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REPORT TO THE ZONING COMMISSION

CASE NO. 03-24
2126 WYOMING AVENUE, N.W.

STEVEN E. SHER,
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP

OCTOBER 16, 2003

I. Introduction

II. Nature of applications

A. Consolidated review of planned unit development

B. Map amendment from R-3 to R-5-D

III. Site location

A. 2126 Wyoming Avenue, N.W.

B. Sheridan Kalorama area

IV. Site description

A. Rectangular-shaped property located on the south side of Wyoming Avenue between Connecticut Avenue and 23rd Streets, N.W. (Square 2528, Lot 911)

B. Contains 16,500 square feet of land area

C. Has frontage of 100 feet on Wyoming Avenue and on a 10 foot wide public alley at the rear

ZONING COMMISSION
District of Columbia
CASE NO.03-24
EXHIBIT NO.32

D. Existing condition: developed with three story plus basement building formerly used as the Field School, now vacant

E. Abutting street: Wyoming Avenue – 50 feet wide

V. Description of the surrounding area (see aerial photograph, c. 1995, attached)

A. Immediate area: Sheridan Kalorama area contains mostly residential uses, multi-family along the Connecticut Avenue edge and single family with a mix of diplomatic use (both embassy and chancery) for the remainder

B. Remainder of Square 2528

1. To the east:

a. Jury's Normandy Inn hotel at 2118 Wyoming Avenue (6 stories)

b. Rowhouses fronting on Connecticut Avenue (3 stories), one devoted to chancery use

2. To the south: apartment buildings on the north side of California Street west of Connecticut Avenue, many predating and exceeding the standards of the current R-5-B zone

3. To the west:

a. Rowhouse structures (including both single family and multi-family uses) on the south side of Wyoming Avenue

b. Foreign missions

C. To the north (across Wyoming Avenue):

1. High-rise apartment buildings facing Connecticut Avenue

2. Detached buildings devoted to residential and diplomatic use

D. To the east (across Connecticut Avenue): high-rise apartment houses along Connecticut Avenue, including the buildings at 2029 and 2101 Connecticut Avenue

E. To the south (across California Street):

1. Apartment buildings on the south side of California Street west of Connecticut Avenue, many predating and exceeding the standards of the current R-5-B zone

2. Marriott Courtyard and Churchill Hotels on the west side of Connecticut Avenue between Leroy Place and California Street

F. To the west (across 23rd Street): mix of single family detached residential and diplomatic uses

VI. Zoning

A. Existing zoning: R-3

1. Single family residential district permitting detached, semi-detached and row dwellings, as well as a limited range of other uses (e.g., church, Sunday school building, embassy) as a matter-of-right

2. Maximum height: 40 feet, 3 stories

3. Minimum lot area and width:

a) Row dwelling: 2,000 square feet, 20 feet

b) Semi-detached dwelling: 3,000 square feet, 30 feet

c) Detached dwelling: 4,000 square feet, 40 feet

4. Maximum percentage of lot occupancy:

a) Row dwelling: 60%

b) All other structures: 40%

5. Minimum required rear yard – 20 feet

6. Side yard – not required

7. Minimum required parking for single family dwellings: 1 space for each dwelling unit

8. PUD guidelines

   a) Height: 40 feet

   b) FAR: 0.6

   c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

   d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. History: Property has been zoned R-3 since 1958

C. Proposed zoning: R-5-D

1. General residential district permitting single family, two family and multi-family dwellings, as well as a broad range of institutional uses (e.g., clinic, hospital, museum) as a matter-of-right

2. Maximum height: 90 feet

3. Maximum FAR: 3.5

4. Maximum percentage of lot occupancy: 75 percent

5. Minimum required rear yard – 4 inches per foot of height at the rear, minimum of 15 feet

6. Side yard – not required

7. Minimum required parking:

   a) For single family use: 1 space per dwelling unit

   b) For apartment house use: 1 space for each 3 dwelling units

8. PUD guidelines

   a) Height: 90 feet

b) FAR: 4.5

c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

D. Zoning of the area (see map, attached)

1. To the north and northwest: D/R-1-B

2. To the west: R-3

3. To the south and southwest: R-5-B

4. To the east: R-5-D

5. Zoning history: only change in the immediate vicinity since 1958 was the mapping of the Diplomatic Overlay District in 1978

VII. Description of the proposed project

A. Uses:

1. Conversion of existing building to 2 single family units

2. Construction of new apartment house of 4 units

B. Height

1. Existing building is 48 feet (34.3 feet if measured under R-3 standards)

2. Proposed building is 48.32 feet (38.9 feet if measured under R-3 standards)

C. Floor area ratio:

1. Existing: 0.73

2. Proposed: 0.58

3. Total: 1.31

D. Parking:

1. Four spaces in the renovated carriage house with access from the alley for the two units in the existing building

2. Four surface spaces with access from the alley at the rear of the new building for the four apartment units in the new building

E. Comparison to matter-of-right and PUD standards for R-5-D

1. Use: residential uses (single and multi family) permitted as a matter-of-right

2. Height:

a) Matter-of-right: 90 feet

b) PUD guideline: 90 feet

c) Proposed: maximum of 48.3 feet

3. FAR:

a) Matter-of-right: 3.5

b) PUD guideline: 4.0

c) Proposed: 1.31

4. Proposed number of units (maximum of six) is less than the theoretical density permitted under R-3 (2,000 square foot lots yields 8 units)

5. Gross floor area of approximately 21,620 square feet is approximately 36,130 square feet less than the matter-of-right under the proposed zoning and approximately 8,000 square feet less than permitted under the existing R-3 zoning (a 3 story building at 60% lot occupancy)

VIII. Compliance with PUD evaluation standards of §2403

A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)

1. Replacing private school with residential use and constructing a small new apartment house, favored uses under the Comprehensive Plan and city policies

2. Proposed height is less than the height of the existing buildings to the east and south and will be a transition to the single family uses to the west

3. Proposed density is less than the number of units and the bulk now permitted

4. Project represents decrease in intensity of use from prior school use

B. Project is not inconsistent with the Comprehensive Plan (§2403.4): see section IX, below

C. Commission shall "judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects" (§2403.8)

D. Public benefits and project amenities

1. On-site benefits and amenities

a) Residential use

b) Historic preservation

c) Retention of open space between the buildings

d) Urban design relationship between existing historic structure and unsympathetic 1970 era hotel on the east

2. Community benefit: creation of $90,000 fund for community projects and programs, in conjunction with ANC 2D

balanced against

E. Development incentives:

1. No increase in height over existing matter-of-right height and below permitted height under the proposed zoning

2. Less bulk than permitted under existing matter-of-right (3 stories @ 60% lot occupancy = 1.8 FAR) and far below permitted FAR under the proposed zoning

F. Areas of flexibility from C-2-C or PUD standards:

1. Roof structure setback from the east side lot line (adjacent to and below the level of the existing hotel)

2. Consideration of multiple buildings on a single lot

IX. Consistency with the Comprehensive Plan

A. The District Elements

1. The District of Columbia Comprehensive Plan Act of 1984 (D.C. Law 5-76, March 9, 1984)

2. The District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 (D.C. Law 5-187, February 15, 1985)

3. The Comprehensive Plan Amendments Act of 1989 (D.C. Law 8-129, January 5, 1990)

4. The Comprehensive Plan Amendments Act of 1994 (D.C. Law 10-193, October 19, 1994)

5. Comprehensive Plan Land Use Maps Approval Resolution of 1996 (Resolution 11-313, May 7, 1996)

6. The Comprehensive Plan Amendments Acts of 1998 (D.C. Law 12-275, April 27, 1999)

B. Interpretation of the District elements

1. "The primary dynamic of the District elements of the Plan is the overlapping of its elements' goals. This overlapping is intentional." (§112.1)

2. "District elements of the Plan should be studied and executed in concert with each other and should be interpreted broadly." (§111.(a))

3. "The interpretation and implementation of any element should necessarily rely upon, and be respectful of, the objectives and policies of other elements." (§112.1(b))

4. "An element may be tempered, even defined, by one (1) or more of the other elements. This may occur within one (1) element and between elements. Since the Land Use element integrates the policies and objectives of all other District elements, it should be given greater weight than the other elements." (§112.1(c))

5. "The interpretation of the District elements of the Plan should also be guided by the major themes set forth in §101.1, which establish the overall priorities of the District elements of the Plan." (§112.2)

C. Major Themes

1. Stabilize and Improve the District's neighborhoods (§102)

2. Respect and improve the physical character of the District (§106)

3. Preserve and insure community input (§107)

4. Preserve the historic character of the District (§108)

D. Land Use element

1. Generalized Land Use Map:

a) Moderate density residential (to include "row houses and garden apartments as the predominant uses") (§1103.1)

b) Broader area to the west is moderate and low density residential

c) Connecticut Avenue corridor to the east is medium density residential

2. Objectives to:

   a) "Conserve and enhance the essentially satisfactory qualities of the District's many stable residential neighborhoods including those qualities that make them unique" (§1102.1(a))

   b) "Protect residential neighborhoods from disruptive uses" (§1102.1(e))

3. Policies to:

   a) "Promote the conservation, enhancement and revitalization of the residential neighborhoods of the District for housing" (§1104.1(a))

   b) "Conserve and maintain the District's sound, established neighborhoods" (§1104.1(b))

E. Housing element

1. Major policies

   a) Central theme to "stimulate a wider range of housing choices and strategies through the preservation of sound older stock and the production of new units" (§300.2)

   b) Housing viewed as "key part of total urban living system that includes access to transportation and shopping centers, the availability of employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities" (§300.4)

2. "Stimulate the production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the type of housing needed at desired locations" (§302.1)

3. "Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives" (§302.2(a))

4. "Encourage multi-unit housing development near selected Metrorail stations, at locations adjacent to Downtown and adjacent to proposed employment centers and office areas" (§302.2(d))

5. "Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused" (§302.2(e))

6. "Encourage the private sector to meet housing needs through the development of infill housing" (§302.2(f))

7. "Use Planned Unit Developments ... to encourage the construction or rehabilitation of additional single and multi-family housing at suitable locations" (§306.2(i))

8. "Promote the conservation, enhancement, and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses" (§1104.1(a))

F. Environmental Protection element:

Policy to promote improvement of air quality by "promot[ing] land use patterns and transportation services which decrease reliance on automobiles for commuting and other routine trips" (§403.2(c))

G. Transportation element:

"Support land use arrangements that simplify and economize transportation services ..." (§502.2(a)).

H. Urban design element:

1. "Preserve and enhance the outstanding physical qualities of District neighborhoods" (§702.1(b))

2. "Design residential, commercial, and all other buildings to complement or enhance the physical character of the District;" (§708.2(a))

3. "Design buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate region." (§708.2(b))

4. Areas of Stable Architectural Character (§711):

   a) Objective to "maintain those areas of the District that have a positive physical image and to provide that new development and renovation within or adjacent to these areas is complementary in scale and character." (§711.1)

   b) "Encourage infill development to be complementary to the established character of the area. In-fill development in stable areas should not create sharp changes in physical pattern which might lead to deterioration" (§711.2(a))

I. Historic Preservation element

1. Goal to "preserve the important historic features of the District while permitting new development that is compatible with those features" (§801.1)

2. "Sufficient open space should be retained to protect the essential integrity of the particular historic property and its sense of setting" (§805.8)

3. "In historic districts, the established form of development, as evidenced by lot-coverage limitations, yard requirements and other standards that contribute to the open space character and attractiveness of those districts, should be protected." (§805.9)

4. "The distinguishing original quality or character of historic properties should be protected. ... The design of additions should be compatible with the height, scale, materials, color, texture, and character of the historic property." (§805.15)

J. Ward 1 element (property was in Ward 1 at the time of adoption of the current plan)

1. Housing

   a) "Stimulate production of new and rehabilitated housing to meet all levels of need and demand in Ward 1 and to provide incentives for the full range of housing needed at desired locations throughout the ward" (§1205.1(a))

b) "Encourage the private sector to provide new housing to meets the needs of present and future Ward 1 residents at locations consistent with the ward's land-use policies and objectives" (§1206.1(a))

2. Transportation: "Support land use policies that simplify and economize transportation services in Ward 1" (§1214.1(a))

3. Urban Design:

a) "Design new residential ... buildings to complement or enhance Ward 1's physical character" (§1222.1(b))

b) "Design Ward 1's buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate area" (§1222.1(c))

4. Preservation and Historic Features: "Protect and enhance the important historic resources of Ward 1 and the national capital" (§1226.1(a))

5. Land Use:

a) "Conserve the essentially satisfactory quality of Ward 1's stable residential neighborhoods" (§1229.1(a))

b) Encourage "small scale and rehabilitation projects in existing buildings or on small infill parcels in Ward 1" (§1213.1(c)(2))

c) "Encourage appropriate height, bulk, and density so that new developments are designed to be harmonious with their surroundings [including] Sheridan-Kalorama" (§1213.1(m))

X. Compatibility with the area

A. Adjoining properties to the east and south will be devoted to uses and buildings which are at higher heights and densities than proposed for the subject site

B. Use:

1. Single and multi-family residential replacing private school

2. Other surrounding uses are compatible

C. Height

1. Existing building to the east and the existing buildings to the south are higher than that proposed

2. Proposed height is no greater than that permitted under the existing zoning

D. Density:

1. Proposed FAR is lower than the existing building to the east and south

2. Proposed bulk is less than permitted under R-3 for rowhouses

XI. Conclusions

A. Project is not inconsistent with the Comprehensive Plan

B. Project is within the applicable height and bulk standards of the Zoning Regulations and is consistent with the height and density of the present zoning

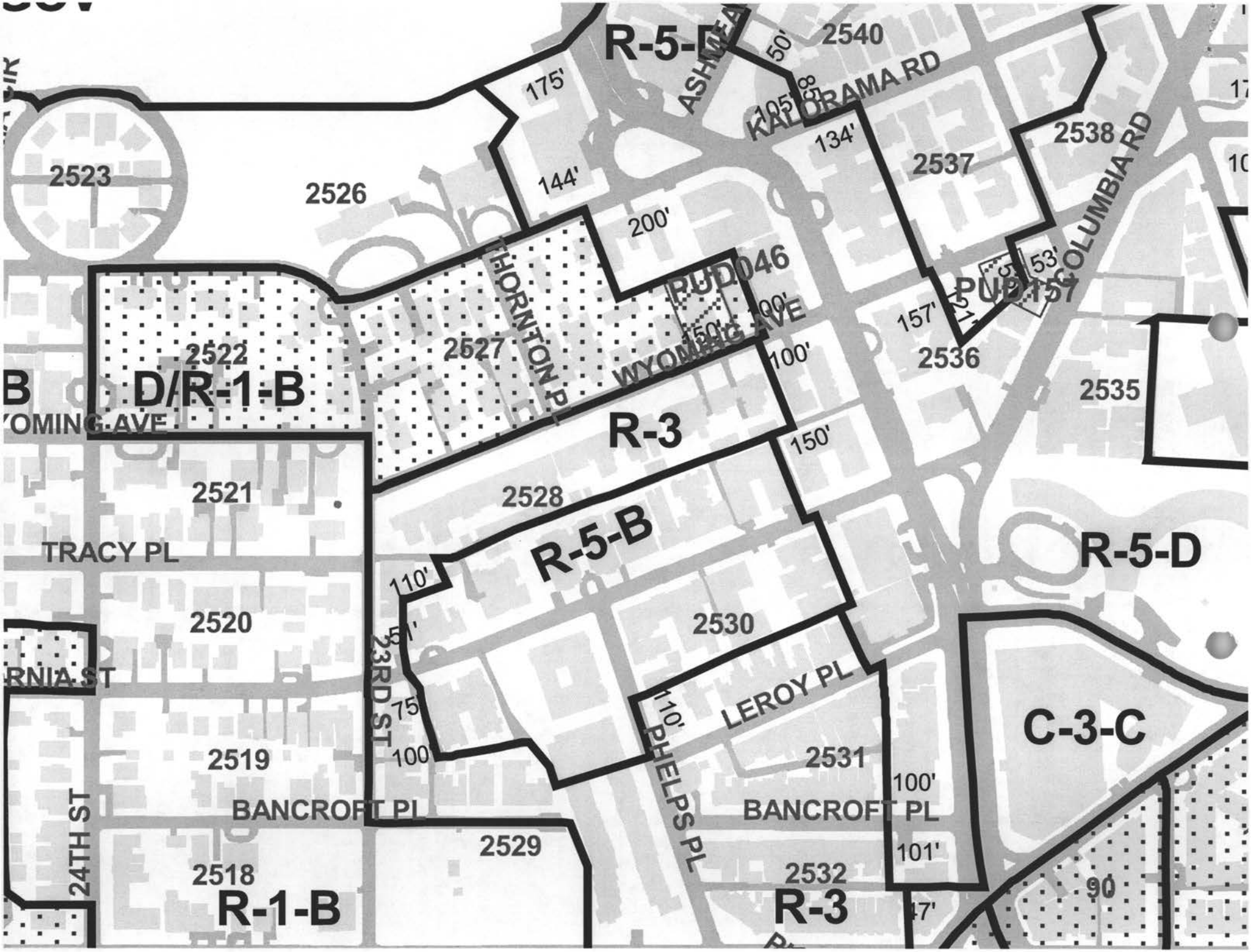
C. Project provides for small in-fill development while converting prior intensive nonresidential use to single family residential

D. PUD allows the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development

E. Balance of benefits and amenities against developer requested incentives and flexibility weigh in favor of the city

F. Project should be approved

Wyoming Ave NW
Connecticut Ave NW


R-5-D
2540
50'
ASHMEAD PL
KALORAMA RD
105'
175'
134'
2538
2537
COLUMBIA RD
2523
2526
144'
200'
PUD046
PUD157
53'
157'
2536
2535
2522
2527
THORNTON PL
WYOMING AVE
100'
150'
D/R-1-B
R-3
2521
2528
R-5-B
TRACY PL
110'
2520
2530
R-5-D
51'
23RD ST
75'
100'
LEROY PL
110'
PHELPS PL
C-3-C
2519
2531
100'
BANCROFT PL
BANCROFT PL
2529
101'
24TH ST
2518
2532
R-1-B
R-3
47'
90