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MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: November 27, 2009
SUBJECT: Public Hearing Report (Square 180, Lot 30) – ZC #09-12
 Zoning Map Amendment

I. SUMMARY RECOMMENDATION

The Applicant (George and Dimitri Mallios) have petitioned the Zoning Commission to approve their request for a zoning map amendment to rezone Lot 30 in Square 180 from residential (DC/R-5-B) to commercial (DC/C-2-B) zoning. The Office of Planning (OP) recommends approval of the zoning map amendment. The proposed rezoning would not be inconsistent with the 2006 Comprehensive Plan and Future Land Use Map and DC/C-2-B zoning would be comparable to neighboring properties.

II. SITE DESCRIPTION

The site proposed for rezoning is located at 1622 Q Street N.W. (hereinafter, the "Property"). It is located on the south side of Q Street, between 16th and 17th Streets NW. The lot measures approximately 2,033 square feet and is improved with an approximately 25' high 2.5 story row building that was constructed in the late nineteenth century. The ground floor of the building has, over time, been internally reconfigured to accommodate a dry cleaning and laundry business and an artist studio, among other commercial uses. According to the Applicant, the ground floor and basement are currently functioning as office space and the second and third stories each have a residential unit. The application indicates that the Applicant, who also owns neighboring properties to the west, intends to expand the adjacent restaurant use into the basement and ground floor of the Property while maintaining the upper story residential units. To the rear of the Property is a 10' wide public alley.

The Property is zoned R-5-B and is located in the Dupont Circle (DC) Overlay District. On its western property line, the Property is flush against the eastern edge of a D/DC/C-2-B District.¹ The subject building is also a contributing building to the Dupont Circle Historic District.

III. AREA DESCRIPTION

The area around the Property is largely developed with commercial, residential, and park uses. Square 180, where the Property is located, is split zoned. As illustrated in Exhibit 2 below, the Square's west side is zoned D/DC/C-2-B, with the zoning line extending approximately 100' into Square 180 as it heads north of P Street NW to a depth of approximately 62' as it approaches Q Street. The center section of the Square is zoned DC/R-5-B, while the Square's east side is zoned DC/SP-1. Stead Park occupies a substantial part of the Square. A commercial corridor stretches along 17th Street roughly from P Street to R Street NW.

ZONING COMMISSION
 District of Columbia

CASE NO. 09-12
 EXHIBIT NO. 21

¹ Mixed Use Diplomatic (D) Overlay District.



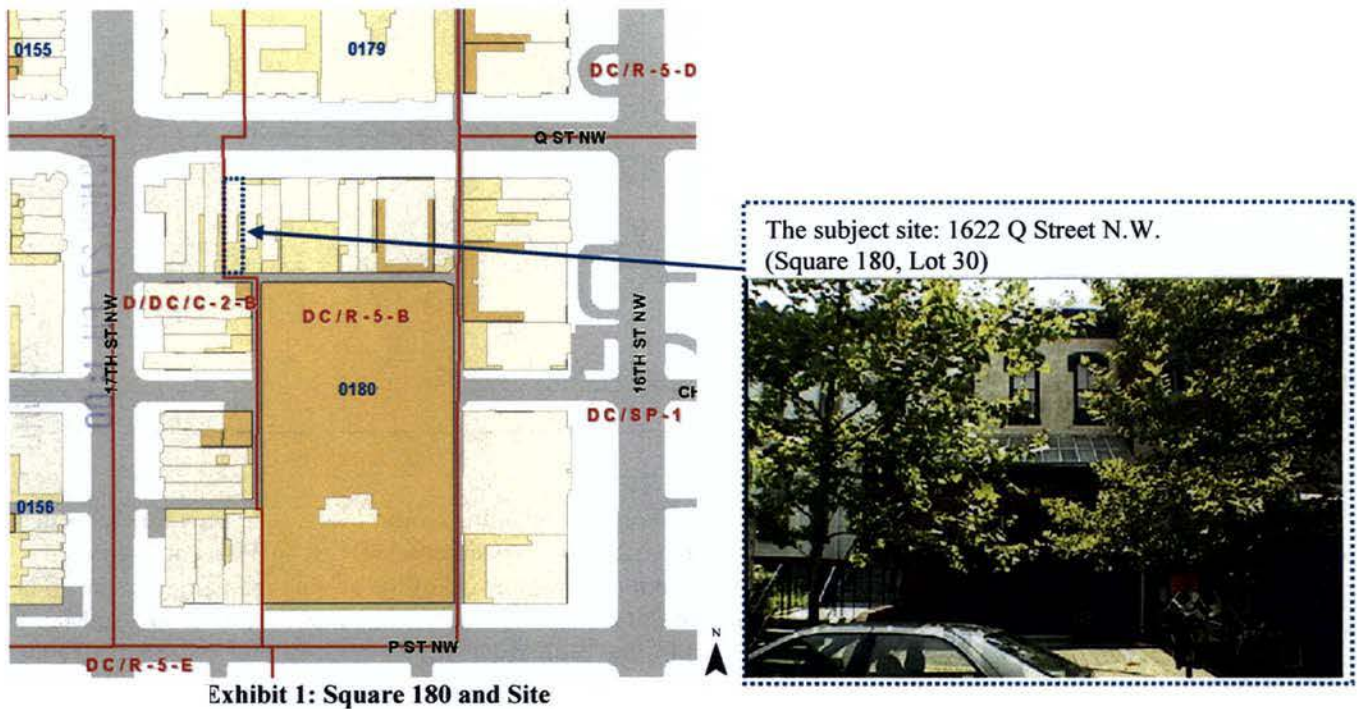


Exhibit 1: Square 180 and Site

More specifically, to the west of the Property is a two-story building that fronts Q Street and is occupied by the restaurant Hank's Oyster Bar. At the northwest corner of Square 180 is Trio Restaurant.

To the north of the Property, across Q Street, is an approximately six-story mixed-use building which received Zoning Commission approval to shift the C-2-B zoning line east by 40'.² Further east along the north side of Q Street is a three story multifamily residential building and a 12 story residential building (the Cairo), both of which are zoned DC/R-5-B.

Abutting the Property to the east is, most immediately, a two-story single family residential row dwelling. Further east along the south side of Q Street are several multifamily residential buildings ranging from two to five stories. The buildings are zoned DC/R-5-B. Along 16th Street at the Square's eastern side are DC/SP-1 zoned buildings ranging from two to eight-stories in height which are occupied by commercial, residential, and religious uses.

Directly to the south of the Property are a 10' wide public alley and the back of Jack's Restaurant & Bar (which is zoned D/DC/C-2-B). Commercial and mixed uses generally occupy one to three-story buildings along the east side of 17th Street between Q and P Street NW. At the southwest corner of the Square, commercial uses extend east into row buildings along the north side of P Street. To the southeast of the Property, Stead Park stretches more than 300' in length and terminates at P Street.

² Zoning Commission Case No. 82-3 (1982).

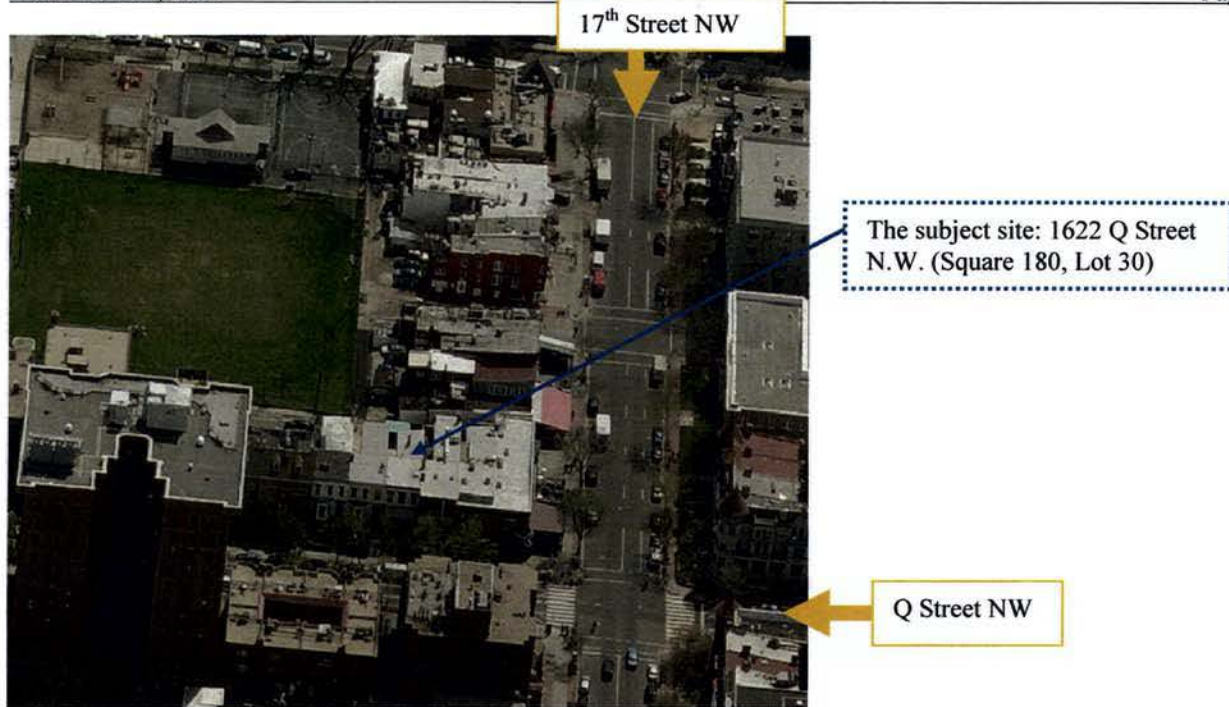


Exhibit 2: View looking south across Q Street NW

IV. ZONING

The Applicant is proposing that the Property be rezoned from DC/R-5-B to DC/C-2-B. The R-5-B zone permits moderate height and density residential buildings. The C-2-B zone permits commercial and residential uses, allowing either higher density residential or a mixture of commercial and residential uses. The Dupont Circle Overlay District provides restrictions and evaluation standards for planned unit developments (PUDs) and limitations on driveways and curb cuts. The Applicant is not proposing any expansion of the Mixed Use Diplomatic Overlay District. A comparison of the bulk requirements for the existing and proposed zoning districts is provided below.

	R-5-B	C-2-B
Maximum Lot Occupancy	60%	Residential lot occupancy limited to 80%
Maximum Height	50'	65'
Maximum FAR	1.8	3.5 (nonresidential limited to 1.5 FAR)
Predominant Land Uses	Moderate height and density residential use	Mixture of commercial and residential uses or high density residential use

V. ADDITIONAL ANALYSIS

At the setdown hearing in September 2009, the Commission asked about what regulatory constraints would limit future redevelopment of the site for more expansive commercial use. There are several regulatory restrictions controlling the subject site. The Property contains a contributing building to the Dupont Circle Historic District. As such, any expansion or redevelopment would be reviewed by the Historic Preservation Review Board (HPRB) for compatibility to the historic district. Any commercial use on the site would further be limited by the 1.5 FAR cap on non-residential uses in C-2-B zones. The Applicant estimates that the existing building is approximately 1.6 FAR. More generally, the Dupont Circle Overlay District also restricts the height and density of PUDs, although the Property itself would be too small to qualify for a PUD.

VI. COMPREHENSIVE PLAN

The 2006 Comprehensive Plan ("Comp Plan") Future Land Use Map designates the Property as Commercial Low Density/Residential Medium Density. This designation extends approximately 100' in depth into

contiguous Squares 178, 179, and 180 along 17th Street. A C-2-B zoning designation would not be inconsistent with the Commercial Low Density/Residential Medium Density guidance.

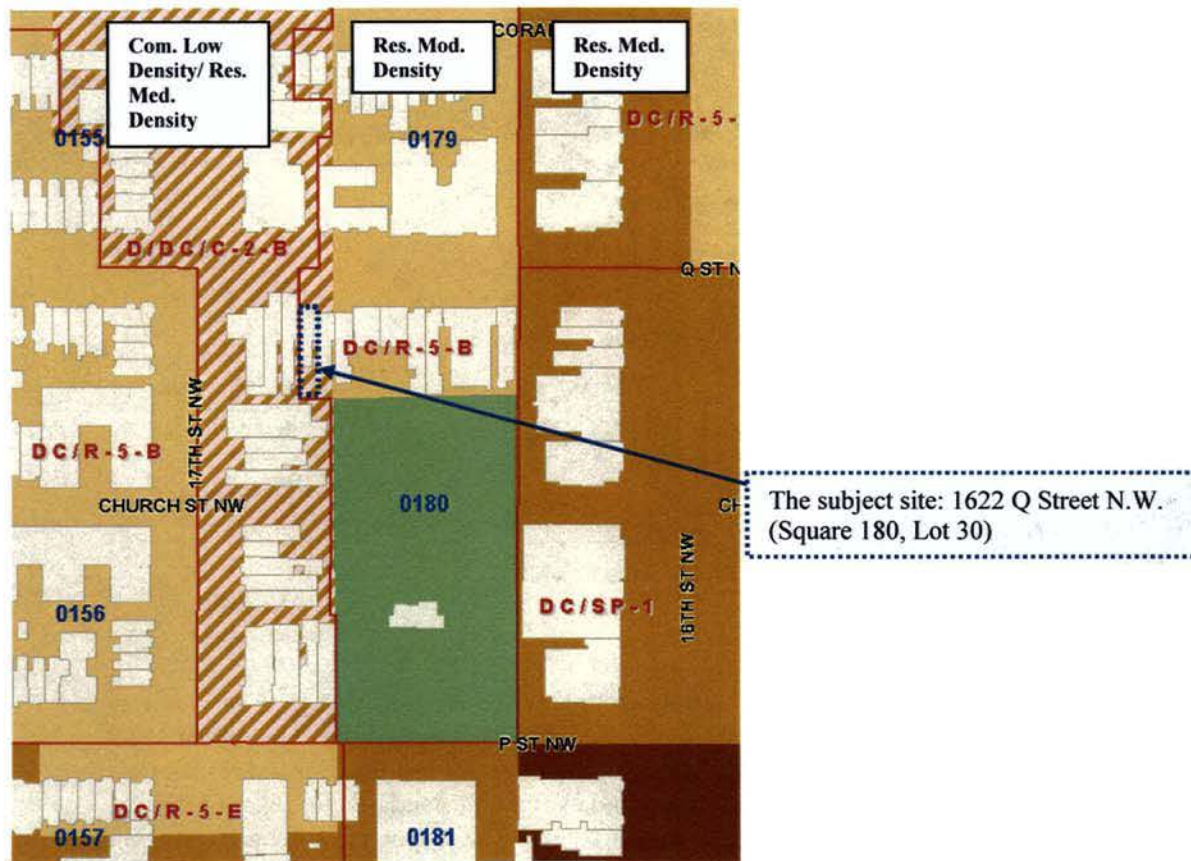


Exhibit 3: 2006 Comprehensive Future Land Use Map

The proposal is not inconsistent with the Comprehensive Plan, which provides the following land use policy guidance:

Policy ED-2.2.1: Expanding the Retail Sector

"Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas."

Policy ED-2.2.3: Neighborhood Shopping

"Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences."

Policy ED-3.1.1: Neighborhood Commercial Vitality

"Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents."

Policy HP-2.4.2: Adaptation of Historic Properties for Current Use

"Maintain historic properties in their original use to the greatest extent possible. If this is no longer feasible, encourage appropriate adaptive uses consistent with the character of the property."

Policy NNW-1.1.3: Enhancing Stable Commercial Areas

"Sustain and enhance the neighborhood, community, and regional shopping areas of Near Northwest, including M Street, P Street, Wisconsin Avenue, Connecticut Avenue, Florida Avenue, 18th Street NW, 17th Street NW, and 14th Street NW. Sustain these areas as diverse, unique, pedestrian-oriented shopping streets that meet the needs of area residents, workers, and visitors."

Policy NNW-2.2.1: Maintaining Dupont Circle's Residential Character

"Maintain the Dupont Circle neighborhood as a primarily residential area and discourage the expansion of commercial uses into currently residential areas ..."

Policy NNW-2.2.2: Dupont Circle Area Policies

"Use the following standards in evaluating new buildings and alterations in the Dupont Circle Area:

- a. Require a scale of development consistent with the nature and character of the Dupont Circle area in height and bulk;*
- b. Ensure a general compatibility in the scale of new buildings with older low-scale buildings by restricting the maximum permitted height and floor area ratio of the new buildings to that of the underlying zone;*
- c. Preclude demolitions or partial demolitions that would lead to an increase in height and floor area ratio inappropriate to the area;*
- d. Enhance the residential character of the area by maintaining existing residential uses and controlling the scale, location, and density of commercial and residential development;*
- e. Ensure computability of development with the Comprehensive Plan."*

VII. COMMUNITY COMMENTS

The Single Member District representative for the applicable area informed OP that ANC 2B voted in support of the proposal.

VIII. AGENCY REVIEWS

At the date of this report, OP is not aware of any other agency reviews being added to the record file.

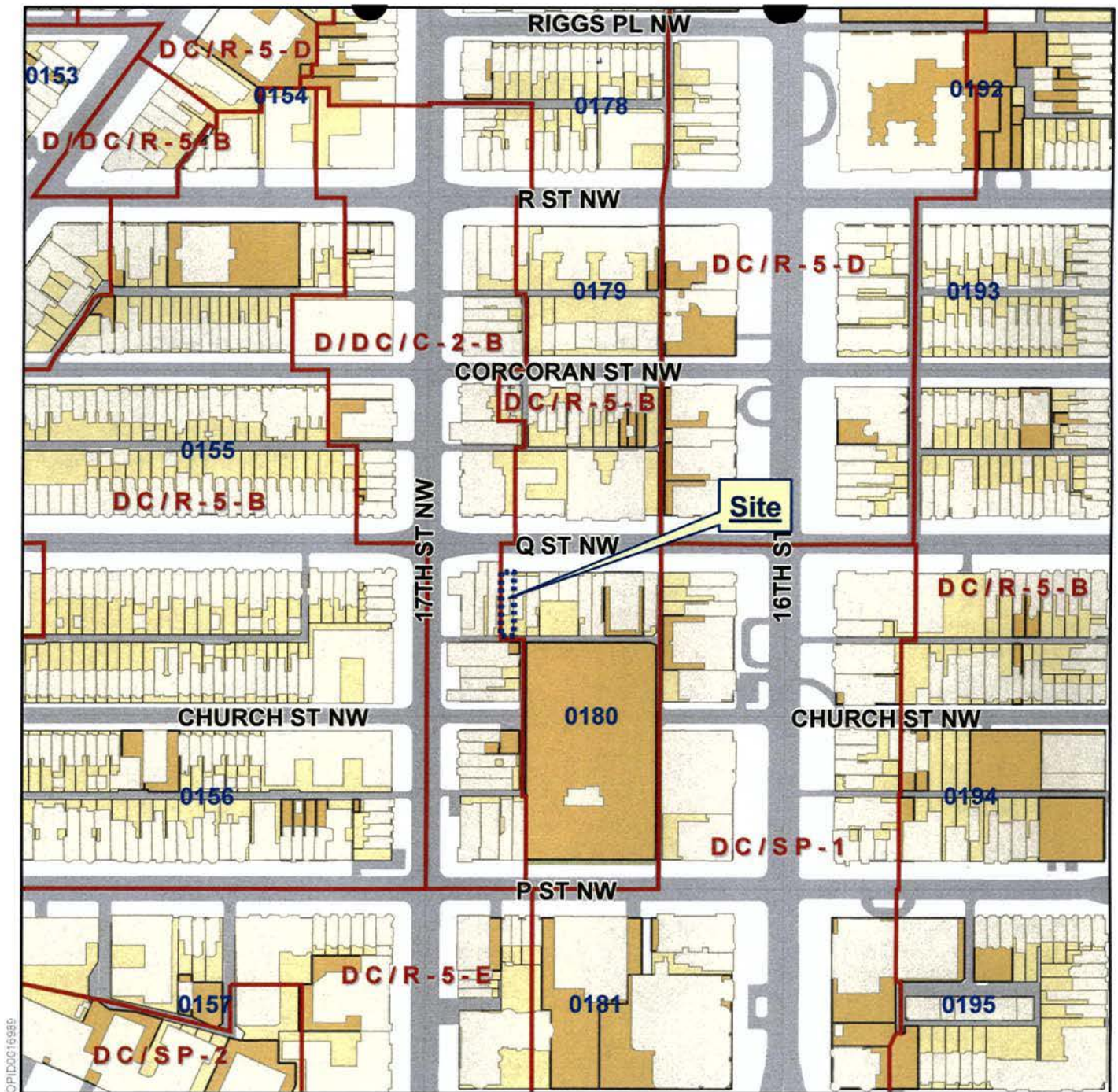
IX. CONCLUSION

The Office of Planning **recommends** that the Commission approve the amendment to the Zoning Map from DC/R-5-B to DC/C-2-B. The proposed map amendment would not be inconsistent with the 2006 Comprehensive Plan and Future Land Use Map.

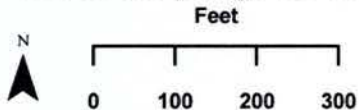
JLS/pg

Paul Goldstein, Case Manager

Attachments: Map 1 – View of the project area and vicinity and the current zoning



Zoning Commission Application 09-12: Map 1 View of project area and vicinity and current zoning



★ ★ ★ Government of the
District of Columbia
Adrian M. Fenty, Mayor

Office of Planning ~ February 18, 2009

This map was created for planning
purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.

-  Site
-  Zoning Districts
-  Buildings
-  Street Centerlines
-  Roads
-  Alleys and Parking
-  Property Squares
-  Water
-  Parks