

# Memorandum

Government of the District of Columbia

TO: D.C. Zoning Commission

Department,  
Agency, Office: Planning

FROM: Fred E. Greene  
Director

Date: JAN 21 1988

SUBJECT: Zoning Commission Case No. 86-26 (Connecticut Avenue Corridor)

At the January 14 public hearing on this case the Zoning Commission requested the Office of Planning to provide a supplemental report on two additional items: revised zoning text for paragraphs 1301.42 (1401.42) and 1301.43 (1401.43), as discussed during the hearing; and, a list of the uses encompassed in the various references in 1301.41 (1401.41). The two numbering systems refer to the Woodley Park (WP) overlay zone and the Cleveland Park (CP) overlay zone.

1. Retail Floor Area. As we stated at the public hearing, the Office of Planning believes that the percentage of ground level retail required in the two overlay zones can be the same for new construction as for existing buildings. Amended text to accomplish this is suggested to be as follows:

1301.42 Such uses shall occupy no less than 50 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 Not more than 20 percent of the required ground level commercial floor area shall be occupied by banks, loan offices, other financial institutions, travel agencies, or other ticket offices.

The same change is recommended for 1401.42 and 1401.43.

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2. Required Ground Level uses. The advertised text for both overlay zones indicates the uses that qualify for the mandatory ground floor retail space. The Zoning Commission asked that the uses be listed so that they may be more readily reviewed for modifications. The Commission also asked for any further indication from the Office of Planning as to which uses we consider clearly incompatible with ground level use in a pedestrian-oriented context, and which are more in the nature of judgment calls which could be further reviewed for inclusion or exclusion.

The matter-of-right use tables from the C-1 and C-2 Districts are attached and marked up as follows for the Commission's review:

- o Substantive comments are made where appropriate.
- o No mark or comment indicates that the use would be permitted in ground level frontage for relatively self-evident reasons.
- o An asterisk (\*) indicates that the use was left in, i.e., permitted, but that it is marginal either as to compatibility with ground floor location or whether the use is sufficiently active to be located in the frontage.
- o A plus symbol (+) indicates that the use was left out as being insufficiently active for ground level frontage or simply not contributing sufficiently to the purposes of the overlay zone.
- o An "X" denotes uses that we consider clearly incompatible for ground level sidewalk frontage.

Attachment

701 USES AS A MATTER OF RIGHT (C-1)

701.1 The following service establishments shall be permitted in a C-1 district as a matter of right:

- (a) Bank or other financial institution;
- (b) Bar or cocktail lounge;
- (c) Barber or beauty shop;
- (d) Cobbler or shoe repair shop;
- (e) Collection station for dry cleaning, dying, or laundry;
- (f) Dressmaking shop or establishment;
- (g) Frozen food locker for family or individual use only;
- (h) Gasoline service station existing on May 12, 1958;
- (i) Gasoline service station as an accessory use to a parking garage, or public storage garage, subject to the special provisions of chapter 23; Provided, that the following requirements shall be met:
  - (1) All portions of the gasoline service station shall be located entirely within the garage;
  - (2) No part of the accessory use shall be visible from a sidewalk; and
  - (3) Signs or displays indicating the existence of the accessory use shall not be visible from the outside of the garage;
- (j) Laundry, self service, not exceeding twenty-five hundred square feet (2,500 ft.<sup>2</sup>) of gross floor area;
- (k) Laundry or dry cleaning establishment, not exceeding twenty-five hundred square feet (2,500 ft.<sup>2</sup>) of gross floor area;
- (l) Locksmith;
- (m) Newspaper distribution station;

\*

An accessory use is not permitted unless the principal use is first permitted. Parking garage is not permitted. See 701.6(d).

- (n) Optician and optometrist;
- (o) Radio or television repairs;
- (p) Shoeshine parlor;
- (q) Tailor shop or valet shop not exceeding twenty-five hundred square feet (2,500 ft.<sup>2</sup>) of gross floor area; and
- (r) Watch repair shop.

701.2 Any use permitted in any R-5 district under §§350.4 and 350.5, or in the SP district under §501, except a community-based residential facility for five (5) or more persons not including resident supervisors and their families, shall be permitted in a C-1 district as a matter of right.

Deleted. Cumulative use provisions such as this permit a very wide range of uses to locate in buildings, many of which would be either detrimental to the active retail character sought or would usurp space from active retail/service usage.

701.3 A youth residential care home, community residence facility, or health care facility for five (5) to eight (8) persons, not including resident supervisors and their families, shall be permitted in a C-1 district as a matter of right; Provided, that there shall be no property containing an existing community-based residential facility for five (5) or more persons in the same square and that there shall be no property containing an existing community-based residential facility for five (5) or more persons within a radius of five hundred feet (500') from any portion of the subject property.

Not suitable for retail frontage; permitted elsewhere on premises.

701.4 The following retail establishments shall be permitted in a C-1 district as a matter of right:

- (a) Art supplies store;
- (b) Automatic ice delivery station;
- (c) Automobile accessories sales, excluding installation;
- (d) Bakery; Provided, that any manufacture of bakery goods shall be limited to goods retailed on the premises;
- (e) Bicycle sales and repair;
- (f) Book store;
- (g) Camera or photographic supplies store;
- (h) Cosmetics or toiletries store;

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- (i) Drug store or pharmacy;
- (j) Electric appliance store, including television and radio sales;
- (k) Flower stand or florist shop;
- (l) Food or grocery store;
- (m) Gift shop;
- (n) Hardware store;
- (o) Hobby shop, including the sale of toys;
- (p) Jewelry store;
- (q) Restaurant, but not including a fast food restaurant, or a drive-in restaurant.
- (r) Music store;
- (s) Newsstand;
- (t) Notions or novelty store;
- (u) Off-premises alcoholic beverages sales;
- (v) Paint store;
- (w) Sporting goods store;
- (x) Stationery store;
- (y) Tobacco products store; and
- (z) Variety store.

**701.5** Other service or retail use similar to that provided for in §701.1 and 701.4, including assemblage and repair clearly incidental to the conduct of a permitted service or retail establishment on the premises, shall be permitted in a C-1 district as a matter of right.

Excluded. Determinations of "other similar use" are considered needlessly open-ended as to what might be approved or disapproved. Again, this is for the retail frontage only.

701.6 The following uses shall also be permitted in a C-1 district as a matter of right:

- |   |   |  |
|---|---|--|
| (a) Telephone exchange, electric substation using non-rotating equipment, and natural gas regulator station;  | X |  |
| (b) Library;  |   |  |
| (c) Office, except new chancery and international agency;   | X |  |
| (d) Parking lot, parking garage, or public storage garage, subject to the special provisions of chapter 22 of this title;   | X |  |
| (e) Chancery;   |   |  |
| (f) College, university, or other academic institution of higher learning;  | + | Incompatible with purpose of ground level retail/service, for the same reasons as office, above. Note that the use is still permitted in the zone and that NCPC is encouraging chanceries to incorporate ground level retail/service uses. |
| (g) Antenna tower for television and radio broadcasting, and in conjunction with the erection, alteration, or use of buildings for transmission or reception equipment; and | X |  |
| (h) Hotel or inn.   | + |  |

**721 USES AS A MATTER OF RIGHT (C-2)**

721.1	Any use permitted in C-1 districts under §701 of this chapter shall be permitted in a C-2 district as a matter of right.	Excluded. Too open-ended.
721.2	In addition to the uses permitted in C-1 districts by §701.1, the following service establishments shall be permitted in a C-2 district as a matter of right:	
	(a) Automobile laundry, with reservoir space for at least fifteen (15) automobiles;	X
	(b) Automobile rental agency;	X
	(c) Billiard parlor or pool hall;	+
	(d) Blueprinting or similar reproduction service;	
	(e) Bowling alley; Provided, that it shall be soundproof;	X
	(f) Catering establishment;	+
	(g) Dental laboratory;	X
	(h) Film exchange;	
	(i) Funeral, mortuary, or undertaking establishment;	X
	(j) General indoor storage, not exceeding twenty-five hundred square feet (2,500 ft. <sup>2</sup> ) of gross floor area;	X
	(k) Interior decorating shop;	*
	(l) Laundry, self service, with no limitations on the gross floor area;	
	(m) Laboratory, optical;	X
	(n) Parcel delivery service;	+
	(o) Photographic studio;	
	(p) Picture framing studio or shop;	
	(q) Plumbing or heating shop, excluding outdoor storage;	X
	(r) Printing, lithographing, or photoengraving establishment, in each case not exceeding twenty-five hundred square feet (2,500 ft. <sup>2</sup> ) of gross floor area;	+ or X, depending on specific type of printing.
	(s) Public bath, physical culture, or health service;	+

- (t) Radio or television broadcasting studio and antenna tower in conjunction with the studio; X
- (u) Streetcar or bus passenger depot; X
- (v) Tailor shop or valet shop, with no limitation on the gross floor area;
- (w) Telegraph office; and
- (x) Veterinary hospital. X

721.3 In addition to the uses permitted in C-1 districts by §702.4, the following retail establishments shall be permitted in a C-2 district as a matter of right:

- (a) Antique store or shop;
- (b) Auction house; \*
- (c) Automobile accessories sales, including installations; Appears to be a redundancy in the regulations; already permitted by 701.4(c) in C-1 provisions. \*
- (d) Automobile and truck sales; X
- (e) Boat or other marine sales; X
- (f) Department store;
- (g) Display stand or store for mail order sales; \*
- (h) Dry goods store;
- (i) Furniture store;
- (j) Home furnishings sales;
- (k) Ice sales;
- (l) Leather goods store;
- (m) Musical instruments and accessories sales;
- (n) Office supplies and equipment sales;
- (o) Optical goods store;
- (p) Pet shop;

Obsolete use. Automatic Merchandising Machine, SIC # 5962 is updated generic use. See 701.4(b).

Permitted. Not really similar to veterinary hospital. Latter needs much more parking for frequent drop-off, pick-up, etc.



(q) Precision instrument sales; and

\*

(r) Drive-in type restaurant.

(s) Fast food restaurant, only in a C-2-B or C-2-C district; Provided that, the following requirements are met:

X

- (1) No part of the lot on which the use is located shall be within twenty-five feet (25') of a residence district, unless separated therefrom by a street or alley;
- (2) If any lot line of the lot abuts an alley containing a zone boundary line for a residence district, a continuous brick wall at least six feet (6') in height and twelve inches (12") thick shall be constructed and maintained on the lot along the length of that lot line;
- (3) Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6'), whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a residence district; and

(4) The use shall not include a drive-through.

721.4 Other service or retail use similar to that permitted in §§721.2 and 721.3, including assemblage and repair clearly incidental to the conduct of a permitted service or retail establishment on the premises, shall be permitted in a C-2 district as a matter of right.

Too open-ended.

721.5 A youth residential care home, community residence facility, or health care facility for five (5) to fifteen (15) persons, not including resident supervisors and their families, shall be permitted in a C-2 district as a matter of right; Provided, that there shall be no property containing an existing community-based residential facility for five (5) or more persons in the same square and that there shall be no property containing an existing community-based residential facility for five (5) or more persons within a radius of five hundred feet (500') feet from any portion of the subject property.

Permitted elsewhere on premises.

721.6 The following uses shall also be permitted in a C-2 district as a matter of right:

(a) Assembly hall, auditorium, or public hall;

X

(b) Theater, including motion picture theater; and

\*

recreation or amusements.

Same comment as for chancery.