

THE WOODLEY PARK OVERLAY ZONE

Zoning Commission Case 86-26
Connecticut Avenue (Woodley Park)

January 25, 1988

Presentation by the
Woodley Park Community Association

ZONING COMMISSION
District of Columbia

Case...86-26...

Exhibit...196...

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ZONING COMMISSION
District of Columbia
CASE NO.86-26
EXHIBIT NO.196A1

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EXHIBITS

1. The Woodley Park Overlay Zone - Proposed Regulations with Amendments Proposed by Woodley Park Community Association
2. The Woodley Park Overlay Zone (excerpt from Memorandum to D.C. Zoning Commission from Fred L. Greene, Director, Office of Planning, January 11, 1988))
3. ANC 3C Response To Large Tract Review Proposed Development in Square 2204
4. The Comprehensive Plan - Definitions of a Low-density Commercial District and a Local Neighborhood Commercial Center
5. Expanded, Pre-Hearing Submission - January 7, 1988
6. Pre-Hearing Submission - November 30, 1987

WOODLEY PARK OVERLAY ZONE
Z.C. Case 86-26

Listing of Testimony Topic and Witnesses

Introduction and Issue Overview	Dr. Cherly Opacinch
Woodley Park - Pictorial Tour	Mr. Brian Jones, M.A.
Development Scenarios - Visual Model	Mr. Fred Pitts, P.E.
Historical Concerns	Dr. Charles G. Field, Esq. Dr. Cynthia R. Field
Federal Interest Concerns/Historic Scale	Mr. Larry Aurbach, Esq.
Transportation and Traffic Concerns	Mr. Charles Warr, M.A.
Residential Concerns	Ms. Ellen Burton
Commercial Concerns	Ms. Zina Greene, M.A.
ANC 3C	Mr. Phil Mendelson
Summary Statement	Dr. Cheryl Opacinch

CASE 2C 86-26

WOODLEY PARK OVERLAY ZONE

INTRODUCTION & OVERVIEW OF THE ISSUES

Woodley Park

Woodley Rd.

Woodley Pl.

2204

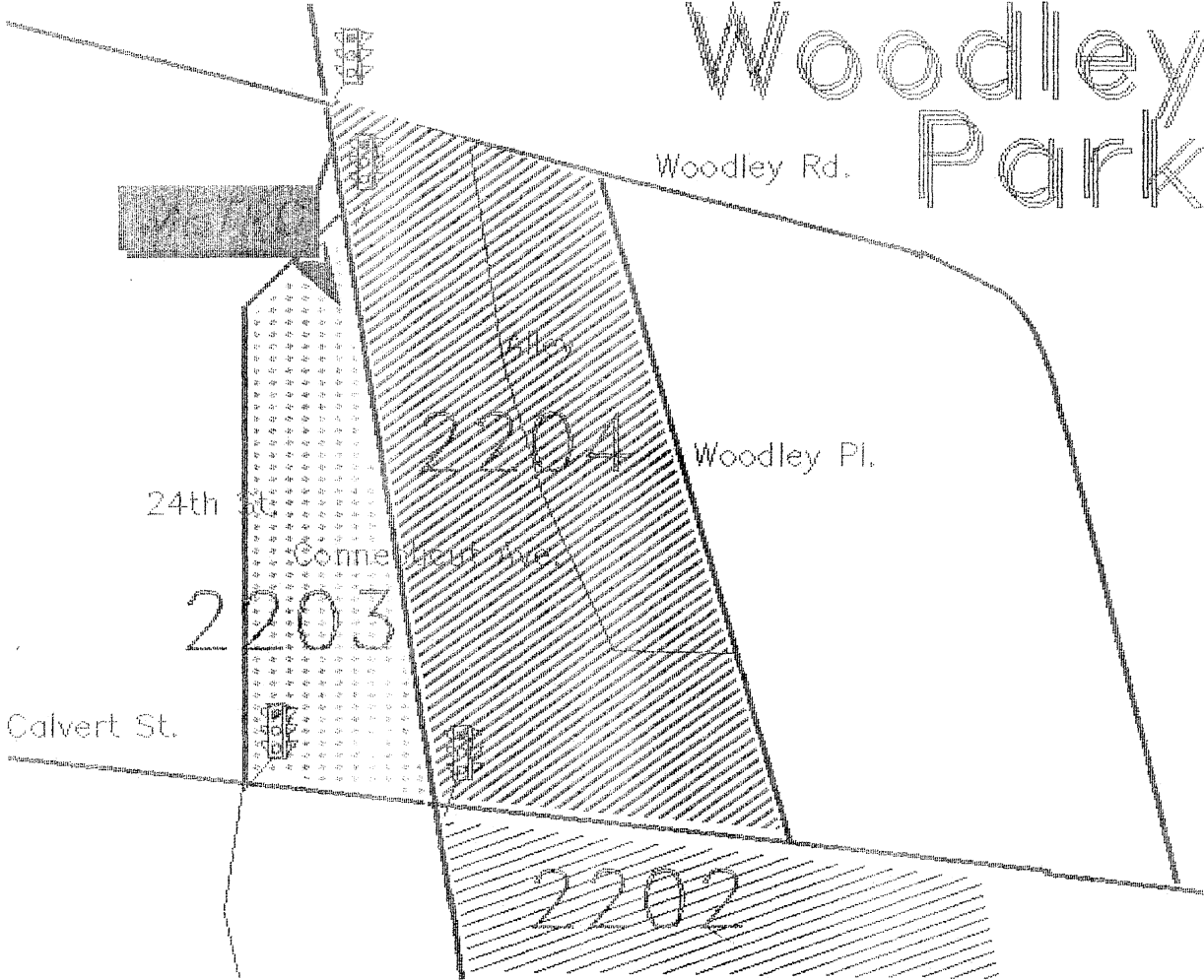
24th St.

Connecticut Ave.

2203

Calvert St.

2202



WOODLEY PARK

ISSUES:

- Preserving the WP neighborhood
- Achieving zoning consistency with the Comprehensive Plan
- Restraining traffic, parking, and alley problems
- Recognizing the impact of the Zoo, hotels, and the Metro
- Correcting commercial zoning on a residential street

Continental Avenue facing to the East

100 ft
100 ft
C-28 65 ft
PUD 90 ft

100 ft
100 ft
100 ft
100 ft

Continental Avenue facing to the East

100 ft
100 ft
C-28 65 ft
PUD 90 ft

100 ft
100 ft
100 ft
100 ft

Continental Avenue facing to the East

WOODLEY PARK OVERLAY ZONE

CONCURRENCE:

- MANDATE RETAIL USE ON GROUND FLOOR
- PROHIBIT CONNECTICUT AVE. CURB CUTS
- REQUIRE BZA TO APPROVE EXCESS BARS AND RESTAURANTS
- PLACE LIMITS ON BUILDING HEIGHT
- EXCLUDE FAST FOOD RESTAURANTS
- DENY ANY ADDITIONAL HOTEL SPACE

WOODLEY PARK OVERLAY ZONE

AMMENDMENTS:

- Limit height: 50 ft. for Sq. #2204
40 ft. for Sq.s #2202 & 2203
- Prohibit transient housing
- Deny Commercial use below ground
- Mandate setbacks:

Sq. #2204	20 ft. from alley
	10 ft. pulloffs
Sq. #2202	20 ft. from walks
- Stronger "burden of proof" for exceptions
- Prohibit PUD's

WPCA TESTIMONY

Monday, April 22, 2002 10:00 AM - 12:00 PM

- Woodley Park photographic tour
Mr. Brian Jones
- Development scenario
Mr. Fred Pitts, P.E.
- Historical concerns
Dr. Charles Field, Esq. & Dr. Cynthia Field
- Federal interests & historic scale
Mr. Larry Aurbach, Esq.
- Transportation & traffic concerns
Mr. Charles Warr
- Residential concerns
Mrs. Ellen Burton
- Commercial concerns
Mrs. Zina Greene, M.A.
- ANC 3C
Mr. Phil Mendelsohn
- Summary Remarks
Dr. Cheryl Opacinch

DR. CHERYL OPACINCH, ANC 3C Commissioner (Ward 1 resident) and Chair,
WPCA Economic Development Committee
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case 86-26
Woodley Park Overlay Zone

INTRODUCTION AND ISSUE OVERVIEW
(8 minutes)

I. Three Part Testimony

- A. WP Overview
- B. WP Overlay Zone
 - 1. Support OP's WP Overlay Zone (Concurrence)
 - 2. Additions to WP Overlay Zone (Additions)
- C. WP Testimony -- Organization

II. WP Overview

- A. Thank you re: testimony opportunity
- B. WP -- a historically active community (WP Plan)
- C. Connecticut Avenue Corridor Study -- a WP request
- D. The Squares in question
- E. Major concerns
 - 1. Preserving and stabilizing existing neighborhoods
 - 2. Comprehensive Plan consistency
 - 3. Traffic and parking; alley constraints/problems
 - 4. Metro and commercial use now; neighborhood heavily commercial; Metro heavily used; impact of zoo and two major hotels that are conforming uses prohibited from expanding in a residential zone
 - 5. Encroachment of commercial zone on a residential street (2610 and 2612 Woodley Place)

III. WP Overlay Zone (Concurrence)

- A. Mandatory retail use on ground floor
- B. Prohibition on Connecticut Avenue curb cuts
- C. BZA approval required for restaurants/bars after a set limit
- D. Height limits
- E. Prohibition on fast food restaurants (Square 2204)
- F. Prohibitions on hotel use (new; Square 2204)

IV. WP Overlay Zone (Additions)

- A. Height limitations and differentials
- B. Prohibition on transient housing
- C. Commercial use limitations
- D. Setbacks: Square 2204 -- 20 feet from alley with mandatory paved 10 foot pulloff unencumbered by walls; Square 2202 -- set back to preserve view of bridge
- E. Strengthening of burden of proof requirements for exceptions by applicants
- F. Prohibition on PUD's (which violate and defeat the purposes of an overlay zone)
 - 1. Problems
 - 2. Height/density limits
 - 3. Correct C-2-B zoning

V. WP Testimony -- Organization

- A. General outline for topics (what WP looks like, residential concerns, historical considerations, etc.)
- B. WP testimony supports the proposed WP Overlay Zone and 6 additions; and supports a need to change zoning to residential from commercial on two WP townhouses, and to prohibit or at least limit, PUD's.

INTRODUCTION/ISSUE OVERVIEW

Z.C. Case 86-26
Woodley Park Overlay Zone

Cheryl Opacinch

● Three Part Testimony

The Introduction/Issue Overview testimony on behalf of the Woodley Park Community Association will provide the Zoning Commission with:

1. An Overview of the Woodley Park Neighborhood
2. Testimony on the Woodley Park Overlay Zone
 - a. Identification of support for OP's WP Overlay Zone
 - b. Need for strengthening the proposed WP Overlay Zone by including 6 amendments (additions); and
3. A description of the organization of the following Woodley Park testimony.

● WP Overview

1. Thank You. We appreciate the opportunity to testify before the Zoning Commission on matters of great concern to the Woodley Park community as it seeks to ensure the stabilization and preservation of an existing, urban, vital Washington, D.C. neighborhood.
2. Woodley Park is a historically active community. The Woodley Park Community Association has existed since at least 1964, with predecessor organizations dating to the neighborhood's founding in the 1912 era. The Association represents the Woodley Park community, with active membership numbering in the several hundreds of households. The Woodley Park Community Association Board includes officers and members at large elected annually. Three ANC Commissioners are members of the board. The ACORN, the WPCA newsletter, is distributed to all WP households and is supplemented, as needed, by flyers on topics requiring immediate attention.

WPCA has been active in a number of significant projects. The Chair of the Ward 3 Comprehensive Plan Committee was a WPCA Board member. In 1976, WPCA received a grant to develop a WP plan. Broad citizen representation, town hall meetings, and a household survey distributed to all households ensured neighborhood participation. This past year, WPCA has worked with neighborhood businesses on beautification projects, including getting sidewalks repaired and trees replanted. WP has a number of Neighborhood Watch programs; crime watch posters are posted as warnings following neighborhood crimes. A Woodley Place Elm Fund has supplied elm trees to replace those destroyed by Dutch Elm disease. A WP Historical Society is actively seeking historic designation and has received City and other grant funds. These are but some of the activities undertaken by this committed WP community.

3. Connecticut Avenue Corridor Study - a Woodley Park Request. We are here this afternoon as a result of a request made to Mayor Barry by a WPCA Board member. WPCA, concerned by the zoning issues facing Cleveland Park and Wisconsin Avenue, and determined to seek resolution in a representative forum, requested that Mayor Barry undertake a Connecticut Avenue Corridor Study to identify significant zoning issues, provide a forum for citizen views, and propose needed zoning changes. The Mayor readily agreed and tasked the Office of Planning with carrying out this mandate. We are proud of our role in facilitating this Study and cite it as another example of the concern and commitment WP has for its community and City.

4. The Squares in Question.

We will address our comments today to the three commercial squares (or partial squares) in Woodley Park. Two Squares are in Ward One. Square 2202, facing Rock Creek Park, and bounded by Calvert Street and Connecticut Avenue, holds a once residential townhouse and a newer, low height structure,-- both of which house a bank and its related offices. This Square is of special concern as it serves as the gateway to the northwest to those leaving downtown and exiting along Connecticut Avenue, or driving to the Zoo. The immediate opposite corner is protected from development and is publicly owned land. The low scale, and the limited present development, permits beautiful views of Rock Creek Park to passersby. (A potential PUD application for this C-2-A zoned property --a 65 ft high structure-- was submitted for discussion with the community two years ago and then withdrawn.)

Square 2204, also in Ward One, is zoned C-2-B and located on the east side of Connecticut Avenue between Calvert Street and Woodley Road. It contains many of the original WP townhouses which have been converted to commercial uses, as well as some single story buildings. It has one large building, a 50 foot high structure which until recently was used as a short-term residential facility. This commercial square is separated from R-4 townhouses residences by an alley of 10 feet and 15 feet on its two axes. Square 2204 also contains two townhouses on a residential street (2610 and 2612 Woodley Place) which are zoned commercial and subject during this hearing to consideration for rezoning. This Square has been the subject of much community attention:

1. It's C-2-B zoning permits up to 90 foot PUD's and 65 foot matter of right buildings -- buildings totally out of scale with existing structures; buildings which cannot be supported by the already inadequate alley; buildings which would increase traffic, noise, and block sunlight and views of neighboring structures; and buildings which would permit commercial development uses that would not benefit the existing neighborhood.
2. C-2-B zoning is inconsistent with a 'low density commercial' and 'local neighborhood center' --as WP is defined by the Comprehensive Plan, and is inconsistent with the zoning on the other two commercial squares.

3. And the two residential townhouses on the residential side of the Square, have been the subject of continuing community efforts to have them appropriately zoned residential.

Square 2203, in Ward 3, is on the west side of Connecticut Avenue, bordered by Calvert Street and 24th Street. It is a small triangular square with low scale commercial buildings and remaining once residential townhouses. Like Square 2202, it is zoned C-2-A. It faces, across Calvert Street, public land and Rock Creek Park. It houses small businesses used by the community including a drycleaners, drug store, bank, beauty salon, ice cream store, a florist and restaurants.

Importantly, the Woodley Park community has additional commercial/tourist use of its businesses and metro stop --as well as neighborhood streets-- by guests at two major hotels (which are conforming uses in a residential district and not permitted to expand) and the National Zoo which draws hundreds of thousands of tourists. The hotels also contribute substantially to the District's tax base and by providing many jobs, particularly blue collar jobs. Our testimony will seek to provide a full description of the three commercial squares, the WP neighborhood, and the present and potential impact of commercial development in WP on both residences and small business owners.

5. Our testimony will focus on 5 major concerns to the WP community:
 - 5.1 WP's commitment to preserving and stabilizing an existing neighborhood - the first major theme in the Comprehensive Plan.
 - 5.2 Ensuring that commercial zoning is consistent with the Comprehensive Plan. We will argue that C-1, or at best C-2-A, zoning is appropriate for a 'low density commercial' 'local neighborhood commercial center'. The Office of Planning, in earlier written correspondence, and at their testimony before this Commission on January 14, 1988 further maintain that C-1 or C-2-A zoning is the appropriate zoning for a 'local neighborhood commercial center.'
 - 5.3 We will discuss, document and visually show constraints of the alley serving the commercial development in Square 2204, and similarly speak to traffic and parking issues related to commercial development. Simply put, parking is now inadequate and a large, open lot on Connecticut Avenue, Square 2204, is being developed. Cars circulate residential streets vainly seeking parking, block alleys, use private driveways, block handicapped access at street corners, -- problems that can prohibit access by emergency vehicles and cause accidents as cars slowly proceed into intersections in order to see whether the way is clear.
 - 5.4 Our testimony will show that WP already has heavy metro and commercial use, and is presently heavily commercial -- in excess of the level of commercial activity that one would assume based upon a discussion of only the three squares addressed by the WP Overlay Zone. We will argue that lower zoning is appropriate and cite the significant commercial and metro use by guests at the two major hotels in WP and tourists to the National Zoo.

5.5 We are further concerned about the encroachment of the commercial zone in Square 2204 on to a totally residential street. (We believe that this occurred because of an error in an alley marking on a land use map). We will argue that commercial uses must remain on commercial frontages and are totally inappropriate on a residential street. 2610 and 2612 Woodley Place should be zoned R-4 in keeping with other residences on this block.

o WP Overlay Zone (Concurrence)

Our testimony will support the 6 major provisions of the WP Overlay Zone as proposed by the Office of Planning:

1. Mandatory retail use on ground floor.
2. Prohibition on Connecticut Avenue curb cuts.
3. BZA approval required for restaurant/bars after a set limit.
4. Limits to building heights.
5. Prohibitions on certain uses including fast food restaurants.
6. Prohibitions on hotel use.

● WP Overlay Zone - Needed Additions

The WPCA testimony will document to the Zoning Commission that a strengthening of the WP Overlay Zone is required if its goals are to be met and the WP neighborhood to continue to exist as a neighborhood in which it is desirable to live, work and visit. From various vantage points, our testimony will show why these amendments are essential:

1. Height/Density/Number of Stories:
Square 2204 -- limit to 50 feet maximum; 60 percent density. (Note that this height is approximately equivalent to the height of the tallest building on the square and up to four times as high as the shortest). A limit of 40 feet would be more in keeping with the Square as it now exists "on the average." Present density is 80%, which not only provides for too much commercial development given the constraints of parking, alley, etc., but does not taken into account the need to adequately buffer residences on the other side of the commercial alley from commercial development.
Squares 2202 and 2203 -- limit to 40 foot maximum; 60 percent density. (Note that this height limit is approximately equivalent to the tallest building on these squares and 2-3 times as high as the shortest building). The 60% density is the present density permitted under C-2-A zoning.
Squares 2202, 2203, 2204: Limit the number of stories to four above ground.
2. Prohibit transient housing in addition to hotels and other limits on use that generates inappropriate traffic in WP. Transient housing limitations are needed to ensure that the intent and spirit of the OP recommendation to preclude hotels is carried out. (At present, there is one structure which is used for "temporary housing", has no parking --or ~~one~~ or

two spaces-- and which would probably be grandfathered in under the present zoning).

3. Commercial Use calculations. At present, FAR calculations are limited to "above ground" floors. A building has just been proposed for Square 2204 which includes a floor of underground (as the lot slopes, only the front, street facing side is totally underground) commercial use. From the community point of view, regardless of on what floor the commercial space is located, it will increase commercial density and cause the attendant problems, i.e., traffic, parking, etc. We will also point out that FAR calculations address density and that this "loophole" which permits "free" (i.e., not counted against FAR limits) commercial space must be eliminated.

4. Setbacks:

Square 2204: A setback of 20 feet from the alley, with a paved, unencumbered pulloff to be used for commercial use (trash pickup, loading, etc.) of at least 10 feet is necessary to not intolerably worsen the present alley situation, and to further remove the commercial structures from the adjacent residential structures. (We would anticipate, however, that the 60% lot occupancy that we recommend, would place structures even further from the alley).

Square 2202: We recommend what we believe is a continuation of a present setback requirement of 20 feet from the public walkway on Connecticut Avenue. This will preserve the view of the Taft Bridge and the lion sculptures which grace it.

5. Strengthening of burden of proof requirements for exceptions by applicants.

We have submitted language to be added to the WP Overlay Zone which will place the burden of proof on the applicant to show why the Bureau of Zoning Adjustment should grant waivers from any of the WP Overlay Zone requirements. The WP Overlay Zone will be a carefully drawn, much considered set of goals and limits which should be set aside in the granting of waivers only in the most compelling set of circumstances. We will suggest language to strengthen the burden of proof requirements.

6. Prohibit PUD's. PUD's, which would extend height limits in Square 2204 to 90 feet -- nearly twice as high as the tallest building presently in this Square-- violate and defeat the purposes of an overlay zone. PUD's would permit a scale of commercial development in gross excess of scale of present structures and of what the neighborhood can support in terms of parking, etc. Further, such towering structures would limit sunlight, views of the Park and trees; tower over the backyards of residential townhouses; and be likely to become a significant location for office space, as opposed to the services needed by a local neighborhood commercial center and which generally has little, if any, office space.

If the Zoning Commission believes that it is in the best

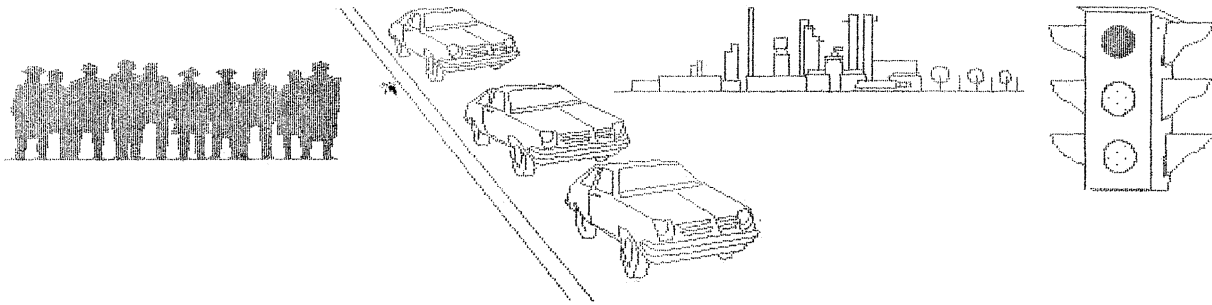
interest of the District and Woodley Park to have PUD's available, our testimony will address the limits of height and density: On all three squares, we would recommend the same height and setbacks, but increase density permitted to 70%. However, we firmly believe that PUD's are in direct opposition to the Overlay Zone concept and tenets, and encourage the Zoning Commission to prohibit them in these three squares in Woodley Park.

Zoning changes: The three commercial squares should be zoned C-1 or, at the maximum, C-2-A. Square 2204 must be rezoned to at least C-2-A from C-2-B, and the residential properties on Woodley Place with commercial zonings be zoned to R-4 (2610 and 2612 Woodley Place). We are particularly concerned with appropriate zoning for reasons mentioned ranging from consistency with the Comprehensive Plan designation of Woodley Park as a local neighborhood commercial center to height and density limits. We are concerned that the WP Overlay Zone may not have addressed all permitted development under a C-2-B zoning that is inappropriate for the Woodley Park neighborhood, or for any neighborhood with such a Comprehensive Plan designation. Thus, to ensure that the tenets of the Overlay Zone and the Woodley Park neighborhood are protected, we strongly recommend that appropriate zoning changes be made and argue that C-2-B zoning must be lowered.

- Woodley Park Testimony - Organization

The remainder of the WP testimony will be organized as indicated on the testimony schedule. Topics will include what WP looks like, residential concerns, historical considerations, etc. WP testimony will support the proposed WP Overlay Zone with 6 additional amendments, and the need to change zoning to residential from commercial on two Woodley Place townhouses.

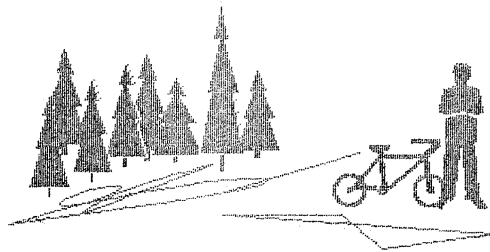
WOODLEY PARK PHOTOGRAPHIC TOUR



Neighborhood character *urban*

Views of the park, bridges, sculptures

Structure height & aesthetics



MR. BRIAN JONES, M.A., Photographer, Ward 1 resident
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

WOODLEY PARK - PICTORIAL TOUR
(8 Minutes)

- I. Need for Woodley Park Overlay Zone to preserve aesthetics of this special street and to preserve the stabilization of an existing neighborhood.
- II. Support for height limitations, their relationship to present structures and consistency with Comprehensive Plan.
- III. Need for setbacks in Square 2202 to preserve views of bridge and ornamental/sculptural entrance.

Development Scenario

Woodley Park Commercial District

- Existing structures
- Potential development
(Current zoning limits)
- Woodley Park Overlay Zone limits
(With WPCA ammendments)
 - Sqaures #2202 & 2203 40 ft. height
 - Square #2204 50 ft. height
- Potential development
(PUD limits)

MR. FRED PITTS, P.E.W. President, former ANC 3C Commissioner, WPCA Board,
and Registered Professional Engineer
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

DEVELOPMENT SCENARIOS - VISUAL MODEL
(5 Minutes)

Woodley Park Commercial Areas - Visual Presentation

- I. Woodley Park Overlay Zone Model
 - A. Existing Structure
 - B. Height permitted under present zoning, including PUD
 - C. Height permitted under proposed WP Overlay Zone Limitations.
- II. Support for WP Overlay Zone Limitations, including WPCA additions

HISTORICAL CONCERNS

- Woodley Park –
A unique historic neighborhood
- Established –
As residential community
- Businesses –
Converted residences
- Architecture –
Characteristically townhouse
- Overlay –
Preserves 3-story townhouse look
Ensures residential-commercial harmony

DR. CHARLES G. FIELD, Esq., President, Woodley Park Historical Society and WPCA Board, and DR. CYNTHIA R. FIELD, architectural historian.
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

CONNECTICUT AVENUE AND WOODLEY PARK: RELATED HISTORICAL CONCERNS
(7 Minutes)

- I. Woodley Park neighborhood has from its beginnings been viewed as an integrated unit of high density, in-town attached housing units served by commercial activities along Connecticut Avenue.
 - A. Original maps designate area as Woodley Park.
 - B. Unlike other outlying areas of Washington, D.C., at the turn of the century, Woodley Park was intended to be a residential community of primary residences whose owners worked in the downtown area.
 - C. Original buildings along Connecticut Avenue in the 2202, 2203, 2204 squares were residential, sharing the same architectural features as the townhouses built off of Connecticut Avenue.
 - D. Mass and size of buildings in the squares in question share the same general height features as townhouses elsewhere in the Woodley Park neighborhood.
- II. Overlay requirements would preserve the harmonious relationships between the residential fabric and commercial activities.
 - A. The height limitations would preserve the general relationships between the three-story townhouses and commercial buildings.
 - B. Land uses consistent with the types found in local neighborhood centers, as called for in the Comprehensive Plan, would reinforce the community's historic sense of relationship whereby residents utilize the commercial facilities along Connecticut Avenue.
 - C. Need provisions that would require some architectural/stylistic relationship between development within the overlay area and the adjacent areas of Woodley Park, thereby preserving the visual and integrated relationship between the commercial and residential areas.

FEDERAL INTEREST CONCERNS and HISTORIC SCALE

- 1900–1930 WP established as 3&4 story townhouse community
- The scale of the WP commercial area impacts on view from federal park lands
- Bulk & height limits by overlay zoning will greatly aid Fine Arts Commission reviews under Shipstead-Luce
- Commercial architecture impacts on surrounding designated historical landmarks
e.g., the Ellington & Taft bridges

MR. LARRY AURBACH, ESQ., Treasurer, Woodley Park Historical Society and
WPCA Board
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

FEDERAL INTEREST CONCERNS AND HISTORIC SCALE
(5 Minutes)

- I. The WP Overlay Zone and proposed additions are responsive to the needed scale concerns.
 - A. Area established during the first quarter of this century, approximately 1900-1930. The essential four-story townhouse character of the Woodley Park commercial area was established as well.
 - B. Because of the relationship between Woodley Park and Rock Creek Park, there is a federal interest in the scale of the Woodley Park commercial area, which borders and is visible from the Park.
 - C. Although Fine Arts Commission has mandatory review under the Shipstead-Luce Act, this occurs only when a proposal for construction is submitted.
 - D. Meanwhile, the Zoning Commission will establish density and height limitations.
- II. We urge the Zoning Commission to maintain the historic scale of the Woodley Park commercial areas by adopting the WP Overlay Zone and the proposed additions.

Federal Interest Concerns and the Historic Scale of the
Woodley Park Commercial Area

Laurence J. Aurbach, Esq., Past Chairman, Section of Urban,
State and Local Government Law, American Bar Association;
Treasurer, Woodley Park Historical Society

District of Columbia Zoning Commission, January 25, 1988

The Woodley Park Commercial Area was formed between the turn of the century and about 1930. Prior to 1900, Woodley Park was the rural fringe of Washington. Woodley House (now the Maret School), Twin Oaks, Holt House, the Joshua Pierce House, and the National Zoological Park (all included as District landmarks) now remain of what then showed on maps of the area. The Holt House, Pierce House, and the Zoo are also on the National Register of Historic Places. The Woodley High Bridge (which celebrates its centennial this year) crossed Rock Creek and continued as Woodley Road, then the only road in the area. It meandered up a feasible grade for a horse and wagon past Woodley House and Twin Oaks to Mt. St. Alban over what is now Shoreham Drive, 24th St., a corner of Connecticut Ave., Woodley Rd, 29th St., Cathedral Ave., and Woodley Rd. Both the Woodley High Bridge and a Calvert St. bridge were replaced by what we know today.

The Taft Bridge, built between 1897 and 1907 and also on the District Inventory, is "Washington's first great masonry bridge" according to Donald B. Myer of the staff of the United States Commission on Fine Arts and author of

"Bridges and the City of Washington". The Woodley Park street system was built around the turn of the century. The Rock Creek and Potomac Parkway (also on the District Inventory) was authorized in 1913 during the era of great parkway construction in this country and opened to traffic in 1936. The parcel on the southwest corner of Calvert and Connecticut facing Square 2202 and 2203 was purchased for the Parkway in 1930.

The predominately townhouse development of the Woodley Park Commercial Area was built between the opening of the Taft Bridge and 1930 when the park first bordered the commercial area. Thus, the historic scale of the Woodley Park Commercial Area was established between 1900 and 1930. The scale of the Woodley Park Commercial Area has always been four stories and has never been exceeded; several one story buildings exist in the Woodley Park Commercial Area. A forty foot height limit for Squares 2202 and 2203 and a fifty foot height limit for Square 2204 would preserve the historic scale while enabling commercial development.

The Woodley Park Commercial Area has been the gateway to the city north and west of the park for the past eighty years. Coming up from the park or across Taft Bridge, the Woodley Park Commercial Area is low rise, up to four stories. It is framed by newer higher residential hotels and apartments dating from about 1930, including the Wardman Towers (also

on the District Inventory) and the renovated Shoreham Hotel, which probably should be in the inventory of historic sites.

Going south down Connecticut Ave., the low rise area is framed by the park valley and trees and Taft Bridge. Coming from the east along Calvert St. the commercial area is framed by the park and higher residential buildings. From the west, it is framed by the park.

The Woodley Park Overlay Zone squares relate directly to Rock Creek Park. Square 2202, the southeast corner of Calvert and Connecticut, backs onto the park. Square 2203 on the west side of Connecticut faces the park. Much of Square 2204 is visible from the park. However, the federal interest review by the United States Fine Arts Commission under the Shipstead-Luce Act comes up only when a proposal for construction is submitted. The zoning established by this Commission will establish the height permitted. The scale of a building, with the materials and design proposed, will be the subject of the Fine Arts Commission's review. So, even if the Commission does not comment on the Overlay Zone, it will have authority over development proposals. I assume that the Commission will be interested in maintaining the scale of this commercial area as seen from and to the park and Taft Bridge.

Parenthetically, I am advised by Charles McLaughlin, a knowledgeable historian about the park and editor of the Olmsted papers, that the Shipstead-Luce Act came about

because of the effect of the dominance of the Shoreham Hotel on Rock Creek Park, which was perceived as shrinking the scale of the landscape.

We urge this Commission to consider the possible adverse effects of Planned Unit Developments on the height limits in the Overlay Zone. "Guideline" PUD limits could increase the permitted height in Square 2204 to ninety feet and in Squares 2202 and 2203 to sixty five feet, and these are not maximums. Accordingly, in order to conform development to the intent of the Woodley Park Overlay Zone, the Zoning Commission should prohibit PUDs here.

There is strong tradition for maintaining the scale of the Woodley Park Commercial Area. We endorse a four story limit to be compatible with the history and scale of the place. The Zoning Commission would be carrying on this tradition by adopting the height limitations. Maintaining these standards will reduce future conflicts regarding compatibility of development with the park and bridge, in addition to preserving the historical architectural style of the area. It would also mitigate insurmountable problems caused by inadequate off street parking and loading areas and places for trash receptacles, and would help protect what the Office of Planning and Development characterized as a "handsome urban environment".

The historic scale, the architectural integration with the turn of the century three and four story townhouses in the residential community, and the location one metro stop

from downtown surrounded by Rock Creek Park are what is unique and characteristic of the Woodley Park Commercial Area, and what is worth preserving. Help us protect it!

Proposals:

For John Parsons, National Park Service: a centennial recognition of the Woodley High Bridge.

For OPD and the Department of Public Works: place street signs showing the path of historic Woodley Rd.

Transportation & Traffic Concerns

- Metrorail use
- Pedestrian issues
- Special traffic & parking problems
- Alley problems
- Commercial density & traffic capacity

Mr. CHARLES WARR, President, WPCA and Chair, ANC 3C Traffic and
Transportation Committee
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

TRANSPORTATION AND TRAFFIC CONCERNS
(7 Minutes)

- I. Metrorail Use. The District receives an excellent return on its investment in the Woodley Park Metrorail station.
- II. Pedestrian Issues. Lack of pedestrian underpasses present at most other Metrorail stations.
- III. Special Traffic and Parking Problems associated with the two convention hotels and the National Zoo. Peak day zoo attendance of 25,000 visitors in one day. Peak meeting attendance of 23,000 conventioners.
- IV. Operational Problems associated with alleys. There are no alleys serving Squares 2202 and 2203. There are severe operational problems in the alley serving Square 2204.
- V. Relationship between increased commercial density and "friction" effects. The slowing and turning traffic associated with local commercial uses effectively reduces the capacity of Connecticut and Calvert to accomodate through traffic.

Zoning Commission Case 86-26

Woodley Park Community Association
Transportation Testimony
January 25, 1988

1.0 Existing Traffic and Parking Conditions Related to the
Sheraton Washington and Shoreham Hotels and the National Zoo

1.1 Sheraton Washington Hotel. As the Office of Planning (OP) notes in its January 11 filing with the Zoning Commission (Commission), "Since 1980 (Z.C. Case 79-1), hotels are no longer a permitted new use in R-5-B and R-5-C, but existing hotels are conforming uses which are not permitted to expand." Even after this decision by the Commission, however, the Sheraton has continued to push very aggressively for expansion by both direct and indirect means:

* There have been extensive lobbying efforts to persuade the City Council to redesignate the Sheraton's (and Shoreham's) site from Residential to Commercial use in the Comprehensive Plan. Such a redesignation (defeated 13-0) could open the possibility of a rezoning from Residential to Commercial, thus evading the Commission's 1980 prohibition on hotel expansions in Residential Zones. The Woodley Park Community Association (WPCA) concurs with OP's conclusion about Woodley Park that "The area already has more than its complement of hotel rooms ...". The existing and projected transportation scenarios presented on the record of this Case by OP and WPCA both assume that there will be no expansion (direct or indirect) at the Sheraton or Shoreham sites. The possibility of expansion by either hotel would be significant to the present Case, since both sites are immediately adjacent to the proposed overlay zone.

* In a Board of Zoning Adjustment (BZA) case subsequent to the Commission's Case 79-1 decision in 1980, the Sheraton applied for permission to construct a large addition to its enclosed space. Although the presented use was to accommodate exercise facilities, much of this additional space could have been used for other purposes - such as convention exhibits. After extensive/expensive hearings, in which WPCA and Advisory Neighborhood Commission 3-C participated vigorously, the BZA denied this application. One of the BZA's findings in support of this denial was a negative transportation impact due to the proposed addition, even though additional hotel rooms had not been proposed.

* The Sheraton's principal loading dock and certain adjoining parking facilities have been used repeatedly as

convention exhibit space in violation of the Zoning Regulations (see Attachment A). For example, the Sheraton has been formally notified by the Department of Consumer and Regulatory Affairs that it committed such violations in October, 1986. Advisory Neighborhood Commission 3-C has since recommended that the Zoning Administrator cite the hotel under the Civil Infractions Act for repeat violations (see the four photographs of Attachment B) committed in October, 1987, and has further requested that fines be assessed. If, however, the Zoning Regulations with respect to loading docks and parking facilities are to be waived, the transportation network within the proposed overlay district will be subjected to additional pressures not accounted for in either OP's or WPCA's transportation testimony. The Commission may wish to ask the Zoning Administrator for a clarification, so that this factor can be taken into account in a definite way. WPCA is convinced of the importance of the loading and parking provisions of the Zoning Regulations, and although we realize that the responsibility for their enforcement does not rest with the Commission, we respectfully suggest that it is appropriate for the Commission to assert the importance of effective zoning enforcement action.

* Expansion at the Sheraton, whether in the form of rooms or enclosed space of any kind, translates in practical terms to a corresponding increase in the maximum size of conventions, exhibitions or other events that can occur at the site. The existing space already permits meetings with as many as 23,000 attendees. If this maximum increases further, the potential peak traffic load and parking demand will also increase. Thus we agree with the OP conclusion that "The area already has more than its complement of hotel rooms ...", and we also agree with OP's recommended prohibition of hotels (and their equivalents) in the proposed overlay zone.

- 1.2 Shoreham Hotel. The Shoreham currently presents two specific transportation problems, in addition to the general problems of potential expansion described above.

* A very large number of privately operated buses service the Shoreham. These large intercity buses are often chartered by groups staying at the Shoreham, but are also used to provide shuttle service between the Shoreham, the other hotels in the Connecticut Avenue Connection, and the DC Convention Center. At peak times large buses may be arriving and departing on intervals as short as 3 minutes, and more than a full block of buses have sometimes been observed to double park with engines running. The Shoreham does not permit such buses to enter its driveway in order to pick-up and discharge passengers or baggage at its main entrance. This policy prevents an

efficient turn-around movement for these unwieldy vehicles, and forces bus passenger loading and unloading operations onto Calvert Street. The Department of Public Works (DPW) has recognized the impact on residences in Woodley Park of the noise, diesel fumes and structural vibration due to bus operations, and at WPCA's request has recently prohibited such buses from using most of Woodley Park's purely residential streets. Bus maneuvering, standing and parking continues to seriously affect traffic operations at the vital Calvert Street, 24th Street, Connecticut Avenue transportation node, however, and these factors constitute a significant negative transportation impact within the proposed overlay zone due to existing Woodley Park development. Expansion of these bus operations, due to any permitted expansion at the Shoreham, would place additional pressure on the already difficult intersections of Calvert Street with Connecticut Avenue and 24th Street. Dr. Carter's earlier presentation, and the Reno Road Corridor Evaluation (see Attachment C), have both concluded that these intersections are near failure now. Dr. Carter has shown that they will fail under additional development pressure (Scenarios 1 and 2 - OP and Woodley Park development projections respectively).

* A second transportation issue with the Shoreham is its continuing failure to comply with the Zoning Regulations and the terms of its Certificate of Occupancy regarding the number of parking spaces that the hotel must provide. The Shoreham has removed from service and blocked-off a substantial number of parking spaces in its underground garage. Although it had proposed to build a replacement garage, it has not done so in the several years since this problem arose. To remove this uncertainty in current transportation conditions, the Commission may wish to ask the Zoning Administrator to investigate and place a report on the record of this Case.

These Shoreham related transportation issues illustrate the continuing operational problems associated with the presence of the two large convention hotels on residential land. In the Shoreham's case, it abuts a residential neighborhood on two sides and is confined on the remaining two sides by Rock Creek Park. The severity and intractability of its transportation problems support OP's policy with regard to the appropriate economic development envelope for the Woodley Park/Zoo Metrorail station: "The policy is that the hotels, convention facilities, and existing medium and high density housing constitute the economic development envelope for this Metrorail station. The small commercial area at the core is to continue its present function of providing services to hotel visitors, visitors to the National Zoo, and the surrounding neighborhood, but

primarily within the physical scale of the existing buildings."

2.0 Woodley Park/Zoo Metrorail Station

2.1 The Woodley Park/Zoo Metrorail Station is one of the most heavily used residentially oriented stations in the Metrorail system. On a peak day last spring more than 7,000 passengers entered the system at Woodley Park. The underlying reason for this high ridership is the existing medium to high density residential nature of Woodley Park, and the popularity of Metrorail service with Woodley Park residents. There are also substantial contributions to ridership from guests at the two major hotels and from visitors to the National Zoo. To give the Commission a feeling for the significance of this, it may be useful to know that ridership for the Woodley Park/Zoo Station is comparable to that for the Van Ness Station, and substantially greater than ridership for either the Grovenor or National Airport Stations. During its peak periods, user density at the Woodley Park/Zoo Station approaches that of stations in the central business district. The city gets its money's worth, and more, from our Metrorail station, and we believe that OP is correct in concluding that existing development in the surrounding area already constitutes the development expected in the vicinity of the Woodley Park/Zoo Station.

The operation of the Woodley Park/Zoo Station is seriously limited with respect to pedestrian safety and convenience by the fact that access is provided only from the West side of Connecticut Avenue. The escalator entrance is located in the triangle of Square 2203, and may not be reached at all without crossing a busy street. There are no pedestrian underpasses, such as are typical of many other stations situated on busy streets. This means that Metrorail users from East or South of Connecticut Avenue or Calvert Street respectively must cross these busy streets at complicated intersections in order to reach the station. These crossings further complicate the optimization of traffic signals at the intersections of Connecticut Avenue with Cathedral Avenue, 24th Street and Calvert Street, which in turn has a negative effect on the levels of service that can be maintained at these intersections. Since this station also does not provide any vehicle waiting area, there are substantial friction effects on traffic operations due to standing vehicles.

3.0 Alley Operations

3.1 Square 2204 has a 15 foot wide central alley connecting with Woodley Road through the North block face of the Square, extending about three quarters of the way South

down the center of the Square (separating the C-2-B and R-4 zones), and joining at right angles with a 10 foot wide alley segment opening onto Woodley Place through the Square's East block face. The C-2-B portion of this Square has a high concentration of bars and restaurants which require frequent deliveries. One of the restaurant operators, in describing the transportation requirements of her business, has said that she typically received truck deliveries from a dozen different suppliers each day. For business reasons these deliveries must be made from the alley. This alley is often blocked by double parked or maneuvering trucks, and because of its substandard width is not suited for the full-sized trucks which often must attempt to operate there. There is also serious inconvenience to the residents of homes on Woodley Place whose garages and parking spaces may only be accessed through this alley. On-street parking in this area is in great demand due to the restaurants and bars, and is not a practical routine alternative.

We agree with OP, in the context of its PUD discussion, that the C-2-B portion of this Square is a "peculiar circumstance". It is peculiar with respect to the Comprehensive Plan's Low Density Commercial designation, and also with respect to the Plan's Local Neighborhood Commercial Center designation. The substandard design of the alley is not so peculiar. Its design was adequate to serve what were originally residential town houses along Connecticut Avenue. It is the unplanned change in use, prior to the institution of zoning controls, which has caused its operational failure. WPCA has petitioned the Commission to rectify this conflict with the Plan in a straightforward way by rezoning from C-2-B to C-2-A. Although we continue to ask that the underlying zoning be conformed to the Plan, we also agree that the OP proposed overlay zone with amendments would be helpful.

3.2 Square 2203 is the triangle on the West side of Connecticut Avenue which lies between Connecticut Avenue, Calvert Street and 24th Street. Since there is no central alley serving this C-2-A Square, delivery trucks must often double park or make difficult maneuvers through the limited 24th Street curb-outs in the midst of heavy vehicular and pedestrian traffic. An increase in commercial density beyond what now exists would compound an already serious problem for the businesses in this Square, and would exert further pressure on critical traffic movements along 24th Street and on Connecticut Avenue due to friction effects.

3.3 Square 2202 is the C-2-A triangle on the East side of Connecticut Avenue which lies between Connecticut Avenue, Calvert Street and Rock Creek Park. All of the private

land in this Square has now been assembled by a single owner. WPCA has been in contact with this owner, and has reviewed plans which indicate that the owner's intention is development under a FUD process well beyond the bounds of present zoning. Since the Square is not served by a central alley, and since the site is bounded on two sides by heavily used arterials and on the remaining two sides by Rock Creek Park, a substantial increase in locally generated traffic serviced by curb-cuts through either the North or West block faces of this Square would have a disproportionate negative effect on traffic operations at the intersection of Connecticut Avenue and Calvert Street. This intersection fails in certain respects under current conditions, with more severe failure projected under Scenarios 1 or 2 of Dr. Carter's report.

4.0 Comment on DPW's Transportation Testimony

4.1 The written report presented to the Commission by Dr. Carter, as well as his oral testimony, was coordinated with and speaks for the Woodley Park Community Association. We strongly disagree with the DPW finding that "In Zone 4, there are no intersections with current or projected serious level of service problems". Dr. Carter reported that the intersections of Connecticut Avenue with both Cathedral Avenue and Calvert Street in Zone 4 present serious capacity ratio and level of service problems under current conditions, with one or more traffic motions being unacceptable because of instability (E) or actual failure/breakdown (F). The projections of Scenarios 1 and 2 both show instability or breakdown/failure for a majority of the traffic motions studied at this intersection. These condition must be avoided if Connecticut Avenue is to remain a viable gateway to the central business district.

5.0 Transportation System Management Measures and Counterflow

- 5.1 The only TSM measure proposed for Woodley Park was the removal of westbound parking from Cathedral Avenue. Such a change would meet with very determined opposition from the community due to the loss of scarce parking, and Dr. Carter has noted that it would not improve the level of service at the intersection of Connecticut Avenue and Cathedral Avenue.
- 5.2 Counterflow commuters in the Woodley Park segment of the Connecticut Avenue corridor will most likely be DC residents commuting to or from jobs which may well be in the suburbs. Since the job base in the suburbs is growing rapidly, and since the city currently is encouraging unemployed city residents to look for jobs more widely, it is important to the city that counterflow traffic conditions not be neglected. TSM measures such as the

reversible lane operations on Connecticut Avenue do help move peak-direction traffic, but have done so in this case at the expense of counterflow operations. Many Woodley Park residents are employed in Montgomery County, and have reported that Connecticut Avenue is an increasingly difficult route to use - particularly at its intersection with Van Ness Street. We are highly skeptical of the net usefulness of the TSM measures listed in DPW's report, and would want to scrutinize both the flow and counterflow effects of any specific proposal. For the purposes of the Commission's proceedings in this Case, we recommend assessing traffic operations without reflecting the projected level of service improvements listed by DPW.

6.0 Attachments

- A. DCRA Infraction Notice to the Sheraton Washington Hotel, and Supporting Materials From ANC 3-C (attached)
- B. Four Large Photographs of the Sheraton Washington Hotel Loading Dock Used For Convention Exhibits (provided at oral testimony)
- C. Exhibits 17 and 18, Reno Road Corridor Evaluation - Final Report, Bellomo-McGee, Inc., 410 Pine Street, Vienna, VA, September, 1983

ADVISORY NEIGHBORHOOD COMMISSION 3-C

ATTACHMENT A

GOVERNMENT OF THE DISTRICT OF COLUMBIA

CATHEDRAL HEIGHTS CLEVELAND PARK MASSACHUSETTS AVE. HEIGHTS MCLEAN GARDENS WOODLEY PARK

2737 DEVONSHIRE PLACE, N.W.
WASHINGTON, D.C. 20008
232-2232

November 24, 1987

Single Member District Commissioners:

01-Cheryl Opacinch
02-Sam Friedman
03-John A. Jenkins
04-Roger Burns
05-Peggy Robin
06-Phil Mendelson
07-Patricia Wamsley
08-David Grinnell
09-Peter Espenschied

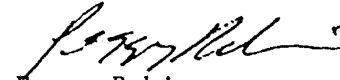
Mr. Joseph Bottner
Zoning Administrator
Department of Consumer and Regulatory Affairs
814 H Street N.W.
Washington, D.C. 20001

Dear Mr. Bottner:

Pursuant to our August 25, 1987 request to you, we understand that a zoning inspection was made at the Sheraton Washington Hotel during the period October 12, 13 and 14, 1987. We appreciate your attention to this matter, which is of great importance to our constituents. Advisory Neighborhood Commission 3-C has recently received information and photographs (enclosed) suggesting that violations of the Zoning Regulations had occurred at the Sheraton on the above cited days in October. A comparison of this information with the District's December 30, 1986 zoning violation notice caused the Commission to conclude that repeat violations had, in fact, occurred. Accordingly, at its regular meeting of November 23, 1987, ANC 3-C unanimously passed the attached resolution requesting that appropriate enforcement action be taken in this matter under the provisions of the Civil Infractions Act.

I also call your attention to our request of August 25, 1987 for copies of any reply correspondence from the Sheraton Washington Hotel or its agents pursuant to the December 30, 1986 zoning violation notice cited in our resolution. If no reply correspondence was received, we would appreciate confirmation of that fact.

FOR THE COMMISSION


Peggy Robin
Chairman, ANC 3-C

Enclosures

cc: Hon. James Nathanson

ADVISORY NEIGHBORHOOD COMMISSION 3-C

GOVERNMENT OF THE DISTRICT OF COLUMBIA

THEODRAL HEIGHTS CLEVELAND PARK MASSACHUSETTS AVE. HEIGHTS McLEAN GARDENS WOODLEY PARK

2737 DEVONSHIRE PLACE, N.W.
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08-David Grinnell
09-Peter Espenschied

SHERATON LOADING DOCK RESOLUTION

November 23, 1987

WHEREAS the Sheraton Washington Hotel (Hotel) has repeatedly violated District of Columbia Zoning Regulations regarding the use of its loading dock and parking spaces; and

WHEREAS the Hotel was formally advised by the District of Columbia by letter dated December 30, 1986 "...that in October, 1986, you used the subject areas in violation of the D.C. Zoning Regulations...", and

WHEREAS the Hotel was further advised by the District of Columbia on December 30, 1986 "...that any future use of the subject premises in violation of the D.C. Zoning Regulations will result in the matter being referred for appropriate enforcement action without further notice...", and

WHEREAS Advisory Neighborhood Commission 3-C (ANC 3-C) concurs with the findings and conclusions of the District of Columbia in the above cited letter of December 30, 1986, and

WHEREAS ANC 3-C had requested by letter dated August 25, 1987 that zoning inspections for similar violations be made on October 12, 13, and 14, 1987, and

WHEREAS ANC 3-C has received reports and evidence which indicate that subsequent violations of the type cited by the District of Columbia on December 30, 1986 have occurred, and

WHEREAS regulations and a schedule of fines for implementing the Civil Infractions Act of 1985 were published in the D.C. Register as a Final Rule on September 4, 1987 and became effective at that time, and

WHEREAS any similar proven violations occurring after the above cited December 30, 1986 notice would be regarded by ANC 3-C as "flagrant...or willful conduct" within the meaning of DCMR 1200.1, and as a new offense on each day that such a violation continued, and

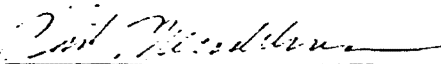
WHEREAS ANC 3-C regards the above cited December 30, 1986 letter as official notice of a first offense within the meaning of DCMR 1200.1; therefore

BE IT RESOLVED by Advisory Neighborhood Commission 3-C that a Notice of Infraction (NOI) be issued to and served upon the Sheraton Washington Hotel for a Class 2 infraction, and

BE IT FURTHER RESOLVED that the scope of this NOI should encompass possible offenses on all of the dates referred to by ANC 3-C (including but not limited to October 12, 13, and 14, 1987) and all other evidence attached herewith as well as any evidence produced by on-site zoning investigations.

Adopted by unanimous voice vote.

ATTEST:


Phil Mendelson, Secretary

ADVISORY NEIGHBORHOOD COMMISSION 3-C

GOVERNMENT OF THE DISTRICT OF COLUMBIA

CATHEDRAL HEIGHTS CLEVELAND PARK MASSACHUSETTS AVE. HEIGHTS McLEAN GARDENS WOODLEY PARK

2737 DEVONSHIRE PLACE, N.W.
WASHINGTON, D.C. 20008
232-2232

August 25, 1987

Single Member District Commissioners:

01-Cheryl Opacinch
02-Sam Friedman
03-John A. Jenkins
04-Roger Burns
05-Peggy Robin
06-Phil Mendelson
07-Patricia Wamsley
08-David Grinnell
09-Peter Espenschied

Mr. Joseph Bottner
Zoning Administrator
Department of Consumer and Regulatory Affairs
614 H Street N.W.
Washington, D.C. 20001

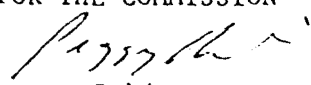
Dear Mr. Bottner:

By letter dated December 30, 1986 (attached) the Building and Land Regulation Administration formally notified the Sheraton Washington Hotel that it had used certain uninclosed areas as exhibit space during the annual meeting of the Association of the U S Army (AUSA) in violation of the D.C. Zoning Regulations. Information has been received (attached) which indicates that the Sheraton Washington Hotel may again be planning such use of uninclosed areas during this year's meeting of the AUSA October 12, October 13 and October 14, 1987.

Advisory Neighborhood Commission 3-C respectfully requests that a Zoning Investigator again be assigned to inspect for such zoning violations on each of these three days. Although October 12 is a federal holiday, we strongly believe that any enforcement action taken will be more effective if begun on the first day of an an established violation.

ANC 3-C also asks to be kept informed of any further actions taken on this matter, and requests copies of any correspondence to or from the Sheraton Washington Hotel or its agents pursuant to the December 30, 1986 letter of citation. Your past assistance in this matter is acknowledged with thanks.

FOR THE COMMISSION


Peggy Robin
Chairperson

Enclosures (2)

cc: Mr. Alfred E. Baylor
Hon. James Nathanson

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION



December 30, 1986

Roger Murphy, Manager
Sheraton Washington Hotel
2660 Woodley Road, N.W.
Washington, D.C. 20008

RE: Parking Garage and Loading
Docks
2660 Woodley Road, N.W.
Square: 2132 Lot: 32

Dear Mr. Murphy:

A recent inspection by a field representative of this Division disclosed that on October 14, 1986, you used the loading docks on the northwest corner of the building and the parking spaces on the fourth floor garage roof area as exhibit space during the Association of the United States Army's (AUSA) annual meeting. Investigation disclosed that exhibits consisting of large army trucks, various military equipment, tents, crates, boxes, etc. along with covered booths were set up in these areas. The loading docks and parking spaces are required by the District of Columbia Zoning Regulations and their use for any other purpose is specifically prohibited under Sections 7305.5, 7305.51, 7305.52, 7206.1, 7206.2.

Section 7305.5 states:

"A loading berth or service delivery loading space including access aisles, driveways and maneuvering areas shall be maintained and used as a loading berth or service/delivery loading space for as long as the use exists for which the loading berth or service/delivery loading space is designed to serve."

Section 7305.51 states:

"No other use shall be conducted from or upon the loading berth or service/delivery loading space or any other portion thereof."

Section 7305.52 states:

"All parts of the loading berth or service delivery loading space including access aisles, driveways and maneuvering areas shall be kept free of refuse, debris, and other obstructions of any kind."

Section 7206.1 states:

"The parking spaces required by this article shall be provided and maintained so long as the structure exists which the parking spaces are designed to serve."

Section 7206.2 states:

"Required parking spaces shall not be reduced in total extent after their provision except upon approval of the Board of Zoning Adjustment and then only after proof that the parking spaces provided are no longer needed by reason of a reduction of employees, seats, gross floor area, dwelling units, or any other standard applicable to the use set forth in the regulations, provided the Board of Zoning Adjustment may impose any condition it shall deem necessary to assure the addition of parking spaces in case of a subsequent increase in employees, seats, gross floor area, dwelling units, or any other unit of measurement."

Therefore, be advised that in October, 1986, you used the subject areas in violation of the D.C. Zoning Regulations. Be further advised that any future use of the subject premises in violation of the D.C. Zoning Regulations will result in the matter being referred for appropriate enforcement action without further notice to you.

If you have any questions or concerns, you may contact me directly on 727-7350.

Sincerely,


Alfred E. Bayler, Jr.
Zoning Investigator

<u>SOUTHBOUND ROUTE</u>	<u>INTERSECTING STREET</u>	<u>PEAK DIRECTION INTERSECTION MOVEMENT</u>	<u>LEVEL OF SERVICE</u>
Reno Rd.	Military Rd.	Through	C
	Fessenden St.	Through	D
	Nebraska Ave.	Through	E
	Van Ness St.	Through	D
	Tilden St.	Through	C
	Tilden St.	Left	D
34th St.	Porter St.	Through	D
	Cleveland Ave.	Through	B
	Cleveland Ave.	Left	B
	Massachusetts Ave.	Left	E
Connecticut Ave.	Military Rd.	Through	C
	Van Ness St.	Through	F
	Calvert St.	Through	F
Wisconsin Ave.	Western Ave.	Through	E
	Van Ness St.	Through	D
	Garfield	Through	B
	Farfield	Left	C

<u>NORTHBOUND ROUTE</u>	<u>INTERSECTING STREET</u>	<u>PEAK DIRECTION INTERSECTION MOVEMENT</u>	<u>LEVEL OF SERVICE</u>
34th St.	Cleveland Ave.	Through	C
Cleveland Ave.	34th St.	Right	C
34th St.	Porter St.	Through	C
Reno Rd.	Tilden St.	Through	C
	Van Ness St.	Through	C
	Nebraska Ave.	Through	B
	Fessenden St.	Through	C
	Fessenden St.	Left	D
	Military Rd.	Through	E
Connecticut Ave.	Calvert St.	Through	D
	Calvert St.	Left	E
	Van Ness St.	Through	D
	Van Ness St.	Left	F
	Military Rd.	Through	C
Wisconsin Ave.	Van Ness St.	Through	C
	Western Ave.	Through	E

Residential Concerns

- Preservation of the neighborhood
- Alley congestion, noise, and trash
- Resident quality of life
- Commercial growth on residential streets
- Need for businesses that serve the Woodley Park neighborhood
- Traffic density on residential streets

MS. ELLEN BURTON, WP resident
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

RESIDENTIAL CONCERNS
(5 Minutes)

- I. Woodley Park. The need to protect an established neighborhood as a desirable place to live, work and visit.
- II. The WP Overlay Zone and proposed additions concerning Square/2204.
 - A. Essential to preserve Woodley Park consistent with Comprehensive Plan goals.
 - B. Current severe alley constraints preclude increased usage -- problems of congestion, lack of adequate access by emergency vehicles, increased noise and trash, and safety matters.
 - C. Height limits support maintenance of residential quality of life
 - D. Commercial zoned properties (2610 and 2612 Woodley Place) on a residential street are in error and pose threats of residential street deterioration if developed, e.g., traffic congestion, noise, lack of privacy.
 - E. Need to preserve neighborhood-oriented services in commercial squares.
- III. The WP Overlay Zone and proposed additions concerning Squares/2202 and 2203.
 - A. Essential to preserve an existing, stable neighborhood.
 - B. Precludes intolerable expansion of existing problems, e.g., density, noise, increased traffic on residential streets, illegal and unsafe parking, decreased pedestrian safety.
- IV. Woodley Park can be a model urban residential-commercial neighborhood with the adoption of the WP Overlay Zone and the additions proposed by WPCA.

Residential Concerns

Testimony of
Ellen Burton
on Behalf of
Woodley Park Community Association

Z.C. Case No. 86-26

District Building
January 25, 1988

Testimony of Woodley Park Community Association:
Residential Concerns

I. WOODLEY PARK ISSUES

Woodley Park now has generally appropriate locally focused commercial development. Commercial portions of the proposed Woodley Park Overlay squares constitute a reasonably stable mix of small scale, principally retail establishments. These establishments serve the local community and the hundreds of thousands of others attracted into the area each year by the proximity of the Woodley Park metro stop to the National Zoo -- the District's third most popular tourist attraction -- and by conventions and other functions at the Sheraton Washington and Omni Shoreham hotels with their combined 2,000-plus rooms and extensive meeting facilities.

Woodley Park residents support appropriate commercial development. Woodley Park residents support an economically vital, locally focused commercial area as a positive aspect of the quality of life in Woodley Park. We further believe that Woodley Park makes a full and fair contribution to the economy of the District through the tax base provided by the two large area hotels and the services provided to guests of those hotels and other visitors by the retail businesses in the Woodley Park commercial area.

Woodley Park residents have chosen to live in an urban area. We recognize the positive aspects of this urban neighborhood, which include:

- Ready access to the small scale neighborhood restaurants and other service establishments;
- Ready access to metro; and
- The pleasure of residential streets shaded by stately elm trees and nearby Rock Creek Park.

However, Woodley Park residents must balance these positive factors against the negative aspects of the close proximity of commercial and residential development in Woodley Park. These include:

- Noise and trash generated by restaurants and other businesses located across a narrow alley from many homes;
- Traffic congestion, particularly in alleys, that routinely impedes access of property owners to their parking spaces and has resulted in damage to residence fences;
- Illegal parking in alleyways and on neighborhood streets that threatens access of emergency services to homes, blocks curb cuts for the handicapped and threatens pedestrian safety; and
- Occasional extreme congestion in the heavily used metro station.

Commercial development under current zoning threatens the quality of life in Woodley Park. Woodley Park residents believe that commercial development or redevelopment in Woodley Park under current zoning will destroy the fragile balance between commercial and residential uses and will cause the progressive deterioration of the quality of life in Woodley Park.

The Advisory Neighborhood Commission ANC-3C hosted a public meeting last September to review with the developer plans for a proposed 6-story building at 2631-2641 Connecticut Avenue. The site in question now contains a commercial parking lot with access and egress exclusively to Connecticut Avenue through two curb cuts. Woodley Park residents indicated that the proposed matter-of-right building -- which complies with current zoning but would be twice as high as any nearby building -- would not enhance, nor would it even maintain, the quality of life of Woodley Park. They expressed concern:

- That there would be increased trash and increased noise from commercial establishments being serviced by early morning trash pickup and product deliveries

- That there would be increased traffic on residential streets
- That the developer's plan to abandon the existing curb cuts to Connecticut Avenue, and instead to use the alley for exclusive access to 52 parking spaces and a loading dock, would exacerbate an already intolerable situation because the alley's substandard narrowness and design:
 - Induces large trucks to back almost the full length of the alley;
 - Results in residents, commercial proprietors and their employees being kept waiting as much as 20 minute or more to get in or out of parking spaces while trucks load or unload; and
 - Results in illegal parking on residential property and in damage to residence fences when trucks attempt to turn around despite the alley size limitations
- That a structure built to the height allowed by current zoning would loom over the residences in Square 2204, obstructing sun and sky, and be visible from residences on neighboring blocks and to pedestrians at street level in the residential neighborhoods
- That this project would lead to other such projects until the entire Woodley Park commercial area was built to the maximum allowed height and the character of the neighborhood fundamentally and irrevocably altered.

One resident summed up the discussion: "It's the beginning of the end of the Woodley Park neighborhood."

II. CONSISTENCY OF CURRENT DEVELOPMENT PATTERNS WITH THE COMPREHENSIVE PLAN

The Office of Planning, in its Connecticut Avenue Corridor Study (Preliminary Report, September 1987) indicates that the Comprehensive Plan designates the Woodley Park commercial core as "low density commercial and Local Neighborhood Commercial Center." That Plan defines a local neighborhood commercial center as being comprised of commercial establishments that are principally dependent on customers who live or work within walking distance. Thus, such a neighborhood center would usually have little or no office space or parking.

Establishment of the Woodley Park Overlay Zone, including six additions proposed by the Woodley Park Community Association, is essential for preservation of Woodley Park as a local neighborhood commercial center.

This action is also essential if the Woodley Park residential neighborhood is to be preserved and improved in a manner consistent with the goals of the Comprehensive Plan. This is particularly true of the residential portion of Square 2204 and adjacent areas.

III. SQUARE 2204 IS OF PARTICULAR CONCERN

Substandard alley limits development to current density. The residential portion of Square 2204 shares with commercial establishments an alley of substandard width (15 feet at its larger entrance and some 10 feet at its smaller entrance) that is heavily used, unfortunately configured (taking a 90-degree turn near the smaller entrance) and chronically poorly maintained.

Some Woodley Park residents recently sent a letter to Mr. Fred Greene, Director of the Office of Planning, that described in detail the current intolerable conditions in this alley and its inability to handle any additional traffic flow that would result from commercial development or redevelopment in Square 2204. A copy of this letter is attached as Exhibit A. Photographs illustrating current alley conditions are reproduced in Exhibit B.

To quote from the letter to Mr. Greene: "It would be unthinkable to add more traffic flow to this little alley."

Current alley conditions support additional setback and pulloff requirements. The difficulties created by the current level of commercial service truck traffic in the alley support a requirement that any commercial development or redevelopment in Square 2204 must provide a 20-foot set back from the alley and that this set back must include a 10-foot unencumbered pulloff for public vehicular traffic.

Structures exceeding 50 feet in total height in Square 2204 would degrade the residential environment of the established neighborhood. The residents of Woodley Park are committed to an urban environment and are committed to preserving a balance between residential and commercial concerns. This balance will be destroyed by structures in excess of 50 feet in total height. Structures over 50 feet in height will literally tower over the (down-hill) 3 and 4 story townhouses of the neighborhood, many of which are separated from the commercial area by only the inadequate, narrow alley.

Residential zoning for 2610 and 2612 Woodley Place. The existing residential neighborhood of Square 2204 and nearby blocks would also suffer deterioration from increased traffic congestion, increased noise and loss of sunlight and residential privacy if the properties at 2610 and 2612 Woodley Place were redeveloped for commercial use at allowed densities. This would alter the established character of Woodley Place as a residential street. It is therefore essential that these properties be rezoned to residential.

IV. PROBLEMS OF ADDITIONAL DENSITY IN GENERAL

Excess noise and trash control problems result from inadequately controlled commercial growth. Inadequately controlled commercial growth brings associated problems. Extreme noise from restaurants resulted in a neighborhood petition to the District of Columbia this year to measure, monitor and, hopefully, ensure that noise be reduced to tolerable levels. Commercial trash pickup by private companies results in debris laden alleys. Recently, for example, an alley that had been cleaned in a Woodley Park Community Association project was littered with plastic packing "pellets" that fell off a departing trash truck.

Increased density will worsen parking problems. Increased density of use in any part of the Woodley Park Commercial Overlay -- particularly in the form of office space, but also should restaurants greatly increase in density or should commercial zoned buildings be used as guest houses or conference centers -- would increase the already very difficult parking situation in the Woodley Park and nearby areas.

The problems that would be directly associated with increased density of use would include: increased traffic circling in residential areas in search of parking; illegal and unsafe parking which limits access of emergency vehicles and blocks curb cuts for the handicapped; and decreased pedestrian safety for Woodley Park residents and for the many metro users from nearby neighborhoods such as Adams-Morgan and from the many neighborhoods from which people visit the National Zoo.

V. CONCLUSIONS

Adoption of the Woodley Park Commercial Overlay, with additions proposed by the Woodley Park Community Association, will allow commercial development consistent with the Comprehensive Plan. This action will substantially increase the likelihood that the established, urban Woodley Park neighborhood will be preserved and improved as a place to live, visit and work, while maintaining Woodley Park's status as a fair and full contributor to the economic development of the District of Columbia.

Woodley Park Community Association
Residential Concerns Testimony
EXHIBIT A

2626 Woodley Place, N.W.
Washington, DC 20008

September 25, 1987

Mr. Fred Greene
Director
Office of Planning
415 12th Street N.W.
Washington, DC 20004

Attn: Mr. William Washburn

Dear Mr. Greene and Mr. Washburn:

When we were contemplating a move to the west side of the 2600 block of Woodley Place in the summer of 1986, we consulted the Comprehensive Plan.

Map 1 from the Plan indicated that the adjacent east side of the 2600 block of Connecticut was planned for low density commercial land uses: "shopping and service areas that are generally low in scale, character, and activity and that provide a limited range of retail goods and services are the predominant uses."

Map 2 did not provide for any residential use, a favorable sign since the block was obviously already highly congested. Across the street, high density housing is provided for, which is appropriate since there are no single family dwellings adjacent to that side of Connecticut.

Map 3 provided for "low density" commercial land uses and designated the area a "local neighborhood center," which is the lowest category in the hierarchy (section 1108 of the Comprehensive Plan District elements): (1) local neighborhood center; (2) multi-neighborhood center; (3) regional center; (4) central employment center. The description of "convenience goods and personal services to neighborhood services and workers" seemed suitable to the types of low rise land uses presently there. Moreover, the "low-density commercial land use" category includes shopping and service areas that are generally low, in conformance with the kinds of uses there now.

We underestimated the level of congestion to a degree, since the neighborhood is more congested than we had initially thought it would be, and the congestion seems to have gotten worse in recent months. Nonetheless, with the exception of the badly overused alley behind the house, it is obviously a high-quality, unique, historic urban neighborhood that has evolved rather nicely over the decades.

The residential character of the 2600 block of Woodley Place is certainly compromised by the proposed Pierre project at 2631 to 2641 Connecticut Avenue. Six stories of retail, offices, and condos would swamp the adjacent low-rise single family land uses. The proposed structure is twice as high as the nearby commercial uses, and several times bulkier. The congestion, traffic, noise, and parking difficulties -- already at high levels -- would be excessive.

The Comprehensive Plan calls for high density commercial use on the west side of Connecticut and low density on the east side precisely because the east side has single family houses immediately adjacent to the commercial block, while the other side does not. We would like to see development that is more appropriate to the adjacent neighborhood. Moreover, if one high density use is allowed in the present low density commercial areas, other similar uses will also feel entitled to locate there, all cutting off sunlight, and adding noise and excessive congestion to what is now still a neighborhood.

THE ALLEY

The remainder of this letter discusses the alley behind the east side of the 2600 block of Connecticut. The alley is the major drawback to the block, since currently it is used to an excessive extent. Starting in the early morning hours, the garbage, delivery, fuel, and service trucks clog the lane, blocking ingress and egress for the residents and other users of the alley. The noise level is excessive, since the sound reverberates through the "canyons" of brick buildings already flanking either side of the alley.

In addition, property is damaged or usurped with frequent disregard for the citizens who own the property. Neighbors' backyard fences are knocked into, and people are routinely blocked in their own driveways while trying to leave for work. Some truck drivers servicing business on Connecticut are courteous and will move their trucks, while others leave their trucks for extended periods while making deliveries, having breakfast etc.

People park in private residential parking spaces routinely while going to restaurants in the neighborhood, and, when asked why they do this, they say that they can find no street parking or that the parking fees in the only public lot (to be demolished when the lot is developed) are too high. Employees and owners of the shops in the area add to the confusion by parking illegally in the alley on a regular basis. Ticketing can have a short-term impact, but the demand for space is usually greater than the resources and staying power of MPD or DOT. It is a daily battle for the mixed-income Ward 1 residents who live there, and the combined effect is to detract from the neighborhood feel that one associates with home.

It would be unthinkable to add more traffic flow to this little alley. This alley is not the size of the alley in the 2700 block (it is only 10 feet wide in its southern side), but it gets far greater use. The total vehicular traffic generation of 64 trips a day, estimated by the Pierre's architect, is grossly understated, perhaps to the point of deception. The 64 people in the 32 condos proposed by the architect are projected to have combined use of only 15 trips (times 2 for A.M. and P.M.) each day.

This figure could approximate the commute-to-work trips for condo residents, but does not count evening and weekend trips to the grocery store, to tennis, to the movies, and to visit friends, receive visits from friends, etc. The retail shops (up to nine are possible) are estimated to generate a total of only five trips a day --- and this includes not just the trips of patrons but also those of owners and employees! Many of the shops will probably have multiple shifts, generating more trips and more people. In addition, the floor of offices independent of the shops is projected to add another dozen trips (times two for A.M. and P.M.), and the estimate does not include any trips for visitors to the offices.

In our estimation as professionals adept at statistics and well-versed in research methodology, this "research" presented to justify the Pierre project's use of the alley for traffic flow is unprofessional. We know from daily observation of the present small scale commercial land uses, that these numbers cannot be professionally derived. For example, one small Indian restaurant behind us, which does not do a great deal of business, generates at least 10 cars per day, in the restaurant lot and sprawled all over the alley. The number of trips generated by this one small restaurant is already double the total number projected for all of the commercial uses of the Pierre. The Pierre development is perhaps 30 times bigger than this little restaurant and will employ at least 30 times as many workers.

Regardless of what is decided about the Pierre development and the preservation of the existing residential character of the neighborhood, all of the new traffic should not be dumped into this alley (as the architects presently intend with a garage entrance from the alley side of the structure).

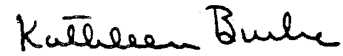
Currently, traffic into the existing parking lot that occupies the proposed site for the Pierre flows from Connecticut Avenue into the lot. Cars cannot get into the existing lot from the alley now, and this helps to stave off what could be disastrous congestion in an alley already taxed to capacity. The flow of traffic should at least continue to be directed from Connecticut Avenue for any proposed structure on the site.

CONCLUSION

In conclusion, the attached letter from then-Councilmember Barry may be of interest. He stated, in 1978: "One would think it would be in the best interests of the DC government to take the initiative to protect its valuable neighborhoods."

We appreciate your consideration of these thoughts.

Sincerely,



Kathleen Burke



Edward M. Meyers

Downtown



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

MARION BARRY, JR.
Councilmember at Large

February 9, 1978

Mr. Theodore F. Mariani
Chairman
D. C. Zoning Commission
The District Building
Washington, D. C. 20004

Dear Mr. Mariani:

INTRODUCTION AND SUMMARY. This letter is in support of the Dupont Circle Coalition's request to be heard February 9, 1978 for emergency rezoning of the Dupont Circle area.

In the absence of an overall comprehensive development plan, the city is being developed in a haphazard, topsy-turvy way. Washington citizens, both local neighborhood residents and commercial property owners, should not be made victims of this deficiency in overall planning.

In the Dupont Circle area, citizens have taken the initiative themselves, spending nearly five years in developing their own plan for their neighborhood. Despite this extensive citizen planning, the D. C. government has yet to respond adequately in developing, with full citizen participation, a fully approved plan for Dupont Circle.

Today I am supporting the citizen's request for emergency rezoning for 120 days, so that the Dupont Circle area is not locked into certain development decisions before a final plan can be completed and agreed upon. I am also requesting that the Zoning Commission ask the Municipal Planning Office to develop a zoning plan for the Dupont Circle area, and to schedule a hearing on both the Dupont Circle Coalition plan, the Municipal Planning Office plan and any other plan, such as developed by the National Capital Planning Association, before reaching a final decision.

Unfortunately, there has been insufficient dialogue between citizens, commercial property owners and the Municipal Planning

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Office. It is my view that instead of constant conflict, we should have constant dialogue. While ordinarily I would not support emergency action, in this case emergency action is the only way concerns of citizens may be protected without locking ourselves into permanent development decisions which are being reached without benefit of full citizen participation and comprehensive planning.

WHERE SHOULD COMMERCIAL CHANGE OCCUR? In a January 10, 1977 letter to the Zoning Commission, Phillip Froeder of the Dupont Circle Property Association writes: "Washington is a dynamic city which must accommodate new growth. It can no longer be viewed as a sleepy southern town that has been bypassed by change." Certainly there is some validity to such a statement. In recent years, we are just beginning to see very hopeful signs for revitalization of Washington's first commercial core, the "old downtown" east of 15th Street. Projects which show great promise for this area include Pennsylvania Avenue Development, restoration of the Willard Hotel, development of the Garfinckel block, the National Press Building, the Quadrangle Development Building, a 164,000 square foot building at 15th and K Streets, a 165,000 square foot expansion of the American Security Bank, recent additional proposals for the 12th and G Metro portal, perhaps a civic center, and so forth. Such new development is valued at approximately \$640 million.

With an office building occupancy rate in Washington of 99% -- among the very highest in the nation -- we should be able to channel, with careful planning, such strong demand into desired areas of the city which can best accommodate commercial growth.

"TAX LOSSES" AS A RESULT OF REZONING. In the November 1977 issue of Realtor, it was estimated that rezoning of Dupont Circle according to the citizen-developed plan could result in a tax loss to the city of about \$1.83 million per year. This is a very minor revenue gain to the District government when compared to the overwhelming costs of neighborhood decimation which would result from unrestricted development of the Dupont Circle area. Moreover, the \$1.83 million in revenues is a gross figure -- much or all of the development, with proper planning, could be shifted to other areas of the city where there is no antagonism toward commercial development, and in fact where such development is eagerly sought. If we vigorously encourage commercial development east of 15th Street -- which can accommodate enormous growth -- we could easily recoup the lost \$1.83 million and gain much more than

that if we gather sufficient momentum. By restricting commercial development in residential neighborhoods, we can help gain momentum for commercial development in areas of D.C. which urgently need such development.

RESIDENTIAL CHARACTER THREATENED. Since 1970, according to conservative estimates, about 83 residential structures, comprising at least 143 units, have been razed, to make way primarily for new high rise development. In ANC 2B, which consists primarily of the Dupont Circle area, there were 17,400 people in 1970. By 1974, the population had declined by 9.2% to 15,800 (data from Dupont Circle Profile" by North Dupont Community Association), and it is still falling.

THE REZONING PLAN. Ben Gilbert, in his March 10, 1977 letter to the D. C. Zoning Commission, summarizes the intended purposes of Dupont Circle rezoning quite well:

"In general, the purpose of the text and map changes is to preserve existing buildings and to allow for new buildings of lesser height and bulk than present zoning allows. Retention of existing homes and small shops, art galleries, diplomatic, professional and non-profit offices is also advanced as a goal."

We need planning for rational development of the area, and the Dupont Circle Coalition's emergency action request is at least a good start, to keep everything at the status quo for 120 days until a fully developed and agreed-upon plan for the Dupont Circle area may be implemented.

Ben Gilbert in his memorandum of December 13, 1977 to the Zoning Commission notes that, "The SP zone was designed to be a buffer between the commercial core and nearby central city residential areas. This objective has not been fully met. Recent planning suggests that several changes are needed in the SP District." Some SP's, around Judiciary Square, should be rezoned commercial to encourage new commercial uses, Mr. Gilbert suggests. Another suggestion includes "providing a lower density version of the zone for areas currently zoned SP that contain mid-rise structures of historic value." The Dupont Circle Coalition emergency request is in consonance with such a concept.

Certainly the Municipal Planning Office needs to work with the Dupont Circle Coalition in defining precisely what kinds of commercial zoning is desired, as well as with other affected parties.

PRECEDENTS FOR ZONING COMMISSION ACTION. There are several precedents for adoption of the Dupont Circle Coalition's emergency action. In 1972, Mt. Vernon East, an area rather close in size and number of parcels to the present Dupont Circle case, was rezoned from commercial to mixed use to reduce the extent of harmful speculative activity which was creating adverse land use trends.

Friendship Heights was rezoned in 1973 to prevent excessive office building development, so as to create a more acceptable mixture of uses.

In 1972, the Georgetown Waterfront area was down-zoned to prevent excessive office building construction and encourage mixed uses. This was a temporary solution until a permanent waterfront zone was adopted in 1974.

CURRENT D.C. GOVERNMENT PLANNING FOR DUPONT CIRCLE AND RECOMMENDATIONS. Despite the innumerable attempts over the past several years by Dupont Circle citizens to obtain action from their government, we have yet to see a fully developed plan by the D. C. government for the Dupont Circle area. Such lack of government action has led directly to a threatened community. As pointed out by the Washington Post in a November 19, 1977 editorial, "Even would-be developers are frustrated, for they, too, see opportunities that cannot be seized until some definite zoning decisions are made."

I therefore recommend that the Zoning Commission: (1) adopt the Dupont Circle Coalition's emergency order for 120 days; (2) require the Municipal Planning Office to develop, within 90 days, a full and detailed plan for the Dupont Circle area, which preserves the character of this area -- to be considered along with the Dupont Circle Coalition Plan which has already been submitted, and (3) immediately set a specific date for full scale public hearings into both the Dupont Circle Coalition and the Municipal Planning Office plans, and after such hearings, adopt a zoning design which best meets the interests of all affected parties and which preserves the character of the neighborhood. The plan should be adopted before expiration of the 120 day emergency period.

Current planning for the Dupont Circle area is hampered by a lack of "flexible zoning tools," according to Mr. Gilbert. In his November 4, 1977 memorandum to the D. C. Zoning Commission, Mr. Gilbert states: "It has become apparent that a number of existing zone districts are not adequate guides for the city's planning and development objectives for this(Dupont

Circle) area. The Municipal Planning Office has found that a number of these districts are problems in other areas of the city too. Thus, it is proposed that the zoning districts themselves be studied and revised so that the desired development objectives can, in fact, be accomplished by them."

Subsequently, in his December 13, 1977 memorandum to the Zoning Commission, Mr. Gilbert outlined a hearing process to consider city-wide zoning revision proposals, to make zoning districts more flexible and useful, so that areas such as Dupont Circle may more easily adapt to such overall planning.

The Zoning Commission and the Municipal Planning Office are to be commended for planning such a comprehensive look into existing commercial and mixed use zoning districts.

The city-wide zoning revision proposals are scheduled to be heard from approximately March 30th to May 15, 1978. Subsequent to those hearings, specific rezoning proposals pertaining to the Dupont Circle area would be heard, approximately in June 1978. However, no firm date has as yet been established to hear the Dupont Circle map case.

By adopting the emergency order and requiring a plan from the D. C. government for Dupont Circle to be completed within ninety days, the conceptual planning for overall zoning districts and the specific planning for the Dupont Circle area would have to be done concurrently. Such combining of the conceptual and the specific, of course, is well within standard planning practices.

CONCLUSIONS. The first extensive and well-developed citizen petition for zoning changes was in June 1975. We have yet to see anywhere near an adequate local government response to the Dupont Circle citizens.

One would think it would be in the best interests of the D.C. government to take the initiative to protect its valuable neighborhoods. Dupont Circle citizens have been responsibly petitioning for years. I recommend that the Zoning Commission adopt the emergency order and proceed with adoption of a permanent plan for the Dupont Circle area to preserve the quality and character of this neighborhood which is so integral to the personality of Washington.

Sincerely,

MARION BARRY

CC: Hon. Walter Washington
Councilmembers
Ben Gilbert

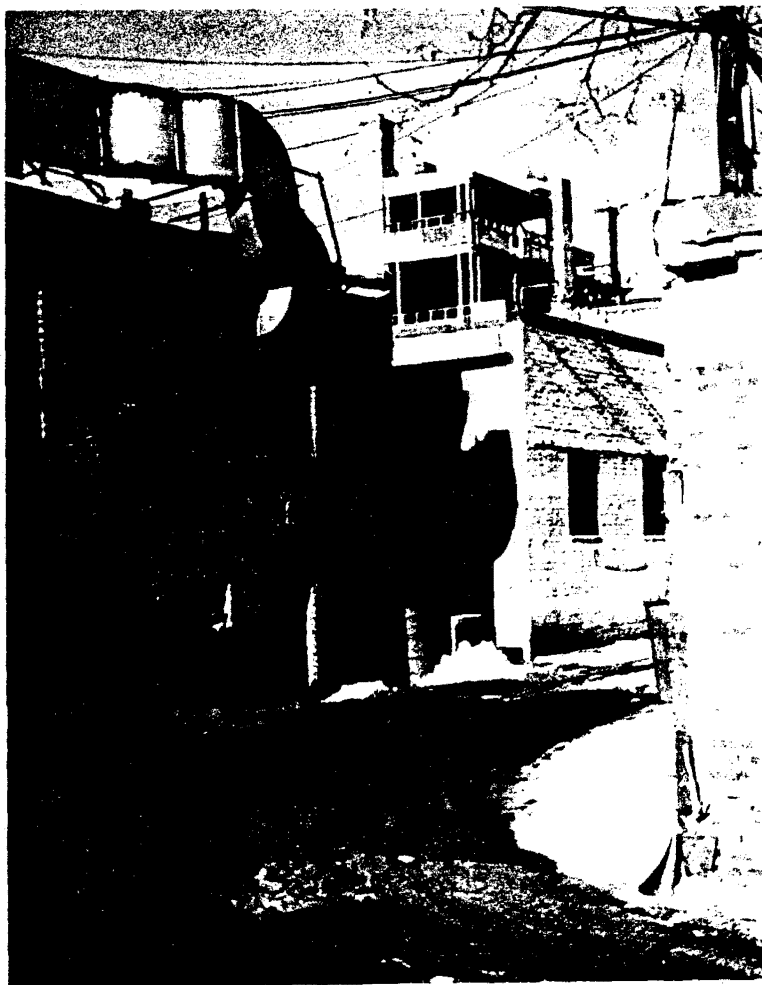
Woodley Park Community Association
Residential Concerns Testimony
EXHIBIT B

CURRENT CONDITIONS IN THE ALLEY IN SQUARE 2204

The alley is approximately 10 feet wide at its narrower entrance:



It takes 90-degree turn near this small entrance:



Otherwise, the alley is 15 feet wide throughout, including at its wider entrance. As a result of this configuration, most commercial trash and delivery trucks back up the alley:



There is extreme wear and tear at the larger entrance:



There is persistent congestion in the alley. Current levels of traffic congestion result in illegal parking on residential and commercial property and in delays in traffic flow or access to parking spaces of 20 minutes or more:



Also, property such as this residential fence is damaged when trucks try to turn around despite the alley's size limitations:



Commercial Concerns

- Threats to neighborhood stability
- The perspective of a business & building owner:
 - Why Chevy Chase works -
 - Why Woodley Park doesn't work -
- Lack of an overlay discourages rehabilitation of existing structures
- Lack of an overlay impacts on city-wide economic development

MS. ZINA GREENE, M.A., Urban Planner and Commercial business and property owner, WP resident (Ward 1)
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

COMMERCIAL CONCERNS
(5 Minutes)

- I. Commercial zoning in excess of what "exists" is antithetical to the stability of a neighborhood.
 - A. Perspective from building owner (IBEX)
 - B. Perspective from business owner (Park Place)
 - C. Why Chevy Chase works
 - D. Why Woodley Park doesn't work
- II. City-wide economic development goals are hurt by commercial/office redevelopment west of the park
 - A. Positive economic impact of D.C.'s original zoning overlay-height limit
 - B. No controls on low-density office space -- intense pressures west of the Park siphon off economic development in three-fourths of city
 - C. City-wide overlay zoning for commercial use of development districts
- III. Conclusion: Overlay zoning sufficient to encourage rehabilitation and retention of existing structures will stabilize commercial area with positive impact on neighborhood and further true city-wide economic development

ANC 3C CONCERNS

- Ward development & conformance to the comprehensive plan
- Zoning and designation of Woodley as a "Neighborhood Center"
- Preservation & stabilization of the neighborhood reasonable development
- Prohibition of PUD's

Mr. Phil Mendelson, ANC 3C Commissioner
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

ANC 3C COMMENTS
(5 Minutes)

- I. Development concerns in Woodley Park
 - A. Relationship to ward development
 - B. Need to maintain consistency with Comprehensive Plan
 - C. The WP Overlay Zone and the Comprehensive Plan designation of WP as a local neighborhood center as it relates to zoning
 - D. Need to preserve and stabilize existing neighborhoods through, in part, reasonable commercial development
 - E. Related concerns, e.g., traffic impact on residential neighborhoods, etc.
 - F. Prohibition on PUD's
- II. Support for WP Overlay Zone and proposed addition

SUMMARY

The Overlay Zone will:

- ✓ preserve area aesthetics
- ✓ result in rational commercial development
- ✓ preserve historical architecture
- ✓ ensure harmony w/ federal park lands
- ✓ help manage traffic problems
- ✓ prevent eroding neighborhood integrity
- ✓ improve deteriorating climate for small businesses that serve the community
- ✓ help establish a vital neighborhood center

Dr. Cheryl Opacinch, ANC 3C Commissioner (Ward 1 resident) and Chair,
WPCA Economic Development Committee
Outline of Testimony before the D.C. Zoning Commission
Z.C. Case No. 86-26
Woodley Park Overlay Zone

SUMMARY AND CONCLUSION - THE WOODLEY PARK OVERLAY ZONE
(5 Minutes)

- I. Summary of major points to support WP Overlay Zone and proposed additions
- II. Expression of appreciation to Zoning Commission
- III. Formal transmittal of supporting documents
- IV. Transmittal of revised WP Overlay Zone language to include proposed additions

CHAPTER 13 WOODLEY PARK COMMERCIAL OVERLAY DISTRICT

With amendments proposed by the Woodley Park Community Association

[Slashed words are proposed deletions, and underscored words are additions.]

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 visitors, 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 in Square 2204 and 40 feet in Squares 2202 and 2203. The height of buildings may not be exceeded by a spire, tower, dome, pinnacle, penthouse over an elevator shaft, ventilation shaft, smokestack, fire sprinkler tank, mechanical equipment, housing for mechanical equipment, stairway, elevator penthouse, radio or television tower. The number of stories shall not exceed 4 stories above ground.
- 1301.2 No hotel, inn, fast food restaurant, carry-out restaurant lacking internal seating, movie theatre, assembly hall, auditorium, public hall, rooming or boarding house, private club, lodge, fraternity house, sorority house, dormitory, or college or university facility 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); and Subsection 721.3(a), (b), (f), (g), (h), (i), (j), (l), (m), (n), (o), (p), and (q)~~/and Subsection 721.6(b)~~.
- 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 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 and offices shall occupy no more than 15 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.

1301.7 All commercial floor space, whether above or below ground, will be included to compute gross floor area for permitted commercial use.

1301.8 The maximum permitted lot occupancy shall be 60 percent.

1301.9 Planned unit developments shall not be permitted in the WP Overlay District.

ALTERNATIVE: Planned unit developments shall be limited to heights of no more than 40 feet in Squares 2202 and 2203 and to heights of no more than 50 feet in Square 2204. Such planned unit developments shall be limited to maximum lot occupancy levels of 70 percent.

1301.10 Any building on Square 2202 shall be set back at least 20 feet from the public walk on the Connecticut Avenue side.

1301.11 In Square 2204, a 10-foot unencumbered, paved pull-off from the alley shall be required and commercial buildings must be set back at least 20 feet from the alley.

1302 EXCEPTIONS

1302.1 Exceptions, ~~or~~ waivers or variances 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~~ shall serve the health, safety, convenience or general welfare of persons residing or working in the vicinity, ~~will~~ shall not adversely affect neighboring property, and ~~will be in general conformity with~~ shall conform to the general purposes of the WP Overlay District and the Comprehensive Plan, specifically, the designation of the area under the Plan as a 'local neighborhood center'.

- 1302.3 Exceptional circumstances exist, pertaining to the size and shape of the property itself or to economic or physical conditions in the immediate area, which justify the exception or waiver.
- 1302.4 Vehicular access and egress are located and designed ~~so as to minimize~~ in such a way to avoid conflict with principal pedestrian ways, to function efficiently, and to ~~create~~ present no dangerous or otherwise objectionable traffic conditions, including vehicular alley traffic.
- 1302.5 The Board ~~may~~ must impose requirements pertaining to design, appearance, signs, size, landscaping and other such requirements ~~as it shall deem necessary~~ to protect neighboring property and the architectural integrity of Woodley Park and to achieve the purpose of the WP Overlay District.
- 1302.6 The applicant for an exception, waiver or variance bears the burden of proof in satisfying the requirements of Subsections 1302.2, 1302.3 and 1302.4.
- 1302.7 The views of occupants of any structure within 200 feet of the subject premises shall be accorded great weight by the Board in its determination of (1) any application for an exception, waiver or variance to Chapter 13 and (2) of any application for a planned unit development. The applicant shall provide written notice to the occupants of the pending application.
- 1302.8 The Board must make specific findings of fact in regard to each of the requirements noted in Subsections 1302.2, 1302.3 1302.4, and 1302.7.
- 1302.9 The Board may not grant an exception, waiver or variance for any use prohibited under Subsection 1301.2.

WOODLEY PARK COMMERCIAL (C-2-B, C-2-A WITH OVERLAY)

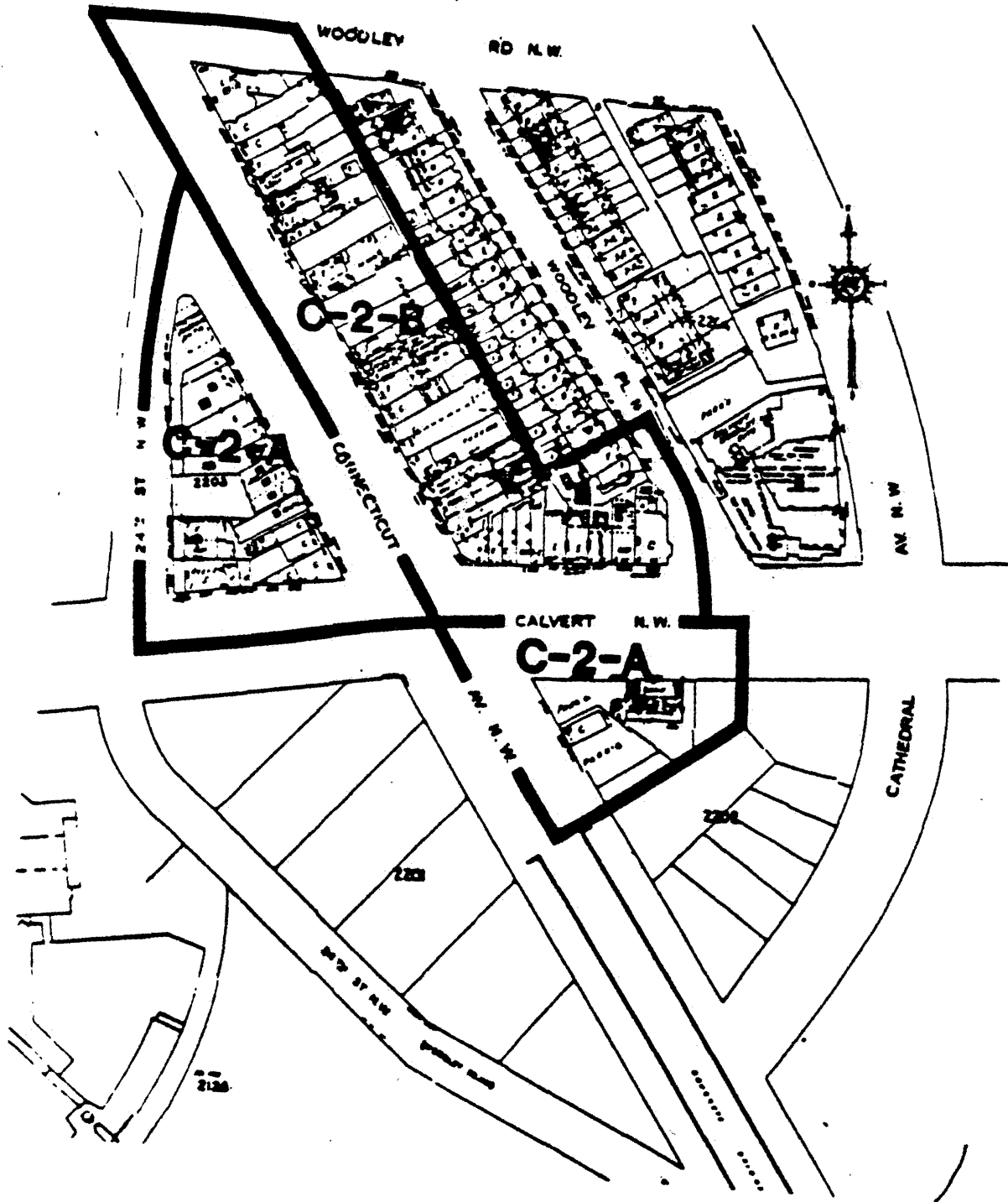
The area surrounding the Woodley Park/Zoo Metrorail station may be considered the second most intense development node on the Connecticut Avenue corridor. This is primarily because of the immediate proximity to the west and north of the Metro station (itself located between Calvert Street and Woodley Road) of two major hotels, the Shoreham and the Sheraton Washington. Both are large in number of rooms, and the Sheraton is also the largest convention hotel in the city, having a large quantity of space for exhibitions, banquets, entertainment and conventions. The presence of these 2,000-plus hotel rooms plus other facilities presents significant parking problems in adjacent neighborhood areas and create and bus and truck traffic. The hotels also represent major economic development for the city, in terms of tourist spending and related business support and sales taxes, including hotel taxes. Also, hotels are a prime source of blue collar jobs, a type of employment on which the city places a high priority because of its importance in diversifying the job base and reducing unemployment in a predominantly white collar economy.

The hotels are zoned R-5-B and R-5-C. Both were built at a time when hotels were a matter-of-right use in these zone districts. However, since 1980 hotels are no longer a permitted new use in R-5-B and R-5-C, but existing hotels are conforming uses which are not permitted to expand.

To the north of Woodley Road, high density apartments in the R-5-C strip extend to the immediate vicinity of the commercial area surrounding the Metro station. To the east is an area zoned R-4 and fully developed primarily with townhouses. East of the R-4 area is the National Zoological Park and Rock Creek Park, which create a natural eastern boundary to private development. Similarly, Rock Creek Park and the Taft Bridge form a physical southern boundary to this Metro station area.

In the middle of these areas is a small commercial area comprising parts of Squares 2202 and 2204 on the east side of Connecticut Avenue and Square 2203, a small triangular block, on the west side. The latter square is zoned C-2-A, contains the Metrorail entrance, and is developed with low-scale buildings of one to three stories, but with one-story structures being the greatest number. A combination of newer and older buildings is present, occupied by neighborhood retail stores, restaurants and a financial institution.

Diagonally across Connecticut Avenue and immediately south of Calvert Street is Square 2202, a small triangular portion



of which is zoned C-2-A and developed with two low-rise structures occupied by a bank.

Square 2204 is zoned C-2-B on its Connecticut Avenue frontage from Calvert Street to Woodley Road and around the southern part of the block frontage on Calvert Street. Across a 15-foot-wide alley from the commercial district the remaining eastern and northern portion of the square is zoned R-4 and developed with townhouses. The commercial frontage on Connecticut Avenue and on Calvert Street is a mixture of two-, three- and four-story converted townhouses. Remarkably cohesive architecturally and with a consistent scale and rhythm, this group of structures is nearly intact and creates a handsome urban environment. Commercial uses include a significant concentration of restaurants plus a few commercial service establishments. A relatively small number of apartments are present, notably in the buildings at the corner of Woodley Road and Connecticut Avenue.

The built frontage on Connecticut Avenue is broken in one location by a surface parking lot of more than 16,000 square feet. Two matter-of-right developments for the site have been designed and considered by the owners. The first is a 65-foot, mixed use building with 52 condominium apartments and 23,604 s.f. of office retail space on the lower two floors. This project went through the large tract review process coordinated by OP. It was found to have an attractive design and favorable mixture of uses, but the proposed height became a critical issue. In response to requests to lower the height of development, the owners prepared a much lower height office-retail development proposal which would leave off the upper floors of apartments and, being smaller in square footage, is not subject to large tract review. The latter development appears more likely to be built.

The C-2-B District has not previously been described. It permits the same commercial FAR maximum of 1.5 as in the C-2-A District. The essential difference in scale is that total density for housing or mixed use buildings is 3.5 FAR and 65 feet in height, as against the 2.5 FAR and 50-foot height permitted in C-2-A. Uses permitted are nearly identical, one important exception being that fast food restaurant requires a special exception in C-2-A but is a matter-of-right use with buffering requirements from adjacent residential zones in C-2-B.

The land use designations for this area from the Comprehensive Plan are as follows. The small commercial core has the same designations as the Cleveland Park commercial area -- Low Density Commercial and Local Neighborhood Commercial Center. To the west of Connecticut Avenue is a large, nodal area indicated for High Density Residential use, which area encompasses areas developed with apartments and with the two hotels. To the east and north of the commercial area are locations indicated as Moderate Density and Medium Density Residential.

These designations seem to imply substantially a continuation of existing zoning and development patterns. The zoning of the existing housing is generally at scale, and numerous Plan policies encourage a continuation and expansion in housing supply. The hotels are permitted to continue indefinitely as conforming uses in the R-5-B and R-5-C Districts but without expansion. The commercial area, particularly the part zoned C-2-B, raises the principal policy issues.

The low density and Local Neighborhood Center designations suggest a continuation of generally low-scale commercial activity, even recognizing the existence of the Metrorail station. In effect, the policy is that the hotels, convention facilities and existing medium and high density housing constitute the economic development envelope for this Metrorail station. The small commercial area at the core is to continue its present function of providing services to hotel visitors, visitors to the National Zoo, and the surrounding neighborhood, but primarily within the physical scale of the existing buildings. The concentration of restaurants in the area, especially on the east frontage of Connecticut Avenue, reflects a service relationship to visitors, and a concentration of restaurants which have become a destination point for residents around the city as well as the neighborhood. The commercial designations in the Plan suggest that this area need not and should not become a significant location for development of office space by means of redeveloping the older, smaller buildings.

The existing C-2-A zoning would appear to accomplish these objectives in Squares 2202 and 2203, although the former would lend itself well to apartment house development with ground level retail. The principal issue has been the C-2-B zoning in Square 2204. In a July 27, 1987 memorandum, the Woodley Park Community Association, Advisory Neighborhood Commission 3C and two individual neighborhood residents petitioned the Zoning Commission to rezone the C-2-B area C-2-A and to rezone 2610 and 2612* Woodley Place from C-2-B to R-4. The latter two properties are townhouses which are

physically part of the row development of Woodley Place in the R-4 District, but because they are the nearest to the Calvert Street commercial frontage they were included in the C-2-B District. The existing zone boundary does follow an alley between the subject townhouses and the main row in the R-4 District. However, there is another alley between the two houses and the commercial buildings fronting on Calvert Street. Accordingly, the Office of Planning believes that these two properties should be rezoned to R-4.

The main issue is simply a concern that the C-2-B zoning could permit matter-of-right buildings that are out of scale with the cohesive row of commercial townhouse structures which make up nearly all of this C-2-B frontage. The predominant height range of these buildings is 25 to 35 feet, whereas C-2-B permits new buildings of up to 65 feet and with a 3.5 FAR. With a PUD development of up to 90 feet and with a 6.0 FAR is permitted. C-2-B tends to imply a degree of redevelopment, whereas C-2-A would tend to create less incentive for redevelopment. The petition also expresses concern that fast food restaurants are matter-of-right uses in C-2-B but require a special exception in C-2-A.

The Office of Planning believes that the strong and attractive cohesiveness of the commercial row along this frontage should generally be conserved rather than redeveloped, and that the narrowness of the alley separating the commercial area from adjacent townhouses (15 feet) is an additional constraint upon the scale of commercial development that should be permitted.

There is a serious access constraint -- the harmonious frontage should not be broken by demolition for driveways to serve larger commercial development, yet the alley system is below the current city standard of 20 feet and should not be overburdened with automobile and truck traffic.

The Office of Planning suggests that the advertised overlay district addresses the same issues as rezoning to C-2-A while also providing other incentives and controls addressing the other planning issues. The principal components of the zone are generally similar to those proposed previously for the Cleveland Park commercial area but with a few changes geared to the different issues here.

1. Mandatory retail use on ground floor. This is intended to assure that the total supply and variety of retail and service uses continues to be adequate. Also, ground floor retail use also

limits total office space that may be built within the 1.5 FAR maximum. If some redevelopment does occur, net retail loss is lessened in contrast with the potential of office use at ground level, which weakens the concentration and total quantity of retail.

2. Prohibition of drive-throughs and of curb cuts through designated street frontages. Driveways conflict with cohesive architectural character, and with access limitations in the area. Curb cut prohibition would apply to Connecticut Avenue frontages, as Square 2203 in particular is a small triangular square bounded by 24th Street and Calvert Street as well as Connecticut Avenue. It will need access from one or both of the former streets.
3. Limits on eating and drinking establishments. As previously stated regarding Cleveland Park, an excessive concentration of eating and drinking establishments can utilize commercial space which might otherwise be devoted to a more balanced mix of retail uses including many with a neighborhood orientation. Bars and restaurants can become a dominant use in a district and price out other uses. The existing concentration of restaurants in the Woodley Park area is a higher percentage of street frontage than in Cleveland Park. However, this is probably in keeping with the much greater visitor component here. Accordingly, the threshold percentage of street frontage for eating and drinking uses should probably be a higher percentage. In the San Francisco Neighborhood Commercial zones, from which this approach is derived, certain commercial areas such as North Beach are accorded a higher percentage due to the function of the area.
4. Height limit. A height limit of 55 feet would keep any new buildings more in scale with existing buildings than the current 65-foot height limit. This is only five feet more than the C-2-A maximum permitted height, and would allow for a 12 to 15-foot ground floor retail level plus four stories of approximately 10 feet each on upper levels. This limitation would have no practical effect on existing C-2-A areas, where the more restrictive 50-foot height maximum would apply.

5. Prohibition on fast food restaurants. This area already serves the immediate area and the city as a whole with a significant concentration of restaurants. These are "sit-down" restaurants in attractive, converted-townhouse settings, with several well-designed sidewalk cafes. In OP's opinion, it would be obtrusive to this setting and function, as well as unnecessary, to permit fast food restaurants. The two small C-2-A squares are both triangular in configuration, and the narrow alley system in the square zoned C-2-B both argue against the much higher automobile trip generation resulting from fast food restaurants as against other restaurants. (A drive-through accessory to a fast food restaurant is already prohibited in both C-2-A and C-2-B zone districts).
6. Prohibition on hotel use. The existing concentration of hotel rooms and related uses is by far the highest abutting a residential neighborhood of any in the city. As a conference center the Sheraton is the second largest in the city after the Convention Center itself, and the large number of hotel rooms has previously been mentioned. In Zoning Commission Case No. 79-1, when hotel use was removed from the apartment house zones as a new use, a complementary action was to remove impediments to hotel development in commercial uses. This was in part because so many hotels had been constructed in residential zones and only a limited number in commercial zones, including Downtown. Regarding the uptown commercial zones, the reason for permitting the guest room portion of hotels to go to the maximum density of the zone was to encourage a degree of tourist hotel development in view of the shortage of such hotels in the city. They would, of course, be in scale with the height and density of other buildings in the subject zone and area. OP believes this is still sound policy city-wide, as there continues to be only a small number of hotels around the city in zones such as C-2-A, C-2-B and C-3-A. However, in the Woodley Park/Zoo Metro station area, a prohibition on hotel use or development in the C-2-A/C-2-B area seems appropriate. The area already has more than its complement of hotel rooms, and there may be a market for some hotel development drawing upon the conference trade of the Sheraton, and the proximity to the Zoo, existing restaurants and the Metro station. Such a hotel, if built, would reduce the quantity of retail and restaurant uses

already in the area for a purpose of doubtful necessity here.

6. Waivers. Over the long term, specific situations are likely to arise when businesses or others might need to request a waiver of one of the provision for the Board of Zoning Adjustment to consider and decide such requests after a public hearing. Specific criteria are included in the text to ensure that waivers will only be granted in ways that further the objectives of the overlay zone and only to properties with exceptional circumstances justifying a waiver.