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## **Addendum to Dr. Tanya Golash-Boza's Already Submitted Testimony ([Exhibit No. 473](#)) in ZC Case No. 23-02 (final: TGB)**

**Summary:** Contrary to the testimony by the applicant, the proposed rezoning of this publicly-owned land is unlikely to lead to significant affordable housing and is likely to create further harm to the Black community.

The Zoning Commission can address this through a Special Use Zone that requires deeper affordability and bigger bedroom sizes (See: DCMR Title 11-K of the D.C. Zoning Code.)

1. My prior testimony (as shown in [Exhibit No. 473](#)) shows how areas around the District zoned/rezoned to MU10 have seen substantial re-development activity leading to substantial harm and displacement of lower-income families and Black DC residents.
2. This added testimony furthers the conversation of how to mitigate the adverse displacement impacts that rezoning of 1617 U Street NW to MU10 will have on the vulnerable residents nearby.
3. OP has testified they have not taken into account DC's immense racial wealth gap when submitting their remapping application in ZC Case No. 23-02. If they had, they would understand that long-term systemic discrimination based on class and race in DC has meant the incomes of most Black DC residents now qualify them to afford housing units typically set at the 0-30%AMI range, the lowest in DC's affordability spectrum.
4. **By monitoring trends in the city and in Ward 1, we can predict that after MU10 rezoning at 1617 U Street, the result will likely be an MU10 project that includes few to none 0-30% AMI housing units, thus failing to serve the most vulnerable and not repairing the harms against those who've borne the brunt of displacement over the past two decades of re-development in DC.**
5. In this additional testimony, I've analyzed more recent public land developments in Ward 1 that demonstrate the consistent practice of the city to privatize public assets and land with very little equity in return for those who need it most (i.e. Affordability provisions that help DC residents with incomes in the 0-30% AMI range).

6. Without the Commission's intervention, the zoning application in Case No. 23-02 will continue a practice that steers away from the racial equity policies found in the Comprehensive Plan and fails the Commission's Racial Equity Tool.

**For ZC Case No. 23-02, the Commission can ensure the results are positive for lower-income and Black residents by requesting OP truly engage with the community to openly discuss and collaboratively deploy a Special Use Zone for the site prescribing deeper affordability and bigger bedroom sizes at 1617 U Street. DCMR Title 11-K of the D.C. Zoning Code.**

8. The collective desire by those testifying at these hearings has been to use our public land to repair the harms of the past and benefit lower-income and Black DC residents. As it stands now, the proposed MU10 rezoning will imminently threaten the existing affordability in the community as my prior testimony has shown and any touted benefits for lower-income & Black DC residents by remapping the site to MU10 will be minuscule in contrast to the harm.
9. Below is an examination of projects in Ward 1 built on formerly public land with an evaluation of what levels of housing affordability was produced after rezoning and remapping. The point is to demonstrate that a more specific zoning requirement using a special use zone at 1617 U Street is needed to ensure equitable rezoning at this critically important public site:

- Progression Place – Completed in 2014 and located near 7th and U Street NW – Resulted in 200,000 gross square feet of residential space among other uses. The project consists of 154 Market Rate units and zero affordable units.  
<https://octo.quickbase.com/db/bgmd3dpcb?a=dr&rid=24&rl=qra>
- Park Morton – Further up Georgia Ave at Morton Street NW – This location included 174 public housing units (i.e 100% deeply affordable housing for residents earning the lowest incomes in DC (0-30% AMI).) Now under construction are 141 new privately owned units with 31 of the units set to serve those with incomes at 0-30% AMI.  
<https://octo.quickbase.com/db/bgmd3dpcb?a=dr&rid=42&rl=qtw>
- Bruce Monroe – In conjunction with the Park Morton project, a large project is to be constructed on what is formerly the Bruce Monroe school campus (now a well-used open green space) at Georgia Ave and Irving Street NW. The project intends to deliver 278 privately owned units, with 90 units serving the lowest income residents at 0-30%AMI. When taken together with the lowest income units demolished at Park Morton, the two inter-related public land deals along the Georgia Avenue corridor represent a net loss of 20 units serving the most needy DC residents in the 0-30%AMI range.
- Grimke School – At U Street and Vermont Ave NW – This project anticipates 68 new privately owned housing units and

while 21 units will be “affordable” only 3 units will serve the 0-30%AMI range.

<https://octo.quickbase.com/db/bgmd3dpcb?a=dr&rid=64&rl=qtu>

- Reeves Center – At 14th Street and U Street this project is in negotiations. DMPED is expecting the land to be privatized resulting in numerous new uses including more than 260,000 gross square feet of new residential use equating to 322 new privately owned units, 25 of which are to serve those making 0-30%AMI. <https://octo.quickbase.com/db/bgmd3dpcb?a=dr&rid=355&rl=qt3>
9. The Ward 1 land deals above demonstrate that not only has the city practiced giving up public land to get a fraction of housing units that may benefit lower-income DC residents, but more striking is the fact that these types of public-private redevelopment scenarios resulted in a net loss of affordable units along Georgia Avenue directly harming low-income Ward 1 Black families.

The imminent harm of OP’s current rezoning proposal outweighs any touted benefit to lower-income and Black residents, however, DC Zoning regulations provide a solution to avoid the harmful patterns of the past and to ensure equitable outcomes for the future at 1617 U Street: ***DCMR Title 11-K, Special Use Zoning.***

10. The Zoning Commission can ask OP to fulfill widely advertised and well-attended community engagement forums with the affected

community in a proactive equitable effort to ascertain feedback and ideas collaboratively designing a special use zone for 1617 U Street that meets prescriptive needs.

11. This special use zone solution allows the Commission to remap this site as they've done to other sites around the District with community-driven special use requirements of much deeper levels of affordability and bigger bedroom sizes as we've heard supported by nearly all those who have testified in these hearings to date.
12. The Commission has the authority to ask OP to pursue this course as has been done in the past and it makes complete sense to do that here. See attached memorandum showing of how special use zones have been applied around the city by the Zoning Commission and may be applied here at 1617 U.

## **Conclusion**

Instead of imposing a monolithic-MU10 zone across the whole 1.88-acre site, the Commission can ask OP to work with the community to deploy a special use zone at 1617 U Street and in this way the Zoning Commission can ensure this publicly-owned land will lead to significant affordable housing and is likely to repair past harms to low-income DC residents and the Black community along Black Broadway, U Street NW.

As submitted on behalf of the Black Neighbors of 1617 U Street, on February 11, 2024, by:



# Memorandum:

## Special Use Zone at 1617 U Street

The D.C. Zoning Commission can ask OP to work with the community, host widely advertised and well-attended engagement forums, and come back to the Commission together with affected neighbors asking that a special use zone be considered for this site with agreed upon zoning parameters to meet community needs.

For example, a special use zone could include 70% of the GFA be dedicated to affordable housing with at least 50% of those affordable units delivering deeply affordable units (no more than 30% AMI) and the remaining affordable units at no more than 50% AMI. Moreover, the special use zone could require larger housing units, including three bedrooms for families.

This has been done in the past and can be done today at 1617 U Street, if there is community engagement on this opportunity.

**Title: 11 ZONING REGULATIONS OF 2016**

**SubTitle: 11-K SPECIAL PURPOSE ZONES**

<https://dcregs.dc.gov/Common/DCMR/ChapterList.aspx?subtitleId=67>

### 101 PURPOSE AND INTENT

101.1 The purpose of the special purpose zones is to provide for *single large sites* that require a cohesive, self-contained set of regulations to guide site design, building height, and bulk, land uses, or other aspects of development.

Some recent examples:

**New Walter Reed Zone Districts ("WR")**

<https://dcregs.dc.gov/Common/DCMR/RuleList.aspx?ChapterNum=11-K9&ChapterId=3814>

920.5 Of the four hundred and thirty-two (432) units minimum:

(a) No less than one hundred and fourteen (114) rental units shall be reserved for and provided at rents affordable to households earning thirty percent (30%) or less of the Area Median Income (AMI);

(b) No less than one hundred and thirty-nine (139) units shall be reserved for and provided at rents or sales prices affordable to households earning fifty percent (50%) of the AMI or less; and

(c) No less than one hundred and seventy-nine (179) units shall be reserved for and provided at rents or sales prices affordable to households earning eighty percent (80%) of the AMI or less.

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**New North Howard Road Zone District ("NHR")**

<https://dcregs.dc.gov/Common/DCMR/RuleList.aspx?ChapterNum=11-K10>

Affordability Requirements are set as follows:



1002.3 Residential development in the NHR zone shall set aside for IZ the following square footage:

- (a) Twelve percent (12%) of the gross floor area dedicated to residential use, excluding penthouse habitable space; and
- (b) The equivalent of eight percent (8%) of the gross floor area of any residential penthouse habitable space.

1002.4 Inclusionary units resulting from the set-aside required by Subtitle K § 1002.3 shall be reserved as follows:

- (a) At least twenty-five percent (25%) of the set-aside required by Subtitle K § 1002.3(a) shall be reserved for households earning equal to or less than fifty percent (50%) of the Median Family Income (MFI), with the remainder reserved for households earning equal to or less than sixty percent (60%) of the MFI; and
- (b) One hundred percent (100%) of the set-aside required by Subtitle K § 1002.3(b) shall be reserved for households earning equal to or less than fifty percent (50%) of the MFI.

1002.5 A minimum of twenty-five percent (25%) of the total IZ set-aside requirement shall be three- (3)-bedroom units.

See link to code source here >>

<https://dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=11-K1002>

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## **New Barry Farm Zone District ("BF")**

<https://dcregs.dc.gov/Common/DCMR/RuleList.aspx?ChapterNum=11-K11>

Affordable Housing Requirement in the Zoning Code Specifically Lists a Minimum Number of Housing Units in any development in this zone at 380+ units. See link to code source here >>

<https://dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=11-K1105>