

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 228

CASE NO. 78-5

August 10, 1978

Pursuant to notice a public hearing of the District of Columbia Zoning Commission was held on June 5, 1978 to consider an amendment to the D. C. Zoning Map. This amendment was initiated by the D. C. Department of Housing and Community Development to consider a change of zoning from C-M-1 to R-5-B.

FINDINGS OF FACT

1. The property involved is described as Lots 62, 63, 66, 804 and 827, in Square 4511, located and bounded by Gales Place, 17th and 18th Streets, and Benning Road, N. E. The area of the site is approximately 76,500 square feet or 1.8 acres.

2. The property is presently vacant and zoned C-M-1. The site is identified as Disposition Lot #2 on the "H" Street Urban Renewal Area Plan which is designated for medium density residential development. The Renewal Plan controls permit a maximum building height of ninety feet, a maximum floor area ratio of 1.8, a maximum lot occupancy of sixty-five per cent and a maximum of one off-street parking space for each two dwelling units.

3. The C-M-1 District permits low bulk commercial and light manufacturing uses. New residential uses are not permitted. The maximum floor area ratio in a C-M-1 District is 3.0, and the maximum height is three stories or forty feet. The R-5-B District permits apartments, row-houses, semi-detached and detached houses. The maximum floor area ratio in an R-5-B District is 1.8, the maximum lot occupancy is sixty percent and the maximum height is sixty feet. Parking is required at the rate of one space for each two dwelling units.

4. The controls of the Renewal Plan and the R-5-B District are identical, except for the maximum permitted height. The specific development proposed will be less than sixty feet in height. The R-5-B District is thus more consistent with the Plan than any other zone district.

5. The applicant requests the change in zoning to permit the construction of ninety-four walk-up apartment units for low and moderate income families. The development will include twenty one-bedroom units, fifty-four two-bedroom units and twenty three-bedroom units. The development will result in a density of fifty-four units per acre in a total of three separate buildings.

6. The site is located along the south side of Benning Road between 17th and 18th Streets, N. E. across the street from C-M-1 zoning to the north and the west, and C-2-A zoning to the east. The area immediately to the south of the site is zoned R-4. The area zoned C-M-1 is developed with commercial and light industrial uses which include a warehouse and also some apartment houses across the street on Benning Road. The strip zoned C-2-A, immediately to the east of the subject site, is developed generally with row-houses many of which have been converted to commercial uses. The area zoned R-4 to the south of the property is developed predominately with row houses.

7. The Zoning Commission has recently granted two zoning map changes, one at 16th and "F" Streets, N. E. and the other on Benning Road between 15th and 16th Streets. Both of these map changes were requested by the Department of Housing and Community Development to carry out the development requirements of the "H" Street Urban Renewal Area Plan. A ninety-two unit housing development at 16th and "F" Streets and a 164 unit housing development on Benning Road between 15th and 16th Streets are completed and occupied.

8. The Department of Housing and Community Development has tentatively designated Horning Brothers and Group Ministry Community Housing Corporation, a local non-profit community group, as sponsors for development on the subject site.

9. The Municipal Planning Office, by memorandum dated May 30, 1978, and by testimony at the hearing, recommend that the application be approved on the grounds that it will enable the Department of Housing and Community Development to carry out the provisions of the "H" Street Urban Renewal Area Plan to construct residential development on the site. Completion of the project will provide much needed housing for low and moderate income families in the District of Columbia. The Commission so finds.

10. The Department of Transportation by report dated June 5, 1978, indicated that the proposed development will generate approximately one-half to one-quarter the number of vehicular traffic trips in each peak hour of that generated under existing zoning. The Department also stated that the proposed development will provide adequate off-street parking. The Commission so finds.

11. The Department of Environmental Services by report dated April 19, 1978, indicated that the city has adequate facilities to serve the proposed development. The Commission so finds. The Department however, recommended that an on-site storm water storage unit be provided to safeguard against surcharge during periods of excessive and prolonged rainfall. Such controls can be applied to the project through the Urban Renewal Process.

12. No testimony in opposition to the application was presented at the public hearing.

13. Advisory Neighborhood Commission 6-A advised the Commission to consider and insure the health and safety of affected residents through measures invoking adequate distance and protection from vehicular traffic. The ANC also stated that they in general support the application.

14. The application was referred to the National Capital Planning Commission under the terms of the District of Columbia Self Government and Governmental Reorganization Act, and the National Capital Planning Commission reported that the proposed amendment will not have a negative impact on the interests or functions of the Federal Establishment within the National Capital, is not inconsistent with the Comprehensive Plan for the National Capital and conforms to the Urban Renewal Plan for the "H" Street Urban Renewal Area.

#### CONCLUSIONS OF LAW

1. This action is in accordance with the Zoning Act (Act of June 20, 1938, 52 Stat. 797), by furthering the general public welfare and serving to stabilize and improve the area.

2. The rezoning will promote orderly development in conformity with the entirety of the District of Columbia Zone Plan, as embodied in the Zoning Regulations and Map of the District of Columbia.

3. There are adequate public facilities to serve the development under the proposed zoning,

4. The R-5-B District will not have an adverse effect on surrounding property.

5. The R-5-B zoning is consistent with the requirements of the Urban Renewal Plan.

6. The Commission has given "great weight" to the issues and concerns of the Advisory Neighborhood Commission.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Commission hereby orders approval of the following actions:

Change from C-M-1 to R-5-B for Square 4511  
located at and bounded by Benning Road, Gales  
Place, 17th and 18th Streets, N. E.

Vote: of the Commission taken at its public meeting of July 13, 1978: 4-0 (Walter B. Lewis, Theodore F. Mariani, George M. White, and John G. Parsons to grant - Ruby B. McZier not present, not voting).



WALTER B. LEWIS  
Chairman



STEVEN E. SHER  
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on August 10, 1978 by a vote of 3-0 (George M. White, Theodore F. Mariani and Walter B. Lewis to adopt, Ruby B. McZier not voting, not having heard the case, John G. Parsons not present, not voting).

In accordance with Section 2.61 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendment to the Zoning Map is effective on  
16 AUG 1978.