

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: August 28, 2008

SUBJECT: Preliminary Report on Zoning Commission Case Number 08-19 – The HSC Foundation Proposed Zoning Map Amendment (Setdown Report)

ZONING COMMISSION
District of Columbia

CASE NO. 08-19
EXHIBIT NO. 11

PROPOSAL

On June 6, 2008, the HSC Foundation (the “Applicant”) filed a petition requesting that the Zoning Commission rezone Lot 874 in Square 101 from Residential (R-5-D) to Commercial (C-3-C).

RECOMMENDATION

The Office of Planning (“OP”) finds that the proposed map amendment is not inconsistent with the 2006 Comprehensive Plan and Future Land Use Map and that C-3-C zoning would be comparable to neighboring properties. Staff recommends that the Zoning Commission set down the proposed amendment for public hearing to change the zoning from R-5-D to C-3-C for the subject property.

SITE DESCRIPTION

The site proposed for rezoning is located at 2013 H Street, NW (hereinafter, the “Property”). It is located on the north side of H Street, between 20th and 21st Streets NW. The Property is owned by the HSC Foundation, a non-profit organization, and measures approximately 5,373 square feet. The lot size is too small to proceed as a planned unit development (PUD). The Property is improved with a three story plus cellar row house building with a two-story carriage house at its rear that were constructed in the late nineteenth century. The Property currently is taxed at a commercial rate. The Foggy Bottom and Farragut West metro stations are roughly three and five blocks away, respectively.

The Property is also one of a number of sites identified within the proposed boundaries of a “Foggy Bottom Campus Historic District.” The Applicant has committed to working with the Historic Preservation Office staff concerning preservation, design, and massing issues related to the proposal. OP understands that the proposal is scheduled for review by the Historic Preservation Review Board (HPRB) on September 25, 2008.

AREA DESCRIPTION

The area around the Property is largely developed with institutional and commercial uses. Square 101, where the Property is located, is split zoned between C-3-C and R-5-D districts. C-3-C zoning covers roughly the northern half of the square as well as the square’s southeast corner pursuant to map amendments and PUD approvals by the Zoning Commission.

More specifically, Lot 58 to the north of the Property is improved with an eleven story commercial building owned by The George Washington University (the "University"). The building was constructed pursuant to an approved PUD and related Zoning Map Amendment (from R-5-C to C-3-C) in 1981.¹

Abutting the Property to the east is a University owned surface parking lot (Lot 60). The Zoning Commission granted first-stage PUD approval with related map amendment for the rezoning of Lot 60 from R-5-D to C-3-C as part of the Commission's Order No. 06-11/06-12 in March 2007. The Order also approved the University Campus Plan. According to Exhibit B "Tabulation of Development Data" of the PUD application, development on Lot 60 is intended to have a density of 7.5 FAR and 75% lot occupancy and will be used for residential/campus life/athletic purposes.

To the west of the Property there is, most immediately, a vacant University owned lot (Lot 879) that is zoned R-5-D and that provides pedestrian access to Lot 58 to the north. Further west are two lots (Lots 811 and 871) which are improved with a three story building owned by the Bureau of Catholic Indian Missions. Both lots are zoned R-5-D. At the southwest corner of the square, at the intersection of 21st and H Street, Lot 62 is improved with a six story University Media and Public Affairs Building. The lot was approved for a PUD with related Zoning Map Amendment from R-5-D to C-3-C in 1994²; however, the building was ultimately constructed under R-5-D zoning pursuant to Section 210 of the Zoning Regulations.³

To the south of the Property, across H Street, is University Yard (Square 102). University Yard is defined by an open space with University buildings lining much of the perimeter. The square is zoned R-5-D. As part of the Campus Plan, the University identified a possible site for development along H Street on the north side of University Yard. According to Exhibit B "Tabulation of Development Data" of the PUD application, the development is anticipated to have a height of 65' and will be used for academic/administrative/medical uses.

ZONING

The Applicant is proposing that the Property be rezoned from R-5-D to C-3-C. The R-5-D zone permits a relatively high height and medium-high density residential uses. The C-3-C zone permits medium-high density development, including office, retail, housing, and mixed-use development. Aside from the commercial use, the primary differences between the two zoning categories are the elevated lot occupancy and floor area ratio permitted by C-3-C zoning. A comparison of the bulk requirements for the existing and proposed zoning districts is provided below.

¹ Zoning Commission Case No. 80-11C, Order Nos. 339 and 348.

² Zoning Commission Case No. 93-9C, Order No. 749A.

³ BZA Application No. 16379, Oct. 1998.

	R-5-D	C-3-C
Maximum Lot Occupancy	75%	No restriction
Maximum Height	90'	90'
Maximum FAR	3.5	6.5
Predominant Land Uses	Medium high density apartment houses	High bulk major business and employment

The Applicant has also indicated that it will pursue relief from the Board of Zoning Adjustment (BZA) related to a reduction in the number of required parking spaces.

COMPREHENSIVE PLAN

The Comprehensive Plan ("Comp Plan") Future Land Use Map designates the Property as "Institutional." While the majority of Square 101 is similarly designated institutional, the commercial strip fronting I Street along the north side of the square is designated commercial-high density. In interpreting the Future Land Use Map, the Comp Plan instructs that the Map is "to be interpreted broadly."⁴ The Comp Plan defines the term "institutional" to include "colleges and universities, private schools, child care facilities, houses of worship and religious institutions, hospitals, private and non-profit organizations, and similar activities."⁵ According to its website, the HSC Foundation "is dedicated to improving access to services for individuals with special needs who face challenging social and health care barriers ... [and has] distinguished itself by its concern for and specialization in children's medical services and urban issues, particularly in the Washington metropolitan area."⁶ The Applicant intends to occupy the majority of the proposed development with the remainder to be occupied by other non-profits. As such, the intended use of the building is not inconsistent with the institutional designation.

The Comp Plan does not, however, specify the appropriate density for institutional buildings. Rather, it instructs that the "[Future Land Use] Map does not show density or intensity on institutional and local public sites" and that zoning designations for institutional uses "vary depending on surrounding uses."⁷ As a result, the Comp Plan instructs that the site's context should be examined to determine the appropriate density.

Due to earlier map amendments, there is a substantial presence of C-3-C zoning adjacent to the Property. The lot to the north of the Property was developed pursuant to a map amendment rezoning to C-3-C. The abutting lot to the east has received first-stage PUD approval with related C-3-C zoning. As such, extending the C-3-C boundary to incorporate the Property would be generally consistent with the development pattern in the square and provide a consistent transition between proximate C-3-C properties. Additionally, prior Zoning Commission actions demonstrate that C-3-C zoning is not inconsistent with the institutional land use designation.

⁴ Framework, 2-37.

⁵ LU-3.2 Institutional Uses, 3-41.

⁶ <http://www.hscfoundation.org>.

⁷ Citywide Elements, 2-38; Citywide Elements, 2-35.

The Comp Plan also provides the following land use policy guidance:

Policy LU-1.4.1: Infill Development

“Encourage 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 complement the established character of the area and should not create sharp changes in the physical development pattern.”

Policy LU-1.3.2: Development Around Metrorail Stations

“Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth ...”

Policy LU-2.4.1: Promotion of Commercial Centers

“Promote the vitality of the District’s commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city’s role as the center of the metropolitan area...”

Policy HP-2.4.1: Rehabilitation of Historic Structures

“Promote appropriate preservation of historic buildings through an effective design review process. Apply design guidelines without stifling creativity, and strive for an appropriate balance between restoration and adaptation as suitable for the particular historic environment.”

Policy NNW-1.1.6: Non-Profits and Private Service Organizations

“Work with private service organizations and non-profit organizations in the Near Northwest area to ensure that their locations and operations do not create objectionable impacts on neighboring properties.”

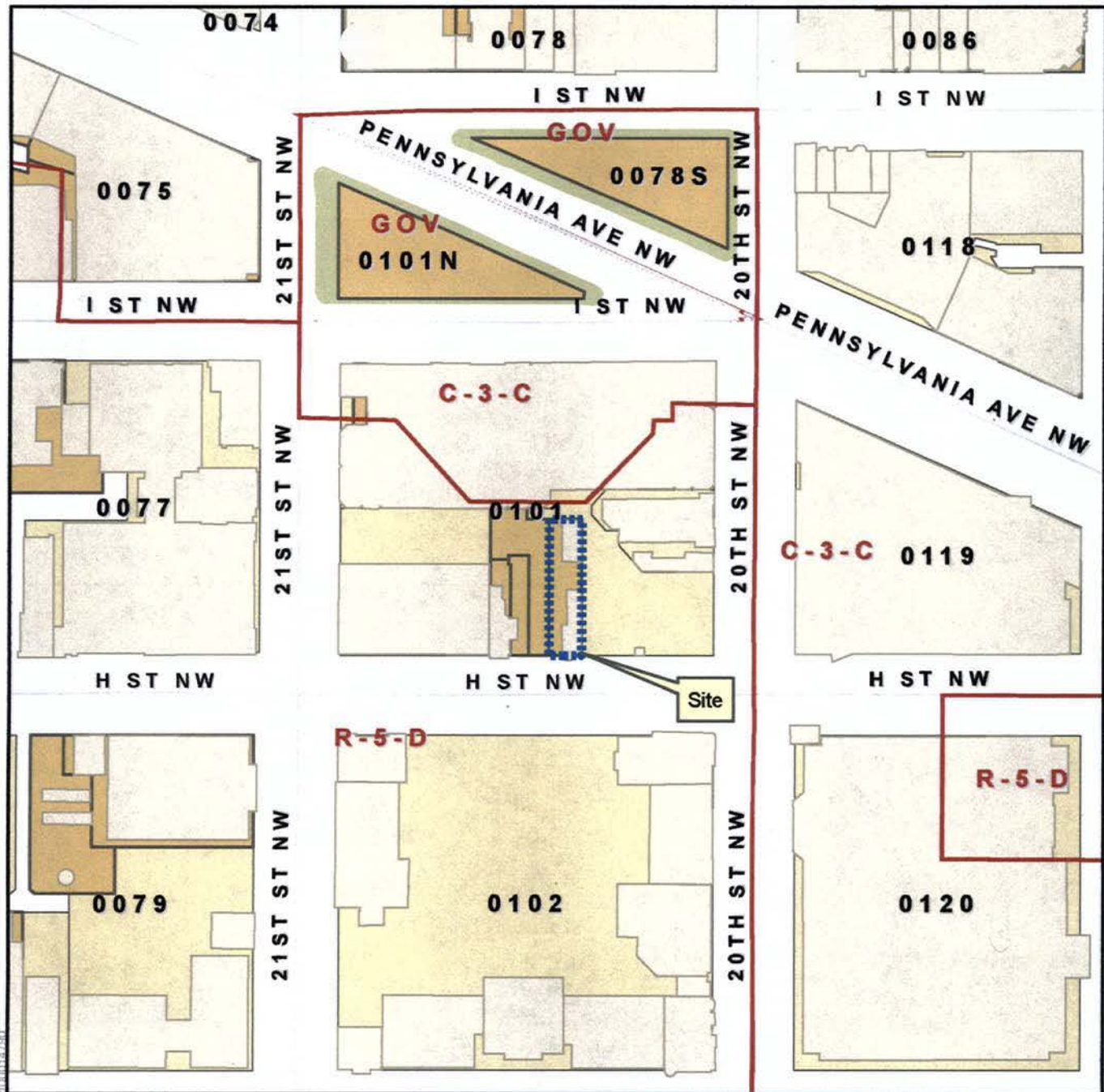
Rezoning the properties to C-3-C would generally support these policies by allowing for transit-oriented infill commercial development that will adaptively reuse an existing historic building. Additionally, the design and massing of the building will be reviewed by HPRB and parking relief will be reviewed by BZA.

CONCLUSION

The Office of Planning **recommends** that the proposed amendment to the Zoning Map be **set down for public hearing** before the Zoning Commission. OP supports extending the C-3-C zone boundary to include the subject Property. The proposed map amendment would not be inconsistent with the 2006 Comprehensive Plan and Future Land Use Map and the C-3-C zoning would be comparable to neighboring properties.

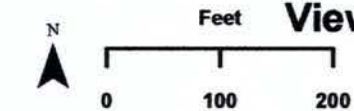
JLS/pg
Paul Goldstein, Case Manager

Attachments: Exhibit 1 – View of the project area and vicinity and the current zoning
Exhibit 2 – View of Square 101
Exhibit 3 – Aerial view (2007) of the project area from the South
Exhibit 4 – Comp Plan Future Land Use Map of project area and vicinity



Zoning Commission Application 08-19: Exhibit 1 2013 H Street, NW

View of the project area and vicinity and current zoning



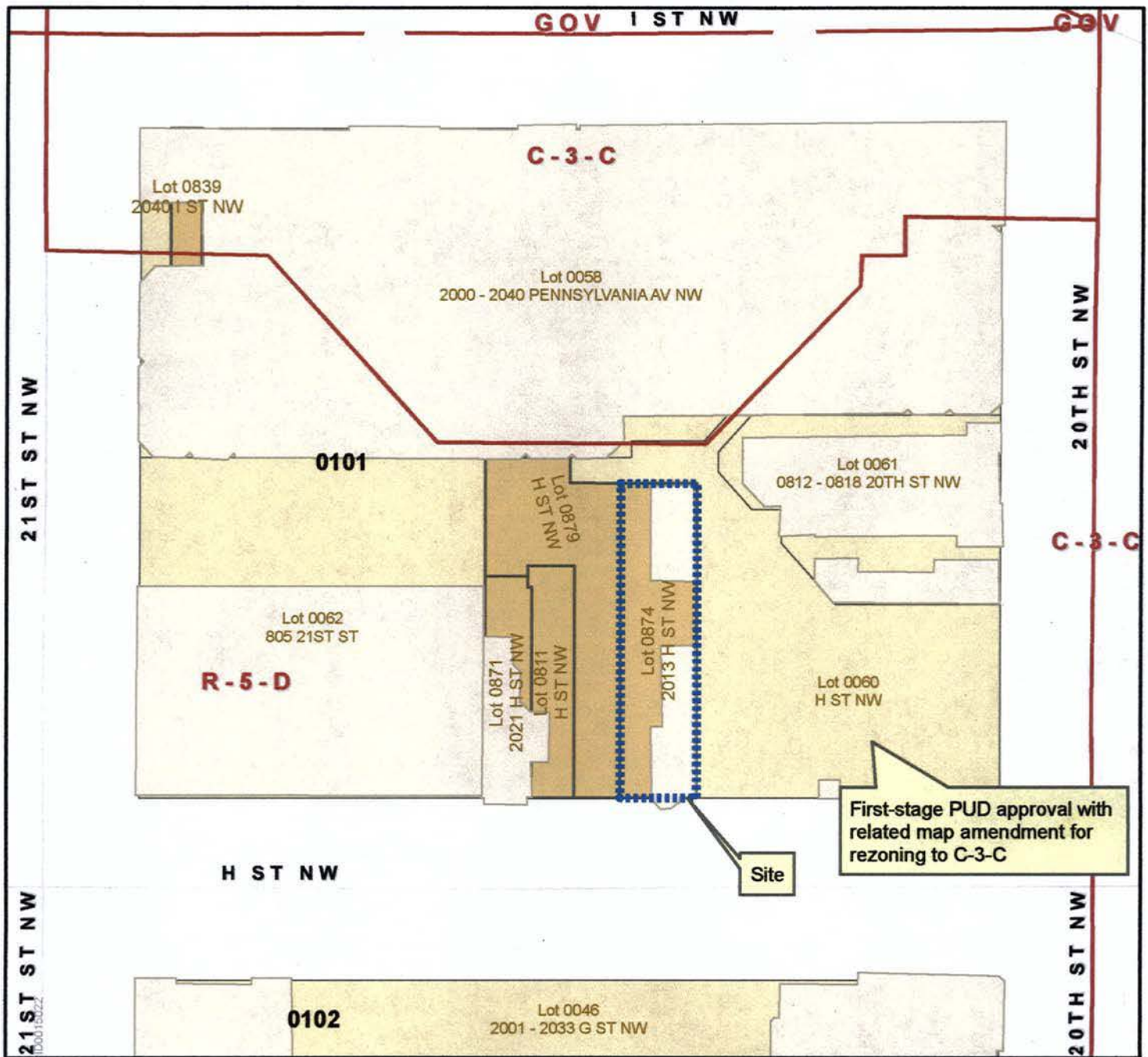
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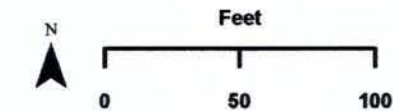
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Legend

- Zoning Districts
- Subject Property
- Buildings
- Property Squares
- Tax Lots
- Record Lots
- Street Centerlines
- National Parks



Zoning Commission Application 08-19: Exhibit 2 2013 H Street, NW View of Square 101

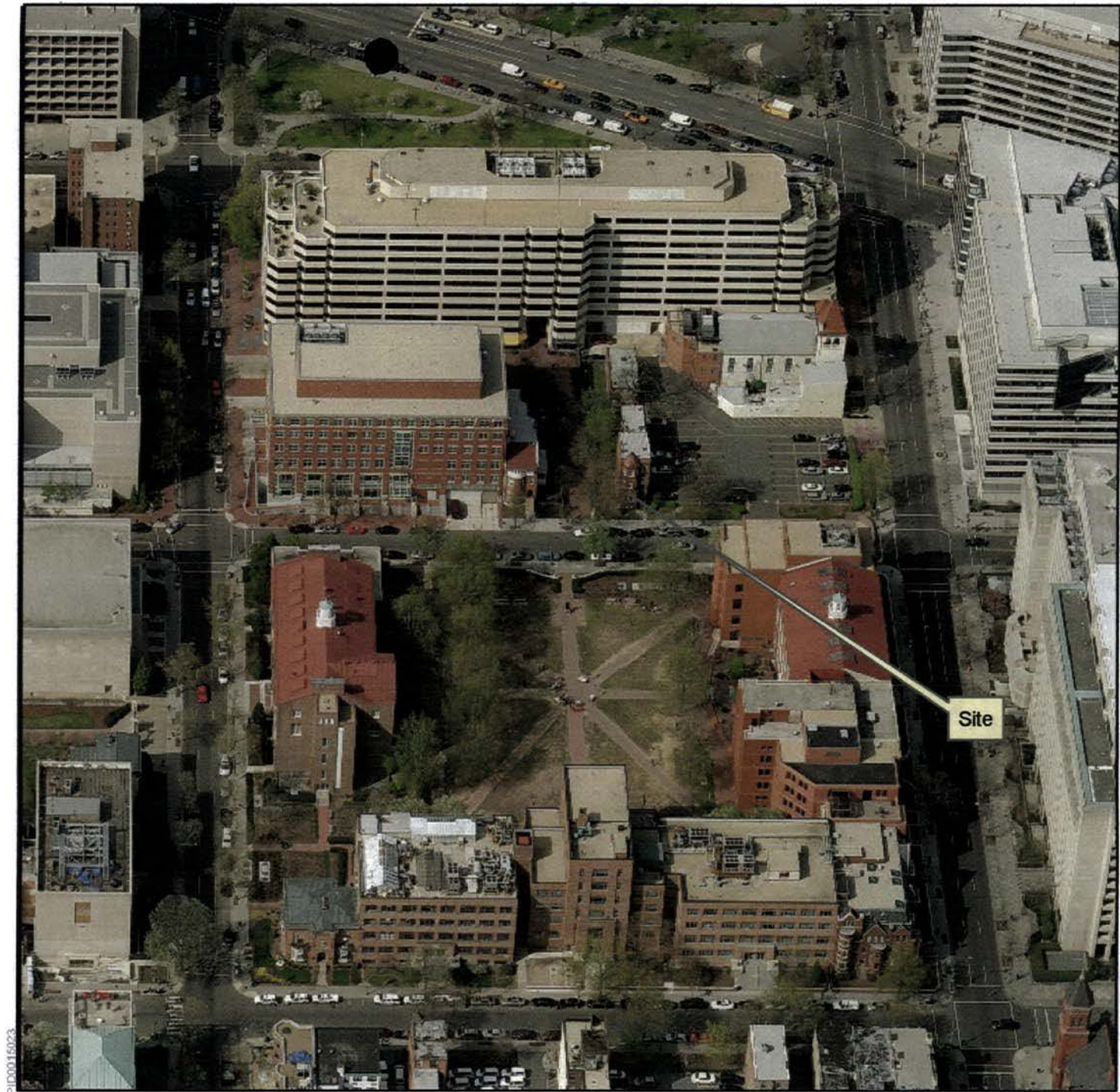


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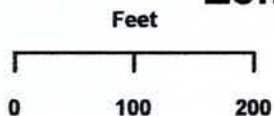
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Legend	
	Property Squares
	Zoning Districts
	Subject Property
	Buildings
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	Street Centerlines
	National Parks



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Zoning Commission Application 08-19: Exhibit 3 2013 H Street, NW View from the South



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Zoning Commission Application 08-19: Exhibit 4 **2013 H Street, NW** **Comp Plan Future Land Use Map**



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