

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*
Development Review and Historic Preservation

DATE: July 03, 2008

SUBJECT: **Setdown Report** – Zoning Commission Case No. 08 22
Ward 7- R-5-A Zoning Consistency Map Amendment

I. RECOMMENDATION

Pursuant to the 2006 Comprehensive Plan for the District of Columbia, the Office of Planning recommends that the Zoning Commission setdown for public hearing this zoning consistency proposal to amend the zoning map to rezone portions of Ward 7 from R-5-A to R-2, R-3 or R-4¹ as shown on the maps of Appendix II, and in the chart below. A few currently split zoned (R-1-B and R-5-A) properties are also proposed to be rezoned to be entirely R-1-B.

This report also serves as the Pre-hearing Filing required by 11 DCMR § 3013 as a prerequisite to the advertisement of this proposed text amendment.

SQUARES OR PORTIONS OF SQUARES ZONED R-5-A	PROPOSED ZONES
5546, and 5547	R-1-B
5048W, 5087, 5088, 5089, 5090, 5091, 5092, 5093, 5159, 5160, 5178, 5179, 5201, 5202, 5232, 5246, 5252, 5258, 5259, 5264, 5265, 5266, 5267, 5268, 5271, 5272, 5273, 5278, 5397, 5397S, 5410, 5410N, 5463, 5464, 5465, 5466, 5467, 5480, 5481, 5482, 5483, 5484, 5485, 5486, 5498, 5500, and 5501.	R-2
5000, 5138, 5140, 5190, 5199, 5203, 5204, 5409, 5414, 5417, 5418, 5419, 5420, 5421, 5425, 5426, 5427, 5429, 5430, 5431, 5432, 5434, 5440, 5443, 5444, 5445, 5446, 5447, 5448, 5449, 5450, 5451, 5452, 5546, 5547, 5548, 5627, and Parcel 203-0009.	R-3
5076, 5077, 5078, 5086, 5172, 5173, 5176, 5202, 5552, 5553, 5554, 5555, 5556, 5581, 5582, 5584, 5585, 5586, 5636, 5637, and Parcel 184.	R-4

¹ Refer to Appendix I for a summary of regulations and permitted uses in each of these zones.

II. BACKGROUND

This proposal follows two related map amendment applications brought forward by the Office of Planning. The first, Zoning Commission Case 07-30 was for the rezoning of portions of the R-5-A zoned lands in the Marshall Heights (ANC 7E) neighborhood. A public hearing for that case was held March 3, 2008, and the proposal is awaiting final action. The second, Zoning Commission Case 08-12, is for the rezoning of portions of the R-5-A zoned land in Ward 8. At its May 12, 2008 public meeting, the Commission set that case down for a public hearing, which has now been scheduled for July 28, 2008.

The current proposal includes portions of the R-5-A zones throughout the remainder of Ward 7, including portions of ANCs 7A, 7B, 7C, and 7D. The area is generally characterized by stable neighborhoods and a diverse mix of housing types, including single-family detached, semi-detached, and row dwellings. There are also many small apartment buildings, as well as a large number of vacant infill lots. In 2000, nearly 13 percent of the housing units in Far Northeast and Southeast were vacant. The redevelopment of these vacant lots and structures will be critical to the future stability of the subject area.

Most of the area was still countryside until the early 20th century. Large tracts of land were farmed until as recently as the mid-1900's. By the late 1800's, the Deanwood neighborhood had emerged as a working class community for black and white families. The first large-scale urban development in the area took place during the 1920s. The development pace accelerated during World War II, as defense and government workers flocked to the city. Naylor Gardens, for example, was developed for federal government employees and later served as cooperative housing for returning war veterans. Rapid development continued throughout the 1950's, as sewers, paved streets, and sidewalks were provided to most areas.

As noted in the 2006 Comprehensive Plan (detailed below), the 2000 Census reported that the Far Northeast and Southwest area is predominantly composed of single-family detached (18 %) and attached (28 %) dwellings. About one-third of the area's housing units were in buildings with five to 19 units – almost twice the citywide proportion.

Many Ward 7 residents, through the Comprehensive Plan process and other neighborhood planning and development forums, have indicated a desire to protect the lower density areas from further multi-family infill development.

III. 2006 COMPREHENSIVE PLAN

In response to resident input noted above, the 2006 Comprehensive Plan provides clear direction for the proposed zoning map amendments to protect the single family character of established neighborhoods:

Ward 7 Comprehensive Plan Policies

The 2006 Comprehensive Plan Future Land Use map designates the subject areas for low and moderate density residential uses. Single-family detached and semi-detached dwellings with front, back, and side yards are the predominant uses in low density areas. Row houses and some garden apartments are the predominant uses in moderate density areas, but these areas may also include detached and semi-detached dwellings. The proposed zoning amendments would allow development of single family dwellings, duplexes, and (in the proposed R-3 and R-4 areas) rowhouses to match the existing neighborhood character. New apartment buildings would not be permitted by-right. Existing apartment buildings would be “grandfathered,” meaning they could continue to operate but would not be permitted to expand.

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

CHAPTER 17 – FAR NORTHEAST AND SOUTHEAST AREA ELEMENT:

Housing Characteristics 1704

The 2000 Census reported that 18 percent of the homes in Far Northeast and Southeast were single family detached homes, and 28 percent were single family attached homes (row houses and townhouses). These are slightly higher than the percentages for the city as a whole. Conversely, only eight percent of the area’s housing stock consists of multi-family buildings of 20 units or more, compared to 32 percent for the city as a whole. Relative to the rest of the District of Columbia, Far Northeast and Southeast has a much higher percentage of small apartment buildings. About one-third of the area’s housing units were in buildings with five to 19 units—almost twice the citywide proportion. In 2000, nearly 13 percent of the housing units in Far Northeast and Southeast were vacant.

Planning and Development Priorities 1707

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, summarized below:

- a. 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.

- b. While protecting established single family neighborhoods is a priority, Far Northeast and Southeast recognizes the need to provide a variety of new housing choices. More density is appropriate on land within one-quarter mile of the Metro stations at Minnesota Avenue, Benning Road, and Deanwood, and on the District side of the Southern Avenue and Capitol Heights stations. The commercially zoned land along the Nannie Helen Burroughs, Minnesota Avenue and Pennsylvania Avenue "Great Streets" corridors also offer opportunities for somewhat denser uses than exist today. ...*

FNS-1.1 Guiding Growth and Neighborhood Conservation 1708

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 land use pattern while allowing for infill development that is compatible with neighborhood character. 1708.2

CHAPTER 3 - LAND USE ELEMENT

LU-1.4 Neighborhood Infill Development

Infill development on vacant lots is strongly supported in the District of Columbia, provided that such development is compatible in scale with its surroundings 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. ... 307.2

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 reflect the desired character of the surrounding area. Infill development may also include the restoration of vacant and abandoned. 307.3

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. 307.5

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 surrounding neighborhoods. This is particularly important in single family and row house neighborhoods that are currently zoned for multi-family development. 307.7

LU-2 Creating and Maintaining Successful Neighborhoods 308

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. 309.8

CHAPTER 5 - HOUSING ELEMENT

Policy H-1.3.1: Housing for Families

Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments. 505.6

IV. ANALYSIS

The recently approved 2006 Comprehensive Plan for the National Capitol explicitly calls for the examination of the R-5-A zone areas in Ward 7 to determine if the zoning is consistent with the existing character of the residential neighborhoods. In response to this, the Office of Planning conducted a street by street windshield survey of the R-5-A zoned areas of Wards 7 and 8 in 2007. OP also completed an analysis of predominant lot size, building character, and existing zoning. The study revealed that there were many areas in both wards where the R-5-A zoning allows multi-family building forms which are not consistent with the existing housing types. In fact, many recent development proposals in Ward 7 have been for apartment buildings on vacant, neglected, or irregularly-shaped infill lots located in low/moderate density residential areas. Under current R-5A zoning regulations, more apartment structures could be constructed on similar parcels in low to moderate density areas, with BZA approval.

Based on the result of the study, OP is proposing a map amendment for specified R-5-A properties throughout remaining areas of Wards 7². Not all R-5-A zoned areas are included in this application; many areas which are already predominantly developed with apartment buildings or where apartment buildings would be appropriate given Comprehensive Plan policies have been excluded from this proposed rezoning initiative to limit the number of non-conforming properties created by this proposed rezoning. Areas which are included are:

1. predominantly low/moderate density in character; and
2. not part of a small area plan or other government plan for specific forms of development.

The proposed zoning map amendments would allow development of single-family detached and semi-detached dwellings in areas recommended to be rezoned to R-2, while row houses would also be permitted in areas recommended to be rezoned R-3. These uses as well as flats would be

² The current proposal includes R-5-A zoned lands in Wards 7A, 7B, 7C, and 7D; similar lands in Ward 7E were already rezoned as part of Zoning Commission Case 07-30.

permitted in areas recommended to be rezoned to R-4. No changes to the text of these zones are proposed as part of this application, which is for a map amendment only. Each of these proposed zones would be consistent with existing neighborhoods character and prevalent lot characteristics. Existing apartment buildings within any of these areas would be allowed to continue operation and to be upgraded or renovated as appropriate, but the construction of new apartment buildings or the expansion of an existing apartment building would not be permitted. In addition, OP has identified a small number of lots that are currently split zoned R-1-B and R-5-A – these 4 lots in Squares 5546 and 5547 are proposed to be rezoned to be entirely R-1-B, consistent with the existing development pattern.

V. RECOMMENDATION

The proposed map amendment would change the zoning for specific sites within Ward 7 from R-5-A to R-2, R-3 or R-4, as well as the zoning of R-5-A portions of 4 split zoned lots to R-1-B, consistent with the remainder of the lots. Although apartment development potential would continue to exist in this Ward (in remaining R-5-A zoned areas and in other zones which permit that use), this proposal would further the Comprehensive Plan objective to ensure that the zoning in the predominantly lower density areas is consistent with neighborhood character.

OP recommends that the Zoning Commission setdown the proposed amendment to the Zoning Map to change the zoning from the R-5-A District to the R-2, R-3 or R-4 District for the following lots and squares:

SQUARES OR PORTIONS OF SQUARES ZONED R-5-A	PROPOSED ZONES
5546, and 5547	R-1-B
5048W, 5087, 5088, 5089, 5090, 5091, 5092, 5093, 5159, 5160, 5178, 5179, 5201, 5202, 5232, 5246, 5252, 5258, 5259, 5264, 5265, 5266, 5267, 5268, 5271, 5272, 5273, 5278, 5397, 5397S, 5410, 5410N, 5463, 5464, 5465, 5466, 5467, 5480, 5481, 5482, 5483, 5484, 5485, 5486, 5498, 5500, and 5501.	R-2
5000, 5138, 5140, 5190, 5199, 5203, 5204, 5409, 5414, 5417, 5418, 5419, 5420, 5421, 5425, 5426, 5427, 5429, 5430, 5431, 5432, 5434, 5440, 5443, 5444, 5445, 5446, 5447, 5448, 5449, 5450, 5451, 5452, 5546, 5547, 5548, 5627, and Parcel 203-0009.	R-3
5076, 5077, 5078, 5086, 5172, 5173, 5176, 5202, 5552, 5553, 5554, 5555, 5556, 5581, 5582, 5584, 5585, 5586, 5636, 5637, and Parcel 184.	R-4

JLS/jm

Attachments:

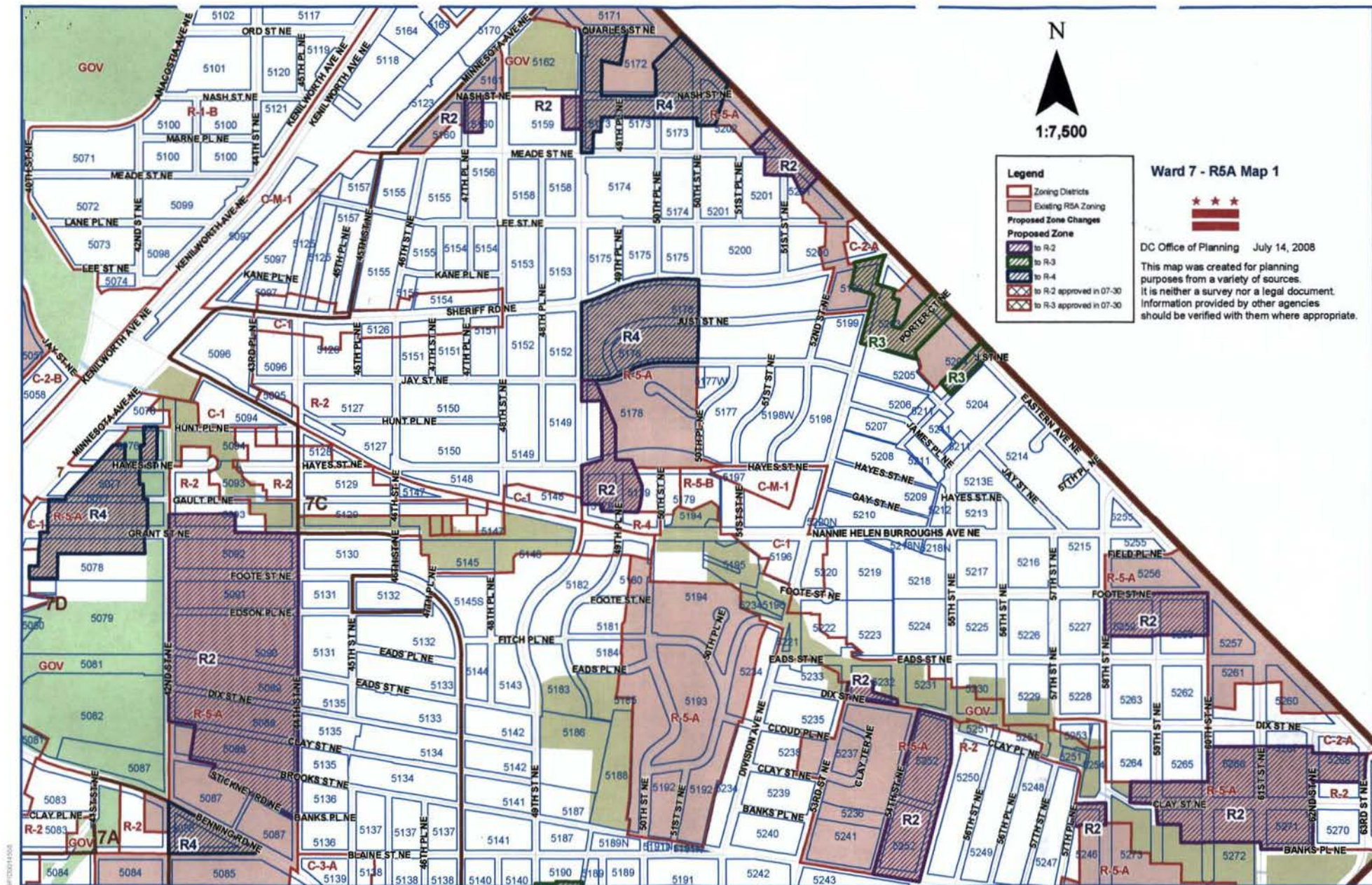
- I. Summary of R-2 to R-5-A permitted uses and regulations
- II. Maps 1-3 showing subject squares

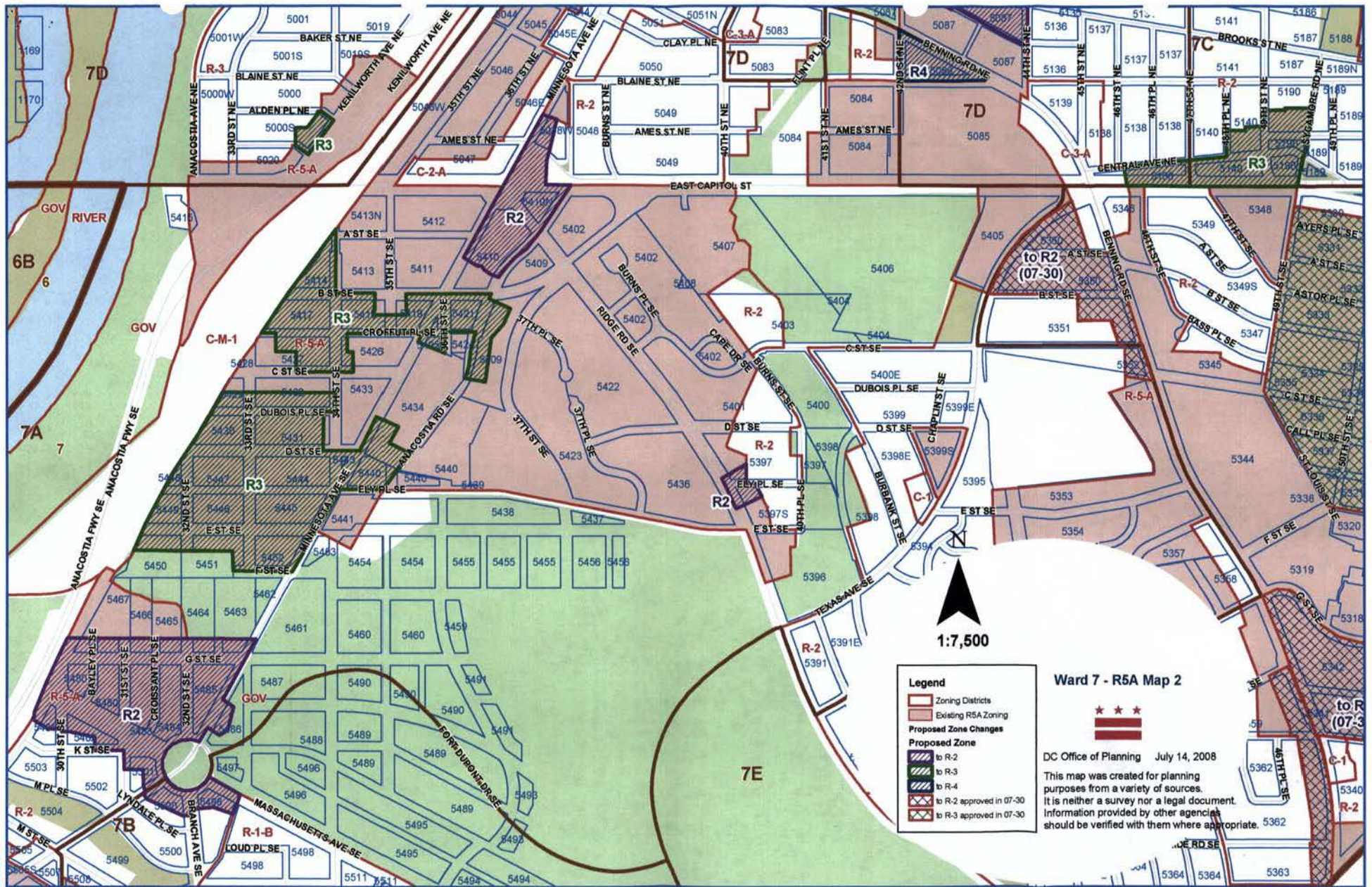
	R2	R3	R4	R5A
Permitted Uses:				
• Single Family Dwelling	Yes	Yes	Yes	Yes
• Duplex	Yes	Yes	Yes	Yes
• Rowhouse	No	Yes	Yes	Yes
• Flat	No	No	Yes	Yes
• Apartment	No	No	Conversion only ¹	Yes
Maximum Permitted Height:	40 feet	40 feet	40 feet	40 feet
Maximum Number of Stories:	3	3	3	3
Minimum Lot Area and Width:				
• Single Family Dwelling	4,000 sq.ft., 40'	4,000 sq.ft., 40'	4,000 sq.ft., 40'	As set by BZA
• Duplex	3,000 sq.ft., 30'	3,000 sq.ft., 30'	3,000 sq.ft., 30'	As set by BZA
• Rowhouse	n/a	2,000 sq.ft., 20'	1,800 sq.ft., 18'	As set by BZA
• Flat	n/a	n/a	1,800 sq.ft., 18'	As set by BZA
• Apartment	n/a	n/a	1 / 900 sq.ft. of lot area for a conversion	As set by BZA
Maximum Floor Area Ratio²:	None prescribed	None prescribed	None prescribed	0.9
Maximum Lot Occupancy³:	40%	40%; 60% for rowhouse	40%; 60% for rowhouse	40%; or as set by BZA
Minimum Rear Yard:	20 feet	20 feet	20 feet	20 feet
Minimum Side Yard:	8 feet if required	8 feet if required	8 feet if required	8 feet if required

¹ Currently in R4, an existing rowhouse can be converted to apartments, with a limit of one apartment for every 900 square feet of lot area. R4 does not permit the construction of a new apartment building or additions to existing apartment buildings.

² Floor Area Ratio (FAR) is equal to the total square footage of the building divided by the total lot area. FAR establishes the maximum square feet that a building can be. In most low density residential zones, maximum building size is limited by height and lot occupancy restriction.

³ Lot Occupancy is the amount of the lot covered with buildings or structures.





Legend

- Zoning Districts
- Existing R5A Zoning
- Proposed Zone Changes
- Proposed Zone
 - to R-2
 - to R-3
 - to R-4
 - to R-2 approved in 07-30
 - to R-3 approved in 07-30

Ward 7 - R5A Map 2

DC Office of Planning July 14, 2008

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

