

# Memorandum

Government of the District of Columbia

TO: D.C. Zoning Commission

Department,  
Agency, Office: Planning

FROM: Fred L. Greene  
Director

Date: MAR 11 1988

SUBJECT: Application 86-26/Connecticut Avenue: Summary Abstract

Attached is a summary abstract for Application 86-26 which highlights significant issues in this case.

The Office of Planning supports the variable height formula for Cleveland Park with a maximum height limit of 45 feet as a matter-of-right. We also support a matter-of-right FAR of 2.0 with a maximum of 1.0 for commercial uses. This formula is more in keeping with existing density in the area and supports the objectives of the Cleveland Park Historic District.

For PUD's in the Cleveland Park commercial area, OP supports a 50' height guideline with a 2.5 FAR (1.0 commercial, and 1.5 residential). This will reinforce the objectives of the overlay zone.

In the Woodley Park commercial area, the Office of Planning supports a matter-of-right height limit of 50' with an FAR of 3.0 for the C-2-B zoned area. For the C-2-A zoned area OP supports a matter-of-right height limit of 45 feet and an FAR maximum of 2.0.

For PUD's in the Woodley Park C-2-B zone OP supports a height guideline of 55 feet and an FAR guideline of 3.5. In the C-2-A zoned area, OP supports a PUD height guideline of 50' and an FAR guideline of 2.5.

Attachment

ZONING COMMISSION  
CASE NO. 86-26  
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CASE NO. 86-26  
EXHIBIT NO. 420  
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For PUD's in the Cleveland Park commercial area, OP supports a 50' height guideline with a 2.5 FAR (1.0 commercial, and 1.5 residential). This will reinforce the objectives of the overlay zone.

In the Woodley Park commercial area, the Office of Planning supports a matter-of-right height limit of 50' with an FAR of 3.0 for the C-2-B zoned area. For the C-2-A zoned area OP supports a matter-of-right height limit of 45 feet and an FAR maximum of 2.0.

For PUD's in the Woodley Park C-2-B zone OP supports a height guideline of 55 feet and an FAR guideline of 3.5. In the C-2-A zoned area, OP supports a PUD height guideline of 50' and an FAR guideline of 2.5.

Attachment

Zoning Commission Case No. 86-26; Connecticut Avenue  
Summary Abstract

1.

Advertised Text

Comments Received By Z.C.

OP Comments

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

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

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

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

1. Change to R-3 those lots in Squares 1872, 1875, and 1876 which are currently zoned R-5-C;

Individuals, community organizations, ANC-3G support change from R-5-C to R-3.

Change to R-3 would conform to single-family stipulation of private covenants.

Change to R-5-B would minimize area non-conformity.

2. Change to R-5-C those lots in Square 2039 which are currently zoned R-1-A;\*

No opposition was registered to this proposal.

OP recommended adoption of this map amendment to bring existing apartment buildings into conforming status.

\* The Zoning Commission voted to adopt this map amendment on 1/21/88.

Advertised Text

Comments Received By Z.C.

OP Comments

2.

3. Change to C-2-B/WP (Woodley Park Commercial Overlay) those lots in Square 2204 which are currently zoned C-2-B;
3. Change to C-2-A/WP (Woodley Park Commercial Overlay) those lots in Squares 2202 and 2203 which are currently zoned C-2-A; and

Community organizations support overlay concept with height limit of 50 feet in C-2-B, 40 feet in C-2-A and a 60% lot occupancy for commercial area.

Community organizations want underground space included in FAR.

Community organizations prefer C-1 zoning for area; at least C-2-A zoning for squares now zoned C-2-B.

ANC-3C supports overlay zone with modifications noted by other community organizations; opposes PUD's in area; supports C-2-A or C-1 zoning for Squares 2202 and 2203.

Business representatives oppose proposed overlay based on:

- lack of support for Metro system;
- reduction in opportunity for economic development;
- lower land values;
- loss of potential residential development;
- reduction in potential for additions as a result of lower height limit
- lack of planning basis for overlay zones;
- lack of basis in Comprehensive Plan for proposed action;
- violation of uniformity required of zoning;

Advertised Text

Comments Received By Z.C.

OP Comments

3.

- adverse economic impacts which may result;
- decrease in potential Metro ridership;
- lack of basis for height reduction in Comprehensive Plan;
- special treatment of PUD's

With respect to lots 137 and 138 in Square 2204, consider alternatively a change to R-4;

Community organizations support the rezoning of these lots to R-4 based on character of structures and adjacent zoning and uses on Woodley Place.

Supports change to R-4 for lots 137 and 138 in Square 2204.

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

**CHAPTER 13 WOODLEY PARK COMMERCIAL OVERLAY (WP DISTRICT**

**1300 GENERAL PROVISIONS**

1300.1 The Woodley Park Commercial Overlay District is applied to a compact geographic area surrounding the Woodley Park/100 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;

Advertised Text

Comments Received By Z.C.

OP Comments

4.

300.22 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;

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

300.24 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.

300.3 The Woodley Park Commercial Overlay (WP) District is mapped in combination with the underlying Commercial zone districts and not instead of the underlying districts.

300.4 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.

Business representatives oppose development restrictions and the overlay zones at Metro stations.

Community organizations support overlay concept with height limit of 50 feet in C-2-B, 40 feet in C-2-A and a 60% lot occupancy for commercial area.

Community organizations want underground space included in FAR.

Community organizations prefer C-1 zoning for area; at least C-2-A zoning for squares now zoned C-2-B.

Community organizations favor a 50 ft. height limit.

C-2-B height limitation of 50 feet will keep new buildings more in scale with existing buildings which are predominantly 1 and 2 stories.

ANC-3C supports overlay zone with modifications noted by other community organizations; opposes PUD's in area; supports C-2-A or C-1 zoning for Squares 2202 and 2203.

Advertised Text

Comments Received By Z.C.

OP Comments

5.

- 301.2 No hotel, inn or fast food restaurant shall be permitted in the WP overlay district.
- 301.3 No drive-through accessory to any use shall be permitted in the WP Overlay District.
- 301.4 Any building occupying or constructed on a lot fronting on Connecticut Avenue, Calvert Street or 24th Street shall provide retail and service establishments on the ground level according to the following requirements:
- 1301.41 The permitted uses for the purposes of this provision only shall be as allowed in the C-1 District in Subsections 701.1, 701.4 and 701.6(b) of this title; and those uses permitted in C-2 Districts as enumerated in Subsection 721.2(d), (h), (k), (l), (o), (p), (v), and (w); Subsection 721.3(a) (b), (f), (g), (h), (i), (j), (l), (m), (n), (o), (p), and (q); and Subsection 721.6(b). In those parts of the affected building and lot other than as delineated for purposes of this provision the normal C-1 and C-2 use provisions shall apply.
- 1301.42 Such uses shall occupy no less than 25 percent of the net floor area of the ground level of the building, i.e., that floor which is nearest in grade elevation to the sidewalk.
- 1301.43 In a newly constructed building the permitted uses identified in 1301.41 shall occupy no less than 50 percent of the net floor area of the ground level of the building, and no more than 20 percent of the ground level floor area shall be devoted to banks, loan offices, other financial institutions, travel agencies, or other ticket offices.
- 1301.5 Restaurants, fast food restaurants, delicatessens, carry-outs, or other similar eating or drinking establishments, shall occupy no more than 25 percent of the linear street frontage within the WP Overlay District, as measured along the lots facing Connecticut Avenue, Calvert Street and 24th Street, N.W.

Business representatives oppose new zoning controls based on location at Metro Station; decrease in property value for renting, remodelling, and selling; loss of tax revenue to city.

1301.3  
New development on large parking lot in C-2-B square needs Connecticut Avenue access or it will impact narrow alley behind. Curb cut limits are unreasonable.

General support for ground level retail requirement.

Community organizations support this proposal. Little, if any, stated opposition.

Existing eating and drinking establishments = 23% of commercial frontages.

Hotels are not permitted under this proposal due to existing nearby concentration and small geographical area of commercial zone.

New development is large, midblock site. Other parcels with some development potential are at corners with side street access. OP does not want small-scale, in-fill development using individual driveways given the built fabric of both areas.

OP supports modification of percentage of ground floor retail for existing and new buildings to 50% overall.

Proposal is designed to ensure that new buildings continue to provide neighborhood-serving and more active retail and service uses.

Proposed regulation is designed to prevent the "Georgetownization" of local commercial centers where a single type of use becomes predominant thereby "out-pricing" other uses.

Advertised Text

Comments Received By Z.C.

OP Comments

6.

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.

Community organizations support this proposal.

Business representatives testified to need for direct access from Connecticut Avenue in some cases.

Community organizations expressed concern that waivers may be granted too readily but support proposal.

Designed to prevent the proliferation of vehicular access paths off Connecticut Avenue, to maintain pedestrian scale and movement, and to reduce potential circulation conflicts.

This proposal is designed to allow waivers of requirements of Overlay through BZA process where specified criteria are met.

OP testified that this section can be retitled to "Special Exceptions".



Advertised Text

Comments Received By Z.C.

OP Comments

7.

CHAPTER 14 CLEVELAND PARK COMMERCIAL OVERLAY (CP) DISTRICT

1400 GENERAL PROVISIONS

1400.1 The Cleveland Park Commercial Overlay District is applied to a compact geographic area surrounding the Cleveland Park Metrorail station and within the Cleveland Park Historic District, comprising those Lots zoned C-2-A in Squares 2218, 2219, 2222, 2068 and 2069.

1400.2 The purposes of the District are:

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

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

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

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

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

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

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

Community groups prefer C-1 zone with 40 ft. height limit.

Business representatives oppose proposed overlay based on:

- lack of support for Metro system;
- reduction in opportunity for economic development;
- lower land values;
- loss of potential residential development;
- reduction in potential for additions as a result of lower height limit

- lack of planning basis for overlay zones;
- lack of basis in Comprehensive Plan for proposed action;
- violation of uniformity required of zoning;
- adverse economic impacts which may result;
- decrease in potential Metro ridership;
- lack of basis for height reduction in Comprehensive Plan;
- special treatment of PUD's

OP believes that an overlay district which restricts height, uses and other design functions is the preferred way to respond to the concerns of citizens and the business community.

Advertised TextComments Received By Z.C.OP Comments**401 USE, HEIGHT, AREA AND ACCESS REGULATIONS****401.1 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.)

**401.3 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.**

**401.4 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 (q); and Subsection 721.6(b). In those parts of the affected building and lot other than as delineated for purposes of this provision the normal C-1 and C-2 use provisions shall apply.**

**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.**

Community groups prefer C-1 zone with 40 ft. height limit.

Community alternative: 40 ft. height limit overall with transition height formula.

Opposition to height formula based on limitation of opportunities for expansion, the need for new development and the presence of a Metro Station in area.

Community organizations support reinforcement of upper story residential uses.

Community organizations support limitations on non-local uses.

Business representatives oppose this provision due to its restrictive nature and limitation on future business expansion.

Community organizations support this proposal.

Business representatives do not favor restricting ground floor commercial uses.

Transition height formula will help to maintain low scale character of commercial area as new buildings are constructed.

OP supports the transitional height formula with a 45 foot height maximum.

Ensure continuation of neighborhood serving retail and service uses. Eliminate non-local or detrimental uses which would not be compatible at ground level.

OP supports modification of percentage of ground floor retail for existing and new buildings to 50% overall.

Advertised Text

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

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

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

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

1402 EXCEPTIONS <sup>1</sup>

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 residing or working in the 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 justify 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.

Comments Received By Z.C.

Community organizations support proposal.

Community organizations support this proposal.

Business representatives testified to need for direct access from Connecticut Avenue in some cases.

Community organizations expressed concern that waivers may be granted too readily but support proposal.

OP Comments

Proposed regulation is designed to prevent the "Georgetownization" of local commercial centers where a single type of use becomes predominant thereby "out-pricing" other uses.

Applies to ground floor frontages only.

Designed to prevent the proliferation of vehicular access paths off Connecticut Avenue, to maintain pedestrian scale and movement, and to reduce potential circulation conflicts.

This proposal is designed to allow waivers of requirements of Overlay through BZA process where specified criteria are met.

OP testified that this section can be retitled to "Special Exceptions".

Advertised Text

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.

Comments Received By Z.C.

Community organizations oppose PUD's with greater height and bulk that overlay district allows.

Business representatives oppose special treatment of PUD's

OP Comments

10.

For the Cleveland Park commercial area OP supports a 50 foot height guideline for PUD's with a 2.5 FAR guideline (1.0 commercial, 1.5 residential) which will reinforce the objectives of the overlay zone.

For the Woodley Park commercial area, OP supports a 55 foot height guideline and a 3.5 FAR guideline for the C-2-B zoned area. For the C-2-A area, OP supports a 50 foot height guideline and a 2.5 (1.0 commercial, 1.5 residential) guideline which will reinforce the objectives of the overlay zone.