GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

DATE: April 2, 2003

TO: District of Columbia Zoning Commission

FROM: Andrew Altman, Director
Office of Planning

SUBJECT: Zoning Commission **Case No. 03-15**;
Set Down Report for a map amendment to rezone Lot 827, Square 3657 from R-4 to the C-1 zone District; filed by Bennett Career Institute.

APPLICATION

The Bennett Career Institute (BCI) has filed a request for a map amendment to re-zone the above referenced lot bounded by Lot 823 (Pizza Hut) to the north, an undeveloped lot owned by Catholic University to the east, Monroe Street to the south and 7th Street on the west.

SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends the application be set down for public hearing.

PROPOSAL

At the Tuesday March 18th, 2003 Special Public Meeting held by the Board of Zoning Adjustment, the Board recommended BCI withdraw their request for a use variance to locate a trade school on the subject property, since they were not able to demonstrate any hardship if the property was developed for a matter-of-right use. The Board suggested a map amendment before the Zoning Commission was the appropriate action, since the proposal was not an acceptable use for an R-4 zone District, and the amendment would be consistent with the General Land Use Map. OP also recommended denial of the applicant's use variance request and indicated support of a map amendment as consistent with the General Land Use Map.

ZONING COMMISSION
District of Columbia
Case 03-15
Exhibit 9

ZONING COMMISSION
District of Columbia
CASE NO.03-15
EXHIBIT NO.9

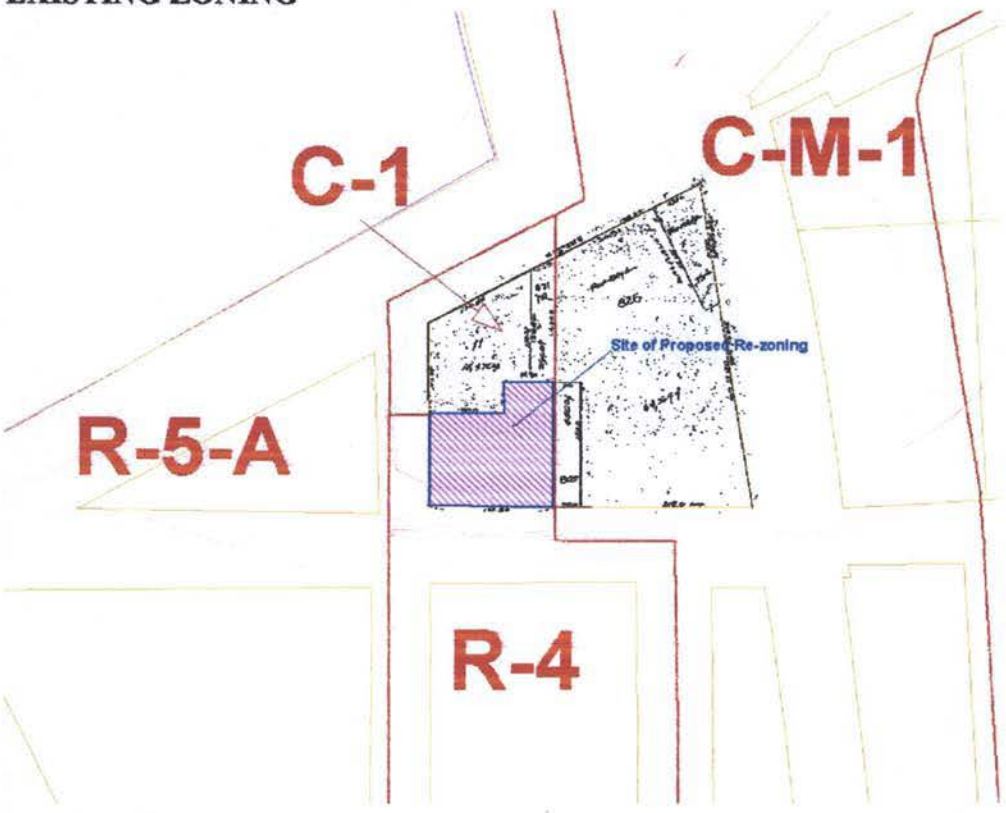
BCI proposes to relocate its existing business to 700 Monroe Street, N.E., to their recently purchased 18,570 square feet parcel of land, which is improved with a 28,880 square foot building. The existing building was built in 1957 as a dormitory for a Seminary and has been most recently used as a Social Service Center by the Government of the District of Columbia since 1973. However, the District vacated the property in1999, and the property has been vacant since. The land adjoins a commercial property, zoned C-1, to the north and C-M-1 zoned lots to the east in the same square. The proposed zoning would extend the C-1 zone of the adjacent commercial property.

The Office of Planning has reviewed the proposed map amendment and concluded that the C-1 zone is an appropriate designation for consideration and public hearing. The proposed uses and restrictions on the property are consistent with the C-1 zone district, the adjoining property to the north of the site and the Comprehensive Plan.

AREA DESCRIPTION

The property is located in Lot 827, Square 3657, adjoining a fast food restaurant (Pizza Hut), which is on the south side of Michigan Avenue, NW. The neighborhood on the south side of Michigan Avenue is a mix of institutional, single and multi-family residential and industrial uses.

EXISTING ZONING



The subject property is currently zoned R-4 residential and is located at the corner of

Monroe and 7th Street, N.E. The neighborhood south of Monroe Street is zoned R-4 and R-5-A, to the west R-5-A, and the areas to the east and south east are zoned C-M-1.

C-1 Commercial District

The Neighborhood Shopping (C-1) District is designed to provide convenient retail and personal service establishments for the day-to-day needs of a small area, with a minimum impact upon surrounding residential development. (§700.1) The zone also permits "…any use permitted in any R-5 District under §§ 350.4 and 350.5 or in the SP District under § 501 (§701.2). §501.1 permits "…secondary, trade or any other school" as a matter-of-right.

The following table highlights the general uses and area requirements for the C-1 zone District and for comparison with the zone Districts surrounding the subject property.

ZONE	Matter of Right Uses	BZA Approved Uses	Height	Density
R-4	Semi-detached, detached, and attached row dwellings, flats, churches, public schools, youth care homes (≤15), day care, antennas, museums, health clinics, hospitals	Child/elderly development centers community based residential facilities, group homes, private stables, community centers and service centers, emergency facilities, parking lots, rehab homes, universities, commercial antennas, health care facilities	3 stories and 40 feet max	40% Lot Occupancy maximum and 0.9 FAR
R-5-A	Detached, attached and row dwellings, flats, churches, embassies public schools, youth care homes (≤15), day care, antennas greenhouses, museums, health clinics, hospitals	Multi-unit residential developments, group homes, private stables, community centers, emergency facilities, parking lots, rehab homes, universities, commercial antennas, health care facilities	3 stories and 40 feet max	40% Lot Occupancy maximum and 0.9 FAR
C-1	Neighborhood serving retail such as banks, barbershop, shoe repair, laundry, locksmith. Youth care home (≤8), grocery, library, college	Gas service stations, utilities, bowling alleys, accessory parking spaces, automobile sales, health care facility, youth rehab home,	3 stories and 40 feet max	40% Lot Occupancy maximum and 1.0 FAR
C-M-1	Low-bulk commercial and light manufacturing, - Laundry, dry cleaning, gas stations, Printing, motorcycle sales and repair, fast food restaurant, community based residential facility, antenna, electronic equipment facility	Massage parlors, intermediate recycling facility, solid waste handling facility, accessory parking spaces	3 stories and 60 feet max	3.0 FAR

COMPREHENSIVE PLAN

In evaluating the proposed C-1 zone for consistency with the Comprehensive Plan, the Office of Planning considered consistency with themes, objectives and policies of the Comprehensive Plan, and the Generalized Land Use Map.

The C-1 zone is generally mapped in low-density shopping and service areas as may be identified in the Comprehensive Plan's General Land Use Map. The proposed BCI site is

designated on the Generalized Land Use Map as a mixed land use combination of Low Density Commercial with Production and Technical Employment. The prominent uses of this designation are a combination of land use categories mixed with shopping and service area that are generally low in scale and "[R] structured industrial land intended to encourage growth industries with a high ratio of employee to land area occupied, such as office support systems.... that generally do not occur to a substantial degree in other commercial areas."

The subject lot is adjacent to a commercial property in the same square, which is also identified as the combination land use previously described. The Generalized Land Use Map defines the overall square, and lands to the east and northeast of the square in this category. The Map also shows the area to the west of the square as Institutional. The area zoned as R-4 to the south of Monroe Street is mapped as Production and Technical Employment, which is an inconsistency, according to the General Map. OP will review the larger area zoning as part of a future Comprehensive Plan Consistency case.

The Ward 5 objectives for Land Use and Zoning outlined in 1629.1 (g) is as follows: "Ensure that inconsistencies between the Comprehensive Plan and zoning in the ward are identified and corrected." There is also general language regarding sensitive development and minimizing impacts on residential neighborhoods. OP believes this application does not contradict either of these objectives.

The use of the property by BCI for a trade school and a child development center, would be permitted by right in the proposed C-1 zone, would fit into the character of the community and would not be inconsistent with the Generalized Land Use Map or Comprehensive Plan.

COMMUNITY COMMENTS

ANC5C and other community organizations supported the applicant's request to establish the trade school and child development center before the Board of Zoning Adjustment in March 2003. According to the applicant, they are not aware of any objections in the community to the proposed rezoning.

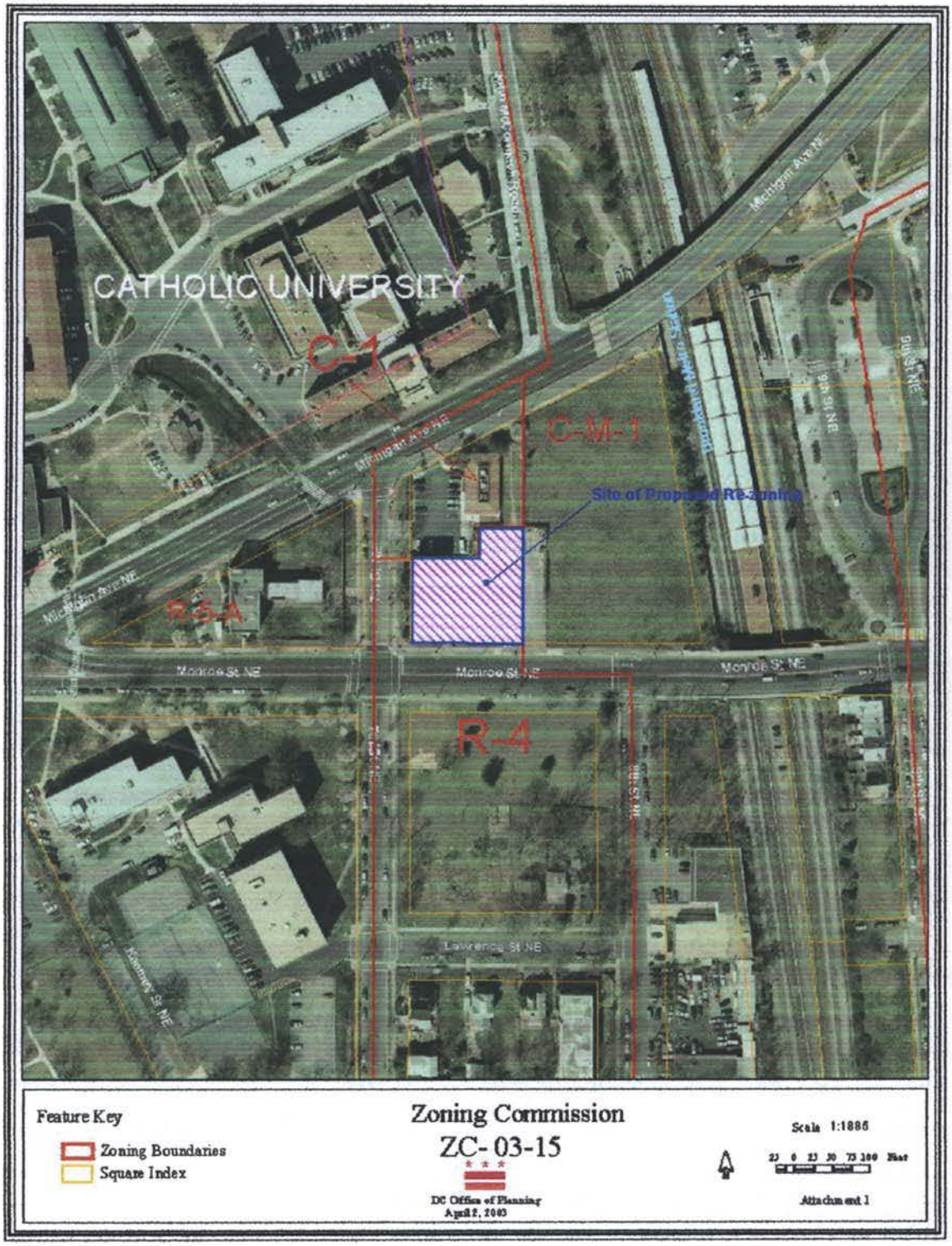
RECOMMENDATION

The Office of Planning recommends that the Zoning Commission set the proposed map amendment down for public hearing.

AA/kt
ATTACHMENTS:

1. Aerial Photo
2. Comprehensive Plan Map


Site of Proposed
Generalized Land Use Key
Comprehensive Plan Landuse
ZC # 02- Map Amendment
Bennett Career Institute
DC Office of Planning
No Scale
Attachment 4


CATHOLIC UNIVERSITY
C-1
C-M-1
Site of Proposed Re-zoning
R-5-A
R-4
Michigan Ave NE
Monroe St NE
Lawrence St NE
Feature Key
Zoning Boundaries
Square Index
Zoning Commission
ZC- 03-15
DC Office of Planning
April 2, 2003
Scale 1:1886
Attachment 1