

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



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Office of the Director

**Memorandum**

**TO:** District of Columbia Zoning Commission

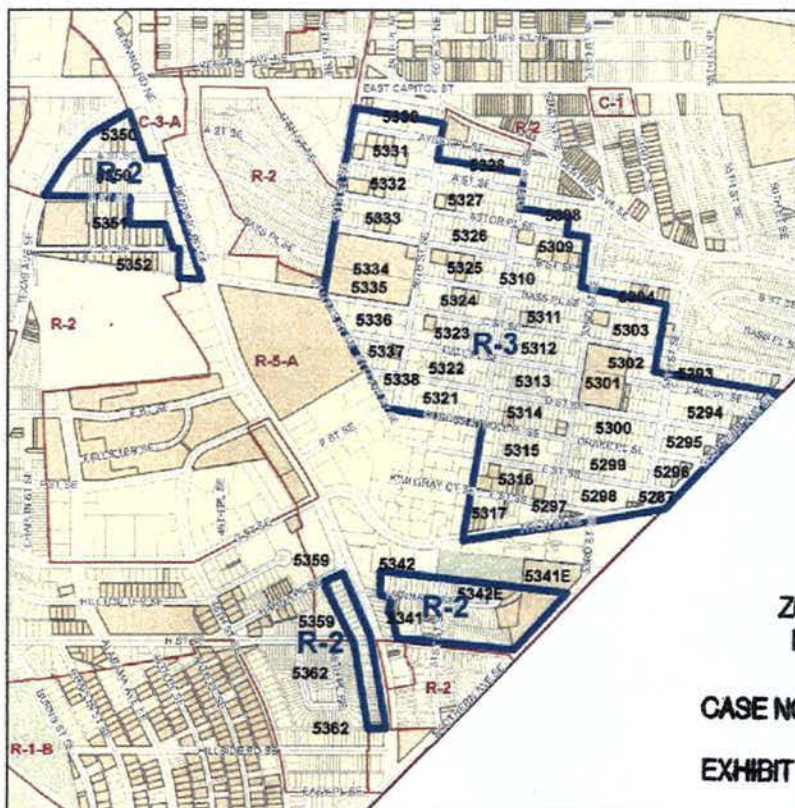
**FROM:** Jennifer Steingasser *JS*  
Deputy Director

**DATE:** November 9, 2007

**SUBJECT:** Setdown Report ZC Case No. 07- 30 R-5-A Map Amendment

**RECOMMENDATION**

The Office of Planning recommends that the Zoning Commission setdown for public hearing Zoning Consistency, Case 07-30 a proposal to amend the zoning map to rezone portions of the Marshall Heights community from R-5-A to the R-2 or R-3. The areas affected are portions of the R-5-A District in Ward 7, as shown on the map below:



ZONING COMMISSION  
District of Columbia

CASE NO.

07-30

EXHIBIT NO.

1

The Office of Planning views this as a zoning consistency case due to the recommendations of the Comprehensive Plan for the District of Columbia, adopted in 2006. Several policies in the Far Northeast and Southeast Element of the Plan provide a framework and guidance for land use changes in the affected areas. The Comprehensive Plan also recommends that zoning in the affected areas be changed to be more compatible with the prevailing development pattern in surrounding neighborhoods.

## **PROPOSAL IN BRIEF**

The proposal would include the following zone map amendments:

<b>Squares, or portions of squares zoned R-5-A</b>	<b>Proposed Zone</b>
<b>5350, 5351, 5352, 5341E, 5341, 5342E, 5359 and 5362.</b>	<b>R-2</b>
<b>5322, 5330, 5331, 5332, 5333, 5334, 5335, 5336, 5337, 5338, 5328, 5327, 5326, 5325, 5324, 5323, 5321, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5316, 5317, 5304, 5303, 5302, 5301, 5300, 5299, 5298, 5297, 5293, 5294, 5295, 5296, and 5287.</b>	<b>R-3</b>

## **AREA DESCRIPTION**

The subject area includes much of the Marshall Heights community in Ward 7. The subject area is developed with a mixture of one and two story detached dwellings, semi-detached and row structures, and apartment structures. Most of the area's housing stock consists of detached dwellings built prior to the adoption of the current zoning regulations in 1958. Since the 1960s, a large number of multi-family structures have been built in the subject area. Many of the parcels in the area are vacant and offer opportunities for infill development.

## **2006 COMPREHENSIVE PLAN**

The 2006 Comprehensive Plan for the National Capital provides directions for the proposed zoning map amendments.

The District of Columbia Comprehensive Plan Future Land Use map depicts the subject areas as low and moderate density residential. Single-family detached and semi-detached dwellings with front, back, and side yards are the predominant uses in Low density areas. Row houses and garden apartment are the predominant uses in moderate density areas. Moderate density areas may also include low density dwellings. The proposed zone amendments would allow development of single family homes and duplexes to match the existing neighborhood character, as well as row houses in any R-3 District, but not allow new apartment buildings. Existing apartment buildings would be "grandfathered," so could continue to operate but would not be able to expand.

The following policies and action items in the Comprehensive Plan support the proposed rezoning:

**Action FNS-2.5-B: Marshall Heights Zoning Study**

*Conduct a zoning of Marshall Heights and Benning Ridge neighborhoods to ensure that areas that are predominantly single family in character areas are appropriately zoned. Presently most of this area is zoned for multi-family housing, despite the fact that one and two family homes are prevalent.*

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

**LAND USE-1.4 Neighborhood Infill development**

*Infill development of vacant lots is strongly supported in the District of Columbia, provided that such development is compatible in scale with its surrounding and consistent with environmental protection and public safety objectives. In residential areas, infill sites present some of the best opportunities in the city for “family” housing and low-to-moderate-density development.*

*In both residential and commercial settings, infill development must be sensitive to neighborhood context. High quality design standards should be required, the privacy of neighboring structures should be respected, and density and scale should be respected, and density and scale should reflect the desired character of the surrounding area.*

**Policy LU-1.4.1: Infill Development**

*Encouraging infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should compliment the established character of the area and should not create sharp changes in the physical development pattern.*

**Policy LU-1.4.3: Zoning of Infill Sites**

*Ensure that the zoning of vacant infill sites is compatible with the prevailing development pattern in the surrounding neighborhood. This is particularly important in single-family and row house neighborhoods that are currently zoned for multi-family development.*

**Far Northeast and Southeast Area Element**

**Projections**

*“ . . . Much of the growth in Far northeast and southeast is expected to consist of new low-density housing, particularly on vacant lots in Deanwood and Marshall Heights. . . . ”*

**Planning and Development Priorities**

Four Comprehensive Plan workshops took place in Far Northeast and Southeast during 2005 and 2006. These meetings provided an opportunity for residents to discuss both citywide and neighborhood planning issues. The Advisory Neighborhood Commissions and groups such as the Ward 7 Leadership Council also provided a voice for local priorities and concerns. There have also been many meetings in the community not directly connected to the Comprehensive Plan, but focusing on long-range planning issues. The community delivered several key messages during these meetings. In summary residents

generally expressed that the “low density character that typifies most Far Northeast and Southeast neighborhoods should be maintained. While it is recognized that the area contains much vacant land with the potential for infill development, this development should generally be similar in density to what exists today. This is one of the few areas in the city with opportunities to build three- and four- bedroom homes suitable for families with children. Whereas the neighborhood lost families to Prince George’s County and elsewhere in the past, it may gain families from these areas in the future if it builds appropriately designed housing, provides quality schools, and improves public services.”

## **Policies and Action**

### **FNS-1.0 General Policies**

#### **Policy FNS-1.1.1: Conservation of Low Density Neighborhoods**

*Recognize the value and importance of Far Northeast and Southeast’s stable single family neighborhoods to the character of the local community and to the entire District of Columbia. Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect and protect the existing low density pattern while allowing for infill development that is compatible with neighborhood character.*

### **FNS-2.5 Marshall Heights/Benning Ridge**

#### **Policy FNS-2.5.1: Marshall Heights Infill**

*Support the development of the many scattered vacant lots in the Marshall Heights community with new low density residential development, especially one- and two-family homes. This will provide ownership opportunities for area residents and housing stock needed to attract families back to Far Northeast and Southeast.*

## **ANALYSIS**

The recently approved Comprehensive Plan for the city called for the examination of the R-5-A zoned areas to determine if other zones might be more appropriate and more consistent with the existing character of residential neighborhoods. Over the past summer, the Office of Planning has conducted a study of every property in Wards 7 & 8 with R-5-A zoning. This study revealed that there were many areas in the community where the existing R-5-A zoning is not consistent with the existing housing type.

Based on the results of this study, OP is examining map amendments for R-5-A properties throughout portions of Wards 7, starting with this application for the Marshall Heights neighborhood. Much of the recent development in the Marshall Heights community has consisted of multi-family structures on vacant or abandon parcels located in low density areas. There are many such parcels still available in the area’s land use inventory. Under current zoning, additionally multi-family structures, are likely. The zone map amendments would allow development of single-family homes, duplexes and row houses in (R-3) consistent with existing neighborhood character, but would restrict new apartment buildings.

## **ZONING**

OP has begun the process of comprehensively reviewing and updating the zoning regulations. A part of this process will include an examination of all of the low and moderate density residential zones, including the R-5-A zone. OP is aware that there are many residential areas like Marshall Heights with discrepancies between the zoning and the existing housing stock. We will be examining these areas and potentially recommending the creation of new zoning districts that better reflect the existing neighborhood.

All of the properties within the area proposed for rezoning are currently zoned R-5-A. 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-A district permits only low heights and density development.

The R-2 or R-3 districts, to which the subject properties are proposed to be zoned, are designed for one-family, semi-detached, and (R-3) rowhouses. As part of the study of all R-5-A areas, areas where existing development was more consistent with R-2 and R-3 regulations were identified, and row dwellings, respectively. A comparison of the bulk regulations of the existing and proposed zone districts is detailed in the table below.

## **ADVISORY NEIGHBORHOOD COMMISSION (ANC)**

On October 27, 2007, Advisory Neighborhood Commission (ANC) 7E passed a resolution recommending that the Zoning Commission rezone properties within their ANC boundaries from R-5-A to R-2 or R-3. In their resolution, the ANC stated that the changes are necessary to stem the tide of apartment structures most frequently being constructed in the community. Nearly all of the recent multi-family developments proposed for the Marshall Heights community have been reviewed by the Board of Zoning Adjustment (BZA), as special exceptions. Community representatives have testified at BZA Hearings in opposition to additional apartment construction, citing that such structures are not compatible with the low density character that typifies most of the community.

Community representatives have expressed support for the development of vacant infill parcels, but there is opposition to more multi-family building being constructed in low density neighborhoods because of adverse impacts on neighboring properties, such as increased noise, vehicular pollution, a lack of on-site recreation space.

OP has also received feedback from many area residents, at meeting and individually, in support of this initiative.

## **RECOMMENDATION**

The Office of Planning recommends that the Zoning Commission setdown the proposed amendment to the Zoning Map to change the zoning in the subject area from the R-5-A district to R-2 or R-3 on the squares and lots shown on the table below:

Squares, or portions of squares zoned R-5-A	Proposed Zone
5350, 5351, 5352, 5341E, 5341, 5342E, 5359 and 5362.	R-2
5322, 5330, 5331, 5332, 5333, 5334, 5335, 5336, 5337, 3338, 5328, 5327, 5326, 5325, 5324, 5323, 5321, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5316, 5317, 5304, 5303, 5302, 5301, 5300, 5299, 5298, 5297, 5293, 5294, 5295, 5296, and 5287.	R-3

JS/jm