

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 398 *
CASE NO. 82-11C
May 16, 1983

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on February 28, 1983. At that hearing session, the Zoning Commission considered an application from Peter J. Fitzgerald for consolidated review and approval of a Planned Unit Development (PUD) and related amendment to the Zoning Map of the District of Columbia, pursuant to section 7501 and 9101 of the Zoning Regulations of the District of Columbia. The hearing was conducted under the provisions of Chapter 6 of the Rules of Practice and Procedure before the Zoning Commission.

FINDINGS OF FACT

1. The application requested consolidated review and approval of a Planned Unit Development (PUD) for lots 49-52, 59, 61-65, 820-822 and a public alley proposed to be closed and parts of Lots 63-65, in Square 16 from R-5-B to R-5-D, or, in the alternative to C-2-C. If the previously identified property is to be rezoned C-2-C, the application also requests rezoning lots 49-52 and parts of lots 63-65, in Square 16 from R-5-D to C-2-C. The applicant proposes to build a high-rise apartment building.
2. In addition to the specific request of this application, the Zoning Commission on November 15, 1982 determined that it would also consider rezoning the R-5-B portion of the subject site (lots 59, 61, 62, 820-822, parts of lots 63-65, and a public alley to be closed) to R-5-D without a PUD.
3. The property that is subject to this application (PUD site) is owned by Peter J. Fitzgerald. The developer of the property would be Lenkin Company.
4. The PUD site is located on the southeast corner of the intersection of 26th and K Streets, N.W. The site encompasses a total land area of 15,399 square feet. Application has been made to the DC Council to close a

* This order is amended by Z.C. Order No. 443.

five foot-by-thirty-six-foot alley, thereby increasing the PUD site to 15,578 square feet.

5. The site is currently developed with several row dwellings, a vacant commercial/residential building and a small parking area. These structures will be razed to permit the proposed development.
6. The R-5-B District permits matter-of-right medium density development of general residential uses including single-family dwellings, flats, and apartments to a maximum lot occupancy of sixty percent, a maximum floor area ratio (FAR) of 1.8 and a maximum height of sixty feet.
7. The R-5-D District permits matter-of-right high density development of general residential uses including single-family dwellings, flats, and apartments to a maximum height of ninety feet, a maximum FAR of 6.0 for apartment houses and 5.0 for other permitted uses, and a maximum lot occupancy of seventy-five percent.
8. The C-2-C District permits matter-of-right high density development, including office, retail, housing and mixed uses to a maximum height of ninety feet, a maximum FAR of 6.0, with non-residential uses limited to 2.0, and a maximum lot occupancy of eighty percent.
9. Under the PUD process of the Zoning Regulations, the Zoning Commission has the authority to impose development conditions, guidelines, and standards which may exceed or be lesser than the matter-of-right standards identified above.
10. The PUD site is a corner property at the extreme western edge of the Foggy Bottom neighborhood, at 26th and K Streets, N.W. To the west of the site across 26th Street is a public park followed by expressway ramps for Rock Creek Parkway and the Whitehurst Freeway. In this location, 26th Street is a narrow, one way northbound street permitting parking on one side.
11. Across K Street to the north the predominant development pattern is ninety foot high apartments in the R-5-D District which is mapped on both frontages of K Street in this location. Abutting the site immediately to the east is the eighty foot Excelsior Apartment House, followed by another apartment house at the corner of 25th and K Streets, N.W.
12. Abutting the site to the south is the four-story Colonial Arms apartment house. The southern, western and interior portions of the square are generally at

townhouse and mews scale, while the northeastern quadrant has buildings with a ninety foot height.

13. The PUD site is rectangular in shape and is presently split-zoned. The northern R-5-D portion consists of 8,175 square feet of land. The southern R-5-B portion has 7,403 square feet, including an alley stub of approximately 180 square feet proposed to be closed.
14. The subject site does not meet the minimum area requirement of one acre for a PUD in the R-5-D District. Therefore, the applicant is also requesting a waiver from the PUD minimum area requirements.
15. The applicant proposes to develop the site with a 101 unit apartment house stepping down in height from eighty-nine feet on K Street to fifty-eight feet abutting the Colonial Arms building on 26th Street. The proposed FAR is 5.3 with a lot occupancy of sixty-eight per cent. The applicant proposes no commercial uses for the development.
16. The apartment building as proposed would have twenty-eight efficiencies averaging 525 square feet each, forty-four one bedroom units averaging 747 square feet and fourteen one bedroom with den units averaging 825 square feet. There are also fifteen two bedroom units. Each floor has one or two larger units which provide more outside space in the form of terraces. These units are included in the total number of units.
17. In lieu of a rear yard, there will be a landscaped court of approximately 4,363 square feet, which will be enclosed with a ten foot high brick wall. Adjacent and to the exterior of this wall, a loading berth will be provided in the rear which will have access from the alley system in the interior of the square. Passive recreational space will be provided in the court and at the roof representing 10.7 per cent of the proposed FAR.
18. The applicant has entered into an agreement with both the ANC 2A and the Foggy Bottom Association (FBA) to restrict the use of the subject property solely to residential use. The applicant filed for the record a fully executed copy of the agreement which is binding on all parties.
19. The proposed penthouse will be used to house the elevator machinery and the cooling tower. All of the other mechanical equipment has been placed in the individual units.

20. At the public hearing the applicant submitted revised plans indicating that seventy parking spaces would be provided in a two level underground garage having access from 26th Street, in lieu of the sixty spaces originally proposed.
21. The applicant's Traffic and Transportation Consultant testified at the public hearing to the impact of the proposed development on parking and traffic generation. Twenty-sixth street is a one-way north bound street and the service drive of K Street is one way east bound. There is two hour residential parking on all of the streets surrounding this particular square with one exception. Traffic past the subject site is quite light, an estimated 200 vehicles per day. The nearest principal intersection, 25th Street and K Street, operates at a level of service C during peak hours. Twenty-fifth Street is one-way northbound and traffic must turn right at K Street toward Washington Circle. The Commission so finds.
22. The nearest public parking facilities in the area are approximately three blocks away at 25th and M Street. There are also some garages in the 2100 block of K Street four blocks away. There are eighteen Metrobus lines within three blocks of the site and the Foggy Bottom Metrorail Station is four blocks away at 23rd and I Streets.
23. The applicant asked for flexibility in the PUD application in three areas: the option to combine the units to make some of them larger, the option to make minor architectural changes relative to window treatments, the color of brick used, etc. and the ability to use some of the parking spaces for storage.
24. Pursuant to the Commission's request, subsequent to the public hearing, the Applicant filed the following additional information: draft language to be incorporated in the Zoning Commission's Order clearly indicating the types of flexibility sought by the Applicant; a study showing from which points within a thousand foot radius of the proposed building the penthouse would be visible; line of sight drawings showing at which point along K Street the proposed penthouse would first be visible to the eye; photographs taken to illustrate the low visibility of the proposed penthouse in comparison with the existing penthouse structures in the immediate neighborhood; floor plans, sections and elevations showing the revised penthouse design and what treatment is proposed to minimize the impact of the penthouse design and what treatment is proposed to minimize the impact of the penthouse; a revised landscape plan clearly indicating

the alternate tree types to be used in the landscaping of the project and a revised parking lay-out plan illustrating which columns can be sloped so as to provide easier access to the parking spaces.

25. The D.C. Office of Planning (OP) by memoranda received November 8, 1982 and February 18, 1983 and by testimony presented at the public hearing, recommended approval of the PUD with related Map change from R-5-B to R-5-D subject to proposed development conditions. The OP believed that the proposed building contributes to the quality of the skyline of the District of Columbia at this location by striving to balance the existing development on the northwestern corner of the intersection at K and 26th Street and also providing an interesting transition to the low profile of the buildings to the South. In reference to the major planning and policy goals of the city, the OP reported that the proposal is compatible and/or consistent with the District of Columbia Goals and Policies Act of 1978, and specifically within that act goals and policies on air quality, water resources, solid waste, noise, energy, urban design and open space, public safety, economic development, housing, and land use. The OP further believed that there is a need for additional housing supply in the city and this particular project helps to satisfy that need. Also, this housing is within walking distance of a wide variety of jobs, retail services and entertainment uses. The Commission concurs with the findings and recommendation of the Office of Planning.
26. The D.C. Department of Transportation (DCDOT) by memorandum to OP dated February 17, 1983, reported that the proposed project will have a negligible impact on the traffic operation of the adjoining and neighboring streets. No capital improvements to the streets are needed to accomodate the development. The DCDOT recommended that the applicant revise the width of the parking aisles from the fourteen feet as submitted, to a width of a least twenty feet. DCDOT also recommended that truck service deliveries be restricted to vehicles no greater than thirty feet in length. The Commission concurs with the findings and recommendations of the DCDOT.
27. The D.C. Department of Environmental Services, (DCDES) by memorandum dated December 9, 1982 reported that the proposed development is served by a seperate sewer system. Both sewer and water are available to the site. The Commission so finds.
28. The D.C. Fire Department (DCFD) by memorandum dated

December 15, 1982, reported that the proposed development will have no adverse impact on the operation of the Fire Department. The Commission so finds.

29. The D.C. Department of Recreation (DCRD) by memorandum dated December 23, 1982, reported that the proposed development provides easy access to private recreation opportunities within a one-mile radius of the proposed development. The Department did express some concern that the proposal provides less residential recreation space than would be required under matter-of-right development. Also, assuming that most of the residents of the proposed development would be adults, this increased adult population could increase demands for tennis and swimming facilities in the area. The DCRD also suggested that the development try to provide an area with play apparatus and tot-lots for small children and benches for adults.
30. Advisory Neighborhood Commission 2A in resolution B-5 dated February 14, 1983, voted to oppose the possible rezoning of the site to C-2-C or to R-5-D without a PUD. However, ANC 2A voted to approve R-5-D rezoning with the following conditions:
 1. that the developer provide seventy off street parking spaces in the proposed project; and
 2. that the property owner and developer execute a letter of agreement covering a number of matters including a Declaration of Covenants proposed by the FBA and ANC 2C limiting the proposed building to residential use.
31. The Foggy Bottom Association indicated the same concerns as the ANC in its resolution dated February 15, 1983 in which it opposed the project.
32. In testimony at the hearing a representative from the FBA voiced concern as to whether or not surplus parking spaces in the proposed project would be rented or sold exclusively to neighborhood residents. This concern was addressed by the applicant at the hearing to the satisfaction of the FBA representative. The applicant agreed to sell surplus spaces only to neighborhood residents.
33. Frederick P. Mascioli, party in opposition to the application and adjacent property owner, raised the following issues in his testimony:
 - a. the possible obstruction of light and view in the rear of his building

- b. the height, bulk, FAR and lot coverage of the portion of the proposed building located on R-5-B zoned land along 26th Street
 - c. the absence of special merits which would justify a waiver of the minimum area land requirements which would qualify the project as PUD
 - d. the inappropriateness of a rezoning of the site from R-5-B to R-5-D.
34. Mr. Mascioli noted a deficiency in the Public Hearing Notice concerning "the stepping down from a ninety foot height along K Street to a height of approximately forty-five feet in the rear of the building". Also, Mr. Mascioli noted that the allowable FAR cited in the Public Hearing Notice was incorrect.
35. Dorothy L. Ohlinger, by letter dated November 8, 1982 opposed the rezoning of the project from R-5-B to R-5-D due to the prospect of increased traffic on 26th Street, N.W.
36. Mary L. Aaberg, by letter dated November 15, 1982 opposed the proposal because she felt that the project would aggravate the problems of noise, air pollution, parking and traffic already experinced in the area.
37. Elizabeth and Nathaniel Davis, by letter dated February 7, 1983 opposed the project as owners of property on 26th Street, N.W. who currently reside in Rhode Island.
38. At the Zoning Commission meeting held on March 21, 1983, a motion to approve the application failed for lack of a majority of the members of the Commission by a vote of 2-1 (Commissioners Walter B. Lewis and Maybelle T. Bennett, to approve - Commissioner Lindsley Williams, opposed, Commissioner John G. Parsons, not voting not having participated in the case, and Commissioner George M. White, not present not voting).
39. The Chairman ruled to reopen the record to receive additional information relative to the request by the applicant for a waiver of the minimum area requirements.
40. The DCDOT and the Department of Recreation were the only DC Government agencies to raise concerns. The DCDOT requested the applicant to revise the width of the parking aisles from fourteen feet as submitted to a width of at least twenty feet and to restrict truck service deliveries to vehicles no greater than thirty-eight feet in length. The applicant has complied with both requests. The concerns of the

Department of Recreation included the provision of less residential space than required under matter-of-right development, the increased demands for tennis and swimming facilities; and the provision of play apparatus or tot-lots for small children with benches for adults. The Commission finds that there is no requirement to provide residential recreation space under the matter-of-right standards in the R-5-D District. The Commission finds that, in a building which is composed of eighty-five percent efficiency and one bedroom units, there will be few families with children. Therefore, the issue of the provision of play apparatus and or tot lots is of little consequence. The paved rear court provides adequate passive recreation areas. There are adequate recreational facilities currently in place in the Foggy Bottom neighborhood to adequately to absorb the population generated from this project.

41. As to the concerns of ANC 2A, the Chairman of ANC 2A indicated that the applicant had agreed to the two conditions upon which their support depended. Therefore, ANC 2A supported the project as reiterated in its letter dated March 7, 1983.
42. The FBA displayed the same concerns as the ANC in its resolution dated February 15, 1983, opposing the project. Once the applicant agreed to the conditions relative to the additional parking spaces and the execution of the covenant limiting the building to residential use, the FBA also supported the project.
43. As to the concerns raised by Frederick Mascioli, party in opposition, the Commission notes that the proposed building has been designed with a substantial courtyard area to maximize the light and air for residents of the proposed building and the abutting Excelsior and Colonial Arms apartments as well. With no zoning change, the building which could be built as a matter-of-right could have more detrimental affects than the PUD.
44. The Commission also notes that the site is not unsuitable for R-5-D zoning merely because of its location on 26th Street. The R-5-D zone on 25th Street, extends to a depth of 150 feet even though 25th Street is the same width as 26th Street.
45. On the issue of the waiver of the minimum area requirements, the opposition responded to a request from the Commission for specific information relative to this issue by letter dated April 8, 1983. In this letter, opposition reiterated his argument that the

project was of no exceptional merit and should not be granted the waiver but should be developed under matter-of-right zoning.

46. The applicant also submitted a letter relative to the issue of the waiver of the minimum area requirements dated March 30, 1983. The applicant's reasons for requesting a waiver included the following:
 - a. A waiver would assure that any development of the site would be an exclusively residential building in a neighborhood characterized by a loss of housing through conversion and an influx of clinic and institutional development
 - b. The project demonstrates superior planning and design to permit sensitive treatment of one of the major gateways to the downtown area and the connection of the K Street corridor to the lower scale of the Foggy Bottom neighborhood.
 - c. The project is the culmination of community input, involvement and support spanning a thirteen month period of negotiation and design revisions to incorporate citizen concerns.
47. The Commission finds that this site merits sensitive treatment. Development under the PUD process is essential to ensure appropriate development of the site and neighborhood compatibility.
48. As to the adequacy of the notice, although the Notice of Public Hearing did not indicate the maximum allowable FAR for apartment houses in the R-5-D District, the Commission finds that the notice of public hearing did clearly state, in great detail, the proposed height and FAR of the proposed building so as to adequately inform all interested persons.
49. The Commission has the authority to waive the one acre minimum area requirement, pursuant to Paragraph 7501.22 of the Zoning Regulations, if the Planned Unit Development is of exceptional merit and is in the best interests of the city or the country. The applicant testified and submitted information why the applicant should be granted the waiver; the opposition argued against. The Office of Planning indicated that the three acre minimum area requirement should be waived in this case.
50. As to the three letters in opposition from Dorothy L. Ohlinger, Mary L. Aaberg and Elizabeth and Nathaniel Davis the Commission considered the concerns raised by these citizens and found that their concerns had been

adequately addressed by the applicant's traffic consultant.

51. The proposed action of the Zoning Commission was referred to the National Capital Planning Commission (NCPC) under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. The NCPC reported that the planned unit development and rezoning from R-5-B to R-5-D (Case No. 82-11C) for Lots 49-52, 61-65 and 820-822 and a public alley to be closed in Square 16, located at the southeast corner of 26th and K Streets, N.W., subject to the guidelines, conditions and standards proposed by the Zoning Commission at its public meeting on March 21, 1983, would not adversely affect the Federal Establishment and other Federal interests in the National Capital nor be inconsistent with the Comprehensive Plan for the National Capital.

CONCLUSIONS OF LAW

1. The Planned Unit Development process is an appropriate means of controlling development of the subject site since control of the use and site plan is essential to ensure appropriate development of the site and compatibility of the neighborhood.
2. While the proposed Planned Unit Development does not meet the three acre minimum requirements of Sub-section 7501.2 of the Zoning Regulations, the project is in the best interests of the District of Columbia and the application can specifically be approved by the Zoning Commission, pursuant to section 7501.22.
3. Approval of this consolidated Planned Unit Development application is appropriate, because the application is generally consistent with the present character of the area and would introduce housing stock in an area where it is on the decline.
4. The application can be approved with conditions which would ensure that the development would not have an adverse impact on the site or the surrounding community.
5. The Commission takes note of the position of Advisory Neighborhood Commission 2A and in its decision has accorded to the ANC the "great weight" to which it is entitled.
6. The approval of the application would promote orderly

development in conformity with the entire District of Columbia Zone Plan, as embodied in the Zoning Regulations and Maps of the District of Columbia.

7. The development is consistent with the District of Columbia Goals and Policies Act of 1978, which is the first local element of the Comprehensive Plan for the National Capital under the Self-Government and Governmental Reorganization Act.

DECISION

In consideration of the Findings of Fact and the Conclusions of Law herein, the Commission hereby waives the normal minimum area requirement and orders APPROVAL of the Consolidated Planned Unit Development for lots 49-52, 59, 61-65, 820-822 and a public alley proposed to be closed and related map amendment from R-5-B to R-5-D for lots 59, 61, 62, 820-822 and parts of 63-65 all in Square 16 at 26th & K Streets, N.W., subject to the following conditions, guidelines and standards:

1. The planned unit development shall be developed in accordance with the revised plans submitted to the Zoning Commission, prepared by David M. Schwartz, Architectural Services, P.C., marked as Exhibit No. 48 of the record, except as such plans may be modified to conform to the guidelines, conditions and standards of this order.
2. The overall density of the planned unit development shall not exceed a floor area ratio of 5.36.
3. The height of the building shall not exceed eighty-nine feet at K Street, stepping down to forty-eight feet abutting the Colonial Arms building as indicated on the plans on file.
4. The site shall be developed with a residential apartment building in accordance with the plans on file as modified and approved by the Commission. The development shall contain a maximum of 101 units. Some of the units may be combined to reduce the total number of units and make larger units. The option to combine units is limited to a reduction in the unit count to a minimum of eighty-seven units. Thus, the total number of units in the building shall be between eighty-seven and 101 units.
5. The parking garage shall be developed in accordance with the plans marked as Exhibit No. 64C of the record. Seventy parking spaces shall

be provided as shown on those plans. Those parking spaces shall be reserved exclusively for the parking of motor vehicles.

6. The courtyard area shall be landscaped and used for residential recreational space in accordance with the revised landscape plan marked as Exhibit No. 64C of the record, as that plan has been marked to show revisions directed by the Commission.
7. The loading berth located adjacent to the courtyard area is restricted to vehicles measuring thirty feet or less in length. The loading berth area shall be paved with the same color brick used in the courtyard area.
8. The exterior walls of the building along K and 26th Streets will be of red tone brick. The exterior walls at the rear and at the court shall be of light colored brick. Balconies at K and 26th Streets shall be provided with suitable sculptured iron railing on brick base. Balconies at the rear of the building shall have iron railing.
9. The roof structure of the building shall be as shown on the plans marked as Sheets 1-5 of Exhibit No. 64B of the record. The exterior walls of the roof structure shall be brick in the same color as the main walls of the building or in a lighter shade brick.
10. Minor architectural modifications may be made to the plans, such as architectural treatment of windows, architectural treatment of the front entrance and the exact shade of the brick.
11. The change in zoning from R-5-B to R-5-D shall be effective upon recordation of a covenant as required by Sub-section 7501.8 of the Zoning Regulations.
12. No building permit shall be issued for this planned unit development until the applicant has recorded a covenant in the land records of the District of Columbia, between the owner and the District of Columbia, and satisfactory to the office of the Corporation Counsel and the Zoning Regulations Division, which covenant shall bind the applicant and successors in title to construct on and use this property in accordance with this Order, or amendments thereof, of the Zoning Commission. When the covenant is recorded, the

applicant shall file a certified copy of that covenant with the records of the Zoning Commission.

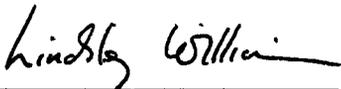
13. The planned unit development approved by the Zoning Commission shall be valid for a period of two years from the effective date of this Order. Within such time, application must be filed for a building permit, as specified in Paragraph 7501.81 of the Zoning Regulations. Construction shall start within three years of the effective date of this Order.

Vote of the Zoning Commission taken at the public meeting on April 18, 1983: 4-0 (Commissioners Lindsley Williams, Walter B. Lewis, John G. Parsons, Maybelle T. Bennett to approve with conditions - Commissioner George M. White not voting not having participated in the case).

Vote of the Commission taken at the public meeting on May 16, 1983: 4-0 (Commissioners Lindsley Williams, Walter B. Lewis, John G. Parsons, and Maybelle T. Bennett, to adopt as amended - Commissioner George M. White, not voting not having participated in the case).

In accordance with Section 4.5 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this order is final and effective upon publication in the D.C. Register, specifically on JUN 10 1983.

This amendment to the Zoning Map shall not be effective until the covenant required by Article 75 of the Zoning Regulations is recorded in the land records of the District of Columbia.



LINDSLEY WILLIAMS
Chairman
Zoning Commission



STEVEN E. SHER
Executive Director
Zoning Secretariat

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Z.C. ORDER # 398

Washington, D. C. JULY 26, 1982

Plat for Building Permit of 497-2155-391
497-2155-392

Scale: 1 inch = 20 feet Recorded in Book 3488 page 16

Receipt No. 187336

Furnished to MRS. SHEPHERD

Ralph B. Sheffer
Surveyor, D. C.

By: AS

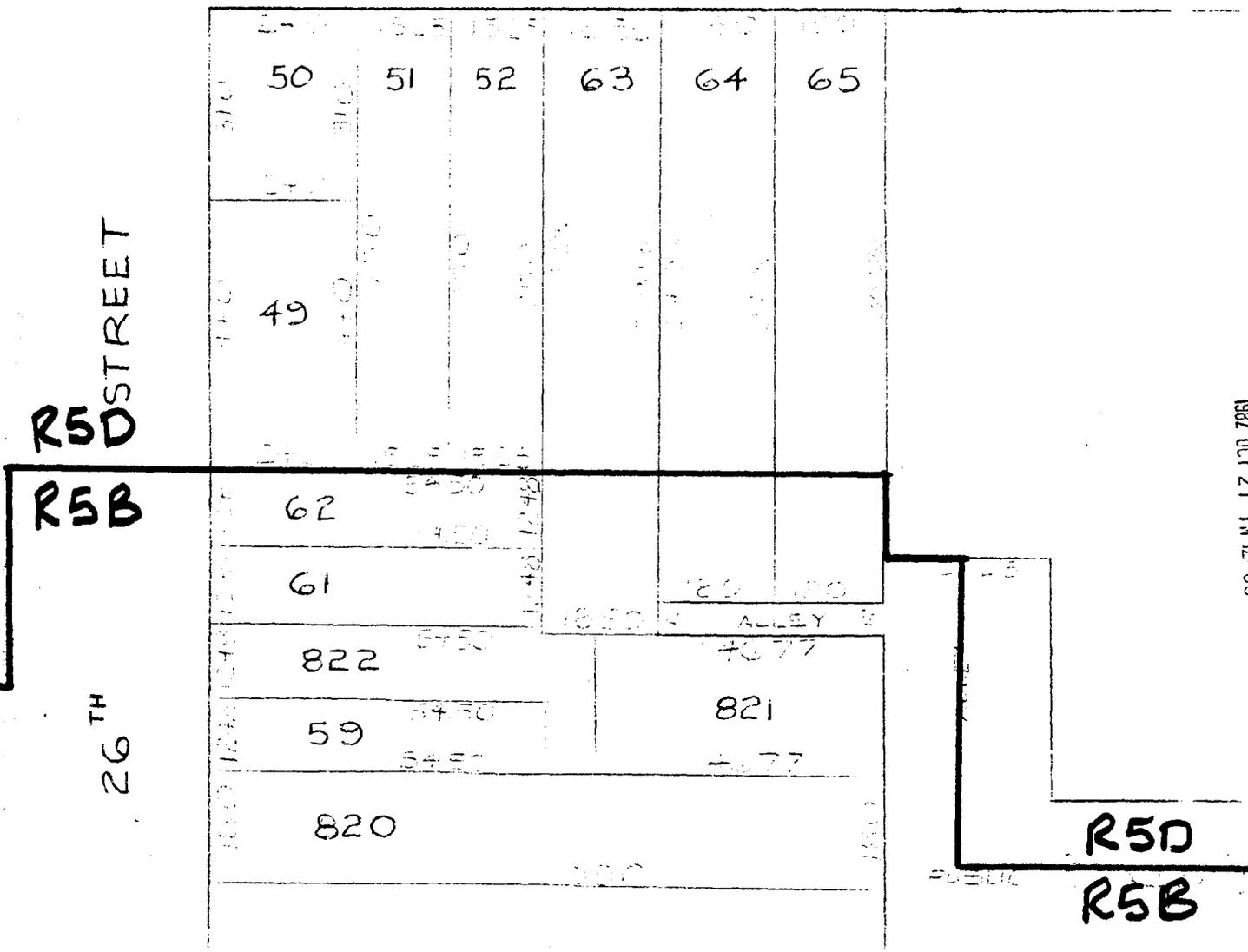
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plan as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb or alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property).

Date 10/20/82
Maureen Stewart
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

K STREET

FOR YOUR INFORMATION



EXISTING ZONING

1982 OCT 21 PM 12:03

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Z.C. ORDER # 398

Washington, D. C., July 26, 1982

Plat for Building Permit of [unclear] 207-215-551

Scale: 1 inch = 20 feet Recorded in Book [unclear] page 16

Receipt No. 17236

Furnished to [unclear]

Ralph B. Sheaffer
Surveyor, D. C.

By: [unclear]

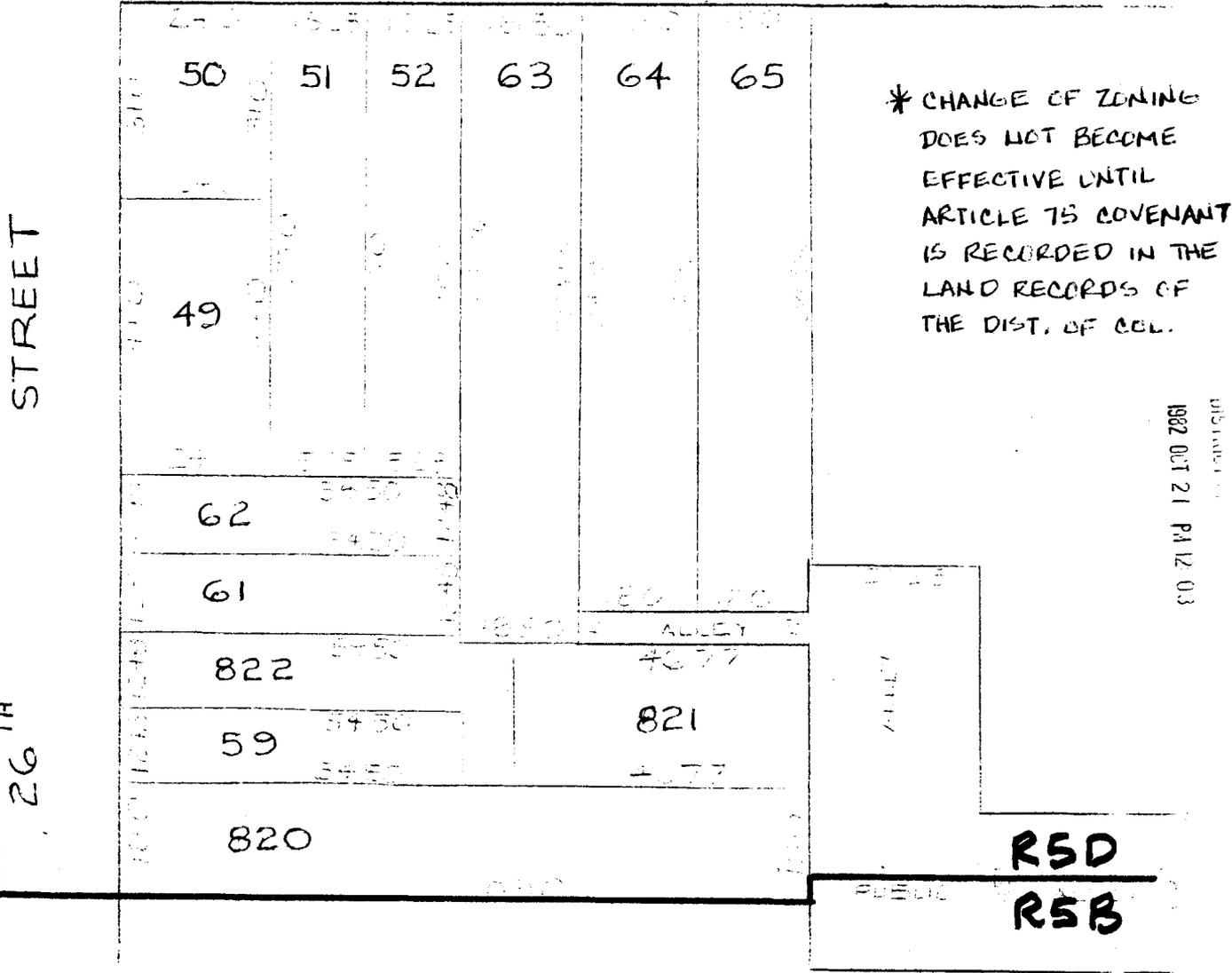
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plan as shown hereon is drawn, and dimensioned accurately to the same scale as the property line shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb or alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwelling, or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property).

Date 10/20/82
Marion Stewart
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

K STREET

FOR YOUR INFORMATION



PROPOSED / NEW ZONING*