

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 352

Case No. 81-10

October 8, 1981

Pursuant to notice a public hearing of the District of Columbia Zoning Commission was held on September 17, 1981. At that hearing the Zoning Commission considered a proposal to amend the Zoning Map of the District of Columbia, under Section 9101 of the Zoning Regulations of the District of Columbia. The hearing was conducted under the provisions of Chapter 5 of the Rules of Practice and Procedure before the Zoning Commission.

The area under consideration for zoning is all of Square 591, 592, and 594 proposed to be zoned in the R-5-A District (located at Delaware Avenue, and M. I, and 3rd Streets, S.W.), and that portion of Square 597 that is unzoned, proposed to be zoned in the R-5-B District (located at Delaware Avenue, and M, N, and Canal Streets, S.W.).

The R-5-A District permits matter-of-right development of general residential uses, including single-family dwellings, flats, and a apartments, to a maximum lot occupancy of forty percent, a maximum Floor Area Ratio (FAR) of 0.9, and a maximum height of three stories/ forty feet. The R-5-B District permits matter-of-right development of general residential uses including a single-family dwellings, flats, and apartments to a maximum lot occupancy of sixty percent, a maximum FAR of 1.8 and a maximum height of sixty feet.

The subject property comprise four squares located near Delaware Avenue and M Street, S.W. They are developed exclusively with the Greenleaf Gardens public housing development, except for the Delaware Avenue Baptist Church located at 1107 Delaware Avenue in Square 594. The Greenleaf Gardens development on the three squares north of M Street is R-5-A type garden apartments ranging from two to three stories in height. In Square 597, south of M Street, the public housing consists of one eight-story apartment tower and one five-story mid-rise apartment tower.

Surrounding the northern three squares is the Capitol Park Plaza Apartment Complex, to the north, the Town Center Park and Town Center Plaza East Apartments to the west, St. Matthews Lutheran Church to the south, and the Anthony Bowen Elementary School and Friendship Baptist Church to the east. The southernmost square is

surrounded by the Hoover Public Playground to the east and south. Across Delaware Avenue to the west are the St. Matthews Lutheran Church and the Carrollsburg Square and River Park Apartment developments. To the north, across M Street, is the Anthony Bowen Elementary School and a Community Services Building.

Prior to the consideration by the Zoning Commission to zone the subject properties, the subject properties were unzoned. The subject properties and the adjacent area became unzoned as a result of the comprehensive revisions to the Zoning Regulations and Maps in 1956 through 1958, the establishment of the city's first urban renewal area, the Southwest Urban Renewal Area, and the development of the subject properties for new public housing in the early 1950's. Although the area surrounding the subject properties is unzoned, that area is subject to the land-use controls of the Southwest Renewal Plan, which will remain in effect until 1996.

Subsequent to inquiries by representatives of the Delaware Avenue Baptist Church, the Deputy Zoning Administrator, by memorandum dated January 23, 1981, advised the Zoning Commission that there were some properties that were not within the controls of either the Southwest Urban Renewal Plan or the Zoning Regulations.

Subsequent to inquiries by the administrative staff of the Zoning Commission, the D.C. Department of Housing and Community Development (DHCD), by letter dated March 12, 1981, informed the Zoning Commission and identified the properties that were not subject to the controls of the Southwest Urban Renewal Plan.

The Office of Planning and Development (OPD) by memorandum dated June 2, 1981 recommended the adoption of emergency zoning because there were no land-use or development controls applicable to the subject properties. The OPD recommended R-5-A and R-5-B emergency zoning based on analyses performed by the Municipal Planning Office's Report in Zoning Commission Case No. 76-1 (Zoning of the Southwest Urban Renewal Area).

On June 11, 1981 at its regular monthly meeting the Zoning Commission initiated action and authorized the scheduling of a public hearing to zone the subject property. The Zoning Commission also determined that an emergency existed, adopted Emergency Order #345, and zoned all of Square 591, 592, and 594 in the R-5-A District and that unzoned portion of Square 597 in the R-5-B District for a period not to exceed 120 days from June 11, 1981.

The OPD by memorandum dated September 2, 1981 and by testimony presented at the public hearing recommended the R-5-A and R-5-B zoning, as advertised, because those zones are consistent with the existing and future land development objectives in the area. The OPD testified that R-4 zoning would be inappropriate because R-4 would create non-conforming uses and render existing structures non-conforming.

The D.C. Department of Environmental Services (DES), by memorandum dated July 20, 1981, indicated that the DES had no objections to the proposal and that no impact on the sewer and water systems was anticipated.

The D.C. Fire Department, by memorandum dated August 31, 1981, indicated that the proposal would have no adverse impact on that agency.

The D.C. Public Schools, by memorandum dated August 26, 1981, indicated that the proposal would have no adverse effect upon the facilities and operations of that agency.

The D.C. Department of Housing and Community Development, by testimony presented at the public hearing, indicated that the proposal would have no adverse impact on the interest of the National Housing Authority, the Redevelopment Land Agency, or the DHCD, inclusive of the zoning of lot 69 in Square 594 which is subject to the controls of the Southwest Urban Renewal Plan.

Advisory Neighborhood Commission - 2D, by letter dated September 10, 1981, and by testimony presented at the public hearing, supported zoning Squares 591, 592, and 594 to R-5-A and the unzoned portion of Square 597 to R-5-B, as advertised.

There were no persons who opposed the proposed amendments to the Zoning Map.

The Commission believes that the zoning of the subject properties promotes the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia because property within the District of Columbia with no land-use controls could be developed with any use, height and density desired by the owner of that property, whether or not that use height, and density is compatible with surrounding uses, heights and densities.

The Commission further believes that action to zone the subject properties R-5-A and R-5-B is compatible with the existing and surrounding uses, would retain existing and ensure new development that would not have an adverse impact on the surrounding community, and would promote orderly development and conformity with the entirety of the District of Columbia Zone Plan, as embodied in the Zoning Regulations and Maps of the District of Columbia.

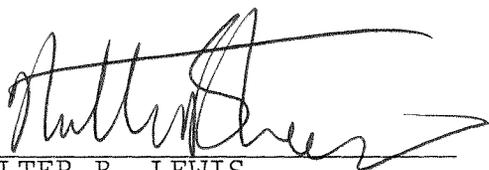
The Commission concurs with the ANC-2D and has accorded it the "great weight" to which it is entitled.

This case was referred to the National Capital Planning Commission (NCPC) under the terms of the District of Columbia Self Government and Governmental Reorganization Act. The NCPC reported that the zoning would not adversely affect Federal interests in the Southwest Urban Renewal Area or the Federal Establishment nor be inconsistent with the Comprehensive Plan or other Federal interests in the National Capital.

The Zoning Commission finds that the proposed amendments are in the best interests of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and Zoning Act. The Zoning Commission, therefore, hereby approves the following changes to the Zoning Map:

1. Change all of Squares 591, 592, and 594 (including lot 69) from unzoned property to R-5-A, and
2. Change that portion of Square 597 that is not zoned to R-5-B.

Vote of the Commission taken at the public hearing on September 17, 1981: 3-0 (Commissioners Ruby B. McZier, Lindsley Williams, and Walter B. Lewis, to approve R-5-A and R-5-B - Commissioners John G. Parsons and George M. White, 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 October 8, 1981 by a vote of 3-0 (Lindsley Williams, Ruby B McZier, and Walter B. Lewis, to adopt - John G. Parsons, not voting not having participated in the case and George M. White, not present not voting).

In accordance with Section 4.5 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, these amendments to the Zoning Map are effective on 30 OCT 1981.