STATEMENT IN SUPPORT OF THE APPLICATION OF THE DISTRICT OF COLUMBIA HOUSING AUTHORITY TO AMEND THE ZONING MAP OF THE DISTRICT OF COLUMBIA

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I. INTRODUCTION

This statement is submitted on behalf of the District of Columbia Housing Authority ("DCHA"), the owner of the subject property, and Toyota Motor Sales, U.S.A., Inc., ("Toyota" or Toyota entity") the purchaser of the subject property, (collectively referred to herein as the "Applicant") to the District of Columbia Zoning Commission to amend the Zoning Map of the District of Columbia to change the zoning of Lots 62, 63, 64 and 65 in Square 5869 from R-5-A to C-1. The subject property is currently owned by the Applicant. However, pursuant to D.C Code Ann. § 6-203(4) (2001 ed.), which authorizes DCHA to dispose of rights and interests in real property, the Applicant is entering into an agreement with a tax-exempt subsidiary of Toyota to transfer the property to the Toyota entity to construct an automotive training center on the subject property. The Applicant is entering this agreement since it supports both the Applicant's and the District's overall goal of providing job training and related services for residents that receive public benefits.

The subject property is located in the Barry Farm neighborhood of southeast Washington, D.C., near the Anacostia Metrorail Station. The result of the zoning map change is to increase the permitted density and required mix of uses in the subject property. The overall permitted gross floor area will increase by 9,633 square feet as a result of this rezoning. Moreover, the zoning change will allow

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additional uses that are complimentary to those permitted in the existing R-5-A District, such as libraries and academic institutions Finally, the zoning map change is requested in order to place the subject property in a zone that is consistent with the designation of the property within the District of Columbia Comprehensive Plan ("Comprehensive Plan") and the accompanying Comprehensive Plan Generalized Land Use Map ("Map"), and to further the planning objectives and goals of the District of Columbia Office of Planning.

Once the property is rezoned, the Toyota entity will construct a state-of-the-art automotive training center on the subject property. This project is supported by the Applicant to further its goal of providing economic development and job training opportunities to District residents who receive the Applicant's assistance. The Applicant and Toyota are in the process of executing a Declaration of Covenants that binds the record owner of the subject property to construct and operate an automotive training center on the subject property. This covenant will run with the land, be binding upon the successors and assigns of each signatory, and will be properly recorded with the Recorder of Deeds of the District of Columbia. A copy of the covenant will be provided to the Zoning Commission once executed.

Pursuant to the terms of the covenant, the proposed training center will be designed to equip residents of the greater Washington, D C. metropolitan area with skills necessary for employment in the automotive repair industry Moreover, the covenant provides that a preference of the student spaces for each class held at the automotive training center will be reserved specifically for qualified individuals

applying for or receiving assistance from the Applicant. In addition to providing job training skills, the covenant also provides that the Toyota entity will also provide "life skills" training, which is intended to capture the necessary skills for securing and maintaining an entry-level job Thus, the requested rezoning is also necessary to permit the construction of this much-needed facility in Ward 8.

II.
LIST OF EXHIBITS

Exhibit A: Surveyor's Plat of Lots 62, 63, 64 and 65 of Square 5869,

Exhibit B: Portion of the Sanborn Atlas, showing the subject property highlighted in yellow;

Exhibit C: Portion of the Zoning Map, showing the subject property highlighted in yellow,

Exhibit D: Photographs of subject property;

Exhibit E. Portion of the District Columbia Comprehensive Plan Generalized Land Use Map, showing the subject property outlined in red; and

Exhibit F. Survey of subject property

III.
BACKGROUND OF CASE

A. Site Location and Existing Zoning

Square 5869 includes Lots 62, 63, 64 and 65, all of which are currently owned by the District of Columbia Housing Authority, consisting of approximately 96,331 square feet as shown on the Surveyor's Plat attached as Exhibit A. The square is bounded by Howard Road, S.E to the north, Sayles Place, S.E. to the east, Bowen Road, S.E. to the south, and Sheridan Road, S.E. to the west. See Sanborne Atlas, attached as Exhibit B As shown on the Zoning Map attached hereto as Exhibit C, Square 5869 is currently zoned R-5-A, which is a low height and density residential district. Lots 62, 63, 64 and 65 of Square 5869 is currently unimproved land with a dramatic upward slope from Sheridan Road to Sayles Place, as demonstrated in the photographs attached hereto as Exhibit D.

B. Surrounding Uses and Development Patterns in the Area

The subject property is located in the southeast area of the District, in the Barry Farm neighborhood and near the Anacostia Metrorail Station A small church is to the north of Square 5869 on Howard Road. Unimproved land, apartment houses, and other residential uses are to the east and south of the subject property. To the west, across Sheridan Road, are a number of churches, the Birney School, and various residential uses.

C. Zoning Classifications in the Area

Square 5869 is surrounded by a variety of zoning districts. A copy of the zoning map, showing the subject property highlighted in yellow, is attached hereto

as Exhibit C. The property to the north of the square is zoned C-2-A, and the property to the northwest of the subject property is zoned W-3 The squares generally bounding Square 5869 on the east are zoned R-4, R-3, and C-1.

D. Comprehensive Plan Designations

The Comprehensive Plan designates Lots 62, 63, 64 and 65 in Square 5869 for moderate density commercial land uses. A copy of a portion of the Generalized Land Use Map outlining the subject property in red is attached as Exhibit E The land use categories surrounding the subject property include moderate density residential to the north and east, parks, recreation, and open space to the south, and a mixed-use, institutional and medium-to-high density commercial land use designation to the west.

IV.
ANALYSIS OF EXISTING AND PROPOSED ZONING

A. Existing Zoning

Square 5869 is zoned R-5-A. The R-5 District is designed to permit flexibility of design by permitting all types of urban residential development, and the construction of institutional and semi-public buildings that are compatible with adjoining residential uses The R-5-A District permits low height and density development.

B. Proposed Zoning

The proposed map amendment requests the rezoning of Lots 62, 63, 64 and 65 in Square 5869 from R-5-A to C-1 The C-1 District permits as a matter-of-right many of the same uses permitted in the R-5 District. The C-1 District also permits

many uses that are complimentary to those permitted in the R-5-A District, such as libraries and colleges, universities and other academic institutions of higher learning. The primary change resulting from this map amendment will be increased permitted density and required mix of uses.

The following is a breakdown of those changes resulting from the requested rezoning:

SQUARE 5869 ***Based on Lot Area of 96,331 square feet***		
	R-5-A	**C-1**
Maximum Height	40 feet	40 feet
Maximum FAR	0.9 FAR (86,698 sf)	1.0 FAR (96,331sf)
Lot Occupancy Church or public school All other structures	 60% 40%	60%
NET DENSITY CHANGE	--	**INCREASE** in FAR of 9,633 sf

The most important implication of the requested zoning change is the resulting gain in allowable floor area in this area for commercial development. Specifically, the rezoning results in a net gain of 9,633 square feet that can be devoted to commercial uses and/or devoted to certain uses permitted in the R-5 District. Furthermore, the rezoning will be a catalyst to help further stimulate development in this area. This modification also serves to further the goals of the

District to improve the vitality of the Anacostia area, and the proposed zoning change furthers the goals of the Comprehensive Plan, as discussed below.

C. Proposed Construction

The requested rezoning will also enable a tax-exempt subsidiary of Toyota Motor Sales, U.S.A., Inc. ("Toyota" or "Toyota entity"), pursuant to covenants to be recorded by Toyota, to construct a state-of-the-art automotive training center on the subject property. A Declaration of Covenants will be executed by the Applicant and the Toyota entity that binds the record owner or any user of the subject property to construct and operate an automotive training center on the subject property. This covenant will run with the land and will be properly recorded with the Recorder of Deeds of the District of Columbia

Pursuant to the terms of the covenant, this proposed facility will equip residents of the greater Washington, D.C. metropolitan area with skills necessary for employment in the automotive repair industry. Moreover, a number of student spaces for each class held at the automotive training center will be reserved specifically for qualified individuals applying for or receiving assistance from the Applicant. "Life skills" training, such as basic instruction on completing a job application form, preparing for and participating in a job interview, dressing appropriately for a workplace setting, and arriving at work on time, will also be provided at the training facility.

V.

STANDARDS FOR A ZONING MAP AMENDMENT

In the District of Columbia, the Zoning Commission has the express authority to promulgate Zoning Regulations pursuant to the Zoning Enabling Act, Section 6-641.01 of the D.C. Code. This authority includes the right to amend the zoning regulations provided the amendment accords with the purposes and objectives of zoning delineated in Section 6-641.02 of the D.C. Code. The proposed rezoning meets the criteria set forth for an amendment to the Zoning Map as follows:

- The Proposed Zone is Not Inconsistent with the Comprehensive Plan
- The Proposed Zone Will Not Produce Objectionable Traffic Conditions
- The Requested Rezoning Will Promote the Health and General Welfare By Stabilizing Land Values and Facilitating Metro Ridership
- The Proposed Rezoning Will Tend to Further Economy and Efficiency in the Supply of Public Services

The proposed zoning meets the criteria for approval as follows:

A. The Proposed Zoning is Not Inconsistent with the Comprehensive Plan

The C-1 zone proposed for the subject property is entirely consistent with the Comprehensive Plan. The planning focus for this area of the District is to capitalize on the Anacostia Metro Station area as a focal point of commercial and community activities, and to encourage neighborhood revitalization. In fact, the Land Use and Zoning Element of the Ward 8 section of the Comprehensive Plan specifically calls

for the rezoning of areas in Ward 8 to make them consistent with the Comprehensive Plan, which designates the subject property for commercial uses. 10 DCMR § 1930.1(h)(1); see also Exhibit E.

According to the Comprehensive Plan, increased economic development is a particularly critical need in Ward 8 since the ward currently has the District's highest unemployment rate and the greatest proportion and number of persons on public assistance 10 DCMR § 1904. Further, the Ward's negative socio-economic image in the greater Washington community has had adverse impacts on potential investment in the Ward. Thus, the Plan specifically calls for the investment of significant public and private resources to stimulate the development of commercial services, provide a diversity of housing types and create market-sensitive educational and training centers to improve the occupational skills of current ward residents. 10 DCMR § 1904.2

In order to meet the District's economic development objective in Ward 8 of increasing labor force job skill levels, the Plan calls for the development of training centers for Ward 8's underused labor force, particularly its youth, and seeks to bring additional education, training, and employment opportunities to the Ward. 10 DCMR § 1906.1(g). The construction of an automotive training center on the subject property that will result from this proposed map amendment and which will provide both job training and life skills training will significantly help further the District's goal.

The Urban Design Element of the Ward 8 element of the Comprehensive Plan states that an objective of the District is to "encourage new development in areas with vacant or underused land to secure a strong, positive physical identity." 10 DCMR § 1920.1(g). The expansion of commercial and educational facilities on the subject property will significantly further this policy by replacing sloped, unimproved land with the construction of a high quality facility which will benefit the community.

Similarly, the Land Use and Zoning Element of the Ward 8 element of the Comprehensive Plan states that objectives for the area include: improving the physical condition of the Ward through the provision of functional, efficient and attractive commercial uses; locating more intensive land uses in areas of the Ward which, by virtue of existing or planned infrastructure, can accommodate and support these uses; and revising the Zoning Regulations and Map to reflect appropriate use changes in the Ward, specifically recommending that the Zoning Map be revised to conform with the densities and uses indicated on the Comprehensive Plan Land Use Map 10 DCMR §§ 1929, 1930.

Rezoning the property from R-5-A to C-1 is a necessary element to help achieve the District's goal of improving the physical condition of the Ward and promoting appropriate commercial uses. Moreover, the subject property is approximately 96,331 square feet and can support more intensive land uses. As the Survey attached as Exhibit F illustrates, the subject property has sufficient means of egress and ingress, water and sewer connections, and other utility connections to

support a more intensive use. Finally, the requested rezoning from R-5-A to C-1 of Lots 62, 63, 64 and 65 in Square 5869 is consistent with the Plan's recommendation to modify the Zoning Map to make it consistent with the Comprehensive Plan Land Map, since the Comprehensive Plan Land Map designates the subject property for moderate density commercial land uses, but it is currently zoned for low height and density residential uses.

B. <u>The Proposed Zoning Will Not Produce Objectionable Traffic Conditions</u>

The requested rezoning of the subject property will not produce objectionable traffic conditions. The subject property is located along major streets, Howard Road, S.E. and Sheridan Road, S.E., that can accommodate increased traffic volumes, if any. Moreover, the subject property is in close proximity to the Anacostia Metrorail Station. Accordingly, the proposed map amendment would have an inconsequential effect on the surrounding traffic conditions.

C. <u>The Requested Rezoning will Promote the Health and General Welfare By Stabilizing Land Values and Facilitating Metro Ridership</u>

The proposed rezoning will promote the health and general welfare and will create conditions favorable to health, safety, transportation, prosperity, and protection of property because it will permit development on these sites which is compatible with development goals for the area. Development of the subject property is critical to the successful fulfillment of the goals for this area of Ward 8 and will serve to stimulate the revitalization of this important area. The impact of the zoning change is to permit commercial development and the construction of

facilities, such as education facilities or training centers, that will help improve the socio-economic statistics of the surrounding neighborhood, such as education, employment, and income levels Specifically, the construction of the automotive training center will provide both much-needed job training and life skills training. Further, development at this site will facilitate Metro ridership due to its close proximity to the Anacostia Metrorail Station. Finally, the proposed rezoning will promote the general welfare in the area in that it will be fully consistent with District goals and policies as discussed in Section A above.

D. <u>The Requested Rezoning will Tend to Further Economy and Efficiency in the Supply of Public Services</u>

Economy and efficiency in the supply of public services is also furthered by the proposed map amendment and the appropriate development at a currently underutilized location where adequate public services, including excellent transportation access, are already present. For the same reasons, the requested C-1 zoning will promote the distribution of land uses in accordance with the purposes of zoning, as identified in the Comprehensive Plan and in the most recent planning objectives of the Office of Planning.

VI.
COMMUNITY SUPPORT

The Applicant has worked with the community and obtained support for the requested rezoning and proposed construction of the automotive training center Specifically, on February 26, 2004, the Applicant and representatives from Toyota and the District's Office of the Deputy Mayor for Planning met with members of

Advisory Neighborhood Commission ("ANC") 8C, the ANC in which the requested rezoning and proposed construction is located, described the requested relief and proposed project, and received the overwhelming support of the ANC The application is also supported by the District's Office of the Deputy Mayor for Planning and Economic Development.

VII.
CONCLUSION

For the reasons set forth above, the requested rezoning is consistent with the purpose of the District of Columbia Zoning Enabling Act that zoning amendments be consistent with the Comprehensive Plan and designed to promote such land uses 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 supply of public services, and that will promote orderly development in conformity with the Zoning Regulations and Zoning Map of the District of Columbia. Accordingly, the Applicant respectfully requests that the Zoning Commission set a hearing date for this application.

Respectfully Submitted,

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