

May 7, 2024

VIA IZIS

Mr. Anthony J. Hood, Chairperson  
District of Columbia Zoning Commission  
441 4th Street, NW, Suite 200-S  
Washington, DC 20001

**Re: Z.C. Case No. 24-03: Application of Good Hope Road LLC (the “Applicant”) to the District of Columbia Zoning Commission for Review and Approval of a Zoning Map Amendment (the “Application”) for the property located at 1603 Marion Barry Avenue, SE (formerly Good Hope Road, SE) (Square 5765, Lot 1015) (the “Property”) – Prehearing Submission**

Dear Chairperson Hood and Members of the Commission:

On April 25, 2024, the Zoning Commission (“**Commission**”) voted to set down the above-referenced application for a public hearing. With this submission, the Applicant hereby requests that the application be scheduled for public hearing.

**A. Response to Comments from the Commission at the Set Down Meeting**

The Commission requested additional information regarding other zones the Applicant considered for the Property prior to submission of the Application and how such zones compare to the requested MU-7A Zone District. The Applicant’s study of the most appropriate zoning for the site, as a threshold matter, took as its scoping parameters the Property’s Comprehensive Plan designations of Moderate Density Commercial on the Future Land Use Map (“**FLUM**”) and Main Street Mixed Use Corridor on the Generalized Policy Map. Specifically, the Comprehensive Plan Framework Element explicitly identifies the MU-5 and MU-7 Zone Districts as consistent with the Moderate Density Commercial FLUM designation. For comparison, the MU-5 Zone Districts permit a maximum building height of 70 feet for MU-5A or 75 feet for MU-5B and density of 4.2 FAR for Inclusionary Zoning (“**IZ**”) projects, whereas the MU-7 Zone Districts permit a maximum building height of 65 feet and density of 4.8 FAR for IZ projects.

With this guidance in mind, the Applicant sought to integrate the Comprehensive Plan’s direction and the parallel historic preservation considerations for the site driven by the Property’s surrounding context and location within the Anacostia Historic District. More specifically, the MU-7A Zone District — which is the residential-focused iteration of the MU-7 Zone Districts — permitted a building height appropriate for the historic preservation considerations at the Property

while also allowing a modest increase in density from what would be achievable under an MU-5 zoning designation. Further, the MU-7A Zone District’s limitation of any building to 65 feet was purposely selected as more compatible with the surrounding historic district than the MU-5A Zone District, the MU-5B Zone District, or the MU-8 Zone District, which permitted heights of 70 feet, 75 feet, and 70 feet, respectively. This concept was ultimately assessed by the D.C. Historic Preservation Review Board, which approved a building with a 65-foot height at the Property under H.P.A. No. 23-322 at its July 27, 2023 public meeting. As a result, the MU-7A zone is the ideal zone to unlock the Property’s Moderate Density Residential FLUM and Main Street Mixed Use Corridor Generalized Policy Map designations along with its potential to accommodate a level of density appropriate for the Property’s location on a key, historic neighborhood thoroughfare. After consultation with the Office of Planning to discuss the Property’s planning objectives and most appropriate new zoning, it was determined that the MU-7A Zone District would indeed be the best-fit map amendment to pursue for the Property after historic preservation considerations were incorporated into the project.

Importantly, the balance achieved by the proposed MU-7A zoning is decidedly more appropriate for the site, given its location and Comprehensive Plan mapping, than either the existing MU-4 Zone District that applies to the Property currently or a higher-density mixed-use zoning designation such as an MU-8 Zone District. The existing MU-4 zoning is more directly consistent with a Low Density Commercial designation on the FLUM, as expressly set forth in the Framework Element, 10-A DCMR § 227.11. Therefore, the current zoning exists in tension with the policy objectives of the Property’s mapping for Moderate Density Commercial on the FLUM, which is intended to foster mixed-use development patterns that are “somewhat greater in scale and intensity than the Low-Density Commercial Areas.” *Id.* On the other hand, the MU-8 Zone Districts are typically more consistent with a Medium Density Commercial mapping on the FLUM per the express language in the Framework Element, *id.* § 227.12, which envisions greater height and density than is customarily contemplated for the Moderate Density Commercial designation on the FLUM.

Set forth in **Table 1** below for the Commission’s reference is a summary of the existing, proposed, and alternative Zone Districts discussed above.

<b>Zone</b>	<b>Density<sup>1</sup></b>	<b>Height</b>	<b>FLUM / Framework Element Guidance</b>
<b>MU-4 (existing)</b>	3.0 FAR	50’	Low Density Commercial
<b>MU-5A</b>	4.2 FAR	70’	Moderate Density Commercial
<b>MU-5B</b>	4.2 FAR	75’	Moderate Density Commercial
<b>MU-7A (proposed)</b>	4.8 FAR	65’	Moderate Density Commercial
<b>MU-8</b>	6.0 FAR	70’	Medium Density Commercial

**Table 1**

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<sup>1</sup> Stated density and height include the bonus permitted for IZ projects.

**B. Hearing Fee and Additional Exhibits**

Pursuant to Subtitle Z § 1601.1, a check in the amount of \$6,500 for the hearing fee is being delivered to the Office of Zoning concurrent with this filing. In addition, the following exhibits are attached hereto:

Exhibit A – Certificate of Satisfaction of Filing Requirements

Exhibit B – Outline of Witness Testimony and Resume of Proffered Expert Witness

**C. Conclusion**

The Applicant asks that the application be scheduled for a public hearing at the earliest possible date. Please contact Jeff Utz at (202) 721-1113 or Lawrence Ferris at (202) 721-1135 if you have any questions regarding this submission.

Sincerely,

/s/ Jeffrey C. Utz

Jeffrey C. Utz

/s/ Lawrence Ferris

Lawrence Ferris

Enclosures

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document and accompanying materials were sent to the following by email on May 7, 2024:

Maxine Brown-Roberts  
Office of Planning  
[maxine.brownroberts@dc.gov](mailto:maxine.brownroberts@dc.gov)

Anna Chamberlin  
Preston Jutte  
District Department of Transportation  
[anna.chamberlin@dc.gov](mailto:anna.chamberlin@dc.gov)  
[preston.jutte@dc.gov](mailto:preston.jutte@dc.gov)

ANC 8A  
[8A@anc.dc.gov](mailto:8A@anc.dc.gov)

Jamila White, SMD 8A05  
[8A05@anc.dc.gov](mailto:8A05@anc.dc.gov)

/s/ Lawrence Ferris  
Lawrence Ferris