

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 333
CASE NO. 80-5
MARCH 12, 1981

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on Monday, January 12, 1981. At that hearing session the Zoning Commission considered an application from the 1225 I Street, N.W., Associates Limited Partnership - John Akridge Company, Managing General Partner, to amend the Zoning Map of the District of Columbia, pursuant to Section 9101 of the Zoning Regulations of the District of Columbia. The hearing was conducted under the provisions of Chapter 6 of the Rules of Practice and Procedure before the Zoning Commission.

FINDINGS OF FACT

1. The application requests a change of zoning from C-3-C to C-4 for lots 35,36,307, those portions of lots 27-32 now zoned C-3-C, and private alleys located between lot 36 and lots 27,28, and 32 all located in Square 285.
2. The subject site is located on the north side of the 1200 block of I Street, N.W., and consists of approximately 11,280 square feet of area which is proposed to be rezoned. The site is part of a larger assemblage of property which totals approximately 21,700 square feet, part of which is already zoned C-4.
3. The C-3-C District permits major business and employment centers of medium/high density development, including office, retail, housing, and mixed uses to a maximum height of ninety feet, a maximum floor area ratio (FAR) of 6.5 for residential and other permitted uses, and a maximum lot occupancy of one hundred percent. The C-4 District is the downtown core comprising the retail and office centers for both the District of Columbia and the metropolitan area, and allows office, retail, housing and mixed uses to a maximum height of 110 or 130 feet, and a maximum floor area ratio of 8.5 or 10.0, with the maximum height and floor area ratio dependant upon the width of adjoining streets.

4. The applicant proposes to construct a 12 story commercial building with office and retail uses to a height of 130 feet, a floor area ratio (FAR) of 10.0, and 140 underground parking spaces. The proposed development will front on 13th Street, which is 110 feet wide and, thus, permits a height of 130 feet in a C-4 District.

5. The site is split-zoned with C-4 and C-3-C zoning and is located at the northeast corner of the intersection of 13th and I Streets, N.W. in the Central Employment Area in downtown.

6. The C-4 portion of the site is presently being used as an all-day commercial parking lot with a small three story office building at the northern end. The C-3-C portion of the site is presently improved with one four-story and two three story commercial buildings. Subsequent to the Public Hearing, the buildings were demolished.

7. To the immediate north of the site is C-4 and C-3-C zoning with SP-2 zoning further beyond. To the east of the site is C-3-C zoning. To the south and west of the site is C-4 zoning.

8. The uses in the area are consistent with the zoning pattern and are generally not developed to the full heights and densities permitted under the Zoning Regulations. The predominate uses in the area of the site are passive recreational, commercial, and service oriented. The passive recreational use is Franklin Park which is directly west and across 13th Street from the site. The commercial uses are office and retail-type uses. The service uses are the lodging and interstate bus terminal facilities in the area.

9. One block west of the site and two blocks south of the site are Metrorail subway stations. Immediately to the north of the site and across a public alley is a Category II Landmark of the District of Columbia, the Franklin School. The four-story school is the former offices of the D.C. Board of Education and is presently being used to house "adult education" programs.

10. The applicant, by testimony presented at the public hearing, testified that there was no apparent justification for the existing split-zoning other than ownership of portions of the subject site at the time the existing zoning map was drawn in 1958. The existing boundary location was contrary to the intent expressed in Section 2301.1 of the Zoning Regulations to have district boundaries coincide with lot lines. Prior to 1958 the site was uniformly zoned for intense commercial development.

11. The applicant, by testimony presented at the public hearing, testified that development under matter-of-right standards would not be energy or functionally efficient because of the split-zoned site. If developed under split-zoning, approximately one-half of the building would be 130 feet and the other portion of the building would be ninety feet in height. This could result in a visually

unsettling effect with high visual prominence of the elevator penthouse structure, because the elevator banks would have to be off-set to accommodate higher floor service for half of the building. Under a unified C-4 zoning, the proposed building would be more aesthetically pleasing, and more energy and functionally efficient. The Commission so finds.

12. The applicant, through testimony presented by its urban planner, testified that, notwithstanding a portion of the site lying within the boundaries of the proposed Hotel/Residential Incentive Overlay Zone, a hotel would not be a practical use for the site because of restrictions resulting from the dimensions of the site. The Commission so finds.

13. The applicant, by testimony presented at the public hearing, indicated that the proposed rezoning would not have an adverse effect on Franklin Park or the landmark Franklin School because the frontage at 13th and I is already zoned C-4 and the area to be rezoned is diagonally across a public alley from the rear of the historic landmark and the park. The Commission so finds.

14. The applicant, through testimony presented by its traffic expert at the public hearing, testified that the level of traffic service at the nearest intersection of 13th and I Streets is "Level A". He further testified that the proposed building, given its proximity to the Metrorail subway stations, would in fact, lessen the traffic impact in the area by encouraging the use of the Metrorail. The Commission so finds.

15. The Office of Planning and Development (OPD), by memorandum dated January 2, 1981, and by testimony presented at the public hearing recommended approval of the application. The OPD reported that "the requested map change will facilitate new development in Square 285 without limiting future opportunities for land assembly for residential/hotel development in this square. There is also a need for office space in the District of Columbia and the proposed map change will help ameliorate that need, in a location where the infrastructure, such as Metrorail service, is designed to accommodate high-intensity development." The Commission so finds.

16. The District of Columbia Department of Environmental Services (DES), by memorandum dated December 30, 1980, indicated that it had no objections to the proposal. It advised the applicant to contact the DES to work out final details of the connections to the water and sewer systems.

CONCLUSIONS OF LAW

1. Rezoning to C-4 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. Rezoning to C-4 will promote orderly development in conformity with the entirety of the District of Columbia Zoning Plan as embodied in the Zoning Regulations and Map of the District of Columbia.
3. Rezoning to C-4 will not have an adverse impact on the surrounding neighborhood.

DECISION

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

Change from C-3-C to C-4, lots 35,36,807, those portions of lots 27-32 currently zoned C-3-C, and private alleys located between lot 36 and lots 27,28, and 32 all in Square 285 at the 1200 block of I Street, N.W.

Vote of the Commission taken at the public meeting on February 12, 1981 : 4-0(Walter B. Lewis, John G. Parsons, George M. White, and Theodore F. Mariani, to approve C-4 - Ruby B. McZier, not present not voting).



WALTER B. LEWIS
Chairman
Zoning Commission



STEVEN E. SHER
Executive Director
Zoning Secretariat

This order was adopted by the Zoning Commission at its public meeting held on March 12, 1981 by a vote of 3-0(George M. White and Walter B. Lewis, to adopt as amended and Theodore F. Mariani, to adopt by absentee vote - Ruby B. McZier, not voting not having participated in the case and John G. Parsons, not voting having temporarily left the meeting).

In accordance with Section 4.5 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this order is final and effective on 27 MAR 1981.