

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 914
Case No. 97-7(I)
(Remaining SP Map Amendments – Logan Circle/Thomas Circle Subarea)
January 10, 2000

The Zoning Commission for the District of Columbia originally initiated Case No. 97-7 in response to a petition from the Office of Planning (OP) requesting the Commission to amend both the text of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning, and the Zoning Map of the District of Columbia. Case No. 97-7(I) results from previous deliberations in Case No. 97-7 and only considers a number of undecided map amendments in the Logan Circle/Thomas Circle subarea along with alternate map amendment proposals for portions of Square 280 within the same subarea. Amendments to the text of the Zoning Regulations and to the Zoning Map are authorized pursuant to the Zoning Act [Act of June 20, 1938, 52 Stat. 797, as amended, D.C. Code Ann. Section 5-413 (1981)].

PROCEDURAL HISTORY

On July 21, 1997, the Zoning Commission conducted a public hearing for Part 1 of Case No. 97-7 which involved proposed SP text amendments to the Zoning Regulations. Subsequent public hearings for Part 2 of the case involving proposed SP map amendments to the Zoning Map were conducted on January 5 and 8, 1998. These public hearings were conducted in accordance with the provisions of 11 DCMR 3021.

The Zoning Commission took proposed action on a number of the proposed text and map amendments on March 9 and April 13, 1998. With this action, however, several proposed map amendments within the confines of the Logan Circle/Thomas Circle subarea were not acted upon for various reasons and were subsequently the subject of a public notice to reopen the record until September 30, 1998 for further public comment. At a regular monthly meeting on November 9, 1998, the Commission decided further that it would also not act upon certain other properties originally proposed for map amendments within the same subarea. On December 14, 1998, the Commission authorized an additional public hearing to consider all of the properties within the Logan Circle/Thomas Circle subarea for which proposed map amendments remained undecided. Moreover, at a monthly meeting on February 8, 1999, the Commission granted an outside

request to additionally advertise and consider as part of the case an alternate proposal for rezoning portions of Square 280. Accordingly, this case was properly noticed and advertised as Case No. 97-7(I). The public hearing was originally scheduled for April 1, 1999, however, it was rescheduled and conducted on May 6, 1999 in accordance with the provisions of 11 DCMR 3021.

At the May 6, 1999 public hearing for this case, the Zoning Commission heard the presentations of the Office of Planning, Advisory Neighborhood Commission (ANC) 2F, the law firm of Wilkes, Artis, Hedrick and Lane, Mr. Lindsley Williams, Mr. Richard Harps, Mr. Mark Brodsky, Mr. Thomas Funk, and Mr. Jamshid Khaldar.

By reports dated February 12, April 27, and July 7, 1999, and by testimony at the public hearing, the Office of Planning recommended approval of the remaining map amendments proposed for the Logan Circle/Thomas Circle subarea.

Advisory Neighborhood Commission (ANC) 2F, by materials submitted into the record and by testimony given at the hearing by Ms. Leslie Miles and Ms. Helen Kramer, indicated its general support of OP's rezoning recommendations with a few exceptions. In general, ANC-2F supports OP's overall concept for the proposed rezonings in the community. OP has grasped the issues within the community and has put forth proposals that will be responsible to residents and developers alike.

As noted above, a number of individuals testified at the public hearing in support of or in opposition to the proposed rezonings of several specific properties within the subject subarea. A large number of proposed rezonings received no testimony specific to the affected properties. The details of the testimony given can be found in the May 6, 1999 public hearing transcript.

The Zoning Commission took proposed action to approve a number of the proposed map amendments on July 12, 1999 by a vote of 3-0 (Anthony J. Hood, John G. Parsons, and Herbert M. Franklin, to approve).

The Commission believes that the concerns and views expressed during the public hearing proceedings have been thoroughly discussed and considered. The Commission further believes that it has accorded ANC-2F the "great weight" to which it is entitled.

A Notice of Proposed Rulemaking was published in the D.C. Register on October 1, 1999 and was referred to the Office of Corporation Counsel (OCC), the Zoning Administrator (ZA), OP, and the National Capital Planning Commission (NCPC) for review and comment. With this, the Zoning Commission received comments from OCC, OP, NCPC, the law firm of Wilkes, Artis, Hedrick and Lane, and a number of concerned property owners and/or representatives thereof.

The proposed decision to approve these map amendments was referred to NCPC under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. In a letter dated November 5, 1999, NCPC indicated that the proposed map amendments would not affect the federal establishment or other federal interests, nor be inconsistent with the Comprehensive Plan for the National Capital.

The Zoning Commission believes that the map amendments included herein will provide a workable mechanism to protect the residential supply and character within the Logan Circle/Thomas Circle subarea. This action would also eliminate a number of inconsistencies between existing zoning and the Comprehensive Plan. Further, the Commission believes that its decision to approve the map amendments set forth in this order is in the best interests of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations, Zoning Map, and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the following amendments to the Zoning Map of the District of Columbia:

LOGAN CIRCLE/THOMAS CIRCLE SUBAREA

A. Rezone from R-5-D to R-5-B:

- 0 Square N242, all those lots now zoned R-5-D - to include lots 2, 3, 28, 32, and 2028-2031;
- 0 Square 242, all those lots now zoned R-5-D – to include lots 53-56, 59, 60, 65-67, 70, 71, 79, 80, 86-89, 92, 813, 816-818, 820, 826, and 2001-2027;
- 0 Square 243 – lots 17, 21, 813, 823, 828-830, and 2001-2043;
- 0 Square 279 – lots 2-7, 31-35, 46, 802, 803, and 806; and
- 0 Square 312 – lots 36-40.

B. Rezone from R-5-D to R-5-C:

- 0 Square 243 – lots 9-12, 18, 816-821, 831, 833, and 834;
- 0 Square 279 – lots 14, 19, 40, 41, 44, 45, 807-812, and 2010-2014;
- 0 Square 280 – all those lots now zoned R-5-D [all except one lot in the square (Lot 27) that is currently zoned SP-2 and is rezoned to R-5-C in Section C below] – to include lots 2-4, 27, 29, 800, 801, 824-830, 833, 834, 847, 859, 860, and 2001-2193;
- 0 Square 312 – lots 7, 41, 43, 48, 800, 801, 803-805, and 2001-2004; and
- 0 Square 313 – that portion of Lot 22 to a depth of 100.8 feet from the property line at 12th Street, and lots 802-806, 812-821, 830, and 832-834.

C. Rezone from SP-2 to R-5-C:

- Square 280 – Lot 27.

D. Rezone from R-5-D to R-5-E:

- Square 281 – Lot 51.

E. Rezone from SP-2 to R-5-E:

- Square 245 – all except two lots (833 and 807, the former not being part of this case and the latter being one for which the Commission has proposed no change from SP-2) – to include lots 27, 28, 803-806, 821, 825, 827, 828, 834, 835, 838, and 840-842;
- Square 281 – all those lots now zoned SP-2 [all except one lot in the square (Lot 51) that is currently zoned R-5-D and is rezoned to R-5-E in Section D above] – to include lots 8, 26, 32, 46, 47, 49, 832, 840, and 2001-2193; and
- Square 314 – lots 41-44.*

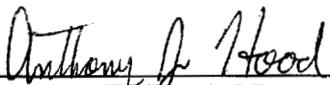
F. Rezone from SP-2 to C-2-C:

- Square 314 – lots 3 and 4.*

*The Commission has made no change of zoning for the lots now zoned R-5-D in Square 314.

This Order was adopted by the Zoning Commission for the District of Columbia at the regular monthly public meeting on January 10, 2000, by a vote of 3-0: (Anthony J. Hood, Herbert M. Franklin, and John G. Parsons, to approve).

In accordance with 11 DCMR 3028, this Order is final and effective upon publication in the D.C. Register, that is on **FEB 25** _____ 2000.



ANTHONY J. HOOD
Chairman
Zoning Commission



JERRILY R. KRESS, FAIA
Director
Office of Zoning