GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

D.C. OFFICE OF ZONING
2003 MAY 30 PM 4:42

MEMORANDUM

TO: D.C. Zoning Commission

FROM: Andrew Altman, Director

DATE: May 30, 2003

03-20

SUBJECT: Report for **Emergency Setdown for a Zoning Map Amendment for Certain Portions of the United States Armed Forces Retirement Home (AFRH)**; initiated by the Office of Planning on behalf of the District of Columbia Department of Education

RECOMMENDATION

The Office of Planning recommends the Zoning Commission take two actions:

1) Adopt an emergency map amendment establishing an R-1-A zone district on approximately 5-acre site at the northern tip of the AFRH.
2) Adopt an emergency map amendment establishing an R-1-A zone district on approximately 1 acre in the southeastern quadrant of the AFRH.

The intent of the text amendment is to immediately zone currently un-zoned federal property to permit its use for non-federal purposes as early as June, 2003. The Office of Planning expects to work cooperatively with the Home and the National Capital Planning Commission to develop a plan for the overall property, and then initiate an orderly process establishing permanent zoning on this land.

BACKGROUND and PROPOSAL

The AFRH is a federal institution charged with providing residence and services for veterans of the U.S. armed forces. Rising costs have prompted the institution to begin exploring how campus buildings and land not needed for its primary mission can be re-used to generate income offsetting the cost of its services for veterans. The re-use concept plan has identified buildings and areas on 64 acres of the AFRH's 277 acres as being suitable for re-use. The focus of the re-use plan is on charter schools, especially those relating to the medical profession and hospitality industry; associations and non-profit users; and public recreation space. Aspects of the plan will come before the Commission as the plan evolves.

For the near term, AFRH wishes to lease two buildings and a parking area to charter schools, with lease execution and initial re-use beginning this summer. The AFRH proposes leasing out the Grant Building and Stanley Hall, both of which are at the

ZONING COMMISSION
District of Columbia
Case 03-20
Exhibit 1

ZONING COMMISSION
District of Columbia
CASE NO.03-20
EXHIBIT NO.1

northern tip of the campus (see Illustrations 1-3). The emergency zoning application would apply to land bounded, approximately, by Harewood Road on the northeast; Rock Creek Church Road on the northwest; and an east-west internal roadway located between Harewood Road and a line north of the Eagle Gate and Administration Building.

AFRH also wishes to lease out a portion of the Pipes Building parking lot. Charter schools would be temporarily located in modular structures to be located on the parking lot. This parking area is located just south of the internal roadway, Marshall Drive, north and east of the Pipes Building.

AFRH proposes to lease the Grant Building to between two and four charter schools. Possible schools include Tri-Community, Cesar Chavez, Tree of Life, and School of Allied Health Professions. All are based in the District. The selected schools are anticipated to expand into additional buildings on the AFRH campus in future years.

Stanley Hall would be occupied much sooner. The charter school DC Prep hopes to occupy the building in mid to late June 2003.

On the parking lot of the Pipes Building, the Tri-Community school intends to locate temporary trailers and occupy them in June, 2003.

ZONING

Because the land has been used by the federal government for federal purposes since the 19th century, none of the land has been zoned. 11DCMR §106.4 permits federal properties "used for or intended to be used for a Federal public building or use" to be not included in any zone district. The same exclusion does not apply to federal property not used for federal purposes. Federal land used for non-federal purposes, such as the proposed charter schools, must be appropriately zoned. The absence of zoning would preclude the issuance of needed building and occupancy permits.

Public schools are allowed as a matter of right in the R-1 Residence zone (§201.1 (k)). Private schools (§206) are permitted as special exception uses in the R-1 zone.

200 R-1 DISTRICTS: GENERAL PROVISIONS

200.1 The R-1 district is designed to protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes.

200.2 The provisions of this chapter are intended to stabilize the residential areas and to promote a suitable environment for family life. For that reason, only a few additional and compatible uses shall be permitted.

The development standards for private dwellings, public schools and churches are listed below.

Matter-of-Right Uses	Height	Floor-Area - Ratio	Lot Occupancy	Minimum Lot Area	Parking Standards
	R-1 / R-2				
SF Dwelling	40	None prescribed	60%	7500 sf	1 per unit
Churches	60	None prescribed	60%	7500 sf	1 per 10 seats
Public School	60	0.9	60% plus[1]	7500 sf	2 per 3 employees[2]
Public buildings	60	1.8 and 3.0	60 plus[1]		1 per 2000 s.f. of bldg. or of use [3]

1 - more spaces required for high schools

2 - parking standard for recreational buildings or uses is listed as 1 space for each "2000 square feet devoted to the building or use" (§ 2101.1).

The matter-of-right uses in the R-1-A zone are listed in §201.1. Notable uses permitted in addition to single-family detached dwellings include churches, embassies, public schools, and some community based residential facilities.

Private schools are permitted as a special exception subject to their compatibility with nearby properties with respect to noise, traffic and number of students; and the provision of ample parking for students, teachers and visitors.

The Office of Planning is working cooperatively with the Home and the National Capital Planning Commission on the development of a plan for the future development of the site. We expect to return to the Commission within a matter of months, after the planning effort, which will also involve consultation with the citizens of the area, to establish zoning for the site on a comprehensive basis.

However, we felt it necessary to move ahead with a zoning recommendation on these sites for two reasons. First, charter schools cannot easily move locations once the school year has begun, so zoning needs to be put into place quickly in order for the appropriate renovation work to be completed this summer. OP notes that the development of charter schools, to provide educational choice to District public school students, is an important District priority. Second, we felt that this was an appropriate recommendation, given that R-1-A is the most restrictive zone, and therefore, minimizes the risk of placing an inappropriate zone on the sites, and yet it will permit public schools as a matter of right. OP will give further consideration to what zone district is more appropriate on these sites over the long run when we develop the comprehensive zone plan for AFRH.

COMPREHENSIVE PLAN *(Attachment 2)*

The Comprehensive Plan Generalized Land Use Map shows the sites as being suitable for Federal Government Use. The land surrounding the USRF is designated for residential use to the east, open space to the north and east, and institutional uses to the south.

The map amendment is not inconsistent with many of the Comprehensive Plan goals including:

CHAPTER 1 GENERAL PROVISIONS

102 STABILIZING AND IMPROVING THE DISTRICT'S NEIGHBORHOODS

102.3 Many city neighborhoods also include integral commercial and institutional uses that contribute to their character. Neighborhood businesses, schools, park and recreational facilities, churches, and other public facilities all add to the livability of our communities. These uses too must be protected, stabilized, and improved.

CHAPTER 11 LAND USE

1100.2 District neighborhoods are the cornerstones of the District's social and physical environments:

(a) Land use policies must ensure that all neighborhoods have adequate access to commercial services within the District and sufficient housing opportunities to accommodate a range of needs. These policies must also ensure that the historic, cultural, and design qualities that make neighborhoods unique and desirable are maintained and enhanced. *Adequate recreational opportunities and access to cultural and educational facilities are also necessary ingredients of neighborhood vitality*; (emphasis added)

CHAPTER 15 - WARD FOUR PLAN

Section 1518.1 (b) of the Ward Four Plan advocates the "Review and (recommendation of) appropriate uses for underused District land and facilities that could benefit city agencies or the surrounding community".

CONCLUSION

- In OP's opinion, the proposed emergency map amendments and the setting down of a public hearing for a permanent map amendment are not inconsistent

with the Comprehensive Plan and will result in expedited achievement of many of the Plan's goals and objectives.

- OP believes that without the efficiency of the emergency rulemaking, the publicly beneficial charter schools proposed by the AFRH would face a significant delay in obtaining the necessary building permits. This would result in a delay in beginning building renovation and would preclude the initiation of the charter school programs for the Fall 2003 term.

Attachments (2)

AA/slc_{AICP}



Feature Key

Zoning Boundaries

Square Index

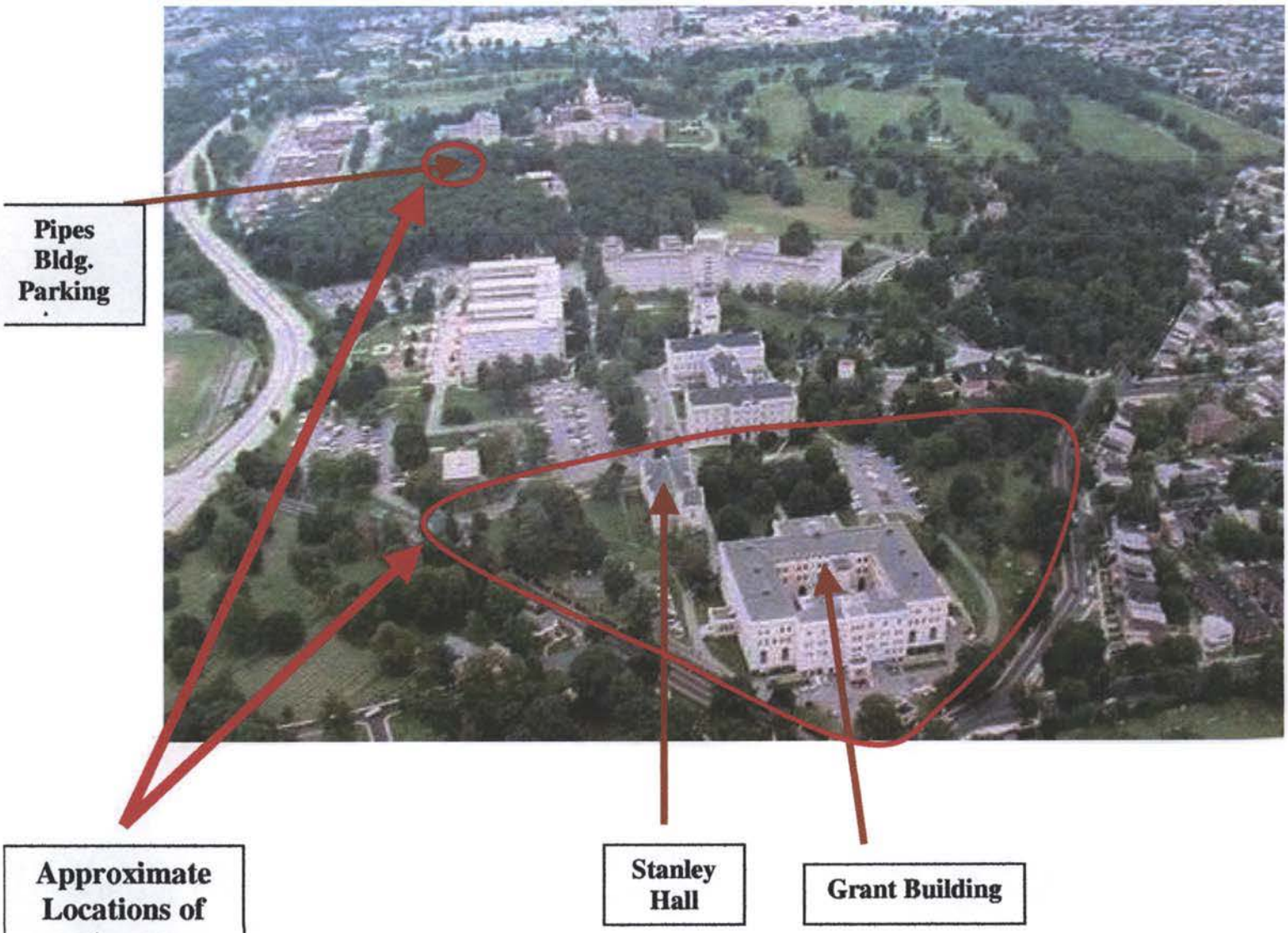
Ortho-Photography was taken in 1999.

Zoning Commission
Emergency Map Amendment for
Two Sites at Armed Forces Retirement Home

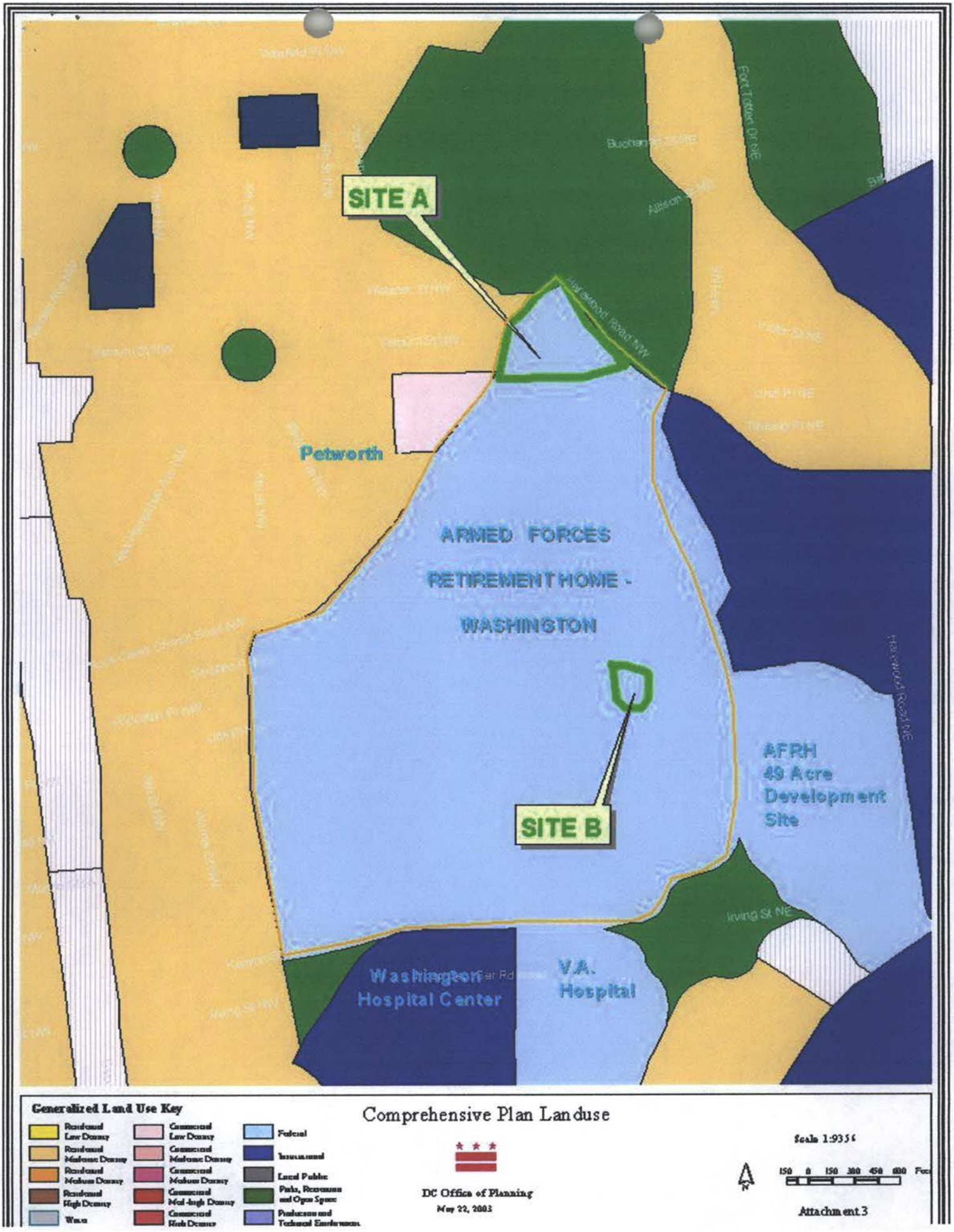
DC Office of Planning
May 22, 2003

Scale 1:9336

Attachment 1



<u>Attachment 2</u>: AFRH Campus, Facing South, Showing Approximate Boundaries of Areas Proposed for Emergency Map Amendments


SITE A
Petworth
ARMED FORCES
RETIREMENT HOME -
WASHINGTON
SITE B
AFRH
49 Acre
Development
Site
Washington
Hospital Center
V.A.
Hospital
Fort Totten Dr NE
Irving St NE
Generalized Land Use Key
Comprehensive Plan Landuse
DC Office of Planning
May 22, 2003
Scale 1:9356
Attachment 3