

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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Final Report

TO: District of Columbia Zoning Commission

FROM:  Jennifer Steingasser, Deputy Director
Development Review and Historic Preservation

DATE: September 8, 2008

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

I. RECOMMENDATION

The Office of Planning recommends that the Zoning Commission approve the proposed Zoning Map amendments, to change the zoning of squares or portions of squares in Ward 7 from R-5-A to R-2, R-3 or R-4¹ as shown on the maps of Attachment II, and in the chart below. A few properties currently split zoned R-1-B and R-5-A are also proposed to be rezoned to be entirely R-1-B. No zoning text amendments are proposed as part of this application.

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
5000S, 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 Attachment I for a summary of regulations and permitted uses in each District of Columbia Zoning District.

ZONING COMMISSION
District of Columbia
CASE NO. 08-22

EXHIBIT NO. 5
ZONING COMMISSION
District of Columbia
CASE NO. 08-22
EXHIBIT NO. 5

II. BACKGROUND

At its July 14, 2008 public meeting, the Zoning Commission set down for a public hearing Case 08-22. This map amendment proposal recommends that specified properties or portions of properties in Ward 7 be rezoned from R-5-A to R-2, R-3, or R-4. In addition, a few properties split-zoned R-1-B and R-5-A are proposed to be rezoned entirely R-1-B.

This proposal follows two related map amendment applications brought forward by the Office of Planning:

1. Zoning Commission Case 07-30, for the rezoning of portions of the R-5-A zoned areas in the Marshall Heights (ANC 7E) neighborhood. A public hearing for that case was held March 3, 2008, and final action approval was given on July 14, 2008.
2. Zoning Commission Case 08-12, for the rezoning of portions of the R-5-A zoned areas in Ward 8. A public hearing was on July 28, 2008, and final action is pending.

Like the past two cases, this zoning map consistency case is in response to specific language in the 2006 Comprehensive Plan to ensure that the zoning in Ward 7 is more consistent with the low to moderate character of individual neighborhoods. Many Ward 7 residents, through the Comprehensive Plan process and other neighborhood planning and development forums, have indicated a strong desire to protect the lower density areas from further multi-family infill development.

In response to the neighborhood and Comprehensive Plan direction, OP conducted a detailed study of the Ward 7 and 8 R-5-A zoned areas in 2007, including a street-by-street windshield survey and an examination of prevailing lots sizes and building forms in individual neighborhoods. This study confirmed that there are many areas in both Wards 7 and 8 where the existing R-5-A zoning is not consistent with the existing housing types. While OP strongly supports the development of infill lots; this case is intended to ensure that new development (especially on vacant lots) is more consistent with prevailing neighborhood character.

III. AREA DESCRIPTION

Most of the subject 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. The first large-scale urban development in the area took place during the 1920's. 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.

The area is now 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. There are a number of vacant properties remaining throughout the subject area and the proposed amendment would

continue to allow such sites to be developed with detached, semi-detached and row structures, to match the predominant neighborhood character. New apartment building construction would not be permitted in any of the rezoned areas.

The 2000 Census reported that the Far Northeast and Southeast area is predominantly composed of single-family detached and attached dwellings, although about one-third of the area's housing units were in buildings with five to 19 units – almost twice the citywide proportion. 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.

IV. 2006 COMPREHENSIVE PLAN

The 2006 Comprehensive Plan provides clear direction for the proposed zoning map amendments:

Comprehensive Plan Future Land Use Map

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. Rowhouses 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. New apartments would continue to be permitted in areas that would remain zoned R-5-A with special exception approval by the BZA, and in areas currently zoned R-5-B or higher or commercial.

Comprehensive Plan Elements

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

CHAPTER 17 – FAR NORTHEAST AND SOUTHEAST AREA ELEMENT:

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

V. ANALYSIS

The recently approved 2006 Comprehensive Plan 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, as well as 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 general existing housing types. Some 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-5-A zoning regulations, more apartment structures could be constructed on similar parcels in low to moderate density areas, with BZA approval.

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. 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.

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.

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 rowhouses would also be permitted in areas recommended to be rezoned R-3. These uses as well as flats would be permitted in areas recommended to be rezoned to R-4. Each of these proposed zones would be consistent with existing neighborhood 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 lots in Squares 5546 and 5547 are proposed to be rezoned to be entirely R-1-B, consistent with the existing development pattern.

VI. 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 portions of four split zoned lots from R-5-A 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 approve the following amendments to the Zoning Map:

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
5000S, 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
John Moore project manager

Attachments:

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

	R1B	R2	R3	R4	R5A
Permitted Uses:					
• Single Family Dwelling	Yes	Yes	Yes	Yes	Yes
• Duplex	No	Yes	Yes	Yes	Yes
• Rowhouse	No	No	Yes	Yes	Yes
• Flat	No	No	No	Yes	Yes
• Apartment	No	No	No	Conversion only ¹	Yes
Maximum Permitted Height:	40 feet	40 feet	40 feet	40 feet	40 feet
Maximum Number of Stories:	3	3	3	3	3
Minimum Lot Area and Width:					
• Single Family Dwelling	5,000 sq.ft., 50'	4,000 sq.ft., 40'	4,000 sq.ft., 40'	4,000 sq.ft., 40'	As set by BZA
• Duplex	n/a	3,000 sq.ft., 30'	3,000 sq.ft., 30'	3,000 sq.ft., 30'	As set by BZA
• Rowhouse	n/a	n/a	2,000 sq.ft., 20'	1,800 sq.ft., 18'	As set by BZA
• Flat	n/a	n/a	n/a	1,800 sq.ft., 18'	As set by BZA
• Apartment	n/a	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	None prescribed	0.9
Maximum Lot Occupancy³:	40%	40%	40%; 60% for rowhouse	40%; 60% for rowhouse	40%; or as set by BZA
Minimum Rear Yard:	25 feet	20 feet	20 feet	20 feet	20 feet
Minimum Side Yard:	8 feet	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.

