

Analysis of Consistency with the Comprehensive Plan With a Focus on Racial Equity

This document analyzes the Application’s consistency with the Comprehensive Plan (“Plan”)¹ with a particular focus on the Application’s effect on advancing racial equity in the District. The latter emphasis responds to the Plan’s directive that the Commission “evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.”²

I. Summary

In sum, the Application is not inconsistent with the Plan, when considering as a whole the Plan’s two maps, the Plan’s sharpened focus on racial equity, and the individual policy objectives of the District Elements, Lower Anacostia Waterfront/Near Southwest Area Element, and Buzzard Point Vision Framework and Design Review Guideline (“Buzzard Point Framework”). To the extent the Project is not fully consistent with any individual objectives of the Plan, this analysis demonstrates that the Project is not inconsistent with the Comprehensive Plan as a whole.

In identifying racial equity as a primary lens for the Commission’s review, the Plan notes that equity considerations include both the substantive (“rising costs and inequitable access to opportunity . . . for housing . . . businesses, employment, and other necessities”³) and the procedural (“a participatory approach for meeting the needs of underserved communities”).⁴ More specifically, in this proceeding racial equity includes (i) substantively, an evaluation of direct displacement effects, affordable housing, access to opportunities, and a balanced sharing of the benefits and impacts of development, and (ii) procedurally, participation in the decision-making process.

- **Maps:** The height, density and mix of uses proposed for the Project are consistent with the Zoning Map, Future Land Use Map and Generalized Policy Map designations for the Property.
- **Racial Equity:** The Project will create new housing on a site that is currently occupied by an industrial use — a concrete batching plant — and will include affordable housing consistent with the District’s Inclusionary Zoning program. From an equity perspective the Project increases housing opportunities and affordable housing opportunities in a soon-to-be amenity-rich neighborhood without causing any direct displacement of residents or local businesses. Additionally, the Project will include ground-floor retail uses and will thereby provide opportunities for new jobs in Southwest DC, including from construction jobs for the Project’s development as well as full time hourly and salaried employment. Significantly, the Project will replace a use that is not otherwise consistent with surrounding residential uses. The concrete plant involves truck traffic, dust and noise. The Project will replace these elements with a thoughtfully designed circulation plan that supports safe pedestrian traffic and helps mitigate impacts from vehicular traffic.

¹ See 11-X DCMR §§ 304.4 and 604.5.

² 10-A DCMR § 2501.8 (2021).

³ *Id.* § 107.21.

⁴ *Id.* § 213.7. See also *id.* §§ 213.6 and 213.9 (“Equity is both an outcome and a process.”).

- District Elements: The Project directly advances numerous individual policy objectives in the Land Use, Transportation, Housing, Environmental, Urban Design, and Implementation Elements.
- Area Element/Buzzard Point Framework: The Project helps implement the Area Element and Buzzard Point Framework, especially as such documents focus on inclusive development, publicly-accessible open spaces, multi-modal streets, and resilient design.

II. Analysis

The matrix below evaluates the consistency of the Application with the Plan. Potential inconsistencies are noted as *bold / italicized* and addressed below. The construction of new development often involves trade-offs, and the Project is no exception.

Most significantly, the Project is not at all inconsistent with the Land Use Element and attendant maps, which are to be evaluated as having the greatest weight of any portion of the Plan. The Project’s consistency with the Land Use Element’s density, use mix, housing and job creation objectives, combined with the similar consistency with the affordable housing and resilience civic priorities outweigh the identified potential inconsistencies. None of the inconsistencies noted below, whether individually or considered collectively, justify finding that the Application is inconsistent with the Plan and Buzzard Point Framework when considered “*as a whole*”.⁵ In totality, the Application is broadly consistent with the Plan and Buzzard Point Framework as demonstrated in the foregoing analysis of more than 250 policies from the Plan and two dozen principles and recommendations in the Buzzard Point Framework.

Comprehensive Plan Element		Analysis
Maps	Future Land Use Map : High Density Residential/High Density Commercial (allows FAR of greater than 6.0)	The mixed-use Project, with an effective FAR of 7.92 ⁶ is not inconsistent with this designation. Moreover, the Project mixes residential and commercial uses consistent with the mixed use designation for the Property.
	Generalized Policy Map : Neighborhood Enhancement ⁷ and Resilience Focus Areas	The Project is not inconsistent given the proposed amount of residential uses within the Project and the design in response to the surrounding neighborhood character. The Project’s new housing is consistent with the high density designation. “Resilience Focus Areas” contemplate future planning to encourage neighborhood scale and site-specific climate adaptive

⁵ The Commission’s review must consider the Plan “read as a whole”, and if the Commission approves an application that is inconsistent with one or more individual policies reflected in the Plan, “the Commission must recognize these policies and explain why they are outweighed by other, competing considerations.” See *Wheatley v. District of Columbia Zoning Commission*, 229 A.3d 754, 759 (2020).

⁶ The Project’s effective FAR is as calculated based on the land area of Phase I.

⁷ *Id.* §§ 225.6-225.7 (“neighborhoods with substantial amounts of vacant and underutilized land” which “include areas that are primarily residential in character; as well as mixed-use and industrial areas” and where new development should “fit[] in and respond to the existing character” and where “new housing [is] encouraged to improve the neighborhood and must be consistent with the land use designation on the Future Land Use Map.”)

		and resilient design. The southeast corner of the Property is located within the 500-year floodplain, and the Project will be constructed to be above the floodplain and will incorporate flood protection for the Project's below grade parking. The development team continues to coordinate with the District Department of Energy and Environment (DOEE) to ensure that the Project design meets the District's resilience objectives.
	Overall:	The Project is fully consistent with the Plan's two Maps.
Racial Equity Analysis	Affordable Housing and Family-Sized Units	The Project will create new housing on a site that is currently devoted to industrial use and will be consistent with the Inclusionary Zoning program. This housing will benefit the District's Black and low-income residents by providing new housing and affordable housing opportunities within an overall inclusive development.
	No Displacement	The Property is currently occupied by an industrial use, and the Project does not displace any existing residents or businesses aside from the existing concrete batching plant. The creation of approximately 434 new residential units, including affordable units, will support, rather than destabilize, existing low-income Black and other residents who live in Southwest DC.
	Access to Opportunity	The Project will add approximately 17,495 square feet of retail use to Southwest DC and the accompanying job opportunities for future employees to support the area.
	Balancing of Benefits and Impacts	For the nearby residents of Southwest who will live through the Project's construction, the Project will ultimately bring many benefits including: new housing, including affordable housing; new retail use and accompanying job opportunities; and a contribution to the overall improvement of the condition of Buzzard Point as a newly-emerging mixed-use neighborhood that will improve the quality of life for existing neighbors and future residents. The Project eliminates an industrial use that is not otherwise consistent with neighboring residential uses and will instead provide a safe pedestrian network of sidewalks and implement effective mitigation measures for its vehicular traffic. The Project helps to further create a critical mass of residents and amenities in Buzzard Point, which helps justify future public investments in neighborhood-serving transit, infrastructure, public services, and healthcare. The Project also represents an initial step in the Applicant's overall development plans for the area, which will allow area residents and visitors to enjoy the rich amenities inherent in the waterfront and location along the South Capitol Street corridor.
	Participation	The Project has gone through a robust public process with multiple sets of meetings with the ANC. The Applicant has made itself available for discussing the Project with any interested neighbors or community groups to the maximum extent possible given the public health situation in the District.

	Overall:	Substantively, the Project advances substantive racial equity goals of housing and affordable housing, job creation, sharing of benefits, avoiding displacement, and removing an industrial use. Procedurally, the Project team has initiated a sustained participatory process that has and will continue to allow for “meaningful involvement” in the development process.	
District Elements	Land Use Element (ch. 3)	The Project balances the myriad and sometimes competing objectives of the Land Use Element of the Plan, which is the Element that should be given the greatest weight. ⁸ In general, the Project’s uses, high density, and quality design advance the objectives of this Element. The Project is pedestrian-oriented and includes high-quality architecture, new housing and affordable housing, and new retail uses to serve the area. Community engagement was a priority in the Project’s development, and no residents are displaced as a result of the Project. LU-1.2.4	
	More specifically and consistent with the Land Use Element, the Project:		
	Is a high-density development constructed to its Height Act limit in a manner compatible with the surrounding Buzzard Point (i.e., setback and away from lower scale development to the north) and appropriate for the growing, densifying District	LU-2.4.4	LU-2.4.6
	Adds density, housing diversity and affordability, on land currently devoted to industrial use and in a manner that is compatible with the emerging high-density scale of the existing neighborhood	LU-2.1.5	LU-2.1.1
	Revitalizes an underutilized parcel of land along the South Capitol Street corridor within the Central Employment Area, representing quintessential “infill development” allowing for the efficient and productive use of the Property as part of an overall vision to better connect the development to the waterfront to the east and help elevate South Capitol Street as an important monumental boulevard	LU-1.4.6	LU-1.5.1 LU-2.1.2 LU-2.1.3 LU-3.2.4
	Integrates the development of the Property into the new Buzzard Point urban fabric by creating a dynamic, pedestrian-focused streetscape design along and connecting to South Capitol Street and achieving a compelling design to complement view corridors facing north toward the Capitol Dome and east toward the riverfront	LU-1.3.6	LU-1.5.1 LU-2.2.4
	Combines land use and transportation planning by (a) providing 264 parking spaces, an amount that responds to site- and use-specific parking demand, (b) locating all parking below-grade or removed from public streets to maintain an attractive street environment, (c) including transportation demand elements that address any potential parking and traffic impacts, (d) prioritizing pedestrians and cyclists along Half, S Streets and South Capitol Streets SW, (e) incorporating a through alley to accommodate parking and loading access and alleviate traffic pressures on public streets; and (f) avoiding any sort of auto-oriented commercial strip development	LU-2.1.11	LU-2.3.2 LU-2.4.5 LU-2.4.8
	Advances a site-specific resilient design and actively anticipates future flood risk by constructing the Project to be above the 500-year floodplain	LU-1.1.2	LU-1.2.8
	Transportation Element (ch. 4)	The Project advances the pedestrian, cycling, safety, public space, and parking optimization objectives of the Transportation	

⁸ *Id.* §§ 300.3, 2504.6 (“the Land Use Element . . . should be given greater weight than the other elements”).

	Element and is accompanied by a robust analysis and TDM measures.	
Consistent with the Transportation Element of the Plan, the Project:		
Builds and improves pedestrian infrastructure in a safe manner that (a) improves the overall Buzzard Point pedestrian and cycling network, (b) creates multimodal connections to the new infrastructure around the Frederick Douglass Bridge, and (c) manages on-site traffic via through alley to alleviate traffic pressure along S Street and the South Capitol Street right of way		T-1.1.4 T-1.2.4 T-2.2.2 T-2.4.1 to T-2.4.3 T-2.5.1
Avoids auto-oriented uses and limits new curb cuts to the minimum number necessary for the Project’s functioning, incorporating through alley to provide necessary site access and circulation		T-1.2.3
Constructs significant enhancements to public space to support an active and generous pedestrian environment		T-1.4.1 T-1.4.2
Includes a multimodal transportation impact assessment with mitigation measures and delivers a robust TDM package		T-1.1.2 T-3.1.1
<p>Adds density and uses in Buzzard Point that will ultimately help justify adding regional transit options to Southwest and Buzzard Point and further equitable, “first mile/last mile”, and “transit-accessible employment” transit objectives of the Plan’s Transportation and Housing Element, especially when viewed through a racial equity lens</p> <p><i>Transit access is a major theme of the District Elements of the Plan, particularly for underserved, vulnerable populations, a theme echoed with more particularity for Buzzard Point specifically in the Area Element and Buzzard Point Framework. Currently, Buzzard Point has a reasonable amount of transit service (the neighborhood is located less than one mile walk from two Metro stations on an established urban grid, and it is directly served by a bus line). While the Property lacks the more robust transit options enjoyed in other neighborhoods (e.g. closer Metrorail stations, streetcar service, and/or more extensive bus service through multiple lines or DC Circulator service), this is an issue applicable to all new development in Buzzard Point, which historically has had only a very small residential population that generally did not justify more than the one WMATA bus line serving the neighborhood. For the Project’s future residents, the lack of transit could become a challenge, but one that is best remedied by the future build out of Buzzard Point with a critical mass of residents who will justify investment in transit services.</i></p>		T-1.1.7 T-2.1.1 T-2.1.6 T-2.6.1 T-2.6.2 H-4.1.3 T-1.3.3
Housing Element (ch. 5)	The Project helps satisfy the District’s goal of 7,960 new units in the Lower Anacostia/Near Southwest planning area, including affordable housing consistent with the Inclusionary Zoning program and the District’s housing goals. H-1.2.2, H-1.2.3, and H-1.2.9	
Consistent with the Housing Element of the Plan, the Project:		
Is a private-sector-led, high-density, mixed-use development with market rate and affordable housing that (a) is consistent with the density designation for the Property, (b) helps meet present and long-term housing needs for Southwest DC, an area designated for housing growth, (c) redevelops underutilized land in a way that helps “create vibrant street life and to support the restaurants, retail, entertainment, and other amenities” along the Anacostia River, (d) minimizes future displacement effects, and (e) balances		H-1.1.1 H-1.1.2 H-1.1.3 H-1.1.4 H-1.1.6 H-1.1.8 H-1.2.1

	housing opportunities in Southwest DC (i.e., by adding market rate housing in an emerging submarket and building in affordability in anticipation of future rent growth)	H-1.2.11
	Creates approximately 434 new residential units, including affordable units consistent with Inclusionary Zoning, to ensure inclusive growth in the area that serves residents of all income levels	H-1.2.3 H-1.2.11
	Does not displace any existing residents or convert any existing housing and provides a mix of affordable units that will help mitigate displacement elsewhere in Southwest and help redress historic redlining harms	H-2.1.4 H-2.2.1 H-3.2.3
	Is being developed consistent with (a) the Buzzard Point Framework which takes a “whole neighborhood” view of the development of Buzzard Point (i.e., to ultimately include services, schools, job training, childcare, services for older adults, food access, parks, libraries, gardens, health care facilities, transit, and emergency services) even if the Project does not include those items and (b) sustainable design and resiliency goals	H-1.4.6 H-1.6.1
Environmental Element (ch. 6)	The Project proactively advances the climate resiliency, stormwater, renewable energy, and energy efficiency objectives of the Plan.	
Consistent with the Environmental Element of the Plan, the Project:		
	Advances climate resilience objectives consistent with the District’s civic priorities by, among other things, constructing the Project to be above the 500-year floodplain, incorporating green roof features and bioretention, and utilizing majority native species for landscape plantings	E-1.1.1 E-1.1.5 E-1.1.6 E-2.1.3 E-2.5.3
	Incorporates a heavy amount of landscaping and tree planting to (a) reduce adverse heat island impacts, (b) capture and manage stormwater as part of climate resilience and general infrastructure resilience priorities, and (c) improve the overall quality of the environment in the vicinity of the Anacostia River	E-1.1.2 E-1.1.4 E-2.2.1 E-4.1.1 to E-4.1.3 IN-2.2.1 IN-2.2.2
	Complies with green building methods, helps raise awareness of those methods, and mitigates and anticipates environmental impacts through stormwater capture, water and energy efficiency measures, and other sustainable elements	E-4.2.1 E-4.2.2 E-4.4.1
	Includes an evaluation of climate and resiliency measures and facilities consideration of environmental remediation measures. <i>Broadly, the Plan encourages impact assessments that consider environmental and other impacts before any decision is made. Because the Project is located within the Central Employment Area, it is categorically exempt from such environmental analysis pursuant to District of Columbia law. Furthermore, such reviews are not mandatory requirements in the Plan and are not typically included as part of design review cases. Notwithstanding this exemption, climate and resiliency impacts have been evaluated as a part of this zoning application, and the development team will continue to work with DOEE to ensure that the Project furthers the District’s resiliency objectives</i>	E-5.1.3 IM-1.1.1
	Provides TDM measures, multi-modal enhancements, and other measures to reduce vehicle-related emissions (see also the Transportation Element analysis above)	E.5.1.5

Urban Design Element (ch. 9)	The Project advances multiple urban design objectives by achieving a superior urban design that will elevate the South Capitol Street view corridor and establish a strong architectural character for the immediate area as it continues to develop.
Represents a strong design character commensurate with the Property’s location along the South Capitol Street right of way, drawing directly on the two primary view corridors the Project will support — north along South Capitol Street and east toward the waterfront	UD-1.1.3 UD-1.2.4 UD-1.3.8 UD-1.4.1 UD-1.4.2 UD-1.4.3 UD-1.4.4
Creates a dynamic and engaging façade design, activating ground-floor design and generous setbacks to create a vibrant pedestrian zone, as well as focusing loading, service, and vehicular activity on the proposed through alley to the north in order to emphasize the pedestrian-friendly nature of the surrounding street network	UD-2.1.2 UD-2.1.6 UD-2.1.7 UD-2.2.1 UD-2.2.5 UD-4.2.2 UD-4.2.4
Infrastructure Element (ch. 13)	The Project is served by adequate infrastructure, which will be updated as necessary as part of the construction of the Project.
Consistent with the Infrastructure Element of the Plan, the Project:	
Is served by adequate infrastructure, and the Applicant’s team will work with PEPCO, DC Water, and other service providers on the location, scale, and scheduling/timing of facilities to meet future development and neighborhood demand, fees for which are paid at the time of obtaining a building permit	IN-5.1.1 IN-5.1.2 IN-6.1.1 IN-6.1.3 IN-6.2.2 IM-1.1.3
Implementation Element (ch. 12 and 25)	The Project is consistent with the implementation objectives of the Plan, including those specifically applicable to the Zoning Commission’s review of the Applications.
Consistent with the Implementation Element of the Plan, the Project:	
Considers, and provides this analysis to allow the Commission to evaluate the Project against the Plan’s overlapping policy objectives as part of a design review case	IM-1.1.5 IM-1.3.3 IM-1.3.4
Was developed as part of a robust public process that included meaningful ANC participation in the design of the Project and its program	IM-1.5.1 to IM-1.5.3 IM-1.5.5
Is consistent with the existing Buzzard Point Framework	IM-1.2.1
Uses additional height and density to achieve other objectives of the Plan including housing and affordable housing and other goals that advance racial equity outcomes	IM-1.1.4
Includes a transportation study (with recommended conditions to mitigate potential impacts)	IM-1.1.6
District Elements Overall	The Project is not inconsistent with the Land Use Element, which is the most heavily weighted Element of the Plan. Modest inconsistencies with individual policy objectives of other District Elements are significantly outweighed by the Project’s overall consistency with the Plan’s District Elements.

Area Element	Lower Anacostia Waterfront/Near Southwest (ch. 19)	The Project is part of a new mixed-use development on underutilized land in Buzzard Point, including approximately 434 units of new housing, including affordable housing, and ground-floor retail uses. AW-1.1.2.	
	Consistent with the Area Element, the Project:		
	Provides a high-quality building within the South Capitol Street corridor and appropriately configures the building envelope to frame the South Capitol and waterfront scenic vistas		AW-2.2.1 AW-2.2.2
	Is resilient to future hazard conditions by being constructed above the floodplain with protective measures for below-grade parking, thereby not exacerbating flood risks elsewhere		AW-1.1.5 AW-1.1.6 AW-2.6.4
	Incorporates a through alley to alleviate vehicular traffic on public rights of way and create a pedestrian-focused environment within the public realm surrounding the Project		AW-1.1.11
	Includes affordable housing units consistent with the District's Inclusionary Zoning program		AW-2.5.4 AW-2.5.11
	Employs innovative design, architecture, and materials and does not introduce any barriers to waterfront access		AW-1.1.12 AW-2.6.3
	Achieves sustainable design which also contributes to its resilience strategy		AW-2.5.7
	Improves pedestrian infrastructure more generally notwithstanding that poor transit access at Buzzard Point exists today (the Project adds patrons and demand to justify future transit investments)		AW-2.5.10
	Implements the Buzzard Point Framework		AW-2.6.1
Buzzard Point Vision Plan and Framework	The Project advances each of the five urban design principles in the Buzzard Point Framework. The Project introduces a bold new design identity to Buzzard Point with appropriately-scaled massing constructed to be above the 500-year floodplain and constructed with high quality materials. In addition, the Project's ground floor uses and design work together to create unique and attractive pedestrian spaces.		
Buzzard Point Framework	Consistent with the Buzzard Point Framework, the Project:		
	Features high-quality architecture with a diversity of forms, materials, elements, and features that create a distinct Buzzard Point expression and with outdoor public spaces that provide neighborhood gathering places		Principle 1
	Is constructed to be above the 500-year floodplain and employs high quality materials in an environmentally sustainable building		Principle 2
	Provides a street level that creates strong indoor-outdoor connections through use and design (a) the podium level features tall ground floor windows, fenestration, pedestrian permeability and multiple pedestrian entrances and (b) curb cuts are limited and incorporated into the Project's design to prioritize pedestrian comfort and safety with vehicular traffic focused toward the through alley		Principle 3
	Positively contributes new housing and ground floor uses to Buzzard Point, with an intentional relationship to public spaces on all sides including thoughtful massing and appropriate scaling given the CG-4 zone objectives		Principle 4
	Contributes to adjacent public outdoor spaces by creating a generous pedestrian zone along S Street and leading into the South Capitol Street right of way, which the Applicant currently proposes to develop into a public plaza space through the public space process		Principle 5
	Provides opportunities to locate commercial, cultural, and retail/service uses along Half Street as part of the first phase of development that will shape the Oval Park to the north		N.1

	Develops new residential units near the waterfront consistent with the Buzzard Point Framework	N.2
	Orients and integrates into the street fabric anticipates future neighborhood connectivity and the overall Buzzard Point orientation to the waterfront and includes retail uses to help establish Buzzard Point as a destination	N.4
	Is constructed to be above the 500-year flood plain, consistent with resiliency strategies meeting minimum GAR and stormwater retention requirements; achieves LEED Silver	N.6
	Is undergoing design review as a new development consistent with the other guidance in the Buzzard Point Framework, including with transparent ground floor levels, numerous balconies, resilient development, and durable materials	N.7
	Includes improvements to the pedestrian streetscape along Half Street, S Street, and the South Capitol Street right of way consistent with Streetscape Design Guidelines	T.1
	Helps establish the demand necessary to support future transit service to Buzzard Point by bringing residents, retail workers, and visitors to the neighborhood	T.2
	Develops within the surrounding, well-connected street grid, includes shared parking, and adds the through alley as a pedestrian and service way to increase porosity through the site and provide site access for parking and loading	T.3
	Features stormwater infrastructure to increase bioretention	T.8
	Includes improvements to the pedestrian streetscape along Half Street SW	Half Street SW
	Includes additional, non-required street-level setbacks along S Street to create a generous pedestrian zone and street-activating outdoor retail and residential spaces	Street Character: S Street SW
	Features required and non-required setbacks, massing, and design to strengthen views along S Street toward the riverfront to the east and along South Capitol Street toward the Capitol Dome to the north	Views
	Furthers sustainability objectives by achieving LEED v.4 Silver	LEED
	Helps establish demand for future transit enhancements to Buzzard Point	Transit
	Area Element and Buzzard Point Framework Overall	Overall, the Project is not inconsistent with the Area Element or Buzzard Point Framework, excepting only the focus in those documents on enhancing transit access to and within Buzzard Point, which the Project does not (and cannot alone) achieve.