



## Executive Director's Recommendation

Commission Meeting: September 6, 2012

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**PROJECT**

**Map amendment to zone the Fort Stanton Recreation Center from unzoned to R-5-A**

Fort Stanton Recreation Center  
Square 5749 and a portion of U.S.  
Reservation 412  
1812 Erie Street, SE  
Washington, DC

**SUBMITTED BY**

Zoning Commission of the District of Columbia

**REVIEW AUTHORITY**

Advisory

per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a)

**NCPC FILE NUMBER**

ZC 12-04

**NCPC MAP FILE NUMBER**

10.27(06.20)43620

**APPLICANT'S REQUEST**

Approval of report to the Zoning  
Commission of the District of  
Columbia

**PROPOSED ACTION**

Approve with comments

**ACTION ITEM TYPE**

Consent Calendar

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### PROJECT SUMMARY

The Zoning Commission of the District of Columbia has taken a proposed action to approve a map amendment to rezone the Fort Stanton Recreation Center (Square 5749 and a portion of U.S. Reservation 412) from unzoned to R-5-A. The map amendment would allow for the construction of a new recreational facility on the site.

### KEY INFORMATION

- In 1972, the National Park Service transferred jurisdiction of the property to the District of Columbia for recreational purposes.
  - The District of Columbia needs to zone the property under its jurisdiction in order to receive a building permit to build a new recreational facility.
  - The federal government is exempt from local land use regulations and building permit requirements.
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### RECOMMENDATION

The Commission:

**Advises** the Zoning Commission that the proposed map amendment to zone the Fort Stanton Recreation Center, on Square 5749 and a portion of U.S. Reservation 412, from unzoned to R-5-A would not be inconsistent with the Comprehensive Plan for the National Capital: Federal Elements.

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**Notes** that the subject portion of U.S. Reservation 412 is owned by the federal government but under the jurisdiction of the District of Columbia pursuant to a 1972 transfer of jurisdiction from the National Park Service to the District of Columbia which limits use of the property to recreational use.

**Notes** that federal land is not subject to local zoning regulations and the proposed map amendment only applies to the District of Columbia for purposes of obtaining a building permit for the construction of a new Fort Stanton Recreation Center, in accordance with Section 106.5 of the D.C. Zoning Regulations.

### PROJECT REVIEW TIMELINE

<b>Previous actions</b>	None
<b>Remaining actions (anticipated)</b>	None

Prepared by C. Kelly  
August 30, 2012

## I. ZONING DESCRIPTION

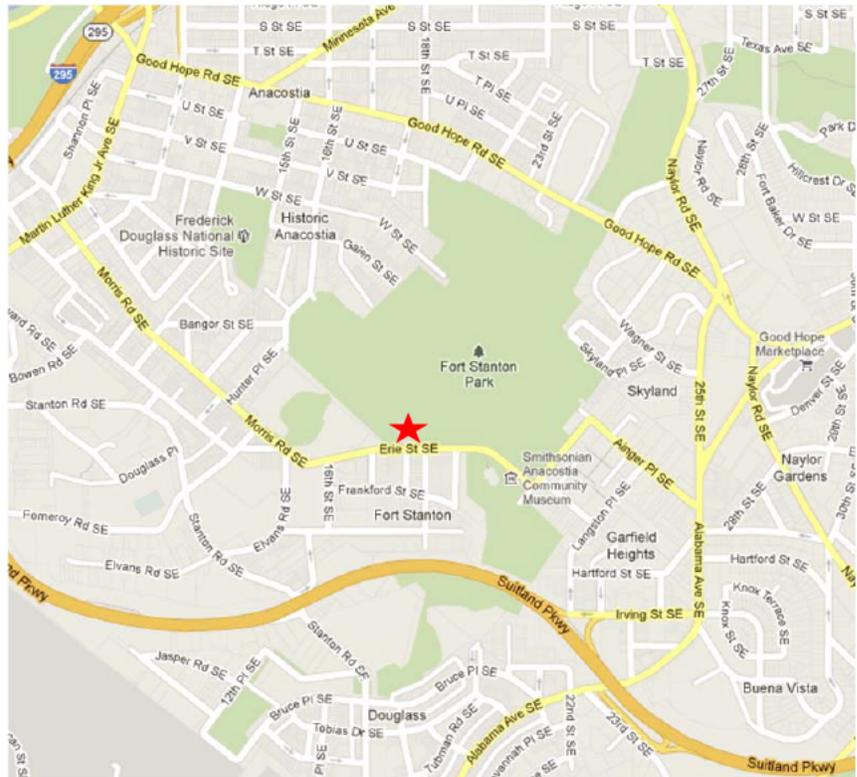
### Site

The proposed map amendment would zone the Fort Stanton Recreation Center from unzoned to R-5-A. The Fort Stanton Recreation Center encompasses Square 5749 and the portion of U.S. Reservation 412 that is under the jurisdiction of the District of Columbia.

The property 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 semidetached dwellings, small apartment buildings, and places of worship.

The property is currently improved with a recreation facility, a swimming pool, basketball courts, a baseball field, and football field.

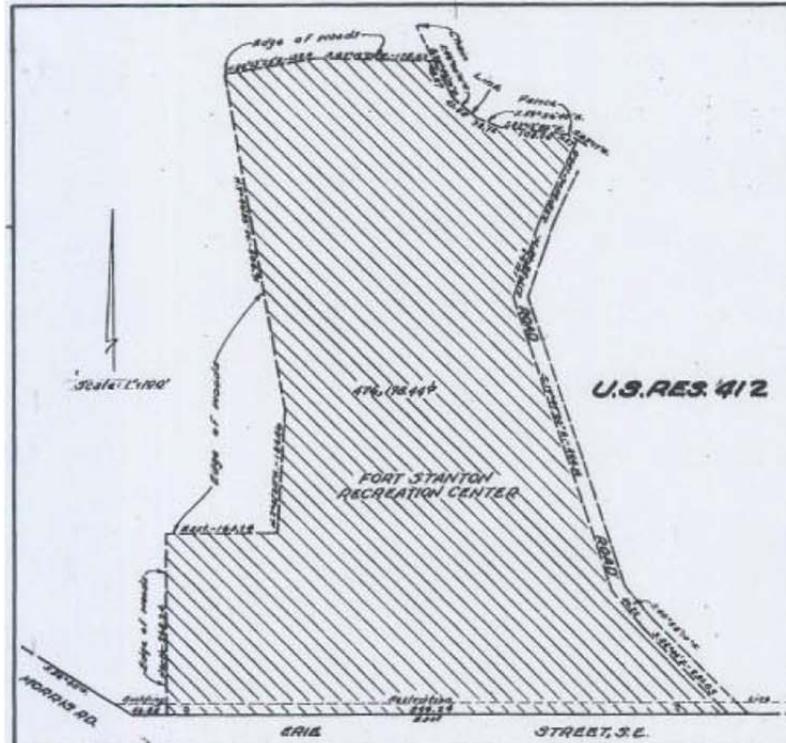
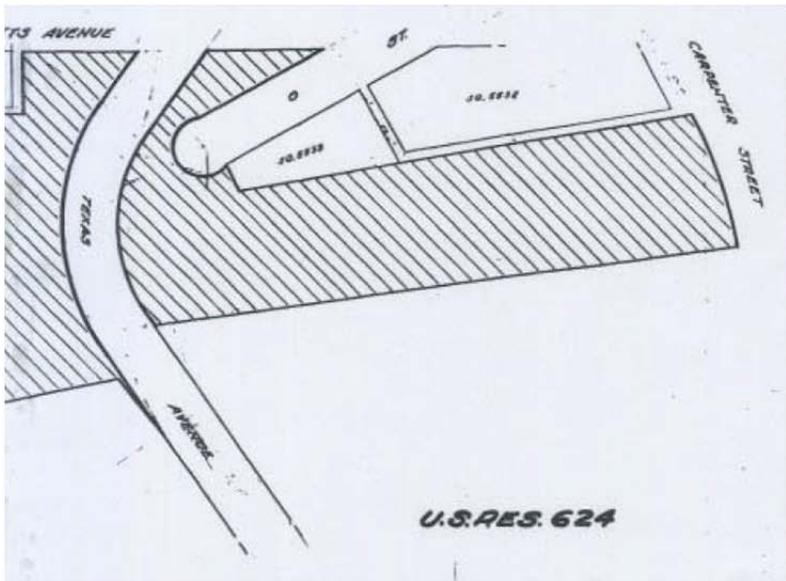
### Fort Stanton Location



**Fort Stanton Existing Conditions**

**Background**

In 1972, the National Park Service (NPS) transferred a portion of U.S. Reservation 412 to the District of Columbia for recreational uses. The existing facility was constructed in 1966 and no longer adequately serves the needs of immediate residents. The District of Columbia is proposing to redevelop the site. The proposed 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.



**TRANSFER OF JURISDICTION**

National Capital Planning Commission  
Washington, D.C., February 3, 1972  
In accordance with Section 8-113 of the Code of Law for the District of Columbia and Public Law No. 592, 82-nd Congress, approved July 19, 1962,  
Recommended by the Commission.

Ben Ruffalo  
Chairman

Department of the Interior  
National Park Service  
Washington, D.C., July 8, 1972  
In accordance with Section 8-113 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 360, 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 8-113 of the Code of Law for the District of Columbia, and Section 402 (10) of Regulations, Resolution Plan No. 3 of 1967, the transfers of jurisdiction offered herein are hereby accepted for recreation and related purposes.

By direction of the District of Columbia Council

David H. Blum  
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 herein is correct and is hereby approved for record in this office.

F.B. Werle  
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 R.M. - Checked by (CA 1222)  
Recorded at 11/10 P.M. November 7, 1972  
Revised in Book 158 page 34  
File No. 22-222 MAP No. 9527

MAP = 9527

MAP = 9257  
RESERVATION  
D.C.  
MAP = 9257

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## **Proposal**

The District Department of Recreation would like to redevelop the Fort Stanton Recreation. In order for the District to commence construction of the new center, the site needs to be zoned. When property was transferred to the District from the NPS in 1972 it was unzoned and remains unzoned today. However, 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 the 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, shall any property in private ownership be used for any purpose until after the Zoning Commission has designated zoning for the property.”

As a result, the District Office of Planning has requested a map amendment for the Fort Stanton Recreation Center from unzoned to R-5-A to allow for the new facility to receive a building permit.

## **II. PROJECT ANALYSIS/CONFORMANCE**

### **Analysis**

Overall staff is supportive of the proposed map amendment as it allows for the construction of a much needed new recreational facility at Fort Stanton. R-5-A is the surrounding zoning and is the zoning designation used for most recreation facilities. While multiple uses are allowed through the R-5-A zoning, only recreational uses are allowed in conformance with the transfer of jurisdiction between the NPS and the District. Therefore, the zoning designation is only for the District to receive a building permit and does not indicate a change in use on the site.

While staff is supportive of the map amendment, which is needed for the construction of the new facility, staff would like to note that the Commission has not reviewed the Fort Stanton redevelopment plans as required by the National Capital Planning Act; all District of Columbia projects are required to be submitted to NCPC for review.

Staff would also like to note that the federal government, the owner of the property, is not subjected to local zoning regulations and that the proposed zoning is for the District's purposes to obtain a building permit and cannot be imposed on the federal government.

### **Comprehensive Plan for the National Capital**

The proposed map amendment that would allow the District government to build a new recreational facility is not inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital. The project advances the policies contained within the Parks and Open

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Space Element as they pertain to coordinated planning and development of federal parkland with local parkland in order to optimize recreation.

### **CapitalSpace**

A new recreation center facility is consistent with several of the recommendations contained within CapitalSpace that encourage the improvement of park and open space recreational facilities to improve public access to recreation, particularly in underserved areas of Washington, D.C.

There are several of the overall Planning Concepts that a new Fort Stanton Recreation facility supports: Increase Access to Great Local Parks, Celebrate Urban Parks, and Expand Park System Capacity. In addition this proposal also supports the improve playfields big idea.

## **III. CONSULTATION**

### **U.S. Commission of Fine Arts**

The Commission of Fine Arts (CFA) does not review zoning map amendments but has reviewed the plans for the new Fort Stanton Recreation Center. In November 2009, the District of Columbia Office of the Deputy Mayor for Planning and Economic Development submitted the concept design for the new Fort Stanton Recreation Center to the CFA for review. CFA approved the concept design on its November 19, 2009 consent calendar and delegated final approval to staff.