

ANC 3F RESOLUTION OPPOSING THE APPLICATION FOR A PLANNED UNIT DEVELOPMENT AND ZONING MAP AMENDMENT AT 2950 TILDEN STREET, NW

Zoning Commission Case 05-26

Advisory Neighborhood Commission 3F
North Cleveland Park, Forest Hills & Tenleytown
4401-A Connecticut Avenue, N.W., #244
Washington, D.C. 20008-2322

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D.C. OFFICE OF ZONING

RECEIVED

WHEREAS, Tilden 800, LLC, a subsidiary of Clark Realty Capital, LLC, has filed an application for a planned unit development and zoning map amendment from R-2 to R-5-C at 2950 Tilden St. NW, Lot 800 in Square 2234; and

WHEREAS, the property has a total area of 34,686 square feet, which would allow by right construction at existing R-2 zoning of 8 semi-detached single family homes with side and rear yards and a maximum height of 40 feet and 3 stories; and

WHEREAS, the Applicant has applied to build a six-story 49-unit multi-family building that will be 67 feet high and contain 87,000 gross square feet of floor area above grade, a significantly different and more dense project than would be possible under existing zoning; and

WHEREAS, in recommending that this project be set down for a hearing, the Office of Planning used the city-wide elements of the Comprehensive Plan rather than the objectives and policies of the Ward 3 Plan, 10 DCMR Chapter 14, even though the latter is the authoritative document that supplements, qualifies, and interprets the Comprehensive Plan's more general objectives and policies for our ward; and

WHEREAS, the Ward 3 plan is very specific and should be the guiding document on which this project is judged (*see* attachment); and

WHEREAS, this project is not in a designated "housing opportunity area" and does not meet the standards set forth in the Ward 3 plan for maintaining and protecting already built low density, stable neighborhoods and does not meet the need for elderly and/or low and moderate-income housing, nor does it meet the standards set forth in the Ward plan for urban design, economic development, transportation, land use, environment, historic and transportation sections; and

WHEREAS, although the Generalized Land Use Map shows this property as high density residential, we know of no reason why it should be treated differently from its existing zoning or why its existing zoning might be improper, since the existing zoning conforms to the zoning of properties adjacent to it and across the street; and

WHEREAS, at several community meetings and at an ANC meeting on May 8, 2006, ANC 3F heard from the Applicant and nearby residents, who strongly objected to the project; and

ZONING COMMISSION
District of Columbia

CASE NO. 05-26
EXHIBIT NO. 59

WHEREAS, at a duly-noticed public meeting on May 15, 2006, ANC 3F voted 6-0-1, with a quorum present, to oppose this application;

THEREFORE, BE IT RESOLVED THAT ANC 3F reaffirms its opposition to the project and finds it to be out of character with the Tilden Street neighborhood and inappropriate in this setting:

Despite the Applicant's claim on page 24 of the July 27, 2005, application that "stately, high rise buildings fill the corridor and spread *east* and west on Tilden and neighboring streets like Van Ness" (emphasis added); there are NO high-rise buildings on Tilden Street east of Connecticut Avenue except for the two apartment buildings on the corner of Connecticut and Tilden, both of which have Connecticut Avenue addresses. Instead, Tilden Street east of Connecticut Avenue is lined with 1-3 story single family detached and semi-detached homes and embassies, in a pattern typical of most streets in Forest Hills. Van Ness Street is two blocks away and not visible from Tilden Street. Unlike Tilden Street, it has three high rise buildings set far back from the street and no single family homes. They are heavily landscaped with large trees.

The adjacent property to the east is owned and occupied by the Kuwaiti Embassy. The east wall of the Applicant's project would be built on the common property line with terraces overlooking the embassy. As recognized in Section 1409.7 (e) of the Ward 3 Plan, as amended, "new high-rise structures adjacent to [embassy properties along Tilden Street] would adversely impact existing residential uses in the area". Giving persons on upper floors the opportunity to look into the embassy compound would be inappropriate.

BE IT FURTHER RESOLVED THAT ANC 3F believes that approval of this application for a map amendment to R-5-C could lead to destabilization and possible rezoning of the neighborhood and could cause great harm to adjacent property owners.

For the many residents of 3883 Connecticut Avenue whose condominiums face this property, this project will diminish their enjoyment of their apartments. The building would block their views and be as little as 26 feet away.

Similarly, residents of 3901 Connecticut Avenue would be harmed because they relied on a statement that this lot would be developed with 8 duplexes when they entered into an agreement to convey easements needed to develop 3883 Connecticut Avenue. It will also block views from this historic building.

BE IT FURTHER RESOLVED THAT ANC 3F advises that this application conflicts with the Ward 3 Plan in many respects and fails to provide the superior benefits or project amenities required by the PUD evaluation standards of 11 DCMR 2403.9 and Section 1406.9 (h)(5) of the Ward 3 Plan:

1. It conflicts with the Ward 3 Plan's objectives and policies for urban design:

(a). This project is too high in relation to adjacent buildings along Tilden Street. Despite the requirement of 10 DCMR Section 1406.9 (a) to

Relate the overall height of new construction . . . to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings.

This building will be higher than either of the adjacent buildings along Tilden Street. Tilden Hall, on the corner of Connecticut and Tilden, is 5 stories high (contrary to the Office of Planning's December 27, 2005, Preliminary Hearing Report and Applicant's statement on page 2 of the March 13, 2006, Prehearing Submission), and the Kuwaiti Embassy is two stories high. The Applicant's building would be higher, too, than the semi-detached houses across Tilden Street (see transverse and longitudinal sections in Applicant's May 22, 2006, Request to Modify Application at A10, A11, and A12).

(b). It is larger in scale and width than adjacent buildings and those across the street, despite the objective and policy of Section 1406.9 (b) to

Relate the size and proportions of new construction to the scale of adjacent buildings. New construction should maintain the scale of existing buildings, regardless of size. Avoid new construction which in height, width, or massing violates the existing scale of the area.

(c). It would sit closer to Tilden Street than the adjacent buildings, contrary to the direction of Section 1406.9 (e) to

Maintain the historic facade lines of streetscapes by locating front walls of new construction in the same plane as the facades of adjacent buildings. If exceptions are made, buildings should be set back into the lot rather than closer to the street. . . . Avoid violating the existing setback pattern by placing new construction in front of or behind the historic facade line.

(d). It does not provide an adequate buffer for 3883 Connecticut Avenue, as required by Section 1406.9 (h)(2).

Parts of the rear of this tall building would be only 26 feet from 3883 Connecticut Avenue, just enough to accommodate an easement for a fire lane and a fringe of foundation plantings that may be hard to survive because the proximity of the two buildings will place the south side of 2950 Tilden in the shade most of the day.

2. The architecture does not conform to the style and materials found in the neighborhood; it may affect the setting of nearby historic properties:

In contrast to the traditional brick and stucco architecture of most buildings in the neighborhood -- including the row of 100-year old townhouses across the street and several nearby apartment buildings, some of which have been landmarked -- the architectural style of this project is

modern. Although there are a few modern-style buildings in the neighborhood, they are low, set back from the street, and shrouded by trees. Residents have stated that the style and feel of this precast concrete building is out of character with their established neighborhood.

3. Although the Applicant proposes to landscape the property, the lack of open space will preclude plantings of any significant size to soften the height and mass of the building:

Landscaping will consist primarily of ornamental trees, shrubs, and moss. This is no substitute for the 30 or so mature canopy trees that once grew here. Large canopy trees cannot be planted because the underground structure for parking and a fitness center will take up the entire lot except for the fire lane, where only grass may be planted.

The size of the project leaves so little land around the building for landscaping that the Applicant's proposed planting of canopy trees, shrubs, and ornamentals along the western edge of the driveway would be on the property of *Tilden Hall*, 3945 Connecticut Avenue, NOT on the Applicant's own property. This 5 to 8-foot wide strip between two driveways would be too narrow and hostile an environment to sustain these plantings or allow them to grow to any height. ANC 3F has not seen an agreement between the Applicant and Tilden Hall allowing the Applicant to plant these trees or specifying who will maintain them or replace them if they die.

The Applicant proposes to plant hollies and shrubs in the 6-foot wide berm between the southern face of the building and the fire lane. These slow-growing low to mid-size trees will not provide much visual relief to the severe architectural design.

4. The narrowness of the driveway and limited facilities for deliveries will prevent effective and safe vehicular access:

Not only is the landscaping constrained by the use of the entire lot for the underground parking structure, vehicular access is limited by the size of the building above grade, which is pushed to the limits of the lot.

The proposed two-way driveway into the parking garage is only 16 feet wide with walls on both sides. It would be very tight for cars to pass each other. Even more difficult to negotiate would be the entrance into the garage, where the driveway narrows as it turns a blind corner.

The only loading zone planned for this sizable project is a 12 by 30-foot space that could accommodate a small truck at best. Without a separate loading and unloading area for large vehicles or a drop off and pick up area for small vehicles, this project will place an unacceptable burden on the street system. Moving vans, taxicabs and vehicles dropping off or picking up passengers, Fed Ex trucks, and emergency vehicles will have to double park on Tilden Street, thereby stopping traffic and creating havoc with this important cross-town route. Furthermore, a project of this size would be expected to draw a large number of visitors, contractors, and other service providers. The failure to provide off-street loading berths and platforms defies the general objective and policy of Section 1404.3 (e) of the Ward 3 Plan that "all off-street loading for new major commercial and residential buildings utilize private space to the greatest extent

possible (i.e., to avoid an impact on public space . . .).” There is nothing superior about vehicular access for this project.

5. The project would add to the already failing and near failing traffic levels in the area:

The Applicant’s transportation study is both inadequate and inaccurate. It was conducted for only one day, September 29th 2004, and only during the morning and evening rush hours, when traffic flows more smoothly because Connecticut Avenue has reversible lanes and no parking. After it was conducted, changes to the turn signal and timing of the traffic light at Connecticut and Van Ness have caused conditions to worsen at the intersection of Connecticut Avenue and Tilden Street. Now, northbound traffic on Connecticut Avenue routinely backs up past Tilden Street into Cleveland Park at all times of day throughout the week and weekends and blocks the intersection of Connecticut and Tilden, preventing cars from entering or leaving Tilden Street. None of this was taken into account in the study.

On page 24 of the July 27, 2005, application, the Applicant calls Tilden St. NW “a median-divided four lane street,” but in reality Tilden Street has Ward 3 residentially-zoned parking and is parked with cars on both sides at all times. DDOT also striped the street for bike lanes next to the parking on both sides of the street, narrowing the street to one travel lane in each direction.

This project will have an adverse effect on traffic on Tilden Street. The Applicant’s traffic study acknowledges that the Connecticut Avenue-Tilden Street intersection already is operating at a failing level of service (LOS), in particular for westbound traffic on Tilden Street:

During the AM peak hour, the westbound and northbound approaches operate at failing levels of service and the eastbound approach operates at a deficient LOS E. During the AM peak hour, the southbound approach, which is operating at a LOS B, is the only approach operating at acceptable levels of service. During the PM peak hour, the eastbound and westbound approaches operate at failing levels of service while both the northbound and southbound operate at LOS B.

(July 27, 2005, Application, Tab B at 6). Queues for westbound traffic on Tilden extend east from Connecticut Avenue past 29th Street. The presence of the median will require cars exiting the property and seeking to access Connecticut Avenue to travel east on Tilden Street NW, make a u-turn at 29th Street and wait to join the queue, thereby creating further back-ups during peak hours. This conflicts with Section 1404.5 (a) of the Transportation objective and policy for Ward 3 to “improve levels of service at intersections to “C” or better.

6. The project would have a negative impact on views from Melvin Hazen Park:

At its southeast corner, this property abuts Melvin Hazen National Park. Views of this large, tall building would be clearly visible from the park, contrary to the Ward 3 policy for the natural environment articulated in Section 1406.5 (5) that

[d]evelopment adjacent to [stream valley] parks must be low density and shall be further restricted where advisable to protect unstable soils, eliminate runoff potential, and

promote a green buffer between the built environment and these natural settings. Development of border areas must avoid any adverse effect (known or plausibly suspected) on these stream valley parks, including the water quality, flora, and fauna, and should minimize any intrusion on views from these parks

7. This proposed project fails to “provide a net gain for the ward environmentally”, as required by Section 1403.7 (b) of the Ward 3 Plan:

Growing large canopy trees similar to the ones that once grew on this lot or that grace nearby lots in the Forest Hills Tree and Slope Protection Overlay will no longer be possible because the underground levels for parking and the fitness center will extend under the entire lot except for the easement for the fire lane. The heat island effect from the large amount of impervious surface on this property will not be tempered by the small shrubs and ornamentals that will be planted.

The only amenity the Applicant is offering as a benefit to the environment is a partial green roof over the sixth floor.

8. The affordable housing being offered is insufficient:

The Applicant’s offer to provide 3 affordable housing units is *de minimus*. This number falls far short of any of the requirements for residential zone districts set forth in Zoning Commission Case No. 04-33 regarding inclusionary zoning. It certainly does not go far enough to meet the residential neighborhood objective of the Ward 3 Plan to “[c]onsider the provision of elderly and low/moderate-income housing, when it is a *substantial portion of a project*, as an important amenity in Planned Unit Developments” (10 DCMR Section 1409.4 (c)(2)) (emphasis added) or the general housing objective in Section 1402.3 (b) to “encourage a mix of populations within new or renovated multi-family structures, with up to twenty percent (20%) of the units set aside for low-and moderate-income residents.” Nor does the Applicant specify “the size, type (1, 2, and 3 bedroom), and location of the affordable units and how these units would be classified according to HUD affordability standards” as OP requested in its Preliminary Hearing Statement, page 10.

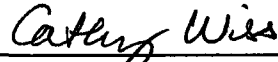
9. Other public benefits being offered are insignificant and do not benefit this neighborhood:

This project offers no amenities to the immediate neighborhood. The Applicant even fails to agree to restore the median strip after using it as a staging area when constructing 3883 Connecticut Avenue. Instead, the Applicant proposes to donate \$100,000 for renovation of Peirce Mill, a property owned by the National Park Service, and \$35,000 to \$40,000 as an unspecified gift to Hearst Recreation Center, which is on the border of ANC 3F and ANC 3C and outside this particular neighborhood.

These donations are truly insignificant compared to the Applicant’s requested increase of 45,377 square feet over the maximum gross floor area allowed at matter of right zoning. They amount to only an average of \$3 a square foot of the increase.

BE IT FURTHER RESOLVED THAT: Commissioners Daniel Klibanoff, Karen Perry, Frank Winstead, and Cathy Wiss will represent ANC 3F at the Zoning Commission hearing.

This resolution was adopted by a vote of 5-0-0 at a duly-noticed public meeting on May 24, 2006, with a quorum present (a quorum being four).



Cathy Wiss, Chair



Robert V. Maudlin, Acting Secretary

One attachment (excerpts from the Ward 3 Plan, 10 DCMR, Chapter 14)

CHAPTER 14: WARD 3 PLAN

Sections pertinent to Tilden 800, LLC, application for
a planned unit development at 2950 Tilden Street, NW

1400.2 MAJOR THEMES FOR WARD 3:

- (a) Protecting the Ward's residential neighborhoods:
 - (1) Ward 3's most outstanding characteristic is its low density, stable residential neighborhoods. Although the ward's communities retain individual and distinctive identities, a shared concern from American University Park and Friendship Heights to Woodley Park and throughout is one of pride and commitment to neighborhood and home; and
 - (2) Residents seek to ensure that stability is maintained. Accordingly, no significant land use changes have been indicated in the first eleven (11) elements of the Comprehensive Plan, and it is a major theme of this ward plan to protect and maintain the low-density, high-quality character of the ward;
- (b) Controlling redevelopment:
 - (1) Ward 3, its residents, businesses, and institutional establishments are significant contributors to the District's total economy. While the people of the ward recognize and generally take pride in this contribution, their single greatest concern is the possibility of unrestrained development diminishing the quality of life.Major redevelopment is often accompanied by undesirable effects, particularly increased traffic.
 - (2) The economic development goals for Ward 3 differ from those in other wards. The Economic Development Element of the Comprehensive Plan is principally concerned with the generally agreed upon need to stimulate more economic development overall in the District. From the point of view of the District as a whole and the ward in particular, this need does not apply to Ward 3. Rather, the issue in Ward 3 is how to channel the very strong momentum of economic development that exists while protecting and enhancing the primarily residential nature of the ward - a quality of life that in turn attracts additional economic pressures for development; and
- (c) Preserving and promoting cultural and natural amenities:

1401 WARD 3 ECONOMIC DEVELOPMENT

1401.1 Preface:

- (a) Like many other areas, Ward 3 is primarily a residential sector of the District, rather than a center for commercial or industrial activity. Because of this, Ward 3's role in contributing to the District's economic development is limited to:
 - (3) Carefully controlling infill development;
- (b) The primary economic development issue for Ward 3 is not whether to stimulate more development, but rather how to control the strong development pressures that already exist.
- (c) For Ward 3, any new development also must be physically compatible with the predominantly low- and moderate-density character of the ward.

1401.3 Economic development and growth goals:

- (a) Residential Development: Ward 3 can contribute to the economic viability of the

- District through the protection and promotion of its residential character. This residential sector contributes significantly to the District's population and also to the District's tax base through substantial property, income, and other tax revenues;
- (d) Any new economic development in Ward 3, because of the stable and overwhelmingly residential nature of the ward, must be evaluated in terms of compatibility and potential adverse impacts on neighborhoods.

1402

1402.1

WARD 3 HOUSING

Preface:

- (a) Ward 3's existing housing stock ranges from low density to high density. There are several large estates of historic significance; there are a number of neighborhoods almost entirely comprised of detached single-family homes; there are several neighborhoods distinguished by semi-detached homes and row houses; and there are apartment buildings of every size along the avenues. Two (2) characteristics - the prevalence of detached single-family housing and the concentration of medium and high density housing on three (3) major avenues - distinguish Ward 3 from the other wards;
- (d) One public policy issue is the need for "affordable" housing. There is one public The relative dearth of low- and moderate-income housing in the ward is in large part attributable to development pressures.
- (g) There is little vacant property available for development. The vacant parcels that do exist are small in size (available for what planners term "infill" development), and even in the aggregate are not suitable for significant development of new housing in the ward. However, there is underutilized land in the ward that should be the focus for the development of new housing; these areas have been designated in the Land Use Element as housing opportunity areas; and
- (h) While new housing is needed, all development proposals must be evaluated to avoid adverse impacts on neighborhood stability, traffic, parking, and environmental quality.

1402.2

Relation of Ward 3 to the declaration of major policies in the Housing Element of the Comprehensive Plan:

- (a) Ward 3 can meet the housing needs of many current and future residents. It is a predominantly residential ward with only about five percent (5%) of its zoned land in non-residential use. The Land Use Element designates several housing opportunity areas in the ward - reflecting the ability of the ward to provide new housing;

1402.3

General housing objectives for Ward 3:

- (b) Where new development is permitted or is prescribed in the Land Use Element, use such development to provide additional housing, particularly for the elderly and low- to moderate-income populations. Encourage a mix of populations within new or renovated multi-family structures, with up to twenty percent (20%) of the units set aside for low- and moderate-income residents.

1402.4

Policies in support of the general housing objectives: The District government should do the following:

- (a) Work with the private sector (both owners and community groups) to identify sites and increase housing development opportunities in appropriate locations designated in the Land Use Element;
- (b) Expand housing opportunities for the elderly and physically challenged, especially along the major transportation corridors and in the Friendship Heights and Tenleytown Housing Opportunity Areas;
- (c) Provide zoning flexibility for the production of new housing, especially for the elderly and for low- and moderate-income households, through the following mechanisms:
- (1) Permitting increased residential densities (consistent with design scale and

infrastructure capacity) in exchange for incorporating low- and moderate-income or elderly housing in development projects;

- (2) Considering the provision of elderly and low- and moderate-income housing, when it is a substantial portion of a project, as an important amenity in Planned Unit Developments, provided that such housing shall be on site (given the need for affordable housing in Ward 3, off-site housing shall be disfavored);

1402.5 Public action objective and policies:

- (d) Revise the Planned Unit Development regulations, and treat housing, when consistent with this ward plan and when for low, moderate, or fixed-income households, as an important public amenity.

1403 **WARD 3 ENVIRONMENT**

1403.1 Preface:

- (b) There is a general need for improved planning for, and management of, the ward's natural resources.
- (c) Ward 3, unlike most of the city's other wards, is characterized by open spaces, an abundance of greenery, and a predominantly low density built environment.
- (e) It is essential that future growth and change be sensitive to the protection and enhancement of the total environment. The existing environment should not just be maintained, but must be improved.

1403.2 Relation of Ward 3 to the declaration of major policies in the Environmental Protection Element of the Comprehensive Plan: Because the Comprehensive Plan does not contemplate substantial economic development in Ward 3, the environmental policies of this ward plan are less a response to planned growth, change, and renewal, and are more a direction for improving the environmental quality of an already-built ward.

1403.3 Environmental Protection Goals: The preservation and improvement of the environmental qualities of Ward 3, including maintenance and enhancement of its park and open space system, protection of its healthful verdancy, and encouragement of design solutions that promote both conservation and improvement of the ward's resources, are the primary environmental goals for Ward 3.

1403.4 Improving water quality objective and policies: The District government should do the following:

- (b) Require strict controls in connection with construction to prevent soil erosion that may directly or indirectly (via storm sewers) cause sedimentation of the ward's streams; such controls could often include sedimentation ponds, which may need to be permanent:
 - (1) Promote an increase in plantings (particularly trees but also shrubbery), and encourage the use of permeable surfaces for parking lots, driveways, etc. to reduce storm runoff;
 - (3) Evaluate storm water outfalls into the ward's stream valleys; link the approval of development projects to the improvement of affected outfalls, with the objective of improving, not just maintaining, the quality of water runoff; and

1403.5 Improving air quality objective and policies:

- (d) There must be an aggressive policy to replace trees (both public and private) and to plant additional trees. A healthy, verdant urban forest provides numerous environmental benefits, including better climate and air quality that result from the

cleansing of automobile exhaust and the production of oxygen through photosynthesis.

1403.7

Protecting the quality of the land areas objective and policies:

- (a) The overall environmental quality of the ward's land areas can be protected by doing the following:
 - (1) Requiring that any construction preserve natural features;
 - (2) Promoting extensive planting, especially of trees; if the plantings are a condition to a permit, then there shall be a proviso to include a reasonable requirement for landscape maintenance; and
 - (3) Minimizing any development adjacent or proximate to the ward's stream valley parks (e.g., Rock Creek Park and Glover Archbold Park and adjacent federally-owned tributary valleys or other parklands) that infringes on views from the park, creates erosion or sedimentation problems, adversely affects or is plausibly suspected to adversely affect flora or fauna, or that has any negative impact on the parkland.
- (b) All discretionary construction approvals should be conditioned on an affirmative answer to the question: does the proposed project provide a net gain for the ward environmentally?

1403.10

Conserving energy objective and policies: Two (2) of the policies in support of other environmental objectives for Ward 3 also further the conserving energy objective for the ward:

- (a) An aggressive campaign to protect trees and promote new plantings; and
- (b) Encouraging the use of permeable surfaces for parking lots, driveways, etc. (because permeable surfaces maintain water tables and, depending on design, may allow ground cover such as grass to grow upon it). A healthy urban forest mitigates heat island effect and reduces energy demand such as for indoor air conditioning.

1404

WARD 3 TRANSPORTATION

- (g) As new and larger structures replace older and smaller ones through the redevelopment process, existing traffic problems are exacerbated. The Land Use Element recognizes the ward as an already built environment, in part because the surface transportation infrastructure cannot handle substantial increases in land use density.
- (h) While adequate parking must be provided with all new structures, authorities must recognize that many individuals avoid garages; garage designs should seek to overcome this aversion.

1404.2

Relation of Ward 3 to the declaration of major policies in the Transportation Element of the Comprehensive Plan:

- (d) The ward's land use policies, as stated in the Land Use Element, have been developed to provide the greatest housing densities on those corridors that have the best access to transportation and shopping. Two (2) of the ward's housing opportunity areas are designated at Metrorail stations (Tenleytown, Friendship Heights); development potential (if any) should favor housing over commercial at the ward's other three (3) Metrorail station areas; and
- (f) Ward 3 is primarily a residential ward, and is not targeted in the Comprehensive Plan as a location for significant economic development (except for three (3) housing opportunity areas). Because of this, and because of the already-built nature of the ward's transportation system, transportation impacts must be a critical factor in the review of development plans and approval of building permits; and
- (g) Improving the level of service at street intersections to "B," or "C" at worst, is

important for the protection and improvement of the quality of life, air quality, and residential character of the ward.

1404.3

- (b) Traffic mitigation strategies should avoid removal of parking which serves residents or retail customers. The strategies should also avoid the completion of the highway plan where the new construction will disrupt existing green space;
- (d) For all major projects, including Planned Unit Developments, special exceptions, and Large Tract Review projects of moderate and greater density and for major chancery expansions, the government should require traffic mitigation studies (e.g., as required for Square 1661 in Zoning Commission Orders 517, 519, and 528);
- (e) The District government should require that all off-street loading for new major commercial and residential buildings utilize private space to the greatest extent possible (i.e., to avoid an impact on public space, including dedicated but unbuilt streets) and encourage the use of below-grade, through-block connectors (e.g., as at Square 1661) as an amenity for large commercial or mixed-use development projects; On-street public parking should not be diminished at any of the ward's commercial districts;
- (i) For all major development projects, including Planned Unit Developments, special exceptions, and Large Tract Review projects of moderate and greater density (10 DCMR § 2300), and for major chancery expansions, the government should require a transportation system management ("TSM") program that shall prevent any deterioration in the level of service of affected intersections below "C" and that may, as a project amenity, improve existing levels of service at these intersections; and

1404.6

Objectives and policies in support of streets and alleys are as follows:

- (h) Minimize traffic congestion, with its concomitant adverse environmental effects including noise and air pollution; levels of service should be "C" or better; and

1405

WARD 3 URBAN DESIGN

1406.1

Preface:

- (a) Urban design is an aspect of public and private activity that can significantly contribute to the quality of life in the urban environment;
- (b) Urban design takes many forms: building architecture (e.g., design compatibility and sensitivity of scale); treatment of public space such as sidewalk materials (e.g., brick or concrete), location of utility lines, street light styles, signage, and the selection of street furniture; treatment of parks and open spaces; maintenance of environmental quality; and transition of land uses between geographical areas;
- (c) The importance of these factors on quality of life means urban design must be included in decision making.
- (d) Continuing development in Ward 3 requires conscious consideration of urban design to ensure that the quality of life is maintained or improved. Factors such as pedestrian amenities, streetscape design, compatibility and sensitivity to the scale of existing buildings, maintenance of environmental quality, integration of new development with existing area or neighborhood character, and transitions between land uses are all areas of concern in Ward 3;

1406.2

Relation of Ward 3 to the declaration of major policies in the Urban Design Element of the Comprehensive Plan:

- (c) Many of the Ward's distinct neighborhoods - e.g., American University Park, Cathedral Heights, Chevy Chase, Cleveland Park, Forest Hills, Fort Gaines, Foxhall, Friendship Heights, Glover Park, Kent, Massachusetts Avenue Heights, McLean Gardens, Observatory, Palisades, Spring Valley, Wesley Heights, Woodland-Normanstone, and Woodley Park - embody architectural features which deserve

protection and design assistance to ensure that the maintenance of these neighborhoods preserves their identity and contribution to the National Capital environment; and

- (d) Land use and future development must be carefully controlled to protect the existing scale and low density character, and to enhance the maintenance and improvement of existing natural open spaces and other qualities of the ward.

1406.5

Objective and policies for the natural environment, areas with severe building restraints, and streams and stream valleys:

- (a) Areas in Ward 3 that are environmentally valuable and sensitive to urban development include the following:
 - (5) Stream valleys, which include Rock Creek Park (and its tributaries) and Glover Archbold Park: Development adjacent to these parks must be low density and shall be further restricted where advisable to protect unstable soils, eliminate runoff potential, and promote a green buffer between the built environment and these natural settings. Development of border areas must avoid any adverse effect (known or plausibly suspected) on these stream valley parks, including the water quality, flora, and fauna, and should minimize any intrusion on views from these parks;
 - (6) Neighborhoods developed over hilly terrain or near stream valleys (such as Barnaby Woods, Forest Hills, Hawthorne, Palisades, Spring Valley, and Woodland-Normanstone): Urban design should respect and perpetuate the natural features, low density, and usually wooded character of these built areas.

1406.9

Objectives and policies for areas of strong architectural character and areas of stable character include following design guidelines:

- (a) Height: Relate the overall height of new construction (including additions) to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings. Avoid new construction which greatly varies in height (too high or too low) from older buildings in the vicinity;
- (b) Scale: Relate the size and proportions of new construction to the scale of adjacent buildings. New construction should maintain the scale of existing buildings, regardless of size. Avoid new construction which in height, width, or massing violates the existing scale of the area;
- (c) Massing: Break up uninteresting box-like forms into smaller, varied masses. Variety of form and massing are elements essential to the character of the streetscape. Avoid single, monolithic forms which are not relieved by variations in massing. Box-like facades and forms are intrusive when placed in a streetscape of older buildings which have varied massing and facade articulation;
- (d) Directional expression: Relate the vertical, horizontal, or non-directional facade character of new construction to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to the more vertical adjacent structures by breaking the facade into smaller masses which conform to the primary expression of the streetscape. Avoid strongly horizontal or vertical facade expressions unless compatible with the character of structures in the immediate area;
- (e) Setback: Maintain the historic facade lines of streetscapes by locating front walls of new construction in the same plane as the facades of adjacent buildings. If exceptions are made, buildings should be set back into the lot rather than closer to the street. If existing setbacks vary, new buildings should conform to historic siting patterns. Avoid violating the existing setback pattern by placing new construction in front of or behind the historic facade line. Avoid placing buildings at odd angles to the street, unless in an area where diverse siting already exists, even if proper setback is maintained;

- (f) Roof shapes: Relate the roof forms of new construction to those found in the area. Although not entirely necessary, duplication of the existing or traditional roof shapes, pitches and materials on new construction is one way of making new structures more visually compatible. Avoid introducing roof shapes, pitches, or materials not traditionally used in the area;
- (g) Rhythm of openings: Respect the recurrent alternation of wall areas with door and window elements in the facade. Also consider the width-to-height ratio of any bays. The placement of openings with respect to the facade's overall composition, symmetry, or balanced asymmetry should be carefully studied. Avoid introducing incompatible facade patterns which upset the rhythm of openings established in surrounding structures; and
- (h) Material:
 - (1) Use building materials that match or harmonize with the materials predominant in the area or adjacent structures;
 - (2) Commercial development and high density residential adjacent to residential districts, particularly low-density, must provide buffers to mitigate adverse effects (which may include the shadows, noise, odors, traffic congestion, etc.);
- (4) As a general rule it is inappropriate to erect fences or walls in front yards. The residential neighborhoods of Ward 3 are characterized by open spaces and building set backs;
- (5) Superior design is a prerequisite amenity for all development projects in the ward that are reviewed through the Planned Unit Development or R-5-A processes of the Zoning Regulations or through the Large Tract Review (10 DCMR Chapter 23); and

1406.12

Additional public actions are as follows:

- (e) Ensure that master plans, project plans, public facilities, and capital improvements for Ward 3 are consistent with the policies of the Urban Design Element and this ward plan.

1407

WARD 3 PRESERVATION AND HISTORIC FEATURES

1407.1

Preface:

- (a) Parts of what is now Ward 3 grew outward from the city of Georgetown in the late 18th century. Settlements grew along the roads that were built between farms and the port. Another important land owner, Major John Adlum, cultivated the Catawba grape on a large tract of more than 200 acres known as "The Vineyard," stretching from Wisconsin Avenue to Pierce's Mill, roughly between present day Rodman and Van Ness Streets. Portions of this tract, particularly Melvin C. Hazen Park and adjacent properties, retain their original densely-wooded topography.
- (c) Structures throughout Ward 3 are relatively new compared to the average age of structures in the original city of Washington. There are, however, a number of old and historic structures, as well as classes of structures such as apartment buildings and bridges, that have been designated or present possibilities for historic designation..... Additional historic districts are likely to be designated within the ward; and
- (d) Preservation of the ward's historic resources, landmarks, districts, and places, whether or not officially designated, strengthens the historic integrity of the ward, maintains the ward's existing character, and preserves Ward 3 as an attractive and desirable part of the city in which to live. Because many of these historic resources are adjacent to federal and local park lands, an adequate historic preservation strategy will additionally help accomplish the goal of developing adequately buffered areas along the edges of these park lands.

1407.2 Preservation and historic features goal: The goal of historic preservation in Ward 3 is to preserve important historic features, especially (but not exclusively) those that have been registered under local or federal preservation laws, while ensuring that any new development that may occur in the ward is responsive, sensitive, and compatible with these features.

1407.3 Relation of Ward 3 to the objectives and policies of the Preservation and Historic Features Element of the Comprehensive Plan:

(b) Both the public sector (including the District government and the advisory neighborhood commissions) and private sector (including historical societies, historic preservation organizations, business, and civic groups) should do the following:

- (1) Ensure the identification and designation, of Ward 3's historic resources;
- (2) Protect and enhance the architectural qualities and historic character of residential neighborhoods and designated commercial centers in Ward 3;
- (6) Evaluate development proposals within or adjacent to an historic landmark or district to ensure that design is compatible with, and that there are no adverse impacts upon, the affected historic landmark or district; development must respect the character of a landmark or district and shall minimize negative impacts on adjacent or nearby park lands through the appropriate use of materials, building scale, architectural detail, and other design characteristics.

1407.4 Public action objective and policies are as follows:

- (a) The protection of Ward 3's existing historic features, regardless of whether officially designated, from incompatible development is essential. The strengthening of protective measures must be explored;
- (d) The Zoning Commission and the Board of Zoning Adjustment shall consider the effects of a pending application on the ward's historic landmarks and districts and open spaces contributing to their settings, and shall consider any negative effects to constitute an adverse or detrimental impact;

1409 WARD 3 LAND USE

1409.1 Preface:

- (a) The overall protection and enhancement of established residential and commercial areas are the primary objectives of the District's land use policy for Ward 3.
- (b) The predominant land use in Ward 3 is residential, ranging from low-density large estates to moderate density row houses and garden apartments, to high-density multi-storied apartment buildings on several of the major avenues. The Generalized Land Use Map of the Land Use Element designates most of the ward in the low-density residential land use category.

1409.2 Relation of Ward 3 to the declaration of major policies in the Land Use Element of the Comprehensive Plan. The objectives and policies for land use/zoning in Ward 3 are as follows:

- (a) Maintain the existing land use character of the ward;
- (b) Protect existing residential neighborhoods and enhance their qualities;
- (c) Maintain and improve the physical condition of the community through the provision of functional, efficient, and attractive residential, commercial, and open space environments;
- (f) Encourage redevelopment only in accordance with the relevant sections (e.g., economic development and housing) of this ward plan (which reflect and interpret the first eleven elements of the Comprehensive Plan);
- (g) Correct or prevent inconsistencies between zoning and land uses designated in the Comprehensive Plan, and between building permit issuances and the Comprehensive Plan;

- (h) Ensure that if development of institutional holdings and large estates or other parcels occurs it is compatible with the physical character of the ward, has no adverse effects on surrounding areas, and is consistent with the Comprehensive Plan;
- (i) Maintain and improve viable residential areas and eliminate incompatible and nonconforming land uses in or proximate to residential areas;

1409.4

Residential neighborhood objectives, policies, and actions are as follows:

- (a) The Land Use Element designates four (4) housing opportunity areas in Ward 3 (Miller Tract in Spring Valley, Tenleytown Metro Station Area, Whitehaven Woods along Foxhall Road, and Friendship Heights at Wisconsin and Western avenues). Infill development and future breakup of the few remaining large estates present the only other important potentials for residential development in the ward. Much of this is likely to be controversial - a reason to do the following:
 - (1) Encourage interest in and direct development to the housing opportunity areas;
 - (2) Carefully control development elsewhere; and
 - (3) Ensure stringent protection against infill at inappropriate locations, as follows:
 - (A) Careful controls include ensuring consistency with policies in the Comprehensive Plan including the environment, transportation, urban design, and preservation and historic features sections of this ward plan to avoid adverse effects and promote desirable amenities. and
- (c) Where the production of new housing is desirable per this plan, zoning flexibility should be considered, especially for the elderly and for low- and moderate-income populations:
 - (1) Consider increased residential densities (consistent with design scale and infrastructure capacity) in exchange for incorporating low- and moderate-income or elderly housing in development projects;
 - (2) Consider the provision of elderly and low/moderate-income housing, when it is a substantial portion of a project, as an important amenity in Planned Unit Developments, provided that such housing shall be on site (given the need for affordable housing in Ward 3, off-site housing shall be disfavored).

1409.7

Public and institutional land use objectives, policies, and actions are as follows:

- (e) A significant complex of embassy compounds or ambassadorial residences is now concentrated along Tilden and Van Ness Streets. New high-rise structures adjacent to these properties would adversely impact existing residential uses in the area.

1409.8

Additional land use objectives, policies, and actions are as follows:

- (b) The density of new development shall be consistent with the Comprehensive Plan; and
- (c) Discretionary zoning approvals, such as Planned Unit Developments, affecting Ward 3 shall do the following:
 - (1) Require traffic mitigation studies, and make recommendations for traffic management (consistent with the Comprehensive Plan including the transportation section of this ward plan) a condition of approval;
 - (4) Conform to the goals, objectives, and policies of the Comprehensive Plan, including this ward plan.