the Director of the Municipal Planning Office for coordination review, report and impact assessment along with reviews in writing of all relevant District departmentw and agencies including the Departments of Transportation, Environmental Services, Housing and Community Development and, if a historic district or historic landmark is involved, of the State Historic Preservation Officer.

Section 4304 -- Side Yards

4304.1 -- Side yards shall be provided in the Special Purpose District as specified in the following paragraphs.

4304.11 -- A one-family detached dwelling shall comply with the side yard requirements of an R-1 District.

4304.12 -- A one-family semi-detached dwelling shall comply with the side yard requirements of an R-2 District.

4304.13 -- For all other structures no side yard is required but if such yard is provided, it shall be at least two inches wide for each foot of height of building, but not less than eight feet.

Section 4305 -- Courts

4305.1 -- Where a court is provided in the Special Purpose Districts to ensure adequate light, view, movement of air and visual privacy particularly for residential buildings, at any elevation in such court the width of court shall be a minimum of six inches per foot of height measured from the lowest level of the court to that elevation, provided that in no case shall the width of court be less than 30 feet.

4305.2 -- In the case of an alteration affecting the amount of light and ventilation required by other municipal law or regulation in an existing structure in the Special Purpose District, no legally required window shall be permitted to open onto a court which does not comply with the dimensions given in paragraph 4305.1.

4305.3 -- The Board of Zoning Adjustment may waive the court yard requirements in Paragraph 4305.1 provided that the objectives of this section are met in accordance with the following standards:

4305.31 -- No apartment window shall be located within 40 feet directly in front of another window nor within 18 feet of a blank wall.

4305.32 -- No office window shall be located within 30 feet directly in front of a window nor within 18 feet of a blank wall.

Board of Zoning Adjustment
District of Columbia
CASE NO.16754
EXHIBIT NO.25A2

Section 4306 -- Exceptions to Density Regulations for Roof Structures

4306.1 -- The provisions of Section 3308 shall also regulate roof structures in the Special Purpose District.

4306.2 -- The gross floor area of roof structures permitted under this section shall not be counted in determining the amount of off-street parking as required elsewhere in these regulations.

Section 4307 -- Exceptions to the Height, Area and Bulk Regulations for Existing Structures

4307.1 -- This section shall be applicable to those structures where property contained in one Special Purpose District is rezoned to another Special Purpose District, or where the Zoning Regulations have been amended so as to change the height, floor area ratio, lot occupancy, yard or court requirements for the Special Purpose District.

4307.2 -- All conforming structures existing on _____, in any Special Purpose District shall be considered conforming so long as they remain in any Special Purpose District.

4307.3 -- For the purpose of this section, "Conforming Structures" shall be any structure for which a valid application for a building permit existed at least six months before the change was made from one Special Purpose District to another Special Purpose District or before the height, area and bulk regulations of the Special Purpose District were amended.

4307.4 -- Any conforming structure qualifying under Sub-section 4307.2 may be repaired or structurally altered.

4307.5 -- Any conforming structure qualifying under Sub-section 4307.2 may be added to, provided no addition together with the original structure shall in the aggregate exceed the height, floor area ratio, lot occupancy, yard or court limitations of the zoning regulations applicable to the district in which the structure is located at the time of application for building permit for such addition.

4307.6 -- Any conformimg structure qualifying under Sub-section 4307.2 may be rebuilt in whole or in part provided such structure does not exceed the height, floor area ratio, lot occupancy, yard or court specifications of the structure prior to such rebuilding.

4307.7 -- In order to rebuild a structure in accordance with the provisions of Sub-section 4307.6, all such structures must be registered with the Zoning Regulations Division of the Department of Housing and Community Development.

4307.71 -- All such structures must be registered within 90 days of the effective date of a change in zoning from one Special Purpose District to another Special Purpose District, or of a change in the height, area and bulk requirements of the Special Purpose District.

4307.72 -- In order to register a structure with the Zoning Regulations Division, the owner of such structure must file a statement indicating the location of such structure, the date of the change in the zoning map or regulations, the zoning districts from which and to which the property was rezoned or the changes in height, area and bulk which were adopted, set of plans showing the height, floor area ratio, lot occupancy, yards, courts and roof structures of such structures. Such plans shall be prepared by an architect registered in the District of Columbia, who shall certify their accuracy.

4307.73 -- The Zoning Regulations Division shall review all such statements and plans and approve them for their sufficiency. The Zoning Regulations Division shall record in summary form the information contained in such statements and plans as required by Paragraph 4307.72.

4307.74 -- The owner shall maintain such statements and plans in readable condition and shall produce them upon the request of the Zoning Regulations Division.

4307.75 -- If such statements and plans are not recorded, maintained in readable condition, or produced at the request of the Zoning Regulations Division, the provisions of this section shall not be applicalbe and the provisions of Article 71 shall apply.

Conforming Amendments to other Portions of the Zoning Regulations

1. Redesignate all that property designated "SP" on the Zoning Map to "SP-2".

2. In Paragraphs 5103.45 and 5104.43, change the reference from Paragraph 4101.48 to 4101.46.

3. Amend the table of special exceptions in Sub-section 8207.2 as follows:

   A. For "Storage of wares and goods," delete "SP" and "4101.46".

   B. For "Gasoline Service Station," delete "SP" and "4101.45".

   C. For office buildings, delete the separate listings for "New office building, chancery, nonprofit organization, labor union" and add "Office for chancery, nonprofit organization, labor union or professional person," "SP" and "4101.44".

   D. Add "Hotel," "SP" and "4101.44."

   E. For "Telephone exchange," change "4101.43 to 4101.45".

   F. For "Public utility pumping station," change "4101.44 to 4101.45".

   G. For "Exectric substation," add "SP" and "4101.45".

   H. For "Natural gas regulator station," add "SP" and "4101.45".

   I. For "Exceptions to parking space location," delete 4101.47 and 4101.48 and add 4101.46.

   J. For "Antenna tower," add "SP" and "4101.47".

   K. For "School - college or university," add "SP" and 4101.42".

   L. For "Parking garage," change 4101.41 to 4101.42.

   M. For "Public storage garage," delete "SP" and "4101.41".

   N. For "Mechanical parking garage," delete "SP" and 4101.41".

4. Add to C-1 uses as a matter of right:

5101.310 -- College, university or other academic institution of higher learning.

5101.35 -- Electric substation using nonrotating equipment and Natural gas regulation station.

5101.311 -- Antenna tower for television and radio broadcasting, and in conjunction therewith the erection, alteration or use of buildings for transmission or reception equipment.

5. Amend Paragraph 2101.12 to include the SP-1 and SP-2 Districts, to read as follows:

2101.12 Special Purpose Districts

SP-Limited offices and apartments, sub-divided into:

SP-1 Medium density
SP-2 Medium-high density



Government of the District of Columbia

ZONING COMMISSION

ZONING COMMISSION ORDER NO. 282
CASE NO. 76-24
June 14, 1979

Pursuant to notice, public hearings were held by the District of Columbia Zoning Commission on October 19, 21 and 30, November 14 and 30 and December 9, 1978 to consider amendments to the Zoning Map of the District of Columbia. While the Zoning Commission sponsored the hearing pursuant to Paragraph 9101.22 of the Zoning Regulations, the case was initiated by a petition filed by the Dupont Coalition. The Dupont Coalition is comprised of Advisory Neighborhood Commission 2-B, the Dupont Circle Citizens Association, the Dupont Circle Property Owners Association, the Midway Civic Association and the North Dupont Community Association. The Coalition's petition requested the Commission to change the zoning for various property in the Dupont Circle area, bounded generally by Florida Avenue and U Street on the north, 15th Street on the east, M and N Streets on the south and 23rd Street on the west. The notice of public hearing identified all the specific changes proposed by the Coalition, including changes from R-5-C to R-5-B, from R-5-D to SP-1 or R-5-B, from SP to R-5-B, R-5-D or SP-1, from C-2-A to R-5-B, C-1 or C-2-B with a 3.5 floor area ratio (FAR), from C-2-B with a 6.0 FAR to C-2-B with a 3.5 FAR, and from C-3-B to C-2-A. The notice further stated the Commission's desire to "receive public testimony on the appropriateness of making other changes to the Zoning Map in the area."

The R-5-B District permits general residential use, including detached, semi-detached and row dwellings, flats, apartments and hotels, to a maximum height of sixty feet and a maximum FAR of 1.8. The R-5-C District permits the same uses as R-5-B, with a maximum height of ninety feet and a maximum FAR of 3.5. The R-5-D District permits the same uses as R-5-B and R-5-C, with a maximum height of ninety feet and a maximum FAR of 6.0.

When the petition was advertised for hearing, the SP District permitted residential and limited office uses, to a maximum height of ninety feet and a maximum FAR of 6.0 for

apartments and hotels and 5.5 for offices. The SP-1 District referenced in the notice was an SP-1 District proposed by the Dupont Coalition. That SP-1 District would have had a maximum height of sixty feet, a maximum FAR of 3.5 and would have restricted non-residential uses to existing buildings or buildings built prior to 1910. On September 14, 1978, by Order No. 235, the Zoning Commission adopted amendments to the SP District. Those amendments created two SP Districts, an SP-1 and an SP-2. Both districts continue to permit residential uses, and allow limited office uses with BZA approval. The SP-1 District has a maximum height of sixty-five feet and a maximum FAR of 4.0, with non-residential uses limited to 2.5 FAR. The SP-2 District has a maximum height of ninety feet, and a maximum FAR of 6.0, with non-residential uses limited to 3.5 FAR. All property which was zoned SP at the time the two new categories were created was designated in the SP-2 District.

When the petition was advertised for hearing, the C-1 District allowed local neighborhood oriented retail and service uses, as well as offices and all kinds of residential uses, with a maximum height of forty feet or three stories, and with a maximum FAR of 1.0, with residential uses limited to 0.9 FAR. By Order No. 242, dated November 9, 1978, the Zoning Commission adopted amendments to the C-1 District, which allowed residential uses to have the same 1.0 maximum FAR as non-residential uses.

When the petition was advertised for hearing, the C-2-A District allowed office, retail and residential uses, with a maximum height of sixty feet and a maximum FAR of 2.0, with residential uses limited to 1.8 FAR. By Order No. 242, dated November 9, 1978, the Zoning Commission adopted amendments to the C-2-A District which reduced the maximum height to fifty feet, increased the overall FAR to 2.5, and reduced the non-residential FAR to 1.5.

When the petition was advertised for hearing, the C-2-B District permitted the same retail, office and residential uses permitted in C-2-A. Retail uses were limited to the first floor and office uses to the first and second floors while residential uses could occupy any floor and were required for the third and all higher floors. The maximum height was ninety feet, and the maximum FAR was either 3.5 or 6.0, depending upon the area and designation by the Zoning Commission. By Order No. 242, dated November 9, 1978, the Zoning Commission adopted amendments to the C-2-B District. The limitation of retail and office uses to the first and second floors was removed. The C-2-B District was split into the C-2-B and C-2-C Districts. The C-2-B District remained at a 3.5 overall FAR, with non-residential uses limited to 1.5 FAR, while the height was reduced

to a maximum of sixty-five feet. The C-2-C District has a maximum height of ninety feet and a maximum FAR of 6.0, with non-residential uses limited to 2.0 FAR. All property which was zoned C-2-B with a 6.0 FAR at the time that the district was split was designated C-2-C.

When the petition was advertised for hearing, the C-3-B District permitted office, retail and residential uses with a maximum height of ninety feet and a maximum FAR of 6.5, with residential uses limited to 4.5 FAR. By Order No. 234, dated September 14, 1978, the Zoning Commission adopted amendments to the C-3-B District which allowed residential uses to have the same 6.5 maximum FAR as non-residential uses.

The petition submitted by the Dupont Coalition was originally received in June of 1975, and at that time proposed both extensive map and text amendments to the Zoning Regulations. The Commission determined to incorporate the proposed text modifications into the overall review of commercial, special purpose and mixed use districts which the Commission conducted in the early part of 1978. Some of the changes which resulted from that review have been noted earlier in this order. The Coalition's map amendments generally proposed to:

1. Rezone most of the existing SP zoned land east of Dupont Circle to SP-1, or in the alternative R-5-B.

2. Rezone Massachusetts Avenue from Dupont Circle to 23rd Street from R-5-D and SP to SP-1, or in the alternative R-5-B.

3. Rezone Connecticut Avenue from Dupont Circle to Florida Avenue from C-3-B to C-2-A.

4. Change the permitted FAR in the existing C-2-B zoned area along P Street from 6.0 to 3.5.

5. Rezone most of the C-2-A zoned area along 17th Street to C-2-B with an FAR of 3.5.

6. Rezone a small portion of the C-2-A zoned land at 18th and S Streets from C-2-A to C-1, and rezone most of the rest of this C-2-A District along 18th Street to R-5-B.

7. Rezone several areas currently zoned SP focused on 17th Street and Massachusetts Avenue and 17th and O Streets and 20th and P Streets and 20th Street and New Hampshire Avenue to R-5-D.

8. Rezone most of the existing R-5-C Districts along 16th and New Hampshire Avenue south of S Street to R-5-B.

9. Rezone the triangular block at New Hampshire Avenue and 21st Street from R-5-D to R-5-B.

The Coalition's proposals were designed to achieve the following general objectives:

1. Preserve a wide-range of housing alternatives for all income groups and for households of all sizes;

2. Provide opportunities for the expansion of the neighborhood's housing stock;

3. Accommodate diplomatic and non-profit uses in portions of the neighborhood without jeopardizing the housing stock;

4. Provide a physical environment favorable for the survival of small shops and businesses serving both neighborhood and regional markets;

5. Provide a clear boundary between the Dupont Circle neighborhood and the Central Business District; and

6. Preserve the neighborhood's ambience and Victorian architectural character.

At the present, the Dupont Circle area is a mixed use community. The area is crossed by three major diagonal avenues, Connecticut, Massachusetts and New Hampshire and one major north-south street, 16th. The existing higher density zones are located generally along these four major streets. This includes C-3-B zoning along Connecticut Avenue, R-5-D and SP along Massachusetts Avenue, and SP and R-5-C along New Hampshire Avenue and 16th Street. There are also strips of neighborhood oriented commercial districts along 17th Street between P and R, 18th Street between S and Florida Avenue, and P Street between 20th and 22nd. The remaining portions of the area, including the majority of the frontage along the east-west streets, is zoned R-5-B.

The pattern of existing uses is similar to the zoning categories. Commercial development, including retail and general offices, is located along Connecticut Avenue, 17th, 18th and P Streets. The highest bulk is located on and adjacent to Connecticut Avenue south of Dupont Circle, although there are some high-rise office buildings on Connecticut between Dupont

Circle and Florida Avenue. There are major high-rise apartment buildings along New Hampshire and Massachusetts Avenues, as well as on 16th and P Streets. There are major high-rise office buildings for professionals and non-profit organizations along Massachusetts Avenue. There are major hotels in the area, including three located on and west of Dupont Circle. There are many row houses and medium sized apartment buildings, containing both residential and non-residential uses, primarily located along the east-west cross streets. In summary, north of P Street and Dupont Circle, residential uses predominate, south of the Circle, office uses predominate. Connecticut Avenue and 19th Street both north and south of the Circle have become a focus for entertainment/restaurant oriented retail activity substantially extending the hours of activity on the streets. The area contains both specialty and locally oriented retail strips. Clubs, art gallery's, churches and other private institutions provide area residents and employees with substantial cultural opportunities.

The existing Dupont Circle neighborhood is one of the city's special areas. It's unique attractiveness is due to two basis factors. One is the physical environment. The L'Enfant plan with its circles, squares and street network of major avenues diagonally placed over a 19th century scaled grid street pattern provides a visually powerful, organizing framework. In this area, developed one of the city's most attractive residential neighborhoods. The streets are lined with architecturally distinctive row houses and grand landmark quality mansions. The unique architectural and cultural characteristics of this neighborhood have been recognized by the designation of three historic districts within the area to the National Register: the Massachusetts Avenue Historic District which extends through the area and the Dupont Circle and 16th Street Historic Districts which are located completely within the area.

The second major factor contributing to the Dupont Circle area's unique attractiveness is the urban vitality created by the area's particularly diverse mix of uses. Dupont Circle is a balanced community. It provides many opportunities for housing and employment, shopping, entertainment and cultural pursuits.

The problems in the Dupont Circle area can generally be summarized as three basic sets of issues. The first set of issues involves the conservation and enhancement of Dupont Circle as a predominantly residential neighborhood. The second set involves the extent of accommodation of development resulting from the expansion of the central employment area and the opening of the

Metro station. The third group of issues involves the preservation and enhancement of historic landmarks and districts.

In considering those issues, and all of the related problems associated therewith, the Zoning Commission has received an extensive amount of testimony, evidence and information. The Dupont Coalition presented a substantial case, including much detailed evidence and expert testimony on issues ranging from economic effects to traffic and air quality. The District of Columbia Municipal Planning Office, presented an extensive report on the area. Many persons appearing in opposition presented carefully prepared and documented information opposing many of the changes proposed.

The Commission has carefully and extensively weighed and considered all of the evidence before it. The Commission has conducted its own personal and extensive review of the area, including several site visits by the Commission. The Commission believes that this case can only be decided by balancing all of the issues presented before it.

In reaching its decision on this matter, the Commission wishes to note three factors which it has taken heavily into account. First, the Commission has previously adopted changes to the text of many of the zone districts presently mapped in this area. Specifically, it has reduced the non-residential density in the SP-2 District, reduced the height and non-residential density in the C-2-A District, and adopted many other changes designed to facilitate and encourage new residential development in commercial districts. Second, the Historic Landmark and Historic District Protection Act of 1968 became effective on March 3, 1979. This law provides a much stronger protection for historic buildings and areas than was previously the case. The law further sets up a mechanism to administer the process, and to specifically take into account the primary concerns of historic preservation. It is therefore not necessary for the Zoning Commission to take the primary role in preservation. Third, the Commission desired to avoid as far as possible the creation of non-conforming uses so as not to penalize persons who relied on and developed under the existing zoning. The changes finally adopted by the Commission for the most part are within one general category to avoid non-conformities; that is, from SP-2 to SP-1, R-5-C to R-5-B, etc. Those changes which are outside of one category either do not restrict uses or conform to existing uses.

In consideration of all of the testimony and evidence, and balancing the positions of all affected interests, the Commission has determined that the following actions are appropriate:

1. Rezone from SP-2 to SP-1 both sides of 16th Street between Scott Circle and Q Street, including the south side of O Street west of 16th Street, in order to conserve the scale of existing historic and residential buildings, and the mixture of residential and institutional uses.

2. Retain R-5-C for both sides of 16th Street between Q and U Streets and for both sides of New Hampshire Avenue from Swann Street to V Street, because both Streets are already developed with several large apartment buildings consistent with the general nature of the R-5-C District.

3. Rezone from R-5-C to D/R-5-B part of the east side of New Hampshire Avenue between R and S Streets and the west side of New Hampshire Avenue between Riggs Place and Swann Street, in order to protect existing low-rise buildings, continue residential use in the area and preserve the option for chancery use in accordance with the Foreign Missions element of the Comprehensive Plan.

4. Rezone from R-5-C to SP-1 the west side of New Hampshire Avenue between R Street and Riggs Place, in order to allow for preservation and appropriate use of landmark buildings, many of which have historically not been used for residential purposes.

5. Rezone from SP-2 to SP-1 both sides of New Hampshire Avenue and 18th Street between R Street and south of Q Street; both sides of 18th Street south to P Street, extending to Dupont Circle; the west side of 18th Street from P Street to south of Massachusetts Avenue; the square bounded by Massachusetts Avenue, 17th, R and 18th Streets; the south side of R Street and the north side of Rhode Island Avenue west of 17th Street; the area bounded by Rhode Island Avenue, Massachusetts Avenue, 15th and 17th Streets, in order to insure the continued mixture of embassy, chancery, residential and office uses, to reflect existing development, and to keep any new development to levels appropriate in scale to the existing development.

6. Retain SP-2 for the north side of Massachusetts Avenue between 17th Street and the alley west of 16th Street, because this area is already exclusively developed

with ninety foot buildings devoted to residential and office uses.

7. Rezone from C-2-A to C-2-B the east side of 17th Street from P Street to north of R Street and the west side of 17th Street from Q to north of R Street, in order to allow continuation of existing neighborhood serving commercial uses while encouraging in-fill development of housing at higher densities.

8. Rezone from SP-2 to R-5-B the Stead Playground north of P Street between 16th and 17th Streets, in order to restrict development to the same type and level as is appropriate for other property in east-west cross streets, if the playground is ever redeveloped.

9. Retain C-2-A for both sides of 18th Street between S Street and Florida Avenue, because this area is developed with many commercial uses, expansion of which would serve neighborhood needs.

10. Rezone from SP-2 and R-5-D to SP-1 the square bounded by Massachusetts Avenue and 20th, 21st and Q Streets, and the south side of Massachusetts Avenue between 20th and 21st Streets and the north side of Massachusetts Avenue between 21st Street and Florida Avenue in order to conserve the existing scale of buildings, mixture of uses and several landmark buildings.

11. Retain R-5-D for the south side of Massachusetts Avenue between 21st and 22nd Streets, because the block is primarily developed with existing high density residential buildings.

12. Retain C-2-C for both sides of P Streets between 21st and 22nd Streets and retain D/C-2-A for the north side of P Street east of 21st Street, because those zones generally reflect the level of development already existing.

13. Rezone from C-2-C to C-2-B the south side of P Street east of 21st Street, in order to encourage retention and reuse of existing buildings for appropriate residential/retail purposes.

14. Retain SP-2 for the west side of 20th Street between O and P Streets and the west side of New Hampshire Avenue between O and N Streets, because the area is fully developed with apartment buildings built to SP-2 standards.

15. Rezone from SP-2 to R-5-B the north side of N Street west of New Hampshire Avenue, and rezone from R-5-D to R-5-B the square bounded by New Hampshire Avenue and N and 21st Streets, in order to match the zoning with existing development to preserve existing townhouses in residential use.

16. Rezone from R-5-B to C-2-B the north side of R Street west of 17th Street immediately adjacent to the existing C-2-A, in order to create a larger developable parcel adjacent to the commercial strip along 17th Street.

The Commission has also determined that it is not appropriate to take any action concerning the rezoning of Connecticut Avenue from Dupont Circle to Florida Avenue at this time. While the Commission believes that the continuation of the high density and height levels of the present C-3-B zoning is not desireable, the Commission does not believe that any of the existing lower density commercial zones provides adequate commercial density for what is and has been a commercial strip. The Commission has therefore asked the Office of Planning and Development to study what alternatives are possible for future action regarding Connecticut Avenue.

Advisory Neighborhood Commission 2-B was a member of the Dupont Coalition, and actively supported the Coalition proposal. The Advisory Neighborhood Commission did not submit an individual written statement setting out its issues and concerns apart from the overall views of the Coalition, which the Commission has herein addressed.

The proposed map amendments were referred to the National Capital Planning Commission under the terms of the District of Columbia Self-Government and Governmental Reorganization Act, and the NCPC reported that the proposed amendments will not have a negative impact on the interests and functions of the Federal Establishment in the National Capital and are not inconsistent with the Foreign Missions and International Agencies element of the Comprehensive Plan for the National Capital.

The Commission finds that the proposed amendments are in the best interests of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and the Zoning Act. The Commission therefore orders adoption of the following amendments to the Zoning Map:

1. Square 66 - Change all that property currently zoned R-5-D to SP-1

2. Square 94 - Change the entire square from R-5-D and SP-2 to SP-1

3. Square 95 - Change all that property currently zoned R-5-D and SP-2 to SP-1

4. Square 96 - Change all that property currently zoned C-2-C to C-2-B

5. Square 97 - Change lots 42-44 and 57 from SP-2 to R-5-B

6. Square 98 - Change the entire square from R-5-D to R-5-B

7. Squares 134 135, 136, N-137, 137- Change all that property currently zoned SP-2 to SP-1

8. Square 152- Change all that property between Swann and S Streets currently zoned R-5-C to D/R-5-B

9. Square 153- Change all that property between Riggs Place and Swann Street currently zoned R-5-C to D/R-5-B

   Change all that property between Riggs Place and R Street currently zoned R-5-C to SP-1

10. Square S-153 - Change the entire square from SP-2 to SP-1

11. Square 154 - Change Lots 21, 22, 39, 25 and 26 from R-5-C to D/R-5-B

    Change all that property currently zoned C-2-A and Lots 802 and 803 to C-2-B

12. Square 155 - Change all that property currently zoned SP-2 to SP-1

    Change all that property currently zoned C-2-A to C-2-B

13. Square 156- Change all that property currently zoned SP-2 to SP-1

14. Square 158 - Change the entire square from SP-2 to SP-1

15. Square 159 - Change all that property currently zoned SP-2 to SP-1

16. Squares 178 and 179 - Change all that property currently zoned C-2-A to C-2-B.

17. Square 180 - Change all that property currently zoned C-2-A to C-2-B

    Change Lot 813 from SP-2 to R-5-B

    Change Lots 42-44, 801, 84, 83 and 800 from SP-2 to SP-1

18. Square 181 - Change all that property between O and P Streets currently zoned SP-2 to SP-1

    Change Lots 28, 803, 804, 852, 851, 806, 158, 155, 156, 807, 825, 141 and 800 from SP-2 to SP-1

19. Squares S-181, N-192, S-193, N-196 - Change the entire squares from SP-2 to SP-1

20. Squares 194- and 195 - Change all that property currently zoned SP-2 to SP-1

NOTE: All lots, and squares are as shown on the BAIST ATLAS, Volume I, on record in the Office of the Zoning Secretariat.

Vote of the Commission taken at its public meeting held on May 10, 1979: 3-0 (Walter B. Lewis, John G. Parsons and George M. White in favor of the changes, Ruby B. McZier not voting, not having participated in the case, Theodore F. Mariani not present, not voting).

RUBY B. McZIER
Chairperson

STEVEN E. SHER
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on June 14, 1979 by a vote of 3-0 (Walter B. Lewis, George M. White and John G. Parsons to ADOPT, Theodore F. Mariani and Ruby B. McZier not voting, not having participated in the case.

In accordance with Section 3.6 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendments to the Zoning Map are effective on _____.

H

residential land use categories



low density

Single-family detached and semi-detached housing are the predominant uses.



moderate density

Row houses and garden apartments are the predominant uses;
may also include low density housing.



medium density

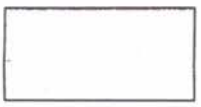
Multiple-unit housing and mid-rise apartment buildings are the predominant uses;
may also include low and moderate density housing.



high density

High-rise apartment buildings are the predominant uses; may also include low,
moderate, and medium density housing.

commercial land use categories



low density

Shopping and service areas that are generally low in scale, character and activity and
that provide a limited range of retail goods and services are the predominant uses.



moderate density

Shopping and service areas that generally provide a much broader range of goods and
services are the predominant uses. Chain drug stores and grocery stores as well as
branches of department stores, some specialty shops, and personal service
establishments may be present.



medium density

Shopping and service areas that generally offer a large concentration and variety
of goods and services outside the Central Employment Area are the predominant uses.
Most customers arrive by car, bus or subway.



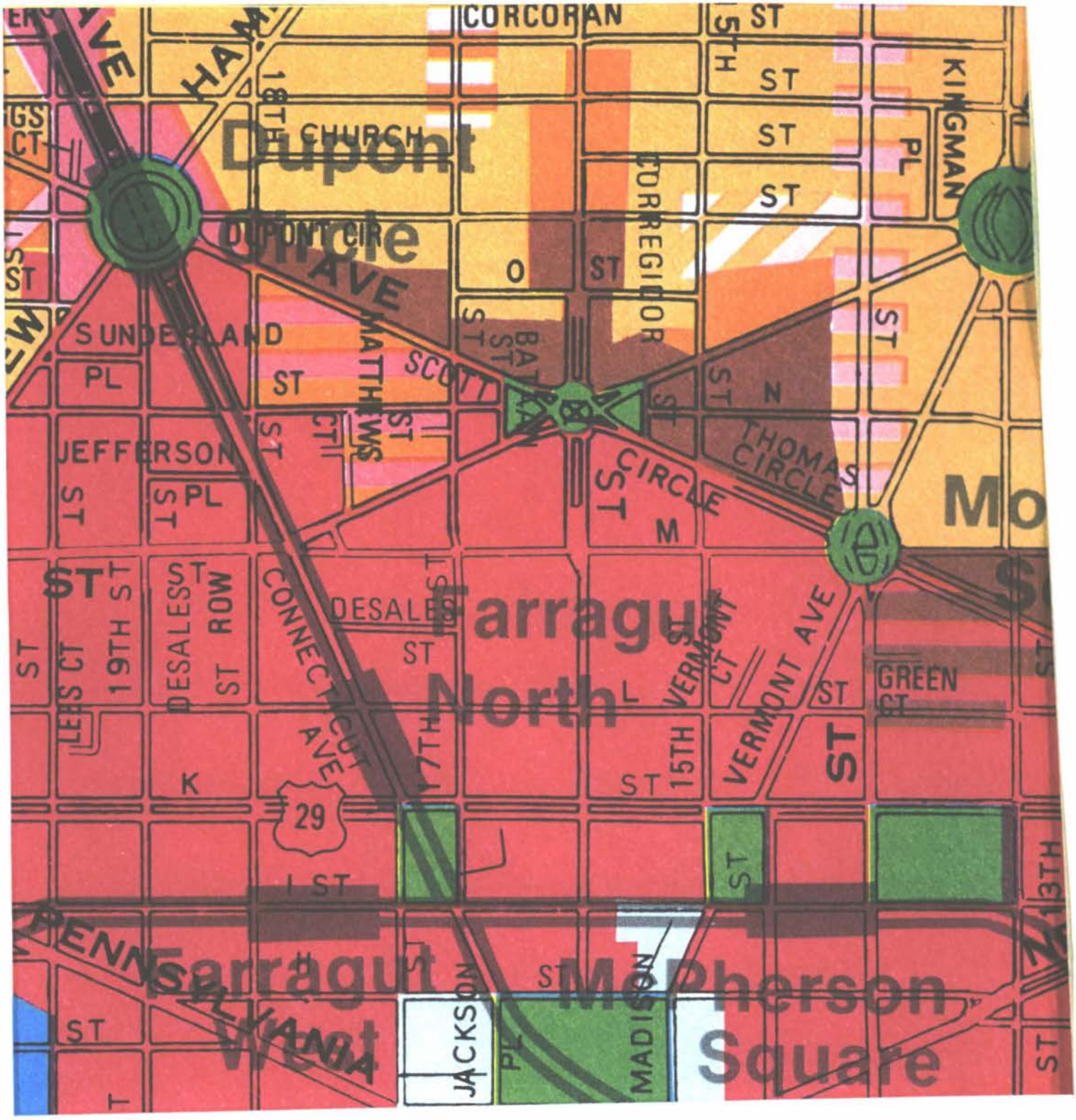
medium - high density

A shopping and service area that generally offers the largest concentration and variety
of goods and services outside the Central Employment Area is the predominant use.
Most customers arrive by car, bus or subway.



high density

The business and retail heart of the District and metropolitan area includes a mix of
employment, retail, office, cultural and entertainment centers.


Dupont Circle
Farragut North
Farragut West
McPherson Square
CHURCH
CORCORAN
KINGMAN
SUNDERLAND
JEFFERSON
MATTHEWS
SCOTT
BATAAN
CORREGIDOR
THOMAS CIRCLE
CONNECTICUT AVE
DESALES
VERMONT AVE
GREEN
JACKSON
MADISON
PENNSYLVANIA
19TH ST
17TH ST
15TH ST
29

I



Looking north on 17th Street, NW
Sumner School (rear)
Subject Property (visible)



B'nai B'rith Headquarters and Subject
Property to Left



North Side of 1700 Block N Street, NW
YMCA Visible to Right



View Northeast Along 1600 Block of
Rhode Island Avenue, NW



Subject Property Looking South Along
Bataan Street, NW





Philippine Embassy



PUD Site for Extended Housing or Human Rights
Campaign (pending Zoning Commission Approval)
Rear of Sumner Magruder School PUD Visible



Embassy of Australia



Marriott in Square 182



View Across Scott Circle from West



View into Scott Circle and 16th Street



Scott Circle





1500 Block of Massachusetts Avenue



Scott Circle from Northeast



1500 Block of Rhode Island Avenue
North Side



Australian Embassy from Southeast



1700 Block of Massachusetts Avenue, NW
North Side



Brookings Institute Addition

J

OUTLINE OF TESTIMONY
REPRESENTATIVE OF 1615 LLL LP

I. INTRODUCTION

II. OWNERSHIP HISTORY OF SITE

III. DESCRIPTION OF SITE AND VICINITY

IV. DESCRIPTION OF PROPOSED ADDITION

V. VARIANCE RELIEF IS NEEDED

VI. CONCLUSION



OUTLINE OF TESTIMONY
REPRESENTATIVE, MORRISON ARCHITECTS

I. INTRODUCTION AND PROFESSIONAL QUALIFICATIONS

II. SITE AND LOCATION DESCRIPTION

- **A. Overview of Site, Vicinity and Land Use/Zoning**
- **B. Site Planning – size, configuration, existing construction**

III. PROJECT DESIGN

- **A. Design Considerations**
- **B. Review of Mass and Height of Building**
- **C. Floor Plans**

IV. CONCLUSION

L

OUTLINE OF TESTIMONY
TED SEALE
REPRESENTATIVE OF THEO CONSULTANTS, LLC

I. INTRODUCTION AND PROFESSIONAL QUALIFICATIONS

II. OVERVIEW OF PROPOSED PROJECT

III. OVERVIEW OF THE LODGING MARKET

- A. **Trends in Occupancy and Average Room Rate**
- B. **Trends in New Development and Major Renovation of Hotels in Downtown Washington, D.C.**

IV. CURRENT DESCRIPTION AND OPERATING PERFORMANCE OF GOVERNORS HOUSE HOTEL

V. FORECASTED OPERATING PERFORMANCE OF GOVERNORS HOUSE HOTEL WITH 50-ROOM EXPANSION

VI. CONCLUSION

M

OUTLINE OF TESTIMONY
STEVEN E. SHER
DIRECTOR OF LAND USE SERVICES
HOLLAND & KNIGHT LLP

I. SITE LOCATION AND DESCRIPTION

II. DESCRIPTION OF SURROUNDING AREA

III. EXISTING ZONING: SP-1

- A. Uses
- B. Height
- C. Density
- D. Rear Yard
- E. Side Yard
- F. Parking

IV. ZONING HISTORY OF SUBJECT PROPERTY

V. PROPOSED PROJECT

VI. RELIEF REQUIRED

- A. Variance from §531 – Floor Area Ratio
- B. Variance from §530 – Building Height Limitation
- C. Variance from §2201 – Loading Berth Requirements
- D. Variance from §2115.9 – Stacked Garage Parking
- E. Variance from §2001.3 – Addition to Nonconforming Structure

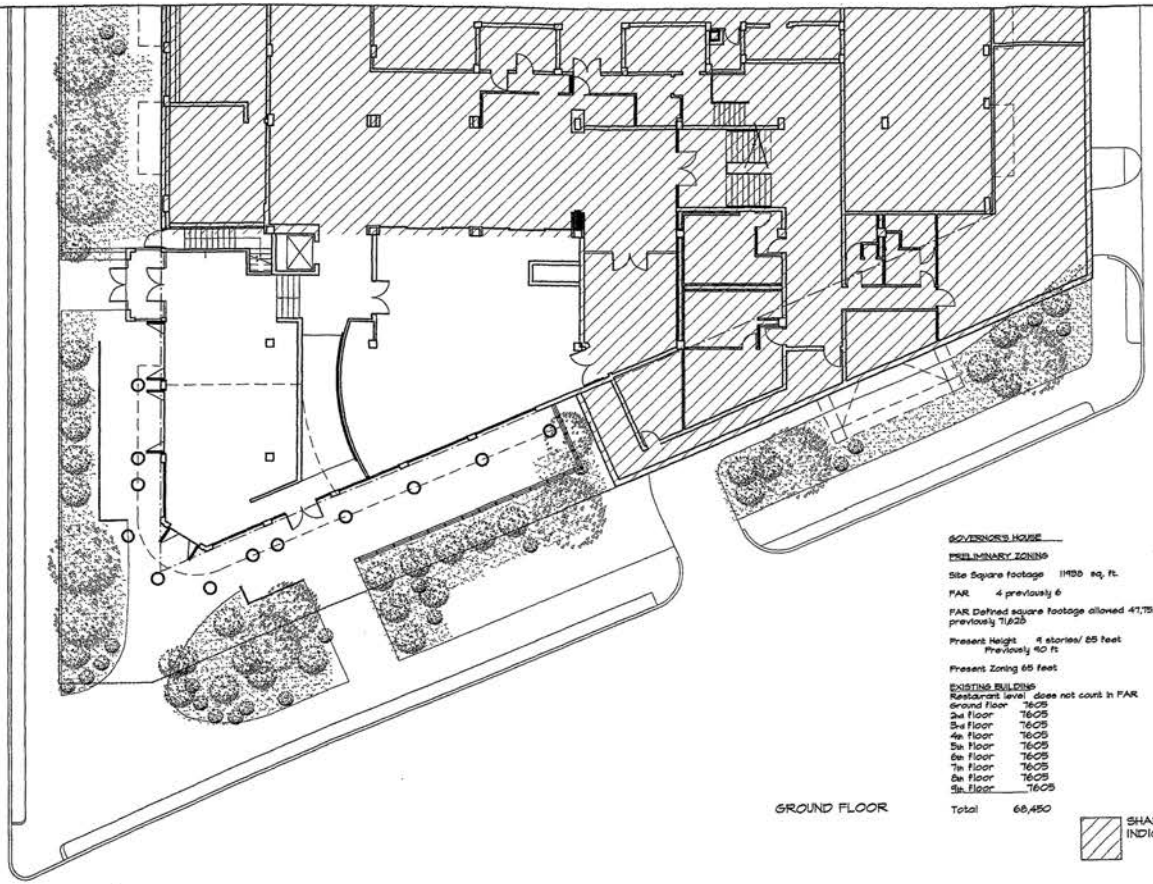
VII. COMPLIANCE WITH STANDARDS FOR VARIANCE RELIEF AND SPECIAL EXCEPTION

VIII. CONCLUSION

Z

PROPOSED RENOVATION
GOVERNOR'S HOUSE HOTEL
1615 RHODE ISLAND AVENUE
WASHINGTON, D.C.
LOT: 11 SQ.: 184

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 300, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORPART @ IX.NETCOM.COM



GROUND FLOOR

GOVERNORS HOUSE

PRELIMINARY ZONING

Site Square footage 11938 sq. ft.

FAR 4 previously 6

FAR Defined square footage allowed 47,752
previously 71,628

Present Height 9 stories/ 85 feet
Previously 90 ft

Present Zoning 65 feet

EXISTING BUILDING
Restaurant level does not count in FAR

Ground Floor	7605
2nd Floor	7605
3rd Floor	7605
4th Floor	7605
5th Floor	7605
6th Floor	7605
7th Floor	7605
8th Floor	7605
9th Floor	7605
Total	68,450

PROPOSED ADDITION

Ground Floor	9215
2nd Floor	2547
3rd Floor	2547
4th Floor	2547
5th Floor	2547
6th Floor	2547
7th Floor	2547
8th Floor	2547
9th Floor	2547

Total 23941 or +/- 1.9 FAR more

Grand Total 23941
68450
92,041 or 7.7 FAR

SHADED AREA
INDICATES EXISTING

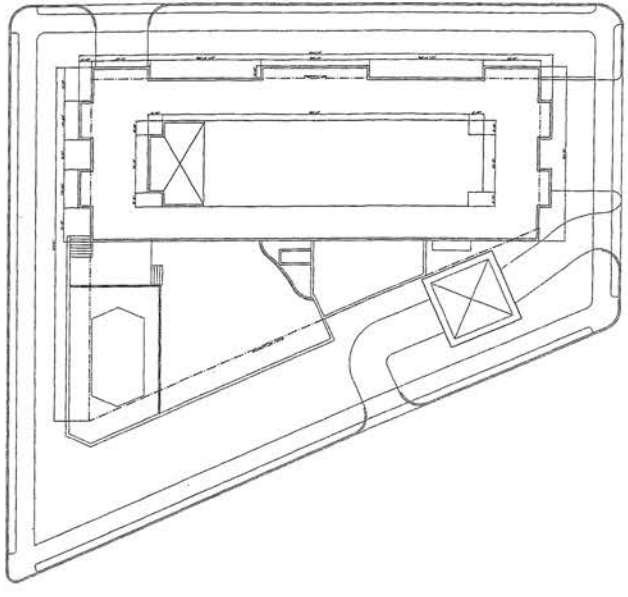
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05-04-01	

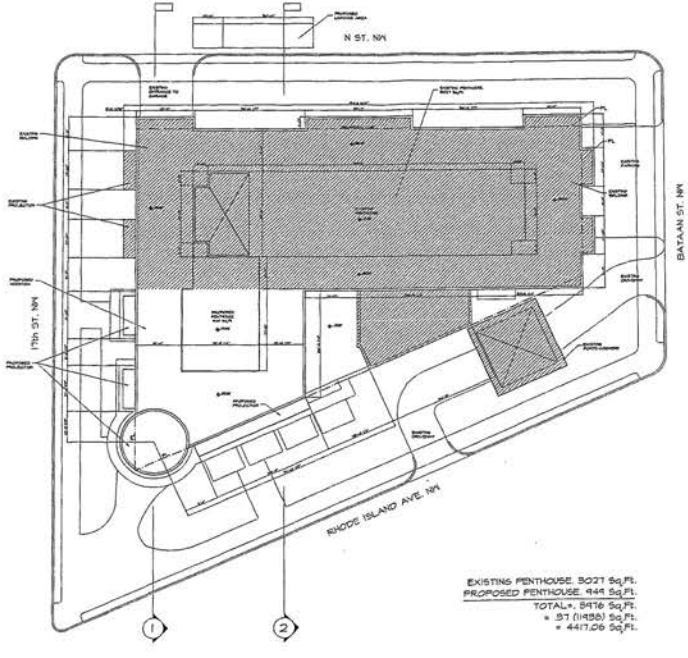
GROUND FLOOR

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORFART @ EARTHLINK.COM

A0





EXISTING PENTHOUSE. 3027 Sq.Ft.
PROPOSED PENTHOUSE. 944 Sq.Ft.
TOTAL=. 3976 Sq.Ft.
= .37 (11938) Sq.Ft.
= 4417.06 Sq.Ft.

EXISTING SITE PLAN

NOTE: ALL EXISTING DIMENSIONS IN THIS SET BASED ON PLANS PREPARED BY EDWIN WEIHE A.I.A. & ASSOCIATES, DATED FEB. 15, 1963

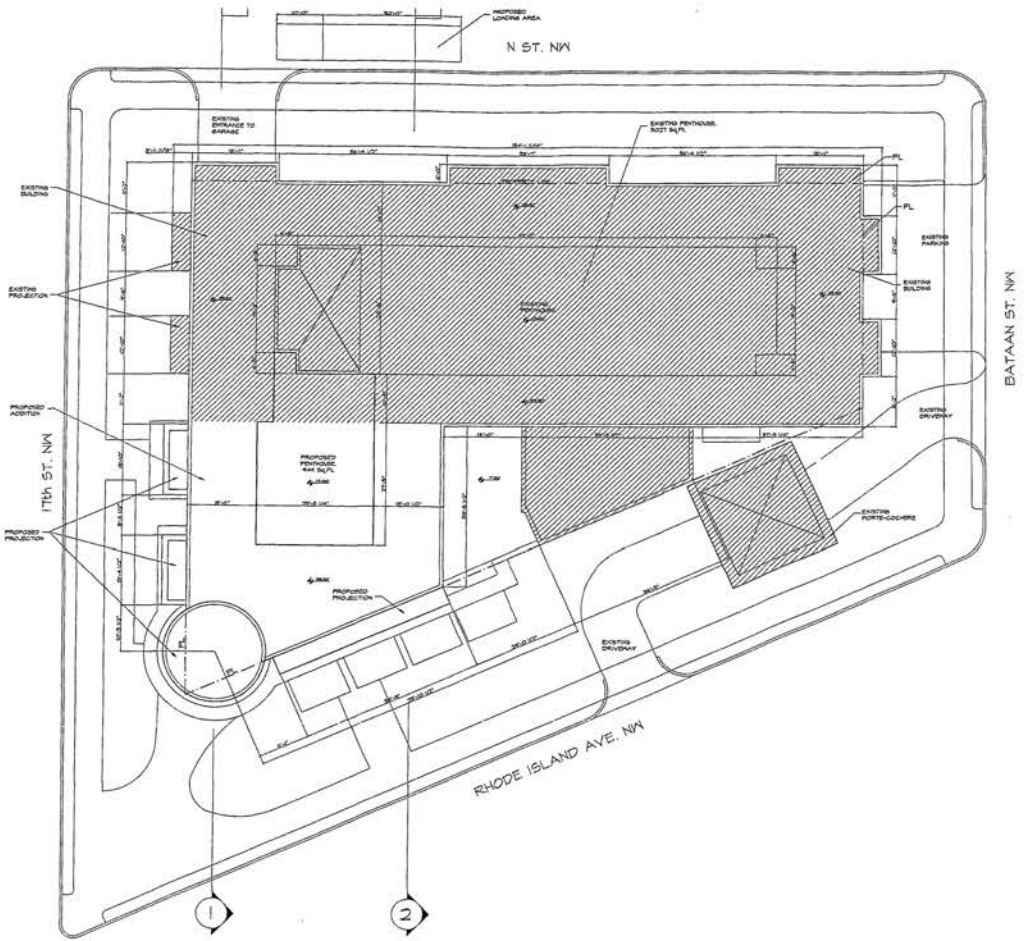
SHADED AREA INDICATES EXISTING

date	issued
05-25-01	

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8162 FAX: 202.265.8184
E-MAIL: MORRART @ IX.NETCOM.COM

A-1



date issued

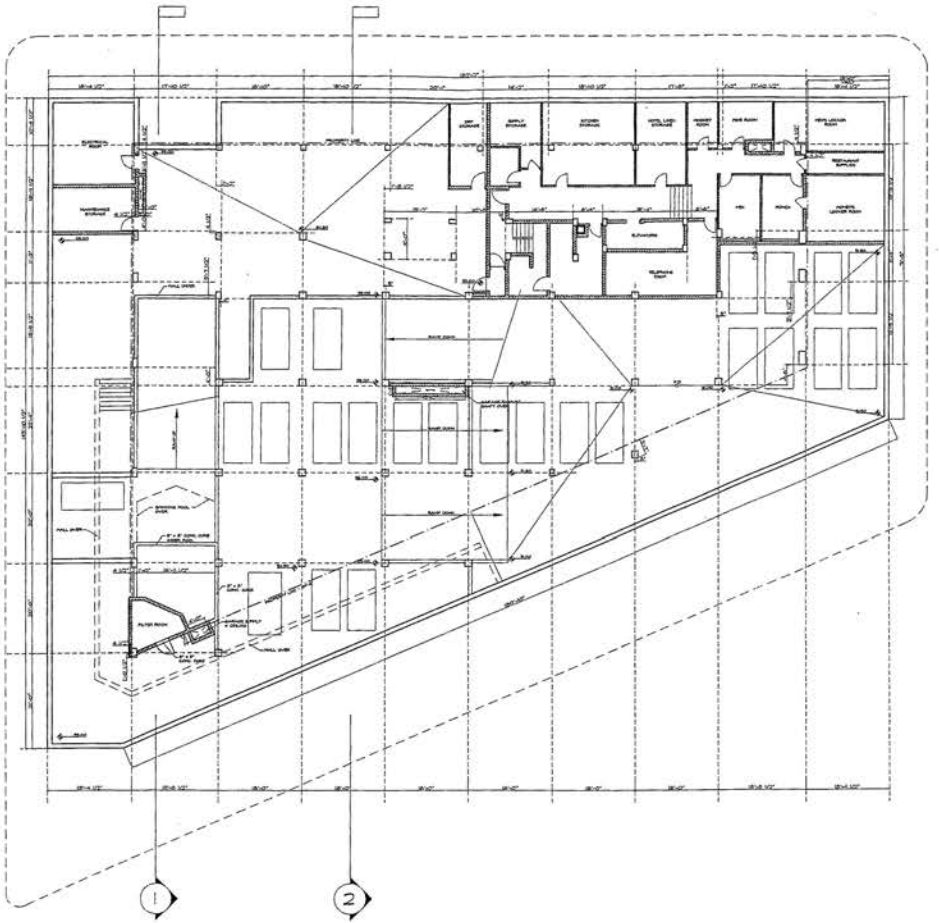
02-25-01

ROOF PLAN

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8163 FAX: 202.265.8164
E-MAIL: MORFART @ IX.NETCOM.COM

A-2



SHADED AREA INDICATES EXISTING

SCALE: 3/32" = 1'-0"

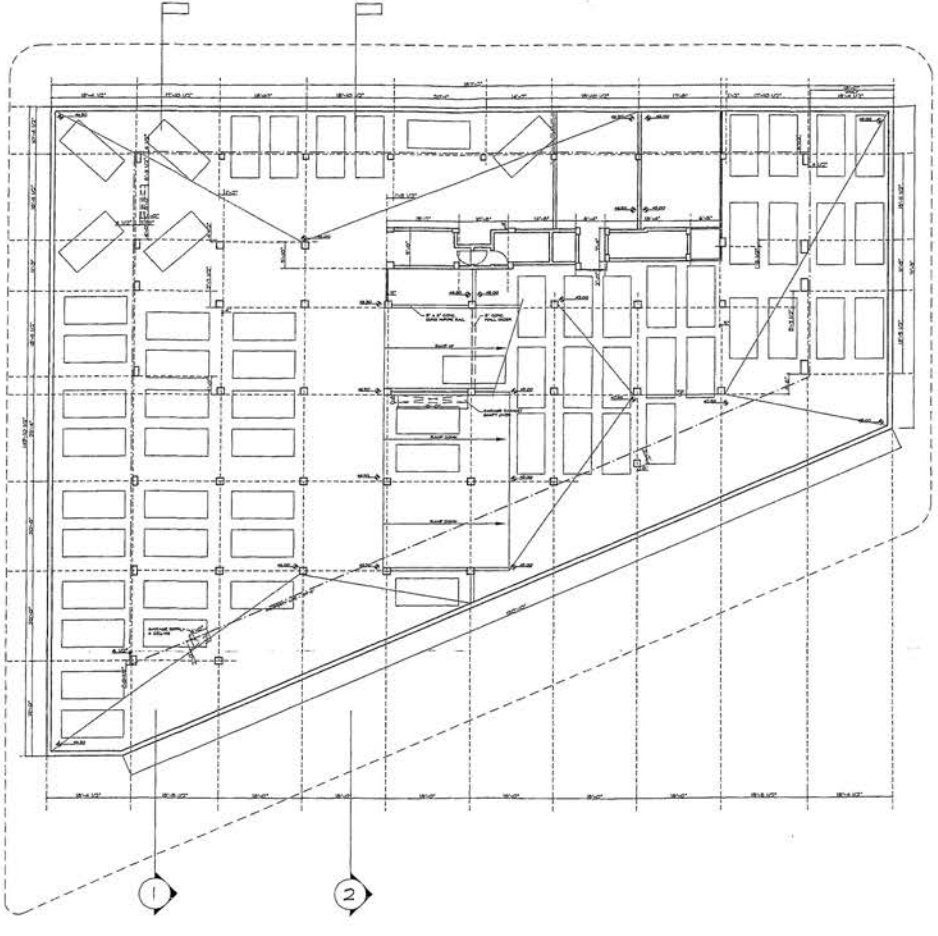
date	issued
09-28-01	

BASEMENT LEVEL 1

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORFART @ IX.NETCOM.COM

A-3



SHADED AREA INDICATES EXISTING

SCALE: 3/32" = 1'-0"

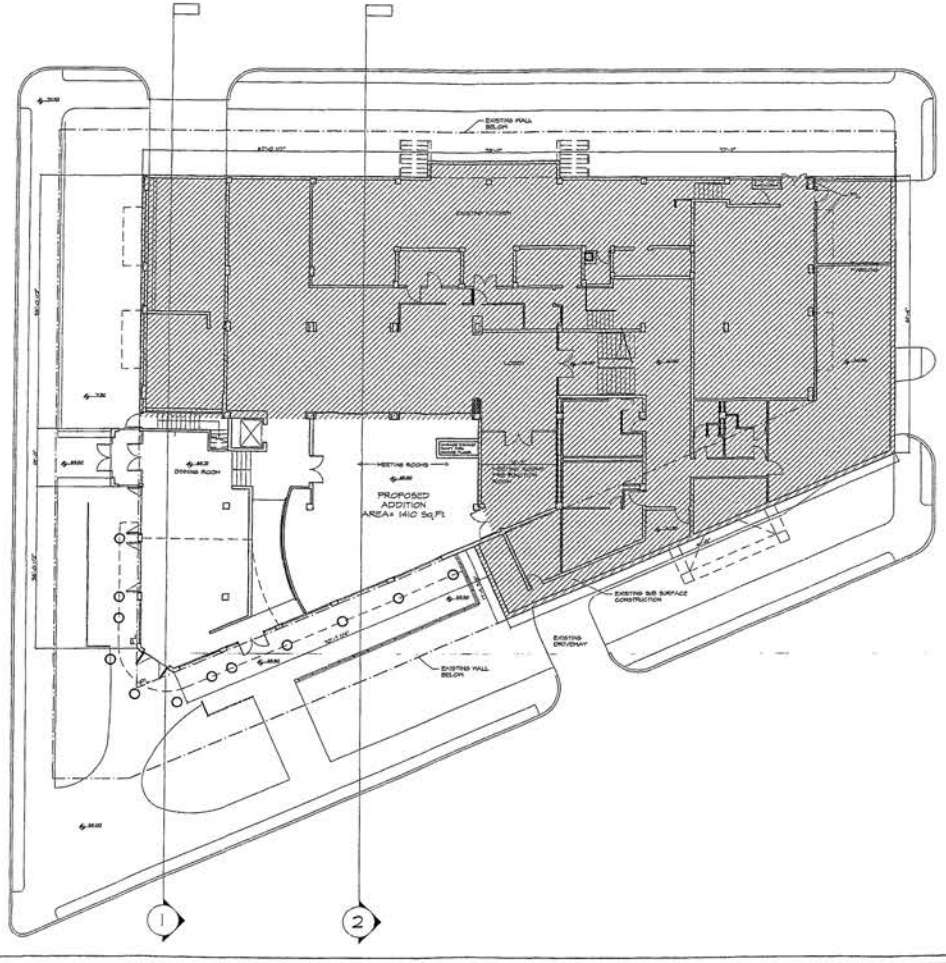
date	issued
08-28-01	

BASEMENT LEVEL 2

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1728 CONNECTICUT AVENUE, NW SUITE 300, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORPART @ IXNETCOM.COM

A-4



SHADED AREA INDICATES EXISTING

SCALE: 3/32" = 1'-0"

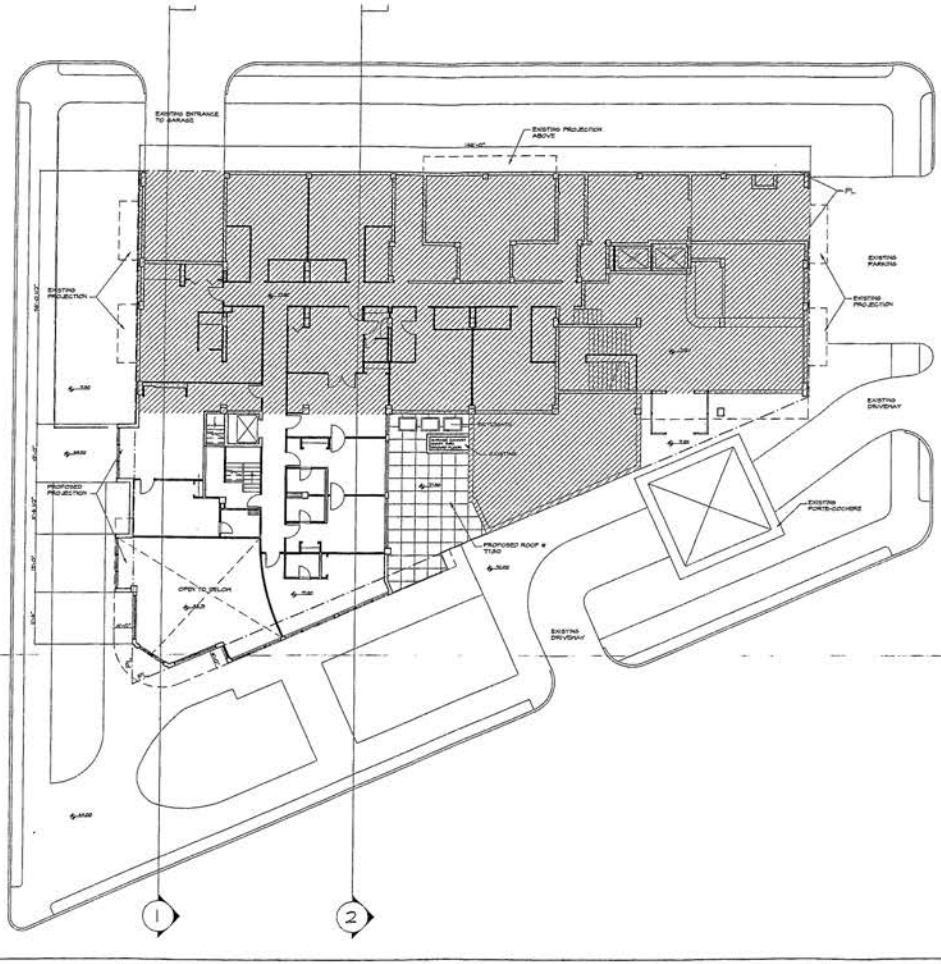
date	issued
09-22-01	

LOWER LEVEL PLAN

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8183 FAX: 202.265.8184
E-MAIL: MORPART @ IXNETCOM.COM

A-5



SHADED AREA INDICATES EXISTING

SCALE: 3/32" = 1'-0"

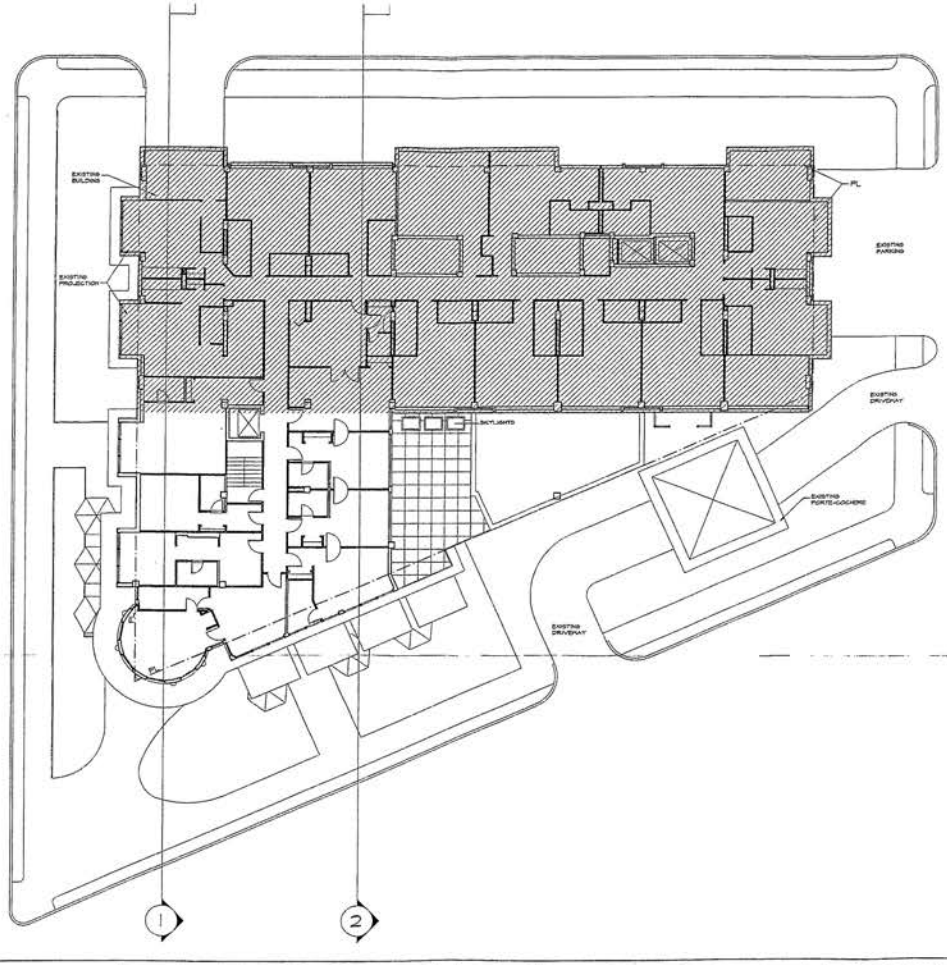
date	issued
05-25-01	

FIRST FLOOR

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORPART @ IX.NETCOM.COM

A-6



SHADED AREA INDICATES EXISTING

SCALE: 3/32" = 1'-0"

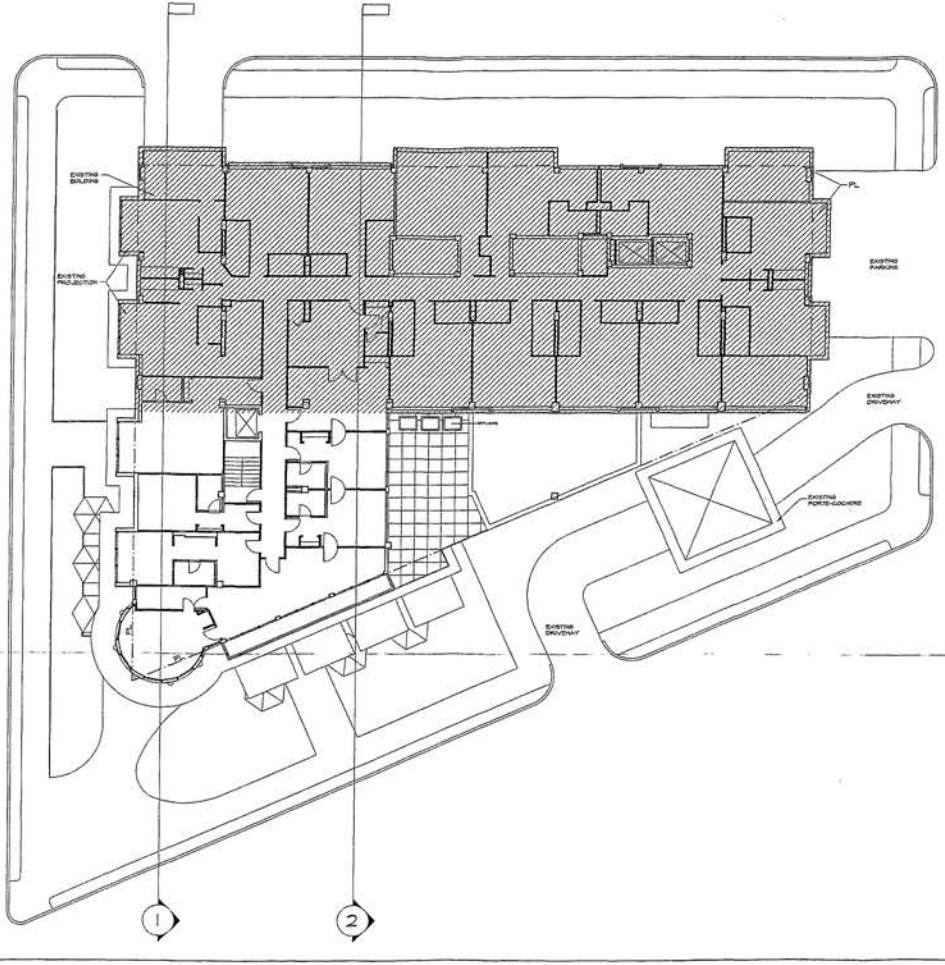
date	issued
08-29-01	

TYPICAL FLOORS 2-8

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8183 FAX: 202.265.8184
E-MAIL: MORPART @ IX.NETCOM.COM

A-7



SHADED AREA INDICATES EXISTING

SCALE: 1/32" = 1'-0"

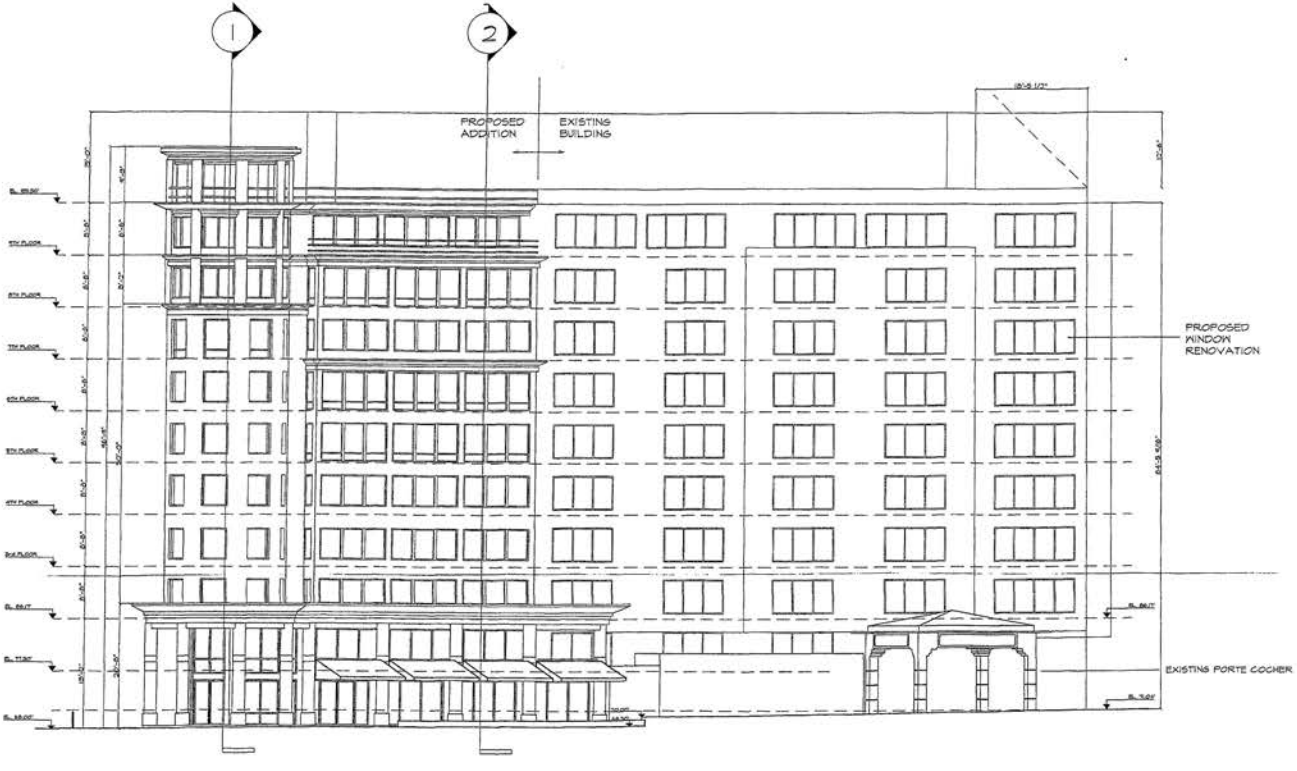
date	issued
02-22-01	

9th FLOOR

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 300, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORPART @ IXNETCOM.COM

A-8



SHADED AREA INDICATES EXISTING

SOUTH (RHODE ISLAND AVENUE) ELEVATION
SCALE: 1/8" = 1'-0"

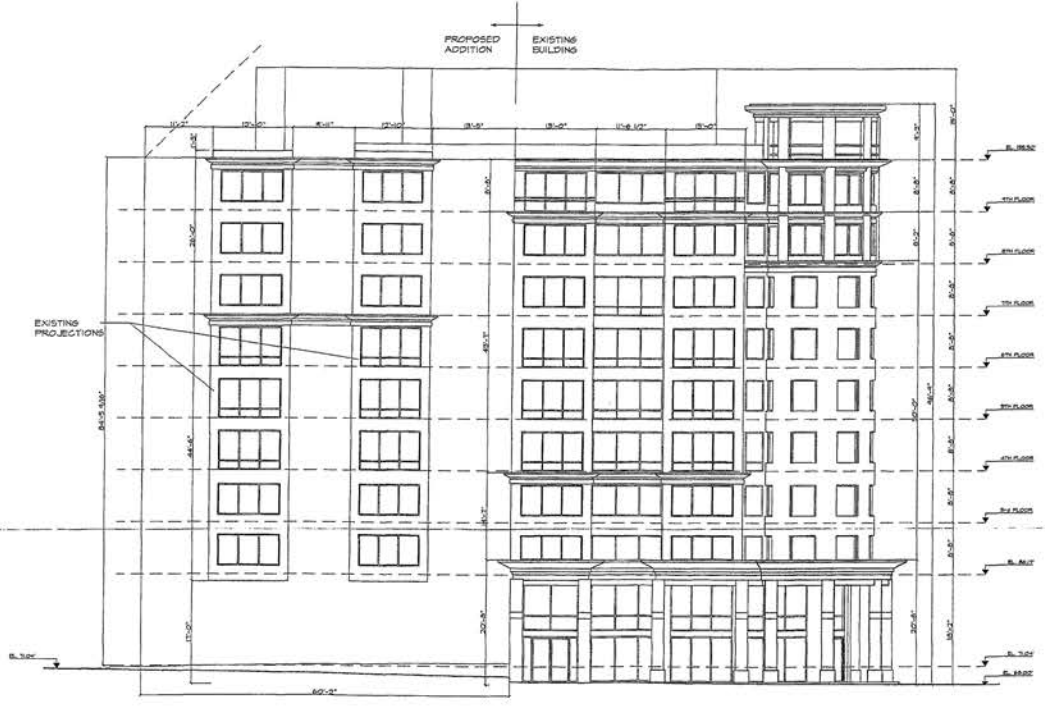
date issued
05-08-01

SOUTH (RHODE ISLAND AVENUE) ELEVATION

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1126 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.5182 FAX: 202.265.6184
E-MAIL: MORPART @ IXNETCOM.COM

A-0



SHADED AREA INDICATES EXISTING

WEST (17th STREET) ELEVATION
SCALE: 1/8" = 1'-0"

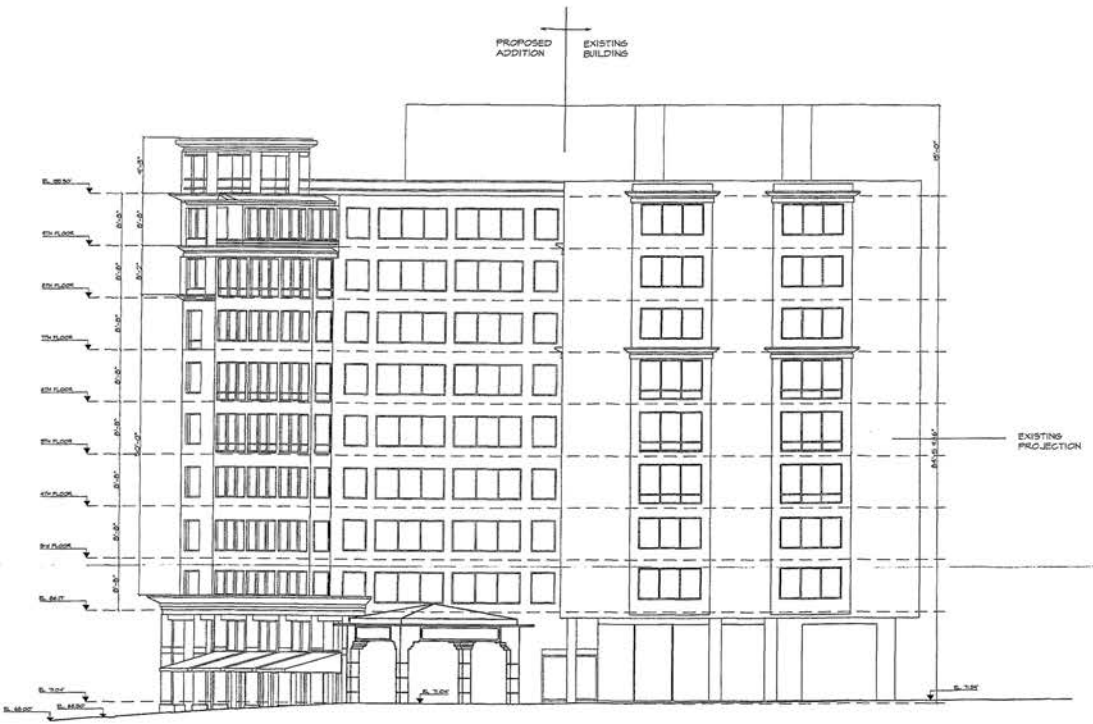
date issued
03-05-01

WEST (17th STREET) ELEVATION

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.5152 FAX: 202.265.5154
E-MAIL: MORPART @ IX.NETCOM.COM

A-10



SHADED AREA INDICATES EXISTING

EAST (BATAAN PLACE STREET) ELEVATION
SCALE: 1/8" = 1'-0"

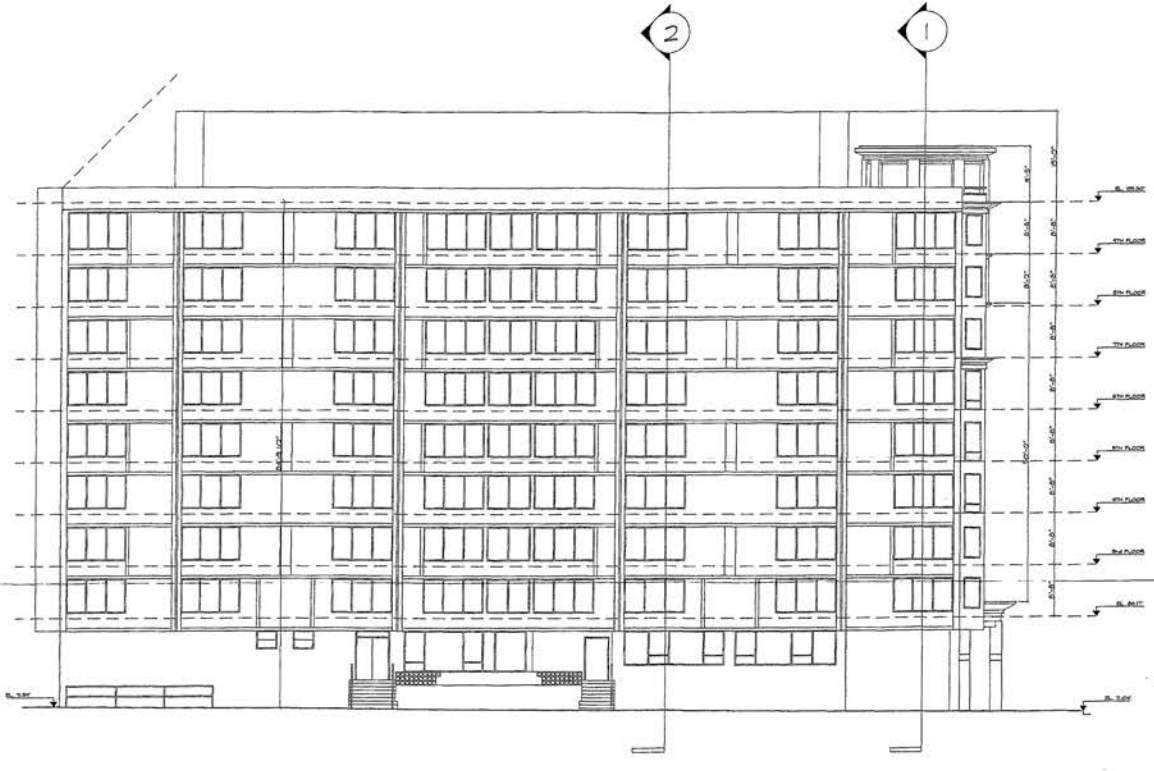
date	issued
02-09-01	

EAST (BATAAN PLACE STREET) ELEVATION

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 300, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8183 FAX: 202.265.8184
E-MAIL: MORPART @ IXNETCOM.COM

A-11



SHADED AREA
INDICATES EXISTING

NORTH ("N" STREET) ELEVATION
SCALE: 1/8" = 1'-0"

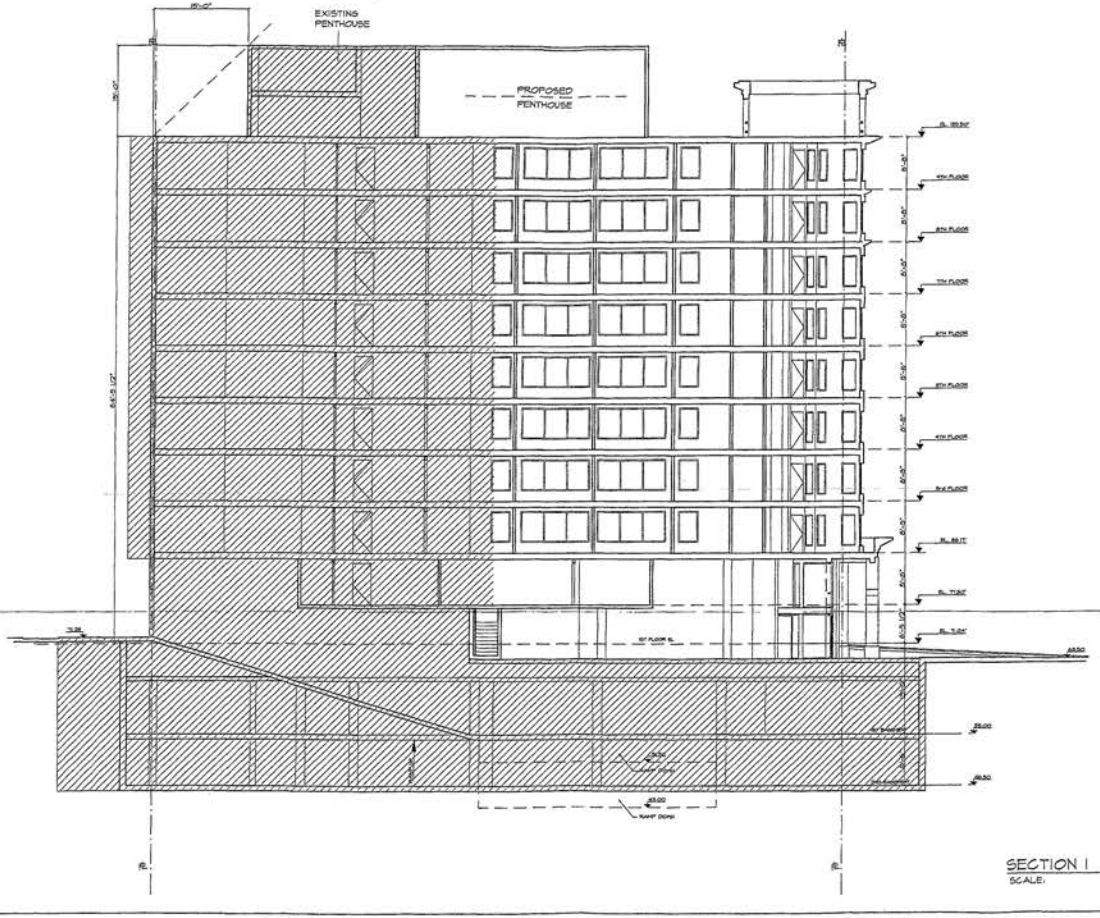
date	issued
05-09-01	

NORTH ("N" STREET) ELEVATION

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1126 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20004
TELEPHONE: 202.289.8182 FAX: 202.289.8184
E-MAIL: MORPART @ IXNETCOM.COM

A-12



SHADED AREA
INDICATES EXISTING

SECTION 1
SCALE: 1/8" = 1'-0"

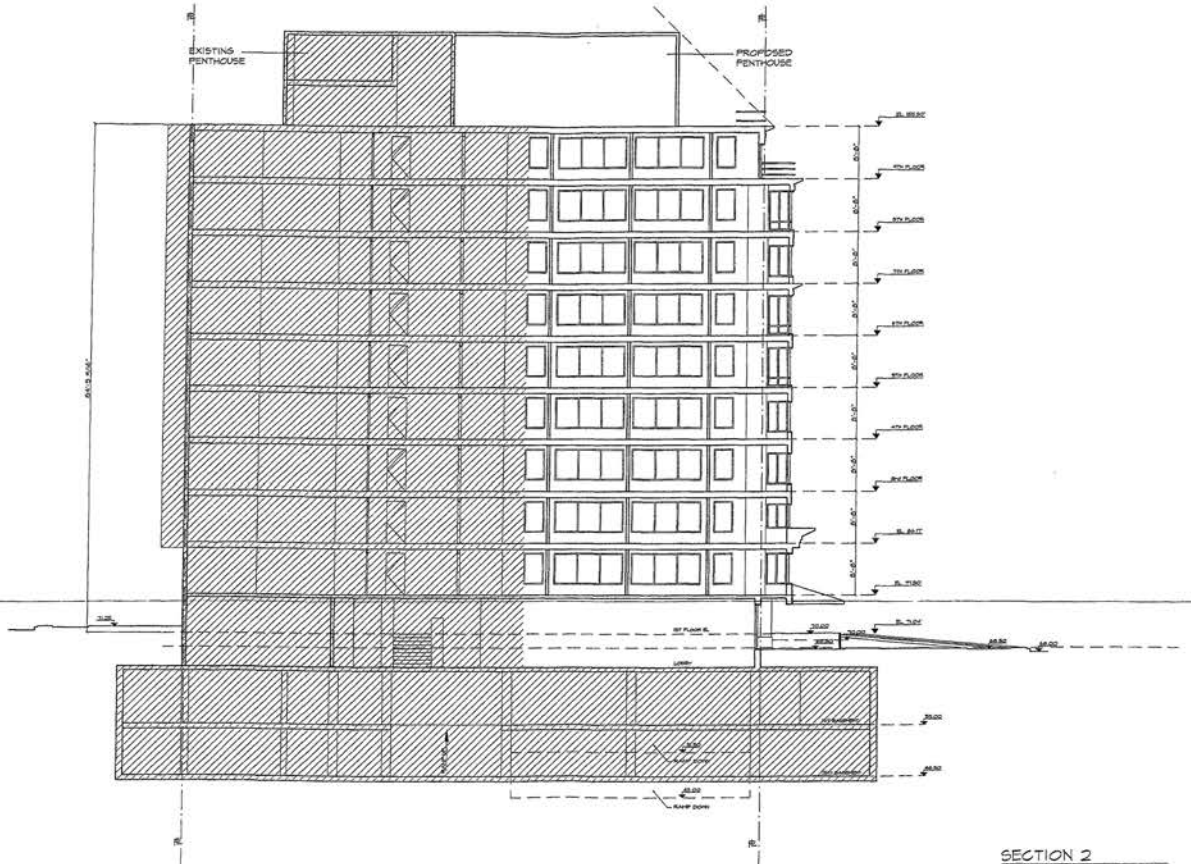
date issued
05.05.01

SECTION 1

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORFART @ IX.NETCOM.COM

A-13



SHADED AREA INDICATES EXISTING

SECTION 2
SCALE: 1/8" = 1'-0"

DATE	ISSUED
05-09-01	

SECTION 2

GOVERNORS HOUSE
1615 RHODE ISLAND AVENUE NW
WASHINGTON DC

MORRISON ARCHITECTS
1726 CONNECTICUT AVENUE, NW SUITE 500, WASHINGTON D.C. 20009
TELEPHONE: 202.265.8182 FAX: 202.265.8184
E-MAIL: MORPART @ IX.NETCOM.COM

A-14

O

DISTRICT OF COLUMBIA REGISTER

MAY 18 2001

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, July 12, 2001 @ 7:00 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W. - Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 01-04M/98-12M/88-32C (PUD Modification @ 1616 Rhode Island Avenue, N.W. – The Human Rights Campaign)

THIS CASE IS OF INTEREST TO ANC 2B

On February 21, 2001, the Office of Zoning received an application from The Human Rights Campaign (HRC), requesting permission to further modify a previously approved Planned Unit Development (PUD), Order #871, to allow development of an office building rather than an inn at 1616 Rhode Island Avenue, N.W. (Square 182, Lot 82).

The subject property consists of 15,396 square feet, and is undeveloped. The subject property is presently used as a construction staging area for the University of California building, under construction on Lot 83, of the same square.

HRC is the contract purchaser of the property. The proposed modification is requested to permit HRC to construct its national headquarters office building on the site. The existing PUD approval is for a 220-room inn catering to a business clientele. The new modification plans provide for an office building of approximately 92,000 square feet of gross floor area with public spaces.

On November 13, 1989, Zoning Commission Application 88-32C was approved, establishing a mixed-use PUD and a related map amendment covering 32,645 square feet of property located at 1616 Rhode Island Avenue, N.W., on Lot 82 of Square 182. Order #638 authorized, among other things, a mixture of residential, retail and office use, set in a single building with the maximum floor area ratio (FAR) being 8.5 (composed of a maximum of 6.86 FAR of office/retail uses and a minimum of 1.64 FAR of residential uses).

On December 14, 1998, Zoning Commission Application 98-12M was approved to amend the previous PUD and subsequent extensions. Final Order #871 authorized a reduction in the overall maximum allowable FAR from 8.5 to 8.2 (with a maximum of

MAY 18 2001

5.15 FAR of non-residential uses including academic, office and extended stay uses, and a minimum of 3.05 FAR of residential uses); and divided the allowable FAR between two lots and two buildings (a maximum of 8.5 FAR for a "university" building on lot 83 and a maximum of 7.9 FAR for an inn on lot 82). Construction of the University of California ("university") building is underway on lot 83.

This public hearing will be conducted in accordance with the provisions of § 3022 (Contested Case Hearings), District of Columbia Municipal Regulations (DCMR) Title 11, Zoning.

Interested persons or representatives of organizations will be heard at the public hearing. **Any person who desires to participate as a party in this case must so request, and must comply with the provisions of 11 DCMR § 3022.3**. A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Rules. Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, **any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing *(June 28, 2001)*, the following information**:

(a) The person's name and address;

(b) A request to appear and participate as a party;

(c) Whether the person will appear as a proponent or opponent of the application;

(d) Whether the person will appear through legal counsel and, if so, the name and address of the legal counsel;

(e) A list of witnesses who will testify on the person's behalf; and

(f) A written statement setting forth why the person should be granted party status, including reference to the following:

(1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;

(2) The legal interest the person has in the property, such as owner, tenant, trustee, or mortgagee;

(3) The distance between the person's property and the property that is the subject of the application before the Commission;

(4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property, if the action requested of the Commission is approved or denied; and

(5) An explanation of how the person's interests as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.

2. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes of qualifications of the proposed experts.

3. The total amount of time that will be required to present the case.

The information cited above shall also be submitted by the applicant. To the extent that the information is not contained in the applicant's prehearing submission required by 11 DCMR § 3013.1, the information shall be filed no later than 14 days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC), pursuant to DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above. However, the written report of the ANC shall be filed no later than seven (7) days before the date of the hearing *(July 5, 2001).*

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

1. Applicant..... 60 minutes
2. Other Parties.....15 minutes

MAY 18 2001

3. Organizations..... 5 minutes
4. Individuals..... 3 minutes

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points.

Information should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KWASI HOLMAN, HERBERT M. FRANKLIN ---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.

P

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001

August 24, 2001

RECEIVED
D.C. OFFICE OF ZONING
2001 AUG 29 PM 3:17

D.C. Board of Zoning Adjustment
441 - 4th Street, NW, Ste. 210
Washington, DC 20001

RE: BZA Application No. 16754
Square 182N, Lot 11

Dear Members of the Board:

I am writing in support of the application of the Governor's House Hotel, who are proposing an addition to their existing hotel. In that support I am joining ANC 2B who voted to unanimously support the application, recommending that the Board approve the requested variances necessary to permit the addition to the building.

The Governors House is located on a small, triangular site, and the proposed addition offers the hotel an opportunity to expand without creating any adverse impact upon its neighbors. With the construction of the new convention center, new hotel rooms in the city will be needed, particularly in locations such as this. Furthermore, the site is designated high density commercial on the Comprehensive Plan Land Use Map, and the proposed use is consistent with that designation.

I support this proposal and urge the Board to approve the application.

Sincerely,

Jack Evans
Councilmember, Ward 2

BZA
Case No. 16754
Exhibit No. 38