ShawPittman LLP

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October 28, 2002

By Hand Delivery

Carol Mitten
Chairperson, D.C. Zoning Commission
441 4th Street, N.W., Second Floor
Washington, DC 20001

**Re: Zoning Map Amendment Application - Building Bridges Across the River (the "Applicant"), on behalf of The National Park Service For a Portion of U.S. Reservation 501, Parcel 236, Lot 114 Zoning Commission Case No. 02-41 – STATEMENT IN SUPPORT OF APPLICATION**

Dear Chairperson Mitten:

Enclosed please find a Zoning Map Amendment application package, which includes 20 copies of a statement in support of the application. This application is filed by the Applicant on behalf of The National Park Service, which is the fee title holder to the property and signed the application form.

The Zoning Map Amendment application seeks to establish the SP-1 Zone District on the property, which is presently unzoned. The Applicant notes that the Office of Planning has submitted a report recommending that this application be set-down for a public hearing. The Applicant looks forward to the Zoning Commission addressing this application at the October 28, 2002 public meeting.

Sincerely,

Paul A. Tummonds

Enclosures
cc: Maxine Brown-Roberts, OP
Linda Jackson
Skip McMahon
Chris Smith

Document #: 1282061 v.1

ZONING COMMISSION
District of Columbia
Case 02-41
Exhibit 2

2300 N Street, NW Washington, DC 20037-1128 | 202.663.8000 Fax: 202.663.8007 | www.shawpittman.com

Washington, DC
Northern Virginia
New York
Los Angeles
London

ZONING COMMISSION
District of Columbia
CASE NO.02-41
EXHIBIT NO.2

1331

**SHAW PITTMAN** 11/00
2300 N. STREET NW
WASHINGTON, DC 20037

15-122/540
BRANCH 00480

DATE October 28, 2002

PAY TO THE ORDER OF D.C. Treasurer $ 125.00

One Hundred Twenty-Five and 00/100 DOLLARS

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Paul A. T... MP

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002099

BUILDING BRIDGES ACROSS THE RIVER
C/O WILLIAM C. SMITH &CO., INC.
1220 L STREET, NW #300
WASHINGTON, DC 20005

BANK OF AMERICA,N.A.
Washington, DC

15-120
540

10/23/2002

125.00

PAY: One Hundred Twenty-Five and no/100 DOLLARS

TO THE ORDER OF D.C. TREASURER ,

AUTHORIZED SIGNATURE

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Z.C. Form #1 (5-93)

**ZONING COMMISSION OF THE DISTRICT OF COLUMBIA**

**APPLICATION TO AMEND THE ZONING MAP**

Before filling out this form, please see the instructions on the reverse side. Print or type all information unless otherwise indicated.

In accordance with the provisions of Section 102 of the Zoning Regulations, request is hereby made for an amendment to the Zoning Map as follows:

| Square No. | Lot Nos. | Existing Zoning | Requested Zoning |
|---|---|---|---|
| Parcel 236 | 0114 | UNZONED | SP-1 |
| | | | |
| | | | |

Address or description of the premises:

The affected property is a portion of U.S. Reservation 501 – Oxon Run Parkway, more particularly known as Parcel 236, Lot 114 and has frontage along Mississippi Avenue, S.E. between Southern Avenue, S.E. and Stanton Road, S.E.

The proposed zoning map amendment application will include the property in the SP-1 Zone District. The property is currently unzoned.

Area of the Site: 16.403 acres

Baist Atlas No. 158, Page 36.

The above information and attached documents are true to the best of my knowledge.

Owner's Signature — Date: 10-17-02

The National Park Service on behalf of the United States of America,
John H. Hale, Superintendent, National Capitol Parks – East
Owner's Printed Name
John Hale

Person to be notified of all actions:

Paul A. Tummonds, Jr. — Name
(202) 663-8873 — Telephone Number

Shaw Pittman
2300 N Street, N.W. Washington, D.C. — Address
20037 — Zip Code

DO NOT WRITE BELOW THIS LINE

Date Received:

Date Accepted: _____ Z.C. Case No.

# INSTRUCTIONS

Any request for an amendment to the Zoning Map that is not completed in accordance with the following instructions cannot be accepted. Applications shall be filed in the Office of Zoning, Suite 210, 441 Fourth Street, N.W., Washington, D.C. 20001. Applications will be received between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday. Applications will not be accepted until they have been reviewed by the Secretary to the Zoning Commission, to insure that they are complete. Applicants will be notified by mail when their applications are accepted.

A completed application shall consist of the following:

1. The original of Zoning Commission Form No. 1, properly completed and signed by the owners of all property involved in the application. (Where more than one ownership is involved, use a separate copy of Form #1 for each ownership). In addition to the original form, submit twenty (20) copies.

2. Twenty (20) copies of a statement clearly setting forth the reasons for the requested map amendment. Additional information, exhibits, or photographs may be attached, if desired, provided they are no larger than this form.

3. Copies of a key map (photocopy of the Zoning Map on 8 1/2" x 11" paper), showing the subject property outlined in red and the zoning of the surrounding area. Appropriate maps are available in the Office of Zoning.

4. A certified plat of survey of the subject property prepared by the D.C. Office of the Surveyor.

5. Twenty copies of a plat plan drawn at a scale of 80 feet to the inch. It shall be drawn to show all current lot lines for the square within which the subject property lies and drawn to show all boundary lines of each square for a one-square radius around the subject square. All street names and square and lot numbers shall be indicated. The source of reference shall be indicated and a bar scale must be drawn.

6. Non-refundable filing fee of $125.00 (make check or money order payable to the D.C. Treasurer; no cash).

All applications that are accepted for filing will be processed in accordance with Chapter 30 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning (Rules of Practice and Procedure before the Zoning Commission for the District of Columbia).

**NAME AND MAILING ADDRESS OF THE OWNERS**
**OF ALL PROPERTY WITHIN 200 FEET IN ALL DIRECTIONS FROM**
**ALL BOUNDARIES OF THE PROPERTY INVOLVED IN THE APPLICATION**

| SQUARE | LOT | PREMISE ADDRESS | OWNER & MAILING ADDRESS |
|---|---|---|---|
| P236/114 | | | US Gov't Property<br>National Park Service<br>Mr. John Parsons, Director<br>Cooperative Activities<br>1100 Ohio Drive, S.W.<br>Washington, D.C. 20024 |
| 5897 | 36 | 3660 22nd St, SE | Southview Associates II |
| 5898 | 1 | 3679 22nd St, SE | 2000 Corp Ridge #925<br>McLean, VA 22102 |
| 5898 | 2 | 2110 Mississippi Ave, SE | Deaf Reach Housing Inc |
| | 22 | 2100 Mississippi Ave, SE | 3521 12th Street, N.E.<br>Washington, D.C. 20017 |
| 5898 | 21 | 3677 22nd St, SE | Southview Apartment Associates<br>1951 Kidwell Drive, #700<br>Vienna, VA 22182 |
| 5898 | 40 | 3524 21st St, SE | Pamela M. Ward<br>3524 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898 | 41 | 3526 21st St, SE | Sheila M. Barnes<br>3526 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898 | 42 | 3528 21st St, SE | Katrina N. Davis<br>3528 21st Street, S.E.<br>Washington, D.C. 20020 |
| 898 | 43 | 3530 21st St, SE | Henry D. Watts<br>3530 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898 | 44 | 3532 21st St, SE | Joyce Y. Robinson<br>3532 21st Street, S.E.<br>Washington, D.C. 20020 |

2002 OCT 23 AM 10:00
D.C. OFFICE OF ZONING

| SQUARE | LOT | PREMISE ADDRESS | OWNER & MAILING ADDRESS |
|---|---|---|---|
| 5898 | 45 | 3534 21st St, SE | Milwina Locklear<br>3534 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898 | 46 | 3536 21st St, SE | Latonya S. Hardy<br>3536 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898 | 47 | 3538 21st St, SE | Pamela J. Holcomb<br>3538 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898 | 48 | 3540 21st St, SE | Kirsten M. Burgard<br>3540 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5898<br>5899 | 804<br>51<br>84 | 3500 21st St, SE<br>3533 21st St, SE<br>Trenton Pl, SE | Oxon Hill Creek LLC<br>1220 L Street, N.W.<br>Washington, D.C. 20005 |
| 5899 | 24 | 3516 19th St, SE | Danell L. Dandridge<br>3516 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 25 | 3518 19th St, SE | Cheryl E. Simms<br>3518 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 26 | 3520 19th St, SE | Marilyn Rivera<br>3520 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 27 | 3522 19th St, SE | Donna M. Butler<br>3522 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 28 | 3524 19th St, SE | Willie M. Mace<br>3524 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 29 | 3526 19th St, SE | Jacqueline Holloway<br>3526 19th Street, S.E.<br>Washington, D.C. 20020 |

| SQUARE | LOT | PREMISE ADDRESS | OWNER & MAILING ADDRESS |
|---|---|---|---|
| 5899 | 30 | 3528 19th St, SE | Melanie Hunter<br>3528 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 31 | 1900 Mississippi Ave, SE | Harry M. Decatur<br>1900 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 32 | 1902 Mississippi Ave, SE | Jesse J. Holland<br>1902 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 33 | 1904 Mississippi Ave, SE | Kim L. Burke<br>1904 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 34 | 1906 Mississippi Ave, SE | Alexander Peterson<br>1906 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 35 | 1908 Mississippi Ave, SE | Harriet L. Henry<br>1908 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 36 | 1910 Mississippi Ave, SE | Tina Hayes<br>1910 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 37 | 1912 Mississippi Ave, SE | Arthur Thompson<br>1912 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 38 | 1914 Mississippi Ave, SE | Sophia R. Mason<br>1914 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 39 | 1916 Mississippi Ave, SE | Beverly Campbell<br>1916 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 40 | 2000 Mississippi Ave, SE | Janel M. Johnson<br>2000 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |

| SQUARE | LOT | PREMISE ADDRESS | OWNER & MAILING ADDRESS |
|---|---|---|---|
| 5899 | 41 | 2002 Mississippi Ave, SE | Aaron E. Baloney<br>2002 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 42 | 2004 Mississippi Ave, SE | Jacqueline S. Sansom<br>2004 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 43 | 2006 Mississippi Ave, SE | James H. Austin<br>2006 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 44 | 2008 Mississippi Ave, SE | Paul M. Braxton<br>2008 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 45 | 2010 Mississippi Ave, SE | Lucille Washington<br>2010 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 46 | 2012 Mississippi Ave, SE | Carol M. Bryant<br>2012 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 47 | 2014 Mississippi Ave, SE | Harmenia L. Jackson<br>2014 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 48 | 2016 Mississippi Ave, SE | Beverly B. Harrison<br>2016 Mississippi Ave, S.E.<br>Washington, D.C. 20020 |
| 5899 | 49 | 3537 21st St, SE | Classie Cheeks<br>3537 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 50 | 3535 21st St, SE | Darlene T. Gassaway<br>3535 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 52 | 3531 21st St, SE | Jimmie Maultsby<br>3531 21st Street, S.E.<br>Washington, D.C. 20020 |

| SQUARE | LOT | PREMISE ADDRESS | OWNER & MAILING ADDRESS |
|---|---|---|---|
| 5899 | 53 | 3529 21st St, SE | Mary L. Williams<br>3529 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 54 | 3527 21st St, SE | Buffy A. Young<br>3527 21st Street, S.E.<br>Washington, D.C. 20020 |
| 5899 | 87 | 3514 19th St, SE | Andrea K. Williams<br>3514 19th Street, S.E.<br>Washington, D.C. 20020 |
| 5907 | 1 | 1820 Mississippi Ave, SE | Parklands Manor Association<br>1220 L Street, N.W., Suite 300<br>Washington, D.C. 20005 |
| | 2 | 1810 Mississippi Ave, SE | |
| | 3 | 3530 18th St, SE | |
| | 4 | 3520 18th St, SE | |
| | 8 | 3521 19th St, SE | |
| | 9 | 3531 19th St, SE | |
| 5908 | 1 | 1780 Mississippi Ave, SE | Parklands East Apartments<br>9375 Chesapeake Street, #215<br>La Plata, MD 20646 |
| | 12 | 3523 18th St, SE | |

US Gov't Property
National Park Service
Mr. John Parsons, Director
Cooperative Activities
1100 Ohio Drive, S.W.
Washington, D.C. 20024

Southview Associates II
2000 Corp Ridge, #925
McLean, VA 22102

Deaf Reach Housing Inc.
3521 12th Street, N.E.
Washington, D.C. 20017

Southview Apartment Associates
1951 Kidwell Drive, #700
Vienna, VA 22182

Pamela M. Ward
3524 21st Street, S.E.
Washington, D.C. 20020

Sheila M. Barnes
3526 21st Street, S.E.
Washington, D.C. 20020

Katrina N. Davis
3528 21st Street, S.E.
Washington, D.C. 20020

Henry D. Watts
3530 21st Street, S.E.
Washington, D.C. 20020

Joyce Y. Robinson
3532 21st Street, S.E.
Washington, D.C. 20020

Milwina Locklear
3534 21st Street, S.E.
Washington, D.C. 20020

Latonya S. Hardy
3536 21st Street, S.E.
Washington, D.C. 20020

Pamela J. Holcomb
3538 21st Street, S.E.
Washington, D.C. 20020

Kirsten M. Burgard
3540 21st Street, S.E.
Washington, D.C. 20020

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Washington, D.C. 20005

Danell L. Dandridge
3516 19th Street, S.E.
Washington, D.C. 20020

Cheryl E. Simms
3518 19th Street, S.E.
Washington, D.C. 20020

Marilyn Rivera
3520 19th Street, S.E.
Washington, D.C. 20020

Donna M. Butler
3522 19th Street, S.E.
Washington, D.C. 20020

Willie M. Mace
3524 19th Street, S.E.
Washington, D.C. 20020

Jacqueline Holloway
3526 19th Street, S.E.
Washington, D.C. 20020

Melanie Hunter
3528 19th Street, S.E.
Washington, D.C. 20020

Harry M. Decatur
1900 Mississippi Ave, S.E.
Washington, D.C. 20020

Jesse J. Holland
1902 Mississippi Ave, S.E.
Washington, D.C. 20020

Kim L. Burke
1904 Mississippi Ave, S.E.
Washington, D.C. 20020

Alexander Peterson
1906 Mississippi Ave, S.E.
Washington, D.C. 20020

Harriet L. Henry
1908 Mississippi Ave, S.E.
Washington, D.C. 20020

Tina Hayes
1910 Mississippi Ave, S.E.
Washington, D.C. 20020

Arthur Thompson
1912 Mississippi Ave, S.E.
Washington, D.C. 20020

Sophia R. Mason
1914 Mississippi Ave, S.E.
Washington, D.C. 20020

Beverly Campbell
1916 Mississippi Ave, S.E.
Washington, D.C. 20020

Janel M. Johnson
2000 Mississippi Ave, S.E.
Washington, D.C. 20020

Aaron E. Baloney
2002 Mississippi Ave, S.E.
Washington, D.C. 20020

Jacqueline S. Sansom
2004 Mississippi Ave, S.E.
Washington, D.C. 20020

James H. Austin
2006 Mississippi Ave, S.E.
Washington, D.C. 20020

Paul M. Braxton
2008 Mississippi Ave, S.E.
Washington, D.C. 20020

Lucille Washington
2010 Mississippi Ave, S.E.
Washington, D.C. 20020

Carol M. Bryant
2012 Mississippi Ave, S.E.
Washington, D.C. 20020

Harmenia L. Jackson
2014 Mississippi Ave, S.E.
Washington, D.C. 20020

Beverly B. Harrison
2016 Mississippi Ave, S.E.
Washington, D.C. 20020

Classie Cheeks
3537 21st Street, S.E.
Washington, D.C. 20020

Darlene T. Gassaway
3535 21st Street, S.E.
Washington, D.C. 20020

Jimmie Maultsby
3531 21st Street, S.E.
Washington, D.C. 20020

Mary L. Williams
3529 21st Street, S.E.
Washington, D.C. 20020

Buffy A. Young
3527 21st Street, S.E.
Washington, D.C. 20020

Andrea K. Williams
3514 19th Street, S.E.
Washington, D.C. 20020

Parklands Manor Association
1220 L Street, N.W., Suite 300
Washington, D.C. 20005

Parklands East Apartments
9375 Chesapeake Street, #215
La Plata, MD 20646

D.C. OFFICE OF ZONING
2007 OCT 23 AM 9:00

# STATEMENT IN SUPPORT OF THE APPLICATION FOR AN AMENDMENT TO THE ZONING MAP FROM UNZONED TO THE SP-1 ZONE DISTRICT

## I. INTRODUCTION

This statement, and the attached documents, are submitted in support of the Building Bridges Across the River, Inc. ("BBAR") application, on behalf of the United States Government, by their agent the United States Park Service ("NPS"), for a change to the Zoning Map for a portion of Parcel 236, Lot 114 (the "Property") from unzoned property to the SP-1 Zone District. While fee title to the Property is held by the United States Government, NPS transferred operational authority over the Property to the District of Columbia for "recreation purposes" in 1973. In July of 2001, the District of Columbia and BBAR finalized a lease agreement that authorized BBAR to construct, maintain and operate a community center on the Property. The District has delegated operational oversight of the lease to the Department of Parks and Recreation. BBAR intends to construct and operate the Town Hall Education Arts Recreation Center ("THE ARC") on the Property.

In order for the THE ARC to be fully constructed and occupied, the Property must be zoned. Based on discussions with various District agencies, including the Office of Planning, it was determined that it would be proper to establish a SP-1 Zone District for the Property.

## II.
## SUBJECT SITE, SURROUNDING AREA AND PROPOSED USE

The Property is located on a portion of the existing Oxon Run Reservation, a portion of U.S. Reservation 501. The property includes frontage along Mississippi Avenue, S.E. between Stanton Road, S.E. and Southern Avenue, S.E. The Property consists of approximately 16.403 acres. (See plat attached as Exhibit C.)

The general area adjacent to the Property includes a variety of zone districts. The Oxon Run Reservation, generally located south of Mississippi Avenue and the land that surrounds the Property, is unzoned federal land. To the north of the Property (in generally a five block radius) R-5-A, R-3, C-2-B, C-2 and R-2 Districts can be found. (See Exhibit D.)

THE ARC project will provide much needed recreational, cultural and artistic opportunities for residents of the immediate neighborhood, Ward 8 and the District of Columbia as a whole. The proposed tenants of THE ARC include; a new southeast home for the Levine School of Music, The Washington Ballet, a wellness center sponsored by Children's Hospital, a computer technology center, a full gymnasium, a 350 seat theater for the performing arts, and other community oriented uses. All of these proposed uses are in keeping with the uses permitted in the SP-1 Zone District as a matter-of-right and the uses envisioned in the Comprehensive Plan.

## III.
## PROPOSED SP-1 ZONE DISTRICT

The proposed zoning map amendment would rezone the Property to the SP-1 (medium density) Zone District. The SP-1 Zone District is designed to act as a buffer

between adjoining commercial and residential areas to ensure that new development is compatible in use, scale and design with the transitional function of this Zone District. The SP District permits the following uses as a matter-of-right: private schools; community center buildings; parks, playgrounds, swimming pools, or athletic fields operated by a local community organization; child/elderly development center; and art galleries. The height of buildings in the SP-1 Zone District may not exceed 65 feet, with no limit on the number of stories. The maximum FAR is 4.0 for residential uses and a maximum of 2.5 for all other uses. The maximum lot occupancy for residential uses is 80% and for non-residential uses 100 percent of the lot may be occupied.

## IV.
## STANDARDS APPLICABLE TO AN APPLICATION FOR A ZONING MAP AMENDMENT

The Zoning Act (D.C. Code, Sections 5-412, et seq., 1994 Edition) sets forth the criteria that the Zoning Commission must apply in adopting zoning regulations. Section 5-413 sets out the underlying purposes of the regulations to "promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital . . ." Section 5-414 directs the Zoning Commission to make its regulations "not inconsistent with the comprehensive plan for the national capital . . ." Section 5-414 further requires that zoning regulations:

> shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency of public services. Such regulations shall be made with reasonable

consideration, among other things of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and land values therein.

The Commission must apply the same standards and criteria in determining whether to approve a requested amendment to the Zoning Map of the District of Columbia.

## V.
## RATIONALE FOR ZONING MAP AMENDMENT APPROVAL

The proposed rezoning of the Property from unzoned to SP-1 meets the D.C. Code's standards for approval. Further, the rezoning will:

A. Help achieve the goals and objectives of the District of Columbia Comprehensive Plan; and

B. Allow the Property to be used for recreational, athletic and cultural purposes by various community-based private organizations, thereby strengthening and enhancing the adjacent residential areas.

### A.
### THE COMPREHENSIVE PLAN

Rezoning the Property to SP-1 is "not inconsistent with the Comprehensive Plan. In fact, such a rezoning would help to implement and achieve many diverse goals of the Comprehensive Plan. The rezoning of the Property is entirely consistent with following Elements of the Comprehensive Plan.

## 1.
## Land Use Element

Establishment of the SP-1 Zone District on the Property would further various aspects of the Land Use Element of the Comprehensive Plan. The Comprehensive Plan includes support for the following objectives for public and institutional land use.

> Facilitate the joint public and private development, where feasible, of surplus government property, particularly in the vicinity of Metrorail stations, **to supply needed community services and facilities that support local employment opportunities and neighborhood improvement and stability** (emphasis added). 10 DCMR §1115.1(h).
> Identify unneeded public buildings and lands that could be used to supply additional housing, commercial services, **and to accommodate private community service organizations and other physical and social needs,** (emphasis added). 10 DCMR §1115.1(i).

In order for any non-federal government entity to use the Property, an appropriate Zone District designation must be established. The SP-1 District permits uses, such as those included in THE ARC project, that provide needed community and social services and jobs for area residents, while not adversely impacting adjoining residential Zone Districts. The transitional nature of the SP-1 District allows recreational and cultural uses that are not permitted in the residential zones, but are essential to supporting thriving residential neighborhoods.

## 2.
## Economic Development Element

The Economic Development Element of the Comprehensive Plan includes 10 DCMR § 209.5, which states:

Strategic Populations (b) Attracting and Retaining Residents (3)

"Action 20: Support and Develop Neighborhood Arts, Culture and Tourism – Provide increased public and financial support for neighborhood tourism, historic heritage tours, arts festivals and cultural activities . . ."

Once again, including the Property in the SP-1 District will allow the establishment of cultural activities that will make the surrounding neighborhood more vibrant and active. The District of Columbia Government has leased to the Property to a private community based nonprofit organization that will develop and operate a facility that will present significant cultural activities and arts festivals for residents of the immediate area, Ward 8 and the entire District. Creating areas and neighborhoods in Ward 8 that include residential zones adjacent to areas that permit various recreational and arts-related activities helps attract and retain residents. Thus, the approval of this Zoning Map Amendment application furthers the Economic Development Element of the Comprehensive Plan.

**3.**
**Ward 8 Element**

There are numerous policies and objectives in the Ward 8 Element that are furthered as a result of the establishment of the SP-1 Zone District for the Property. The Ward 8 objectives for public facilities include:

"Ensuring that adequate and high quality neighborhood-based public services and facilities are available and accessible to the Ward 8 community at a minimal cost." 10 DCMR §1917.1(a).

One of the actions envisioned to achieve this objective is to:

"establish a multi-service recreational center that will address both recreational and community cultural needs in Ward 8". 10 DCMR §1918.1(b).

"Community leaders have stated that the development of a facility that would address recreational as well as cultural needs is one of the ways to expose the

ward's youth to attractive, lifestyle alternatives to involvement in illegal drug trafficking. 10 DCMR §1918.1(b)(1).

In regards to land use issues in Ward 8, the Ward 8 Element of the Comprehensive Plan notes that one of the central land use issues in Ward 8 is to:

> "develop an appropriate mix of uses on surplus public land that will complement existing residential and other uses." 10 DCMR §1924.14(c).

The SP-1 Zone District is an appropriate zoning designation for the Property that will allow the construction and operation of a project that will achieve these objectives.

**4.**
**Generalized Land Use Map**

According to the Generalized Land Use Map of the Comprehensive Plan, the area subject to the requested map amendment falls within the parks, recreation, and open space generalized land use category. The Generalized Land Use Map notes that District Government parks and recreation centers are one of the predominant uses in this public and institutional land use category. Similarly, the National Park Service and the District of Columbia have determined that recreational use is appropriate for the Property. The recreational uses included in THE ARC project are appropriate for this land use designation.

**B.**
**HEALTH, SAFETY, GENERAL WELFARE**

The proposed map amendment would further the health, safety and general welfare of the District of Columbia. Development under SP-1 zoning would produce a development that is consistent with, and supportive of, the surrounding uses. The

rezoning would also be consistent with sound planning principles, in helping to establish an appropriate mix of uses on the Property that will enhance and strengthen the surrounding neighborhood.

### C.
### DEVELOPMENT UNDER THE SP-1 ZONE DISTRICT WOULD CREATE FAVORABLE CONDITIONS, NOT ADVERSE CONSEQUENCES, FOR THE PROPERTY AND THE SURROUNDING AREA

The establishment of the SP-1 Zone District on the Property will not result in the overcrowding of land or undue concentration of population. Instead, the introduction of the SP-1 Zone District, which permits the development of projects such as THE ARC, will create conditions for development on the Property that are favorable to civic activity and recreational, educational and cultural opportunities. Therefore, the proposed Zoning Map Amendment application satisfies the requirements of D.C. Code Section 5-414.

## VI.
## EXHIBITS IN SUPPORT

The Applicant submits the following exhibits in support of the application and this statement:

A. Zoning Map Amendment application form;

B. Surveyor's building plat for the Property;

C. A copy of the Sanborn Atlas plat with the Property highlighted;

D. A copy of a portion of the Zoning Map depicting the Property and the surrounding area;

E. A portion of the Generalized Land Use Map of the Comprehensive Plan; and

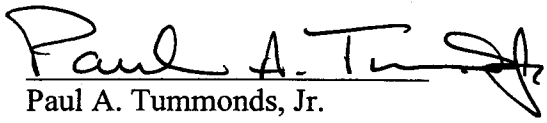
F. Site plan for THE ARC project.

## VII.
## CONCLUSION

For the reasons stated herein, BBAR submits that the proposed zoning of the Property from unzoned to SP-1 meets all of the requirements for an amendment to the Zoning Map. The potential benefit to the District afforded by this application is immeasurable. Therefore, NPS, together with BBAR, respectfully requests that the Zoning Commission schedule a public hearing on the proposed Zoning Map Amendment application as expeditiously as possible.

Respectfully submitted,

SHAW PITTMAN

By: 
Paul A. Tummonds, Jr.

October 2002

Document #: 1276687 v.1

A

Z.C. Form #1 (5-93)

**ZONING COMMISSION OF THE DISTRICT OF COLUMBIA**

**APPLICATION TO AMEND THE ZONING MAP**

Before filling out this form, please see the instructions on the reverse side. Print or type all information unless otherwise indicated.

In accordance with the provisions of Section 102 of the Zoning Regulations, request is hereby made for an amendment to the Zoning Map as follows:

| Square No. | Lot Nos. | Existing Zoning | Requested Zoning |
|---|---|---|---|
| Parcel 236 | 0114 | UNZONED | SP-1 |
| | | | |
| | | | |

Address or description of the premises:

The affected property is a portion of U.S. Reservation 501 – Oxon Run Parkway, more particularly known as Parcel 236, Lot 114 and has frontage along Mississippi Avenue, S.E. between Southern Avenue, S.E. and Stanton Road, S.E.

The proposed zoning map amendment application will include the property in the SP-1 Zone District. The property is currently unzoned.

Area of the Site: 16.403 acres

Baist Atlas No. 158, Page 36.

The above information and attached documents are true to the best of my knowledge.

Owner's Signature

10-17-02
Date

The National Park Service on behalf of the United States of America,
John H. Hale, Superintendent, National Capitol Parks – East
Owner's Printed Name
John Hale

Person to be notified of all actions:

Paul A. Tummonds, Jr.
Name

(202) 663-8873
Telephone Number

Shaw Pittman
2300 N Street, N.W. Washington, D.C.
Address

20037
Zip Code

DO NOT WRITE BELOW THIS LINE

Date Received:

Date Accepted: _____

Z.C. Case No.

# INSTRUCTIONS

Any request for an amendment to the Zoning Map that is not completed in accordance with the following instructions cannot be accepted. Applications shall be filed in the Office of Zoning, Suite 210, 441 Fourth Street, N.W., Washington, D.C. 20001. Applications will be received between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday. Applications will not be accepted until they have been reviewed by the Secretary to the Zoning Commission, to insure that they are complete. Applicants will be notified by mail when their applications are accepted.

A completed application shall consist of the following:

1. The original of Zoning Commission Form No. 1, properly completed and signed by the owners of all property involved in the application. (Where more than one ownership is involved, use a separate copy of Form #1 for each ownership). In addition to the original form, submit twenty (20) copies.

2. Twenty (20) copies of a statement clearly setting forth the reasons for the requested map amendment. Additional information, exhibits, or photographs may be attached, if desired, provided they are no larger than this form.

3. Copies of a key map (photocopy of the Zoning Map on 8 1/2" x 11" paper), showing the subject property outlined in red and the zoning of the surrounding area. Appropriate maps are available in the Office of Zoning.

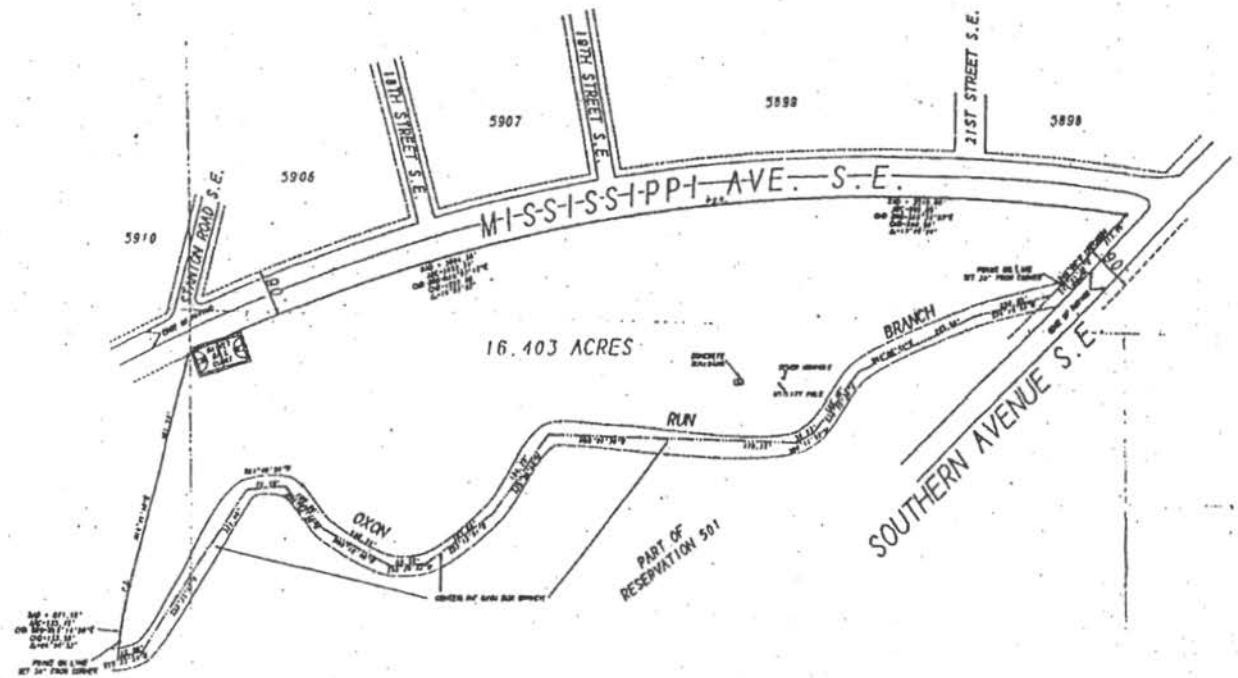
4. A certified plat of survey of the subject property prepared by the D.C. Office of the Surveyor.

5. Twenty copies of a plat plan drawn at a scale of 80 feet to the inch. It shall be drawn to show all current lot lines for the square within which the subject property lies and drawn to show all boundary lines of each square for a one-square radius around the subject square. All street names and square and lot numbers shall be indicated. The source of reference shall be indicated and a bar scale must be drawn.

6. Non-refundable filing fee of $125.00 (make check or money order payable to the D.C. Treasurer; no cash).

All applications that are accepted for filing will be processed in accordance with Chapter 30 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning (Rules of Practice and Procedure before the Zoning Commission for the District of Columbia).






SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY SHOWN HEREON IS PART OF RESERVATION 501 AS DEPICTED ON A PLAT OF EXCHANGE OF JURISDICTIONS RECORDED AMONG THE RECORDS OF THE OFFICE OF THE SURVEYOR OF THE DISTRICT OF COLUMBIA IN BOOK 101 PAGE 87.

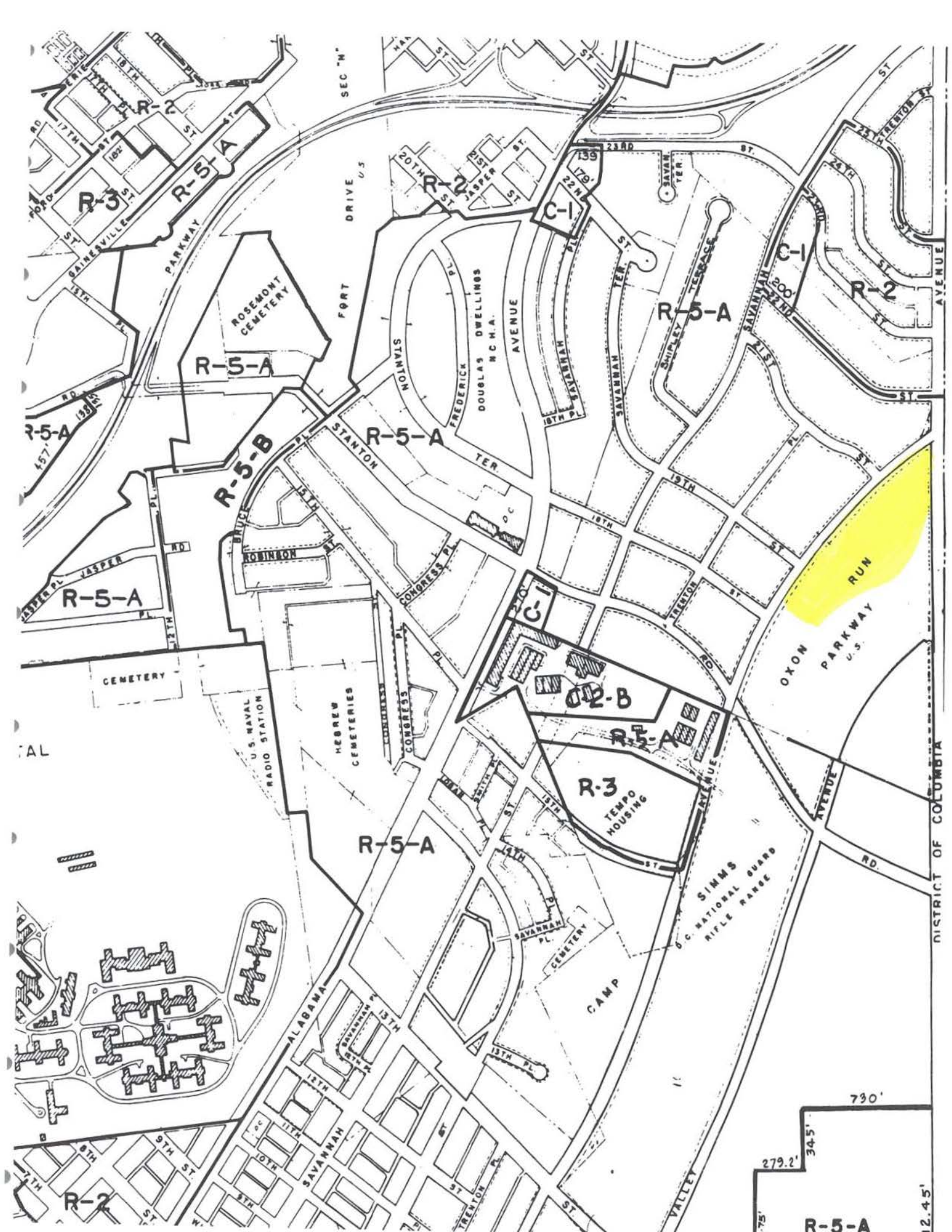
PLAT OF SURVEY
PART OF U.S. RESERVATION 501
WASHINGTON
DISTRICT OF COLUMBIA
SCALE: 1" = 100' JANUARY 1996

THOMAS A. MADDOX
PROFESSIONAL LAND SURVEYOR
9005 MOODY GROVE COURT
GAITHERSBURG, MD 20877
(301) 984-8804




WASHINGTON SUBURBAN
VOLUME FOUR
DISTRICT OF COLUMBIA
ARLINGTON CO. VA.
Anacostia River
Anacostia
Washington Channel
Naval Air Station
MAINS POINT
Potomac River
DISTRICT OF COLUMBIA
VIRGINIA
Bolling Field
Air Corps U.S. Army
ST. ELIZABETH HOSPITAL
1106
D.C. Tree Nursery
U.S. Botanic Garden Nursery
FORT STANTON PARK
D.C. GOV'T. PROPERTY
PARK
DISTRICT OF COLUMBIA
PRINCE GEORGES COUNTY MD.
Naval Research Laboratory
Capitol Hill
1200 0' 1200 2400'
SEE MAP OF ALEXANDRIA




R-2
R-5-A
R-3
SEC "N"
FORT DRIVE
GAINESVILLE PARKWAY
ROSEMONT CEMETERY
R-5-A
R-5-B
R-5-A
STANTON TER.
FREDERICK DOUGLAS DWELLINGS N.C.H.A.
AVENUE
C-1
R-5-A
SAVANNAH TERRACE
R-2
AVENUE
R-5-A
JASPER PL.
ROAD
ROBINSON ST.
BRUCE PL.
CONGRESS PL.
C-1
TRENTON ST.
OXON RUN PARKWAY U.S.
CEMETERY
U.S. NAVAL RADIO STATION
HEBREW CEMETERIES
CONGRESS PL.
C-2-B
R-5-A
R-3
TEMPO HOUSING
AVENUE
R-5-A
SIMMS D.C. NATIONAL GUARD RIFLE RANGE
CAMP
CEMETERY
ALABAMA AVENUE
SAVANNAH PL.
SAVANNAH ST.
R-2
DISTRICT OF COLUMBIA
730'
345'
279.2'
R-5-A

E

# District of Columbia Generalized Land Use Map

## Legend

### public and institutional land use categories



#### federal

land and facilities occupied by the federal government, excluding parks and open space, are the predominant uses; also includes the International Center. For a more specific indentification of federal facilities, see the Federal Facilities Element.



#### local public facilities

Land and facilities occupied by the District government, excludinng parks, recreation centers, and open space, are the predominant uses.



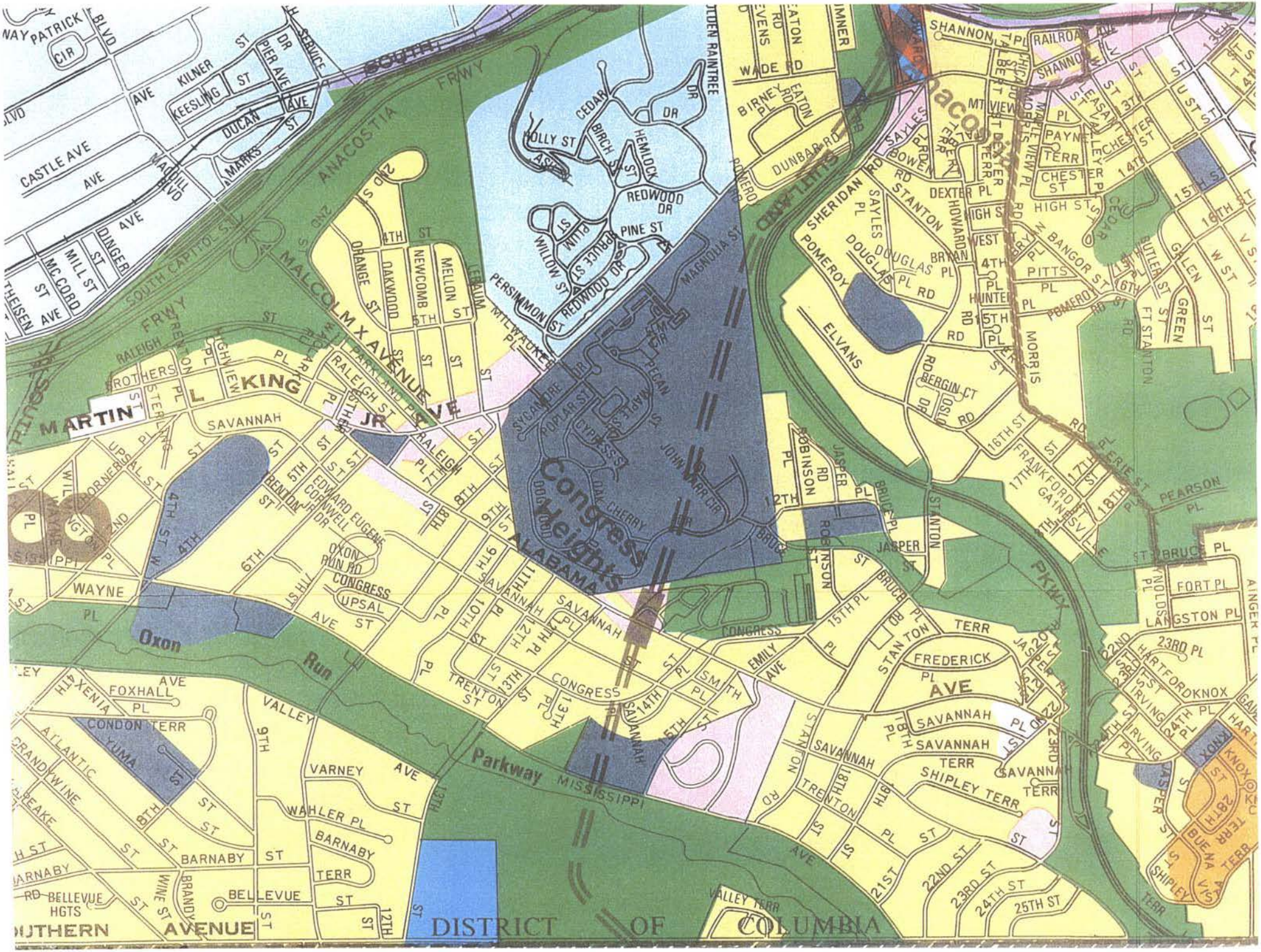
#### institutional

Land and facilities occupied by colleges, universities, hospitals, religious institutions and similar facilities are the predominant uses.

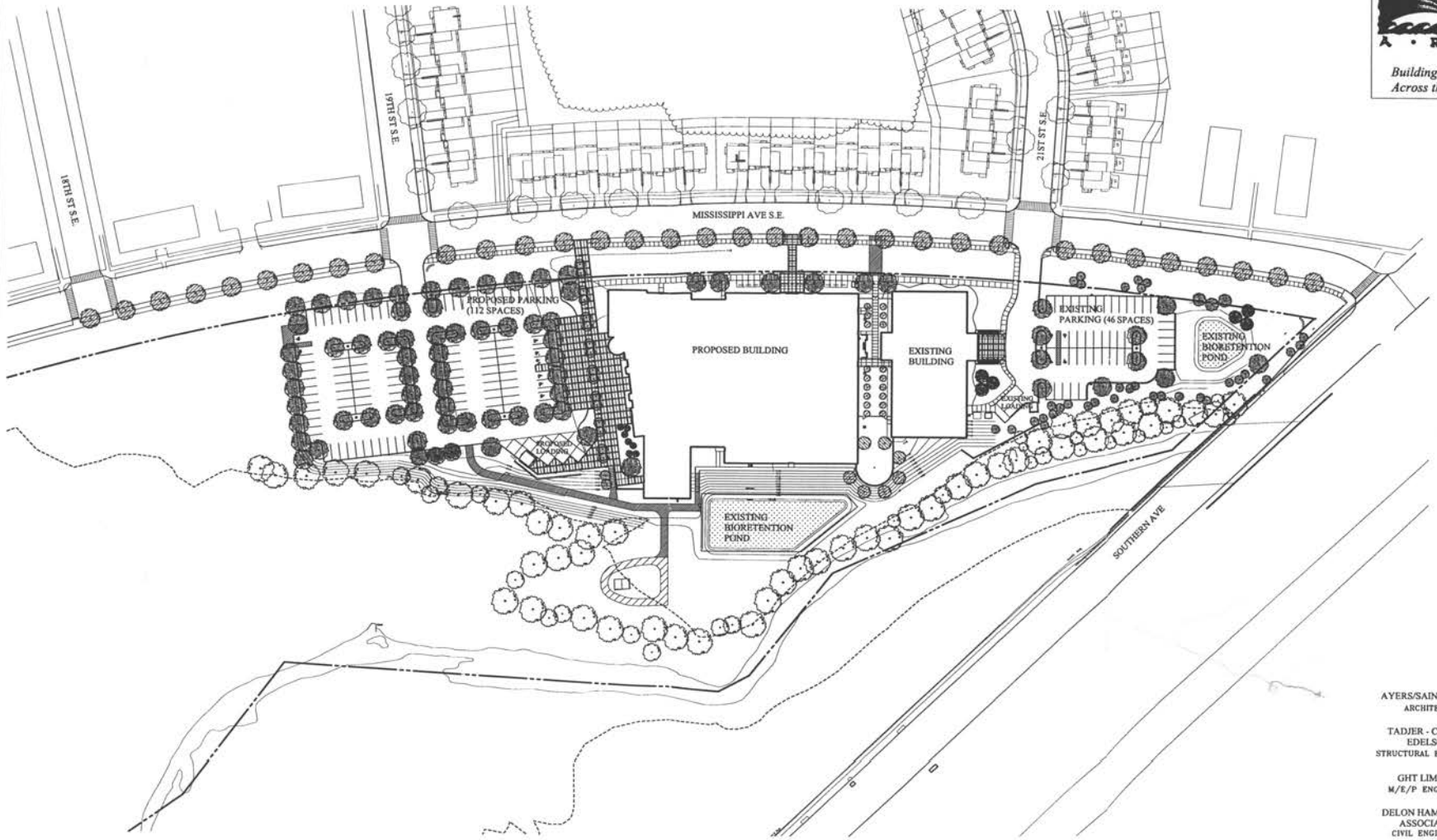


#### parks, recreation and open space

District government parks and recreation centers, cemeteries and the National Capital Open Space System are the predominant uses. The National Capital Open Space System is defined in the Parks, Open Space and Natural Features Element.


Congress Heights
Oxon Run
Parkway
DISTRICT OF COLUMBIA
MARTIN L KING JR AVE
MALCOLM X AVENUE
ANACOSTIA FRWY
SOUTH CAPITOL ST
SOUTHERN AVENUE
ALABAMA AVE
PKWY
CONGRESS
SAVANNAH
TRENTON
VALLEY
VARNEY
WAHLER PL
BARNABY
BELLEVUE
FOXHALL
CONDON TERR
YUMA
ATLANTIC
GRANDWINE
WAYNE
OXON RUN RD
UPSAL
EDWARD EUGENE CORNWELL JR DR
4TH ST SW
6TH
7TH ST
9TH
10TH
11TH
12TH
13TH
14TH
15TH PL
16TH ST
17TH
18TH
19TH
20TH
21ST
22ND ST
23RD ST
24TH ST
25TH ST
ELVANS
SHERIDAN
POMEROY
SAYLES
DOUGLAS
STANTON
DEXTER
HOWARD
HIGH ST
BANGOR ST
PITTS
HUNTER
MORRIS
BERGIN CT
FRANKFORD
GAINES
ERIE ST
PEARSON
FORT PL
LANGSTON PL
HARTFORD
KNOX
IRVING
BUENA VISTA TERR
SHIPLEY
SHIPLEY TERR
FREDERICK
EMILY
SMITH
JASPER
BRUCE
ROBINSON
OAK
CHERRY
SYCAMORE
POPLAR ST
CYPRESS ST
MAPLE
PECAN
JOHN MARSHALL
MAGNOLIA ST
PERSIMMON ST
WILLOW ST
HOLLY ST
BIRCH ST
CEDAR
HEMLOCK
REDWOOD DR
PINE ST
PLUM ST
ASH
DUNBAR RD
WADE RD
EATON RD
BIRNEY
SHANNON
RAILROAD AVE
MT VIEW
MAPLE VIEW PL
PAYNE
CHESTER
EASTVALLEY
GALEN
GREEN
FT STANTON
BUTLER
W ST
U ST
15TH ST
16TH ST
14TH
13TH
12TH
11TH
10TH
9TH
8TH
7TH
6TH
5TH
4TH
3RD
2ND
ORANGE ST
OAKWOOD
NEWCOMB
MELLON ST
LEFLUM
MILWAUKEE PL
RALEIGH ST
PARKLAND PL
BRENTON ST
SAVANNAH
CONGRESS
OAK CHERRY
SOUTH CAPITOL ST
CASTLE AVE
KEESLING
KILNER
DUCAN
MARKS
PIER AVE
DINGER
MILL ST
MC CORD
MACHILL BLVD
PATRICK CIR
SERVICE
JUDEN RAINTREE DR

F




T • H • E
A • R • C

*Building Bridges Across the River*

AYERS/SAINT/GROSS
ARCHITECTS

TADJER - COHEN - EDELSON
STRUCTURAL ENGINEERS

GHT LIMITED
M/E/P ENGINEERS

DELON HAMPTON & ASSOCIATES
CIVIL ENGINEERS

AYERS SAINT GROSS

# THEARC - PHASE II
# SITE PLAN

7 OCTOBER 2002