

The Committee of 100

on the Federal City



Building on 100 Years of Planning Advocacy

November 17, 2023

BEFORE THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

CASE NO. 23-02

TESTIMONY OF SHELLY REPP ON BEHALF OF THE COMMITTEE OF 100 ON THE FEDERAL CITY

Good afternoon. My name is Shelly Repp. I am Chair of the Committee of 100 on the Federal City. The Committee of 100 appears in opposition to this application submitted by the Office of Planning (OP). The upzoning would be inconsistent with the Comprehensive Plan's Mid-City Area Element and the site's designation as a Neighborhood Conservation Area. The proposed upzoning would deal a serious blow to the principle of adapting infill development to the surrounding neighborhood. Simply put, if the ultimate owner were able to build out to the maximum permitted by this upzoning, the project would be too tall.

C100 recognizes that the rezoning responds to the site's new FLUM designation. However, we point out that the Framework Element of the Comprehensive Plan states that "designation of an area with a

particular Future Land Use Map category does not necessarily mean that the most intense zoning district described in that category is automatically permitted.¹ Given the slope of the site and with a penthouse, the upzoning will permit a matter-of-right structure of at least 125 feet.² Also, a structure of this height would approach that of almost any building in the city. Significantly, the higher height would be out of proportion to the surrounding row houses. The rowhouses on V Street at the back of lot are 2-stories of 25 feet or so in height.

The subject property is currently zoned MU-4. Most of the surrounding property is zoned RA-4 for moderate density residential rowhouses and apartment buildings. The MU-10 rezoning, in contrast, would allow much higher density development. There is no building in the vicinity of the site that is anywhere near the 12 stories that would be permitted by this upzoning. Also, the site is bordered on all sides by historic districts. Further, as pointed out in OP's Report, depending on height and setbacks, the allowed height of the structure may result in increased shadowing on the rowhouses to the north and west.

The site lies within the Comprehensive Plan's Mid-City Area Element. That Element of the Comprehensive Plan sets general policies and actions to guide growth and neighborhood conservation decisions in the Mid-City Planning Area, including that:

- The historic character of Mid-City neighborhoods, particularly its row houses, older apartment houses, historic districts, and

¹ Framework Element, Sect 228(e).

² The OP set-down report states that "Lot 827 slopes approximately 5 feet downward from north to south." Lot 826 presumably does so also. In fact, the slope may be even greater there, as Lot 826 extends further north. Since a developer can choose where to measure the height of a building for compliance with height limitations, we must assume that the maximum height could be at least 125 feet along U Street, inclusive of a penthouse and given the IZ bonus.

walkable neighborhood shopping districts, be retained and reinforced; and

- “Infill development should be compatible in scale and character with adjacent uses.”

The site is also designated as a neighborhood conservation area in the General Policy Map. The Comprehensive Plan provides that in such areas any change will be modest in scale and that “[m]ajor changes in density over current conditions are not expected.”³

A 12-story building on the subject site would be inconsistent with these directives.⁴ The Office of Planning abdicates its responsibility to assure compatible scale by even proposing a structure so completely out of harmony with the character of its surroundings.

The site is surrounded on three sides by rowhouse neighborhoods with a significant Black population. A racial equity analysis needs to take into consideration the potential displacement of those living in a defined surrounding zone. This potential impact is likely to occur here and should be reviewed more carefully through the Commission’s racial equity lens. Further, the Setdown report states that under DC Law any disposition/development of a public site would require affordable housing that exceeds those of IZ Plus.⁵ However, it later states that out of an abundance of caution OP recommends that the rezoning is appropriate for IZ Plus.⁶ The inconsistency should be explained.

³ Framework Element, Section 225.4.

⁴ The Mid-City Area Element provisions have counterparts in a number of the Comprehensive Plan’s Citywide Elements.

⁵ OP Setdown Report, p. 1.

⁶ *Id.*, p.8.

In summary, any structure that would utilize the full potential of the MU-10 zoning would stick out like an unwanted pop-up and would deal a serious blow to the principle of adapting infill development to the surrounding neighborhood. While the proposed action is a map amendment, any subsequent building permit application in compliance with MU-10 would be matter-of-right, which means the Zoning Commission would be powerless to consider the adverse impacts. We respectfully request that this upzoning application be denied or, at a minimum, that limits be set in place that would protect and preserve the surrounding neighborhoods.

Thank you,



Shelly Repp

Chair of the Committee of 100

chair@committeeof100.net; 202-494-0948