



HAROLD BRAZIL
Councilmember-Ward 6

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D. C. 20004

95-4
NOV 27 11:36

October 31, 1995

Ms. Madeliene H. Robinson
Director
Office of Zoning
441 Fourth Street, N.W. , Suite 220
Washington, D.C. 20001

Dear Ms. Robinson:

This is to offer testimony for the November 9, 1995 hearing before the Zoning Commission (the "Commission") concerning case number 95-4 "Union Station Area Rezoning" involving changes to the Zoning Map of the District of Columbia and to rezone various properties in the area to the east, west and north of Union Station, as proposed by the Office of Planning ("OP").

Specifically, I am concerned about the proposals pertaining to squares 748, 750 , 751 and 752, as follows:

Square 748, from M to C-M-3: I tentatively support this change. My concern is that, currently, an intermediate solid waste transfer facility is operating in the old Uline Arena with a certificate of occupancy ("c of o") to do recycling of building materials. Since there is nothing in the zoning or recycling regulations that provides for this type of business activity, I am concerned to know what impact this proposed change will have on the continuation of an incompatible industrial activity in the midst of a residential neighborhood.

Squares 750 and 775, from C-M-1 to C-2-B: I oppose this change and recommend the area be rezoned C-3-B. In addition to creating a number of non-conforming buildings, this change will have a chilling effect on the development of office space that has worked to improve public safety in the area and proven, additionally, to spur the renovation of townhouses in the neighborhood.

ZONING COMMISSION

CASE No.

EXHIBIT No.

95-4
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ZONING COMMISSION
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Square 750, from C-M-1 to C-2-B: (continued) In short, the mixture of office and residential townhouses and officeworkers and residents has worked well to bring this neighborhood back. Any zoning changes should, consequently, work to stimulate this type of development, not deter it.

Square 751, from C-M-/C-2-A to SP-1: I strongly oppose this change and recommend the area be rezoned C-3-B, on the west half of Square 751 and C-3-A on the east half of the square. The density of the existing site and building should be maintained in order for the National Learning Center (the "Children's Museum") to achieve its potential as a community asset. Specifically, the Children's Museum will be required to develop portions of this site to fulfill its building, development, educational and revenue-generating plans. OP's proposed changes will not only kill these plans, they will devalue the existing investment of the Children's Museum to the point that they may not be able to continue operating.

Square 752, from C-2-A to C-2-B: I suggest the commission consider a zoning change in order to encourage the development of enhanced video and production facilities along 2nd Street, N.E. to complement the cable network that is located there. However, I am proposing this change only if it can be effected in such a way as to provide for the protection of residential abutting users on 3rd Street, N.E.

Functionally, the section of the Union Station area that is the subject of this hearing is part of the H Street, N.E. retail corridor, located in Ward 6, which I represent on the Council of the District of Columbia. The dominant environmental feature of this area is the devastation that was wrought on the corridor during and after the 1968 riots. Additionally, an aging residential population in the neighborhoods north and south of H Street, N.E. and the foundering post-1990 property values have created additional instability.

While the H Street Community Development Corporation (H Street CDC) is taking a visionary and aggressive approach to the commercial and residential rehabilitation of the corridor, the District government has taken another tack. They have allowed this neighborhood to be overrun with homeless shelters and other community-based residential facilities. Further, they have failed to provide regulatory enforcement for many of the commercial businesses in this area. Stores that sell liquor, for example, abound in this area and exacerbate loitering and public drinking among a highly alcohol-dependent population. This is especially apparent in the neighborhoods north of H Street, N.E., bordered by the railroad tracks. The conversion of the old Uline Arena to an intermediate solid waste transfer facility is but the latest in a series of insults to the property owners in this area.

This is a seminal hearing because it falls now to the Zoning Commission and the Office of Planning to initiate a course of action that will stimulate economic development and investment in the area north of Union Station. I urge the Zoning Commission and the Office of Planning to proceed to make the final zoning and land-use decisions in this area that will enable manageable economic development to take place. By taking enlightened actions in this case, you can ensure the economic revitalization of the H Street, N.E. corridor.

Several positive changes have occurred in this neighborhood that support my recommendations to this body. I am referring to the presence of the Capitol Children's Museum and the development of the Railway Express and other commercial buildings that house lobbyists, trade associations and small businesses. Of particular interest here are a number of video production and telecommunications businesses, even a national cable channel. All of this suggests to me that the neighborhood is developing a synergy of its own. This is based on private sector forces that have found a successful way to combine commercial office development and neighborhood revitalization.

These developments have added to the city's tax rolls and created considerable daytime vitality that the H Street, Northeast business district desperately needs. This is key because the corridor is still a long way from possessing the critical mass of weekday, daytime shoppers (i.e., new officeworkers and new homeowners) necessary to support the transformation H Street's retail business mixture. The H Street Community Development Corporation is working to capitalize on recent developments by adding to the available housing in the area (along the 700 blocks of 8th and 10th Streets, N.E. and along 13th Street and Wylie Place, N.E.) and planning additional development of retail space in the 200, 300 and 400 blocks of H Street, N.E. The zoning changes I am recommending will simply create a climate in which the private sector and the H Street Community Development Corporation, with the support of the residents, can continue making positive changes to this community.

To the extent that the private sector can build on these gains, it will support an improved quality of life in this neighborhood by adding to the number of potential home buyers for the residential housing in this neighborhood. Additional office workers and visitors to the H Street area and increasing numbers of homeowners will, in turn, support a renaissance of retail businesses along H Street.

In closing, there has been one very negative development in the area about which I want to provide testimony before the commission. This arose when the city granted a Certificate of Occupancy ("C of O") to L & G Industries to engage in the recycling of building materials at the Uline Arena site, located at 3rd and L Streets, N.E.; this business subsequently began to use this location as a site to recycle garbage (solid waste). In this case, I believe that the Zoning Commission might consider either stipulating the specific business activities compatible with residential neighborhoods, to prevent the encroachment of industrial activities in residential neighborhoods, or, it should consider adopting a zoning designation on this site that will effectively prevent emerging industrial activities from circumventing the city's existing zoning laws and regulations.

The Commission will hear testimony from dozens of the homeowners that oppose this activity and will be able to describe the impact it is having far more eloquently than I. My staff has met with the staff of the Department of Consumer and Regulatory Affairs and with the staff of the Zoning Office in an attempt to ensure that the current legislation (Bill 11-36 the " Solid Waste Transfer Act of 1995) before the Council that purports to regulate these activities does not propagate a land-use nightmare for this body and the city's enforcement agencies. On behalf of the affected residents, I would like to ask for your review of this legislation, to ensure that the legislation that finally is enacted is consistent with the city's zoning and land use regulations and policies.

Thank you for providing me with the opportunity to offer this testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold Brazil". The signature is fluid and cursive, with a large loop at the end.

Councilman Harold Brazil