GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: Andrew Altman JLS for
Director

DATE: June 27, 2003

D.C. OFFICE OF ZONING
2003 JUN 30 PM 2:18

SUBJECT: Zoning Commission Case Number 03-11, Proposed Consolidated Planned Unit Development and Zoning Map Amendment for the Former Columbia Hospital for Women Located at 2425 L Street, N.W. (Square 25 Lot 806)

APPLICATION

High Street Columbia, LLC, the applicant, originally applied to rezone the subject property from Residential (R-5-D) to Community Business Center (C-2-C) District to allow redevelopment and expansion of the historic building into a mixed-use development of residential units and neighborhood serving retail on the ground floor. However, at the Zoning Commission meeting on April 24, 2003, to consider scheduling this request for hearing, the applicant agreed to modify this application to request:

- one-step approval of a Planned Unit Development (PUD) with a Zoning Map Amendment to C-2-C; or
- establishment of a High Density Residential Retail (HDRR) Overlay over the current underlying R-5-D District, in the alternative.

RECOMMENDATION

The Office of Planning (OP) recommends conditional approval of the Consolidated PUD and related Map Amendment for the subject property from R-5-D to C-2-C zoning because benefits and amenities associated the PUD meets the requirements of the Zoning Regulations. The recommended conditions are as follows:

- Provide 150-200 residential units;
- Provide on-site parking equal to 285 parking spaces or a least 1 parking space per residential dwelling unit;
- Designate at least 28,000 square feet for ground floor commercial uses;
- That the ground floor commercial uses shall be limited to those retail and uses listed in Section 701 and 721 of the Zoning Regulations;

ZONING COMMISSION
District of Columbia
Case 03-11
Exhibit 26

ZONING COMMISSION
District of Columbia
CASE NO.03-11
EXHIBIT NO.26

- The applicant shall participate in the Department of Employment Services' First Source Employment Program, and the signed agreement shall be added to the public record prior to the proposed action.

BACKGROUND

Square 25 is subdivided into three lots. Lot 806 at 2425 L Street, N.W., the subject property, is approximately 2.3 acres (99,879 square feet) and encompasses the southern half of the square. The half of the square north of the existing alley is subdivided into lots 807 and 808 (2440 and 2400 M Street, N.W., respectively). Lot 807 is developed with a nine-story masonry office building constructed in 1986 with approximately 277,400 square feet of gross floor. A nine-story addition with 141 residential units and first floor retail is being constructed in the rear of this building. Lot 808, currently used as commercial parking lot, is planned for a 334-unit apartment building also with first floor retail. Both lots are located in the Foggy Bottom/West End Neighborhood and zoned C-2-C (please refer to Exhibit 1).

The Columbia Hospital for Women

The five-story masonry building was constructed in 1916. Over time, the hospital building has been expanded to a gross floor area of nearly 103,800 square feet. A semi-circular driveway on a sloping hillside in front of the building (along the L Street frontage) provides access to a 24-space parking lot. Access to the loading dock is from the western frontage along 25th Street, N.W. The property is zoned R-5-D.

The D.C. Historic Preservation Review Board designated the hospital and its site a local historic landmark in December 2002.

Development surrounding the square consists of: a high-rise office building and the Monarch Hotel to the north across M Street, both with first-floor retail uses; medium- and high-rise office and residential buildings with first floor retail uses to the south across L Street; low-, mid-, and high-rise residential, and public (District library and public safety) uses, and the Westin Grand Hotel to the east across 23rd Street; and four-five story residential buildings to the west across 25th Street, N.W.

Development Proposal

High Street Columbia, LLC, the applicant, acquired the subject property in September 2002 with plans to adaptively reuse and expand the main hospital building for residential condominiums with ground floor retail and service uses. Proposed new building wings would be under 90 feet in height, provide from 150 to 200 residential units, increase the total gross building area to 330,000 gross square feet equaling a floor area ratio (FAR) of 3.5, and reserve 28,000 square feet on the ground floor for commercial (neighborhood-serving retail and service) uses.

PUD Benefits to the Developer

PUD approval would allow ground floor retail and service uses to be included in this development.

ANALYSIS

OP's review of this proposal considered whether it is generally consistent with the intent of the Zoning Regulations, the District of Columbia Comprehensive Plan and with specific PUD criteria under Section 2043 of the Zoning Regulations.

Current Zoning Status

The R-5-D zoning district allows a maximum 3.5 FAR for residential uses as a matter-of-right and maximum height of 90 feet; however retail and service uses are not allowed as principal uses. The C-2-C zoning district allows a maximum 6.0 FAR of residential development, including up to 2.0 FAR of commercial uses. So while the proposed height and bulk would fit within the limits of R-5-D, this zoning district would not permit the desired land use mix. C-2-C would allow the desired mixture of land uses, but would also permit a higher density, and a greater amount and variety of commercial uses than is consistent with neighborhood desires.

This property was previously rezoned from R-5-B to R-5-C in 1987 (Zoning Commission Order No. 540). That same year, the Columbia Hospital for Women entered into a restrictive covenant with Advisory Neighborhood Commission (ANC) 2A and the Foggy Bottom Association to limit adverse impacts of any future development allowed under the new zoning on the surrounding community. Later, Zoning Commission Order No. 721 created a *new* R-5-C resulting in existing R-5-C properties (including the subject property) being reclassified to the current R-5-D.

The applicant's redevelopment proposal mirrors an amended covenant agreement reached with the community. The previous covenant limited the height of development to 90 feet, and the maximum floor area to 230,000 square feet equal to a 2.3 FAR (less than the 3.5 FAR allowed as a matter of right). Current owner High Street Columbia, LLC entered into an amended covenant with the same organizations in December 2002 to allow an additional 120,000 square feet of residential floor area including 28, 000 square feet "... devoted to service or retail uses listed in Sections 701 and 721 of the Zoning Regulations[1]." Note that retail and service uses listed under the referenced zoning provisions are generally considered to be neighborhood serving in nature (refer to Exhibit 2). Staff recommends that these requirements also be made conditions of PUD approval.

As a result, the applicant asked to change the current zoning because R-5-D does not allow desired non-residential uses either as a matter of right or with special exception approval.

[1] "Amendment to the Declaration of Covenants" dated December 30, 2002

PUD Benefits and Amenities to the Public

The community has consistently expressed the need for more local retail and service outlets, but C-2-C zoning district, while allowing the planned uses as a matter of right, would also permit a range of commercial uses that are inconsistent with the stated neighborhood goals. OP recommended that the applicant request a planned unit development (PUD) *including* a map amendment rezoning the property to C-2-C. The advantage is that any standards or requirements attached to the PUD (such as the covenant conditions) could become part of the zoning order and be recorded in the PUD covenant; thus changes would be subject to Commission review and a public hearing. Approval of the modified request for a PUD would therefore allow mixed residential and commercial development of an appropriate scale to proceed as a matter of right.

In the alternative, OP also recommended consideration of the High Density Residential/Retail Overlay (HDRRO) that would retain the existing residential density and allow limited neighborhood-serving retail uses. However, the pending legislation to enact this zoning tool has not yet been adopted by the Zoning Commission.

With reference to the evaluation standards under Section 2403 of the Zoning Regulations:

- *The impact of the project on the surrounding area and upon the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*

  OP believes that the land use impact would be favorable to the District. The Statement of Justification indicates that the previous institutional use ceased in June 2002, and conversion of the landmark building for residential use is compatible with the surrounding neighborhood.

  The Traffic Impact Study prepared for the applicant by Walls & Associates LLC projected that intersections surrounding the site will operate at levels of service similar to what currently exist "with or without redevelopment of 2425 L Street." Additional delays would be experienced at the Pennsylvania Avenue intersection with 25th and L Streets, N.W. The Department of Transportation has been requested to confirm these findings, but based on this information, staff thinks the anticipated traffic impacts are acceptable given the benefits to the neighborhoods.

- *The Zoning Commission shall find that the proposed planned unit development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

  The Generalized Land Use Map designates the subject property as Institutional, characterized by "land and facilities occupied by colleges, universities, hospitals ... as predominant uses. This designation was applied because there was no indication that the Columbia Hospital for Women would not continue when the Comprehensive

Plan was adopted in 1998 and subsequently amended. However, the sale of this property allows its future use to be reconsidered in the larger context. Surrounding properties and squares have been designated for High-Density Residential, characterized by "high rise apartment buildings" as predominant uses, and Median-Density Commercial development characterized by "shopping and service areas that generally offer a large concentration and variety of goods and services outside the Central Employment Area" as predominant uses.

The Comprehensive Plan enunciates, as its first principle, the importance of stability for residential neighborhoods. As the legal basis for zoning in the District, the Plan emphasizes the importance of stability for residential neighborhoods. Under Section 101, Major Themes, the plan states:

> "The successful and creative functioning of neighborhoods is a fundamental concern. Citizen participation in civic improvement starts from the interest that people have in their neighborhood blocks and the day-to-day relationships therein. District services are primarily directed to homes and their environs. ...

The District elements of the Plan propose that the residential character of neighborhoods be maintained and improved. ...

> Ensuring good quality neighborhoods is of utmost importance to the District."

In Title 11, the Land Use Element, the Plan gets quite specific in Section 1102, Objectives for Residential Neighborhoods that states the residential neighborhood objectives are as follows:

"(a) To conserve the essentially satisfactory qualities of the District's many stable residential neighborhoods;
(b) To enhance other neighborhoods to improve and achieve stability;
(c) To redirect public and private initiatives to neighborhoods most in need of improvement and stability;
(d) To encourage development of adequate neighborhood shopping and support services in all sections of the District;
(e) To protect residential neighborhoods from disruptive uses; and
(f) To prevent concentrations of non-residential uses in residential neighborhoods."

<u>Policies in support of these objectives under Section 1104.1 include several that are directly relevant to this case:</u>

(a) Promote the conservation, enhancement and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses;

(b) Conserve and maintain the District's sound, established neighborhoods through the strict application and enforcement of housing, building, and zoning codes and the maintenance of the general level of existing residential uses, densities, and heights; ...
(c) Encourage the retention and expansion of residential areas in mixed use neighborhoods to help maintain the residential character of these areas, through modification of land use and related regulations when necessary; ...
(l) Upgrade deficient neighborhood and multi-neighborhood shopping and service areas, ... and assist in the establishment of new commercial areas to ensure that all neighborhoods have ready access to a suitable range of retail goods and services in the District. ...

Ward 2 Objectives for Economic Development in Section 1301.1 include:

(a) Enhance the image of Ward 2 as a place to do business and to reside;
(b) Maintain sound areas of the ward and rebuild and develop other areas of the ward where economic development actions are needed;
(c) Increase total employment in the ward, especially in the Central Employment Area, and at appropriate locations and levels in other areas of the ward; ...
(g) Increase District tax revenues from expanded economic development activity in Ward 2 but not at the expense of residential communities in the Ward that are critical providers of revenues to the District, especially in the form of income and property taxes, and that are a source of employees to the Central Employment Area.

Ward 2 Objectives for Housing under Section 1304.1 include:

(a) Stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations;
(b) Provide for the housing needs of low- and moderate-income households;
(c) Encourage home ownership; ...

Ward 2 Objectives for Transportation under Section 1310.1 include: ...

(b) Improve mobility within Ward 2 for residents, employees, and visitors, while minimizing the adverse transportation impacts on commercial areas and residential neighborhoods. ...

Based on this information, OP believes this development proposal is not inconsistent with the Comprehensive Plan.

- *Public benefits are superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter of right provisions of this title.* The public benefits of this PUD would be the provision of 150 to 200 residential units, 28,000 square feet for ground floor neighborhood-serving retail and service uses, and the retention of a local historic landmark. OP recommends that provision of 150-200 apartment units, and 28,000 square feet for neighborhood serving retail and service uses be made conditions of PUD approval.

- *A project amenity is one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors.* Retention and enhancement of the original Columbia Hospital for Women and yard in front of the building is an important project amenity (refer to [a] under the Public benefits bullet below).

- *In deciding a planned unit development application, the Zoning Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.* Refer to the staff summary below.

- *Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following, or additional, categories:*

  (a) Urban design, architecture, landscaping, or creation or preservation of open spaces;

  - Working with the State Historic Preservation Office (SHPO) and the Historic Preservation Review Board (HPRB), the applicant modified the original architectural plans to eliminate awkward, boxy additions proposed for each wing that would return toward the historic core, and lower the connecting additions to four floors (approximately equal to the heights of the Y-shaped hospital wings).

    As stated in the SHPO report to the HPRB dated April 23, 2003, "The result is undoubtedly much superior, better separating the new construction from the old." The second problem with the mass of the bookend additions was resolved by setting back the two top floors of each wing.

  - The Report also noted "The architects also developed the elevations a bit more, aiding in a better understanding of the massing and proportions." Addition refinements were recommended, however SHPO staff and HPRB approved the revised plans in concept (refer to Agency Comments section below).

- A number of distinctive site characteristics, such as the existing sloping topography along L Street, landscaped berms along L Street and portions of 24th and 25th Street, and the existing masonry wall along 25th Street would be retained. The Report notes"... the setting of the hospital is very important, perched as it is on a small hill and surrounded originally by green space, particularly by the extant lawn and circular driveway just below its primary elevation." Preservation of the remaining landscaping around the front yard approach is also very important.

(b) Site planning, and efficient and economical land utilization;

- Current R-5-D zoning would allow 75% coverage of the site by a vertical building mass up to 90 feet in height.

- This proposal would introduce more interesting building configuration that frames the historic core of the old hospital building, while tripling the floor area to provide home-ownership opportunities and commercial land uses desired by the neighborhood.

- The resulting structure requires 57% lot occupancy and tapers the 90-foot height to the northeast and northwest corners of the site. Plans indicate that the proposal also provides a rear yard of approximately 30 feet. This rear yard and the adjacent rights-of-way of 24th, 25th and L Streets ensure that this development does not impact the air and light of adjacent properties.

(c) *Effective and safe vehicular and pedestrian access; transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*

- The site is approximately 1,200 feet) from the underground Washington Metropolitan Area Transit Authority (WMATA) Foggy Bottom rail station on the Blue and Orange Line routes located one square south of Pennsylvania Avenue on the George Washington University campus. There are also numerous bus transit routes accessible along Pennsylvania Avenue and 23rd Street, N.W.

- The proposal provided ground floor area for neighborhood serving retail and services uses that is directly accessible to pedestrians from the 24th and 25th Street frontages of the proposed building.

- On-site parking is provided underground with ingress/egress along the east and west sides of the lot, and sidewalks surround the property along the three adjacent streets.

- Vehicular access to the service and parking areas within the development is from dual driveways located near the middle of the square along the 24th and 25th Street frontages.

(d) Historic preservation of private or public structures, places or parks;

- This proposal retains and enhances the building formerly occupied by the Columbia Hospital for Women, a local historic landmark, and its open space, front yard topography, and landscaping along L Street, N.W.

- The SHPO Report stated, "The greatest possible preservation of the building's visibility is required to experience and understand the building's original function and design intent." Proposed additions have been modified to retain much of the view from Pennsylvania Avenue to the south and west, and L Street to the south and east to the corner of 24th Street, thus allowing the restored porch wings to remain visible from these vantage points.

- Project architects also avoided disturbing likely archaeological resources related to the former Maynard Mansion/British Legation/early hospital buildings by not bringing the new west wing all the way to L Street.

(e) Employment and training opportunities;

- The applicant is negotiating an agreement to participate in the Department of Employment Services' First Source Employment Program. Staff recommends the signed agreement be added to the public record prior to the proposed action.

- Staff suggested also entering into an agreement with the Minority Business Opportunity Commission ("MBOC"), but the applicant declined to participate in this program.

(f) Housing and affordable housing;

- This proposal would provide between 150-200 residential units that will add permanent residents to the established West End neighborhood.

(g) Social services/facilities;

- No specific social services or facilities are associated with this development.

(h) Environmental benefits, such as storm water runoff controls and preservation of open space or trees;

- Current storm water management controls would be maintained on the subject property, and the applicant would preserve the existing landscaping and the sloping topography along the L Street frontage.

(i) Uses of special value to the neighborhood or the District of Columbia as a whole;

- Retention and enhancement of a local historic landmark, the critical open space in front of this building, and many distinctive elements of the site are all valuable to this site, the neighborhood and the District.

- The provision of 150-200 permanent residential units , and designation of 28,000 square feet on the ground floor for neighborhood-serving retail and service uses will provide special value by solidifying a permanent residential neighborhood with appropriate retail and service uses that can be access on foot.

(j) Other public benefits and project amenities and other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan. None.

In summary, staff finds that the relative value of the project amenities and public benefits offered is greater than the degree of development incentives requested or anticipated impact of granting the requested relief to provide one of the referenced benefits (ground floor commercial uses).

COMMUNITY COMMENTS

At a special public meeting held on December 29, 2002, Advisory Neighborhood Commission (ANC) 2A enthusiastically adopted a resolution recommending approval of this application.

AGENCY COMMENTS

This proposal was distributed to the District of Columbia Metropolitan Police Department, Fire Department, and Departments of Housing & Community Development and Public Works. No concerns have been expressed about this proposal.

During the hearing April 24, 2003, The Historic Preservation Review Board (HPRB) reviewed and approved the project design concept and massing plans.

RECOMMENDATION

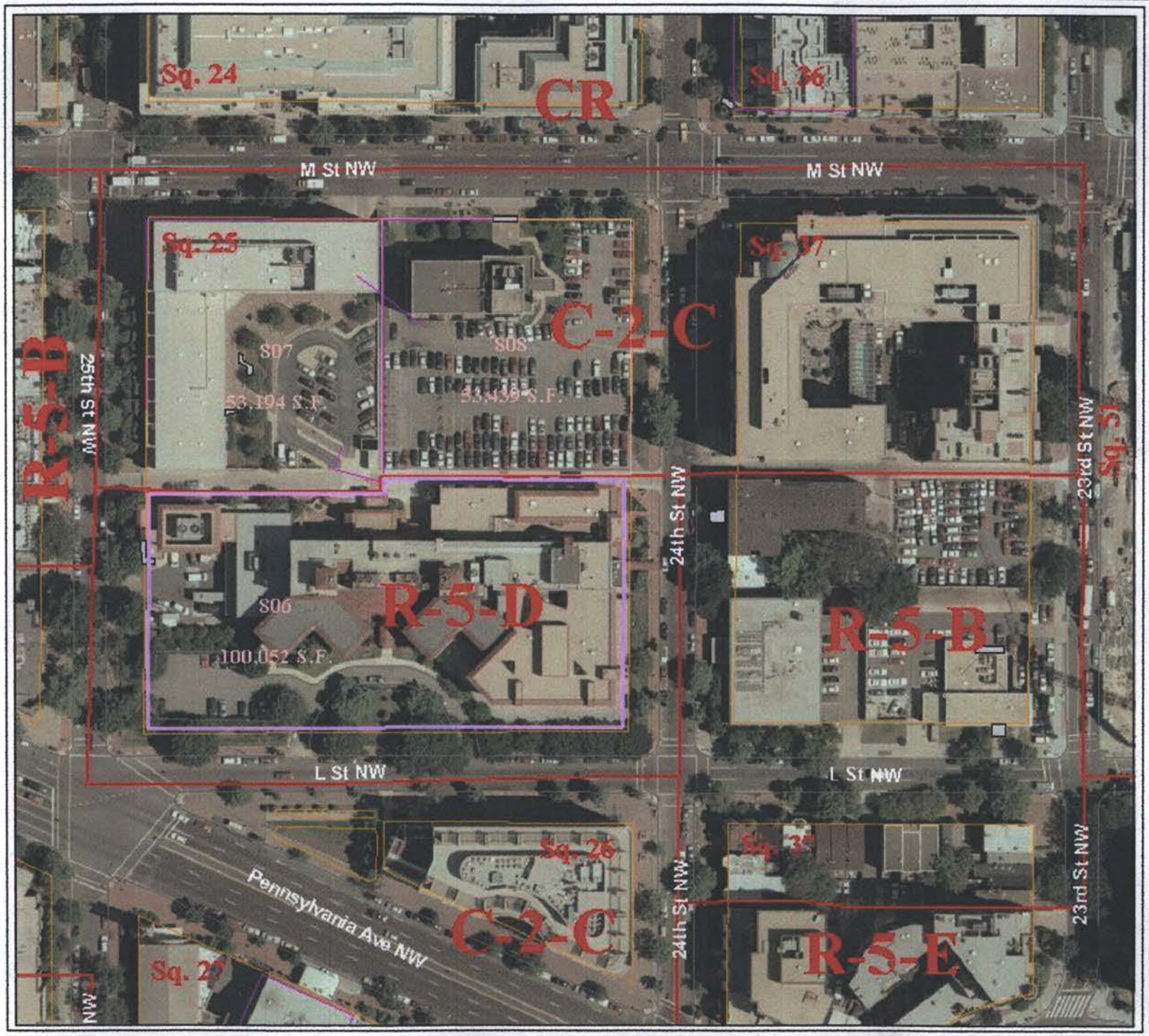
Office of Planning recommends conditional approval of this request. The conditions are that:

- Provide 150-200 residential units ;
- Provide on-site parking equal to 285 parking spaces or a least 1 parking space per residential dwelling unit;

- Designate at least 28,000 square feet for ground floor commercial uses;
- That the ground floor commercial uses shall be limited to those retail and uses listed in Section 701 and 721 of the Zoning Regulations;
- The applicant shall participate in the Department of Employment Services' First Source Employment Program, and the signed agreement shall be added to the public record prior to the proposed action.

AA/afj

Attachment: Exhibit 1 Aerial Map with Zoning
Exhibit 2 Pertinent Zoning Regulations



Zoning and Existing Development on Squares 25 & 37

DC Office of Planning
September 17, 2002

Scale 1:1414

50 0 50 Feet

Exhibit 1

Pertinent Provisions of the Zoning Regulations

701 USES As A MATTER OF RIGHT (C-l)

701.1 The following service establishments shall be permitted in a C-l district as a matter of right:

(a) Bank or other financial institution;
(b) Bar or cocktail lounge:
(c) Barber or beauty shop;
(d) Cobbler or shoe repair shop;
(e) Collection station for dry cleaning, dying, or laundry;
(f) Dressmaking shop or establishment;
(g) Frozen food locker for family or individual use only;
(h) Gasoline service station existing on May 12, 1958;
(i) Gasoline service station as an accessory use to a parking garage, or public storage garage, subject to the special provisions of chapter 23; Provided, that the following requirements shall be met:

(1) All portions of the within the garage;
(2) No part of the accessory use shall be visible from a sidewalk; and
(3) Signs or displays indicating the existence of the accessory use shall not be visible from the outside of the garage;

(j) Laundry, self service, not exceeding twenty-five hundred square feet (2,500 ft.^{2} of gross floor area;
(k) Laundry or dry cleaning establishment, not exceeding twenty-five hundred square feet (2,500 ft.^{2}) of gross floor area;
(l) Locksmith;
(m) Newspaper distribution station;
(n) Optician and optometrist;
(o) Radio or television repairs;
(p) Shoeshine parlor;
(q) Tailor shop or valet shop not exceeding twenty-five hundred square feet (2,500 ft. ^{2} of gross floor area; and
(r) Watch repair shop.

701.2 Any use permitted in any R-5 district under $5350.4 and 350.5, or in the SP district under § 501, except a community-based residential facility for seven (7) or more persons not including resident supervisors or staff and their families, shall be permitted in a C-l district as a matter of right.

701.3 A youth residential care home, community residence facility, or health care facility for seven (7) to eight (8) persons, not including resident supervisors or staff and their families, shah be permitted in a C-l district as a matter of right;

Provided, that there shall be no property containing an existing community-based residential facility for seven (7) or more persons in the same square and that there shall be no property containing an existing community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property.

701.4 The following retail establishments shall be permitted in a C-l district as a matter of right:

(a) Art supplies store;
(b) Automatic ice delivery station;
(c) Automobile accessories sales, excluding installation;
(d) Bakery; Provided, that any manufacture of bakery goods shall be limited to goods retailed on the premises;
(e) Bicycle sales and repair;
(f) Book store;
(g) Camera or photographic supplies store;
(h) Cosmetics or toiletries store;
(i) Drug store or pharmacy;
(j) Electric appliance store, including television and radio sales;
(k) Flower stand or florist shop;
(l) Food or grocery store;
(m) Gift shop;
(n) Hardware store;
(o) Hobby shop, including the sale of toys;
(p) Jewelry store;
(q) Restaurant, but not including a fast food restaurant, drive-in restaurant, or a food delivery service;
(r) Music store;
(s) Newsstand;
(t) Notions or novelty store;
(u) Off-premises alcoholic beverages sales;
(v) Paint store;
(w) Sporting goods store;
(x) Stationery store;
(y) Tobacco products store; and
(z) Variety store.

701.5 Other service or retail use similar to that provided for in @701.1 and 701.4, including assemblage and repair clearly incidental to the conduct of a permitted service or retail establishment on the premises, shall be permitted in a C-l district as a matter of right.

701.6 The following uses shall also be permitted in a C-l district as a matter of right:

(a) Telephone exchange, electric substation using non-rotating equipment, and natural gas regulator station;

(b) Library;
(c) Office, except new chancery and international agency;
(d) Parking lot, parking garage, or public storage garage, subject to the special provisions of chapter 23 of this title;
(e) Chancery;
(f) College, university, or other academic institution of higher learning;
(g) Antenna tower for television and radio broadcasting, and in conjunction with the erection, alteration, or use of buildings for transmission or reception equipment;
(h) Hotel or inn; and
(i) Rooming or boarding house; Provided, that the following requirements are met:

(1) No sign is displayed on the premises;
(2) No advertisement is displayed or published on or off the premises holding out the establishment to be a hotel, motel, inn, hostel, bed and breakfast, private club, tourist home, guest house, or other transient accommodation;
(3) Cooking facilities are not provided in any individual unit; and
(4) In a rooming house, no central dining or food preparation area is provided for guests.

701.7 Subject to the procedure §701.9, one ground-mounted antenna, not to exceed a mounted height of twenty feet (20 ft.) at its highest point above the ground, shall be permitted as a matter of right in a C-l district; Provided, that the following requirements are met:

(a) The antenna is located in either the rear yard or the side yard of the principal building on the lot;
(b) The antenna is not visible from any street which the lot abuts, or from any public park which is within the Central Employment Area;
(c) Each part of the antenna is removed from all lot lines by a minimum distance of ten feet (1O ft.);
(d) The antenna, to the maximum practical extent, shall be of black mesh construction; or of materials and colors that blend with the surroundings; and
(e) The installation shall include screening treatments as necessary to ensure compliance with paragraph (b) of this subsection, and, to the maximum practical extent, to reduce the adverse impact of the visibility of the antenna from adjacent property.

701.8 Subject to the procedure of § 701.9, one roof-mounted antenna shall be permitted as a matter of right in a C-1 district; Provided, that the following requirements are met:

(a) Each part of the antenna is removed from all edges of the roof a minimum distance equal at least to its height above the roof; The antenna, to the maximum practical extent, shall be of black mesh construction, or of materials and colors that blend with the surroundings;

(b) The installation shall be located and screened as to minimize the view of the antenna from the ground;

(c) If the antenna is located on the roof of a building which has a height of sixty-five feet (65 ft.) or less, the antenna shall not be visible from the ground;

(d) If the height of the roof is ninety feet (90 ft.) or less, the mounted height of the antenna at its highest point shall not exceed twelve feet (12 ft.) above the roof; and

(e) If the height of the roof exceeds ninety feet (90 ft.), the mounted height of the antenna at its highest point shall not exceed eighteen feet six inches (18 ft. 6 in.), above the roof.

701.9 The following procedure shall apply to an application for approval of an antenna under § 701.7 or § 701.8 of this section:

(a) Before taking formal action on an application, the Zoning Administrator shall submit the application to the Director of the Office of Planning for review and report; and

(b) The Director shall report to the Zoning Administrator either within thirty (30) days of the date of submission of the application to the Director, or within such longer or shorter period as the applicant, the Zoning Administrator, and the Director may agree to establish for the report of the Director.

721 USES AS A MATTER OF RIGHT (C-2)

721.1 Any use permitted in C-l districts under $701 of this chapter shall be permitted in a C-2 district as a matter of right. In addition to the uses permitted in C-l districts by $701.1, the following service establishments shall be permitted in a C-2 district as a matter of right:

(a) Automobile laundry, with reservoir space for at least fifteen (15) automobiles;
(b) Automobile rental agency;
(c) Billiard parlor or pool hall;
(d) Blueprinting or similar reproduction service;
(e) Bowling alley; provided, that it shall be soundproof;
(f) Catering establishment;
(g) Dental laboratory;
(h) Film exchange;
(i) Funeral, mortuary, or undertaking establishment;

(j) General indoor storage, not exceeding twenty-five hundred square feet (2,500 ft.^{2}) of gross floor area;
(k) Interior decorating shop;
(l) Laundry, self service, with no limitations on the gross floor area;
(m) Laboratory, optical;
(n) Parcel delivery service;
(o) Photographic studio;
(p) Picture framing studio or shop;
(q) Plumbing or heating shop, excluding outdoor storage;
(r) Printing, lithographing, or photoengraving establishment, in each case not exceeding twenty-five hundred square feet (2,500 ft.^{2}) of gross floor area;
(s) Public bath, physical culture, or health service;
(t) Radio or television broadcasting studio and antenna tower in conjunction with the studio;
(u) Streetcar or bus passenger depot;
(v) Tailor shop or valet shop, with no limitation on the gross floor area;
(w) Telegraph office; and
(x) Veterinary hospital.

721.3 In addition to the uses permitted in C-1 districts by 5702.4, the following retail establishments shall be permitted in a C-2 district as a matter of right:

(a) Antique store or shop;
(b) Auction house;
(c) Automobile accessories sales, including installations;
(d) Automobile and truck sales;
(e) Boat or other marine sales;
(f) Department store;
(g) Display stand or store for mad order sales;
(h) Dry goods store;
(i) Furniture store;
(j) Home furnishings sales;
(k) Ice sales;
(l) Leather goods store;
(m) Musical instruments and accessories sales;
(n) Office supplies and equipment sales;
(o) Optical goods store;
(p) Pet shop;
(q) Precision instrument sales;
(r) Drive-in type restaurant; and
(s) Fast food restaurant or food delivery service, only in a C-2-B or C-2-C district; Provided, that the following requirements are met:

(1) No part of the lot on which the use is located shall be within twenty five feet (25 ft.) of a residence district, unless separated by a street or alley;
(2) If any lot line of the lot abuts au alley containing a Zone boundary line for a residence district, a continuous brick wall at least six feet (6 ft.) in height and twelve inches (12 in.) thick shah be constructed and maintained on the lot along the length of that lot line;
(3) Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6 ft.), whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a residence district; and
(4) The use shall not include a drive-through.

721.4 Other service or retail use similar to that permitted in § 5721.2 and 721.3, including assemblage and repair clearly incidental to the conduct of a permitted service or retail establishment on the premises, shall be permitted in a C-2 district as a matter of right.

721.5 A youth residential care home, community residence facility, or health care facility for seven (7) to fifteen (15) persons, not including resident supervisors or staff and their families, shall be permitted in a C-2 district as a matter of right; Provided, that there shall be no property containing an existing community-based residential facility for seven (7) or more persons in the same square and that there shall be no property containing an existing community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property.

721.6 The following uses shall also be permitted in a C-2 district as a matter of right:

(a) Assembly hall, auditorium, or public hall;
(b) Theater, including motion picture theater; and
(c) International organization..