Government of the District of Columbia

Office of the
Director

Office of Planning
415 12th Street, N.W.,
Washington, D.C. 20004

JUN 25 1996

MEMORANDUM

'96 JUN 26 A9:44
OFFICE OF ZONING
DISTRICT OF COLUMBIA

TO: D.C. Zoning Commission

FROM: Jill C. Dennis
Director

Nathan W. Gross, Chief
Comprehensive Plan Implementation

SUBJECT: Supplement to Preliminary Report, Zoning Commission Case No. 96-3/89-1 (Map Amendment and Overlay District: Buzzard Point-Capital Gateway)

After the Zoning Commission decided to schedule a public hearing on the Buzzard Point-Capital Gateway case, the two attached letters (Attachments A and B) were received from property owners in Square 601, bounded by P, Q, 1st and 2nd streets, S.W. The letters question the basis and validity of C-2-B zoning for the southern half of this block, i.e., the Q Street side. The issues raised apply equally to Square 656 immediately to the east of Square 601 (P, Q, 1st and Half streets, S.W.), which is also proposed for rezoning to C-2-B in the southern half of the block.

The maps in Attachment C include OP's Proposed Zoning Map showing the location proposed for C-2-B zoning, and maps of squares 601 and 656. Existing development in the southern halves of these squares consists of a limited amount of older housing, intermingled with some heavy commercial buildings at moderate scale and a few vacant lots. In the northern half of both squares, without an intervening alley, is the southernmost part of the low-scale, Syphax Gardens public housing development, which is zoned R-4 and not proposed for rezoning.

96-3/89-1
3

ZONING COMMISSION
District of Columbia
CASE NO.96-3
EXHIBIT NO.3

The Office of Planning (OP) recommended, and the Commission advertised, C-2-B as a transition or buffer zone between high-density mixed use development to the south (advertised for BP/CR zoning) and the low-scale residential complex to the immediate north.

OP considered including the subject C-2-B locations within the overlay zone boundaries, either in conjunction with C-2-B height and bulk limits or with CR. In the latter case, OP would have recommended special height and bulk limits as a transition to the residential use and the low adjacent scale.

The critical factor that the overlay zone adds is the potential for combined lot development. This flexibility can make mixed use development more feasible and practical, essentially because of FAR swapping to allow separate residential and commercial buildings on different lots. OP's concern in this regard was, and is, the potential for commercial (office-retail) development to be constructed immediately adjacent to the abutting residential neighborhood at a height and bulk that could have a destabilizing effect on the neighborhood. This concern is greater under BP/CR standards than C-2-B standards; under BP/CR a high-density office-retail building could abut an R-4-zoned neighborhood, without special controls. C-2-B zoning with the overlay would significantly limit the maximum height and bulk of buildings, combined lot or otherwise, in this location.

OP, aiming to keep the overlay zone provisions as simple as possible, ultimately recommended C-2-B without the overlay. This zone would accommodate the remaining housing, although much of it is deteriorated and might be redeveloped at some point, as well as the commercial buildings and uses. C-2-B would also provide a step-down in height and bulk from the BP/CR area to the R-4 neighborhood to the north.

OP shares some of the concerns expressed in the letters, yet disagrees with the statement that a given land use designation on the Generalized Land Use Map of the Comprehensive Plan must mean identical zoning on all similarly designated properties. There are other policies in the plan supportive of buffer zones and compatible mixtures of uses and building scales. The W-2 zoning proposed along the waterfront in this case is an example of lower density zoning within part of a given land use designation on the Generalized Land Use Map to achieve specified planning objectives. The authors implicitly acknowledge this by referencing the potential for height and bulk standards for this purpose in the overlay zone, but also note benefits the overlay zone provides properties proposed for BP/W-2 zoning.

RECOMMENDATION

The Office of Planning has no objection to broadening the scope of the Notice of Public Hearing so that these issues can be addressed more fully at the hearing. Accordingly, OP recommends advertising BP/C-2-B, BP/C-2-C and BP/CR as alternatives to C-2-B in the applicable parts of the two subject squares. The Notice should invite testimony on these issues: the appropriate mixture of residential and commercial uses; the appropriate permitted building height and bulk; and whether any special limitations should be placed on combined lot developments affecting these properties.

OP would note that the other transitional location, which is immediately west of South Capitol Street extending two blocks south of M Street, S.W. and which is advertised for C-2-C zoning, is quite a different situation. OP does not recommend advertising a range of options there.

Attachments

ATTACHMENT A

Feldco

6000 Executive Boulevard, Suite 700, Rockville, MD 20852
Telephone 301-881-7800 * Facsimile 301-881-0546

April 4, 1996

RECEIVED
'96 APR 15 P3:59
OFFICE OF DIRECTOR

Ms. Jill T. Dennis
Director
Office of Planning
415 12th Street, NW, Suite 450
Washington, DC 20004

Re: Feldco - Buzzard Point Rezoning

Dear Ms. Dennis:

I'm writing you as general partner of Feldco which owns land at 1515 Half Street, SW. We are part of the Buzzard Point Planning Association (BPPA). Recently, we received notice that the Office of Planning (OP) is recommending that the majority of lots within Buzzard Point be zoned BP (Buzzard Point) / CR which provides for a commercial FAR of 3.0, with a bonus commercial density of 2.5 FAR if a like amount of residential is built on the site. However, to my dismay, I have learned that the office of planning is proposing a zoning of C-2-B for the property owned by Feldco at 1515 Half Street.

The Comprehensive Plan Generalized Land Use Map, as adopted in 1985 and amended in 1989 and 1994, included the south half of blocks 601 and 656 in the same classification as the other properties in Buzzard Point which are now recommended to be zoned CR. In fact, the map prepared by OP in 1990 was specifically corrected by the Council in 1992 to include the southern half of Square 601 in the mixed use zone, rather than medium density residential (See resolution 9-275, July 7, 1992, 32). These squares are presently shown as mixed use medium-high density commercial/high density residential/production and technical employment (PTE). This has two consequences:

- There is no basis under the Comprehensive Plan to distinguish between these sites and others situated in the same category; and

- Designating these properties C-2-B is not consistent with any of the components of the Plan mix: the overall and commercial FAR's are too low for high density residential or medium-high density commercial and the permitted uses are not responsive to the PTE component of the mix.

One of the goals of the BPPA proposal and one of the primary benefits of the OP proposal is to put all property owners on an equal footing. No site was required to carry the burden, or reap the benefits, of an all residential or all commercial designation. The waterfront designation limiting height is in part balanced by bonus density and the right to transfer that density to other sites in the area. The only sites treated inequitably are the C-2-B sites, and there is no reasonable or valid basis for the distinction.

OP has proposed a height limit for the CR zone of 90 feet, which can be increased if bonus densities are applied. The height limit imposed by the width of the surrounding streets for these two squares (Half Street is 80' wide, Q Street 85' wide, and 1st and 2nd Streets are 90' wide) would qualify for the base height but not the bonus height limit. If the heights permissible by the width of the surrounding streets (the width plus twenty feet) is deemed to be too high for these blocks, the Buzzard Point overlay can impose a lower height limit, but should preserve the ability for the excess FAR to be transferred, similar to the provision created for the waterfront owners. In this way, the owners are not damaged by the loss of density, and parity is maintained among all of the land owners in Buzzard Point.

From a practical standpoint, OP should also consider that the area culled out for C-2-B is so limited as to probably be ineffective in providing a true buffer; and the limited amount of commercial allowed under C-2-B (1.5 FAR) may be too small to be economically viable.

In summary, we believe that the C-2-B zoning represents such a significant down-zoning from the current 4.0 FAR, and that these two squares are treated so differently from the remainder of Buzzard Point, as to be inequitable. We strongly request that these squares be zoned BP/CR with any questions pertaining to height addressed through the overlay, with the ability to transfer densities as per the W-2 zone.

Thank you very much for your consideration in this matter.

Very truly yours,
Feldco

Barry S. Cohen
General Partner

cc: Nathan Gross
John Fondersmith
Richard Cohen
James Mathews
Kathleen Moore
Michael Epstein

ATTACHMENT B

Michael David Epstein
8200 Greensboro Drive, Suite 1550
McLean, Virginia 22102
(Metropolitan Washington, DC)
Telephone: 703•917•5600 Fax: 703•917•5656

March 25, 1996

Miss Jill T. Dennis
Director
Office of Planning
415 12th Street, NW, Suite 450
Washington, DC 20004

RE: Half Street Limited Partnership
Buzzard Point Re-zoning

Dear Miss Dennis,

I'm writing you as general partner of Half Street Limited Partnership which owns land at 1525 Half Street, SW. We are part of the Buzzard Point Planning Association (BPPA). Recently, we received notice that the Office of Planning (OP) is recommending that the majority of lots within Buzzard Point be zoned BP (Buzzard Point) / CR which provides for a commercial FAR of 3.0, with a bonus commercial density of 2.5 FAR if a like amount of residential is built on the site. However, to my dismay, I have learned that the office of planning is proposing a zoning of C-2-B for the property owned by Half Street LP.

The Comprehensive Plan Generalized Land Use Map, as adopted in 1985 and amended in 1989 and 1994, included the south half of blocks 601 and 656 in the same classification as the other properties in Buzzard Point which are now recommended to be zoned CR. In fact, the map prepared by Op in 1990 was specifically corrected by the Council in 1992 to include the southern half of Square 601 in the nixed use zone, rather than medium density residential. (See Resolution 9-275, July 7, 1992, 32). These squares are presently shown as mixed use medium-high density commercial/high density residential/production and technical employment (PTE). This has two consequences:

- There is no basis under the Comprehensive Plan to distinguish between these sites and others situated in the same category; and

Chairman
UNITED STATES SERVICE INDUSTRIES

President
Sensormatic
Mid-Atlantic Region

Partner
BECO
MANAGEMENT

- Designating these properties C-2-B is not consistent with any of the components of the Plan mix: the overall and commercial FAR's are too low for high density residential or medium-high density commercial and the permitted uses are not responsive to the PTE component of the mix.

One of the goals of the BPPA proposal and one of the primary benefits of the OP proposal is to put all property owners on an equal footing. No site was required to carry the burden, or reap the benefits, of an all residential or all commercial designation. The waterfront designation limiting height is in part balanced by bonus density and the right to transfer that density to other sites in the area. The only sites treated inequitably are the C-2-B sites, and there is not reasonable to valid basis for the distinction.

OP has proposed a height limit for the CR zone of 90 feet, which can be increased if bonus densities are applied. The height limit imposed by the width of the surrounding streets for these two squares (Half Street is 80' wide, Q Street 85" wide, and 1st and 2nd Streets are 90' wide) would qualify for the base height but not the bonus height limit. If the heights permissible by the width of the surrounding streets (the width plus twenty feet) is deemed to be too high for these blocks, the Buzzard Point overlay can impose a lower height limit, but should preserve the ability for the excess FAR to be transferred, similar to the provision created for the waterfront owners. In this way, the owners are not damaged by the loss of density, and parity is maintained among all of the land owners in Buzzard Point.

From a practical standpoint, OP should also consider that the area called out for C-2-B is so limited as to probably be ineffective in providing a true buffer; and the limited amount of commercial allowed under C-2-B (1.5 FAR) may be so small as to be economically viable.

In summary, we believe that the C-2-B zoning represents such a significant down-zoning from the current 4.0 FAR, and that these two squares are treated so differently from the remainder of Buzzard Point, as to be inequitable. We strongly request that these squares be zoned BP/CR with any questions pertaining to height addressed through the overlay, with the ability to transfer densities as per the W-2 zone.

Thank you very much for your consideration in this matter.

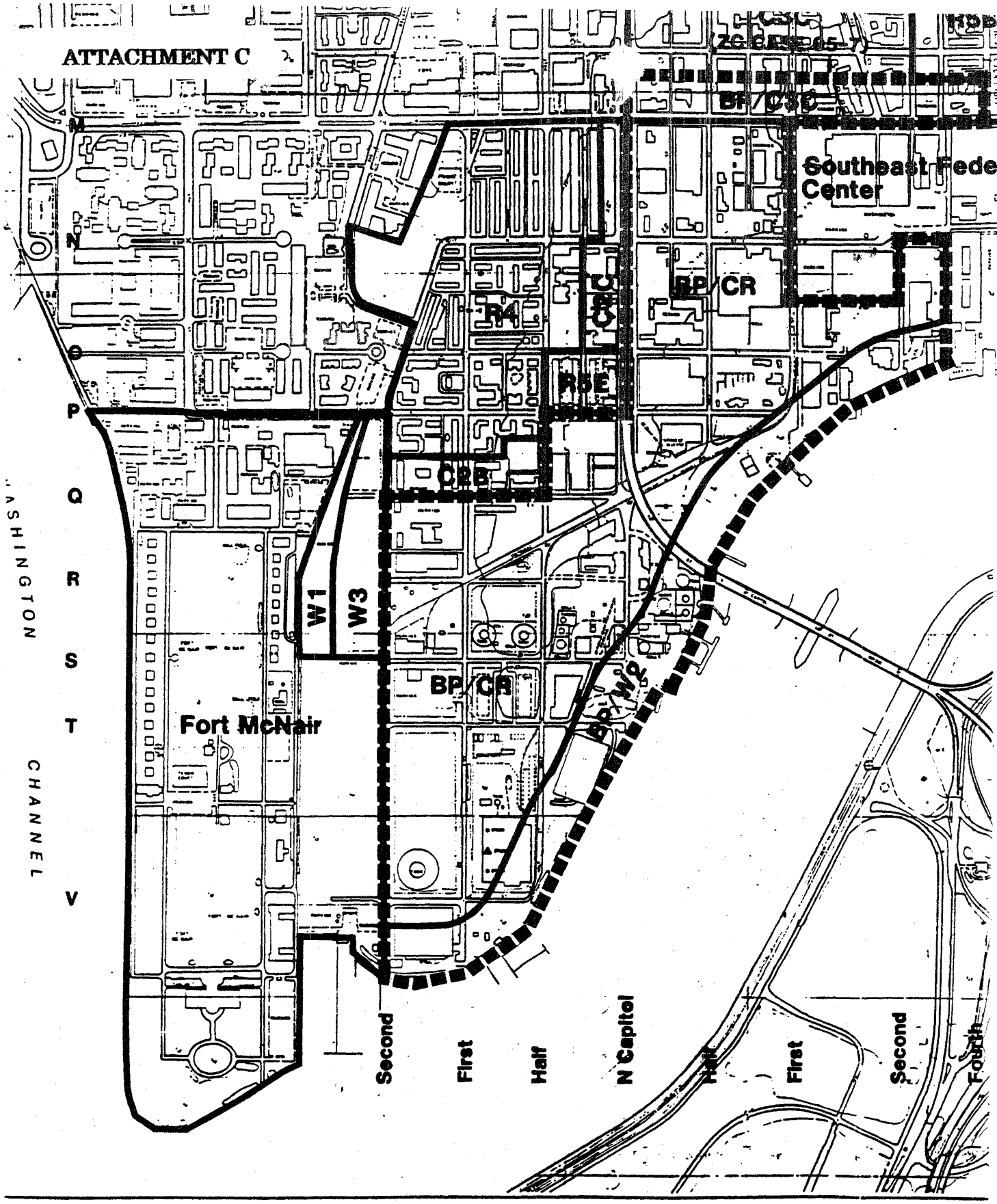
Very truly yours,



Michael David Epstein
General Partner
Half Street Limited
Partnership

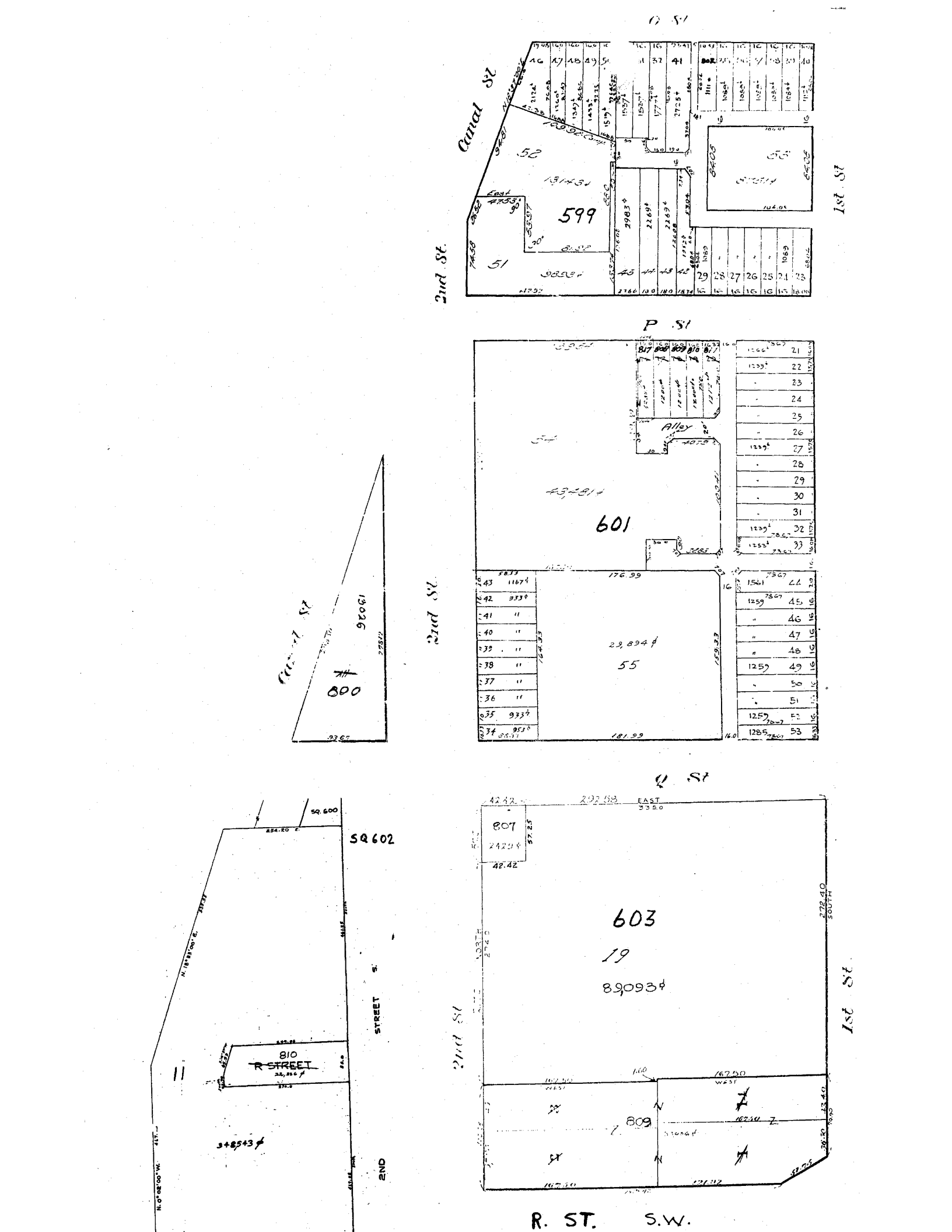
cc: Nathan Gross
John Fondersmith
Richard Cohen
James Matthews
Kathleen Moore

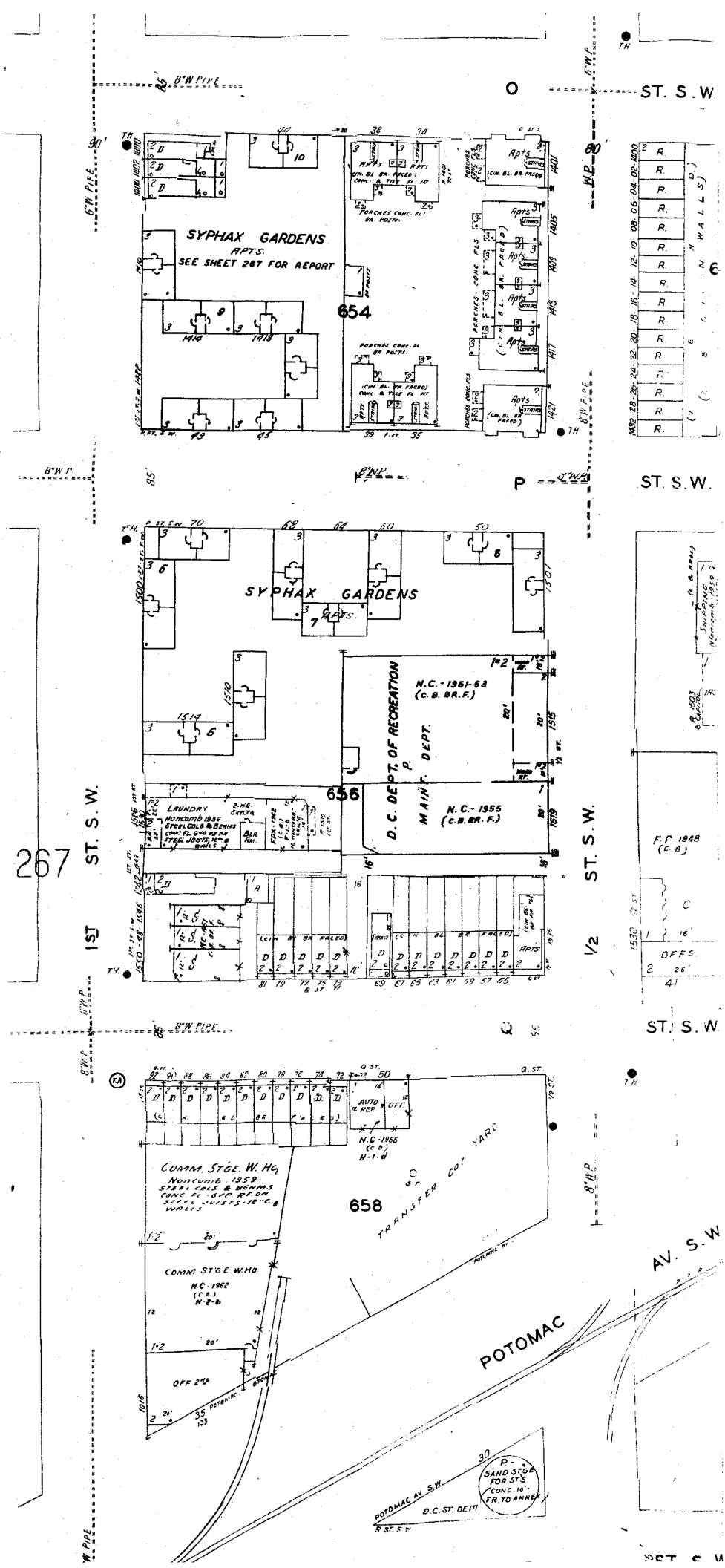
ATTACHMENT C

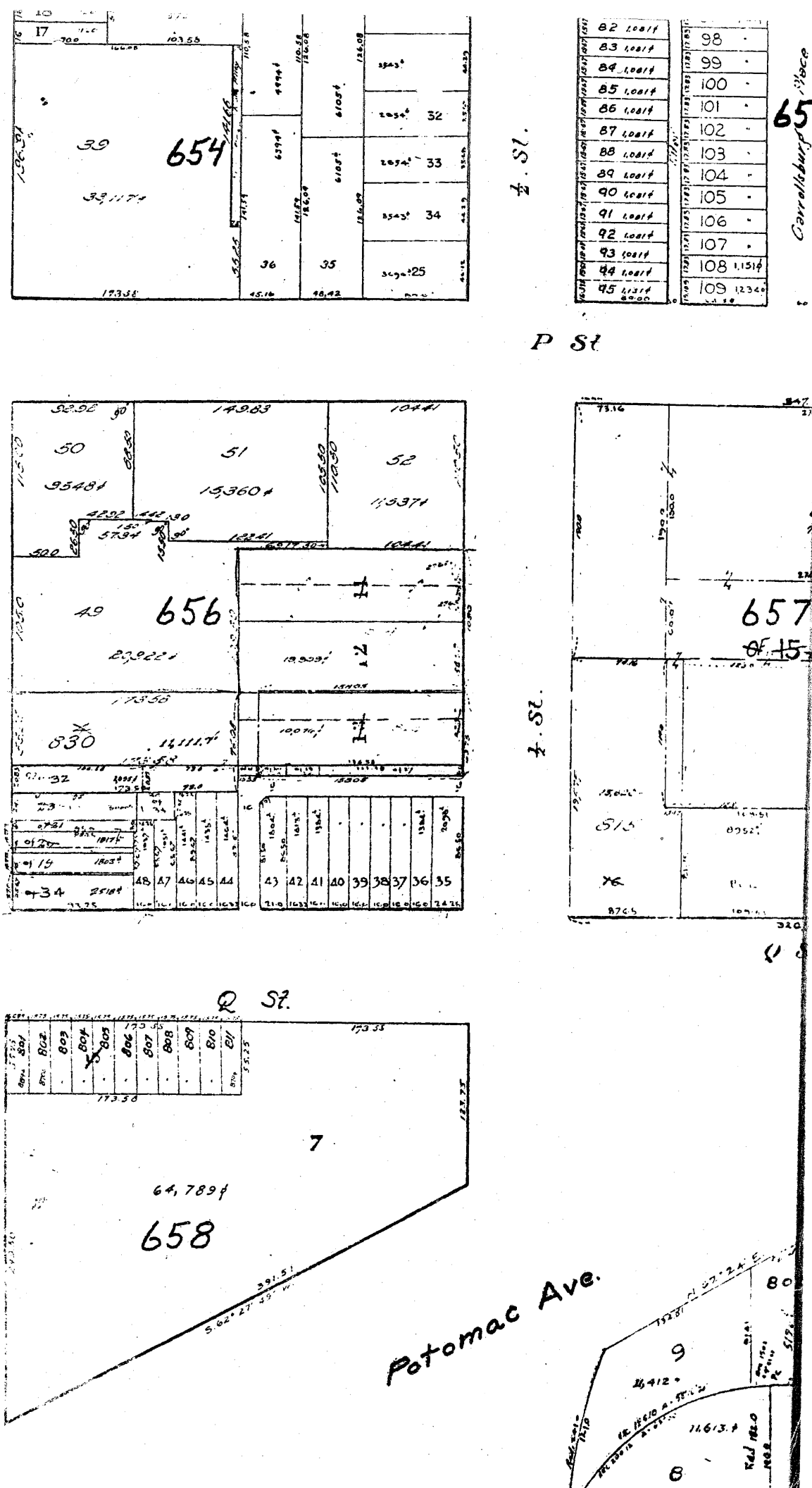


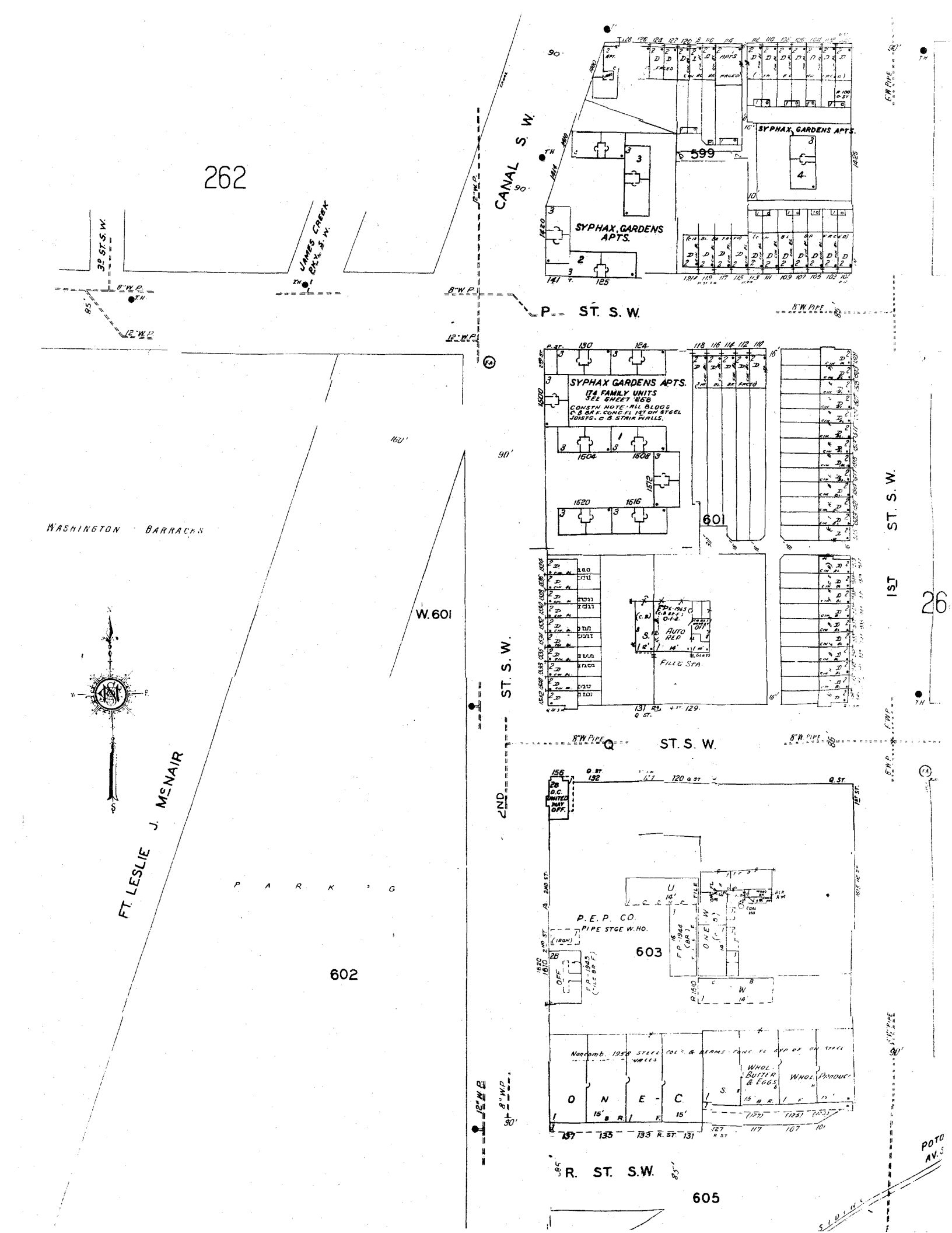
BUZZARD POINT/CAPITOL GATEWAY AREA
PROPOSED ZONING
DRAFT
Office of Planning, 9/95

Boundary – Proposed Buzzard Point/Capitol Gateway (BP) Overlay Zone


O St
Canal St
2nd St
1st St
599
52
51
P St
601
Alley
2nd St
1st St
Canal St
800
Q St
SQ 602
SQ. 600
STREET
R STREET
810
348543 ☐
2ND
603
19
89093 ☐
807
809
2nd St
1st St
R. ST. S.W.


O ST. S.W.
P ST. S.W.
Q ST. S.W.
267 1ST ST. S.W.
1/2 ST. S.W.
8"W PIPE
6"W PIPE
SYPHAX GARDENS
APTS.
SEE SHEET 267 FOR REPORT
654
656
658
D.C. DEPT. OF RECREATION
MAINT. DEPT.
N.C. - 1951-53
(C.B. BR.F.)
N.C. - 1955
(C.B. BR.F.)
LAUNDRY
Noncomb 1956
STEEL COLS & BEAMS
CONC FL. GVD RB PH
STEEL JOISTS, 16" @ WALLS
COMM. STGE. W. HO.
Noncomb. 1959
STEEL COLS & BEAMS
CONC FL. GVD RB PH
STEEL JOISTS - 12" C. TO WALLS
COMM STGE W.HO.
N.C. 1962
(C.B.)
N-2-b
N.C. - 1966
(C.B.)
H-1-d
TRANSFER CO. YARD
POTOMAC
POTOMAC AV. S.W.
D.C. ST. DEPT.
SAND STGE FOR ST'S CONC. 16" FR. TO ANNEX
OFFS.
F.F. 1948
(C.B.)
AUTO REP
OFF.
Apts
PORCHES CONC. FLS. BR. POSTS
(CIN. BL. BR. FACED)
Q ST.
P ST. S.W.
R ST. S.W.
12 ST.
13 ST.
AV. S.W.


654
39
33,117 ±
36
35
32
33
34
25
4½ St.
P St.
656
49
20,922 ±
50
9548 ±
51
13,360 ±
52
13,371 ±
830
14,111 ±
657
Of 15
Q St.
658
7
64,789 ±
391.51'
S 62° 27' 49" W
Potomac Ave.
9
16,412 ±
11,613 ±
8


262
3rd ST. S.W.
JAMES CREEK
CANAL S.W.
8" W.P.
12" W.P.
P ST. S.W.
SYPHAX GARDENS APTS.
599
SYPHAX GARDENS APTS.
174 FAMILY UNITS
SEE SHEET 66B
601
AUTO REP
FILLG STA.
Q ST. S.W.
1ST ST. S.W.
2ND ST. S.W.
WASHINGTON BARRACKS
W. 601
FT. LESLIE J. McNAIR
P A R K
602
603
P.E.P. CO.
PIPE STGE W.HO.
R. ST. S.W.
605
POTOMAC AV. S.E.
26