NCPC
NATIONAL CAPITAL PLANNING COMMISSION

401 9th Street, NW
North Lobby, Suite 500
Washington, DC 20576
Tel 202 482 7200
Fax 202 482 7272
www ncpc gov

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District of Columbia
The Honorable Anthony A Williams

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The Honorable Linda W Cropp

Executive Director
Patricia E Gallagher, AICP

IN REPLY REFER TO
NCPC File No. Z C 04-16

APR 14 2005

Zoning Commission of
the District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D C 20001

2005 APR 15 PM 2:56

Members of the Commission

The National Capital Planning Commission, at its meeting on April 7, 2005 approved the enclosed action on the Takoma Neighborhood Commercial Overlay and related map amendment and found that they would not adversely affect the identified federal interests and are consistent with the Comprehensive Plan for the National Capital Also enclosed, for your information, is a copy of the Staff Recommendation for the project

Sincerely,

Patricia E Gallagher, AICP
Executive Director

Enclosures

ZONING COMMISSION
District of Columbia
CASE NO. 04-16
EXHIBIT NO. 46

ZONING COMMISSION
District of Columbia
CASE NO.04-16
EXHIBIT NO.46

COMMISSION ACTION

NCPC File No. Z.C. 04-16

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

TAKOMA NEIGHBORHOOD COMMERCIAL ZONING OVERLAY
TEXT AND MAP AMENDMENT TO DISTRICT OF COLUMBIA ZONING REGULATIONS
In the area of Blair Road, Carroll Avenue, and Cedar, Butternut and 4th Streets NW
Washington, D.C.

Submitted by the Zoning Commission of the District of Columbia

April 7, 2005

Commission Action Requested by Applicant

Approval of federal interests comments pursuant to Section 8 of the National Capital Planning Act (40 U.S C. § 8724(a)) and DC Code § 2-1006(a))

Commission Action

The Commission:

Concludes that the Takoma Neighborhood Commercial Overlay and related map amendment would not adversely affect the identified federal interests and are consistent with the Comprehensive Plan for the National Capital

Deborah B. Young
Secretary to the National Capital Planning Commission

STAFF RECOMMENDATION

NCPC File No. Z.C. 04 -16

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

TAKOMA NEIGHBORHOOD COMMERCIAL ZONING OVERLAY
TEXT AND MAP AMENDMENT TO DISTRICT OF COLUMBIA ZONING REGULATIONS
In the area of Blair Road, Carroll Avenue, and Cedar, Butternut and 4th Streets NW
Washington, D.C

REPORT TO THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA

March 31, 2005

Abstract

The Zoning Commission of the District of Columbia has proposed a text amendment to the District of Columbia Zoning Regulations to create the Takoma Neighborhood Commercial Overlay District and a related map amendment to map the overlay within the Takoma Central District The proposed overlay would encompass properties generally around the Takoma Metro Station, located along the frontages within 100 feet of Blair Road, Carroll Avenue, and Cedar, Butternut, and 4th Streets, N W , and would include Squares 3188 and 3278, and specific parcels on Squares 3187, 3275, 3276, 3352, 3353, 3354, 3356, 3357, and 3280

Federal Interests

The identified federal interests in this case are the Takoma Historic District, in which the proposed overlay district is located in its entirety except for Squares 3356 and 3357, and the Takoma Metro Station, located adjacent to it.

Commission Action Requested by Applicant

Approval of comments to the District of Columbia Zoning Commission pursuant to Section 8 of the National Capital Planning Act (40 U.S.C. 8724(a)) and D.C. Code 2-1006(a).

Executive Director's Recommendation

The Commission.

- Concludes that the Takoma Neighborhood Commercial Overlay and related map amendment **would not adversely affect the identified federal interests and are consistent with the Comprehensive Plan for the National Capital.**

* * *

PROJECT DESCRIPTION

Background

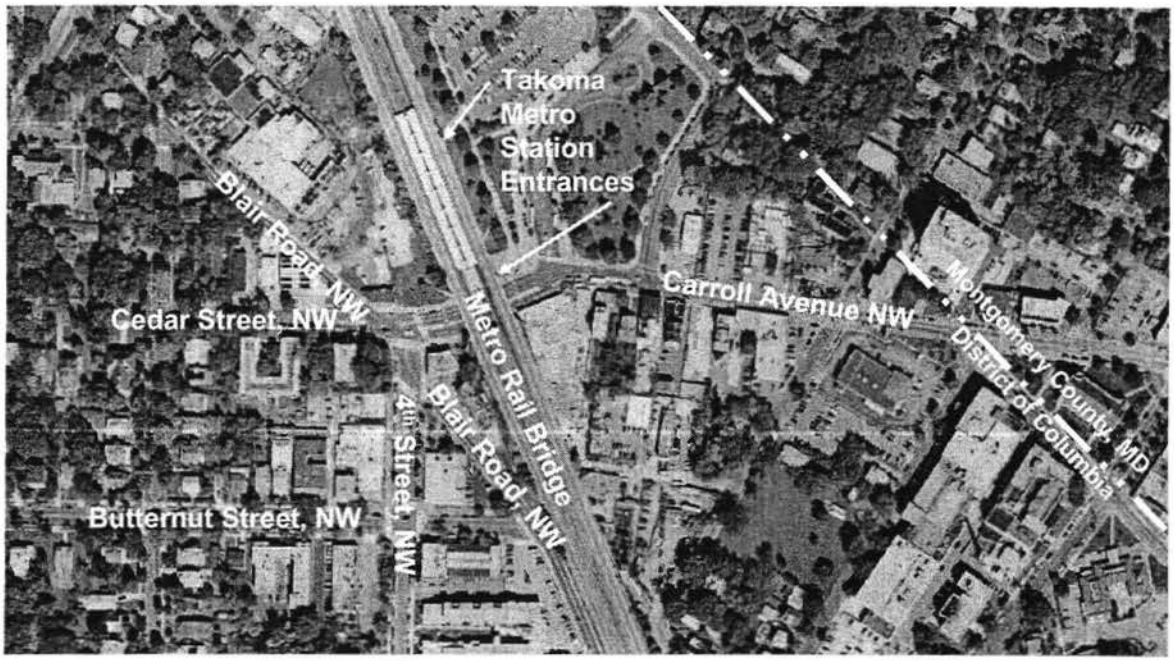
The proposed text amendment and related map amendment were initiated to advance objectives identified in the Takoma Central District Plan (the Takoma Plan), approved by the Council of the District of Columbia on June 4, 2002 The Takoma Plan provides guidance to the Zoning Commission regarding the D.C Comprehensive Plan, and establishes a vision for future development, preservation and revitalization of the Takoma Central District.

This proposed text and map amendments are listed as action items in the land use section of the Takoma Plan Implementation Summary, linking selected strategies with necessary implementation actions In implementing an earlier action item, the Zoning Commission **approved** the rezoning of certain lots on Square 3187 from C-M-1 to C-2-A in 2002, which extended the C-2-A zone that underlies the proposed overlay zone.

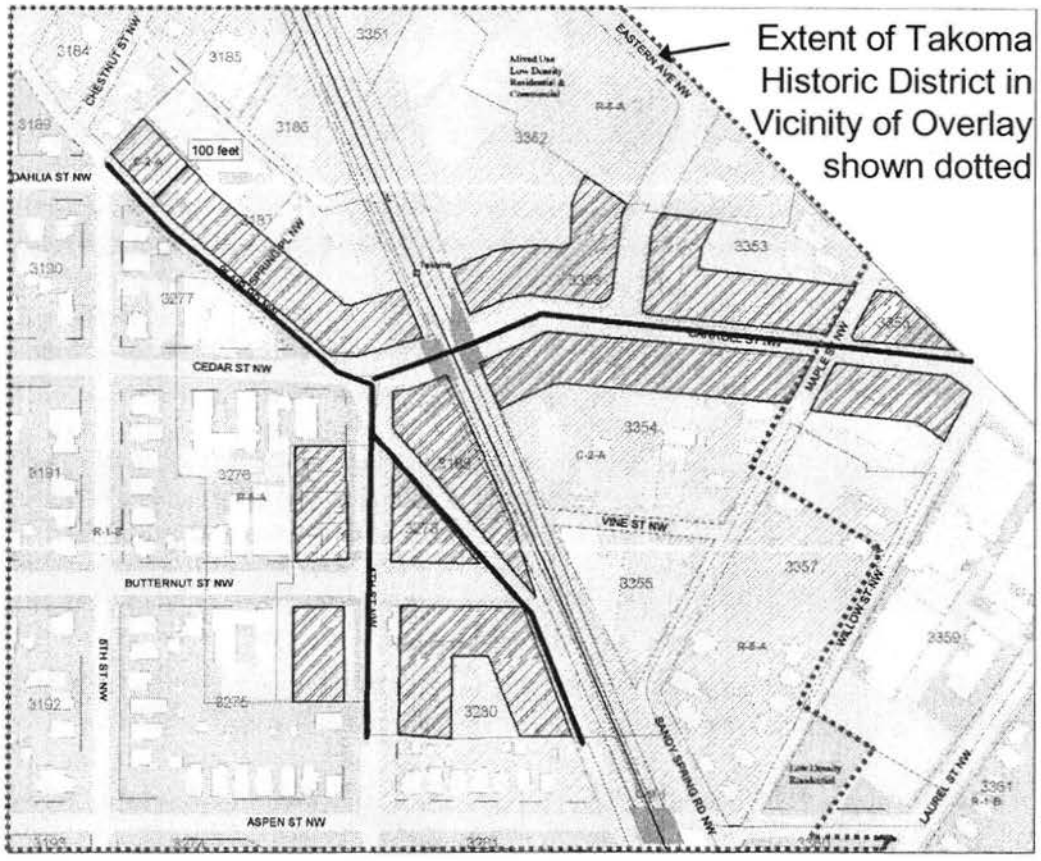
A public hearing for the purpose of considering the text and map amendments to establish and map the Takoma Neighborhood Commercial Overlay Zone was scheduled before the Zoning Commission on October 28, 2004, but deferred until January 24, 2005 The proposed action was approved at the Zoning Commission's March 14, 2005 Public Meeting

Proposal

The proposed zoning overlay district would implement guidelines and standards for revitalization related to historic preservation, market economics, land use, urban design, and transportation envisioned in the Takoma Central District Plan (the Takoma Plan) approved on June 4, 2002. It would encourage ground level retail activity concentrated along corridors leading to the Metro station, creating a gateway and village center to adjacent residential neighborhoods Encouraging a mix of retail and residential uses in this location would revitalize the area's economy, while enlivening the streets to enhance the experience and safety of walking between transit and home



CONTEXT MAP



NEIGHBORHOOD COMMERCIAL OVERLAY

According to Subsection 1300.3 of the District of Columbia Zoning Regulations, the purposes of neighborhood commercial overlay districts are generally:

- To encourage a scale of development, a mixture of building uses, and other attributes, such as safe and efficient conditions for pedestrian and vehicular movement, all of which will be as generally required by the Comprehensive Plan,

- To encourage retention and establishment of a variety of retail, entertainment and personal service establishments, predominantly in a continuous pattern at ground level, so as to meet the needs of the surrounding area's residents, workers and visitors, and

- To limit the maximum permitted height of new buildings so as to encourage a general compatibility in scale between new and older buildings

In addition to the general purposes of the neighborhood commercial overlay, the Takoma Neighborhood Commercial Overlay District would:

- Reserve sufficient open space to provide adequate light and air to encourage retail and service uses, and pedestrian circulation in the vicinity of the Takoma Metro station,

  Thus, the street wall of each new building fronting on a designated street would set back thirteen (13) feet from the curb line

- Require a minimum clear floor-to-ceiling height on the ground floor sufficient to accommodate the needs of neighborhood-serving retail, services and office uses,

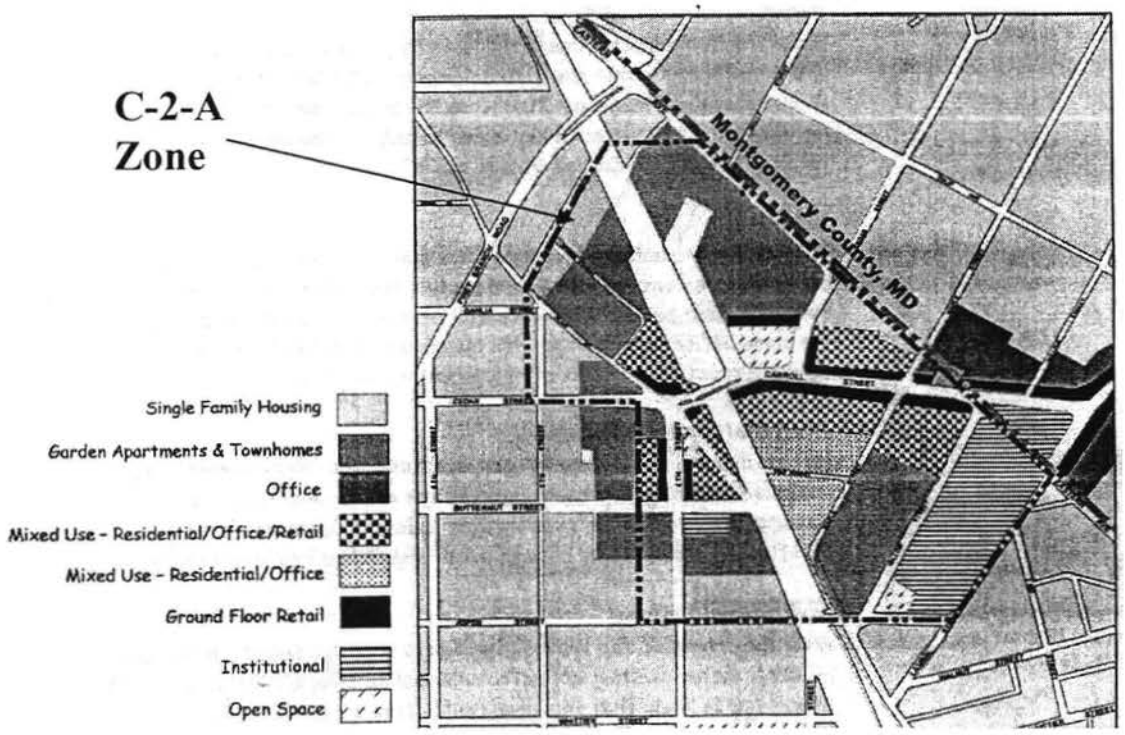
  Thus, the ground floor level of each new building would have a minimum clear floor-to-ceiling height of fourteen (14) feet, and

- Allow and encourage residential development to help meet the need for housing, enhance safety, and provide sufficient resident population to support neighborhood-serving retail, services and office uses

  Thus, portions of buildings with a minimum clear floor-to-ceiling height of 14 feet on the ground floor level would be permitted a total building height of fifty-five (55) feet so as not to decrease the number of allowable residential floors above the retail.

Specific proposed changes are ***underlined and in bold italics*** in the chart that follows, relative to the current underlying C-2-A zoning:

Standard	C-2-A	Proposed Change	Applicable
Floor Area Ratio	2.5 residential, 1.5 other permitted	None	--
Height	***50 feet, no story limit***	***55 feet, no story limit***	***to buildings required to provide designated ground floor retail***
Lot Occupancy %	60%	None	--
Residential Recreation Space	20% (except one-family dwelling, flat, hotel)	None	--
Rear Yard	15 feet	None	--
Side Yard	Varies	None	--
Front Yard	***None***	***13 feet from curb line***	***to properties with frontage along identified streets***
Courts	3 inches/foot of height, at least 12 feet	None	--
Roof Structures	18.5 feet (max)	None	--
Ground floor-to-ceiling height		***14 feet (minimum)***	***to designated use areas***



PREFERRED LAND USE PATTERN with UNDERLYING C-2-A ZONE

CONFORMANCE

Comprehensive Plan for the National Capital

Staff has determined that the proposed zoning text and map amendment are consistent with the *Comprehensive Plan for the National Capital Federal Elements The Comprehensive Plan* includes policies that support transit-oriented development at Metrorail stations and provision for sidewalks between destinations and transit stations in its Transportation Element. Although this proposal is not on a Federal installation, the general principles of the proposal are consistent with *The Plan.* In addition, portions of the overlay west of the Metrorail station lead to a Federal installation

Additionally, staff concurs with the Office of Planning (OP) report that the proposed zoning text and map amendment are consistent with the *Comprehensive Plan for the National Capital District Elements The Comprehensive Plan* Generalized Land Use Map designates this area for a mixture of low density residential development characterized by single-family detached and semi-detached housing, and low density commercial characterized by shopping and service areas that are generally low in scale, character and activity that provide a limited range of retail goods and services, as predominant uses. The adopted Takoma Central District Plan offers additional recommendations for the core areas to be a mixture of land uses including single-family housing, garden apartments and townhouses, mixed use retail, office and residential, and office, institution and open space The Takoma Plan served as the impetus for the proposed zoning text and map amendment

CONSULATION

Advisory Neighborhood Commissions

The Zoning Commission received letters signed by thirty-three citizens in reference to the subject proposal. Letters in support of the overlay zone outnumbered those against by a ratio of almost two-and-one-half to one Although only 10 citizens opposed the overlay, one of those opposing the proposal was a Commissioner of ANC 4B02 who represented what she characterized as a minority opinion of the Advisory Neighborhood Commission 4B and included eight survey forms filled out by her neighbors. The majority of surveys that Commissioner Wheeler collected and included opposed the overlay zone as proposed. She requested that the Zoning Board consider adopting the following provisions included in her proposal:

- Leave the maximum building height of 50 feet at current C-2-A zoning rather than increasing to 55 feet
- Require a 15 foot setback for sidewalks from the street wall to the curb line rather than 13 feet as proposed.
- Require a buffer between commercial and residential zones by requiring
  - a minimum 8 foot setback from property lines shared by commercial and residential properties.

- a minimum 4-foot setback from building line of upper stories in buildings above rooflines of homes in adjacent residential zone.
- compatibility of building facade, landscaping, streetscaping, sidewalk treatment, street furniture, etc with adjacent residential zone.

D.C. Office of Planning

The D.C Office of Planning (DCOP) Final Report dated October 28, 2004, recommends approval of the proposed amendment to Chapter 13 of the District of Columbia Municipal Regulations (DCMR), Zoning, to create the Takoma Neighborhood Commercial Overlay Districts in a C-2-A zone district with revision to incorporate OP recommendations, and approval of a map amendment to establish the new zoning overlay district on special lots located on Squares 3187, 3188, 3275, 3276, 3278, 3280, 3352, 3354, 3356, and 3357. Based on concern for viability of ground floor retail of certain frontage due to its isolation from established 4th Street commercial corridor and adjacency to residential zoning, and concern with marketability due to lack of parking. DCOP responded with proposed changes that would·

- Exempt some residential developments from the ground floor retail requirement
- *Thus, Subsection 1310 5 would be revised to read*

Buildings occupying or constructed on lots along the Blair Road frontage of Square 3187, and Cedar Street frontage of Square 3352 and 3353 within the Takoma Overlay District do not have to provide the designated retail and service establishments on the ground level required by 3102 1, nor comply with the ground level requirements of 1310 9 and 1310.10, if the ground level is devoted exclusively to residential uses.

- Require any change of ground floor uses in exempted residential developments to comply with requirements of the Takoma Neighborhood Commercial Overlay
- *Thus, Subsection 1310 6 would be revised to read.*

If ground floor residential uses are established pursuant to 13105, no certificate of occupancy for a permitted non-residential use on the ground level may be issued, unless the ground level of the subject building complies with 1310.9 14 foot floor-to-ceiling height at ground level), and 1310.10, (which would permit a total building height of fifty-five (55) feet).

Analysis of Federal Interests

The area of the proposed overlay includes a portion of the Takoma Park Historic District, which was listed as a local historic district subject to the D.C. Historic Landmark and Historic District Protection Act of 1978 (D.C. Law 2-144) in 1980, and listed in the National Register of Historic Places in 1983. The historic district contains both residential and commercial buildings, of which approximately 160 are contributing buildings dating from 1883 to 1940.

The proposed overlay was developed in consultation with the staff of the D C. Historic Preservation Division (HPD) for its possible effects on the architectural and historic character of the historic district. Commission staff has consulted at some length with the HPD staff not only on the technical aspects of the overlay but on the possible future development of the district and on the ramifications for future project and design review by the HPD staff and Historic Preservation Review Board The HPD staff supports both the objectives and the proposed text of the zoning overlay, believing that the fabric of the historic buildings and the character of the historic district will not be affected in an adverse manner by the proposed text.

As always, proposed future alterations to historic buildings and proposed new development within the historic district will be reviewed by the D.C. Historic Preservation Review Board in regularly scheduled public meetings Staff recommends approval of the proposed amendment with the assurance that it has been reviewed by the HPD staff (which is part of the D.C. Office of Planning), that the zoning amendment proposes modest changes to the building height and building line that will be accommodated through design review of future projects by the Historic Preservation Review Board (HPRB), and that the zoning proposal is intended in part to encourage greater pedestrian safety and activity in the commercial heart of Takoma DC and near the Metrorail Station.

HPD staff and the NCPC Preservation Officer concur that the zoning changes proposed for building height and street wall are modest enough that they would not adversely affect the historic district, which is the Federal interest in this project Additionally, if issues arise when future projects are submitted for review, they will be addressed locally by the HPRB.

Therefore, HPD staff and the NCPC Preservation Officer believe that the views expressed by the ANC Commissioner would be appropriately addressed at the local level by the processes in place for that purpose through the HPRB. Although the ANC Commissioner characterizes views expressed in her letter as a minority opinion, that term is not recognized. Therefore, it is not given the great weight that would be attributed to a majority opinion of the ANC. Although the ANC did not take an official position to oppose the overlay, the president of Plan Takoma, the neighborhood association, wrote to express that organization's support. The majority of those who signed letters and surveys still support the overlay

Staff does not oppose incorporation of DCOP staff recommendations to exempt certain street frontages with a stronger relationship to adjacent residential areas than to established commercial corridors. However, the basis for such recommendations, including concern for viability of ground floor retail and concern with marketability due to lack of parking, remains local in its interest rather than Federal