



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

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Ms. Carol J. Mitten, Chairman
Zoning Commission
441 4th Street, N.W. Suite 210
Washington, DC 20001

RE: Case No. 05-26
(2950 Tilden Street, NW)

Dear Ms. Mitten:

Tonight the Zoning Commission will consider whether to set down Clark Realty Capital's PUD proposal for 2950 Tilden Street, N.W. (Case No. 05-26). I have read the Office of Planning's report, disagree with it, and urge that the Commission not set down this case.

The community has long been aware of this impending development proposal and has argued against it. A repeated theme in their comments is that the 2900 block of Tilden is tree-lined and characterized by rows of houses built at the turn of the century. With this PUD, the highrises characterizing Connecticut Avenue would begin their march down Tilden.

The application should not be set down for hearing for the following reasons:

- The project would be inconsistent with the comprehensive plan. The OP report cites numerous sections from the plan, (primarily the general elements and not the Ward 3 element), but it ignores provisions that are most relevant. For instance, § 1404.3(a)(B) states that "Medium and high density residential uses should be limited to the major arterials..."
- The confusion over the comprehensive land use map is similar to the situation with a PUD proposal in 2000 for townhouses on Albemarle Street a block from the Tenleytown Metrorail station. As you know, I authored the Ward 3 element of the comprehensive plan and was intimately involved in amendments to the land use maps in 1989 and 1994. The alleged high-density mapping for 2950 Tilden Street is a vestige from the original (1985) street-less maps. In the course of subsequent amendments to the plan, it was assumed that the coloring followed the line of the zone districts along Connecticut Avenue. Indeed, generally the land use maps follow the line of zone districts, and there is language in the Ward 3 element confirming this sentiment. There was never any intention or proposal calling for increasing the zoning along Tilden Street. Never.

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- The PUD proposal – and the Office of Planning’s preliminary endorsement of it – is inconsistent with urban design principles. It is ironic that the Office of Planning called for a “growth restriction area” in its July 2004 Upper Wisconsin Avenue Corridor Study, and then supports this PUD application. This PUD is located squarely on Tilden Street; the OP report states it to be 223 feet removed from the avenue. For Wisconsin Avenue, OP has called for a growth restriction area following the line of zoning; a line which in many places is less than 223 feet.
- Under existing zoning, consideration of the PUD would not be allowed because of the minimum lot area requirement of two acres in the R-2 district. Only because the applicant seeks upzoning is consideration of the PUD possible. This procedural factor is legitimate, but speaks to the community’s opposition.
- The proposed amenities are not sufficient to warrant set down. The provision of housing and opportunity for home ownership are not amenities; this is explicit in the Ward 3 element. The supposed architectural and urban design benefits have to be weighed against the increased density. What about this project is superior to what can be obtained by matter of right development – unless the Zoning Commission has determined up front that R-5-C should be matter of right?

The community comment section of OP’s report does not reflect the intense opposition of the neighborhood to this project. The concepts of providing stability for residential neighborhoods and ensuring good quality neighborhoods are precisely what the neighbors promoted over the last year and a half. They want to protect the residential character of the street and retain the existing zoning. This would permit eight townhouses – what at one time they thought the property owner would develop.

For all these reasons, I join with the neighbors of the PUD site and urge that the application not be set down for hearing.

Sincerely,



Phil Mendelson
Councilmember At-Large

PM/ms