

# Government of the District of Columbia

## ZONING COMMISSION



ZONING COMMISSION ORDER NO. 532  
Case No. 87-19C  
Consolidated PUD & Map Amendment  
@ 1001 New York Avenue, N.W.  
May 11, 1987

The application in Z.C. Case No. 87-19C was filed on March 31, 1987, and is a request from 1001 New York Avenue Ltd. Partnership for consolidated review and approval of a Planned Unit Development (PUD) and related map amendment from HR/C-3-C to C-4 for lots 8, 17, 811, 812 and 826-828 in Square 343 @ 1001 New York Avenue, N.W.

The subject site is located at the northwest corner of the intersection of 10th Street and New York Avenue, N.W.; comprises approximately 25,575 square feet of land area, and is rectangular in shape. The site is zoned HR/C-3-C and is improved with two low-rise vacant structures and a parking lot.

The applicant proposes to construct a twelve-story retail/office building with approximately 17,000 square feet of retail/office space on the first level below grade, 8,000 square feet of retail on the ground level, and 210,000 square feet of office on levels two through twelve. The building would have a height of 130 feet and a floor area ratio (FAR) of 9.5.

The applicant further proposes to provide an internal atrium; underground parking for 166 automobiles; upgrade the median strip along New York Avenue, and the grounds, including lighting, of the Old Carnegie Library, and contribute \$1.15 million for acquisition and rehabilitation of low-moderate income housing off site, within the Shaw area.

The HR (hotel/residential incentive overlay) permits development incentives, limited to residential and hotel uses, to a maximum floor area ratio (FAR) of 8.5 and a maximum height, as permitted by the "Act to Regulate the Height of Buildings", June 1, 1910, as amended. The District is mapped in combination with other Districts.

The C-3-C District permits matter-of-right major business and employment centers of medium/high density development,

including office, retail, housing, and mixed uses to a maximum height of ninety feet, a maximum floor area ratio (FAR) of 6.5 for residential and other permitted uses, and a maximum lot occupancy of one hundred percent.

The C-4 District is the downtown core comprising the retail and office centers for both the District of Columbia and the metropolitan area, and allows office, retail, housing and mixed uses to a maximum height of 110 or 130 feet, a maximum lot occupancy of one hundred percent, and a maximum floor area ratio (FAR) of 8.5 or 10.0, with the maximum height and FAR based upon the width of adjoining streets.

The zoning pattern immediately north, south, east, and west of the site is HR/C-3-C. Farther north is HR/SP-2, farther northeast and east is C-3-C, HR/R-5-D and HR/SP-2, and farther west and south is C-4.

The site appears to be in a high-density mixed-use area, according to the "Generalized Land Use Maps" of the Comprehensive Plan for the National Capital, that calls for both commercial and residential uses. Additionally, the housing opportunity area is northeast of the site and Mount Vernon Square along 7th Street, according to the Residential Land use policies map of the Comprehensive Plan.

On May 11, 1987, at its regular monthly meeting, the District of Columbia Zoning Commission considered whether to authorize the scheduling of a public hearing for the case.

The District of Columbia Office of Planning (OP), by preliminary report dated April 30, 1987, recommended that the Zoning Commission authorize the scheduling of a public hearing. OP believed that the following were issues of concern:

1. low and moderate income housing elsewhere in the Shaw area would satisfy the mixed use designation;
2. the contribution for acquisition and rehabilitation of off-site housing would consist of \$1.15 million; and
3. the housing, transportation, and economic development elements are most important in the case.

Advisory Neighborhood Commission - 2C, by report dated May 7, 1987, voted to recommend the authorization of a public hearing, but did not state any issues and concerns as the basis for its recommendation.

No other letters in support or opposition were received.

Upon consideration of the application and the views of OP and ANC 2C, it is the opinion of the Commission that the application requests an exclusively commercial level of FAR that is not compatible with the level of development permitted by the zoning of the immediate area. The Commission further believes that the application lacks sufficient merit to be set down for public hearing.

The proposed development is not a significant improvement over that which could be done as a matter-of-right.

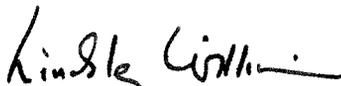
The HR/C-3-C district should be protected from amendments which would establish islands of inconsistent zoning in the midst of the HR Overlay District, and removed from compatible zoning. C-4 zoning would therefore be inconsistent with the intent and purpose of the text and map of the Zoning Regulations, and would constitute unreasonable spot zoning.

The Commission is mindful of the recommendations of the Office of Planning, but believes the subject application, as filed, is not in the best interest of the District of Columbia, is inconsistent with the intent and purpose of the Zoning Map and Zoning Act, and is inconsistent with the Comprehensive Plan for the National Capital.

The Commission believes that it would be appropriate to consider a lower FAR, retention of the existing zoning, and the development of residential or hotel uses in the immediate areas that are consistent with the provisions of Title 11, DCMR, Section 1100.

Based on the foregoing reasons, the Zoning Commission therefore orders that the application in Z.C. Case No. 87-19C be DENIED a public hearing, without prejudice.

Vote of the Commission taken at its public meeting of May 11, 1987: 3-2 (Commissioners George M. White, John G. Parsons and Lindsley Williams to deny without prejudice - Maybelle T. Bennett and Patricia N. Mathews, opposed).



LINDSLEY WILLIAMS  
Chairman  
Zoning Commission



EDWARD L. CURRY  
Acting Executive Director  
Zoning Secretariat