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D.C. OFFICE OF ZONING**MEMORANDUM**

TO: Zoning Commission for the District of Columbia

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

DATE: October 13, 2009

SUBJECT: Case 09-17 - Report for **Setdown** for Emergency Text Amendments to allow for special exception relief for DC Public Library use of government land and a map amendment for unzoned land at 3660 Alabama Avenue SE to R-5-A.

WAIVER OF RULES FOR LATE SUBMITTAL

This report is being submitted less than ten days prior to the Zoning Commission's consideration of the item and scheduled public meeting. The Office of Planning respectfully requests that the Commission waive its rule and accept the report into the record pursuant to §3000.8.

RECOMMENDATION

The Office of Planning recommends the case be setdown for public hearing and that the Commission authorize the referral of the case to the National Capital Planning Commission for their thirty day review pursuant to § 3025.3

BACKGROUND

The applicant has requested initial zoning of land under the ownership of the National Park Service to R-5-A, to enable the reconstruction of a new public library. Due to a misinterpretation of the zoning regulations by the City, the applicant was proceeding with the assumption that the project would be permitted as a matter-of-right. However, it was recently determined that the property needed zoning. Due to the limited size of the parcel to which the library has jurisdiction, zoning relief is also needed.

The Zoning Commission has on rare occasions exercised their prerogative to hear variances and special exceptions in tandem with a map amendment when it has been deemed expedient to do so. The Georgetown Boathouse was heard as a special exception immediately following the vote on the creation of the W-0 zone district in 2004 (ZC 02-42) and in July 2009 the Commission zoned a lot on Cathedral Avenue (ZC 09-07) and granted the special exception relief in the same evening.

PROPOSAL

The District of Columbia Public Libraries (DCPL) has requested text amendments that allow for special exception relief of area and parking standards for public libraries on government land. The purpose is to recognize the special circumstance and public purpose of this important government service. The conditions relative to government lands are often different than private sector development - the project is funded by public money often on a tight timeline; the land is publically owned, often by the federal government; and the building is unable to effectively expand to respond to modern standards.

The applicant has also requested a map amendment, to provide initial zoning of RSA for the site at 3660 Alabama Avenue SE, within Reservation 518. This is the site of the current Francis A. Gregory

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ZONING COMMISSION
District of Columbia

CASE NO. 09-17

EXHIBIT NO. 10

Library; the proposal is to replace this facility with a new full service library. The site is owned by the Federal Government, but subject to a 1958 Transfer of Jurisdiction to the District for public library facilities. Pursuant to Section 106.5 of the Zoning Regulations, zoning of the site is required to facilitate this District development. The R5A zone is currently mapped directly across Alabama Avenue from the site. R5A lists "public library" as a permitted use.

COMPREHENSIVE PLAN

The proposed amendments are not inconsistent with many of the Comprehensive Plan themes, goals, objectives and policies. Major themes of the Plan tend to promote maintaining or improving the character of neighborhoods, as well as enhancing public safety and the effective provision of public services.

Policy CSF-3.1.1: State-of-the-Art Public Library System

Ensure that the District has a state-of-the-art Central Library and branch libraries that meet the information and life-long learning needs of District residents.

Action CSF-3.1.B: Branch Libraries

Completely overhaul, upgrade, or re-build each branch library to provide a safe and inviting space that provides services and programs that address the needs of local residents. Each branch library should be designed to provide a minimum of 20,000 square feet of floor space with a clearly visible entrance and an open, inviting and attractive façade.

CSF-3.2 Library Location

The opportunity to modernize or relocate more than two dozen branch libraries creates an exciting opportunity for many District neighborhoods. High-quality public libraries can help anchor neighborhood and corridor reinvestment efforts. Libraries can also support many of the other goals articulated in the Comprehensive Plan, including the creation of space for the arts, job training and literacy programs, and the promotion of high quality civic design.

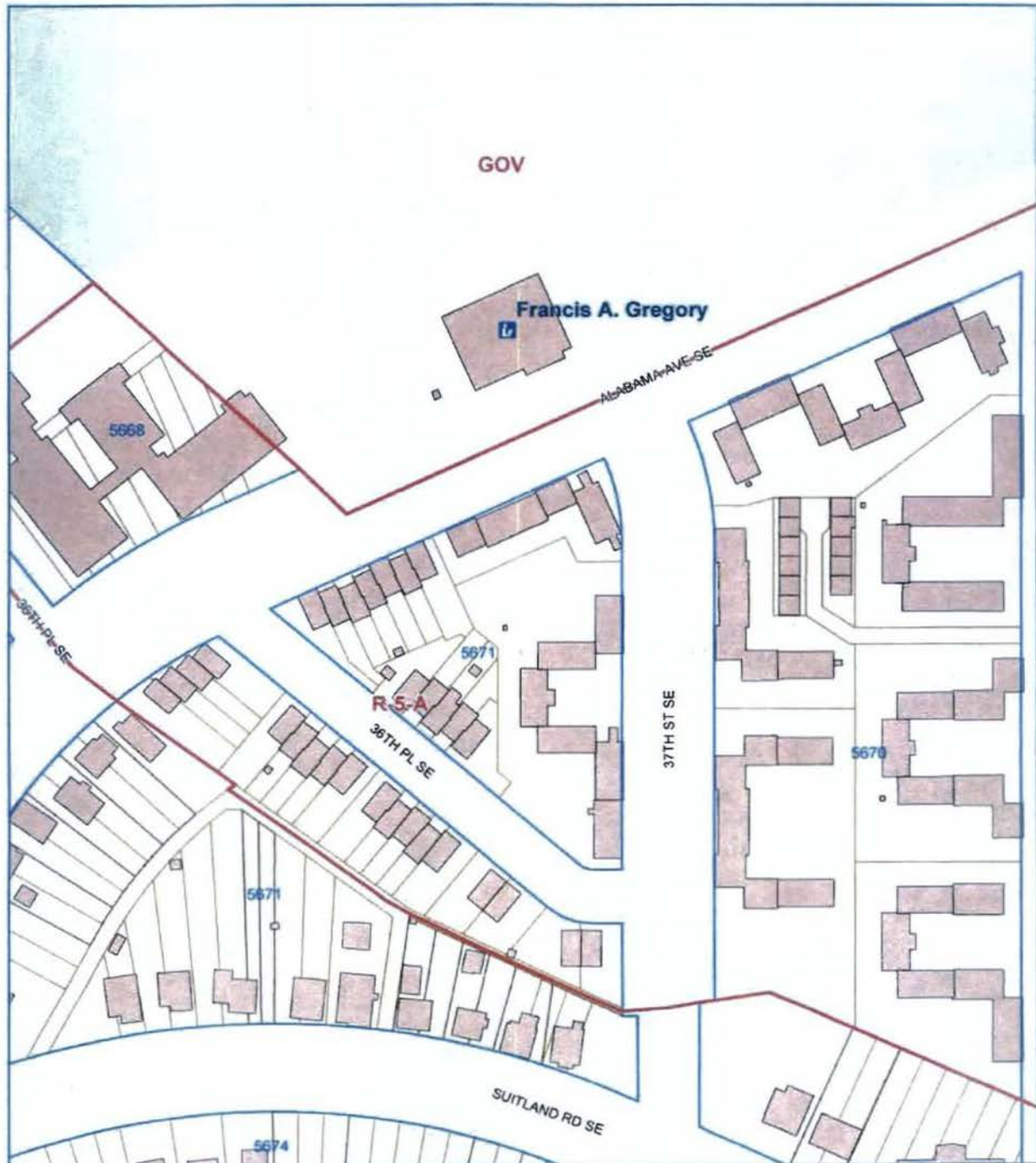
The proposed amendments would facilitate the construction of a new, full service library on the current site of the Francis Gregory Library, so would not be inconsistent with the above policy and action items.

Future Land Use Map

The subject site is designated Local Public Facilities on the Future Land Use Map, which "*Includes land and facilities occupied and used by the District of Columbia Government or other local government agencies (such as WMATA), excluding parks and open space. Uses include public schools including charter schools, public hospitals, and government office complexes, and similar local government activities.*" Directly across Alabama Avenue from the site, land is zoned R5A and is designated Moderate Density Residential on the Future Land Use Map.

CONCLUSION

The proposed map and text amendments are not inconsistent with the Comprehensive Plan goals and objectives and will serve to allow a quick and orderly construction of public libraries. The Office of Planning recommends the case be setdown for public hearing and that the Commission authorize the referral of the case to the National Capital Planning Commission for their thirty day review pursuant to § 3025.3. Additional analysis of the proposal and the requested special exception relief will be provided prior to the public hearing.



Legend

- Libraries
- Property Squares
- Zoning Districts
- National Parks

Zoning Commission Case 09-17 Francis A. Gregory Library

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.

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DC Office of Planning
October, 2009
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