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February 10, 1988

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ZONING SECRETARIAT,
District of Columbia

Lindsley Williams
Chairman, District of Columbia
Zoning Commission
The District Building
1350 Pennsylvania Ave. N.W.
Washington, DC 20004

RE: Case No. 86-26-Cleveland Park Overlay Zone

Dear Lindsley:

I am responding to your request that I review the controls for the proposed Cleveland Park overlay district. I have reviewed the draft general provisions for the overlay district (I have enclosed a copy of the document so you will know what I am referring to). I also spent some time familiarizing myself with the area and its surroundings when I was in Washington two weeks ago. All of the proposed controls seem appropriate with a few exceptions noted below.

1. Height

Given the scale of existing development on Connecticut Ave. and adjunct areas I believe a height limit of 40 feet would be proper. This is suggested as an alternative in the draft.

2. FAR

The draft indicates no density limit. However, I understand that the underlying district controls provide for a maximum FAR of 2.5:1 with a maximum commercial FAR of 1-1/2:1 and an additional FAR of 1 for housing. I believe these densities to be very appropriate for the area and consistent with our approach in San Francisco.

3. Exceptions and PUD eligibility

The language on p. 7 of the draft is so broadly worded that it would permit substantial erosion of the controls through the granting of exceptions and approval of PUDs. To prevent such erosion we put a provision in our neighborhood commercial controls which forbids exceeding the allowable height and FAR through exceptions and PUD approvals. I recommend that you adopt a similar limitation.

ZONING COMMISSION
District of Columbia

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EXHIBIT NO. 390
Exhibit 390

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I understand that the opponents of the legislation argued that higher density should be allowed in this section of Connecticut Ave. because of the presence of the Metro station. Given the multitude of stations in the District, it seems to me inappropriate to encourage intense commercial development at every stop and particularly at a station located in a low density residential area which is also an historic district.

In San Francisco in the late 60s and early 70s, prior to the completion of our metro system, we set the rules to encourage intensified development at BART stops. We allowed higher height, and in the downtown allowed a substantial FAR bonuses on sites located near BART stations and in developments providing direct connections to BART. In the early 80s, we changed our approach and decided to eliminate the higher density incentives and allowances and base our allowable density standards on broader considerations. Certainly good transit access was a factor arguing in favor of higher density. However, the desire to concentrate office development is in the downtown core rather than decentralize it and the desire to preserve the fine older buildings and the existing scale of development around certain of the BART stations were thought to be more important. As a consequence we reduced the allowable heights and densities around most of the BART stations.

I enjoyed the opportunity to present my views to the Commission. I hope you will find them helpful.

Sincerely,


George A. Williams
Assistant Director,
Plans and Programs

GAW:110/jmk

Enclosure

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

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

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

1302 EXCEPTIONS

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

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

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

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

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

CHAPTER 14 CLEVELAND PARK COMMERCIAL OVERLAY (CP) DISTRICT

1400 GENERAL PROVISIONS

1400.1 The Cleveland Park Commercial Overlay District is

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

1400.2 The purposes of the District are:

1400.21 To encourage a scale of development, a mixture of building uses, and other attributes such as safe and efficient conditions for pedestrian and vehicular movement, all of which will be as generally required by the Comprehensive Plan and compatible with the Historic Preservation Act, D.C. Law 2-144; *-twice*

1400.22 To encourage retention and establishment of a variety of retail, entertainment and personal service establishments, predominantly in a continuous pattern at ground level, so as to meet the needs of the surrounding area's residents, workers, and visitors;

cfm 304
1400.23 To limit the maximum permitted height of new buildings so as to encourage a general compatibility in scale between new and older buildings;

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

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

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

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

1401 USE, HEIGHT, AREA AND ACCESS REGULATIONS

[1401.1 Any new building or expansion of an existing

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

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

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

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

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

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

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

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

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

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

1402 EXCEPTIONS

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

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

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

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

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

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