



## MEMORANDUM

**TO:** Zoning Commission for the District of Columbia  
**FROM:** Jennifer Steingasser, Deputy Director for Development Review & Historic Preservation  
**DATE:** May 8, 2012  
**SUBJECT:** **Zoning Commission Case 12-\_\_\_ - Emergency Action and Setdown Report -**  
Proposed zoning map amendment to locate previously unzoned property within the R-5-A zone to allow the replacement of the Fort Stanton Recreation Center with a new facility.

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### **I. RECOMMENDATION**

The Office of Planning requests that the Zoning Commission:

1. Adopt the following map amendments on an emergency basis:
  - a. Rezone the Fort Stanton Recreation Center site (Square 5749 Lot 1; and that portion of U.S. Reservation 412 transferred for use as a District recreation center) from unzoned to R-5-A;
2. Authorize the immediate publication of a notice of public hearing and proposed rulemaking; and
3. Set down the case for a public hearing.

The requested map amendment would accommodate the provision of a new and updated recreation center on this site to serve the residents of Ward 8.

Because “unzoned” is the more restrictive zoning designation (in that nothing can be built until zoning is designated) the operation of the “set down” rule will not allow the proposed improvements to be built unless and until the Commission approves this case. In this case, the proposed new recreation center has been reviewed by the Commission of Fine Arts, and has been submitted for building permits. To allow the building permit review and initial site development to proceed forward, OP is also requesting that the Zoning Commission take emergency action to approve this amendment.

This report also serves as the prehearing report required by § 3013.

### **II. BACKGROUND**

The petitioner, the District of Columbia, has proposed the redevelopment of an approximately 10 acre parcel within Fort Stanton Park (Square 5749 Lot 1; U.S. Reservation 412) in Southeast Washington. Jurisdiction for the recreation center portion of the site was transferred from the Federal Government to the District in the 1970’s (see map attachment 1).

The existing facility was constructed in 1966, and is currently improved with the Fort Stanton Recreation Center with baseball and multi-purpose fields, and tennis and basketball courts. The facility no longer adequately serves the needs of immediate residents.



The fully funded project includes the replacement of the existing outdated recreation center, the addition of limited surface parking, and the retention and upgrading of public fields and tennis courts. The new building would be about 21,000 square feet in area, mainly on one level with a lower level partially built into an existing slope on the property.

### **Emergency Request**

The design team prepared construction drawings and filed a building permit application in October 2011; during the permit review, it was discovered that the property is unzoned. Section 106.5 of the Zoning Regulations require that:

*“Properties of the District of Columbia Government shall be subject to zoning;”*

While the land remains in NPS ownership the jurisdiction has been transferred to the District and the building and facilities on the site are District property. Further, Section 106.7 states:

*“No building permit or certificate of occupancy shall be issued nor proceeding instituted before the Board of Zoning Adjustment, nor shall any property in private ownership be used for any purpose until after the Zoning Commission has designated zoning for the property.”*

In order to stay on tract and minimize delay of the permit issuance and construction start, the OP requests that the Zoning Commission adopt emergency zoning to allow the building permit to continue.

The new facility has received positive review by the Commission of Fine Arts and the Historic Preservation Office.

### **III. AREA DESCRIPTION**

The project site is located along the southern boundary of Fort Stanton Park, which is part of the Fort Circle Parks system, owned and managed by the National Park Service. The site is slightly north of the Suitland Parkway. Other than parkland, the surrounding area is predominantly developed with semi-detached dwellings, small apartment buildings, and places of worship. Stanton, Garfield and Moten Schools are all within walking distance of the site.

The closest metro rail stops are Anacostia and Congress Heights, both on the Green Line, about a mile away. The site is also served by the M2 and M3 Metrobus routes with stops located in front of the site on Erie Street SE.

### **IV. ZONING**

Adjacent property to the south and south-west of the site are zoned R-2, R-3<sup>1</sup>, and R-5-A. The remainder of Fort Stanton Park will remain unzoned, as is typical of federal park lands.

The proposed zone for the site, R-5-A, is consistent with the designation found on adjacent sites. R-5-A is a general residence district which allows a wide range of residential and institutional uses and semi-public buildings to be constructed at a low-density. Nonresidential uses permitted as-of-right include child development centers, nurseries, museums, hospitals, schools, and public recreation and community centers. The proposed text amendment would permit the facilities envisioned for the site as a matter of right.

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<sup>1</sup> A portion of the R-3 zoned land was rezoned from R-5-A in ZC Case 08-12, as part of the recent Ward 7 and 8 R-5-A initiative.

## **V. COMPREHENSIVE PLAN**

The proposed amendment would be not inconsistent with the 2010 Comprehensive Plan. Both the Policy Map and Generalized Future Land Use Map designate the area as “Parks, Recreation and Open Space”.

While federal parklands are generally unzoned, District parklands are often zoned the same as the surrounding land uses. Adjacent land uses to the immediate north, east, and west are zoned R-5-A, the zone proposed for the subject property.

The proposed change is limited in its impact (in that it facilitates the replacement of a public recreation facility with a new public recreation facility) and would generally support the following Comprehensive Plan policy objectives:

### **Policy PROS-1.1.2: Consideration of Federal Parkland**

Work with federal agencies to evaluate the role that federal lands play in meeting the recreational needs of District residents, particularly for regional parks and sports complexes. Because these properties are used by city residents, they should be considered when identifying underserved areas and assessing the need for local park improvements. 804.9

### **Policy PROS-1.4.5: Park Amenities on NPS Land**

Where consistent with other policies in the Comprehensive Plan and NPS plans, and where supported by nearby neighborhoods and needs assessments, encourage federal government projects that would provide new recreational amenities such as soccer fields, picnic areas, and trails serving District residents on national parkland. 807.8

### **Policy PROS-2.1.1: Recreational Facility Development**

Improve the physical and psychological health of District residents by providing a variety of recreational and athletic facilities, including playing fields, tennis courts, swimming pools, basketball courts, trails and paths, and open areas for other sports activities. 809.5

### **Policy PROS-2.2.4: Youth Recreational Services**

Provide recreational services that are particularly responsive to the special needs of the District’s youth, using recreation and athletics to promote self esteem, responsibility, and leadership skills among DC teens. 810.8

### **Far Southeast and Southwest Area Element:**

#### **Policy FSS-1.2.5: Fort Circle Parks**

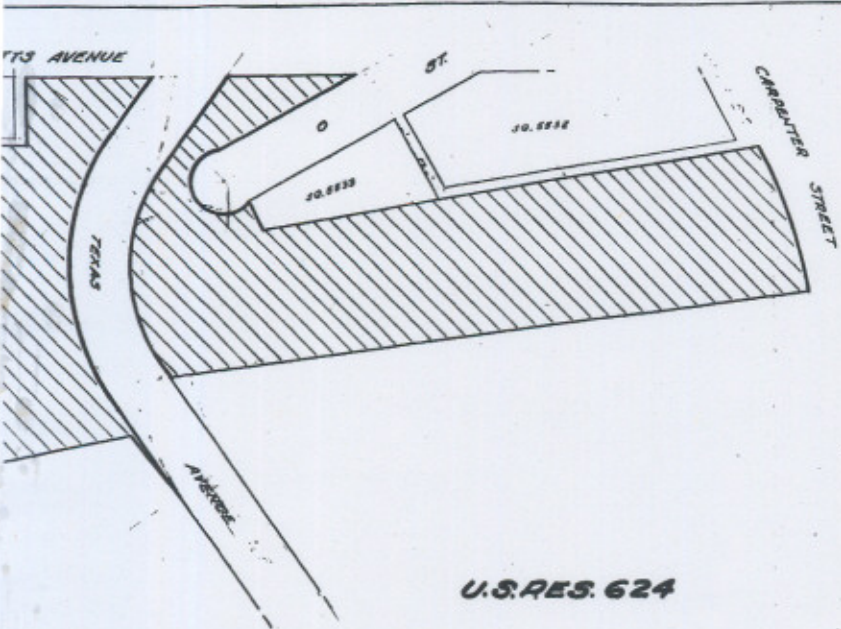
Improve the Fort Circle Parks within the Far Southeast/Southwest, including upgrades to the Fort Circle Trail, and additional recreational facilities and amenities at Fort Stanton Park. 1809.5

JS/jl

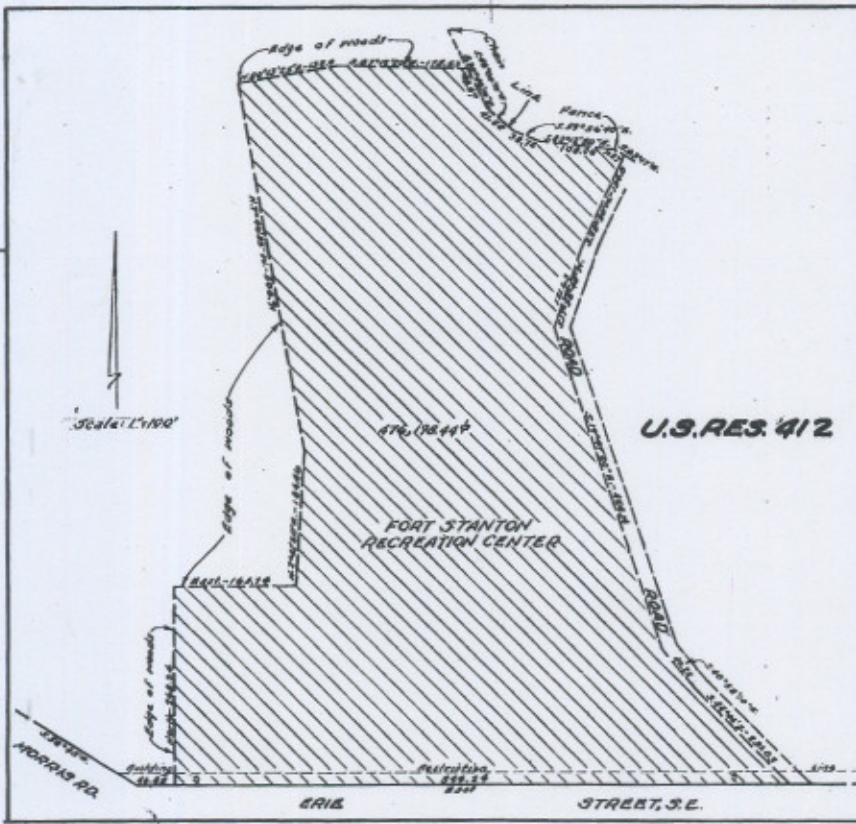
Attachments:

- Exhibit 1 – Location Map
- Exhibit 2 – Aerial Photograph (2010)





U.S. RES. 624



U.S. RES. 412

# TRANSFER OF JURISDICTION

National Capital Planning Commission  
Washington, D.C., November 16, 1972  
In accordance with Section 8-115 of the Code of Law for the District of Columbia and Public Law No. 592, 82-nd Congress, approved July 19, 1962,  
Recommended by vote of the Commission.

Ben Keyes  
Chairman

Department of the Interior  
National Park Service  
Washington, D.C., 1972  
In accordance with Section 8-115 of the Code of Law for the District of Columbia, I hereby transfer to the jurisdiction of the District of Columbia, parts of U.S. Reservations 300, 412, 519 and 624 as shown hereon thus:  
for recreation and related purposes.

General Superintendent  
Office of National Capital Parks

Washington, D.C., July 8, 1972  
In accordance with Section 8-116 of the Code of Law for the District of Columbia, and Section 402 (c) of Reorganization Plan No. 3 of 1967, the transfers of jurisdiction offered hereon are hereby accepted for recreation and related purposes.  
By direction of the District of Columbia Council.

David H. Blawie  
Secretary of the Council

Office of the Surveyor of the District of Columbia  
Washington, D.C., November 7, 1972  
I certify that the plat shown hereon is correct and is hereby approved for record in this office.

F. B. Wesler  
Surveyor, D.C.

Filed Under  
County Sub U.S. Res. No. 360  
Book-158 Page-34

SURVEYOR'S OFFICE, D.C.  
Made for Dept. of General Services  
Drawn by RMM - Checked by (on 10/28/72)  
Recorded at 110 P.M., November 7, 1972  
Recorded in Book 158, page 34  
File No. 20,79-278 MAP No. 9527

MAP = 9527

MAP = 9527  
GENERAL SUPERINTENDENT  
OFFICE OF NATIONAL CAPITAL PARKS  
D.C.  
MAP = 9527