

Case No.: 25-09

March 23, 2025

Dear Commissioners,

I have the following comments on OP's submission to questions relating to the case referenced above. I have significant concerns regarding OP's responses regarding Cleveland Park. OP has not taken any time to address the specifics regarding Cleveland Park. They have simply maximized zoning densities without regard to current conditions including the fact that it is an historic district or the infrastructure necessary to support the 500% increase in density they propose. For instance:

Choosing the appropriate zone: there was testimony that OP looked at the Future Land Use Map and saw medium density residential was authorized and then decided to recommend the highest zone that fit medium density. OP actually then added 5 feet in height to that zone along with a higher FAR. In the supplemental OP said that Comp Plan lets them pick any zone, not just the ones used as examples of medium density. That is what OP did. and in supplemental it argues it has met consistency with CP.

However, the issue is not that 8A wasn't consistent, but that OP chose the highest match even though the area is an historic district with existing buildings less than half the height that current zoning allows. Also, the area borders low density and moderate density residential areas that in general are well below the allowable height. What OP is proposing would allow 500% density increase on Conn. Ave. over what is there now which cannot be demolished. OP has not considered the area and what would be appropriate; instead it is just going for as much density as possible.

Regarding heights, OP provided the heights of all existing CP commercial area buildings and the height of 4445 Conn Ave., Park Van Ness. It is MU 7B and is 65 feet, which is 10 feet lower than the height OP proposes for Cleveland Park plus a 15 foot penthouse. OP makes no additional comments in the supplemental about this issue which was raised by one of the commissioners.

OP's response to questions about height demonstrate that OP has overreached in proposing that it's appropriate to add more than 60 feet of new structure to 15 ft historic buildings. A massive new residential building on Conn. Ave. Park Van Ness which is all new construction is 65 ft and if it were duplicated or made larger as OP (up to 90 feet) has proposed for Cleveland Park, the commercial area would forever be changed and the historic nature of Cleveland Park would be lost

HPRB review and lack of zoning setbacks and stepdowns: OP's supplemental responds to ZC question about adding language to the zoning order assuring that HPRB will deal with setbacks and stepdowns. OP refuses and said that would be inappropriate.

OP goes on to argue that it never suggested stepdowns or setbacks would be part of zoning proposal in the CADG (Conn Ave Development Guidelines). It includes an illustration from the section B.2 Historic Preservation that shows setbacks for non-contributing building.

However, the issue that was raised at the hearing referred to section A. Guidelines for Zoning Changes that showed several illustrations of Cleveland Park with setbacks in the front and rear. These illustrations were titled Zoning Envelope Consistent with Medium Residential Density and Moderate Density Commercial. OP failed to explain in its supplemental why so many witnesses and residents relied on these zoning envelope illustrations as a commitment from OP that they would be included in the zoning proposal and that indeed setbacks were appropriate to be included in a new zone for Cleveland Park. There is no statement in the CADG that setbacks would not be part of the new zone. That setbacks are also included in the section on Design Guidelines is consistent with the authority of the HPRB to require additional setbacks based on a specific design proposal. OP is now attempting to make this issue a design issue when it was presented to the public as both a zoning issue and separately as a design issue.

I hope you seriously consider the comments above. Increased density can be very important in a dynamic city. Especially if it brings low-income housing to all sectors of the city.

Best Regards,

Leila Afzal
Former ANC3C05 Commissioner