mixed-use development, with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions.*” Subtitle K § 800.5. In addition, the ARTS-2 zone is intended to permit medium density, compact mixed-use development with an emphasis on residential development. As described above, some adjacent properties are within the ARTS-2 category.

The purpose of the RF-1 zone is to provide for areas predominantly developed with row houses on small lots within which no more than two (2) dwelling units are permitted as a matter-of-right.

The following table compares the development standards of the RF-1 zone and the proposed ARTS-2 zone.

	<b>Existing RF-1</b>	<b>Proposed ARTS-2</b>
<b>Permitted Uses:</b>	RF-1 uses Subtitle U, Chapter 3	Arts Uses Subtitle U, Chapter 7 and MU Use Group E
<b>Height:</b>	35 feet max 40 feet (IZ)	65 feet max. 70 feet (IZ)
<b>FAR:</b>	N/A	3.5 4.2 (IZ) 1.5 Non-Residential
<b>Penthouse Height:</b>	Not permitted	12 feet max.; 1 story 18.5 feet mechanical max; Second story permitted for penthouse mechanical space
<b>Lot Occupancy:</b>	60% max 70% (by S.E.)	60 % max. (residential) 80 % (IZ) 100% (non-residential)
<b>Rear Yard:</b>	20 feet min.	15 feet min.
<b>Side Yard:</b>	None required	None required. If provided 5 ft. min.
<b>GAR:</b>	Pervious surface ;10% for lots > 1,800 sf	0.3 min.

As a matter-of-right, the ARTS-2 zone permits a maximum density of 3.5 FAR (4.2 FAR with Inclusionary Zoning (“IZ”)), of which 1.5 FAR can be devoted to non-residential uses. This zone emphasizes residential development, within the permitted maximum building height of 65 feet (70 feet with IZ) and a maximum penthouse height of 12 feet, as limited by specified height and setback requirements when a site abuts an R, RF, or RA zone.

The density and height permitted in the ARTS-2 zone are consistent with zones that are expressly identified as being consistent with the medium density in the existing Framework Element. The recently amended Framework Element describes the Medium Density Commercial category as permitting densities of 4.0 – 6.0 FAR. The ARTS-2 zone is also an appropriate zone for the subject property given its proximity to a Metrorail station and the current emphasis on achieving the Mayor’s housing goals by 2025.

## **IZ PLUS**

An IZ Plus set-aside requirement is recommended for this map amendment and is appropriate pursuant to Subtitle X § 502 because:

1. The map amendment would rezone the property to ARTS-2, which allows a higher maximum permitted FAR than the existing RF-1 zone; and
2. The 2019 Housing Equity Report<sup>1</sup> prepared by the Office of Planning and the Department of Housing and Community Affairs reports that the Near Northwest Planning Area only contained 7.7 percent of the District’s total number of affordable housing units as of 2018.

IZ Plus requires a higher affordable housing set-requirement than Regular IZ and prescribes a set-aside requirement based on either:

<sup>1</sup> [Housing-Equity-Report](#)

- a sliding-scale that is correlated to the total floor area built, or
- the amount of IZ bonus density built.

Rezoning applications only consider the consistency of the proposed new zone with the Comprehensive Plan and not a specific development proposal. The OP has provided an example below to demonstrate possible IZ Plus set-aside requirements pursuant to Subtitle C § 1003.3 if a new residential development is built under the ARTS-2 zone at the subject property. Because of the 65 and 70 foot height restrictions of the ARTS-2 zone, the examples are based on an apartment house that is stick-built (non-Type I construction) on the subject property (22,144 square feet).

FAR Built:	4.2 IZ FAR (2.7 residential FAR/1.5 non-residential FAR)
Regular IZ Set-Aside Requirement:	75% of bonus density utilized or 11,625.5 sq. ft.
Regular IZ Dwelling Units <sup>[12]</sup> :	12 units
Percent Increase in Total FAR Built <sup>[32]</sup> :	367%
IZ Plus Set-Aside Requirement:	95% of bonus density utilized or 14,725 sq. ft.
IZ Plus Dwelling units:	15 units

FAR Built:	3.5 FAR (2 residential FAR/1.5 non-residential FAR)
Regular IZ Set-Aside Requirement:	10% of residential floor area or 5,978 sq. ft.
Regular IZ Dwelling Units:	6 units
Percent Increase in Total FAR Built:	289%
IZ Plus Set-Aside Requirement:	20% of residential floor area or 8,858 sq. ft.
IZ Plus Dwelling units:	9 units

In the example above, the maximum IZ Plus set-aside requirement would be 75% (bonus density utilized) and 20% (if bonus density not utilized). The amount of residential floor area built in any future development under the ARTS-2 zone would determine the actual IZ Plus set-aside requirement. However, given the large increase in maximum FAR permitted by the zone change, it is likely that under most development scenarios the set-aside requirement may slide between 75 percent and 95 percent of the bonus density utilized for the project to maximize the opportunity to increase the number of affordable units for lower-income residents in the Planning Area.

<sup>2</sup> The OP typically uses a density factor 1,000sq. ft. to estimate the number of dwelling units

<sup>3</sup> The percent increase between the maximum permitted FAR of the existing prior zone (RF-1) not including IZ bonus density, and the total far built in the IZ Plus Development. Under IZ Plus regulations, the RF-1 zone is prescribed a FAR of 0.9

## V. EQUITY AND THE COMPREHENSIVE PLAN

### A. EQUITY

#### FRAMEWORK ELEMENT

Equity is a broad and encompassing goal of the entire District government. The Framework Element of the Comprehensive Plan explains:

*[t]he District seeks to create and support an equitable and inclusive city. Like resilience, equity is both an outcome and a process. Equity exists where all people share equal rights, access, choice, opportunities, and outcomes, regardless of characteristics such as race, class, or gender. Equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities. Equity is not the same as equality. 213.6*

The 2011 Amended Comprehensive Plan recognizes that project review should now require a multi-faceted approach, describing equitable development as follows:

*Equitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices that reduce and ultimately eliminate disparities while fostering places that are healthy and vibrant. Equitable development holistically considers land-use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, health care, technology, workforce development, and employment opportunities. As the District grows and changes, it must do so in a way that encourages choice, not displacement, and builds the capacity of vulnerable, marginalized, and low-income communities to fully and substantively participate in decision-making processes and share in the benefits of the growth, while not unduly bearing its negative impacts. 213.7*

*Between 2006 and 2017, the supply of rental housing units expanded dramatically, while the supply of affordable units declined. Most of the new units were higher-cost, studio, one-, and two-bedroom apartments affordable to households earning at and above median income. During this period, due to new construction and rising rents of existing supply, the total supply of rental units affordable only to those households earning more than 60 percent of the Median Family Income (MFI) increased by almost 44,765. In contrast, the total supply of rental units affordable to households earning less than 50 percent of the MFI declined by approximately 22,000 units, from 72,000 units in 2006 to 50,000 in 2017. At the same time, there was a modest gain of 2,500 units affordable to households with incomes between 50 percent and 60 percent of the MFI. Almost 7,000 of the District's roughly 8,000 public housing units are currently in critical condition or worse, which may lead to a reduction in affordable housing stock for lower-income households. 206.5*

The Zoning Commission is now charged to “evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis” as referenced under Section 2501.7 of the Implementation Element. This direction to consider equity as part of the consistency analysis indicates that the equity analysis is intended to be based on the policies of the Comprehensive Plan and whether a proposed zoning action is “not inconsistent” with that plan, rather than on a separate determination about a zoning action’s equitable impact.

Applying the lens of racial equity on zoning actions including map amendments and IZ Plus requirements would target support to communities of color. The Comprehensive Plan states that

“residents of color are a majority of lower income households in the District and therefore face a disproportionate share of problems caused by housing insecurity and displacement. (206.4).

While equity is now integral for zoning actions, priorities would include affordability in future development, displacement and transportation access to employment and services. Without increased housing and affordable housing, imbalance between supply and demand incentivizes increased housing prices and costs, presenting economic challenges for lower income households.

The proposed Map Amendment would facilitate a mixed-use building including affordable housing for households earning at or below the median family income (MFI), and supported by services. The targeted action of this proposed map amendment would support equitable development while contributing to the increase in the affordable housing supply for the Planning Area.

## **B. COMPREHENSIVE PLAN MAPS**

As described in the **Guidelines for Using the Generalized Policy Map and the Future Land Use Map** (Chapter 2 Framework Element, Section 200) the maps are intended to provide generalized guidelines for development decisions and are to be interpreted broadly, as they are not parcel-specific like zoning maps. They are interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text, and further balanced against policies or objectives contained in relevant Small Area Plans and other citywide or area plans. As shown hereafter, the proposed zoning map amendment would be not be inconsistent with the map designations.

### **Future Land Use Map (FLUM)**

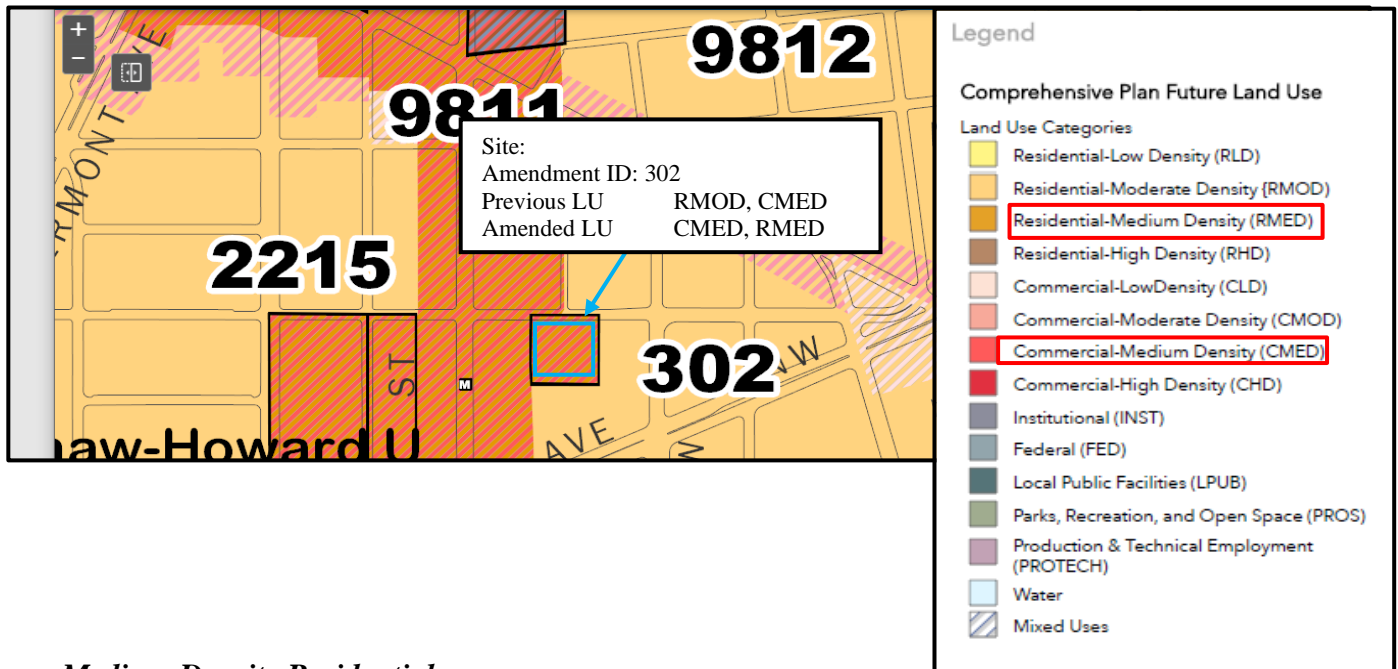
The Future Land Use Map (FLUM) indicates that the site is appropriate for Mixed Use – Medium Density Residential and Medium Density Commercial.

A variety of zoning designations are used in mixed-use areas, depending on the combination of uses, densities, and intensities. Further, the Framework Element, state that “[a] variety of zoning designations are used in Mixed Use areas depending upon the combination of uses, densities, and intensities. The City has developed a number of designations specifically for mixed use areas MU-1, MU-2, and MU-10. While the ARTS zones are not expressly referred to, the ARTS-2 zone can both be considered medium- to high density zone when considering the overall densities permitted under ZR16 compared to the density ranges stated in the Framework Element.

*Mixed Use Categories: The Future Land Use Map indicates areas where the mixing of two or more land uses is especially encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding... A Mixed Use Future Land Use Map designation should not be confused with the Mixed Use (MU) zoning districts, although they frequently apply to the same area or parcel of land. The Mixed Use Category generally applies in the following circumstances:*

- a. *Established, pedestrian-oriented commercial areas that 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;*

- c. Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist, but a plan depicting the precise location of these uses has yet to be prepared; and
- d. Development that includes residential uses, particularly affordable housing, and residentially compatible industrial uses, typically achieved through a Planned Unit Development or in a zone district that allows such a mix of uses. 227.20



### **Medium Density Residential**

*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, 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*

### **Medium Density Commercial**

*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 MU-5, MU-6, MU-7 and MU-8 although other districts may apply. 225.10*

As stated in the definitions above, the “Mixed Use” designation is not intended to be interpreted according to its separate land use categories but primarily intended for larger areas where no single use predominates, or areas where multiple uses are specifically encouraged. This designation is assigned to areas where the mixing of two or more land uses are encouraged, but is not mandatory, and is generally applied to established, pedestrian-oriented commercial areas that also include



substantial amounts of housing; commercial corridors or districts which may not currently contain substantial amounts of housing but where more housing is desired. The subject property presents opportunities for multiple uses to exist, including residential and office use as future uses by the applicant.

The property is also consistent with the locational characteristics of areas typically assigned a Mixed Use designation and is ideally located for such future development given its location a block east of 7<sup>th</sup> Street, north of Rhode Island Avenue and south of Florida Avenue, all of which are pedestrian-oriented and multi-transit corridors that already contain residential and commercial uses, and where more mixed-use development is contemplated given its proximity to multiple modes of public transportation.

The request to rezone the site to ARTS-2 is consistent with the site's designation as Mixed Use (medium density commercial/medium density residential). Not only are the height and overall density of the ARTS-2 zone consistent with what is described to be medium density in the Framework Element, but the limitation on residential density in the RF-1 zone is inconsistent with the stated preference for residential use under the guidance provided in the Small Area Plans (discussed below, Section [D](#)).

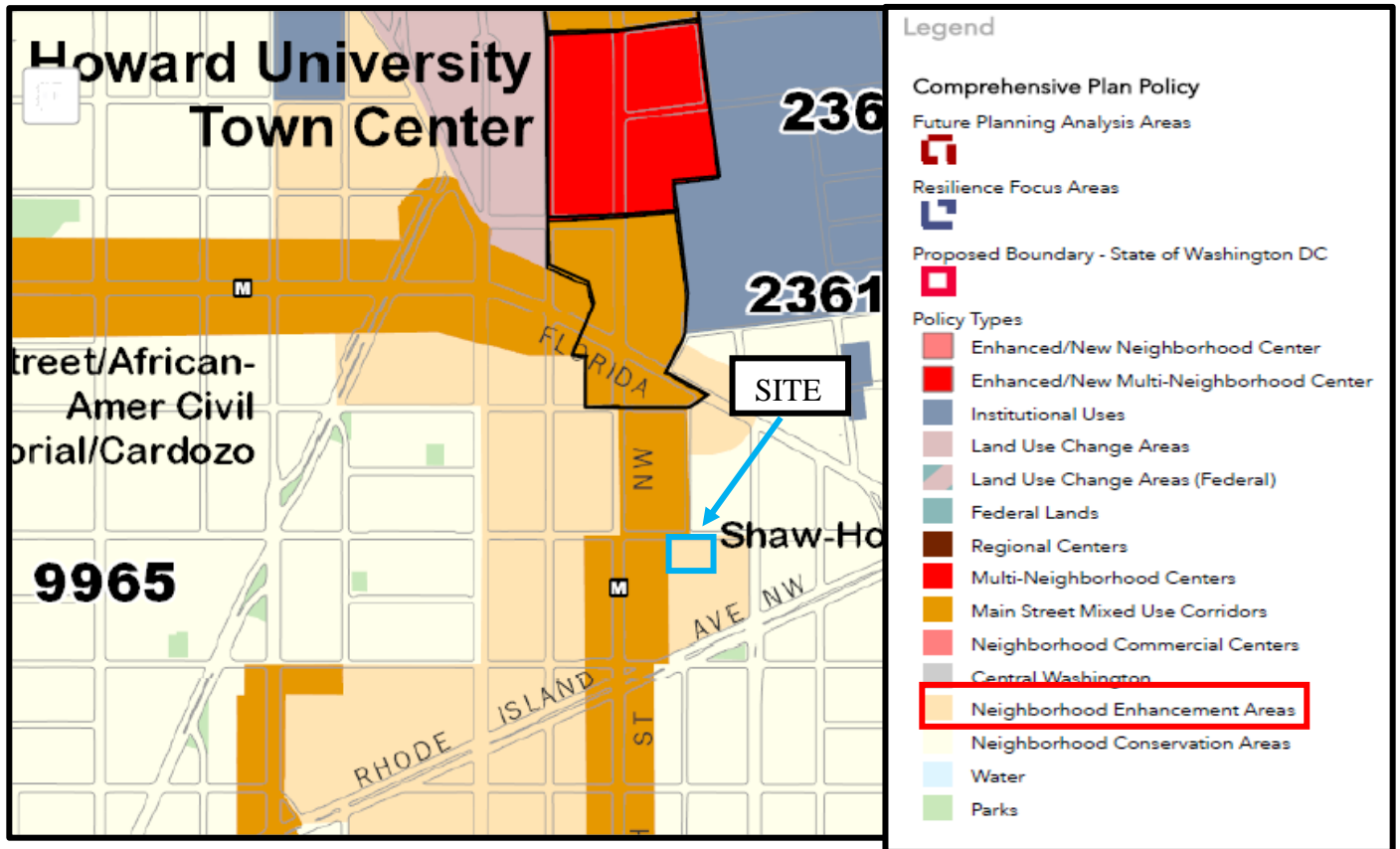
### **Generalized Policy Map**

The Generalized Policy Map indicates that the area of the proposed amendment is within the policy area designated as Neighborhood Enhancement Area.

### ***Neighborhood Enhancement Area***

*Neighborhood Enhancement Areas are neighborhoods with substantial amounts of vacant and underutilized land. They include areas that are primarily residential in character, as well as mixed-use and industrial areas. Many of these are characterized by patchwork of existing homes and individual vacant lots, some privately-owned and others owned by the public-sector or non-profit developers. These areas present opportunities for compatible infill development, including new single-family homes, townhomes, other density housing types, mixed-use buildings, and where appropriate light industrial facilities. Land uses that reflect the historical mixture and diversity of each community and promote inclusivity should be encouraged. 225.6*

The existing development of the combined property represents underutilized development when weighed against the density and uses anticipated under the FLUM. As recommended under the FLUM and permitted under the proposed ARTS-2 zone, affordable housing with supportive services and retail uses could be developed on the site, where none currently exists but is desirable given the location abutting a mixed-use corridor. Overall, the type of redevelopment enabled by the proposed ARTS-2 zone will foster both economic and housing opportunities and serve neighborhood needs.



**C. WRITTEN ELEMENTS**

The proposed map amendment would not be inconsistent with the citywide elements and the Near Northwest Area elements including policies and recommended actions with which the proposal is compatible. Future development would be transit-oriented, providing new affordable housing with contemporary design, and public benefits including for stormwater retention, energy efficiency, through the various green elements and enhanced pedestrian circulation. Its proximity to on-going development of a mixed-use corridor along 7<sup>th</sup> Street and Georgia Avenue to the north, as prescribed in the Generalized Policy Map is timely and beneficial for the District’s growth and equity.

**Citywide Elements**

**Land Use Element**

***Action LU-1.4.B: Zoning Around Transit***

*With public input, develop and use zoning incentives to facilitate new and mixed-use development, and particularly the provision of new housing, and new affordable housing in high opportunity areas to address more equitable distribution, 307.20*

***Action LU-1.4.C: Metro Station and Inclusionary Zoning***

*Encourage developments in and around Metro station areas to exceed the affordable units required by the Inclusionary Zoning Program, with appropriate bonus density and height allowances. Exceeding targets for affordable housing can refer to exceeding the quantity or depth of affordability otherwise required. 307.21*

***Policy LU-1.4.3: Housing Around Metrorail Stations***

*Build housing adjacent to Metrorail stations that serves a mix of incomes and household types, including families, older adults, and persons with disabilities, and prioritize affordable and deeply affordable housing production. Leverage the lowered transportation costs offered by proximity to transit to increase affordability for moderate and low-income households. 307.11*

***Policy: LU-2.1.8 Explore Approaches to Additional Density in Low- and Moderate-Density Neighborhoods***

*Notwithstanding Policy LU-2.1.5, explore approaches, including rezoning, to accommodate a modest increase in density and more diverse housing types in low-density and moderate-density neighborhoods where it would result in the appropriate production of additional housing and particularly affordable housing. Build upon the guidance of the April 2020 Single Family Housing Report to diversify the cost of housing available in high-opportunity, high-cost low- and moderate-density neighborhoods, especially near transit. However, neighborhood planning and engagement is a condition predicate to any proposals. Infill and new development shall be compatible with the design character of existing neighborhoods. Minimize demolition of housing in good condition. 310.15*

***Policy LU-2.1.10: Multi-Family Neighborhoods***

*Maintain the multi-family residential character of the District's Medium and High-Density residential areas. Limit the encroachment of large scale, incompatible commercial uses into these areas, and make these areas more attractive, pedestrian-friendly, and transit accessible and explore opportunities for compatible commercial development which provides jobs for nearby residents. 310.17*

***Policy LU-2.1.1: Variety of Neighborhood Types***

*Maintain a variety of neighborhoods, ranging from low-density to high-density. The positive elements that create the identity and design character of each neighborhood should be preserved and enhanced while encouraging the identification of appropriate sites for new development and/or adaptive reuse to help accommodate population growth and advance affordability, racial equity, and opportunity. 310.7*

***LU-2.3 Residential Land Use Compatibility 312***

***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. 309.8*

The proposed amendment would allow for an appropriately scaled development in the vicinity of the Shaw-Howard University Metrorail station, which would reduce the necessity of auto use and ownership in support of a related reduction in household expenses for future residents. The policies highlighted housing and mixed uses at such locations and the proposed map amendment would support redevelopment of the site to meet the expectations of equity in transportation accessibility. Further, rezoning of the site would permit ground floor uses that would help to maintain neighborhood services and character of the existing neighborhood.

**Housing Element**

***Housing Goal***

*The overarching goal for housing is to provide a safe, decent, healthy, and affordable housing supply for current and future residents in all of Washington, DC's neighborhoods by maintaining and developing housing for all incomes and household types. The overall goal for the District of Columbia is that a*

*minimum of one third of all housing produced should be affordable to lower-income households. The short-term goal is to produce 36,000 residential units, 12,000 of which are affordable, between 2019 and 2025. 501.1*

***Policy H-1.1 Expanding Housing Supply***

*Expanding the housing supply is a key part of the District's vision to create vibrant neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs... 503.1*

***Policy H-1.1.1: Private Sector Support***

*Encourage or require the private sector to provide both new market rate and affordable housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.3*

***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. 503.5*

***Policy H-1.1.4: Mixed Use Development***

*Promote moderate-to high mixed-use development, that includes affordable housing on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed-use corridors and high-capacity surface transit corridors, and around Metrorail stations. 503.6*

***Policy H-1.2.3: Affordable and Mixed-Income Housing***

*Focus investment strategies and affordable housing programs to distribute mixed-income housing more equitably across the entire District by developing goals and tools for affordable housing and establishing a minimum percent affordable by Planning Area to create housing options in high-cost areas, avoid further concentrations of affordable housing, and meet fair housing requirements. 504.10*

***Policy H-1.2.6: Build Nonprofit Sector Capacity***

*Actively involve and coordinate with the nonprofit sector, including faith-based institutions, to meet affordable housing needs, including housing construction and housing service delivery... 504.14*

***Policy H-1.2.9: Advancing Diversity and Equity of Planning Areas***

*Proactively plan and facilitate affordable housing opportunities and make targeted investments that increase demographic diversity and equity across Washington, DC. Achieve a minimum of 15 percent affordable units within each Planning Area by 2050. Provide protected classes (see H-3.2 Housing Access) with a fair opportunity to live in a choice of homes and neighborhoods, including their current homes and neighborhoods. 504.17*

***Policy H-1.2.11: Inclusive Mixed-Income Neighborhoods***

*Support mixed-income housing by encouraging affordable housing in high-cost areas and market rate housing in low-income areas. Identify and implement measures that build in long-term affordability, preferably permanent or for the life of the project, to minimize displacement and achieve a balance of housing opportunities across the District. 504.19*

***Action H-1.2.J: Affordable Housing and Nonprofit and Faith-Based Institutions***

*District agencies should work collaboratively with nonprofits and the faith community to investigate zoning options to reduce procedural burdens and facilitate the development of affordable housing and community services on properties under their control, particularly sites in lower density neighborhoods. 504.31*

The proposed map amendment is consistent with the above housing policies. The ARTS-2 zone would permit future development with additional density to support expanding the housing supply, including additional IZ units or all affordable units within a mixed-use development. The location of the property across from the Metrorail station and within walking distance of access to 11 bus routes, is identified as an area for increased residential uses and retail/service uses on underutilized land. The map amendment would support the Framework Element's equity requirements for a desirable depth of affordability and access, which reduces future households' transportation costs thereby providing easier access to employment and services. The application of IZ Plus will further affordable housing.

**Transportation Element**

*Although the District has already developed walkable, transit-oriented neighborhoods, future opportunities will arise to strengthen the linkage between land use and transportation as new development takes place. Design features play an important role in this equation. Residential communities should be developed so that services, such as shopping, are accessible by walking, taking transit, or riding a bicycle—not just by driving a car...403.2*

***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. Encourage development projects to build or upgrade the pedestrian and bicycle infrastructure leading to the nearest transit stop to create last-mile connections. Pedestrian movements and safety should be prioritized around transit stations. 403.10*

The proposed map amendment would support transit-oriented development within a transit-accessible neighborhood, could provide opportunities to lower-income residents who would be able to access employment, nearby schools and services without the burden of high transportation costs and loss of valuable time to access such needs.

**Environmental Protection Element**

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

- ***Policy E-1.1.2: Urban Heat Island Mitigation***
- ***Policy E-2.1.2: Tree Requirements in New Development***
- ***Policy E-3.2.2 Net-Zero Buildings***
- ***Policy E-3.2.3: Renewable Energy***
- ***Policy E-3.2.5: Reducing Home Heating and Cooling Costs***
- ***Policy E-3.2.6: Alternative Sustainable and Innovative Energy Sources***
- ***Action 3.3.L: Reduce Residential Construction and Demolition Waste***
- ***Policy E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff***

While new construction is not explicitly a part of this application, future redevelopment of the property would be encouraged by the District's Department of Energy and the Environment (DOEE) and new code improvements to implement the District policies implied and encouraged under the Sustainable DC Plan and building code requirements which protects the health and well-being of residents across all incomes and the District as a whole.

#### **D. Near Northwest Area Element**

The Near Northwest Area Element, within which the Site is located, provides further guidance as to whether there is a preference for one use over another. Specifically, the Site is located within the Convention Center Plan and the DUKE Plan (collectively the "Small Area Plans").

Between 2000 and 2017, the demographics of the Planning area shifted, with an increase in the white population from 62.7 percent to 69.4 percent and a decrease in the Black population from 23.7 percent to 13.7 percent by 2017. The Asian and Hispanic/Latino population increased in both percentage and in total number of residents. In comparison with the rest of the District, Near Northwest now has a higher percentage of Whites, Asians and Hispanic/Latinos, and a lower percentage of Black residents. (§ 2103.3)

Concurrently, between 2000 and 2017 the Planning Area experienced an increase in the number of vacant units when in 2000, 7.5 % of the area's housing units were vacant. That figure increased to 11.2 percent in 2017, which was higher than the District-wide vacancy rate of 9.8 percent. (§2104.2). In addition, in 2017 the percentage of owner-occupied housing units increased slightly to 37 percent and renter-occupied units decreased slightly to 63 percent (§2104.3). The OP 2019 Housing Equity Report identified the Planning Area as having an affordable housing production goal of 1,250 units by 2025. At the time the report was written, the planning area had only 270 units in the affordable housing pipeline and was short of 980 affordable housing units.

The current RF-1 zone permits moderate-density attached and semi-detached single-family and flats per lot, which limits the provision of a greater number of housing units available to all income levels, but particularly to lower-income households at desirable transit accessible locations. The proposed ARTS-2 zone would permit an increased housing density, that could provide more units per acre than the single-family/flat housing. The proposed map amendment could potentially increase the supply to help mitigate pressure on the neighborhood's housing costs overall and would increase the ability to provide housing for a variety of household sizes and income levels.

Further, additional affordable housing could be realized through an IZ Plus set-aside. The IZ program requires affordable housing units to be available to households earning either no more than

60% MFI for rental housing or 80% MFI for ownership housing. Thus, the potential for affordable housing units that could be created under an ARTS-2 zone would be substantially higher than if the property were not rezoned. The policies and recommendations provided by the Near Northwest Area Element and the small area plans clearly promote mixed-use development with a preference for residential use over commercial use.

These policies and actions should be considered in tandem with those in the citywide elements of the Comprehensive Plan. 2108.1

***Policy NNW-1.1.1: Residential Neighborhoods***

*Maintain and enhance the historic, architecturally distinctive mixed-density character of Near Northwest residential neighborhoods, including Burleith, Georgetown, Foggy Bottom, Dupont Circle, Sheridan-Kalorama, Logan Circle, Mount Vernon Square, and Shaw. Ensure that infill development within these areas is architecturally compatible with its surroundings and positively contributes to the identity and quality of each neighborhood, while providing new housing opportunities, especially affordable housing options. 2108.2*

***Policy NNW-1.1.8: Affordable Housing***

*Preserve the existing stock of affordable housing in the Near Northwest Planning Area. by bringing to bear new measures to preserve and produce affordable housing in a way that advances fair housing goals and minimizes displacement. 2108.8*

***Policy NNW-1.1.9: Affordable Housing***

*Protect the existing stock of affordable housing in the Near Northwest Planning Area, particularly in the Shaw and Logan Circle neighborhoods. Sustain measures to avoid displacement, such as tax relief and rent control, and to encourage the production of new affordable housing throughout the community. 2108.10*

The proposed amendment would be consistent with all of these policies and allow for the property to be redeveloped with a residential building, including affordable units, ground floor retail and service uses for DC residents. The development would be consistent with the direction to direct growth to the Shaw area and would allow for a development that contributes to the identity and quality of the neighborhood.

***NNW-2 Policy Focus Areas 2110***

The Comprehensive Plan identifies five areas in the Near Northwest as “*policy focus areas*” indicating that they require a level of direction and guidance above that in the Area and Citywide Elements. The subject property is identified as being within the **Shaw/Convention Center Area.** Based on the recommendation for further direction and guidance, the Plan identifies that in 2005 OP completed the *Convention Center Area Strategic Development Plan to guide development, revitalization, and conservation of this area.* The Plan states that the *Convention Center Area Strategic Development Plan* identified several issues, including the need to protect affordable housing, generate new quality housing, revitalize local businesses, improve sidewalks and public space, upgrade parks and public facilities, provide stronger design controls, and expand the Shaw Historic District.

***Policy NNW-2.1.1: Affordable Housing***

*Protect existing affordable housing within the Shaw/Convention Center area and produce new affordable housing and market rate housing on underutilized sites. Use a range of tools to retain and develop affordable housing in the study area, including tenant organization and public education, inclusionary zoning, renewing project-based Section 8 contracts, tax abatements, public-private partnerships, and including affordable housing when development on publicly owned land includes a residential component. 2111.5*

***Policy NNW-2.1.3: Shaw/Howard University and Mount Vernon Square Metro Stations***

*Encourage mixed-income residential development with underground parking adjacent to the Shaw/Howard and Mount Vernon Square Metro stations, particularly on existing surface parking lots and Metro station entrances. 2111.7.*

***Action NNW-2.1.D : New Housing***

*Provide incentives for mixed-income housing above retail space on 7th and 9th streets and encourage development of multi-family apartments and condominiums on parcels that are vacant or that contain buildings identified as non-contributing to the Shaw Historic District on 11th Street. 2111.16*

The proposed map amendment would support matter-of-right, new affordable housing units on an underutilized property at this vibrant intersection. It would also be in harmony with the focus on equity particularly as it complements the land use, transportation and environmental protection policies of the Comprehensive Plan.

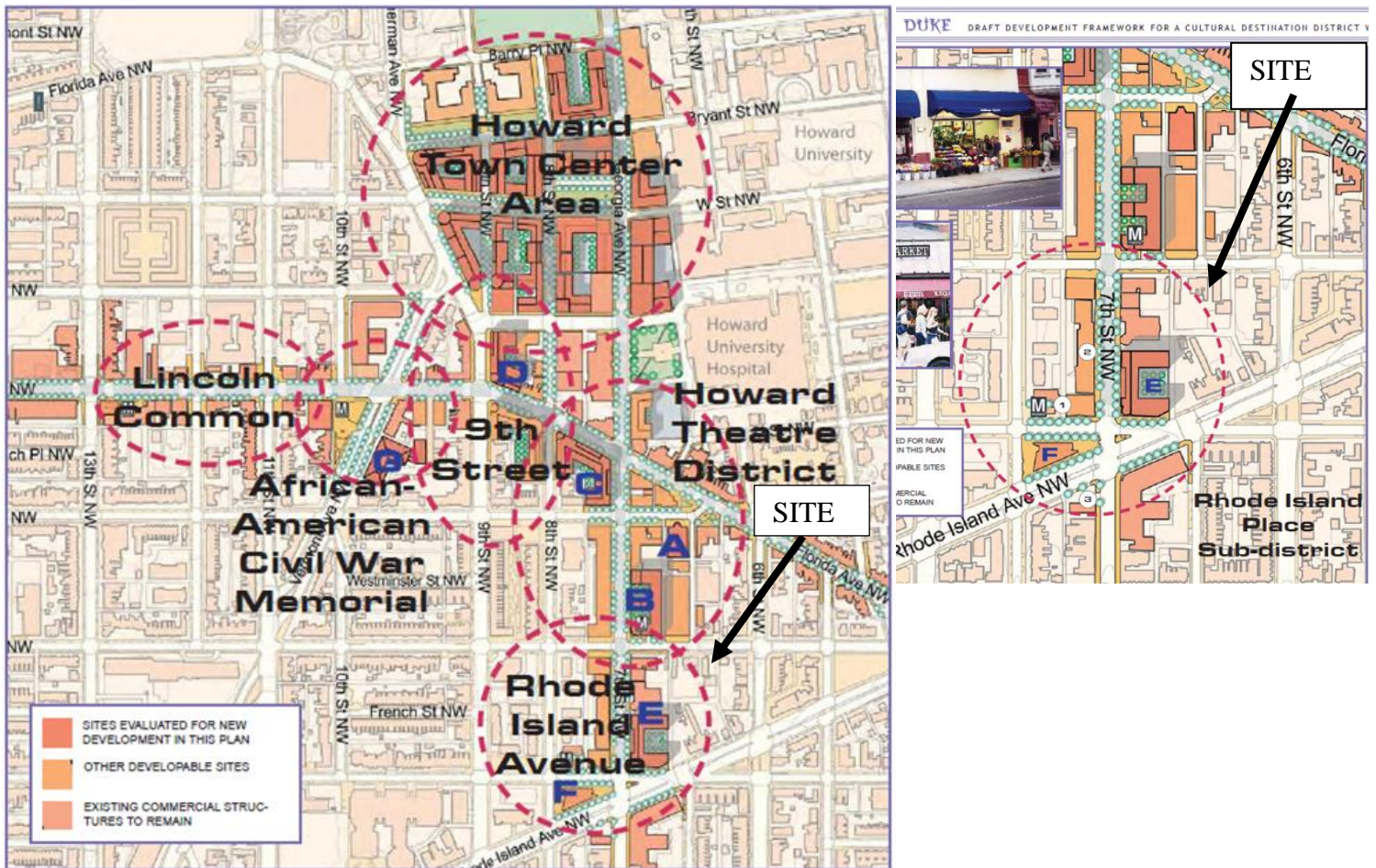
The policies to preserve and protect the row house character and family-sized units, [LU-2.17 Row House Neighborhood Character and LU-2.1.9 Alterations to Row Houses and Apartments] presents conflicts with the proposal to redevelop the site, which is currently developed with row-structures. However, the District's desire to meet its affordable housing goals (with family-sized units) at transit accessible locations, outweighs the loss of fewer bedroom units within the RF-1 district, than anticipated by the higher density afforded through the ARTS-2 district. The family of plans in conjunction with the FLUM clearly demonstrate a preference for more family-sized units at transit accessible locations.

**E. SMALL AREA PLANS**

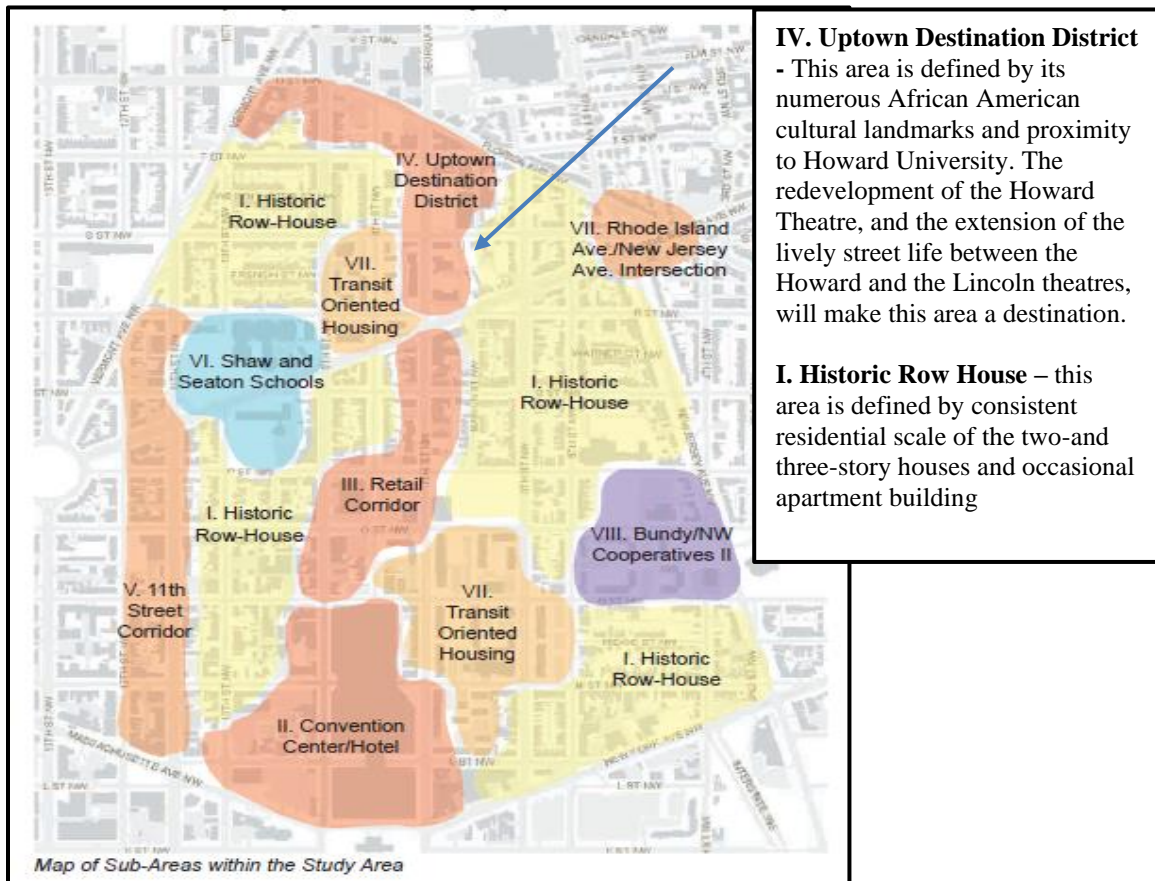
The property is within the boundaries of the *DUKE PLAN- Development Framework for a Cultural Destination District within Washington, DC's Greater Shaw/U Street*, approved by the DC Council on June 21, 2005 (PR 16-176) (Duke Plan) and within the boundaries of the *Convention Center Strategic Development Plan*, approved by the DC Council, June 20, 2006 by Resolution 16-0687.



### DUKE Plan



The Duke Plan provides guidance based on technical land development analysis, community input and the area’s locational advantages to provide direction to the community, private sector and public agencies in revitalizing the transit area neighborhood, as well as to achieve a cohesive and inclusive district which meets the community and District goals. The Plan (at page 13 (reproduced above) shows the Plan area divided into six sub-areas. This property is slightly east of the boundaries of intersection of the Rhode Island Avenue Area E and Howard Theatre District B, and identified on the legend as a site where “existing commercial structures are to remain.” However, based on its location and the direction of the FLUM, the map amendment would encourage a mixed-use project consistent with the goals for the Rhode Island Avenue Sub-District, which prioritizes residential development. The applicant also envisions ground floor uses which would support the ARTS district’s goals and the goals of Howard Theatre Sub-District to the north- which is envisioned as a vibrant center and a complete destination with outdoor cafes, restaurants and other destination uses (Duke Plan, page 14)



### Convention Center Area Strategic Development Plan

Convention Center Area Strategic Development Plan is divided into sub areas. This property is on the borders of the Sub-Area IV, Uptown Destination District and Sub-Area I, Historic Row House.

The vision for Sub Area 4: Uptown Destination District is for an area with ground floor retail complemented by new trees, lights and public art with upper floor residential use and are challenged to include mixed developments with 20% to 30% affordable units. The development objective for the Historic Row District is to construct new housing on vacant or underutilized land that would be consistent with the neighborhood character. The applicant has stated that in 2017 a memorandum of understanding was created between the applicant (Manna Inc.) and the ANC 6E to retain the façade of the existing row dwellings in future development. In addition, future development is projected to include affordable housing as desired by the Uptown Destination District.

The proposed map amendment would not be inconsistent with the recommendations of the Convention Area Strategic Plan and would support development envisioned by the Plan, and consistent with proposed development in the vicinity, while providing a transition to the row house character to the east.

### **VI. COMMUNITY COMMENTS**

The ANC 6E voted in support of the application at its regularly held meeting on October 5, 2021.

## **VII. SUMMARY AND RECOMMENDATION**

The proposed map amendment from the RF-1 to the ARTS-2 zone would prioritize future redevelopment of the site with a mix of medium density residential and commercial uses, including a desirable depth of affordable housing, minimum displacement, and transportation access to opportunities for its future residents. It would help the District towards attaining its affordable housing goals identified in the Housing Equity Report (2019) and also help the Planning Area achieve its production target of 980 affordable units by 2050.

Therefore, OP recommends the Commission **set down** the proposed map amendment as it is not inconsistent with the Comprehensive Plan FLUM and General Policy Map, guidance provided by the Framework Element's equity provision, which underlies the policies of the land use, housing, transportation, environment, and the Near Northwest Area elements of the Comprehensive Plan, the DUKE Plan and the Convention Center Strategic Plan, as summarized in this report.