

Government of the District of Columbia

ZONING COMMISSION



Proposed Zoning Commission Order No. 73
case No. 70-31
September 28, 1973

Pursuant to notice, a public hearing of the Zoning Commission was held on March 14, April 10 and June 6, 1973, to consider the preliminary application for a planned unit development and related zone change, filed by Bruce C. Winston on behalf of the Blair Road Limited Partnership.

FINDINGS OF FACT

1. The site of the proposed planned unit development is located on the east side of Blair Road; nearest its intersection with Geranium Street; bounded by portions of the B&O Railroad, the WMATA right-of-way in the District of Columbia and the boundary line of Montgomery County, Maryland, in Square 3180, lots 801, 803, 808, 809 and 810 at 7415-7423 Blair Road, N. W.
2. The area of the subject site is approximately 4.29 acres.
3. The subject site is presently zoned R-1-B (one-family detached dwelling - minimum lot width of 50 feet, minimum lot area of 5,000 square feet, percentage of lot occupancy 40, 3 stories and 40 feet height limit),

4. The preliminary application for a planned unit development requests that the zoning of the subject site be changed to R-5-B (medium density apartment house - specifications set forth in Subsection 7501.24 a and b of Article 75 of the Zoning Regulations).

5. The preliminary application proposes that the subject site be developed by the construction of 233 apartment units, garden apartments and a high-rise building. There are proposed to be 10 garden apartment buildings, each containing 6 units of two and three bedroom apartments, of three stories and approximately thirty feet in height. There is proposed one high-rise building containing 173 one bedroom and two bedroom apartments of approximately ninety feet in height. In addition, the proposed development would contain a swimming pool, play area, recreation space and off street parking for 176 cars, at an approximate ratio of 3 spaces for every 4 dwelling units proposed to be developed. The floor area ratio of the proposed development would be 1.5, less than the 1.8 maximum allowed in the R-5-B zone district as a matter of right. The proposed percentage of lot occupancy would be less than 20%. The illustrated site plan that was submitted with the application shows a vehicular access road paralleling the perimeter of the subject site and the high-rise is proposed to be set back approximately 210 feet from Blair Road.

6. The subject site is currently improved with five single family dwellings, all located relatively close to the Blair Road frontage of the property. Most of the rear of the site is not improved and is covered with trees, shrub and other forms of negitation. The site is basically level and at the same grade as the abutting properties in the District of Columbia, though the present B&O Railroad tracks are approximately 10 feet below the grade of the site.

7. The properties immediately adjacent to the subject site are developed with attached dwellings. The area to the west and northwest of the site in the District of Columbia is zoned R-2 (one-family semi-detached dwelling - minimum lot width of 30 feet, minimum lot area of 3,000 square feet, percentage of lot occupancy 40, 3 stories and 40 feet in height). Properties on the west side of Blair Road on both sides of 7th and 8th Streets between Geranium and Hemlock Streets are developed with detached single-family dwellings generally of one story design on lots of 5,000 to 6,000 square feet.
8. The area south and southwest of the subject site is zoned R-1-B (specifications set out in Finding No. 3 above) and is developed almost exclusively with detached single-family dwellings.
9. Abutting the subject site on the north across the boundary Line in Montgomery County, Maryland, is a garden apartment complex, approximately 40 feet in height. The properties fronting on Takoma Avenue, paralleling the B&O Railroad tracks in Montgomery County, across from the site are in the R-60 zone (allowing detached single-family dwellings on minimum lots of 6,000 square feet) and are improved with large, old, single-family dwellings.
10. The closest existing commercial facilities are found on Georgia Avenue, approximately four blocks from the subject site, and at the intersection of Cedar Street and Blair Road in Takoma Park, Maryland.
11. There is a planned Metro station for Takoma Park at the point where Cedar Street intersects with the existing B&O right-of-way, a distance of approximately 2,000 feet from the subject site. The site is thus on the edge of the impact area for that transit station. There are many bus routes currently utilizing Georgia Avenue.

12. Previous zoning cases involving the subject site are as follows:

Square 3180 (part of the subject property): application for change of zone from R-1-B to R-5-A; Case No. 64-20, denied without a hearing by the Zoning Commission on April 9, 1964.

Squares 3180 and 3181 (including the subject property); application for change of zone from R-L-B to R-5-B; Case No. 65-121, denied without a hearing by the Commission on December 14, 1965.

Squares 3180 and 3181 (including the subject property); application for change of zone from R-1-B to R-5-A; Case No. 65-129, denied without a hearing by the Commission on January 4, 1966.

Squares 3180 and 3181 (including the subject property) ; application for change of zone from R-1-B to R-5-A; Case No. 66-24, denied without a hearing by the Commission on April 1, 1966.

Square 3180 (subject property); request for preliminary approval of a P.U.D. and zone change from W-1-B to R-5-B to construct 400 apartments with community services, some retail commercial space, and a day-care center: Case No. 70-9, request for withdrawal granted by Commission on July 30, 1970,

13. The Zoning Commission staff recommended modification of the preliminary application to reduce the proposed density and height. The staff recommended that the application be modified to change the requested

R-5-B zoning to R-5-A zoning to be more compatible with zoning in the area and that the height of the proposed high-rise be reduced from 90 feet to 60 feet to make it more compatible with the height of existing garden apartments and less obtrusive to the neighborhood. The staff proposed that certain guidelines accompany the modified application concerning change of proposed zoning, density of dwelling units, dwelling units per acre, floor area ratio, maximum height, parking, vehicular access, and landscaping plan (TR. 12-15).

14. The Zoning Advisory Council recommended denial of this preliminary application for a planned unit development. The Council's recommendation was based on the following reasons: the area surrounding the site in the District is predominately single-family in nature, the access to the site will be off of Blair Road, a two lane, heavily traveled street; the height of the buildings and density, shown on the applicant's site plan, are far out of scale with the major development in the area; and although the property is adjacent to the Metro right-of-way, it is approximately 2,000 feet from the Takoma Park station, which is beyond the 1,500 foot radius generally considered to comprise the transit impact area (TR. 63).
15. The Council further recommended that the site would be appropriate for development under R-5-A zoning (low density apartment house - 40 percent lot occupancy, floor area ratio of 0.9, 3 stories and 40 feet height limit), which would require Board of Zoning Adjustment approval of the site plan for either garden apartment or townhouse development (TR. 63).
16. A minority Zoning Advisory Council report was filed by Mr. William F. McIntosh, which recommends approval of the preliminary application for the following reasons: the applicant's site plan shows low rise (29 feet) garden apartments in front of the site

near the single-family neighborhood and the high-rise in the rear of the property allowing the project to be compatible with its environs; the General Land Use Objectives elements of the Comprehensive Plan for the National Capital indicate the site to be developed with a predominately residential density of 30 to 60 dwelling units per net acre, the application proposes approximately 60 units per acre: the property will be within walking distance (approximately 2,000 feet) from the Takoma Park Metro station and a four block walk from Georgia Avenue and Metro bus routes (TR. 64).

17. The Office of Planning and Management stated that within a six-month period a detailed master plan for the subject site and adjacent area will be completed by a task force from six public agencies and designated community representatives, The planning studies are not sufficiently developed to make a recommendation on ~~this~~ preliminary application for a planned unit development. Preliminary study indicates the following issues: the densities of 60 dwelling units per acre are appropriate immediately adjacent to the Metro station or within an 800 foot radius of the station; the proposed planned unit development should be more in the range of 30 dwelling units per net acre since it is 2,000 feet from the station: the 60 dwelling units per net acre in this preliminary application implies that the same density should be allowed south to the station entrance, such densities would, if allowed, have a major impact on the traffic capacities of Blair Road and other roads in the planning area; the Highway Department is undertaking a traffic study to determine the character of traffic patterns in the planning area, which will allow the task force to analyze the impact of the 60 dwelling units per acre proposed by this preliminary application and what effect additional development to the south would have

on these traffic capacities; the Comprehensive Plan for the National Capital anticipates Blair Road as a major arterial which would require widening of the present roadway; preliminary studies indicate that, if possible Blair Road traffic should be rerouted since the widening would have a major impact on adjacent single family residences, possible rerouting of traffic has not been determined to date (TR. 67 - Exhibit No.).

18. The Department of Highways and Traffic stated that a zoning change which would increase residential density would generate new traffic, which would have an adverse impact on the existing traffic problems on Blair Road. The Department stated that it was currently participating in the Interagency Task Force on the development of the Takoma Park Metro station and was analyzing existing traffic volumes on the surrounding street system to determine street capacity available to serve traffic being generated by this development. The Department further stated that it would not be able to ascertain whether the capacity of Blair Road is sufficient to serve the needs of the proposed development until its study was completed and recommended that the Commission defer its decision until adequate transportation service can be provided (TR. 100-101).

19. The National Capital Planning Commission made a favorable recommendation on this preliminary application. The Planning Commission stated that the applicant had reduced the number of proposed development units from 397 to 233, which when constructed on 3.88 acres would yield 60 units per net acre, the Comprehensive Plan for the National Capital proposes from 40 to 60 per net acre for the site. The Planning Commission was of the opinion that apartments of less than 40 feet in height, designed to give the appearance

of single family townhouses fronting on Blair Road, would act as a buffer between the single family area west of Blair Road and the apartment house at the rear of the subject site (TR. 110-112).

20. Considerable and vigorous opposition to this preliminary application, from residents of the immediate neighborhood, was evinced at the public hearing.
21. The preliminary application's effect on the District of Columbia's development plans and policies is being currently studied and is not presently known.
22. The site as proposed in the preliminary application, is suitable for use as a Planned Unit Development, but with less density and height than presently proposed.
23. The proposed deviations from the use, height, area, density or bulk provisions of the general provisions of the Zoning Regulations will have an adverse affect on the neighborhood.
24. The density of development proposed would be inconsistent with existing development in the area.
25. The effects of traffic generated by the proposed development on Blair Road cannot be gauged until studies presently underway are completed.

CONCLUSIONS OF LAW

1. The height, bulk and density proposed in this preliminary application are inappropriate for this

area of the city because it would have an adverse impact on the character of the surrounding neighborhood.

2. This preliminary application for a planned unit development is inappropriate because it would not lessen congestion in the street, nor promote health and the general welfare, nor prevent undue concentration of population and the overcrowding of land, nor would it promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, protection of property, provide recreational opportunities, nor promote efficient supply of public services.
3. This preliminary application for a planned unit development is inappropriate, taking the present character of the area into consideration, because it would neither encourage stability of the area or the land values therein.
4. This preliminary application is not in harmony with intent, purpose and integrity of the comprehensive zone plan as embodied in the Zoning Regulations and Map.
5. The denial of this preliminary application for a planned unit development is in accordance with the Zoning Regulations of the District of Columbia, as amended, and the Zoning Act (Act of June 20, 1938, 52 Stat. 797) as amended.

DECISION

1. The Commission has carefully reviewed the record in this case and the evidence in support and opposition to this preliminary application for a

planned unit development, and finds that although the proposed density and heights are not appropriate for the subject site, this is not to say that the Zoning Commission believes development through the Article 75 process should be discouraged.

2. The Commission believes that the site can be developed through the planned unit development process to be more compatible with the surrounding area than as proposed in the subject application. The Commission takes note of public planning activities underway for the area in question. The Commission is prepared to receive, in connection with a new preliminary application, the views of the applicant, residents of the surrounding neighborhood, other property owners, citizens groups and public planning bodies in arriving at a coordinated plan for the development of the subject site. The Commission believes that controlled development of this site can promote the health, safety and general welfare of this City.

3. In consideration of its findings and conclusions herein, the Commission ORDERS DENIAL of this preliminary application for a planned unit development.

WALTER E. WASHINGTON



JOHN A. NEVIUS

STERLING TUCKER



GEORGE M. WHITE



RICHARD L. STANTON

ATTEST:



Martin Klauber
Executive Secretary
Zoning Commission