

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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Office of the Director

Memorandum

TO: District of Columbia Zoning Commission

FROM: *HS for*
Harriet Iregoning
Director

DATE: April 23, 2007

SUBJECT: **Final Report** – Zoning Commission Case 06-36A. Zoning Map Amendment regarding Specified Areas within ANC-1A.

PROPOSAL

At a public hearing held on February 8, 2007, the Zoning Commission heard application ZC Case 06-36, a petition by Advisory Neighborhood Commission (ANC) 1A to rezone designated properties from the R-5-BA district to the R-4 district within the area bounded by Spring Road, NW to the north; Monroe Street, NW to the south, 14th Street, NW to the east; and 16th Street, NW to the west. The area is developed with predominantly rowhouses and the downzoning is to be consistent with the recommendations of the Comprehensive Plan. However, within that area identified, the Office of Planning (OP) inadvertently omitted some of the lots in the advertisement for the public hearing. The Zoning Commission voted to setdown the application and incorporate the record of Zoning Commission Case 06-36 into this case.

OP notes that this case should be viewed as a zoning consistency case due to an amendment to the Comprehensive Plan for the District of Columbia, 1995 and updated in 1999, Section 1231.1 of the Ward 1 Actions to Implement the Land Use Objectives.

OFFICE OF PLANNING RECOMMENDATION

As with Zoning Commission Case 06-36, OP finds that the proposed map amendment is not inconsistent with the *Comprehensive Plan, 1995 and updated in 1999*, and the *Draft Comprehensive Plan, 2006* and recommends that the Zoning Commission approve the proposed amendment to the Zoning Map to change the zoning from the R-5-B district to the R-4 district on the following squares and lots:

Square 2676, Lots 781, 785-794
Square 2677, Lots 371-373, 427-432, 623-625, 646-652
Square 2684, Lots 489-491, 553

ZONING COMMISSION
District of Columbia
CASE NO. 06-36A
EXHIBIT NO. 10

SITE AND SURROUNDING AREA

The subject lots are between 14th Street, N.W. to the east; Monroe Street, N.W. to the south; and along Oak Street, Newton Street, and Monroe Street. The area is developed with a mixture of rowhouses, apartments, and condominiums.

BACKGROUND

On July 12, 2006, ANC-1A passed a resolution which recommended that the Zoning Commission rezone properties within their jurisdiction that are developed with rowhouses from the existing R-5-B to the R-4 zone. In their resolution the ANC cited as their primary concern, the conversion of a number of rowhouses into condominiums. The requested rezoning is seen as a necessary step to stem these conversions.

The issue of these conversions had been of concern to the community even prior to the latest development boom in the District. Measures to address the issue are outlined in the *Comprehensive Plan for the District of Columbia, 1995 and updated in 1999, Section 1231.1 of the Ward 1 Actions to Implement the Land Use Objectives*. The issue was again part of community discussions for the latest Comprehensive Plan and is included in the *Draft 2006 Comprehensive Plan*. Policies in support of the *Land Use Element, Creating and Maintaining Successful Neighborhoods*, of the *Draft 2006 Comprehensive Plan*, address the community's concerns:

Policy LU-2.1.7: Conservation of Row House Neighborhoods

Protect the character of row house neighborhoods by requiring the height and scale of structures to be consistent with the existing pattern, considering additional row house neighborhoods for “historic district” designation, and regulating the subdivision of row houses into multiple dwellings. Upward and outward extension of row houses which compromise their design and scale should be discouraged.

Policy LU-2.1.8: Zoning of Low and Moderate Density Neighborhoods

Discourage the zoning of areas currently developed with single family homes, duplexes, and rowhouses (e.g., R-1 through R-4) for multi-family apartments (e.g., R-5) where such action would likely result in the demolition of housing in good condition and its replacement with structures that are potentially out of character with the existing neighborhood.

Further, an Action in support of these policies includes:

“LU-2.1-C: Residential Zoning.

Provide a better match between zoning and existing land uses in the city’s residential areas, with a particular focus on:

- (a) Blocks of well-established single family and semi-detached homes that are zoned R-3 or higher***
- (b) Blocks that consist primarily of row houses that are zoned R-5-B or higher***

- (c) *Historic districts where the zoning does not match the predominant contributing properties on the block face***
In all three of these instances, pursue rezoning to appropriate densities to protect the predominant architectural character and scale of the neighborhood.

The community is concerned that that further degradation due to development pressures on 14th Street is likely to continue and may accelerate. The upper floor additions result in a change in the character of the blocks in that the buildings are made taller and in some cases the materials are different and are not compatible to that of the row houses along the block.

ZONING

The properties are currently zoned R-5-B. The R-5 district is a General Residence District that is designed to permit flexibility of design for urban residential developments if they conform to the area requirements. The R-5-B district permits moderate height and density developments and does not limit the number of dwelling units in a building.

The R-4 district, to which the properties are proposed to be zoned, is primarily a row dwelling development zone. The R-4 district's primary purpose is for the stabilization of remaining one family dwellings (11 DCMR, Section 330.2). A comparison of the bulk regulations of the existing and proposed zone districts is detailed in the table below.

	R-4 Zone District	R-5-B Zone District
Maximum Height	40 feet	50 feet
Maximum No. of Stories	3	No Limit
Minimum Rear Yard	20 feet	15 feet
Minimum Side Yard	8 feet for end units*	8 feet for end units*
Maximum Lot Occupancy	60 %**	60 %
Maximum FAR	N/A	L8

* when not on a corner lot.

**Row dwelling, church or public school. 40 percent required for all other structures.

COMPREHENSIVE PLAN

The following objectives from the Land Use Element of the Comprehensive Plan are relevant to the proposed rezoning:

Section 1102.1(e) *“To protect residential neighborhoods from disruptive uses;”*

Further, a policy in support of this objective is outlined at:

Section 1104.1(b) *“Conserve and maintain the District's sound, established neighborhoods through the strict application and enforcement of housing, building, and zoning codes and the maintenance of the general level of existing residential uses, densities, and heights.”*

In the Comprehensive Plan for the District of Columbia, 1995 and updated in 1999, Section 1231.1 of the Ward 1 Actions to Implement the Land Use objectives states the following:

“1231 WARD 1 ACTIONS TO IMPLEMENT LAND USE OBJECTIVES

1231.1 The actions to implement land use objectives are as follows:

- (d) To protect the character of residentially zoned row house neighborhoods by limiting the density of development and preventing intensification of use through the subdivision of structures by doing the following:**
 - (4) Amending the R4 and R5 zoning regulations to prevent intensive unit subdivision of rowhouses or rezone predominantly rowhouse areas to lower unit subdivision density where currently zoned for intensive unit subdivision; and**
 - (5) Sponsoring these zoning changes for rowhouse areas in Adams Morgan, the area between 14th and 16th Streets, S and U Streets, and selected areas north of U Street and east of 16th Street, and certain areas along the length of 16th Street and on Connecticut Avenue at selected locations between Florida Avenue and Calvert Street;”**

The proposed zoning recommended by ANC-1A will address the area between 14th Street, NW. and 16th Street, N. (the other areas identified are outside of ANC-1A).

As stated before, the issue of the conversions has again been addressed in the *Draft District of Columbia Comprehensive Plan, 2006, Mid-City Area Elements, Planning and Development Priorities*:

- “(d) The row house fabric that defines neighborhoods like Adams Morgan, Columbia Heights, Pleasant Plains, Eckington, and Bloomingdale should be conserved. Although Mid-City includes six historic districts (Greater U Street, LeDroit Park, Mount Pleasant, Strivers’ Section, Washington Heights and Kalorama Triangle), most of the row houses in Mid-City are not protected by historic district designations. Some are even zoned for high-density apartments. A variety of problems have resulted, including demolition and replacement with much larger buildings, the subdivision of row houses into multi-unit flats, and top story additions that disrupt architectural balance. Intact blocks of well-kept row houses should be zoned for row houses, and not for tall apartment buildings, and additional historic districts and/or conservation districts should be considered to protect architectural character.”**

Further, *Policies and Actions* in support of these Priorities include *Policy MC-1.1.5: Conservation of Row House Neighborhoods*:

“Recognize the value and importance of Mid-City’s row house neighborhoods as an essential part of the fabric of the local community. Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect the desire to retain the row house pattern. Land use controls should discourage the subdivision of single family row houses into multi-unit apartment buildings but should encourage the use of English basements as separate dwelling units, in order to increase the rental housing supply.”

The Generalized Land Use Map describes the area for moderate density where *“row houses and garden apartments are the predominant uses; may also include low density housing.”* The proposed rezoning to the R-4 district will limit the conversions of row houses to apartment building but will continue to allow flats as a permitted use which can address rentals of basement apartments

ANALYSIS

The area between 14th and 16th Streets is a mixture of rowhouses and apartment buildings. It is believed that the R-5-B zoning existed on the properties prior to 1966 and was not included in any of the Comprehensive Plan consistency cases in 1994 and 1996. The original intent of having the R-5-B zoning in this area was to make the many apartment buildings in the area consistent with the zoning and rowhouses would be accommodated in that district. It was never intended that the rowhouses would be converted to apartment buildings

Revitalization in and around the area has led to some of the conversions. Some of the townhouses were previously vacant but with the revitalization of both 14th and 16th Streets there have been pressures for more housing which has led to pressures to build-out the units to the maximum permitted under the current zoning. Additionally, there have been a number of conversions to condominiums which are adverse to attracting and retaining families, and dilute the pool of available housing units sized to accommodate families.

As stated in our report for ZC 06-36, apartment buildings in the area are of varying sizes but they are distinctly larger buildings than the rowhouses. It therefore gives the community a mix of unit types as well as family sizes. Over the years, because of the R-5-B zoning there have been by-right conversions of many rowhouses, singly or combined, into multiunit buildings either for ownership or rental and thereby losing the availability of family housing.

The R-5-B district allows greater height and density so the effect of these conversions is that they create buildings that are much taller. The architectural quality of rowhouse streets are being lost because the continuity and integrity of the otherwise intact and original row house architecture are now being interrupted by rowhouses with added floors which causes them to tower over adjacent buildings and changes the consistent roofline along the block.

Most of the rowhouses in the area are two-story with an attic and some have rear access to an alley and some do not. Many additions are of different building materials, some of which are more contemporary in style and the materials, and are not in character with the original façade of the original building or others along the street. Other adverse architectural changes include the addition of fire stairs on the front of the buildings to meet the building code requirement that a second means of exit be provided for each unit. Where once a unified street frontage existed with uniform building heights, the blocks are now interrupted by buildings of varying heights.

Amending the Zoning Map to be consistent with the Comprehensive Plan will allow the area to maintain its rowhouse character, architecture and also maintain a balanced mix of housing types.

COMMUNITY COMMENTS

The application was submitted by ANC-1C.

RECOMMENDATION

Similar to actions taken by the Zoning Commission in Case# 06-36, the Office of Planning recommends that the Zoning Commission approve the proposed amendment to the Zoning Map to change the zoning from the R-5-B district to the R-4 district on the following squares and lots:

Square 2676; Lots 781, 785-794

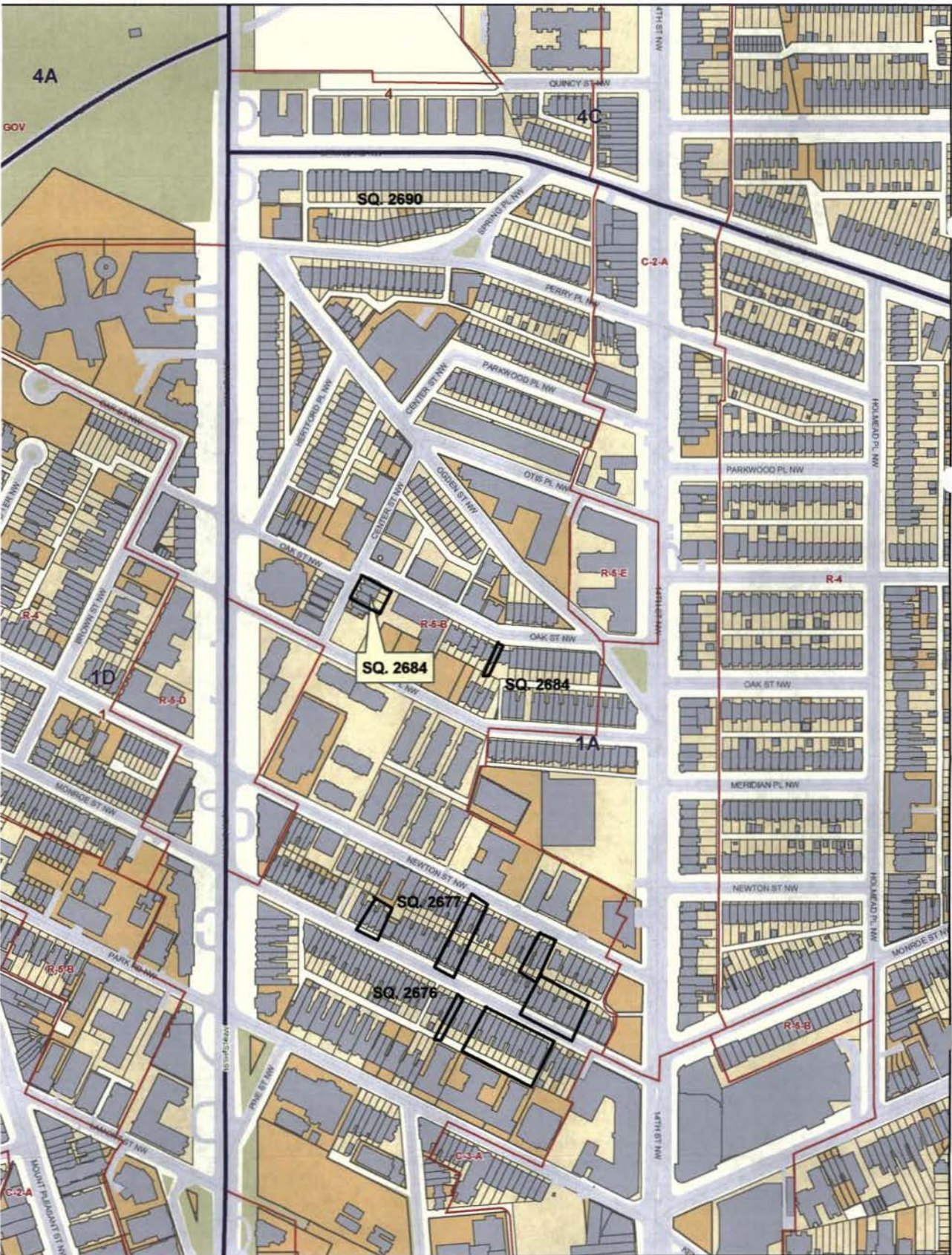
Square 2677, Lots 371-373, 427-432, 623-625, 646-652

Square 2684, Lots 489-491, 553

ATTACHMENTS:

1. Land Use Map

HT/mbr_{AICP}



Feet
0 100 200 300

Government of the
District of Columbia
Aedrian Fenty, Mayor

Office of Planning ~ March 2, 2007

This map was created for planning
purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.

ZC Case 06-36A
Part of ANC-1A
Proposed Areas to be Rezoned from R-5-B to R-4

- Zoning Districts
- 2002 Wards
- Buildings
- Major Roads
- Roads
- Street Centerlines
- 2002 ANCs