

# Government of the District of Columbia

## ZONING COMMISSION



ZONING COMMISSION ORDER NO. 571  
Case No. 87-30M/79-14F  
(PUD Modification @ Hillandale Mansion)  
March 14, 1988

On September 4, 1987, the Zoning Commission for the District of Columbia received an application from the National Savings & Trust Bank, N.A. and the First Federal Savings Bank of Arkansas, F.A. requesting a modification to a previously approved Planned Unit Development (PUD) at 3905 Reservoir Road, N.W.

As originally filed, the application in this case requested a modification to Z.C. Order No. 305 in Case No. 79-14F/79-6P, and also requested a related change of zoning from R-1-B to R-5-A for lot 1130 in Square 1320.

By Z.C. Order No. 305, dated January 10, 1980, the Zoning Commission granted approval of a PUD to construct a residential development on the Hillandale site, subject to certain guidelines, conditions, and standards. One of those conditions governs the use of the existing former Hillandale Mansion, which is the subject of the instant application.

The original PUD site comprises approximately 42.01 acres of land area and is zoned R-1-B. Z.C. Order No. 305 stipulates that the property shall be developed to a maximum of 268 residential units, including 238 new townhouses and twenty-eight (28) new single-family detached residences to be grouped in residential clusters together with the existing mansion and gatehouse. Condition No. 3 of the Order provides, in part, that;

"All dwellings shall be single-family residences. The existing mansion may include club-type facilities for homeowners."

As initially filed, the modified PUD application in the instant case proposed to develop the mansion site with thirty-seven (37) dwelling units. The project would be marketed under a condominium regime, and would have a proposed floor area ratio (FAR) of 1.0, a gross floor area of 66,243 square feet, and on-site parking to accommodate seventy-nine (79) cars. The proposed height is forty (40)

feet, except for the "tower unit", which is fifty-one (51) feet high and the "entry", which is forty-seven (47) feet high.

Advisory Neighborhood Commission - 3B, by letter dated December 2, 1987, opposed the application because it substantially deviates from the intent of the original PUD and Z.C. Order No. 305, breaches agreements between the applicant and affected residents who conditionally consented to the original PUD and Z.C. Order No. 305, would undermine the public's trust in the Zoning Commission, would create spot-zoning at the site, and would provide a density and character that would be at odds with the larger Hillandale development.

The Zoning Commission received Letters in opposition to the application from the Burleith Citizens Association dated December 7, 1987, Jacques B. DePuy, Esq., dated December 11, 1987 on behalf of some homeowners, Millington Lockwood dated December 1, 1987, and Richard W. Garr dated December 7, 1987, all for reasons that are consistent with those of ANC-3B.

The District of Columbia Office of Planning (OP), by preliminary report dated December 8, 1987 did not support the application, as Filed. OP indicated that it would support a reasonable alternative solution that would preserve the mansion.

Counsel for the applicants, by letter dated March 4, 1988, revised the proposed PUD modification with two development alternatives. Both plans proposed to restore the mansion and redevelop it with eight (8) townhouse units. In alternative "A", the mansion site would be developed with nine (9) additional detached housing units, a lot occupancy of twenty-six (26) percent, a gross floor area of 37,800 square feet, and an FAR of .53. In alternative "B", the mansion site would be developed with nine (9) additional cluster-type housing units, a lot occupancy of twenty-five (25) percent, a gross floor area of 35,294 square feet, and an FAR of .50.

OP, by supplemental report dated March 3, 1988, recommended that a public hearing be scheduled for the revised PUD proposals.

The Burleith Citizens Association, by letter dated March 9, 1988, opposed the revised proposal and the scheduling of a public hearing, because the revision ignores the necessity and wisdom of restoring the mansion, the precedent that would be established by allowing spot-zoning, and the community's ability to rely on past PUD rulings,

Richard W. Carr, by letter dated March 10, 1988, opposed the scheduling of a public hearing, because the revised proposal violates citizens' right to rely on the city planning process and Zoning Commission actions, violates the Comprehensive Plan, constitutes illegal spot-zoning, and includes a prohibited use (apartments) in an R-3 zone.

The Commission concurs with the concern of ANC-3B and others regarding the intent of the original PUD, as contained in Z.C. Order No. 305. The Commission believes that the concept of the additional housing units on the mansion site adversely affects the integrity of the former mansion, by failing to encourage preservation and the maintenance of the open space that immediately surrounds the mansion.

The Commission does not concur with the recommendation of OP, and concludes that the application, as filed, has insufficient merit to warrant a public hearing.

The Commission believes that the application 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,

Upon consideration of the reasons set forth herein, the Zoning Commission DENIES Case No. 87-30M/79-14F without a public hearing, and without prejudice.

Vote of the Zoning Commission taken at its regular public meeting on March 14, 1988: 4-0 (Lindsley Williams, John G. Parsons, Patricia N. Mathews and Maybelle T. Bennett, to deny without prejudice - George M. White, not present not voting).

  
MAYBELLE T. BENNETT  
Chairperson  
Zoning Commission

  
EDWARD L. CURRY  
Executive Director  
Zoning Secretariat