Testimony of
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Representing the F Street Preservation Association
before the Zoning Commission of the District of Columbia
on November 25, 2002
Zoning Commission Case Number 02-22

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Good evening ~~Madam~~ Chair and members of the Commission. My name is Gerald Forsburg, here on behalf of the F Street Preservation Association, a neighborhood group which has been in existence for several years now and is comprised of neighbors in the 200 and 300 blocks of F Street N.E. I, my wife and two children reside at 215 F Street, N.E.

We are here this evening to request the Commission to rezone lots 103 through 106 and lot 109, in Square 754, from CAP/R-4 to CAP/C-2-A. This request is based on a number of issues, not the least of which is the desire of the F Street Preservation Association to support the development of a long standing eyesore in the community: lot 109.

In February of 2002, 201 F Street, N.E., after sitting vacant and derelict for some thirty years, was purchased by a local church group. The new owners sought counsel and researched their options to construct a neighborhood coffee house at the property. It readily became apparent that the property, along with the 4 abutting lots, were the only properties along the 2nd Street corridor, between Massachusetts Avenue and K Street Northeast, which were zoned R-4 rather than C-2-A. Upon further review, and in conferring with the Office of Planning, it was found that the subject properties have been

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designated as mixed-use on the District's Land Use maps as of 1994, and that commercial designation for the properties would not be inconsistent with the Comprehensive Plan of the District of Columbia.

There was also interest by the property owners. It was then that the F Street Preservation Association took it upon themselves to submit a petition based on the nature of the rezoning being a neighborhood-centric issue rather than an inherited problem for long-time property owners, any new property owners and especially the new owners of 201 F who have been diligently serving our community for several years now.

While it is not the F Street Preservation Association's desire to dismiss residential from our communities, we do want to embrace smart zoning in light of the recent developments of the 2nd Street Corridor. And as residents of the immediate community, it is our desire to zip up this hole in the commercial fabric of 2nd Street, thereby ensuring an historic buffer and transition between the west and east sides of the street, ultimately creating an appropriate defining edge between the commercial and residential characters of our neighborhood. We are concerned that the current gap in the commercial corridor leaves too much to be assumed about where the commercial edge lies. Left as they are, the current boundaries allow for the possibility of a case in the future to be presented for rezoning further into Square 754 along F Street, especially as the demand for office space increases in our area due to development of the adjacent sites; this would leave a considerably greater loss of residential.

The Comprehensive Plan for this Ward specifically outlines 2nd Street N.E., from Massachusetts Avenue to F Street, as an important commercial area. The generalized land use map identifies the lots as mixed use. The land use piece of the Ward 6 plan also references the locating of more intensive and active land uses in areas of the Ward that, by virtue of existing infrastructure can accommodate and support those types of uses. I conclude therefore that our petition is not inconsistent with the Comprehensive Plan and that, it is in fact, the current residential zoning that is inconsistent with not only the plan but also the land Use map. The site is one block from metro, and I believe that the Department of Transportation has submitted a letter that this rezoning will not have an adverse affect on the neighborhood.

As for the historical character of the properties and the neighborhood, these properties are heavily guarded by a number of factors, not the least of which is the existing Capitol Interest Overlay District which subjects alterations of the subject properties to both local and federal approvals. As such, this rezoning will not affect the existing historic character of these sites or the immediate neighborhood.

Without doubt you will hear some opposition to the rezoning of residential to commercial, and even some support for the "spot zoning" of 201 F Street, N.E. While the property owners of 201 F Street certainly would not be in disagreement with a ruling such as that, "spot zoning" is generally not a desirable form a planning. Though cases can certainly be made for commercial spot uses in the historical context, such as corner stores and mid-block stores, we believe that the nature of 2nd Street has developed

moreover as a commercial corridor, and as such is an appropriate buffer to the abutting historic residential neighborhood. This buffer, which is already in effect, creates in planning terms, an edge to the overall district, as well as a step down from the Monumental Union Station, the ten-story Thurgood Marshall Building and the soon-to-be-completed ten-story Station Place Development. 2nd Street does not fit into this argument of neighborhood spot use exceptions. 2nd Street went commercial many years ago, beginning long before the land use map in 1994, and the residences that are the subject of this evening's hearing are indeed the exception. The F Street Preservation Association believes that rezoning only the corner would set the precedent for spot zoning in our communities, something that this Commission has wisely avoided.

Last, I believe that Councilmember Ambrose of Ward 6 hit the proverbial nail on the head when she testified during the recent hearing of the Capitol Hill Commercial Overlay District, which did away with the .3 FAR bonus for residential uses in the C-2-A zone districts and implemented an FAR 2.5, and in most areas of 3.0 for the C-2-A zones along certain commercial corridors in this very same area as the subject lots of our petition. She stated, "going to the higher [commercial] FAR does not reduce or preclude the opportunity of residential, but rather it increases the opportunities for the kind of low impact businesses that [she] described in [her] testimony." Her testimony advocated upper floors used as offices and street level retail and service uses. Not only does the C-2-A zone not preclude residential use, but should existing property owners desire to continue the historical residential use of their properties, they may apply for a Historic Tax Adjustment which, in essence allows them to continue paying the lower residential

property taxes rather than the commercial rate. Rezoning of these 5 properties does not force any current tenants out.

It is the F Street Preservation Association's petition, desire and hope, with the testimony of support that will be heard this evening and that has been shown via letters and petitions of the immediate property owners and the community; with the current upward commercial development of 2nd Street, N.E.; and with the foundation of sound planning policy and no adverse affect on the immediate community, that we request the Zoning Commission of the District of Columbia rule expeditiously in favor of this petition to rezone lots 103-106 and lot 109 in Square 754 from CAP/R-4 to CAP/C-2-A.

Thank you for your service to the residents of our Nation's Capital City and to this community.




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