

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 141

CASE NO. 76-3P

February 9, 1977

Pursuant to notice, a Public Hearing was held on June 8, 1976 to consider the preliminary application for a planned unit development and related zone change filed by Blair Road Ltd. Partnership, Bruce C. Winston, General Partner.

FINDINGS OF FACT

1. This is a preliminary application under Article 75 of the Zoning Regulations for a Planned Unit Development (PUD), which involves a change of zoning from R-1-B to R-5-A to permit the development of 39 three bedroom townhouses (39 units), 12 three bedroom duplexes (36 units) and 9 two bedroom flats (18 units). The total of 93 dwelling units would create a density of 22 dwelling units per acre.
2. The site contains 4.29 acres of land, located at 7415-7423 Blair Road, N.W., Square 3180, Lots 808, 810, and 816-819. To be included in the development is 9,480 square feet of land owned by the applicant which is located in Montgomery County, Maryland.
3. The site is currently partially wooded. Five renter-occupied, single-family detached dwellings occupy a portion of the site along the Blair Road frontage.
4. The surrounding zoning and land uses include: (a) the land northeast of the site, zoned R-10 under the Montgomery County Ordinance providing for multi-family, high density residential development; (b) the property immediately to the north and south zoned R-1-B, and developed by single-family detached units; (c) the property to the east of the site, the Baltimore and Ohio Railroad and the Washington Metropolitan Area Transit Authority right-of-way; and (d) the property to the west, zoned R-2 and developed by single-family detached dwellings.

5. The site has been the subject of several zoning requests since 1958. These requests were made under Article 75 for Planned Unit Developments and map amendments for developments ranging from the instant request for 93 single-family dwelling units, to as many as 400 apartment units.
6. The neighborhood surrounding the site is generally recognized to include the area north to Silver Spring, west to Georgia Avenue, and south to the Takoma Metro Station. This surrounding community contains a variety of unit types, including single-family detached and semi-detached, and multi-family dwellings.
7. The site is within walking distance of employment and shopping facilities along Georgia Avenue and at Blair Road in the vicinity of the Metro Station.
8. Adequate transportation facilities exist or are planned within walking distance of the site. Adequate bus service is provided on Georgia and Alaska Avenues, N.W.
9. The proposed development provides a floor area ratio of 0.74 (157,500 square feet) while 0.90 (168,508 square feet) is allowed; a lot occupancy of 27 per cent (52,000 square feet) is provided while 40 per cent (74,892 square feet) is allowed; 93 parking spaces are required and 93 spaces are provided; the height of all units will be 3 stories (35 feet) while 3 stories (40 feet) is allowed.
10. Subsequent to the public hearing, the applicant filed a revised site plan, differing from the original submission in the following manner:
  - a. The units proposed to front on Blair Road were set back to conform with the proposed Highway Plan Line providing for a 90 foot right-of-way.
  - b. A one-way traffic movement and parking pattern were established, with a total of 113 parking spaces provided, for a ratio of 1.25 parking spaces per dwelling unit.

- c. The number of proposed units was reduced from 93 to 90.
  - d. The total floor area was reduced from 157,500 square feet to 151,200 square feet.
  - e. Lot occupancy was reduced from 52,500 square feet to 50,400 square feet.
11. The proposed development will provide on-site recreation facilities. The project is proposed to be marketed as a condominium, which will provide for homeownership consistent with the existing ownership pattern predominant in the area.
  12. The proposed application provides the type of residential development which is consistent with the goals and objectives of the draft Takoma Area Plan. Alternative 2 of the draft plan provides for R-5-A zoning, consistent with the proposal.
  13. The Municipal Planning Office recommended approval of this preliminary application for a PUD, subject to certain guidelines.
  14. On the basis of the report and testimony of a representative of the District of Columbia Department of Environmental Services, there exist water and sanitary sewer lines at Blair Road with sufficient capacity to serve the proposed development and sewage treatment capacity.
  15. On the basis of the testimony of an official of the D.C. Department of Education, the area schools have the capacity to accommodate any increased enrollment expected from the number and type of proposed dwelling units.
  16. On the basis of the testimony of a representative of the D.C. Department of Transportation and the applicants' transportation consultant, Blair Road is now overburdened, but the traffic generated by the proposed development will not create a more severe burden on Blair Road. Nor will there be any significant impact on other neighborhood streets.

17. The Highway Plan established in the 1890's calls for a 90 foot right-of-way for that portion of Blair Road affecting the site in question. There are no current plans or funds budgeted to carry out the Highway Plan. The existing right-of-way of Blair Road is 33 feet and the paved roadway is 26 feet wide. However, the Commission adopts the recommendation of the Department of Transportation that the applicant honor the Highway Plan right-of-way line on the east side of Blair Road as a building restriction line.
18. The one-way directional pattern for the proposed access road would create a smoother flow of traffic entering and exiting the site than a two-way pattern.
19. It would be desirable to provide parking spaces in excess of the minimum requirement of one per dwelling unit. In the absence of such a requirement parking by visitors would be likely to spillover and have an adverse impact on Blair Road and other adjoining streets.
20. In considering the proposed development the Commission was concerned about the noise impact resulting from the closeness of the proposed dwellings to Blair Road. The Commission was even more concerned about the possible affect of noise from the railroad on dwellings along the eastern property line. The applicant has filed, and the Commission has received as a post-hearing submission and incorporated into the record in this case, the report of a professional noise consultant. The report recommends the construction of a 9 foot masonry wall at the rear lot lines of those units which are adjacent to the B & O and Metro right-of-way. Such a wall would substantially reduce the decibel level which would intrude upon the dwelling units.
21. The National Capital Planning Commission has reported that the proposed application is inconsistent with the "General Land Use Objectives" 1970/1895 by providing for a lesser density than the predominant residential **density** of 30 to 60 dwelling units per net acre. This Commission finds that the development of this site to a less intense use is supported by **the record** before it.

CONCLUSIONS OF LAW

1. The Planned Unit Development process is an appropriate means of controlling the development of the subject site,
2. Approval of this preliminary application is appropriate, taking the present character of the area into consideration, because it would encourage stability of the area and band values therein,
3. Approval of this preliminary application is in harmony with the intent, purpose and integrity of the comprehensive zone plan of the District of Columbia, as embodied in the Zoning Regulations and Map ,
4. Approval 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

Upon consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission hereby Orders approval of said preliminary application for a Planned Unit Development, subject to the elements, conditions, and guidelines hereinafter set forth:

1. An application for change of zone from R-1-B to R-5-A for the entire site shall accompany the final application for approval of this Planned Unit Development.
2. The property shall be restricted to row-dwellings and "triplex" units as described herein under a condominium arrangement providing for recreational facilities, including, but not limited to, children's play areas and "sitting" areas.

3. The development shall contain a maximum of 85 dwelling units.
4. The development shall be restricted to a maximum of 240 bedrooms.
5. The maximum floor area ratio shall not exceed 0.90.
6. The number of off-street parking spaces shall be provided at a minimum of 1.50 spaces per dwelling unit.
7. The applicant shall honor as a building restriction line the proposed 90 foot right-of-way line for the east side of Blair Road, as shown on the Highway Plan for the District of Columbia, except that no building shall be constructed within 50 feet of the existing paved surface of Blair Road, and that a permanent 10 foot pedestrian easement be provided adjacent to Blair Road.
8. The access road serving the development shall be designed to provide a one-way traffic flow, with one entrance and one exit to the site, and a parking pattern as shown on the revised site plan.
9. The maximum height of all buildings shall not exceed 3 stories or 40 feet.
10. Lot occupancy of all buildings shall not exceed 30 per-cent of the gross site area.
11. All units shall be provided with enclosed rear yards. Said enclosure shall not be less than 6 feet in height. The rear yard of all units shall be a minimum of 25 feet deep.

12. Upon filing of the final application for a planned unit development, the applicant shall submit a narrative and graphic representation that describes provisions for additional sound-proofing for those dwelling units adjacent to Blair Road and those units adjacent to the B & O and Metro right-of-way. As a minimum all units will be air-conditioned, have doubled glazed windows, and soundproofing of exterior walls.
13. The applicant shall provide a continuous 9 foot high masonry wall along the eastern property line. The design of the wall shall reflect architectural treatment.
14. There shall be provided a minimum 10 foot buffer strip from the masonry wall to the lot line of any dwelling which is adjacent to the eastern property line of the site. This buffer strip shall be held in common and shall contain landscaping sufficient to reduce the visual effects of the masonry wall. Additional sound control is to be provided by evergreen plant materials, that is, a double row of trees with a mature height of not less than 35 feet.
15. Upon filing of the final application, the applicant shall submit:
  - a. Floor plans of the proposed units.
  - b. Elevations of the proposed units.
  - c. Landscape plan showing all areas not devoted to buildings or structures; access drives and parking areas with appropriate landscaping.

- d A preliminary subdivision plat of the development identifying lot areas and dimensions and the amount of private and commonly owned areas.
- e. A schedule showing the amount of site devoted to:
  - (1) The total area of site not occupied by buildings;
  - (2) Amount of useable open space - paved or naturally landscaped;
  - (3) Area occupied by vehicle easements, service roads, drives and surface parking.
- f. Grading and drainage plan showing existing and proposed grades.
- g. A fire access study, with particular emphasis on the access to the rear of the dwelling units.

BY ORDER OF THE DISTRICT OF COLUMBIA ZONING COMMISSION

BY: *Ruby B. McZier*  
RUBY B. MCZIER  
Chairperson

ATTEST *Arthur B. Hatton*  
ARTHUR B. HATTON  
Executive Secretary