

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 632-B
Case No. 87-7
(Uptown Arts Overlay District IV - Manhattan)
January 11, 1993

By Z.C. Order No. 632 dated November 13, 1989, the Zoning Commission for the District of Columbia created and mapped the "Uptown Arts Overlay District" (ARTS). The purposes of the Arts Overlay are as follows:

1. To encourage a scale of development, a mixture of building uses, and other attributes such as safe and efficient conditions for pedestrian and vehicular movement, all of which will be as generally required by the Comprehensive Plan for the National Capital;
2. To require uses that encourage pedestrian activity, especially retail, entertainment, and residential uses;
3. To provide for an increased presence and integration of the arts and related cultural and arts-related support uses;
4. To expand the area's housing supply in a variety of rent and price ranges;
5. To expand business and job opportunities, and encourage development of residential and commercial buildings;
6. To strengthen the design character and identity of the area by means of physical design standards;
7. To encourage adaptive reuse of older buildings in the area and an attractive combination of new and old buildings; and
8. To foster 18-hour activity and increased public safety.

The Arts Overlay affected the previous industrial and commercial zone districts generally along the 14th Street Corridor between Thomas Circle and Chapin Street, along the Florida Avenue and U Street Corridors between 15th and 7th Streets, along the 9th Street Corridor between S and U Streets, and along the 7th Street Corridor between R Street and Florida Avenue N.W.

By Z.C. Order No. 632-A dated October 19, 1992, the Zoning Commission approved follow-up refinements and amendments to the Arts Overlay District.

Z.C. ORDER NO. 632-B
CASE NO. 87-7
PAGE NO. 2

By letter dated May 21, 1992, a representative of the Manhattan Laundry Limited Partnership, indicated that it had recently come to his attention that the Manhattan Laundry property, which has historic buildings that were restored and leased as commercial office and storage facilities in 1986, was rezoned residential, pursuant to Z.C. Order No. 632. The representative concluded that he believed a mistake had been made and requested the Zoning Commission to investigate the matter.

On June 8, 1992 at its regular monthly meeting, the Zoning Commission considered the aforementioned letter and requested the Office of Zoning to review the matter.

By memorandum dated September 4, 1992, the Office of Zoning reported the following three observations and recommendations:

1. MANHATTAN LAUNDRY (SQUARE 234)

- a. By Z.C. Order No. 632 dated November 13, 1989, the Zoning Commission rezoned the Manhattan Laundry property from C-M-2 to R-5-B.
- b. Based on the taped recording of the May 18, 1989 special meeting, the Zoning Commission took proposed action to rezone from C-M-2 to R-5-B seven rowhouses in Square 234 (lots 129-135) that are east of the Manhattan property.
- c. Based on the taped recording of the May 25, 1989 continuation session of the special meeting, the Commission took proposed action to rezone both sides of the 14th Street corridor between V Street and Florida Avenue from C-M-2 to C-3-A/Arts.
- d. Although the Manhattan property was not explicitly discussed, the resulting action was to rezone all existing C-M-2 zoned properties in Square 234 to C-3-A/Arts, except the seven rowhouses for which proposed action had been taken at the previous special meeting session.
- e. Paragraph No. 8 of the August 4, 1989 notice of proposed rulemaking accurately reflects the proposed rezoning for the seven rowhouses, but inaccurately reflects the proposed rezoning for the balance of Square 234; notably, the Manhattan Laundry property.

Z.C. ORDER NO. 632-B
CASE NO. 87-7
PAGE NO. 3

Paragraph No. 8 of that notice is an error and, with the exception of the square number, duplicates the language in Paragraph No. 9.

It is recommended that the Commission correct the error by taking proposed action to approve the following:

In Square 234, rezone to C-3-A/Arts all of the lots that are now zoned C-M-2 and west of the north-south alley that is closer to 13th Street, except that lots 129-135 shall be rezoned to R-5-B.

2. OMISSION OF SQUARES 419 AND 442

- a. The notice of public hearing in this case proposed to rezone Squares 419 and 442 from C-M-1 to C-2-B.
- b. Based on the taped recording of the May 25, 1989 continuation session of the special meeting, the Commission took proposed action to rezone from C-M-1 to R-4 and C-2-B/Arts a vast area at the eastern end of the Uptown Arts Overlay District. Squares 419 and 442, which are located along the 7th Street corridor, were proposed for rezoning from C-M-1 to C-2-B/Arts.
- c. Both squares were erroneously excluded from the August 4, 1989 notice of proposed rulemaking. Consequently, neither square was included for rezoning when the Commission adopted Z.C. Order No. 632.

It is recommended that the Commission correct this inadvertent omission by taking proposed action to approve the following map amendment:

In Square 419, rezone to C-2-B/Arts all lots that are now zoned C-M-1.

In Square 442, rezone to C-2-B/Arts all lots that are now zoned C-M-1.

3. CLEAN-UP REVIEW OF SQUARE 205

- a. Based on the taped recording of the November 13, 1989 public meeting, the Commission took final action to rezone Square 205. However, because the Commission could not reach a consensus about whether the interior of the west half of the square should remain in the C-2-A/Arts zone district or be rezoned to C-2-B/Arts, the Commission

Z.C. ORDER NO. 632-B
CASE NO. 87-7
PAGE NO. 4

agreed to adopt Z.C. Order No. 632. The Commission explicitly noted its intention to revisit and resolve this issue at a later time when it considered its clean-up review in the case.

- b. The Commission's discussion focussed on the transition of zone districts between U and T Streets, and the issue of split-zoning a few lots and the impact of that action on redevelopment computations.
- c. The notice of public hearing in this case proposed to rezone from C-2-A to C-2-B all of the properties in Square 205 that were in the C-2-A zone district. The August 4, 1989 notice of proposed rulemaking reflected a rezoning from C-2-A to C-2-A/Arts and C-2-B/Arts for the west half of Square 205.
- d. The Commission determined that the August 4, 1989 notice of proposed rulemaking would not permit the Commission to adopt C-2-B/Arts rezoning for the interior of the west half of the square, unless it approved a new notice of proposed rulemaking to rezone that area to C-2-B/Arts, instead of C-2-A/Arts.

If the Commission remains desirous of revisiting this matter, the following notice of proposed rulemaking is recommended:

In Square 205, rezone to C-2-B/Arts those lots that are now zoned C-2-A/Arts.

On September 14, 1992 at its regular monthly meeting, the Zoning Commission concurred with the recommendations of the Office of Zoning and determined that it did not intend to rezone the Manhattan Laundry property to a residential zone district, as was done pursuant to Z.C. Order No. 632.

The Commission further determined that it would correct the inadvertent omission of Squares 419 and 442 from the Arts Overlay, and that it would not pursue any follow-up proposals associated with Square 205.

The Commission believes that its proposed decision to correct the mapping of the Arts Overlay in Squares 234 (Manhattan Laundry site), 419 and 442 is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and the Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

Z.C. ORDER NO. 632-B
CASE NO. 87-7
PAGE NO. 5

A notice of proposed rulemaking was published in the District of Columbia Register on November 20, 1992 (39 DCR 8443). As a result of the publication of that notice, the Zoning Commission received no comments from interested persons.

The proposed decision of the Zoning Commission was referred to the National Capital Planning Commission (NCPC), under the terms of the of the District of Columbia Self-Government and Governmental Reorganization Act. NCPC, by report dated January 8, 1993, found that the proposed amendments are not inconsistent with the Comprehensive Plan for the National Capital and would not adversely affect the Federal Establishment or other Federal interests in the National Capital.

On January 11, 1993 at its regular monthly meeting, the Zoning Commission determined that final action at this time was appropriate.

In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby orders **APPROVAL** of amendments to the Zoning Map. The specific amendments are as follows:

1. In Square 234, rezone to C-3-A/ARTS all of the lots that are now zoned R-5-B (formerly zoned C-M-2) and west of the north-south alley that is closer to 13th Street, except that lots 129-135 shall remain zoned R-5-B;
2. In Square 419, rezone to C-2-B/ARTS all lots that are now zoned C-M-1; and
3. In Square 442, rezone to C-2-B/ARTS all lots that are now zoned C-M-1.

Vote of the Zoning Commission taken at the public meeting on September 14, 1992: 3-0 (John G. Parsons, Lloyd D. Smith and Maybelle Taylor Bennett, to approve - William L. Ensign, not voting not having participated in this portion of the case and Tersh Boasberg, not voting having recused himself from the case).

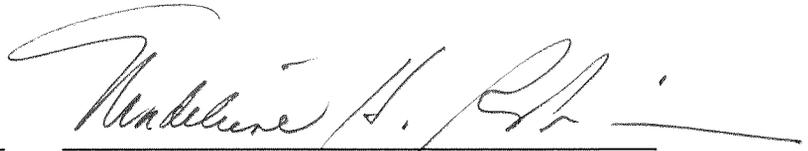
Z.C. ORDER NO. 632-B
CASE NO. 87-7
PAGE NO. 6

This order was adopted by the Zoning Commission at the public meeting on January 11, 1993 by a vote of 3-0 (John G. Parsons, Lloyd D. Smith and Maybelle Taylor Bennett, to adopt - William L. Ensign, not voting not having participated in this portion of the case and Tersh Boasberg, not voting having recused himself from the case).

In accordance with 11 DCMR 3028.8, this order is final and effective upon publication in the D.C. Register; that is, on FEB 26 1993.



TERSHER BOASBERG
Chairman
Zoning Commission



MADELIENE H. ROBINSON
Acting Director
Office of Zoning

632-BZC/bhs