

Presentation of Randall J Jones in Opposition to ZC Case 23-02

I Oppose the **Petition** by the **Office of Planning** to **Up-Zone** 2 lots of **District-Owned Land** constituting **81,981 square feet (1.88 acres)** – collectively termed “1617 U St”

due to its

Inconsistencies with the Comprehensive Plan,

Incongruity to Adjacent Zoning,

and

Incompatibility of Surrounding Uses and Building Massing

Commendation for the Office of Planning

On November 8, 2023, OP submitted a Supplemental Report which I view as an important step in the right direction

Unfortunately, this was only submitted after the community employed a lawyer who correctly pointed out that the noticing requirements for the initially planned June 26, 2023 Hearing

City Function is Complex and therefore City Planning is HARD. I commend the OP, DMPED, and ZC for working to make a difference.

That being said... the ZC's role in this case OUGHT to be to hold OP and DMPED to the SAME STANDARDS as PRIVATE DEVELOPERS. Any result in the will ERODE PUBLIC TRUST in PUBLIC INTSTITUTION, which is already prevalent in the District and our Country writ-large.

The Chartered Duty of the Zoning Commission

DC Municipal Regulations Title 11, Subtitle Z, 500.1

“In all cases, the Zoning Commission shall find that the amendment is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.”

Is OP’s Petition to Up-Zone “not inconsistent with the Comprehensive Plan”?

Start by Defining the Comprehensive Plan

It is EXCEEDINGLY rare for a particular lot to be Explicitly Described by the Comprehensive Plan.

This site is a RARITY... Comp Plan Chapter 20 Mid-City Element
Policy MC-2.3.7 Use of Public Sites

Utilize public land at the Reeves Center, Housing Finance Agency, Garnet-Paterson, **Engine 9, and MPD 3rd District Headquarters** to create **mixed-use neighborhood landmarks** that **acknowledge and continue the history of U Street as a Black business corridor. Added density at these public sites** should be used to create a significant amount of **new affordable housing**, establish **space for cultural uses**, and provide for **additional public facilities, such as a new public library**. New construction should **concentrate density towards U Street and use design strategies to visually reduce building height and bulk to provide appropriate transitions to adjacent lower density areas.** 2013.11

In recognition of this Rarity, the ZC must Hold the APPLICANT to the Standards established by this Policy

Inconsistencies with the Comprehensive Plan

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Is OP's Petition to Up-Zone "not inconsistent with" creating a **mixed-use neighborhood landmark that acknowledges and continue the history of U Street as a Black business corridor**?

It is probably "not inconsistent", but it would be clearer if they used a PUD or brought forward a text amendment case that **Requires** creation of a **Landmark that acknowledges and continues the history of U St as a Black business corridor**. Not doing so will allow all future development to be "as a matter of right" with no requirement for Landmark Creation.

Inconsistencies with the Comprehensive Plan

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Is OP's Petition to Up-Zone "not inconsistent with" **adding density at this public sites** to create a significant amount of **new affordable housing**?

It is almost certainly "not inconsistent", indeed, this appears to be the only part of the Comprehensive Plan which merited any concern from the Applicant.

However, we should recall the Urban Renewal Plans established in post-war cities across the country (such as the Redevelopment Land Authority or RLA in the District).

Throughout the 50s and 60s, the RLA and National Capital Planning Commission (NCPC) applied narrow-mined, broad-brush planning principles to attempt to solve urban decay. From the NCPC's website¹:

While a great deal of work went into these efforts, and the intention was to improve cities, **the burden of urban renewal in Washington, DC fell disproportionately upon African Americans residents, with many established African-American communities uprooted. Often, the displaced residents and businesses were never able to return to their former neighborhoods.**

Inconsistencies with the Comprehensive Plan

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Is OP's Petition to Up-Zone "not inconsistent with" **adding density at this public sites** to establish space **for cultural uses**?

It is probably "not inconsistent", but it would be clearer if they used a PUD or brought forward a text amendment case that **Requires** the establishment of a **Cultural Use for the site**. Not doing so will allow all future development to be "as a matter of right" with no requirement for Cultural Uses.

Inconsistencies with the Comprehensive Plan

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Is OP's Petition to Up-Zone "not inconsistent with" **adding density at this public sites** to provide for **additional public facilities, such as a new public library**?

It is probably "not inconsistent", but it would be clearer if they used a PUD or brought forward a text amendment case that **Requires** the provision of a **Additional Public Facilities, such as a New Public Library on the site**. Not doing so will allow all future development to be "as a matter of right" with no requirement for Additional Public Facilities.

Inconsistencies with the Comprehensive Plan

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Is OP's Petition to Up-Zone "not inconsistent with" **concentrating density towards U Street and using design strategies to visually reduce building height and bulk to provide appropriate transitions to adjacent lower density areas?**

IT IS CERTAINLY "not inconsistent", with this element of the Comp Plan Policy. Given the significant Up-Zone (**290% increase in density and 2x height**), this is a key element to the policy. Not getting this key element of the policy right will allow all future development to be "as a matter of right" with no requirement for visual height and bulk reductions via appropriate massing design.

Inconsistencies with the Comprehensive Plan

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OP Supplemental Report #2 - Map Amendment, Square 0175, Lots 826 & 827
November 8, 2023

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IV. BUILDING HEIGHT TRANSITION SETBACK

OP has reviewed the case record to date and has heard from members of the public indicating concern about the maximum permitted height along V Street, NW under the proposed MU-10 zone and the potential impact a future building may have on surrounding residential uses. To address these concerns, OP proposes to bring forward a separate text amendment that would require a building height transition setback for the subject property **along V Street, NW** and the **neighboring row houses to the east**. This would reduce the overall bulk of any future building by limiting the maximum height of a building to 60 feet for the first 40 feet of lot depth as follows:

- Require a building height transition setback along V Street, NW whereby a building would be limited to a maximum height of 60 feet for the first 40 feet of lot depth as measured from the lot line along V Street, NW; and
- Require a building height transition setback along the rear of lots 24 through 29 in Square 175 whereby a building would be limited to a maximum height of 60 feet for the first 40 feet of lot depth as measured from the subject property's property line adjacent to the public alley separating the subject property from the rear of lots 24 through 29.

Inconsistencies with the Comprehensive Plan

Policy MC-2.3.7 Use of Public Sites

Utilize public land at the Reeves Center, Housing Finance Agency, Garnet-Paterson, Engine 9, and MPD 3rd District Headquarters to create mixed-use neighborhood landmarks that are part of the business corridor. Added density at these public sites should be housing, establish space for cultural uses, and provide for additional construction should concentrate density towards U Street and U Street bulk to provide appropriate transitions to adjacent lower density areas.

Image 1

60 ft.

January 8, 2023

ZC CASE 23-02

Image 2

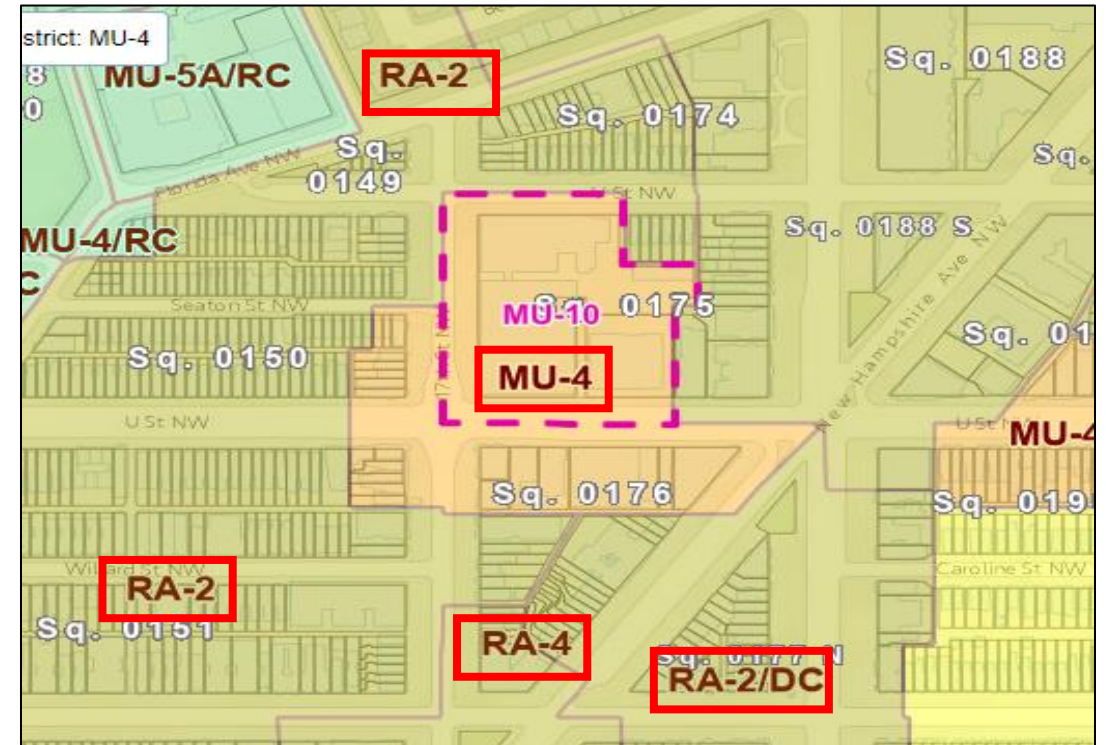
60 ft.

100 ft.

Inconsistencies with the Comprehensive Plan

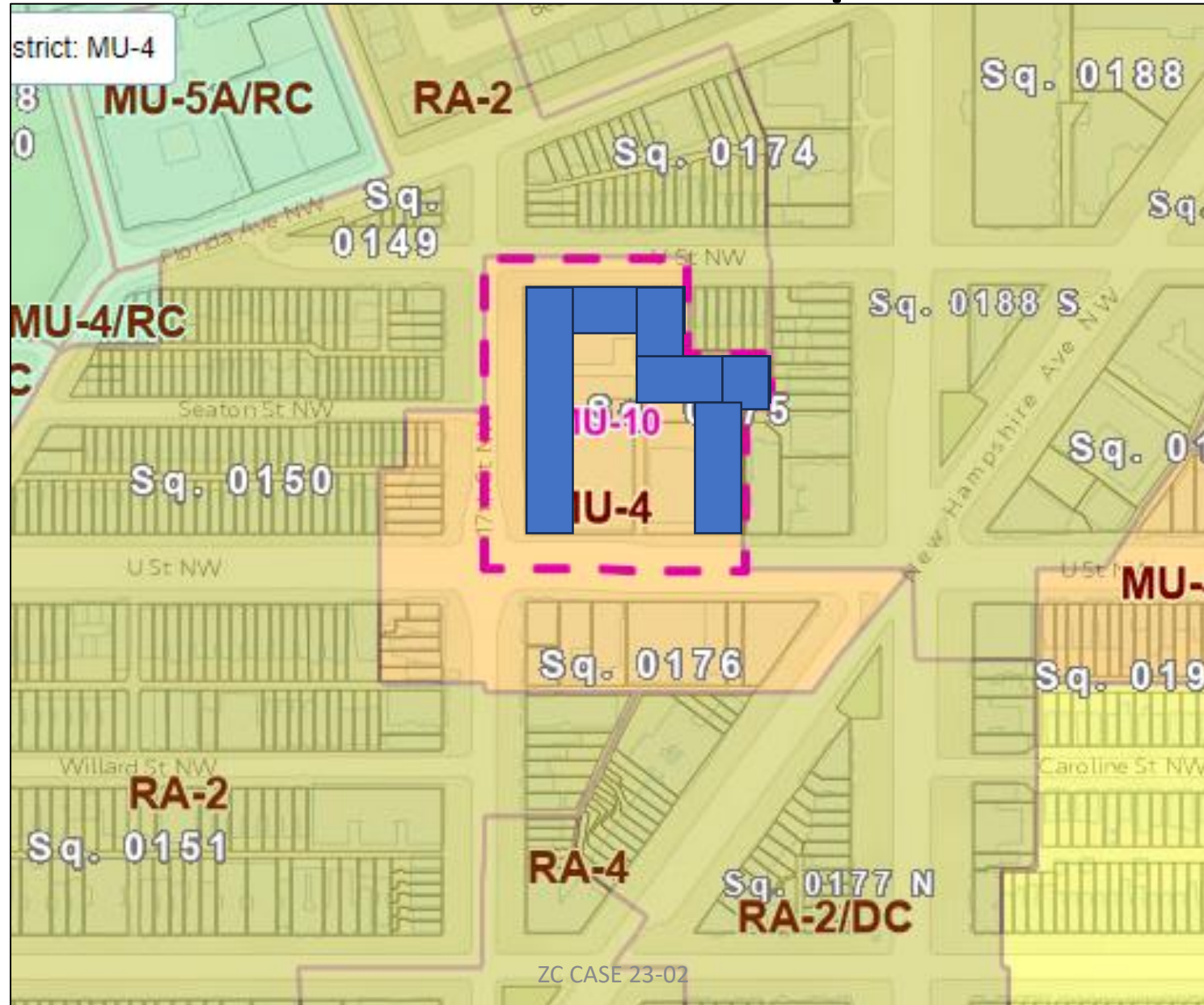
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“ADJACENT LOWER DENSITY AREAS” to the NORTH, EAST, and WEST

Inconsistencies with the Comprehensive Plan



Incongruity to Adjacent Zoning

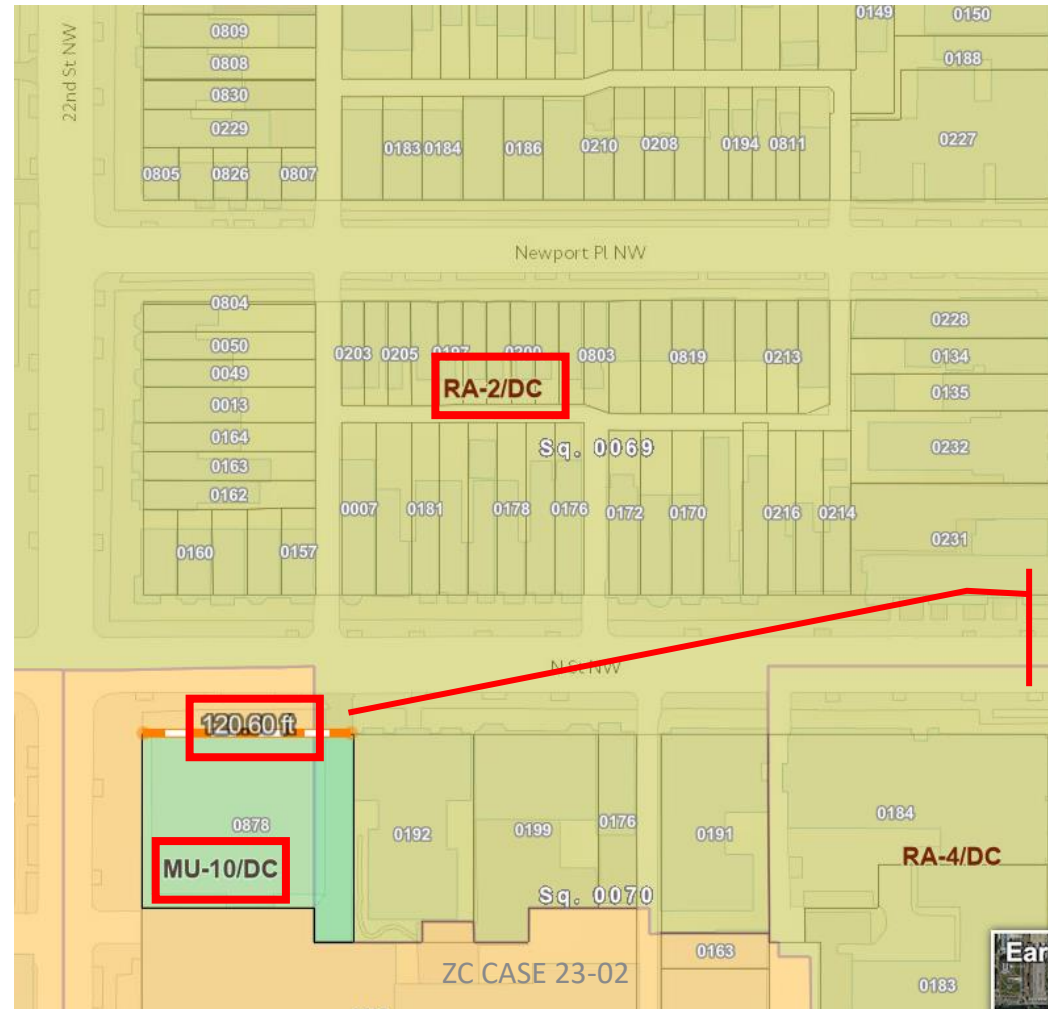
Where is there MU-10 zoning adjacent to RA-2 Zoning?

2140 N ST NW WASHINGTON DC 20037 (West End)

965 FLORIDA AVE NW (U St Corridor)

Incongruity to Adjacent Zoning

2140 N ST NW WASHINGTON DC 20037 (West End)



approx. 120' of frontage with adjacent RA-2

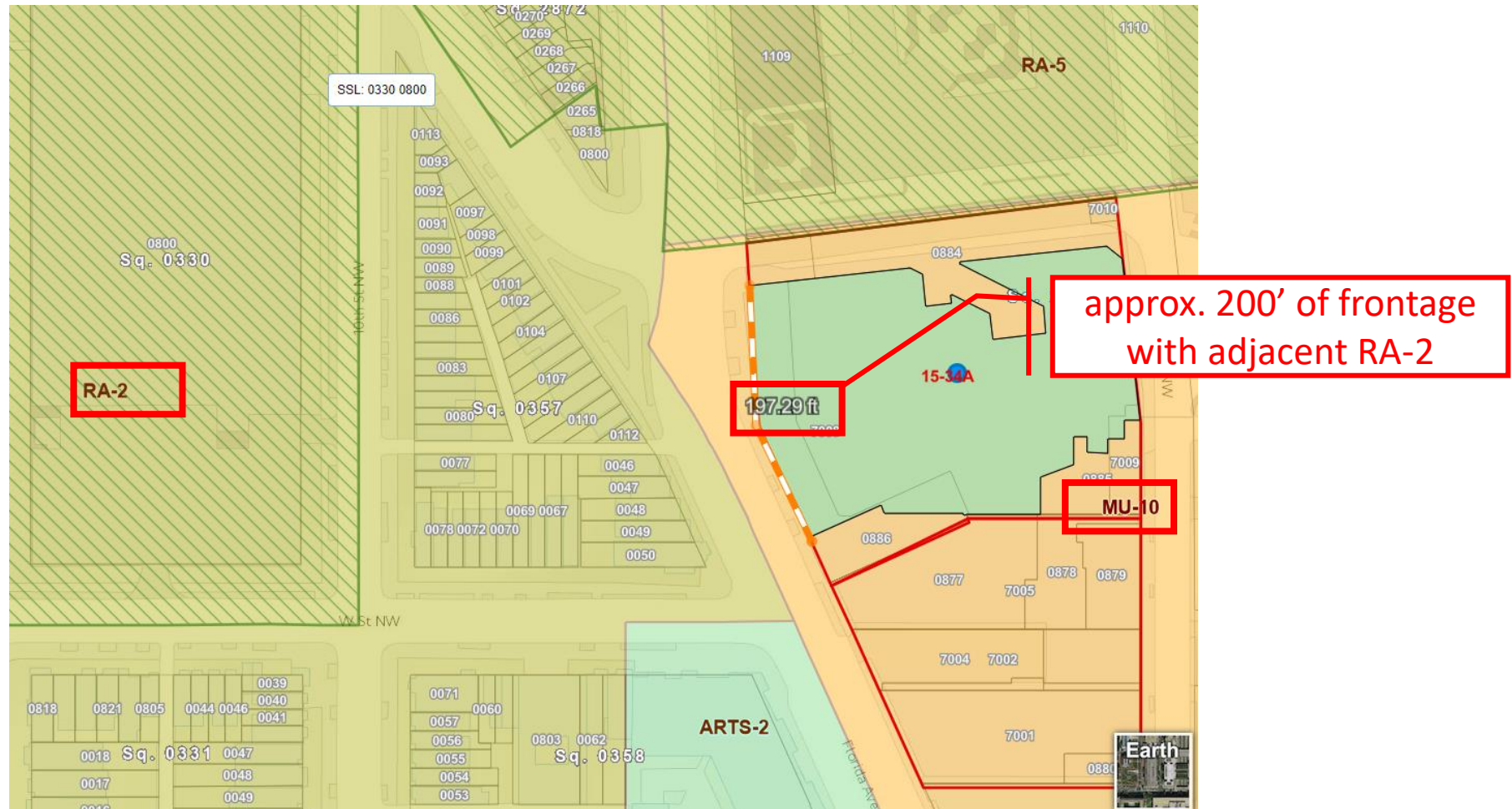
Incongruity to Adjacent Zoning

2140 N ST NW WASHINGTON DC 20037 (West End)



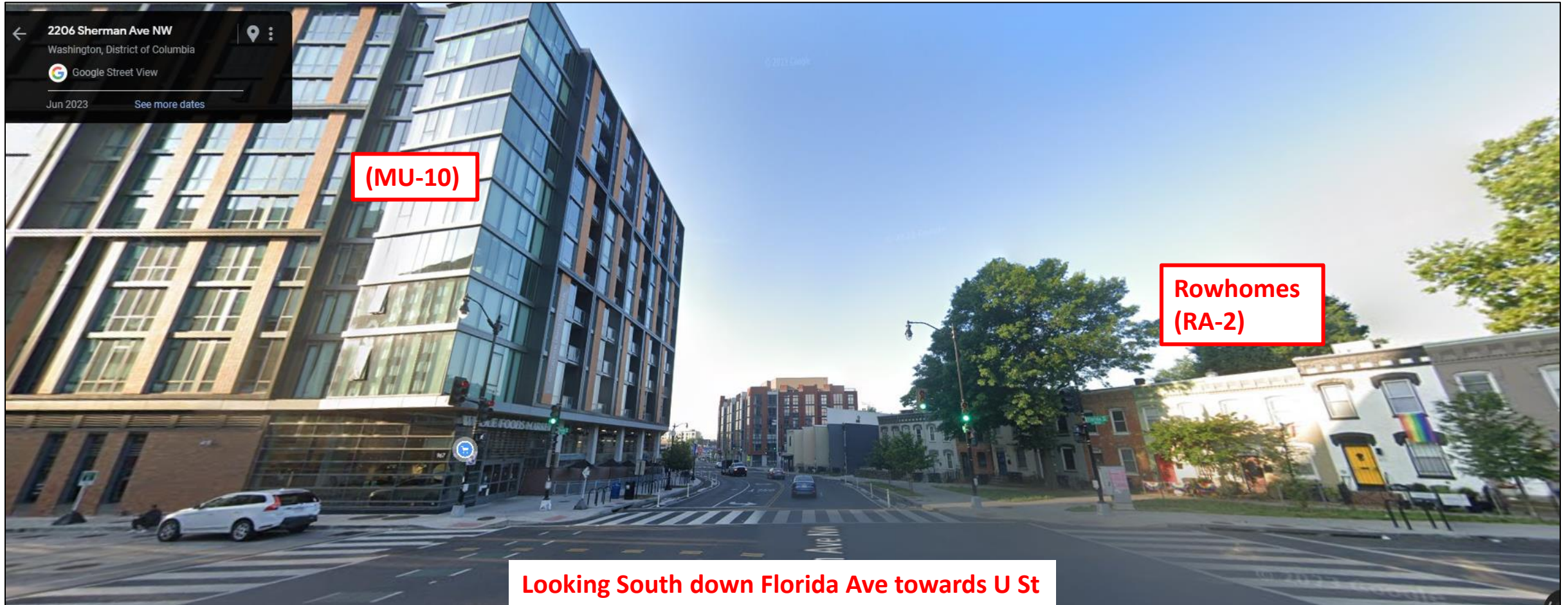
Incongruity to Adjacent Zoning

965 FLORIDA AVE NW (U St Corridor)



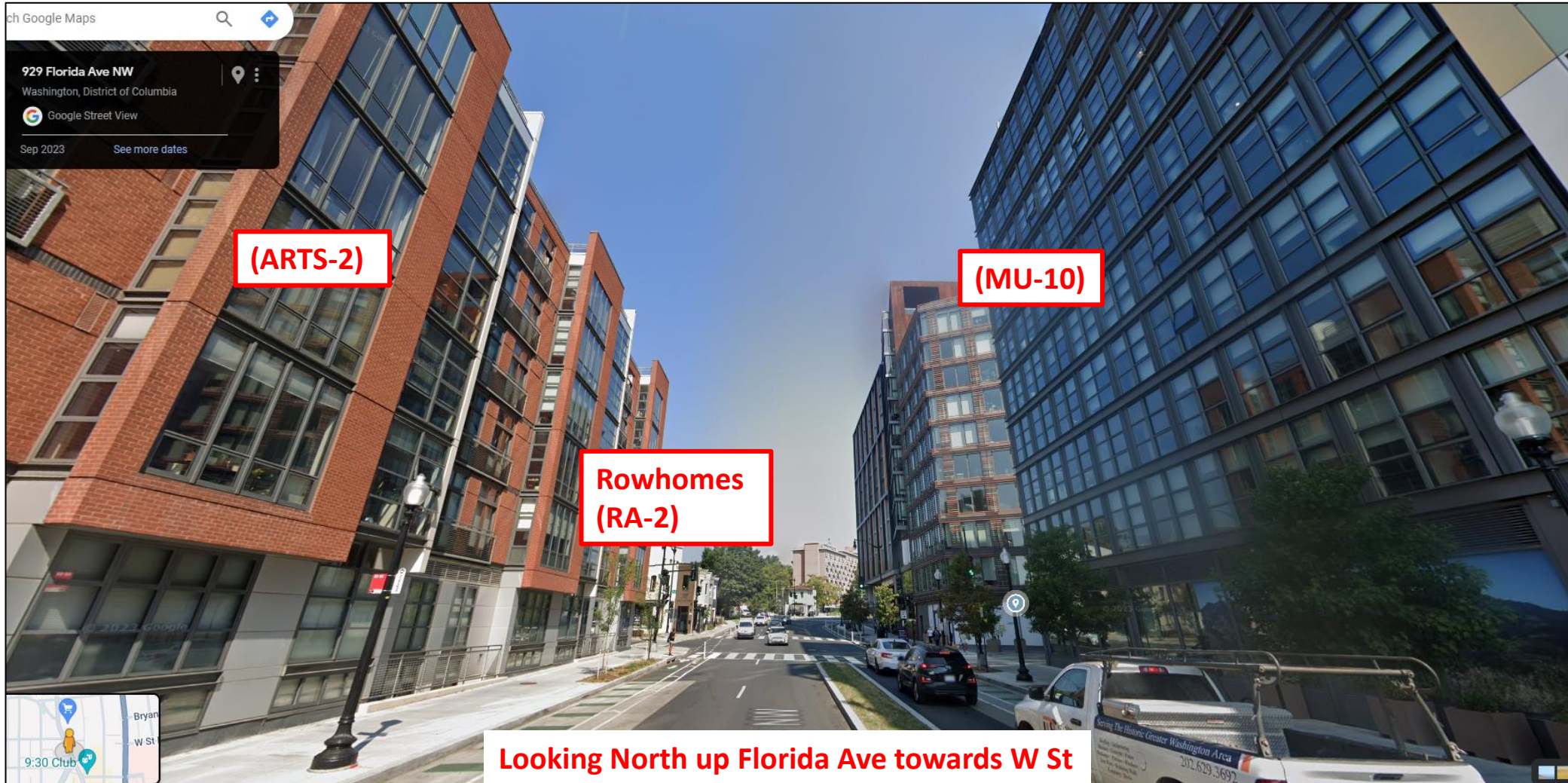
Incongruity to Adjacent Zoning

965 FLORIDA AVE NW (U St Corridor)



Incongruity to Adjacent Zoning

965 FLORIDA AVE NW (U St Corridor)



Incongruity to Adjacent Zoning

Where is there MU-10 zoning adjacent to RA-2 Zoning?

2140 N ST NW WASHINGTON DC 20037 (West End) **120 FEET**

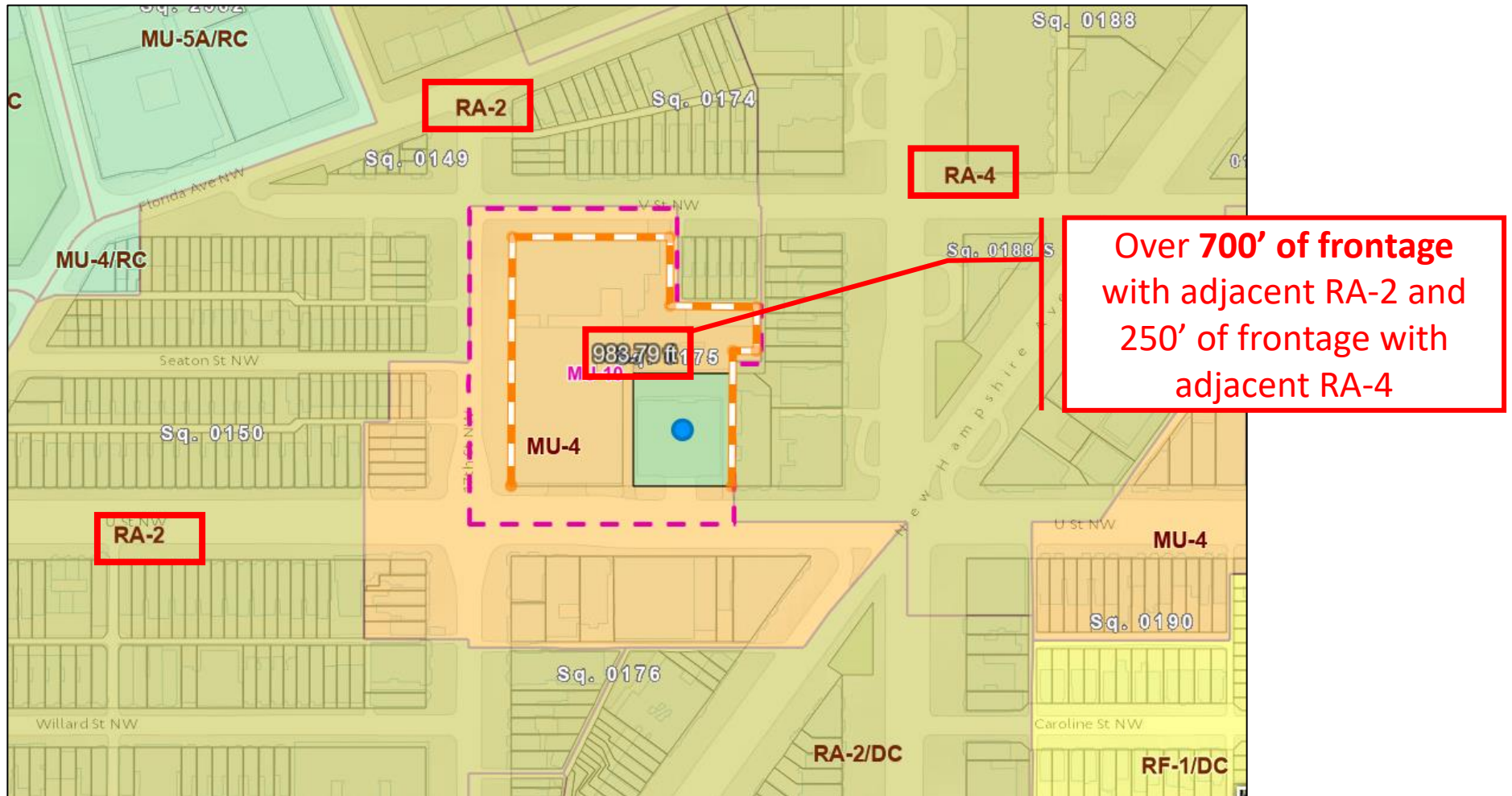
965 FLORIDA AVE NW (U St Corridor) **200 FEET**

320 FEET TOTAL ACROSS THE ENTIRE CITY

Why so infrequent? The zones are incredibly **Incompatible**

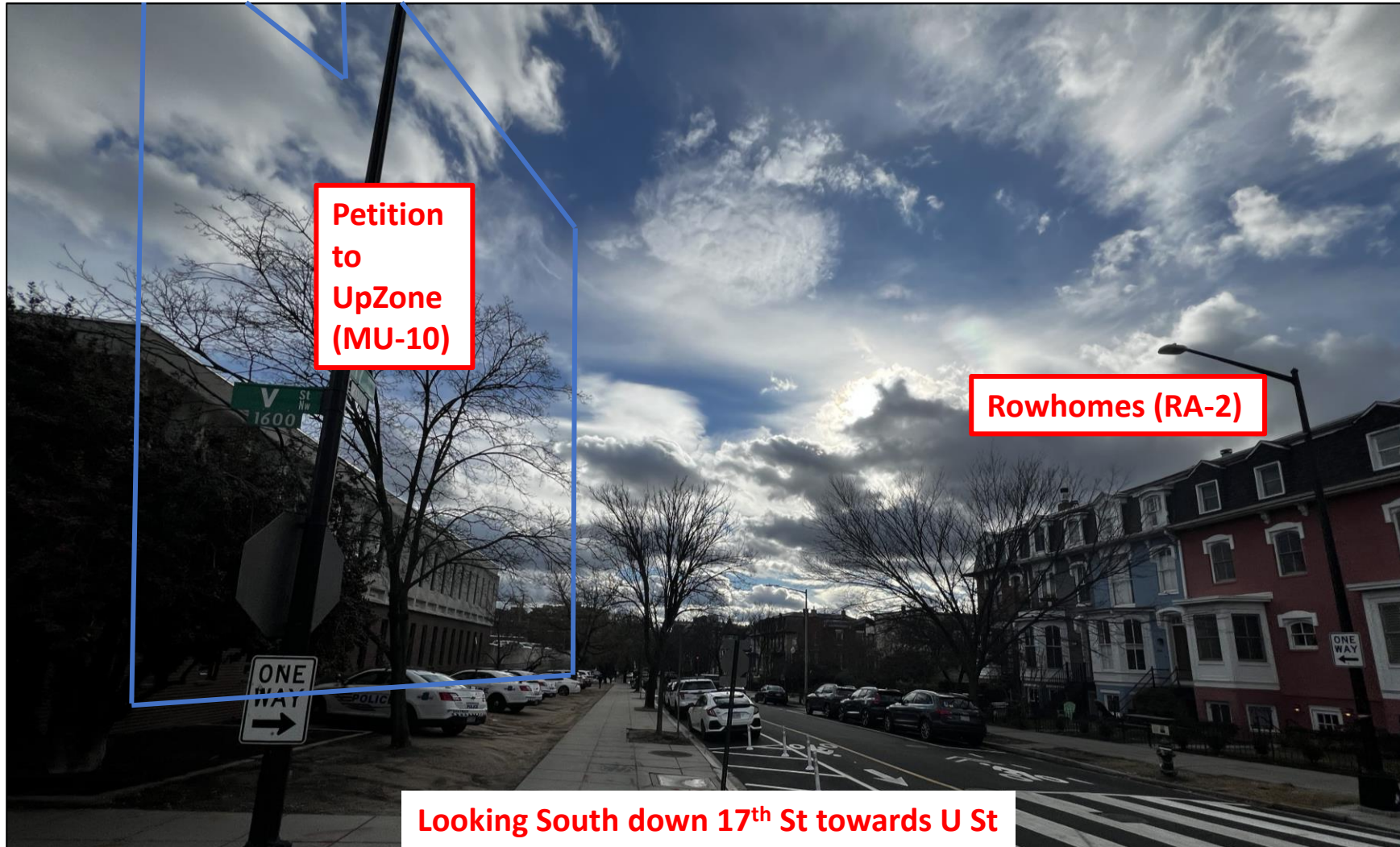
Incongruity to Adjacent Zoning

ZC CASE 23-02



Incompatibility of Surrounding Uses and Building Massing

ZC CASE 23-02 (and Case 23-26 Text Amendment)



Incompatibility of Surrounding Uses and Building Massing

ZC CASE 23-02 (and Case 23-26 Text Amendment)



Incompatibility of Surrounding Uses and Building Massing

ZC CASE 23-02 (and Case 23-26 Text Amendment)



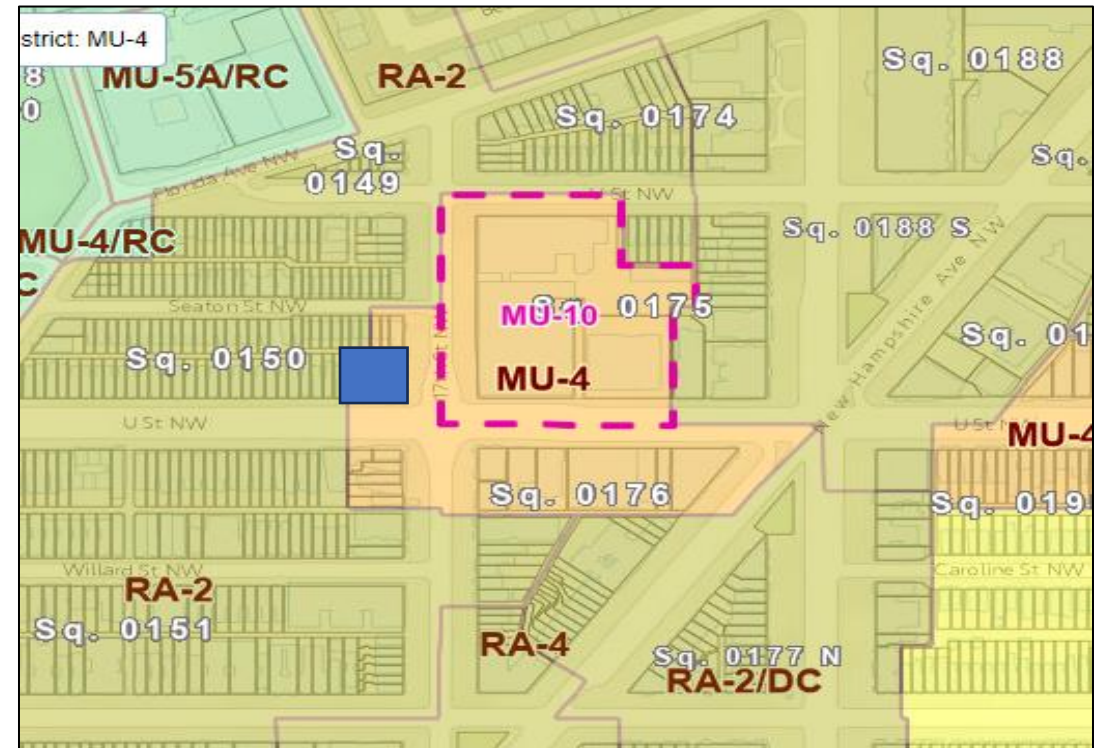
Incompatibility of Surrounding Uses and Building Massing

ZC CASE 23-02 (and Case 23-26 Text Amendment)

STRIVERS' SECTION HISTORICAL DISTRICT

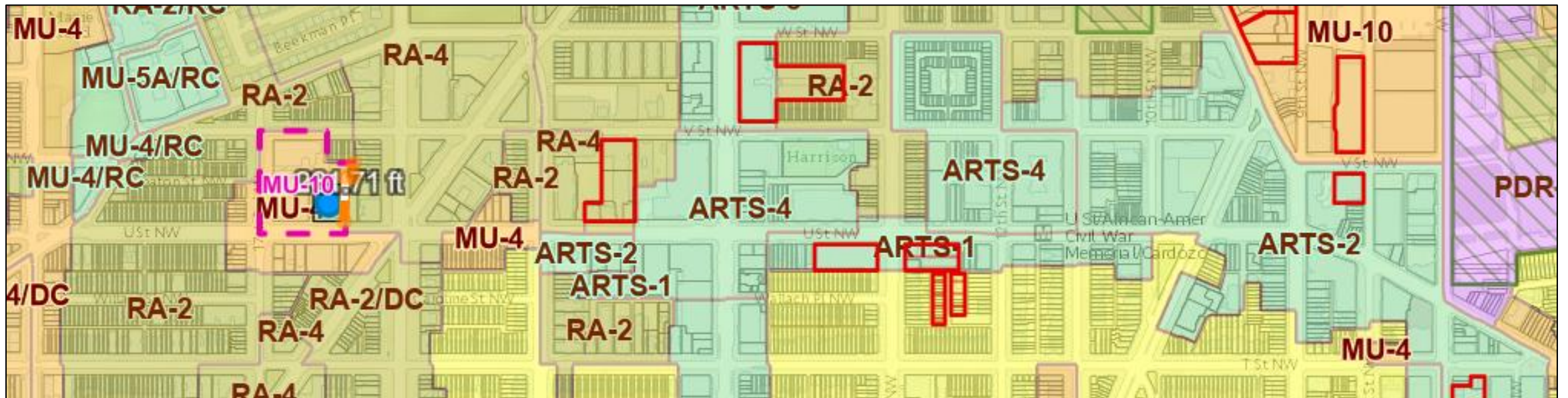
Among its most notable residents was Frederick Douglass. Douglass built the southern 3 buildings of a 5-house Second Empire style row at 2000-2008 17th Street in 1875-76.

The area was also home to James E. Storum, the entrepreneur who founded the Capital Savings Bank, the first African American owned bank



Incongruity to Adjacent Zoning

U Street Corridor has placed an emphasis on ARTS zoning adjacent to lower density



Conditions of Approval

The Applicant has only proposed **One** text amendment (height transition setbacks for the north property line)

The Zoning Commission should reject this application in its current form. This will cause the Applicant to use a PUD to adequately address Public Concerns, require adherence to the Comprehensive Plan and ensure that Community Benefits are provided.

Alternatively, the Zoning Commission could Approve this application subject to **Conditions of Approval** that **REQUIRE** the Applicant to follow the Comprehensive Plan to its fullest extent. This is what OP would require for a Private Developer and it will erode public trust in the Zoning Commission if it allows OP to skate by.

Not doing so will allow all future development to be “as a matter of right”. This is the last opportunity to codify the development standards for this land.

Conditions of Approval

Proposed Conditions of Approval:

1. **Require creation of a Landmark that acknowledges and continues the history of U St as a Black business corridor**

*Surely we can do better with our **Public Land**. Dedicated ground floor retail space could be guaranteed for Black business at subsidized rents.*

2. **Require the establishment of a Cultural Use for the site**

*Make sure the potential of our **Public Land** is maximized to its highest and best use with a dedicated museum, art, and cultural space that illuminates the noteworthy history of the Strivers' Section Historic District.*

3. **Require the provision of a Additional Public Facilities, such as a New Public Library on the site**

4. **Require height transition setbacks to adjacent lower-density zones and High-quality Architecture which matches the Historic Surroundings**

*Our **Public Land** needs to match its surroundings or else it is destined to promote division. By using height transition setbacks on **ALL** property lines and **High-quality Architecture**, the Commission can assure that future development will mesh with the surroundings.*