

Government of the District of Columbia
ZONING COMMISSION



November 25, 1987

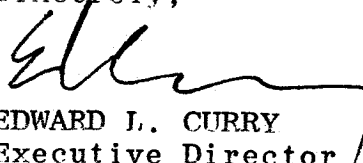
Chevy Chase Defense Committee
c/o Karl F. Mautner
3750 Kanawha Street, N.W.
Washington, D.C. 20015

RE: Z.C. Case No. 86-26
(Conn. Ave. - Text & Map
Amendment)

Dear Mr. Mautner:

At its public meeting on November 16, 1987, the Zoning Commission for the District of Columbia considered your letter dated November 6, 1987, in which you request the Commission to consider amending the zone district classification from R-5-C to R-3 of the west side of Connecticut Avenue, N.W., between Military Road and Harrison Street. The Commission had previously determined to hold a public hearing to consider this amendment. Copies of related notices are enclosed for your information. Your group may wish to participate in the prehearing conference on December 10, 1987.

Sincerely,


EDWARD J. CURRY
Executive Director
Zoning Secretariat

Enclosures

Mautner/BJW25

ZONING COMMISSION

CASE No. 86-26

ZONING COMMISSION
District of Columbia
EXHIBIT No. 111
CASE NO. 86-26
EXHIBIT NO. 111

DISTRICT OF COLUMBIA ZONING COMMISSION

NOTICE OF PUBLIC HEARING

TIME AND PLACE: Thursday, January 14, 1988 @ 7:00 P.M.,
and, if necessary, continued on
Thursday, January 21, 1988 @ 7:00 P.M.
and Monday, January 25, 1988 @ 1:30
P.M., District Building, 1350
Pennsylvania Avenue, N.W., Room 9,
Washington, D.C. 20004.

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 86-26 (Zoning Commission, sponsor)

THIS CASE IS IN ADVISORY NEIGHBORHOOD COMMISSIONS 3C, 3F and 3G

Case No. 86-26 was initiated by petitions from the Chevy Chase Citizens Association, the Cleveland Park Historical Society, and the Woodley Park Community Association, and by a recommendation from the Office of Planning, to consider text and map amendments that would affect certain areas along Connecticut Avenue, N.W.

On October 1, 1987, at a special meeting, the Zoning Commission for the District of Columbia initiated action to consider a proposal by the Office of Planning (OP) to rezone portions of Connecticut Avenue between Western and Florida Avenues, N.W. The OP proposal also includes proposed amendments to the text of Zoning Regulations to create two zone districts; that is, the Cleveland Park (CP) Overlay District and the Woodley Park (WP) Overlay District.

The specific proposal to amend the Zoning Map is to change the zone district clasification of the following properties:

1. Change to R-3 those lots in Squares 1872, 1875, and 1876 which are currently zoned R-5-C;
2. Change to R-5-C those lots in Square 2039 which are currently zoned R-1-A;
3. Change to C-2-B/WP (Woodley Park Commercial Overlay) those lots in Square 2204 which are currently zoned C-2-B;
4. With respect to lots 137 and 138 in Square 2204, consider alternatively a change to R-4;

5. Change to C-2-A/WP (Woodley Park Commercial Overlay) those lots in Squares 2202 and 2203 which are currently zoned C-2-A; and
6. Change to C-2-A/CP (Cleveland Park Commercial Overlay) those lots in Squares 2218, 2219, 2222, 2068, and 2069 which are currently zoned C-2-A.

The specific proposal to amend the text of the Zoning Regulations and to create overlay districts in the Woodley Park Commercial area and the Cleveland Park Commercial area is as follows:

CHAPTER 13 WOODLEY PARK COMMERCIAL OVERLAY (WP DISTRICT

1300 GENERAL PROVISIONS

- 1300.1 The Woodley Park Commercial Overlay District is applied to a compact geographic area surrounding the Woodley Park/Zoo Metrorail station, comprising those Lots zoned C-2-A in Squares 2202 and 2203, and those Lots zoned C-2-B in Square 2204.
- 1300.2 The purposes of the District are:
 - 1300.21 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;
 - 1300.22 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;
 - 1300.23 To limit the maximum permitted height of new buildings so as to encourage a general compatibility in scale between new and older buildings; and
 - 1300.24 To provide for safe and efficient pedestrian movement by reducing conflicts between pedestrian and vehicular traffic, so as to improve access to retail services, the Metrorail station, and other uses in the area.
- 1300.3 The Woodley Park Commercial Overlay (WP) District is mapped in combination with the underlying Commercial zone districts and not instead of the underlying districts.

1300.4 All uses, buildings and structures permitted in accordance with this chapter, and the appropriate regulations of the underlying district with which the mapped WP district is combined, shall be permitted in the combined districts.

1300.5 All restrictions and prohibitions provided with respect to either of the districts combined in accordance with this chapter shall also apply, except as specifically modified by this chapter.

1301 USE, HEIGHT, AREA AND ACCESS REGULATIONS

1301.1 The maximum permitted height of buildings in the WP Overlay District shall be 50 feet.

1301.2 No hotel, inn or fast food restaurant shall be permitted in the WP overlay district.

1301.3 No drive-through accessory to any use shall be permitted in the WP Overlay District.

1301.4 Any building occupying or constructed on a lot fronting on Connecticut Avenue, Calvert Street or 24th Street shall provide retail and service establishments on the ground level according to the following requirements:

1301.41 The permitted uses for the purposes of this provision only shall be as allowed in the C-1 District in Subsections 701.1, 701.4 and 701.6(b) of this title; and those uses permitted in C-2 Districts as enumerated in Subsection 721.2(d), (h), (k), (l), (o), (p), (v), and (w); Subsection 721.3(a) (b), (f), (g), (h), (i), (j), (l), (m), (n), (o), (p), and (q); and Subsection 721.6(b). In those parts of the affected building and lot other than as delineated for purposes of this provision the normal C-1 and C-2 use provisions shall apply.

1301.42 Such uses shall occupy no less than 25 percent of the net floor area of the ground level of the building, i.e., that floor which is nearest in grade elevation to the sidewalk.

1301.43 In a newly constructed building the permitted uses identified in 1301.41 shall occupy no less than 50 percent of the net floor area of the ground level of the building, and no more than 20 percent of the ground level floor area shall be devoted to banks, loan offices, other financial institutions, travel agencies, or other ticket offices.

1301.5 Restaurants, fast food restaurants, delicatessens, carry-outs, or other similar eating or drinking establishments, shall occupy no more than 25 percent of the linear street frontage within the WP Overlay District, as measured along the lots facing Connecticut Avenue, Calvert Street and 24th Street, N.W.

1301.6 Within the area of the WP Overlay District, the provisions of Subsection 2217.8(c)(1) are modified as follows:

1301.61 No driveway providing access from Connecticut Avenue to required parking spaces or loading berths shall be permitted in the WP Overlay District.

1302 EXCEPTIONS

1302.1 Exceptions, or waivers, from the requirements of the Woodley Park Commercial Overlay District shall only be permitted if granted by the Board of Zoning Adjustment after public hearing, based on the following criteria:

1302.2 The excepted use, building or feature at the size, intensity and location proposed, will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, will not adversely affect neighboring property, and will be in general conformity with the stated purposes of the WP Overlay District.

1302.3 Exceptional circumstances exist, pertaining to the property itself or to economic or physical conditions in the immediate area, which justify the exception of waiver.

1302.4 Vehicular access and egress are located and designed so as to minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic conditions.

1302.5 The Board may impose requirements pertaining to design, appearance, signs, size, landscaping and other such requirements as it shall deem necessary to protect neighboring property and to achieve the purpose of the WP Overlay District.

CHAPTER 14 CLEVELAND PARK COMMERCIAL OVERLAY (CP) DISTRICT

1400 GENERAL PROVISIONS

1400.1 The Cleveland Park Commercial Overlay District is

applied to a compact geographic area surrounding the Cleveland Park Metrorail station and within the Cleveland Park Historic District, comprising those Lots zoned C-2-A in Squares 2218, 2219, 2222, 2068 and 2069.

1400.2 The purposes of the District are:

1400.21 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 and compatible with the Historic Preservation Act, D.C. Law 2-144;

1400.22 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;

1400.23 To limit the maximum permitted height of new buildings so as to encourage a general compatibility in scale between new and older buildings;

1400.24 To provide for safe and efficient pedestrian movement by reducing conflicts between pedestrian and vehicular traffic, so as to improve access to retail services, the Metrorail station, and other uses in the area; and

1400.25 To provide for retention of existing housing within the CP Overlay District, so as to help meet the need for affordable housing, to enhance pedestrian activity, safety, and consumer support for businesses in the commercial area.

1400.3 The Cleveland Park Commercial Overlay (CP) District is mapped in combination with the underlying Commercial zone districts and not instead of the underlying districts.

1400.4 All uses, buildings and structures permitted in accordance with this chapter, and the appropriate regulations of the underlying district with which the mapped CP district is combined, shall be permitted in the combined districts.

1401 USE, HEIGHT, AREA AND ACCESS REGULATIONS

1401.1 Any new building or expansion of an existing

building shall be restricted to a maximum height not to exceed two times the height of the lowest existing building on an abutting lot fronting on the same street as the lot being built upon and not separated from the latter by a street or alley. (Consider in the alternative: 1401.1 The maximum permitted height of buildings in the CP Overlay District shall be 40 feet.)

1401.3 No dwelling unit or rooming unit in existence as of October 1, 1987 shall be converted to any nonresidential use, or to a transient use as hotel or inn; provided, however, that this restriction shall not apply to the ground floor of the building, i.e., that floor which is nearest in grade elevation to the sidewalk.

1401.4 Any building occupying or constructed on a lot fronting on Connecticut Avenue or Macomb, Newark, Ordway or Porter Street, N.W., shall provide retail and service establishments on the ground level according to the following requirements:

1401.41 The permitted uses for the purposes of this provision only shall be as allowed in the C-1 District in Subsection 701.1, 701.4 and 701.6(b) of this title; and those uses permitted in C-2 Districts as enumerated in Subsection 721.2(d), (h), (k), (l), (o), (p), (v), and (w); Subsection 721.3(a), (b), (f), (g), (h), (i), (j), (l), (m), (n), (o), (p), and (g); and Subsection 721.6(b). In those parts of the affected building and lot other than as delineated for purposes of this provision the normal C-1 and C-2 use provisions shall apply.

1401.42 Such uses shall occupy no less than 25 percent of the net floor area of the ground level of the building, i.e., that floor which is nearest in grade elevation to the sidewalk.

1401.43 In a newly constructed building the permitted uses identified in 1401.41 shall occupy not less than 50 percent of the net floor area of the ground level of the building, and no more than 20 percent of the ground level floor area shall be devoted to banks, loan offices, other financial institutions, travel agencies, or other ticket offices.

1401.5 Restaurants, fast food restaurants, delicatessens, carry-outs, or other similar eating or drinking establishments, shall occupy no more than 25 percent of the linear street frontage within the CP Overlay

District, as measured along the lots facing Connecticut Avenue and Macomb, Newark, Ordway and Porter Streets, N.W.

1401.6 Within the area of the CP Overlay District, the provisions of Subsection 2117.8(c) (1) are modified as follows:

1401.61 No driveway providing access from Connecticut Avenue to required parking spaces or loading berths shall be permitted in the CP Overlay District.

1402 EXCEPTIONS

1402.1 Exceptions, or waivers, from the requirements of the Cleveland Park Commercial Overlay District shall only be permitted if granted by the Board of Zoning Adjustment after public hearing, based on the following criteria:

1402.11 The excepted use, building or feature at the size, intensity and location proposed, will not be detrimental to the health, safety, convenience or general welfare of persons resideing or working int he vicinity, will not adversely affect neighboring property, and will be in general conformity with the stated purposes of the CP Overlay District.

1402.12 Exceptional circumstances exist, pertaining to the property itself or to economic or physical conditions in the immediate area, which jestify the exception or waiver.

1402.13 Vehicular access and egress are located and designed so as to minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic conditions.

1402.14 The Board may impose requirements pertaining to design, appearance, signs, size, landscaping and other such requirements as it shall deem necessary to protect neighboring property and to achieve the purposes of the CP Overlay District.

The Commission will also consider the adoption of provisions under which Planned Unit Development would be approved within the CP or WP Overlay Districts under either more restrictive or less restrictive regulations than the regulations which apply in other zone districts.

The Commission has referred to the Office of Planning, for its recommendation, a letter which requests that R-3, R-4, or modified overlay zoning be considered for Lots 72, 73, and 74 in Square 2068.

The R-1-A District permits matter-of-right development of single-family residential uses for detached dwellings with a minimum lot area of 7,500 square feet, a minimum lot width of 75 feet, a maximum lot occupancy of forty percent, and a maximum height of three stories/forty feet.

The R-3 District permits matter-of-right development of single-family residential uses including detached, semi-detached, and row dwellings with a minimum lot area of 2,000 square feet, a minimum lot width of twenty feet, a maximum lot occupancy of sixty percent, and maximum height of three stories/forty feet.

The R-4 District permits matter-of-right development of residential uses (including detached, semi-detached and row single-family dwellings and flats) with a minimum lot area of 1,800 square feet, a minimum lot width of eighteen feet, a maximum lot occupancy of sixty percent, and maximum height limit of three stories/forty feet. Conversions of existing buildings to apartments are permitted for lots with a minimum lot area of 900 square feet per dwelling unit.

The R-5-C District permits matter-of-right medium/high density development of general residential uses, including single-family dwellings, flats, and apartment buildings, to a maximum height of ninety feet, a maximum floor area ratio (FAR) of 3.5, and a maximum lot occupancy of seventy-five percent.

The C-2-A District permits matter-of-right low density development, including office, retail and all kinds of residential uses, to a maximum floor area ratio (FAR) of 2.5 with non-residential uses limited to 1.5 FAR, a maximum height of fifty feet, and a maximum lot occupancy of sixty percent for residential uses.

The C-2-B District permits matter-of-right medium density development, including office, retail, housing, and mixed uses to a maximum height of sixty-five feet, a maximum floor area ratio (FAR) of 3.5 for residential and 1.5 for other permitted uses, and a maximum lot occupancy of eighty percent for residential uses.

Authority to amend the Zoning Regulations and the zoning map of the District of Columbia is provided for by the Zoning Act (Act of June 20, 1938, 52 Stat. 797, as amended, Section 5-413 et seq., D.C. Code 1981 ed.). This public hearing will be conducted in accordance with the provisions of

Section 3021, District of Columbia Municipal Regulations
(DCMR) Title 11, Zoning.

All individuals, organizations or associations wishing to testify in this case should file their intention to testify in writing with the Executive Director of the Zoning Secretariat by January 4, 1988. Written statements, in lieu of a personal appearance or oral presentation, may be submitted for inclusion in the record.

The Zoning Commission further hereby gives notice that the Commission will hold a pre-hearing conference concerning this case. The pre-hearing conference will take place on Thursday, December 10, 1987 @ 7:00 P.M. in the Zoning Commission's meeting room, Room 9 of the District Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Participation at the pre-hearing conference will be limited to the following:

1. The Zoning Commission;
2. The Zoning Secretariat;
3. The Petitioners;
4. Advisory Neighborhood Commissions;
5. Representative groups which have submitted requests to participate in the pre-hearing conference by December 1, 1987; and
6. Office of Planning

At the pre-hearing conference, the Zoning Commission will rule upon any other procedural matter which may be raised by any of the participants and which the Zoning Commission may determine is appropriate for consideration at the conference. Any persons seeking to raise additional procedural matters at the pre-hearing conference must have submitted those matters to the Commission in writing no later than December 1, 1987.

The Zoning Commission hereby gives notice that at the public hearing it will request each petitioner to make an opening statement not to exceed ten minutes in length. The opening statement should identify in summary fashion the major issues of concern to that petitioner and should relate those issues to the standards against which Case No. 86-26 must be judged.

The Zoning Commission further hereby gives notice that it intends to establish time limits for the oral presentations of all persons. The Commission further intends to adhere to those time limits as strictly as possible, in order to hear

the case in a reasonable period of time. The Commission therefore requests all witnesses to prepare their testimony in writing, to submit that written testimony prior to giving their statement, and to limit the oral presentation to a summary of the most important points.

Information should be forward to the Executive Director, Office of the Zoning Secretariat, Room 11, District Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Please include the number of the particular case and your daytime telephone number. FOR FURTHER INFORMATION, YOU MAY CONTACT THE ZONING SECRETARIAT AT 727-6311.

GEORGE M. WHITE, JOHN G. PARSONS, LINDSLEY WILLIAMS,
MAYBELLE T. BENNETT AND PATRICIA N. MATHEWS ----- ZONING
COMMISSION OF THE DISTRICT OF COLUMBIA, BY EDWARD L. CURRY,
EXECUTIVE DIRECTOR, ZONING SECRETARIAT.

SPECIAL NOTICE
ZONING COMMISSION CASE No. 86-26
(CONNECTICUT AVENUE - TEXT AND MAP)

By Zoning Commission Order No. 548, dated October 1, 1987, the Zoning Commission for the District of Columbia authorized the scheduling of a public hearing in this case, to consider a map and text amendment that would affect certain portions of the Connecticut Avenue Corridor as follows:

1. Change to R-3 those lots in Square 1872, 1985, and 1876 which are currently zoned R-5-C;
2. Change to R-5-C those lots in Square 2039 which are currently zoned R-1-A;
3. Change to C-2-B/WP (Woodley Park Commercial Overlay) those lots in Square 2204 which are currently zoned C-2-B;
4. With respect to lots 137 and 138 in Square 2204, consider alternatively a change to R-4;
5. Change to C-2-A/WP (Woodley Park Commercial Overlay) those lots in Squares 2202 and 2203 which are currently zoned C-2-A; and
6. Change to C-2-A/CP (Cleveland Park Commercial Overlay) those lots in Squares 2218, 2219, 2222, 2068, and 2069 which are currently zoned C-2-A.

Copies of the proposed text for the Cleveland Park Commercial Overlay District and Woodley Park Commercial Overlay District are available in the Office of the Zoning Secretariat, Room 11, District Building, 1350 Pennsylvania Avenue, N.W. (telephone: 727-6311). A public hearing has been set for January 14, 1988, notice of which is to be published in a future edition of the D.C. Register.

The Zoning Commission has also set a prehearing conference for December 10, 1987, at 7:00 P.M., Room 9, District Building. The prehearing conference is intended to enable the Zoning Commission to receive preliminary submissions from interested representative groups, in order to develop a coordinated process for conducting the hearing session on January 14, 1988, and such other hearing dates as the Commission will establish.

The Commission has established a deadline of December 1, 1987, for representative groups which wish to participate in the public hearing and the prehearing conference to file: (1) the name of the representative group which intends to participate in the process; (2) an outline of the testimony which the group intends to present at the public hearing; (3) the amount of time which the group requests to present its testimony during the public hearing; and (4) any special request about the hearing procedure which the group wishes the Commission to consider.

At the prehearing conference, the Commission will establish the specific order for conduct of the hearing, allocate the time for participating representative groups to present their testimony, and establish a schedule for the filing of written testimony and other documents.