

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: April 18, 2008
SUBJECT: Public Hearing Report for ZC # 07-34
East Dupont Zoning Consistency Remapping and Text Amendment

I. SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the map amendment proposed in case #07-34, East Dupont Zoning Consistency Remapping, and the requisite text amendment. The application is not inconsistent with the Comprehensive Plan or the neighborhood character.

II. APPLICATION-IN-BRIEF

Location: Squares and portions of squares 176, 177, 178, 190, 191, 206 and 207, generally bounded by S, T, U, 15th and 16th Streets and New Hampshire Avenue. Please refer to the vicinity map in Attachment 1.

Applicants: Anne Sellin and Richard Busch

Current Zoning: R-5-D, R-5-B

Proposed Zoning: Rezone R-5-D areas to DC/R-5-B; Rezone R-5-B areas to DC/R-4

Future Land Use Map: Predominantly moderate density residential

III. PROPOSAL

The applicants, with co-sponsors including ANC 2B, the Dupont Circle Citizens Association and other neighborhood groups, have submitted a map consistency and text amendment case to propose new zone categories corresponding to the 2006 Comprehensive Plan Future Land Use map and existing neighborhood character. The applicants also propose expanding the boundaries of the existing Dupont Circle (DC) Overlay to cover the defined area. In addition to the map amendment, expansion of the Dupont Circle overlay requires a text amendment as explicit

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boundaries for that district were given in the text. The new zoning would reduce permitted height and density.

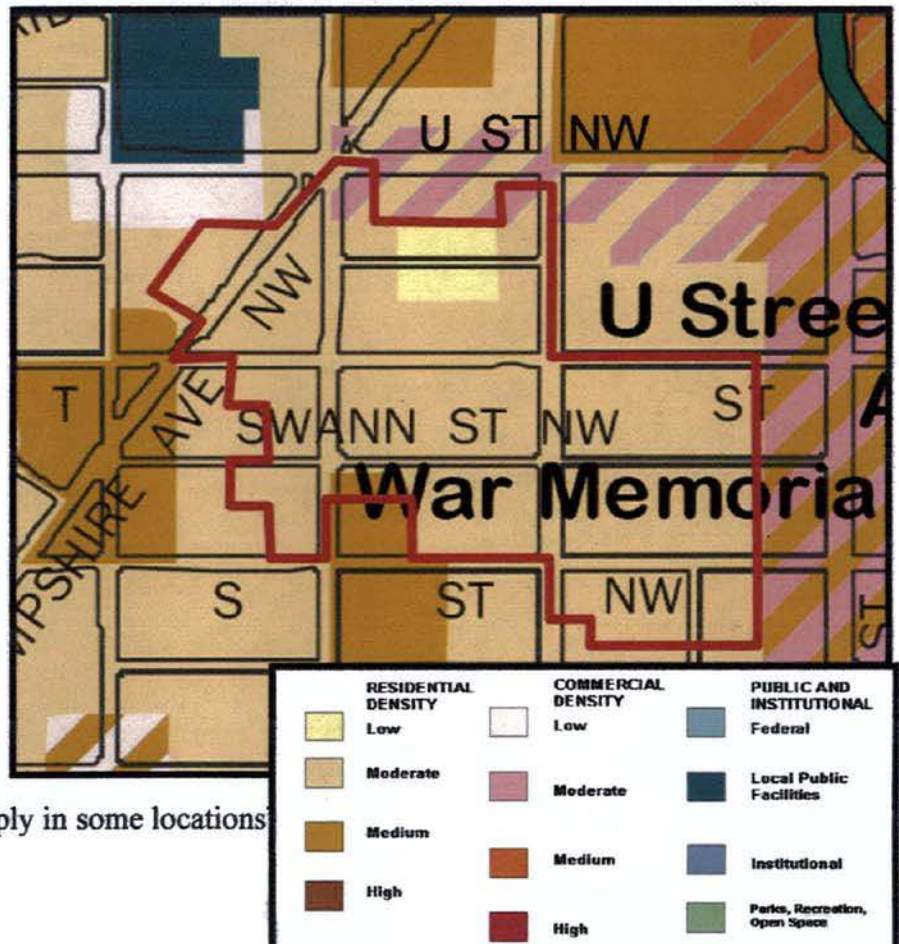
IV. AREA DESCRIPTION

The applicants have defined the boundaries of the area proposed for rezoning and have listed every lot and square in the attachments to their submission. The principal streets through the area include S, T, 15th and 16th Streets and New Hampshire Avenue. Please refer to the vicinity map in Attachment 1. The subject area consists of a mix of rowhouses and small to mid-size apartment buildings. The apartment buildings are mostly clustered at the western side of the neighborhood, while the eastern portion of the area is mostly rowhouses. Four historic districts cover the area including the Strivers' Section, 16th Street, 14th Street and U Street historic districts. Neighboring areas include the commercial districts of 14th and U Streets; larger apartment buildings on the north side of the 1400 block of T Street; larger apartment buildings fronting New Hampshire between S and T Streets; and larger apartment buildings and the Scottish Rite Temple on 16th Street.

V. COMPREHENSIVE PLAN LAND USE MAPS

The Future Land Use Map recommends most of the subject area for moderate density residential uses. Please refer to the excerpt of the map below. Small sections of low density residential, medium density residential and moderate density commercial are also shown within the area. The Plan states that moderate density residential is appropriate for:

“the District’s row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments... The R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B district and other zones may also apply in some locations



The Generalized Policy Map designates most of the site as a Neighborhood Conservation Area. These areas are primarily residential in nature and have very little vacant land for new development. The Plan anticipates very little change over the next 20 years in conservation areas. The northernmost reach of the subject area is designated as part of a Main Street Mixed Use Corridor, a designation that encourages a pedestrian-oriented environment with traditional storefronts (§223.14) and residential units on upper floors.

The proposed rezoning is not inconsistent with the designations of the Future Land Use Map or the Generalized Policy Map.

VI. COMPREHENSIVE PLAN

The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

- (8) The residential character of neighborhoods must be protected, maintained and improved. Many District neighborhoods possess social, economic, historic, and physical qualities that make them unique and desirable places in which to live. These qualities can lead to development and redevelopment pressures that threaten the very qualities that make the neighborhoods attractive. These pressures must be controlled through zoning and other means to ensure that neighborhood character is preserved and enhanced. 218.1
- (11) The District of Columbia contains many buildings and sites that contribute to its identity. Protecting historic resources through preservation laws and other programs is essential to retain the heritage that defines and distinguishes the city. Special efforts should be made to conserve row houses as the defining element of many District neighborhoods, and to restore neighborhood “main streets” through sensitive renovation and updating. 218.4
- (15) Public input in decisions about land use and development is an essential part of creating successful neighborhoods, from development of the Comprehensive Plan to every facet of its implementation. 218.8

As detailed in the Office of Planning report dated February 1, 2008, policies of the Comprehensive Plan’s Land Use, Housing, Urban Design, Historic Preservation and Near Northwest Elements also support the application.

VII. ZONING

The existing zoning in the neighborhood is R-5-D and R-5-B. As shown in Attachment 1, the boundary between the two is a north-south line just east of 16th Street, with higher density zoning to the west of that line. There is also a small pocket of R-5-B west of 16th Street south of Swann Street.

The applicants propose to rezone R-5-D properties to R-5-B and R-5-B properties to R-4. The primary purpose of the R-4 district is to stabilize rowhouse neighborhoods where some properties have been converted to flats or apartments (§§330.1 and 330.2). The R-5-B district is a general residence district where moderate height and density are permitted (§§350.1 and 350.2).

The applicants also request that the Dupont Circle overlay be applied to the entire neighborhood. One of the purposes of the Dupont Circle Overlay (DC Overlay) is to ensure compatibility between the scale and character of new development and the scale and character of existing development. One way this is achieved is to limit height and density to matter-of-right levels, even with a PUD. A section of the overlay, §1501.2, gives the extent of the district by naming street segments that form the boundary. Section 1501.3 names the specific squares that are affected. In order to expand the overlay, it is necessary to delete §1501.2 and add the appropriate squares and lots in §1501.3.

The chart below compares the matter-of-right parameters of the relevant zoning districts.

Item	Section	R-4	R-5-B	R-5-D
Maximum Height (ft)	400	40	50	90
Maximum Height (stories)	400	3	No limit	No limit
Minimum Lot Area (sf)	401	1,800 (row dwelling) 3,000 (semi-detached)	None prescribed	None prescribed
Minimum Lot Width (ft)	401	18 (row dwelling) 30 (semi-detached)	None prescribed	None prescribed
FAR (max)	402	None prescribed	1.8	3.5
Lot Occupancy	403	60% (row dwelling) 40% (semi-detached)	60%	75%

At the setdown meeting, the Commission asked that the applicant describe how they determined the boundaries of the rezoning and why the boundaries seemed to zig-zag back and forth in some areas. In a submission dated March 12, the applicant described that they attempted to draw the boundaries to avoid including buildings not consistent with the purpose of the R-4 district. The applicant mentioned a number of apartment buildings on the perimeter of the subject area that are more appropriately left in the R-5-D zone.

The Commission also asked that the applicants determine what buildings within the subject area would be made non-conforming by the rezoning. In a second submission, also dated March 12, but received by the Office of Planning on April 1, the applicants list a number of properties that would be non-conforming for lot area, lot width, rear yard and lot occupancy, or a combination of those. OP also notes that the semi-detached dwellings on Caroline Street would be non-conforming for side yard. The Office of Planning does not consider this number of non-conformities to be excessive and it is not out of line with non-conformities found throughout other rowhouse neighborhoods.

VII. COMMUNITY COMMENTS

Several letters of support have been submitted to the record. ANC 2B has indicated its support, as well as the Dupont Circle Citizens Association, the Dupont Circle Conservancy and other neighborhood groups.

VII. RECOMMENDATION

The proposed rezoning is not inconsistent with the guidance of the Comprehensive Plan. The Plan calls for moderate density residential over a majority of the subject area. The proposed zone districts DC/R-5-B and DC/R-4 are consistent with a moderate density designation. The policies of the Plan also strongly encourage preservation of rowhouse neighborhoods as well as areas of strong architectural character. The Office of Planning, therefore, recommends approval of the map amendment proposed in case #07-34, East Dupont Zoning Consistency Remapping, and the requisite text amendment.

IX. ATTACHMENTS

1. Vicinity Map

JS/mrj

Attachment 1 Vicinity Map

