

**Resolution of ANC 1C
Recommending the Zoning Commission Set Down
Case No. 18-12 for Public Hearing
(Petition to Amend the Zone Map at Square 2568, Lot 808)
September 5, 2018**

WHEREAS, on August 13, 2018, Keep Meridian Hill Green (KMHG), an unincorporated non-profit civic association, filed a petition to rezone Lot 808 in Square 2568 to RA-2;

WHEREAS, the petition was accepted by the Office of Zoning and is currently pending as Zoning Commission Case No. 18-12;

WHEREAS, Lot 808, which is bordered by 16th Street NW on the east, Belmont Road NW on the south, and Crescent Place NW on the north, is currently split-zoned RA-2 and RA-4, with the portion along 16th Street located in the RA-4 Zone District and the remainder of the property located in the RA-2 Zone District;

WHEREAS, on August 15, 2018, ANC1C was notified of KMHG's petition for a map amendment, and was invited to submit a Set Down Report pursuant to Subtitle Z § 500.7;

WHEREAS, ANC 1C supports KMHG's petition and incorporates it herein, as rezoning Lot 808 to RA-2 would advance the goals of the FLUM and the Comprehensive Plan's Framework Element, and would also be consistent with the Comprehensive Plan's Land Use Element, Urban Design Element, Historic Preservation Element, and Mid-City Element;

WHEREAS, Section 226.1 of the Framework Element of the Comprehensive Plan describes how to use the Comprehensive Plan's maps:

The Generalized Policy Map and Future Land Use Map are intended to provide generalized guides for development and conservation decisions. Several important parameters...apply to their use and interpretation.

WHEREAS, the Generalized Policy Map identifies Lot 808 as being within a Neighborhood Conservation Area, which is defined by the Comprehensive Plan as:

...[having] very little vacant or underutilized land. They are primarily residential in character. **Maintenance of existing land uses and community character** is anticipated over the next 20 years. Where change occurs, it will be **modest in scale** and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density over current (2005) conditions are not

expected but some new development and reuse opportunities are anticipated...

The guiding philosophy in Neighborhood Conservation Areas is to **conserve and enhance established neighborhoods**. Limited development and redevelopment opportunities do exist within these areas but **they are small in scale**. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map. (emphasis supplied)

WHEREAS, rezoning Lot 808 to RA-2 would be consistent with the definition of Neighborhood Conservation Areas;

WHEREAS, allowing the lot to remain split-zoned with RA-4 would violate the provisions of the Generalized Policy Map by enabling greater density than anticipated by the Comprehensive Plan, enabling large-scale development that is more appropriate in a medium or high-density area, and enabling development that exceeds the existing scale and architectural character of the area;

WHEREAS, Section 226.1(d) of the Framework Element states:

The zoning of any given area should be guided by the Future Land Use Map interpreted in conjunction with the text of the Comprehensive Plan, including the citywide elements and the area elements...

WHEREAS, the Comprehensive Plan states that densities in Neighborhood Conservation Areas are guided by the Future Land Use Map (FLUM), which reflects future density for residential and commercial areas;

WHEREAS, the FLUM is part of the Comprehensive Plan's Framework Element and "carries the same legal weight as the Plan document itself";

WHEREAS, the FLUM designates Lot 808 for Moderate Density Residential use, which is defined as:

... the District's row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). The R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density

Residential category; the R-5-B district and other zones may also apply in some locations.

WHEREAS, because the R-5-B Zone District is now the RA-2 Zone District (under the 2016 Zoning Regulations), rezoning Lot 808 to the RA-2 Zone District would be consistent with the FLUM and the Moderate Density Residential definition;

WHEREAS, to allow Lot 808 to remain split-zoned RA-4 would be inconsistent with the Comprehensive Plan, because nothing in the Comprehensive Plan suggests that the RA-4 Zone District is compatible with Moderate Density Residential;

WHEREAS, in fact, the Framework Element states that RA-4 is compatible with High Density Residential, which is defined as:

... neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use. Pockets of less dense housing may exist within these areas. **The corresponding Zone Districts are generally R-5-D and R-5-E**, although other zones may apply. (emphasis supplied)

WHEREAS, The Home Rule Charter requires that zoning “shall not be inconsistent” with the Comprehensive Plan; 10A DCMR 2504;

WHEREAS, the importance of zoning as a tool for implementing the Comprehensive Plan, particularly the FLUM, is discussed in the Implementation Element of the Comprehensive Plan:

Policy IM-1.3.2: Zone Map Consistency: Consistent with the Home Rule Charter, ensure that the Zone Map is not inconsistent with the Comprehensive Plan FLUM. Make appropriate revisions to the Zone Map to improve its alignment with the FLUM and to eliminate clear inconsistencies.

Policy IM-1.3.3: Consultation of Comprehensive Plan in Zoning Decisions: ...Decisions on requests for rezoning shall be guided by the FLUM read in conjunction with the text of the Plan (Citywide and Area Elements) as well as Small Area Plans pertaining to the area proposed for rezoning.

WHEREAS, this Report/Resolution expresses the position of the ANC on the rezoning of Lot 808, as related to the standards against which the petition shall be judged;

THEREFORE, ANC1C RESOLVES: to ask the Zoning Commission to set down Case 18-12 for public hearing;

FURTHERMORE, ANC1C RESOLVES: to request that the Zoning Commission amend the Zone Map for Lot 808 to RA-2 to bring it into conformity with the Comprehensive Plan;

BE IT FURTHER RESOLVED, that the Chair and Commissioner for ANC1C08, or their designees, are authorized to represent ANC1C in this matter.