

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 89

CASE NO. 71-29

MAY 3, 1974

Pursuant to notice, a public hearing of the Zoning Commission was held on March 13, 1974, to consider an application by Shareholders Construction General, Inc., for an amendment to the Zoning Map, as follows:

Change from R-Z to R-5-C, Lots 17-22, 63-64, and 806; and Parcels 57/68 and 57/71, all in Square 2243.

FINDINGS OF FACT

1. The site of the proposed amendment to the Zoning Map is located on the south side of Van Ness Street, N.W., approximately 150 feet east of Connecticut Avenue, N.W.
2. The area of the site of the proposed amendment to the Zoning Map is approximately 66,500 square feet, Baist Atlas, Book No. 3, Page 28.
3. The applicant in this case is the contract purchaser of the subject property presently owned by the Dunbarton College of Holy Cross. The property was formerly used by Dunbarton College as a parking lot.
4. The subject site is bounded on two sides by existing R-5-C zoning, and is located directly across Van Ness Street, N.W., from the Van Ness Apartment Complex.

5. If the proposed change of zone is granted, the applicant has indicated that it intends to construct a 288 unit apartment building on the site, the majority of said units to contain one bedroom. There is a Metro Station proposed to be located at Van Ness Street and Connecticut Avenue, the entrance to which will be approximately 600 feet from the subject site.

6. The Zoning Advisory Council found that the proposed change of zone to R-5-C would be consistent with the general policy of allowing increased residential density immediately around Metro Stations and that the proposed change of zone would be in accordance with the Comprehensive Plan for the National Capital. The Council further indicated that the proposed zone change is consistent with the Metro Impact Analysis and Plan being prepared by the Planning Division of the Office of Planning and Management for the area surrounding the proposed Van Ness Station (TR. 38).

7. The Zoning Advisory Council stated that its favorable recommendation of this proposed change of zone should not be considered as a precedent as far as the remaining Dunbarton College property is concerned, since the college is no longer functioning as an active institution of higher learning, it is anticipated that some redevelopment of the campus will be undertaken. Any change of zone involved in such redevelopment will have to be judged on its own merit at the appropriate time (TR. 38).

8. The Zoning Advisory Council stated that the proposed change of zone is consistent with the general welfare of the community and that the application for change of zone should be approved, and the Zoning Map amended accordingly (TR. 38-39).

9. The Office of Planning and Management testified that a Metro Impact Study, funded by the Department of Transportation, Urban Mass Transit Administration, is presently underway for the area bounded on the north by Chesapeake Street, on the east by Rock Creek Park, on the

south by Melvin C. Hazen Park and on the west between Reno Road and Wisconsin Avenue, and that the subject site is at the very center of this study area (TR. 55, 56-57).

10. The Office of Planning and Management further testified that it is currently preparing a preliminary Sectional Development Plan for the Vann Ness Uptown Center and that the subject site is within the boundary of the planned area. Extension of the existing R-5-C zoned district to include the subject property would be a logical extension of the high density residential area adjacent to the Metro Station. Further that high density housing near the Metro Station should be permitted, with careful control so that such new development is convenient to mass transit and does not threaten the stability of the low density residential community surrounding the Uptown Center (TR. 63-64).

11. The Office of Planning and Management found that the subject site is within the area appropriate for high density residential development, and that its rezoning would carry out the objectives of the preliminary Sectional Development Plan and the land use development elements of the Comprehensive Plan for the National Capital and recommended approval of the proposed change of zone.

12. There was opposition to the proposed change of zone by the Van Ness Development Committee, a composite group, formed by the Forest Hills Citizens Association, the Cleveland Park Citizens Association, the North Cleveland Park Citizens Association, and the Chevy Chase Citizens Association. And the Forest Hills Citizens Association as an individual entity,

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Commission hereby makes the following Conclusions of Law:

1. The height, bulk, and density of the proposed R-5-C zone district is appropriate for this area of the city because it would have beneficial impact on the character of the surrounding neighborhood.

2. The proposed zone change is appropriate because it would lessen congestion in the street, promote health and the general welfare, prevent undue concentration of population and the overcrowding of land, would promote such distribution of population and the uses of land as would tend to create conditions favorable to the health, safety, transportation, protection of property, provide recreational opportunities, and promote efficient supply of public services.

3. The proposed zone change is in harmony with the intent, purpose and integrity of the comprehensive zone plan as embodied in the Zoning Regulations and Map.

4. The approval of this zone change 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

The Commission notes that the owner of the subject site, Dunbarton College, has sold the adjacent site of its former campus to Howard University. It is understandable that the interested citizens associations are concerned with the future development of the campus by Howard University. Such development will be in accordance with the Howard University Campus Plan as directed and approved by the Board of Zoning Adjustment. The Commission believes that the said citizens associations can make their views and interests known on such development before the Board of Zoning Adjustment.

The only matter for consideration presently existing before this Commission is an application for

change of zone of the subject site owned by Dunbarton College. Were the Commission to give consideration to developments taking place with reference to Howard University's use of its property, the Commission would be impinging upon the jurisdiction of the Board of Zoning Adjustment and would be interfering with the property rights of Dunbarton College and the Applicant in this case.

Upon consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission hereby ORDERS APPROVAL of the following amendment of the Zoning Map:

Change from R-2 to R-5-C, Lots 17-22, 63-64, and 806; and Parcels 57/68 and 57/71, all in Square 2243.

WALTER E. WASHINGTON

JOHN A. NEVIUS

Sterling Tucker
STERLING TUCKER

George M. White
GEORGE M. WHITE

Richard L. Stanton
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ATTEST:

Martin Klauber
Martin Klauber
Executive Secretary