

By Hand

# ADVISORY NEIGHBORHOOD COMMISSION 3-C

## GOVERNMENT OF THE DISTRICT OF COLUMBIA

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

March 29, 1988

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

Re: Case No. 86-26  
PUD Guidelines

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

1988 MAR 29 PM 4:06  
ZONING SECRETARIAT,  
DISTRICT OF COLUMBIA

Ms. Maybelle Bennett, Chairperson  
The Zoning Commission  
The District Building, Room 11  
Washington, D.C. 20004

Madam Chairperson and Members of the Commission:

A representative of ANC 3-C was present at your meeting of March 14, 1988, at which the Office of Planning (OP) presented its recommendations on appropriate guidelines for PUDs within the CP and WP/Overlay Zones. At that time the Zoning Commission requested OP to prepare a report justifying the height and FAR figures put forward in its "Summary Abstract" dated March 11, 1988. That report was to be made available to the public by March 22, and the participants in the case would then have one week to respond (that is, until today, March 29).

ANC 3-C generally has only one public meeting per month at which official positions may be adopted. Our meeting for this month fell on March 28 -- yesterday. However, the OP report was not available for our response at that time. Fearing that ANC 3-C would lose its chance to comment officially in this crucial aspect of the case, Commissioner Peggy Robin telephoned Nate Gross of OP and explained the situation to him on Friday, March 25th, and again on Monday afternoon, the 28th. He suggested that ANC 3-C could adopt a response to OP's position, based on its general understanding of OP's planning goals and rationale for creating the CP and WP Overlay Zones.

This, accordingly, is what the attached Resolution represents. It was adopted by the unanimous voice vote of ANC 3-C, a quorum of all nine commissioners being present, at its properly advertised public meeting of March 28, 1988. Thank you very much for including it in the record of the case.

FOR THE COMMISSION:

*Patricia Wamsley*  
Patricia Wamsley /PR ZONING COMMISSION  
Chairman, ANC 3-C District of Columbia

cc: OP, CPHS, WPCA

ZONING COMMISSION  
District of Columbia  
Case No. 86-26  
EXHIBIT 422

# 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

March 28, 1988

1988 MAR 29 PM 4:07  
ZONING SECRETARIAT,  
DISTRICT OF COLUMBIA

### Single Member District Commissioners:

01-Cheryl Opacinch  
02-Sam Friedman  
03-John A. Jenkins  
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### RESOLUTION

WHEREAS: The Zoning Commission at its public meeting of March 14, 1988 requested the Office of Planning (OP) to provide additional rationale to support its recommendation of new limits for PUDs in the CP and WP/Overlay Zones along Connecticut Avenue, N.W. (OP Summary Abstract dated March 11, 1988 recommended for CP/Overlay: 50' height guideline, 2.5 FAR with 1.0 commercial and 1.5 residential; for WP/Overlay: 55' height guideline, 3.5 FAR in the C-2-B zone, and 50' with 2.5 FAR in the C-2-A zone); and

WHEREAS: The Zoning Commission invited participants in the case to respond to OP's report; and

WHEREAS: This ANC continues to support the position that unrestricted PUDs violate the intent and purpose of the CP and WP Overlay Zones; therefore

BE IT RESOLVED BY ADVISORY NEIGHBORHOOD COMMISSION 3-C: That it provide the Zoning Commission with the following as its official advice in this matter:

ANC 3-C supports OP in its intent to restrict PUDs in the CP and WP Overlay Zones, and also supports the representative CP and WP communities proposed restrictions. These are: CP Overlay Zone -- Height guideline set at 40' and FAR of 2.0 with 1.0 commercial and 1.0 residential; WP Overlay Zone -- Height guideline set at 50' maximum and FAR of 2.5, with 1.25 commercial (including commercial FAR whether above or below ground) and 1.25 residential in the C-2-B Square 2204; and height guideline set at 40' maximum and FAR of 2.0, with 1.0 commercial (including commercial FAR whether above or below ground) and 1.0 residential in the C-2-A Squares 2202 and 2203;

ANC 3-C believes these to be appropriate guidelines for the following reasons.

1. The creativity and flexibility of the PUD process, in these special zones, should be directed toward those aspects of development where it is desirable and will be of most public benefit. Because the major goal of the overlays is to protect these neighborhood shopping districts from buildings of incompatible heights and massing, ANC 3-C concludes that

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the PUD guidelines should not encourage construction above the matter-of-right limits. In these overlay zones the PUD process should be used to encourage creative designs within a compatible "envelope," while allowing flexibility in uses, building footprint, percent of lot occupancy, facade treatment, attachment to adjoining structures, or other creative design solutions.

2. Setting clear guidelines which are closely linked both to the matter-of-right maximums and to existing building heights will avoid creating confusion in the minds of developers and residents as to what kind of project is reasonable and worth the time and expense involved in the PUD application process. Conversely, if the guidelines are not lowered to parallel the changes in the matter-of-right zoning, developers may still file for PUDs greatly out of line with existing neighborhood scale; then OP will have the burden of screening out many of these applications. While this is certainly within the scope of their professional expertise, it does take up time that could be better spent on the planning needs of other neighborhoods. The ANC and the affected community associations must also take action, setting up meetings with developers, making the proposal widely known throughout the neighborhood by some means, soliciting citizen comments, etc. In order that the citizens do not have to expend this level of effort (which is nearly always done on the citizens' own time) the guidelines must send a clear signal to developers as to what level of development is likely to move forward to the hearing stage.

3. The same Comprehensive Plan categories that give a legal basis for zoning changes in the matter-of-right limits must apply as well to the PUD process. Definitions such as "low-density commercial," "limited office space," "limited parking," and the description of the "neighborhood services" one generally finds at a "Local Neighborhood Center" would be inconsistent with the scale, bulk, and predominant office use most likely to result in a PUD designed under the normal C-2-A and C-2-B PUD guidelines.

4. The Cleveland Park and Woodley Park commercial zones, even with their respective 40 and 50 ft. matter-of-right limits still allow significant new development before they reach their build-out limits. In Cleveland Park, for example, the build-out to matter-of-right density will allow at least a doubling of existing square footage. Thus, reducing the PUD standard to the same as the matter-of-right by no means shuts off future growth, but is simply a way to ensure that new construction is compatibly distributed and that no single PUD project is allowed to overwhelm the balance of the commercial area.

5. If there remains a large gap between the matter-of-right limits and the PUD guidelines, there will be no incentive to property owners to develop within their matter-of-right. The PUD process will become the route for new construction, leading to the assembly of small parcels, followed by applications for demolition permits. However, a key purpose of the overlay zone was to create harmony between the historic review and zoning processes and thus encourage the retention (and appropriate

additions to) the buildings that contribute to the neighborhood's architectural character. Only conformity between the height and density limits of PUDs and matter-of-right will achieve this goal.

6. Finally, ANC 3-C has no doubt that the enactment of stricter PUD guidelines in the Cleveland Park and Woodley Park neighborhoods represents one of the strongest goals of our constituents, as expressed to us by them individually and through their various independent citizen organizations. A developer's representative once decried "zoning by plebescite," but it is this ANC's opinion that the establishment of public land use policies ought to be carried out in a generally democratic fashion, and that the reasonable wants and needs of the citizenry who must live with the results of those policies must be accorded priority, or, as the Home Rule Charter puts it, "great weight."

ANC 3-C, for all these reasons, urges the Zoning Commission to bring the PUD guidelines close to the matter-of-right limits for height and density, as proposed above.