Government of the District of Columbia

ZONING COMMISSION

ZONING COMMISSION ORDER NO. 596
Case No. 88-5
(Map Amendment - Camp Simms)
December 12, 1988

Pursuant to notice, a public hearing of the Zoning Commission for the District of Columbia was held on May 23 & 26, 1988. At those hearing sessions, the Zoning Commission considered an application from the District of Columbia Department of Housing and Community Development (DHCD) to amend the Zoning Map of the District of Columbia, pursuant to Section 102 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning. The public hearing was conducted in accordance with the provisions of 11 DCMR 3022.

FINDINGS OF FACT

1. The application, which was filed on March 2, 1988, requested that zoning be applied to lot 804 in Square 5912. DHCD requested that the subject site be zoned C-2-B and R-5-B or, in the alternative, C-2-B and R-5-A.

2. The subject site is located east of and contiguous to 15th Street, S.E. between Alabama and Mississippi Avenues, comprises approximately 25 acres of land area, and is the former Camp Simms military reservation.

3. Camp Simms served as the D.C. National Guard training facility until 1984, at which time it was purchased by the D.C. Government. The site is unzoned land and requires that zoning be applied before private development takes place.

4. The applicant does not have a developer selected at this time, but intends to develop approximately 10.8 acres of the northern portion of the site with a community shopping center, and approximately 14.2 acres of the southern portion of the site with residential uses.

5. The R-5-A District permits matter-of-right

single-family detached and semi-detached dwellings, and, with the approval of the Board of Zoning Adjustment, low density development of general residential uses, including rowhouses, flats, and apartments to a maximum floor area ratio (FAR) of 0.9, a maximum lot occupancy of forty percent, and a maximum height of three-stories/forty feet.

6. The R-5-B District permits matter-of-right development of general residential uses, including 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.

7. The C-2-B District permits matter-of-right medium density development, including office, retail, housing, and mixed uses to a maximum height of sixty-five feet, a maximum FAR of 3.5 for residential and 1.5 for other permitted uses, and a maximum lot occupancy of eighty percent for residential uses.

8. The District of Columbia Generalized Land Use Element Map of the Comprehensive Plan for the National Capital includes the subject site in the mixed-use moderate density residential and moderate density commercial land use category.

9. The Camp Simms site is located in the Congress Heights section of southeast Washington just east of the St. Elizabeths Hospital complex. The property occupies a major portion of Lot 804 in Square 5912 and lies within the area bounded by Alabama Avenue, S.E. on the north, Mississippi Avenue, S.E. on the south, 15th Street, S.E. on the west and Stanton Road, S.E. on the east. The site is irregularly shaped, once used as a military camp with approximately eleven one and two-story buildings, has been cleared and is now vacant, except for remaining roadways.

10. The subject site is visually and physically divided into two distinct sections due to topographic features. The northern 10.8 acre plateau section is at street level along the Alabama Avenue frontage. The southern 14.2 portion of the site slopes gently toward Mississippi Avenue and Oxon Run Park. A steep heavily-wooded ridge divides the two sections ranging in height from 20 to 60 feet. Within this ridge area, approximately one acre consists of slopes that exceed 60 percent. The dividing line for the requested C-2-B and R-5-B (or R-5-A) zoning classifications will generally follow this topographic feature.

11. The area surrounding Camp Simms is predominantly zoned

R-5-A. At the intersection of Stanton Road and Alabama Avenue to the east is the Parklands Shopping Center with consists of a row of convenience stores and is in a C-1 District. The D.C. Parklands Branch Library is directly across Alabama Avenue at the same intersection. Farther east, along Alabama Avenue at 22nd Street, a second small neighborhood commercial strip exists. These two small commercial nodes comprise the full extent of commercial activity within this portion of the Alabama Avenue Corridor.

12. The nearest major shopping concentration is farther north at Alabama Avenue and Good Hope Road. The dearth of neighborhood shopping activities is a long-standing issue throughout the Anacostia area.

13. The residential neighborhoods surrounding Camp Simms are characterized by low-rise apartment complexes to exhibiting varying degrees of maintenance. The Turner Elementary School stands beyond the northeast corner of Alabama Avenue and Stanton Road. A Metrorail station farther west on Alabama Avenue will open in the future and will be approximately a 10 minute walk from the Camp Simms site. To the south, across Mississippi Avenue, Oxon Run Park provides a great deal of passive and active open space.

14. The applicant requests the zoning in order to effectuate the construction of a community shopping center on the 10.8 acre portion of the site, and the construction of a residential development, including fee-simple townhouse units and a midrise apartment building for the elderly on the 14.2 acre portion of the site.

15. The applicant indicated that the implementation of the program conforms with Comprehensive Plan Policies which seek to promote the provision of affordable housing and the creation of new residential neighborhoods to meet all levels of need and demand, and to encourage the development of commercial centers to serve the various communities in the District.

16. Camp Simms is also part of the overall program designed to revitalize the Alabama Avenue Corridor in Ward 8. This program is a major effort by the District to reverse the deterioration within Ward 8 and to help stimulate a public/private partnership that would provide for upgrading the area. The applicant indicated that the implementation of this development program would be adversely affected through a Planned Unit Development process. The applicant believes that a map amendment and contractural agreements would provide adequate development controls for the site.

17. The applicant indicated that the Camp Simms Planning process has involved the participation of a cross section of community residents. This has included the joint establishment by Mayor Barry and Councilmember Rolark in June 1983 of "The Camp Simms Citizens Advisory Task Force" made up of community and neighborhood leaders as well as ANC members. In addition, the ANC participated in several meetings concerning planning and development at Camp Simms.

18. The Task Force played a significant role in the early studies on land use and development program planning, which lead to a major public meeting in December 1985, where all the members involved discussed with the community, their role, activity and the development options at Camp Simms. The work of the Task Force provided for further citizen involvement, which lead to the adoption of the Master Plan by the Department of Housing and Community Development and issuance of the Request for Proposals in February 1986, followed by a major presentation of the specifics of Camp Simms in August 1985. The Master Plan recommended that Camp Simms be developed for residential use promoting homeownership opportunities, and for commercial use supporting a concentration of retail shopping.

19. The District of Columbia Office of Planning (OP), by memorandum dated May 13, 1988 and by testimony presented at the public hearing, recommended that the northern portion (10.8 acres) be zoned C-2-B and the southern portion (14.2 acres) be zoned R-5-A. OP stated, in part, the following:

> "The Zoning Map change proposed for this unzoned land is not inconsistent with the Comprehensive Plan objectives for the site ..... Although the R-5-B District classification would potentially speed up the development process, the OP of Planning believes that R-5-A would be more appropriate relative to the surrounding zoning pattern as well as being more closely aligned to the desires of community residents. The R-5-A zoning classification would require DHCD to apply to the Board of Zoning Adjustment for site plan review. This procedure would allow for more community input. As this application is not a PUD and with the withdrawal of Simms Development Associates, no finalized site plan for development of the area now exists. As such, the R-5-A zoning classification is more appropriate in that it would ensure site plan review when a new developer is selected."

20. The District of Columbia Department of Finance and Revenue (DFR), by memorandum dated April 28, 1988, has no objection to the proposed zoning of the site.

21. The District of Columbia Department of Recreation (DOR), by memorandum dated March 25, 1988, had no comment because it had not received proposed development plans. DOR, however, proposed that certain minimal amenities be included for the elderly and preschool children.

22. DOR, in response to a Zoning Commission inquiry and by subsequent memorandum dated June 20, 1988, indicated that the escarpment portion of the site should be held as open space, because of its steep slope. The slope should not be built upon and will provide a buffer between the commercial and residential portions of the site.

23. The District of Columbia Metropolitan Police Department (MPD), by letter dated April 22, 1988, recommended that favorable consideration be given to the application.

24. The District of Columbia Fire Department (DCFD), by memorandum dated May 9, 1988, has no objections to the proposed map amendment change for development of this project, provided the developer complies with fire protection provisions of the new D.C. Construction Codes.

25. Advisory Neighborhood Commission - 8B did not file a report nor participate in the hearing process.

26. Advisory Neighborhood Commission - 8E, by resolution included in the record as Exhibit No. 29, opposed the application and requested the Zoning Commission to reject it and request that a Planned Unit Development be filed in lieu thereof. ANC-8E, by testimony presented at the hearing, supported zoning that would require single-family rowhouse development where proposed and require apartment house development for the elderly where proposed. The ANC objected to the lack of effort by DHCD to properly involve the community in the planning and developer selection processes.

27. The City Councilmember, representing Ward 8, by letter dated June 22, 1988, supported C-2-B and R-5-A zoning for the site.

28. The Commission finds that zoning the site through a map amendment process is appropriate, and believes that its decision and future contractural agreements between a developer and DHCD will provide adequate development controls that are consistent with the objectives of the Congress Heights community and the Comprehensive Plan.

29. The Commission concurs with the objectives of OP and the recommendations of DFR, DOR, MPD, and DCFD.

30. As to the concern of ANC-8E regarding development controls, the Commission believes that it has addressed the matter in its decision. The Commission notes that it has no authority in resolving questions raised by the ANC regarding the process of community involvement.

31. The Zoning Commission finds that the amendment to the Zoning Map is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

32. The Commission finds that the applicant has satisfied the criteria of Chapters 1 and 30 of DCMR, Title 11, Zoning.

33. The proposed decision to approve R-3, R-5-B, and C-2-B zoning was referred to the National Capital Planning Commission (NCPC) under the terms of the District of Columbia Self Government and Governmental Reorganizational Act. NCPC, by report dated September 8, 1988 found that the proposed zoning map amendment would not adversely affect the Federal Establishment or other Federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.

CONCLUSIONS OF LAW

1. Zoning to R-3, R-5-A, and C-2-B, as set forth herein, is in accordance with the Zoning Act (Act of June 20, 1938, 52, Stat. 797) by furthering the general public welfare and serving to stablize and improve the area.

2. Zoning to R-3, R-5-A, and C-2-B will promote orderly development in comformity with the entirely of the District of Columbia zone plan, as set forth in the Zoning Regulations and Map of the District of Columbia.

3. Zoning to R-3, R-5-A, and C-2-B will not have an adverse impact on the surrounding neighborhood.

4. Zoning to R-3, R-5-A, and C-2-B is appropriate for the site.

5. Zoning to R-3, R-5-A, and C-2-B would not be inconsistent with the Comprehensive Plan for the National Capital.

6. The Zoning Commission has accorded ANC-8E the "great weight" to which it is entitled.

DECISION

In consideration of the findings if fact and conclusions of law herein, the Zoning Commission for the District of Columbia hereby orders APPROVAL of the following amendment to the District of Columbia Zoning Map:

> Zone from unzoned property to R-3, R-5-A and C-2-B lot 804 in Square 5912 also known as the Camp Simms site, located at 15th Street, S.E. between Alabama and Mississippi Avenues, as shown on the attached plat and marked as Exhibit No. 42 of the record.

Votes of the Commission taken at the public meeting on July 11, 1988: 4-0 (Elliott Carroll, John G. Parsons, and Patricia N. Mathews, to approve R-3 and Maybelle Taylor Bennett, to approve R-3 by absentee vote, Lindsley Williams, not present not voting), and by a vote of 3-1 (Elliott Carroll, John G. Parsons and Patricia N. Mathews, to also approve R-5-A and C-2-B - Maybelle Taylor Bennett, opposed by absentee vote and Lindsley Williams, not present not voting).

This order was adopted by the Zoning Commission at its regular monthly meeting on December 12, 1988, by a vote of 3-0 (Elliott Carroll, John G. Parsons and Maybelle Taylor Bennett, to adopt as amended - Lloyd D. Smith, not voting not having participated in the case and Lindsley Williams, not present not voting).

In accordance with 11 DCMR, Section 3028, this order is final and effective upon publication in the D.C. Register; that is on 03 FEB 1989.

Maybelle Taylor Bennett

MAYBELLE TAYLOR BENNETT
Chairperson
Zoning Commission

EDWARD L. CURRY
Executive Director
Zoning Secretariat

zcorder596/EB41

District of Columbia Government
OFFICE OF THE SURVEYOR

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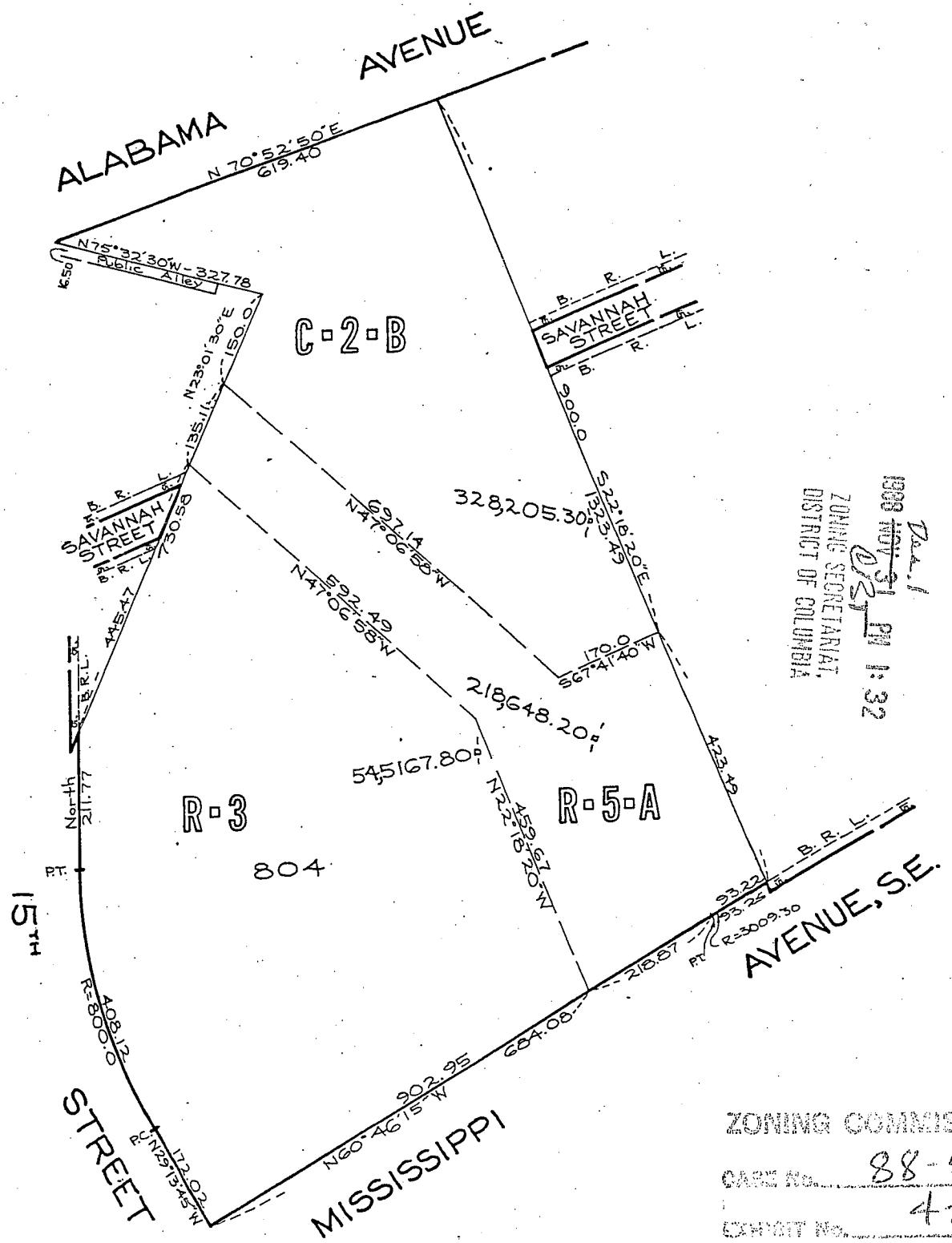
Washington, D.C. October 24, 1988

Plat of computation on Lot 804.
Square 5912

Receipt No. 6857



Dec. 1
1988 NOV 31 PM 1:32
ZONING SECRETARIAT,
DISTRICT OF COLUMBIA

ZONING COMMISSION
CASE No. 88-5
EXHIBIT No. 42

SCALE: 1 inch = 120 feet

Computation by F. Sleem

Drawn by P. N. Rollins

NOTE: — Actual field measurements do not necessarily agree with office record dimensions.

I Hereby Certify, That the plat shown hereon is correct in accordance with the records of this office.

This computation made this 21st day of October, 1988

for D.H.C.D.

R B Sheaffer
Surveyor, District of Columbia

S.O. form 12.2 (a)

J-03269