

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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MEMORANDUM

TO: Zoning Commission for the District of Columbia
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: September 12, 2008
SUBJECT: ZC Case 08-09 – **Final Report**
Map and Related Text Amendment to the SSH Overlay District

RECOMMENDED ACTION

The Office of Planning (OP) recommends that the Zoning Commission approve ANC 4C's proposal for a map and related text amendment which extends the SSH Overlay District to include all lots in Squares 2708 through 2716.

BACKGROUND

On April 15, 2008 ANC 4C petitioned the Office of Zoning for a map and text amendment to extend the Sixteenth Street Heights Overlay to properties located in the area bounded by Colorado Avenue on the north, Decatur Street on the south, 14th Street on the east, and 16th Street on the west. On June 9, 2008 at its regular monthly meeting, the Zoning Commission considered the ANC's petition, the preliminary OP report, and letters in support of the petition and authorized the public hearing in consideration of the SSH overlay expansion.

The existing Sixteenth Street Heights (SSH) Overlay District came into effect through ZC Order 757 on July 29, 1994 and currently encompasses the area between 16th Street and Rock Creek Park on the west, Military Road and Missouri Avenue on the north, 14th Street on the east and Colorado Avenue on the southeast (§ 1551.2).

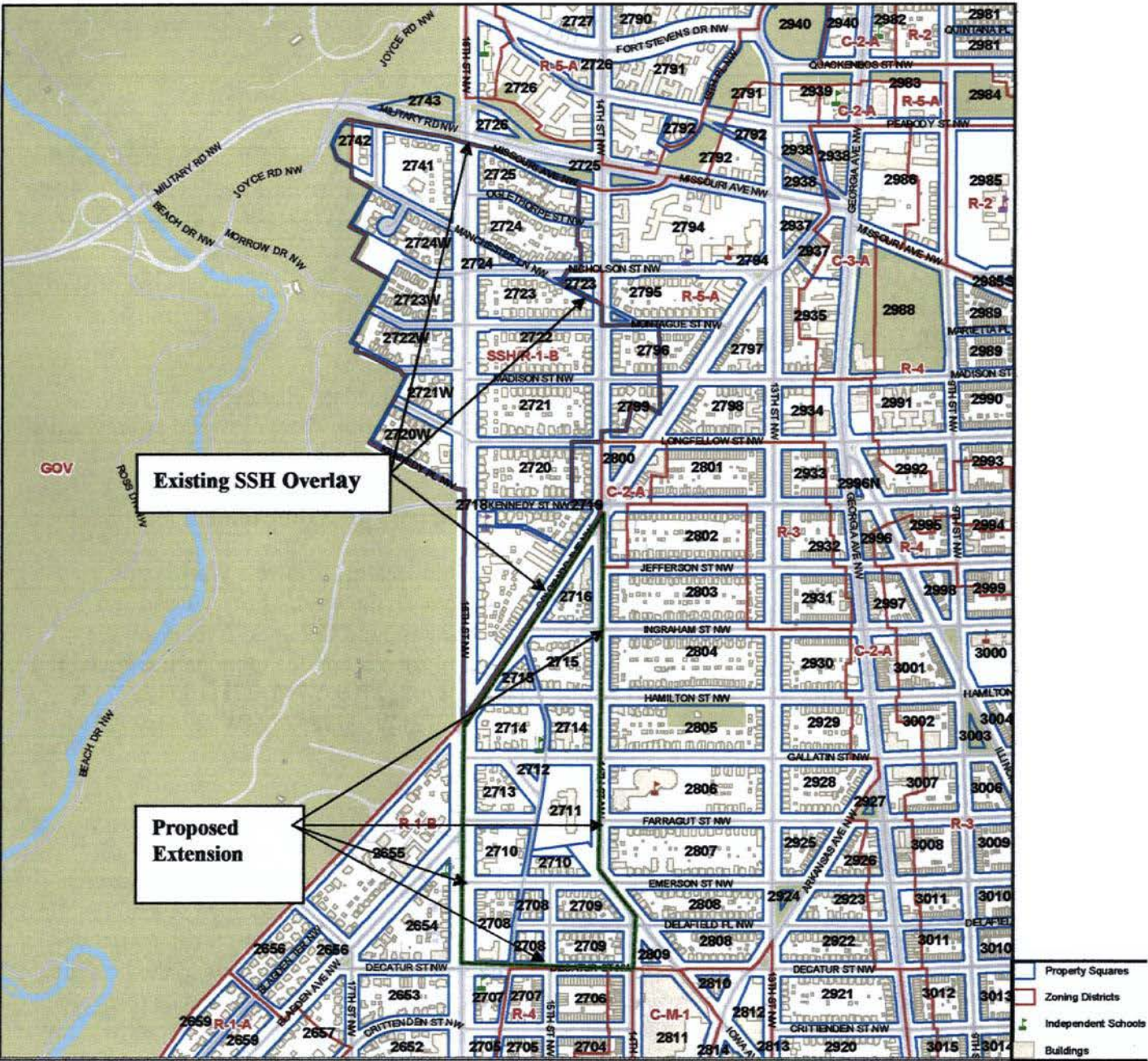
The SSH Overlay District is mapped in conjunction with the underlying zones of R-1-B in the Sixteenth Streets Heights Neighborhood, and is intended to conserve and enhance the stability of the low density, single-family neighborhood for housing and neighborhood-related issues. It is also intended to control the further conversion of residential housing to non-residential uses in order to maintain the housing supply and minimize the external negative impacts of new non-residential uses...in order to preserve neighborhood quality...within a framework of improved public review and control over the external effects of non-residential uses (§ 1551.3).

ZONING COMMISSION
District of Columbia

CASE NO. 08-09

EXHIBIT NO. 19

ZONING COMMISSION
District of Columbia
CASE NO. 08-09
EXHIBIT NO. 19



Location Map and Zoning

PROPOSAL

Proposed Map Amendment:

The proposed extension of the overlay would extend the overlay to the southern boundary of the R-1-B zone and provides a natural boundary as the south side of Decatur Street is zoned R-4 and C-1 which exhibits a different character and density than the R-1-B District on the north. The existing east and west boundary line would continue to be 14th and 16th Streets.

Proposed Text Amendments

The proposed text amendment would address the proposed boundary change for the southernmost bound of the overlay. The related Zoning Regulation changes would affect Section 1551 as follows:

1. Amend Section 1551.2 as follows(with all new text in **bold underline** font):

The SSH Overlay District encompasses the geographic area in northwest Washington generally bounded by 16th Street and Rock Creek Park on the west, Military Road and Missouri Avenue on the north, and 14th Street on the east, and ~~Colorado Avenue on the southeast~~ **Decatur Street on the south**. This overlay zone is applied to properties zoned R-1-B in the following squares and portions of squares: **2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716,** 2718, 2719, 2720, 2720W, 2721, 2721W, 2722, 2722W, 2723, 2723W, 2724, 2724W, 2725, 2741, 2742, 2796; and 2799.

ANALYSIS

The area proposed to be mapped by the overlay extends southward to Decatur Street between 14th and 16th streets, NW. Within the proposed area, OP's field survey recorded seven (7) signed institution uses. An additional GIS in-house survey indicated a total of 18 non-residential or institutional uses within the boundaries of the proposed extension. An analysis of the land area revealed that this represents 38.96% of the areas is in non-residential or institutional ownership (Attachment 1).

The Comprehensive Plan speaks to the character of the neighborhood and identifies the single family residential as the predominant land use and defining character. The Comprehensive Plan identifies that "More than 60 percent of the housing units in Rock Creek East are single family homes, compared to 39 percent citywide." The neighborhood is clearly at a saturation point where the continued development of institutional uses without a review to minimize the external negative impacts of new nonresidential uses could adversely affect the neighborhood.

The intent of the overlay is identified in §1551:

- 1551.1 The Sixteenth Street Heights (SSH) Overlay District is established to help accomplish several goals and policies of the Comprehensive Plan, especially those land use objectives relating to housing supply, neighborhood quality and character, and policies relating to human services and private institutions, as applied to the 16th Street Heights neighborhood.

COMPREHENSIVE PLAN

Comprehensive Plan Generalized Policy Map

The SSHO area and its proposed extension are identified as within a Neighborhood Conservation Area which is described as primarily residential in character and where if changes occur, "... will be modest in scale and will consist of scattered site infill housing, public facilities and institutional uses." The Policy Map further explains that "the guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods...", where limited development opportunities do exist but are small in scale. The proposed map and text amendments are not inconsistent with the Comprehensive Plan Generalized Policy Map.

Comprehensive Plan Future Land Use Map

The Future Land Use Map places the SSHO in the Rock Creek East Planning Area.

Section 2204 of the Comprehensive Plan describes the Housing characteristics of the area as:

More than 60 percent of the housing units in Rock Creek East are single family homes, compared to 39 percent citywide. The 2000 Census reported that 24 percent of the area's homes were single family detached units and 39 percent were single family attached units (row houses and townhouses). Only 18 percent of the area's housing stock consists of multi-family buildings of 20 units or more, compared to 31 percent for the city as a whole. 2204.1

The home ownership rate in Rock Creek East is higher than in the city as a whole. The 2000 Census reported that 59 percent of the households in the Planning Area were homeowners (compared to 41 percent in the District) and 41 percent were renters (compared to 59 percent in the District). About 61 percent of the area's residents lived in the same house in 2000 as they did in 1995. This compares to a citywide average of 46.9 percent, and is indicative of the stability of the Rock Creek East community. 2204.2

One of the Planning and Development Priorities identified by the community and reflected in the Comprehensive Plan addresses the community's concern for the stability of their residential character:

e. Residents of Rock Creek East have expressed concerns about the growth of particular land uses, including group homes, churches, and related facilities such as day care centers and social service centers. The Planning Area's inventory of large homes, many located on major transit lines, has made it an attractive choice for social service providers and community based residential facilities. Issues relating to safety, parking, and neighborhood character have been raised, particularly in areas where group homes are clustered. Residents seek a stronger role in decisions on the siting and management of such facilities, and desire increased coordination with group home operators. There are also issues connected to code enforcement, related not only to special needs housing but to broader issues such as unpermitted construction and blighted properties. 2207.

The Comprehensive Plan identifies the following Policies and Actions for the Rock Creek East Planning Area to help address identified priorities:

Policy RCE-1.1.1: Conservation of Low Density Neighborhoods

Maintain and conserve the attractive, stable neighborhoods of the Rock Creek East Planning Area. Any new development in the Planning Area should be attractively designed and should contribute to the community's positive physical identity. 2208.2

Policy RCE-1.1.2: Design Compatibility

Ensure that renovation, additions, and new construction in the area's low density neighborhoods respects the scale and densities of adjacent properties, avoids sharp contrasts in height and mass, and preserves parklike qualities such as dense tree cover and open space. 2208.3

The intent and purposes of the proposed extension of the SSHO map and related text amendment are therefore not inconsistent with the Comprehensive Plan Future Land Use Map.

COMMUNITY COMMENTS

The Advisory Neighborhood Commission (ANC) 4C voted to support the 16th Street Heights Collaborative's effort to extend the 16th Street Heights Overlay at its regularly scheduled April 8, 2008 meeting.

RECOMMENDATION

The Office of Planning concludes that the proposed map and related text amendment are consistent with the character of the existing Sixteenth Street Heights Overlay. Inclusion of this area within the overlay would minimize the external impacts of permitted new non-residential uses in order to preserve neighborhood quality, consistent with the purposes of the SSH Overlay (§1553.1).

Further, § 1553 provides the special exception criteria by which a proposed new non-residential use or expansion of an existing non-residential use shall be permitted, if approved by the Board of Zoning Adjustment. This provision would allow the neighborhood's input through the special exception review process to help mitigate any adverse impacts on the neighborhood.

Therefore, OP recommends the Zoning Commission approve ANC 4C's recommended changes to the SSH Overlay District, including:

- the map amendment to extend the boundaries of the overlay to include all lots of Squares 2708 through 2716; and
- the related text amendment to:

Amend Section 1551.2 as follows (all new text in **bold underline** font):

1551.2 The SSH Overlay District encompasses the geographic area in northwest Washington generally bounded by 16th Street and Rock Creek Park on the west, Military Road and Missouri Avenue on the north, and 14th Street on the east, and ~~Colorado Avenue on the southeast~~ **Decatur Street on the south**. This overlay zone is applied to properties zoned R-1-B in the following squares and portions of squares: **2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716**, 2718, 2719, 2720, 2720W, 2721, 2721W, 2722, 2722W, 2723, 2723W, 2724, 2724W, 2725, 2741, 2742, 2796, and 2799.

map	FACILITY	ADDRESS	SQUARE	LOT	AREA	USECODE
1	Century Limited LLC	1500 Delafield Place NW	2708	40	6,038	private club
2	Church of Christ	4801 16th Street NW	2708	813	53,724	religious
3	St. Dominic's Monastery c/o Church of LDS	4901 16th Street NW	2710	15	56,901	religious
4	Mount Top Ministries	1500 Farragut Street NW	2710	806	13,808	residential
5	The Kingbury Center Inc.	5000 14th Street NW	2711	802	173,026	educational
6	OED Firehouse 9 (Iris Rache) (maybe a business...)	1508 Gallatin Street NW	2713	19	2,205	residential
7	St. Michael's Interdenominational, c/o Reginald Robinson	5019 16th Street NW	2713	22	4,509	residential
8	Buddhist Vihara Society Inc	5017 16th Street NW	2713	803	5,474	religious
9	Christ Lutheran Church	1516 Hamilton Street NW	2714	22	4,855	commercial / office
10	Christ Lutheran Church	5111 16th Street NW	2714	821	13,074	residential
11	Christ English Evangelical Church	5101 16th Street NW	2714	82	18,006	religious
12	Associates for Ideal Education	1501 Gallatin Street NW	2714	804	7,649	residential (child care)
13	St. Luke's Baptist Church United With...	1419 Gallatin Street NW	2714	817	19,638	religious
14	Friars of Atonement	5207 Colorado Ave. NW	2715	34	6,276	residential
15	First Superet Branch Church of DC	1420 Ingraham Street NW	2715	41	15,512	religious
16	Homes for the Homeless	5310 14th Street NW	2716	13	3,500	residential
17	Republic of Liberia	5303 Colorado Avenue NW	2716	803	9,089	Embassy / Chancery
18	Star of Bethlehem Church of God	5331 Colorado Ave NW	2716	804	24,900	religious
19					438,184	
total area			1,124,600		438,184	
percent					38.96%	

1551 SIXTEENTH STREET HEIGHTS OVERLAY DISTRICT (SSH)

- 1551.1 The Sixteenth Street Heights (SSH) Overlay District is established to help accomplish several goals and policies of the Comprehensive Plan, especially those land use objectives relating to housing supply, neighborhood quality and character, and policies relating to human services and private institutions, as applied to the 16th Street Heights neighborhood.
- 1551.2 The SSH Overlay District encompasses the geographic area in northwest Washington generally bounded by 16th Street and Rock Creek Park on the west, Military Road and Missouri Avenue on the north, and 14th Street on the east, and ~~Colorado Avenue on the southeast~~ **Decatur Street on the south**. This overlay zone is applied to properties zoned R-1-B in the following squares and portions of squares: **2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716,** 2718, 2719, 2720, 2720W, 2721, 2721W, 2722, 2722W, 2723, 2723W, 2724, 2724W, 2725, 2741, 2742, 2796, and 2799.
- 1551.3 The purposes of the SSH Overlay District are to:
- (a) Promote the conservation, enhancement, and stability of this low-density, single-family neighborhood for housing and neighborhood-related uses;
 - (b) Control the further conversion of residential housing to nonresidential uses in order to maintain the housing supply and minimize the external negative impacts of new nonresidential uses that are permitted in the SSH/R-1-B District in order to preserve neighborhood quality; and
 - (c) Allow the neighborhood to continue to provide a range of health and social service facilities as well as private institutions that provide cultural and religious enrichment and economic vitality, but within the framework of improved public review and control over the external effects of nonresidential uses. The objective is to make more compatible the Comprehensive Plan's goals and policies for maintaining the quality and stability of residential neighborhoods with other policies related to the reasonable provision of human services throughout the District of Columbia.
- 1551.4 The provisions of the SSH Overlay District shall be applied to the 16th Street Heights neighborhood based on the following key findings:
- (a) Over a period of years, approximately one in every ten (10) houses in the neighborhood has been converted to a nonresidential use, a much higher ratio than has been identified for any other R-1-zoned neighborhood in the District of Columbia; the neighborhood accommodates a significant number and range of human service facilities and private institutions to an extent that new and significantly expanded nonresidential use facilities should be governed by improved public review to ameliorate adverse impacts on immediate and nearby neighbors and preserve a predominantly single-family residential character;
 - (b) The neighborhood boundaries are well established and encompass a significant geographic area; and
 - (c) The District of Columbia executive branch and councilmembers have identified the number of nonresidential uses and the conversion of houses to these uses in this neighborhood as a serious planning and enforcement problem for more than ten (10) years, as reflected in the legislative history of adopted provisions in the Comprehensive Plan.