

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM:  Ellen McCarthy
Director

DATE November 17, 2006

SUBJECT: Case No **ZC-06-37 Final Report** for a Map Amendment to amend the Zoning Map regarding part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 29, 28 and 27, Square 1765, filed by the Office of Planning

This application was set down for the C-1 Zone District by the Zoning Commission at the July 24, 2006 meeting

RECOMMENDATION

The Office of Planning recommends that the Zoning Commission **AMEND** the Zoning Map to establish the C-1 Zone District for part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 29, 28 and 27, Square 1765

BACKGROUND

The subject property consists of 6,600 square feet of land on the north side of Chesapeake Street, N W and is owned by the District of Columbia. It extends east from the west side of Belt Road to a closed segment of Sheridan Street on the north of Chesapeake Street, or almost to present day 41st Street. It is un-zoned and located within Fort Reno Park. The remainder of Fort Reno Park is owned by the federal government.

Fort Reno Park is improved with active recreational facilities, including athletic fields and tennis courts. It also includes a variety of government structures operated by the District, including Department of Public Works (DPW) facilities, and the Reno Reservoir operated by the Water and Sewer Authority (WASA).

The subject property is improved with a vacant and boarded two-story brick commercial building constructed in 1937 at the northeast corner of Belt Road and Chesapeake Street on part of Lot 1, Square 1765, prior to the incorporation of the subject property into the Park. The building is a remnant of the Reno City neighborhood that was located in what is now Fort Reno Park. The remainder of the property is unimproved and located to the east of the building and to the south of the Fort Reno Park tennis courts along Chesapeake Street. The building and land are owned by the District of Columbia, having been transferred to the District from the National Park Service in 1957. No off-street parking is provided.

ZONING COMMISSION
District of Columbia

CASE NO. 04-37

EXHIBIT NO. 9

District of Columbia
CASE NO.06-37
EXHIBIT NO.9

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DC OFFICE OF ZONING

RECEIVED

District government offices historically had been permitted as government uses and not subject to zoning. However, in 1990 the Council of the District of Columbia passed legislation making new or expanded District government land uses subject to zoning. This requirement is codified in § 106.5 of 11 DCMR, as follows

“Properties of the District of Columbia government shall be subject to zoning, provided that

- (a) Any governmental land or building uses that were either in existence or were substantially planned, documented and invested in prior to May 23, 1990, shall not be subject to zoning,*
- (b) With regard to the properties referenced in paragraph (a) of this subsection, any change or expansion in the use of land or buildings or any new construction or additions to buildings shall be subject to zoning, and*
- (c) District of Columbia public buildings in the Central Area shall be exempt from zoning but shall continue to require approval of the National Capital Planning Commission, pursuant to § 5(c) of the National Capital Planning Act of 1952, approved July 10, 1952 (66 Stat 781, 788, D C. Code, 2001 Ed §§ 2-1004(c)(formerly codified at D C Code § 1-2004(c)(1999 Repl))) ”*

District government uses became subject to zoning as a result of the adoption of the above referenced text, unless located within the Central Area. The subject property is not located within the Central Area. Therefore, the building must be located within a zone district before it can be used by the District

PROPOSAL

DPW informed the Office of Planning that they propose to locate offices within the existing building for their Street and Alley Cleaning Division. Between 6 and 12 employees are proposed to work out of the building, and the majority of them will spend much of their days in the field. No heavy trucks or heavy equipment will be located at the site

Currently the Street and Alley Cleaning Division mainly operates out of two sites at 900 New Jersey Avenue, S E and 1125 O Street S.E. Both of these sites are located within Ward 6 and will have to close because of proposed redevelopment of those properties. DPW estimates that use of the subject property for the Street and Alley Cleaning Division will increase efficiencies in everyday service because the only other DPW operation in the North West quadrant is a small space housing grass cutting operations at 200 Bryant Street, N W

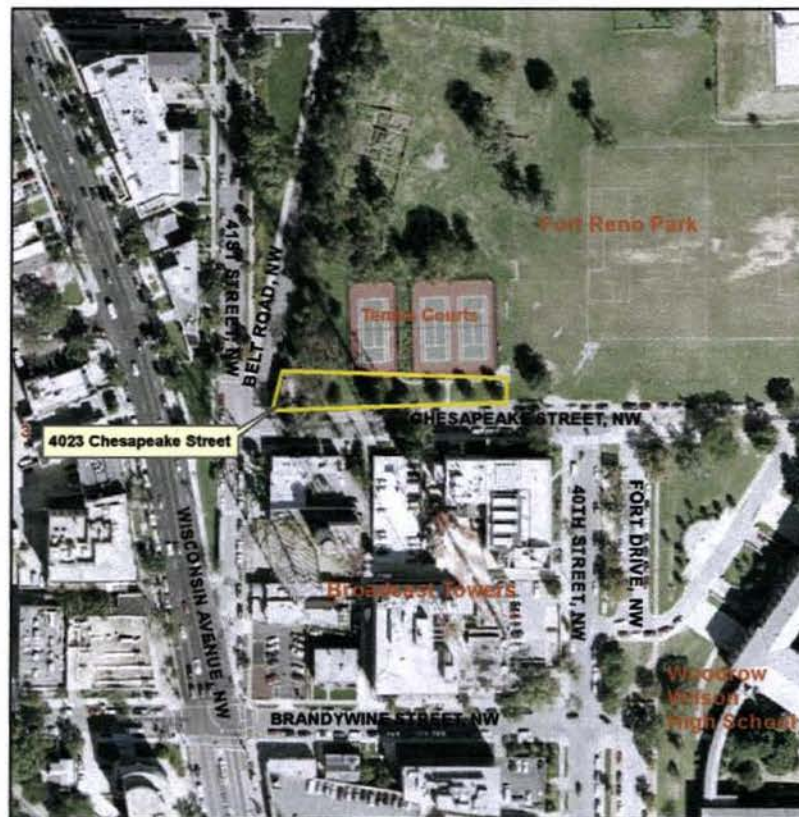
They also indicated that public restrooms may be made available to users of Fort Reno Park. However, in order for DPW to secure permits for the renovation and occupancy of the existing building it must be located within a zone district

AREA DESCRIPTION

Fort Reno Park extends to the north and east of the subject property. It is improved as an active park, including tennis courts and athletic fields. Further to the north and east, at the crest of the hill, is Reno Reservoir, operated by WASA.



View from the Corner of Belt Road and Chesapeake Street

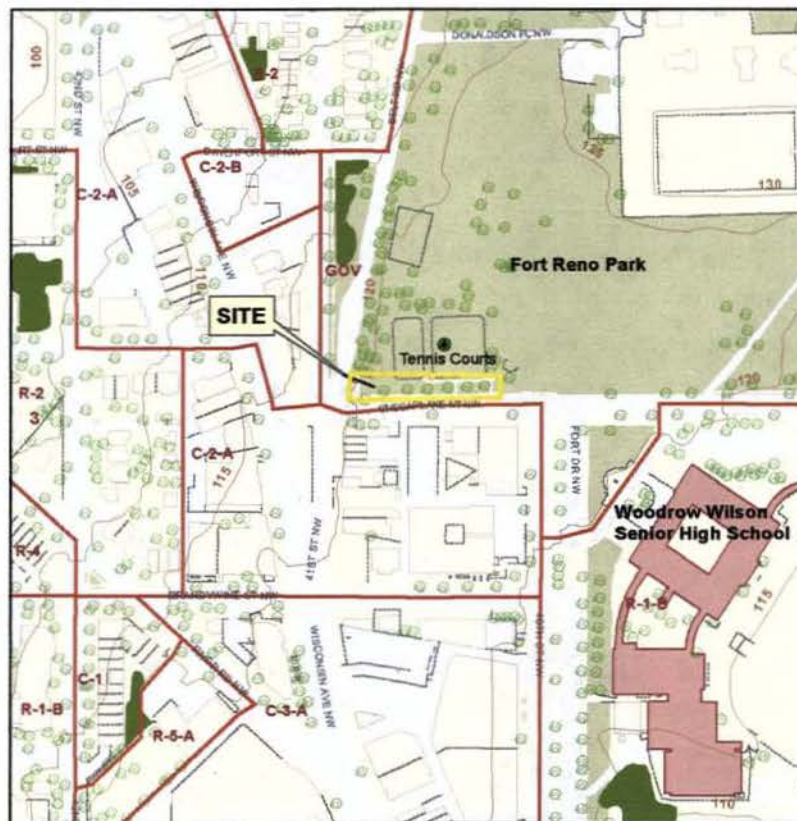


Aerial Photograph of Site and Surrounding Area

To the south, across Chesapeake Street, are one- and two-story commercial structures containing offices, retail and restaurant uses within the C-2-A Zone District. There are also several commercial broadcast towers and larger buildings associated with either the towers or two small

academic institutions. Further to the west, across 40th Street and Fort Drive, is Woodrow Wilson Senior High School within the R-1-B Zone District.

Fort Reno Park was designated a historic site in 1964 as a part of the Civil War Fort Site and Fort Circle Park System. As a result any development or changes are subject to review by the Historic Preservation Review Board.



Zoning Map

ZONING

The property is currently un-zoned. The petitioner proposes the zoning of the subject property to the C-1 (neighborhood shopping) commercial district, which *“is designed to provide convenient retail and personal service establishments for the day-to-day needs of a small tributary area, with a minimum impact upon surrounding residential development.”* (§ 700.1) The C-1 Zone District is the least intensive commercial zone district, with a bulk and height similar to that of low to moderate density residential zone districts. It is therefore considered the most appropriate zone district for this property within Fort Reno Park.

The proposed C-1 Zone comprises 11 lots (6,600 square feet), including the building, and will be under the control of the District government. Zoning within the immediate surrounding area is a “patchwork” of various zone districts, as shown on the zoning map above. There are nearby areas of C-2-B, R-3, R-4 and R-5-A zone districts, including C-1 at the southeast corner of 42nd

and Brandywine In addition, the lots located on the south side of Chesapeake Street directly across from the subject property are located within the C-2-A Zone District

The C-2-A is a more intensive zone district than the C-1 and the proposed use and existing building conform to the provisions of the C-1 Although the subject building must be located within a zone district for the District to use it, the Office of Planning recommends the least intensive zone district possible for consistency with the Park Any future use of the building will still be controlled by the District, as the property is under District ownership Therefore, although not adjacent to any other C-1 Zone District, the proposed map amendment is consistent with the surrounding pattern of zoning

The C-1 Zone District permits office use as a matter of right, pursuant to § 701 6(c)
The bulk regulations of the C-1 Zone District are shown below

	C-1 Zone District
Maximum Building Height	40 feet
Maximum Number of Stories	3
Minimum Rear Yard	20 feet
Minimum Side Yard	None required. If provided, 2 inches per foot of building height, but not less than 6 feet
Maximum Lot Occupancy	60 percent
Maximum FAR	1.0

Table 1

The subject building is two-stories and less than 40 feet in height The lot occupancy is approximately 16 percent and the FAR is approximately 0.33

COMPREHENSIVE PLAN

The subject application is not inconsistent with the following goal and objectives from the Public Facilities Element of the Comprehensive Plan

“It is the goal of the District to provide adequate and energy-efficient public facilities in good condition to support the cost-effective delivery of municipal programs and services and to support economic development and neighborhood improvement objectives ” (§ 601)

“The adequate service delivery objective is to ensure the construction, rehabilitation, and maintenance of facilities essential for public service delivery ” (§ 602 1)

“The adequate planning for public facilities objective is to provide for the coordinated planning of public facility construction and rehabilitation ” (§ 603 1)

GENERALIZED LAND USE MAP: The site is located within the parks, recreation and open space land use category- *“District government parks and recreation centers, cemeteries and the National Capital Open Space System are the predominant uses ”*

The proposed C-1 map amendment, if adopted, will allow for the District government to restore the subject property to active use and better allow the Department of Public Works to provide its services within Ward 3. Therefore, the Office of Planning finds that the proposal is not inconsistent with the Comprehensive Plan.

DRAFT FUTURE LAND USE MAP: The site is located within the Parks, Recreation, and Open Space land use category, which “[i]ncludes the federal and District park systems, including the National Parks, the circles and squares of the L'Enfant city and District neighborhoods, the National Mall, settings for significant commemorative works, certain federal buildings such as the White House and the US Capitol grounds and museums, and District-operated parks and associated recreation centers. It also includes permanent open space uses such as cemeteries, open space associated with utilities such as the Dalecarlia and McMillan Reservoirs, and open space along highways such as Suitland Parkway. This category includes a mix of passive open space (for resource conservation and habitat protection) and active open space (for recreation).”

The Office of Planning finds that the use of subject property by the District government for office space by the Department of Public Works to provide essential government services is not inconsistent with these categories.

COMMUNITY COMMENTS

ANC 3E reviewed the application at special meeting on November 16, 2006, and voted to oppose the application and request that the Zoning Commission continue the hearing.

ANC 3F, a neighboring ANC, is scheduled to review this application at their regularly scheduled meeting of November 20, 2006.

The Tenleytown Historical Society, in a letter dated November 14, 2006, requested “that any hearing on zoning be delayed until the question of ownership can be more fully investigated and documented.”

AGENCY COMMENTS

The Office of Property Management submitted a letter dated October 24, 2006 in support of the application.

CONCLUSION

The proposed map amendment will allow the District government to locate offices of the Department of Public Works within the building, resulting in a more cost-effective delivery of municipal programs. Therefore, the Office of Planning recommends that the Zoning Commission AMEND the zoning map to include part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 29, 28, and 27, Square 1765 within the C-1 Zone District.