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March 9, 2015

Mr. Anthony J Hood
Chairman
Zoning Commission for the District of Columbia
441 Fourth Street NW, Suite 2105
Washington, DC 20001

Re Zoning Commission Case No. 14-20, Map Amendment for Square 1070

Dear Chairman Hood and Members of the Commission

In October 2014, ANC 6A submitted a Map Amendment request to change the zoning of fourteen lots (Lots 38, 39, 73-76, 80-86 and 94) within Square 1070 ("the northwest quadrant of Square 1070") from C-2-A (commercial) to R-4 (residential).¹

Square 1070 is unusually divided, the eastern half of Square 1070 is currently zoned R-4, while the western half is zoned C-2-A. Due to the adjacency to the Car Barn, commercial uses may have historically taken place along 15th Street NE starting in the 1920's. However, over time, with the closing of the Car Barn in the early 1960's and its re-zoning and conversion to residential condominiums in 1978, the commercial use on Square 1070 diminished and was altogether extinguished within the northwest quadrant.² While currently zoned for commercial, mixed-, or residential use, the northwest quadrant of Square 1070 is currently used only for residential use, and has been *exclusively* residential for almost twenty years.

The current zoning designation would allow the row home properties in the northwest quadrant of Square 1070, along A Street and 15th Street NE, to be converted or further developed for commercial, mixed-, or residential use. The current C-2-A designation for the northwest portion of Square 1070 is not consistent with the residential nature of the neighborhood – both the nature of the square at issue and the neighboring squares. In contrast, the proposed Map Amendment is consistent with the 2006 Comprehensive Plan, will preserve the integrity and quality of this residential neighborhood, and will maintain the scale and density compatible with this neighborhood.

The zoning for the northwest quadrant of Square 1070 needs to be corrected and our community overwhelmingly supports the proposed amendment.

¹ See Cover Letter and Statement in Support from ANC 6A ("ANC Application"), dated October 14, 2014

² See Office of Planning Setdown Report ZC #14-20 ("Setdown Report") at 9, dated November 28, 2014

A. Current C-2-A Designation is Inconsistent with the Residential Nature of the Neighborhood

The current C-2-A (commercial) designation for the northwest portion of Square 1070 is not consistent with the residential nature of the square at issue. The nature of the actual use of the *entire* square is primarily residential. Except for four commercial properties on the western half of the square that front on East Capitol Street NE and one multi-unit residential property on the southernmost portion of 15th Street NE,³ the remainder of the properties in Square 1070 are single-family residential, which are primarily two story rowhouses. The northwest quadrant of Square 1070 consists *only* of 13 rowhouse lots and one alley/garage lot, which are two and three story structures. While currently zoned for commercial, mixed-, or residential use, the northwest quadrant of Square 1070 is currently used only for residential use, and has been *exclusively* residential for almost twenty years.⁴

The current C-2-A designation for the northwest portion of Square 1070 is also inconsistent with the residential nature of the neighboring squares. The adjacent squares to the north, south, and east are zoned entirely R-4. The entire adjacent square to the west is occupied entirely by the Car Barn residential condominiums, which is primarily zoned R-5 and with a lesser zoning of C-2-A for the historically protected structures that primarily front the 1400 block of East Capitol Street.⁵ These adjacent squares are almost exclusively used for residential use.

The current C-2-A designation for the northwest quadrant of Square 1070 is inconsistent with the residential nature of this square and the neighborhood, as a whole, and should therefore be amended to correct this error.

B. Proposed Change is Consistent with the 2006 Comprehensive Plan

The proposed Map Amendment to change the current zoning of the northwest quadrant of Square 1070 is consistent with the 2006 Comprehensive Plan. “[T]he current zoning is C-2-A (a low to moderate density commercial mixed use zone), but the Comp[rehensive] Plan Generalized Land Use Map indicates this square for low to moderate density residential development ..”⁶

³ The ANC’s request is limited to the 14 lots (Lots 38, 39, 73-76, 80-86 and 94) within Square 1070. In keeping with the Comprehensive Plan policies for the Capitol Hill area element (§ 15072), the existing corner stores and commercial establishments on southwest quadrant of square 1070, facing East Capitol Street NE, are not included in the Map Amendment request.

⁴ According to the Office of Planning, “Original building permits for homes on the western side of Square 1070 show the structures were built primarily between 1909 and the early 1920s. Three “stores” were listed in the original permit records on Lots 44, 42, and 41, all built in 1921. Sanborn maps from 1928 show eight stores on the western half of Square 1070, on Lots 76, 38, 39, 44, 43 (two stores shown on this lot), 42, and 41. By 1984, real estate assessment records list six stores, a conversion, a small office building and a flat on the western half of Square 1070. Finally, real estate records from 1998 show the dwindling of commercial uses as there were four stores and a church located on the western half of Square.” See Setdown Report at 9.

⁵ See ZC Commission Order No. 246, Case No. 78-13.

⁶ See Letter to Affected Residents from Joel Lawson, Associate Director of the D.C. Office of Planning, dated July 24, 2014.

According to the D C Office of Planning, the Comprehensive Plan Generalized Policy Map describes the northwest quadrant of Square 1070 as within a Neighborhood Conservation Area, which are “primarily residential in character and have little vacant land.”⁷ The D.C Office of Planning concluded that.

“A rezoning of the [the northwest quadrant of Square 1070] to the R-4 District would help achieve the applicable policies and actions; solidify the residential character of the northwestern part of the Square; allow for the established, historically commercial and apartment uses of the south western part of the Square (primarily along East Capitol Street) to remain without creating new nonconformities (if zoned to the R-4 District); and further the Comprehensive Plan Map designations of moderate-density residential use and neighborhood conservation on the Property.”⁸

The D C. Office of Planning highlighted several policies and actions within the Capitol Hill Area Element of the Comprehensive Plan that support this Map Amendment.⁹ First, the amendment would “protect the character of row house neighborhoods.”¹⁰ Second, the amendment would “provide a better match between zoning and existing land uses in the city’s residential areas” and that rezoning should be pursued to “appropriate densities to protect the predominant architectural character and scale of the neighborhood.”¹¹ Third, the amendment would “reduce the number of nonconforming uses in residential areas.”¹² Finally, the amendment would “rezone the 15th Street commercial district for residential uses, consistent with the corridor’s designation on the Comprehensive Plan.”¹³

The proposed Map Amendment to change the current zoning of the northwest quadrant of Square 1070 is consistent with the 2006 Comprehensive Plan and should therefore be amended.

C. Proposed Change will Preserve the Integrity and Quality of this Residential Neighborhood and Maintain the Scale & Density Compatible with this Neighborhood

The proposed map amendment will preserve the integrity and quality of the residential nature of the neighborhood and the historic architecture of the square and the surrounding

⁷ See Setdown Report

⁸ See Setdown Report at 7

⁹ See Setdown Report at 7-9

¹⁰ § 309.12

¹¹ § 309.21

¹² § 311.10

¹³ § 1508.18

neighborhood. This square is one block east of the Capitol Hill Historic District and the Capitol Hill Restoration Society (CHRS) supports this amendment ¹⁴

The current C-2-A designation would allow for the matter-of-right construction of building on 15th Street and A Street NE that are incongruent with the scale and architecture of the surrounding homes. Unfortunately, the integrity and quality of the historic architecture of the neighborhood is already threatened. A developer has proposed to tear down a two-story row house on Lot 94 (1511 A Street NE) and replace it with a matter-of-right multi-unit residential structure of 18 units. An application for a building permit (B1307755) was submitted to the Department of Consumer and Regulatory Affairs (DCRA) in June 2013, but the permit has not been approved. The proposed plans include a 50 foot building, which would tower over the surrounding two-story row houses and all structures in the immediate vicinity

According to Sections 223.4 and 223.5 of the Comprehensive Plan, new development in Neighborhood Conservation Areas, like the northwest quadrant of Square 1070, which are primarily residential in character and have little vacant land, "should be compatible with the scale and the architectural character of the existing neighborhood." The design and scale of the proposed building on Lot 94 would be out of keeping with the surrounding homes and detract from the integrity of the historic row house architecture that is predominate on this square and in the surrounding neighborhood. The density of the proposed use would also be incompatible with the remainder of A Street NE and the surrounding row house neighborhoods

The proposed amendment will maintain the scale and density compatible with this neighborhood and should therefore be amended.

D. Conclusion

For the reason stated above, the Zoning Commission should adopt this Map Amendment. The request to rezone the northwestern portion of Square 1070 has broad support among the homeowners on 15th St NE and A St NE. A petition signed by ten of the affected owners was included with the ANC's application. Pictures of 15th St NE and A St NE have also been provided to illustrate the residential row house nature of neighborhood ¹⁵

Sincerely,

A handwritten signature in black ink, appearing to read 'Calvin Ward', with a long, sweeping horizontal line extending to the right.

Calvin Ward
Commissioner, ANC 6A08

¹⁴ See Letter from Gary M Petersen, dated December 8, 2014

¹⁵ See ANC Application Attachments for Petition and Photographs