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MEMORANDUM**TO:** D. C. Zoning Commission**FROM:**  Jennifer Steingasser, Deputy Director**DATE:** July 16, 2008**SUBJECT:** Preliminary Report on Zoning Commission Case Number 08-11, a Proposed Zoning Map Amendment to Bring 1800 New Jersey Avenue, NW (Square E-475 Lot 1) into Consistency with the 2006 Comprehensive Plan**PETITION**

In April 30, 2008, Henok Araya, the applicant, filed a petition with the Office of Zoning requesting that the Zoning Commission rezone lot 1 on Square E-475 from Residential (R-4) to Community Business Center (C-2-A), a zone district more consistent with the 2006 District of Columbia Comprehensive Plan Generalized Land Use Map.

RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission set down this application for a public hearing

BACKGROUND**Area Description**

Lot 1 occupies approximately 1,328 square feet in the southwest corner of Square 419 at the S Street intersection with New Jersey Avenue, NW. The property is developed with a vacant two-story, one-family row dwelling fronting New Jersey Avenue. Abutting the property to the north is an alley 10 feet wide that extends west from New Jersey Avenue to 5th Street, NW. Surrounding development consists of multiple three-story walk-up apartments to the north beyond the alley, two-story semi-detached dwellings to the south across S Street, a postal service building to the east across New Jersey Avenue, and adjacent two-story row dwellings to the west along the same frontage of S Street, NW.

The subject property and properties south of the alley and west of New Jersey Avenue are in an R-4 district. Properties north of the alley and east of the avenue are in a C-2-A district (please refer to Exhibits 1 and 2). As described in more detail below, properties to the north and most of the subject property are in a moderate-density mixed commercial residential designation on the 2006 Comprehensive Plan Future Land Use Map.

ZONING COMMISSION
District of Columbia

CASE NO.

08-11

EXHIBIT NO.

13

The Request

The applicant is requesting a map consistency amendment for this property from R-4 to C-2-A. The submitted document indicates the reasons for this request are:

- “extreme” traffic at the Florida/Rhode Island Avenue intersection makes the subject property unsuitable for a single family home;
- this location “... is best for a commercial space;” and
- “... all locations/lots within this block are zone C-2-A.”

Accordingly the applicant requested this rezoning to allow “... a small store” on the subject property. Several issues are raised by this proposal:

- The existing dwelling is actually south of the Florida Avenue intersection, at the intersection of S Street and New Jersey Avenue;
- Based on DC tax records and a site visit, there are no commercial uses on Square E-475 or Square N-580, the square to the south across S Street; and
- Half of Square E-475, including all lots south of the alley, is actually in the R-4 district.

Existing Zoning

The surrounding properties fall under the following two zone districts:

District	Predominant Use	Floor Area Ratio		Height
		Allowable Residential/ Max FAR	Allowable Non-Residential	
C-2-A	Residential and mixed uses to a medium density	2.5	1.5	50 feet Unlimited stories
R-4	Row dwellings with apt. conversions	No maximum	Not allowed	40 feet, 3 stories

The current R-4 zoning allows the existing residential uses as a matter-of-right. However, this zone is inconsistent with mixture of low density commercial and moderate density residential uses contemplated on the Generalized Land Use of the 2006 Comprehensive Plan (refer to the Comprehensive Plan section below).

The Zoning Regulations also state:

“720.3 The C-2-A Districts shall be located in low and medium density residential areas with access to main highways or rapid transit stops, and shall include office employment centers, shopping centers, and medium-bulk mixed use centers.

720.4 The C-2-A district shall permit development to medium proportions.”

Although the regulations refer to “medium proportions”, allowable floor area ratios (FAR) of 1.5-2.5 are consistent with low-moderate density land use.

Comprehensive Plan

The 2006 Comprehensive Plan Future Land Use Map designates the northeastern half of Square E-475 (generally north of the alley) for Moderate Density residential and commercial, and the southwestern half of the square for Moderate Density residential (refer to Exhibit 3). The approximate boundary of the referenced mixed-use designation encompasses most of the subject property and about half of 435 and 437 S Street, abutting lots 14 and 15 to the west. The Plan also provides the following policy guidance:

- The Land Use Element of the Plan lists the following among the critical land use issues facing the District of Columbia: ...
 - *Promoting neighborhood conservation*
 - *Creating and maintaining successful neighborhoods ...*
 - *Directing growth and new development to achieve economic vitality while minimizing adverse impacts on residential areas and open space ...*
- Policy LU-2.3.4: Transitional and Buffer Zone Districts, *"Maintain mixed use zone districts which serve as transitional or buffer areas between residential and commercial districts, and which also may contain institutional, non-profit, embassy/chancery, and office-type uses. Zoning regulations for these areas ... should ensure that development is harmonious with its surroundings, achieves appropriate height and density transitions, and protects neighborhood character [311.6]."*

Rezoning the properties to C-2-A would support these policies by allowing for future mixed-use development while limiting the potential density to protect the surrounding moderate-density residential neighborhoods. However the introduction of a commercial use at this location would be a significant change on a clearly low-density residential street.

CONCLUSION

The Office of Planning recommends that the application be set down for public hearing. The proposed rezoning would not be inconsistent with the Comprehensive Plan, so the Office of Planning supports advertising C-2-A. However, additional analysis of the impacts of this map amendment is needed prior to a public hearing, specifically to understand:

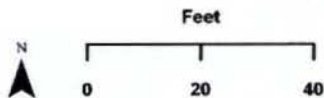
- whether extending the C-2-A district south of the alley to include a vacant residential property could negatively impact the stable residential neighborhood that is S Street;
- whether additional commercial zoning would impact the viability of the underutilized retail capacity within the Georgia Avenue Mixed Use Corridor; and
- whether establishment of a commercial use on this small property near a busy intersection would complicate the referenced traffic situation.

JS/afj

Attachments: Exhibit 1 Aerial Map with Zoning
Exhibit 2 View to the West
Exhibit 3 Future Land Use Designations



Zoning Commission Application 08-11 **1800 New Jersey Avenue, NW**



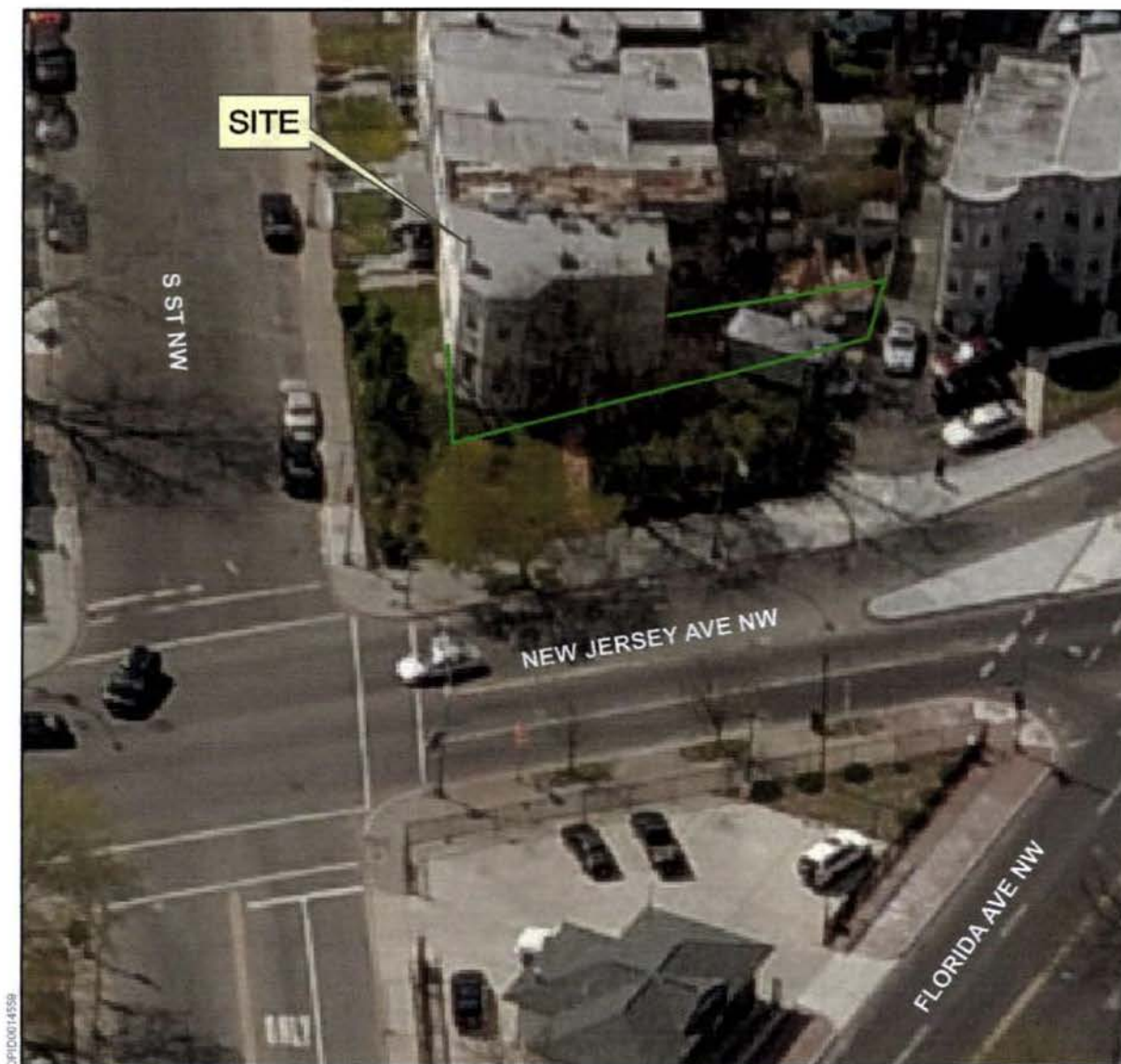
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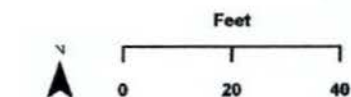
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LEGEND

- Zoning Districts
- Property Squares
- Street Centerlines
- Water
- Parks



**Zoning Commission Application 08-11
View Looking to the West**



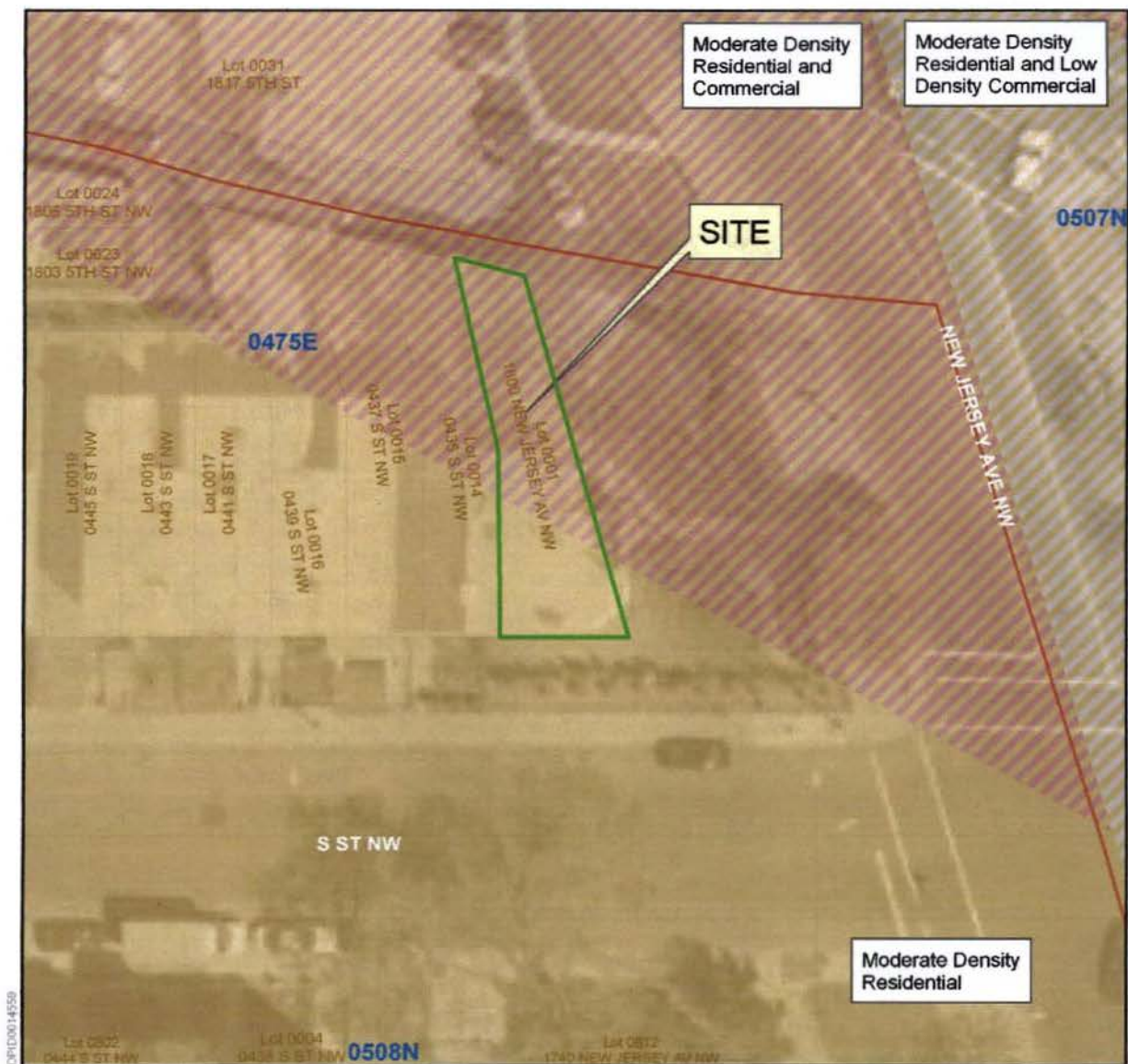
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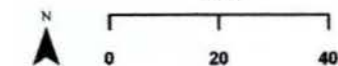
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LEGEND

- Zoning Districts
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Zoning Commission Application 08-11 Land Use Designations



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LEGEND

- Property Squares
- Owner Points (Lite)
- Street Centerlines
- Water
- Parks