

November 27, 1978

**ADVISORY NEIGHBORHOOD COMMISSION 3-C**  
**Government of the District of Columbia**

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

Minutes

November 27, 1978

- I. The meeting was called to order by Lindsley Williams at 8:05pm. All of the commissioners were present except Kopff, who arrived shortly.
- II. Verification of the posting of notices was ascertained.
- III. The minutes of September 18, 1978 were approved without correction. Phil Mendelson noted there were some technical discrepancies between the bylaws amendment as recorded in the minutes of September 25 and as reported in the Commission's letter to Council Chairman Sterling Tucker regarding this. Williams said the discrepancies, being minor, could be worked out later. The minutes of September 25, 1978 were then approved. The minutes of October 23, 1978 were approved without correction.
- IV. Grinnell gave the monthly treasurer's report.

$$\begin{array}{r} \$8,757.87 \text{ balance on hand at start of reporting period} \\ \underline{(124.18) \text{ expenses}} \\ 8,633.69 \text{ balance currently on hand} \end{array}$$

An allotment of \$6,687 is being withheld by the D.C. government; it appears that the Commission would have received more funding if its balance had been brought down to zero. A motion carried to adopt the treasurer's report.
- V. There were no election or bylaws business items to be considered.
- VI. Residents' concerns
  - A. McGrath announced that Citizens for City Living (CCL) has published a draft of its community plan. Copies were distributed. Comments are encouraged. It was moved and approved that the plan be received.
  - B. McLean Gardens: Representatives of the McLean Gardens Residents Association presented the details of their preliminary development plans for the site. Jack Koczela, Chairman of the group, introduced Bill McCulloch and Dan Kelleher, who are assisting the Association. All of the buildings except one boiler house and the school will be saved. Apartment units will be added to the basements. There will be two new--infill--buildings between the existing structures. On the vacant land fronting Wisconsin Avenue a 5 story building is contemplated between Rodman and Porter with condominium units. Two 7 story buildings are planned, facing Idaho Avenue. There will also be fee simple townhouses. The wall will be preserved, perhaps with several cuts being made. Prices will range from, roughly, \$36,000 for an efficiency in an existing building to \$230,000 for one of the townhouses. The Residents Association is heading towards the establishment of a cooperative but is not committed to that. It has also retained Multi-Family Housing Services in this regard. The Association plans to retain direct control over approximately 225 units.

Single Member District Commissioners, 1978-1979

01-Fred Pitts  
02-Ruth Haugen  
03-Bernie Arons  
04-Lindsley Williams  
05-Katherine Coram

ANC-3C Office  
2737 Devonshire Place, N. W.  
Washington, D. C. 20008  
232-2232

06-Kay McGrath  
07-Gary Kopff  
08-  
09-Louis Rothschild  
10-David Grinnell

Coram introduced a resolution supporting the Association and its plans. This led to further discussion. McGrath noted that the CCL plan calls for rental housing for the elderly in the Gardens. The Association said this would depend on government programs. Williams asked if the administration building would be saved and whether any accessory commercial use could be included. He also suggested that the resolution not exclude other proposals or developers that might come along. Kopff wanted to know what developers and alternatives the Association considered; the Association said other developers were either too vague or wanted substantially more development. Kopff also noted that while these plans were more residential and lower in density than past proposals they will not preserve the moderate rental housing talked about at previous meetings.

The resolution was amended to reflect some of this discussion. It was unanimously approved (Lou Rothschild abstaining). It is attached to these minutes.

C. Emergency Committee to Save Rental Housing: Arons introduced Joe Davis who asked the Commission to a) join the Committee, b) give funds, and c) support D.C. Council Bill 2-388. Any statements or publicity by the Committee would say that not all of the members necessarily support a position endorsed by the majority. Copies of the Bill were distributed and it was noted that among other requirements, it calls for ANC review of condominium conversions. A motion was duly made, and passed unanimously, granting \$100 to the Emergency Committee as a contribution but not accepting membership.

#### VII. Planning & Zoning Committee:

A. BZA case #12826 (Saudi Arabia Chancery) -- the Committee recommended approval with several conditions. Details of the Chancery proposal were presented by Wayne Quin. It was suggested that if the residential parking sticker program was applied, it might preserve on-street parking for Chancery visitors and thereby reduce the need to develop more on-site parking. Joel Garner (from ANC-3D and present) suggested the Commission might reference its earlier position before the Zoning Commission on the Diplomatic Zone. With these comments, the Commission voted unanimously to adopt the Committee's recommendation.

B. BZA case #12821 (Maret School) -- Sally Collier explained the details to the Commission. A blueprint was shown. No neighborhood opposition was known to exist. The Commission voted unanimously to support the application before the BZA.

C. Lindsley Williams announced that an application for a map amendment has been filed by the Iranian Embassy before the Zoning Commission. It would include the 2500 block of 30th Street in the Diplomatic Zone.

D. Zoning Commission case 78-12:-- Hugh Allen reported that the hearing has been continued until February 15th. The Commission discussed the case. Questions were raised about the proposed definition of "family." It was suggested that the proximity requirements be changed from 600 feet to maybe one per SMD. It was also suggested requirements be adopted so that there isn't a concentration of any one kind of facility in an area. The Commissioners agreed to put off further consideration until its January meeting. Williams asked Haugen if the Ward Inter-ANC Committee on Aging could meet on this issue.

E. The P & Z Committee drafted its recommendations in a report, a copy of which is attached to the file copy of these minutes.

## VIII. Other Business:

A. Polly Peacock presented a proposal for funding playground safety equipment at Phoebe Hearst School. Comments of the Commissioners were opposed to 100% funding. Questions were raised as to how many students would benefit in the 3-C area (as opposed to 3-F); what was accomplished with previous grants to 3-C schools (Eaton, Oyster, & Hearst); do other schools make funding proposals similar to this one. Grinnell objected to the passing on financial requests when they are received in the same night.

The Commission passed the following resolution in concept:

- 1) That this funding request be referred to Arons;
- 2) That a report be made regarding the Commission's earlier grants to Eaton, Oyster, & Hearst;
- 3) That at least \$300 be granted towards the \$1800 request; and
- 4) That other ANC's and resources should be approached for the requested money. (McGrath noted that the D.C. Dep't of Recreation might be able to fund this request out of the \$7000 it has reserved for the Hearst wall.)

B. Because comments are not due until mid-January, it was decided that action on the proposed soccer field for Glover-Archbold Park be deferred.

C. A letter dated today was distributed by Williams; it commends Chris Pellani for his work in connection with the Woodley Playground. The letter was approved.

D. A questionnaire has been received from Perpetual Savings & Loan. It concerns funding problems within the ANC area. Kopff took it to duplicate and make available. It will be sent after the next meeting.

E. Williams announced that information is available about the proposed bikeway from Sheridan Circle out Massachusetts Avenue. The proposal is from D.C. DOT.

F. Williams distributed copies of his Nov. 26th letter to Bob Stumberg of the Harrison Institute. The Commissioners, by consensus, approved this format as complying with the intent behind the recent bylaws amendment. The letter confirms activity by the Institute on behalf of the Commission.

There was no objection to the Institute assisting the Commission in its response to the pending application by the Embassy of Iran for a map change in zoning, pending Grinnell finding out the approximate cost first.

G. Deb Baker-Hall spoke to the Commission about her willingness to help with the newsletter. Kopff noted that funds have already been budgeted for this. Baker-Hall said she would like to work intensively and try to be done by December 18th. A motion was moved and approved to expend \$720, which will not necessarily be the total eventual cost, for this project. Further, a status report will be given on December 18th, along with any additional request for funds. Baker-Hall will be paid at the rate of \$8 per hour.

H. It was moved and approved to give \$25 to the Woodley Towers Employees Christmas fund.

IX. The meeting was adjourned at 11:20pm.

Attached to these minutes is a copy of the resolution adopted pertaining to McLean Gardens.

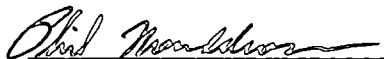
Attached to the file copy of these minutes are the following:

- ° 4 page handout on McLean Gardens preliminary development plan
- ° Draft resolution re. McLean Gardens
- ° ANC-3F memorandum and resolution re. D.C. Bill 2-388
- ° D.C. Bill 2-388
- ° Nov. 27, 1978 P & Z Committee Report
- ° Map of existing zoning at proposed site for Saudi Arabia Chancery
- ° 7 page handout on Maret School BZA application
- ° P & Z Committee agenda and attachments dated November 16th
- ° Funding proposal for Phoebe Hearst School playground
- ° Nov. 27th letter to Christopher Pellani
- ° Nov. 26th letter to Robert Stumberg
- ° Xerox of 11/23/78 *Post* article of Barry's Task Force leaders

Submitted to the Commission at the meeting, but not attached to the minutes are:

- ° A blueprint of the proposed Saudi Arabia Chancery
- ° Blueprints of the proposed Maret School addition

Respectfully Submitted  
for the Commission:

  
Phil Mendelson

Attested as approved & corrected:

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Katherine V. Coram  
Recording Secretary

**ADVISORY NEIGHBORHOOD COMMISSION 3-C**  
**Government of the District of Columbia**

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

November 27, 1978

Advisory Neighborhood Commission 3-C, having heard a presentation of the proposed redevelopment of McLean Gardens by the McLean Gardens Residents Association and International Properties--as outlined in the attached document "Proposed Site Plan and Information for the Development of McLean Gardens" (which is incorporated by reference herein)--resolves the following:

1. The Commission supports this project in concept and commends those who have found a solution to a longstanding community dilemma;
2. While supporting the concept of balanced development which this plan presents, the Commission regrets the loss of 500 units of low-to-moderate income housing;
3. In specific, the Commission supports the provisions of the proposal which call for:
  - \*Approximately 225 units to be purchased by the McLean Gardens Residents Association for its members and other moderate income citizens;
  - \*Conversion of the other existing apartment units to condominiums;
  - \*Construction of approximately 600 new apartments and townhouses;
4. The Commission urges the developers to consider the following additional features:
  - \*Retention of the Administration Building in some form;
  - \*Internal community shopping facilities;
5. The Commission approves the effort to seek an increase in density to up to an F.A.R. of 1.1 overall under the existing R-5A zoning, using the P.U.D. process;
6. The Commission urges the McLean Gardens Residents Association to continue to advise and work with other community groups as the project develops;
7. The Commission expects that the Association and International Properties will return to the Commission if there are substantive changes in the plan;
8. The Commission further resolves that this resolution of support, in concept, does not preclude the Commission's support of other plans, in concept, of the McLean Gardens Residents Association or others.

This resolution was passed by a vote of: 8 aye  
0 nay  
1 abstention  
(all Commissioners present & voting)

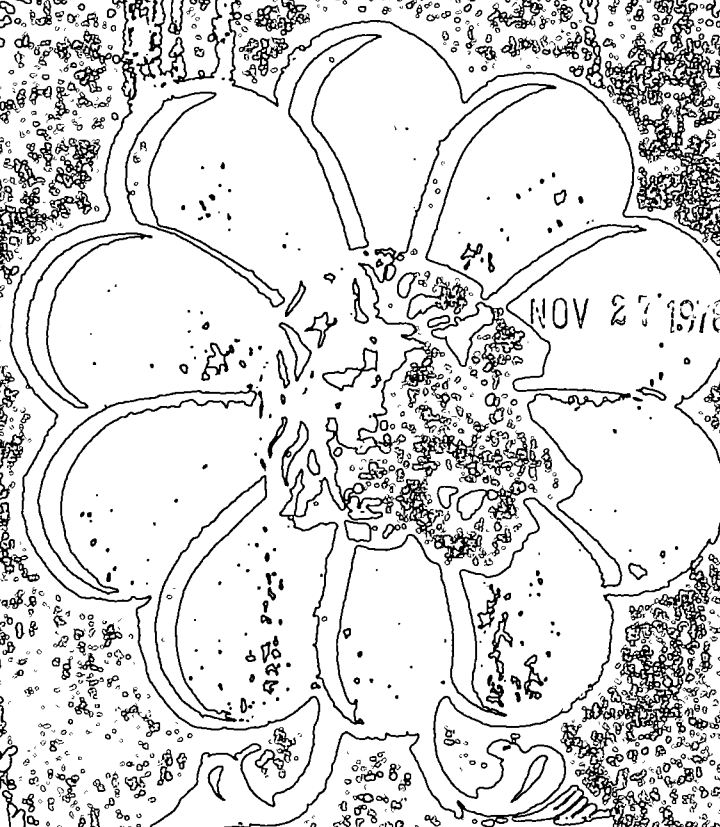
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# MCLEAN GARDENS



BASIC DATA

Location - West side of Wisconsin Avenue, Washington, D.C. between Newark and Rodman Streets. The center of the site is approximately half a mile from Washington Cathedral.

Lot Size - The lot area excluding roads amounts to a little over 33 acres of which 10 acres is unencumbered except for an administration building, the total acreage including roads amounts to approximately 43 acres.

Residential Units on the Site - 723 units exist in thirty-one 3 storey walk-up blocks. The lower ground floor is used for laundry and storage. The covered area amounts to 203,000 sq. ft. and total sq.ft. of gross residential use of 610,000 sq.ft.

Zoning - Zoned R-5-A with a floor area Ratio of 0.9. The D.C. Zoning office has indicated that a PUD with FAR of 1.3 can be supported for a suitable scheme, but this project has been developed on the basis of a FAR of 1.07.

FAR sq.ft. - Amounts to  $1.44 \times 1.07$  million sq.ft. i.e., 1.54 million sq.ft.

Marketable sq.ft. - Approximately .8 times FAR.sq.ft. is marketable i.e.,  $1.54 \times .8 = 1.23$  million sq.ft.

Proposed Improvements - Remodelling of thirty one existing blocks comprising of 723 efficiency, one bedroom, and two bedroom units; remodelling of an existing boiler house to provide 2 triplex units.

Construction of 140 additional units at the lower ground floor of the existing blocks.

Construction of 90 new two bedroom units as infilling (60 apartments and 30 duplex units) on the existing built-up area and 385 new units (including 102 town houses) on the 10 acre vacant lot fronting Wisconsin Avenue. If considered feasible, the existing administration block will be remodelled to provide restaurant facilities. 2/

Phasing

Phase 1 - (months 0 - 12) remodelling of 180 existing units and construction of 44 lower ground units for occupation by existing tenants.

Phase 2 - (months 12 - 36) remodelling of remaining 545 <sup>1/</sup> existing units, construction of 96 lower ground floor units, construction of 90 infilling units on the existing built-up area, and 200 surface and 22 below grade parking spaces.

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1/ Includes two triplex units from remodelled boiler house.

2/ Otherwise 6 additional townhouses will be built.

Phase 3 - (months 15 - 45) construction of 385 new units on the 10 acre vacant lot; underground parking provision for 218 cars, and surface provision for 200 cars.

Parking - A total of approximately 1,340 parking spaces will be provided. Already there exists 700 spaces on the existing streets and alleys; in addition to this 240 underground and 400 at grade spaces will be provided to give a total of 1,340 spaces or one space per residential unit.

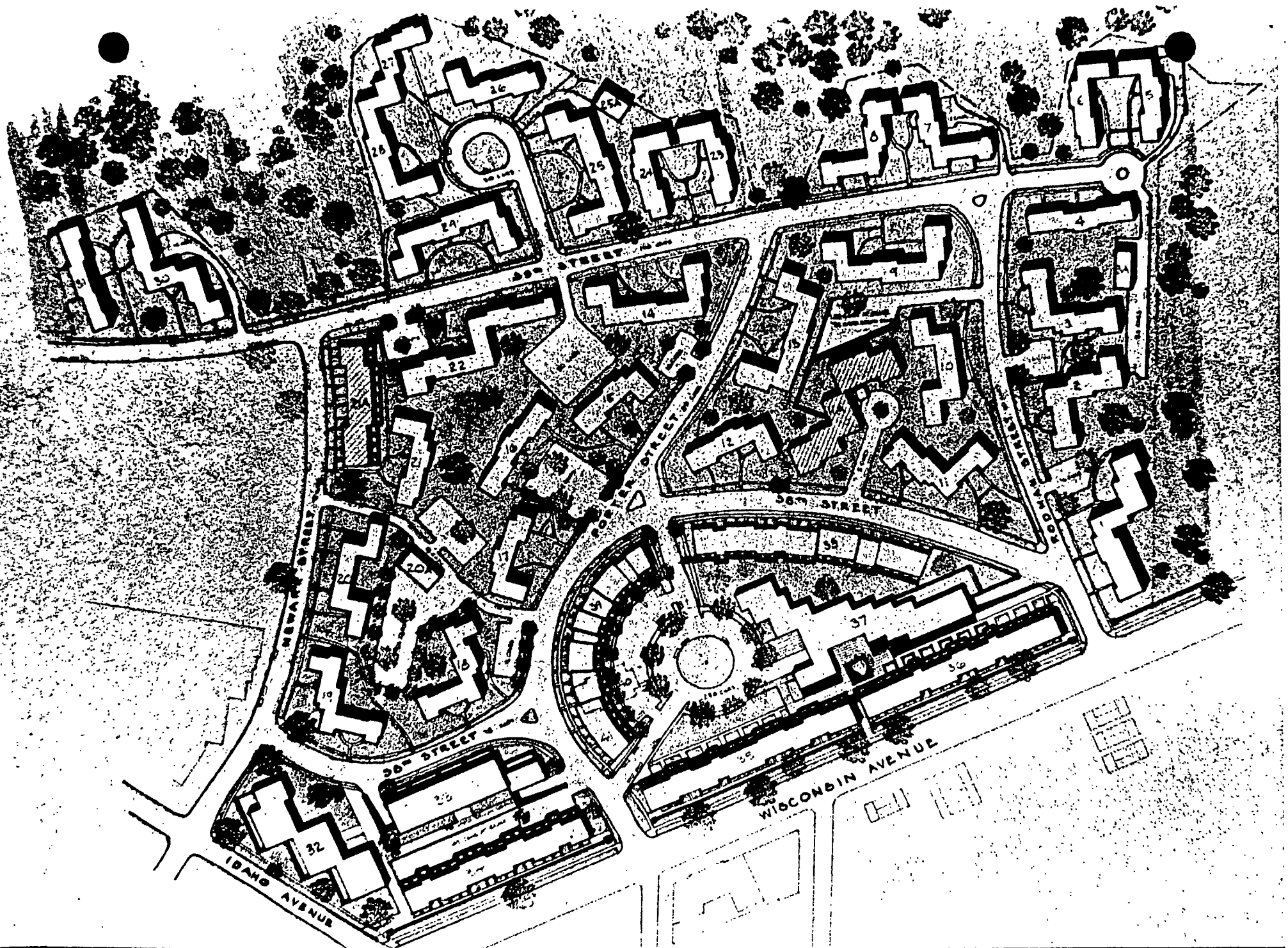
Building Area - Zoning regulations allow for 40% of building area i.e., 1.44 million x .40 or 476,000 sq.ft. leaving 373,000 sq.ft. of building area for new construction.

Structure - The existing buildings are 40 feet high and the infilling units will not exceed this. The new units fronting Wisconsin Avenue will not exceed 40 feet in height, except for two blocks which will be 60 feet high.

The structure for new units will be reinforced concrete columns and flat slabs with brick infilling panels. Roof finishes will match existing.

Security - Two of the new blocks will have a foyer with security staff and other blocks will be provided with phone, dial, lock/release systems.

Heating, A/C System - Individually controlled heat pumps will be provided.



# McLEAN GARDENS



**preliminary  
site plan**

NOV 27 1978

DRAFT RESOLUTION

Advisory Neighborhood Commission 3C, having heard a presentation of the proposed redevelopment of McLean Gardens by the McLean Gardens Residents Association and International Properties--as outlined in the attached document "Proposed Site Plan and Information for the Development of McLean Gardens"-- resolves the following:

1. The Commission supports this project in concept and commends those who have found a solution to a longstanding community dilemma;
2. While supporting the concept of balanced development which this plan presents, the Commission regrets the loss of 500 units of low-to-moderate income housing;
3. In specific, the Commission supports the provisions of the proposal which call for:
  - Approximately 225 units to be purchased by the McLean Gardens Residents Association for its members and other moderate income citizens;
  - Conversion of the other existing apartment units to condominiums;
  - Construction of approximately 600 new apartments and town-houses.
5. ~~4.~~ The Commission approves the effort to seek an increase in density to up to an F. A. R. of 1.1 overall under the existing R-5A zoning, using the P.U.D. process.
6. ~~5.~~ The Commission urges the McLean Gardens Residents Association to continue to advise and work with other community groups as the project develops.
7. ~~6.~~ The Commission expects that the Association and International Properties will return to the Commission if there are substantive changes in the plan.

4. The Commission urges the developers to consider the following additional features:

- 1) Retention of the Admin Bldg in some form
- 2) Internal community shopping facilities

8. The Commission further resolves that this resolution of support, in concept, does not preclude the Commission support of other plans, in concept, of the ASHRA or others.

Unanimous (1 abstention)

ANC 3F



# ADVISORY NEIGHBORHOOD COMMISSION North Cleveland Park and Forest Hills

TO: ANC 3F Commissioners

FROM: Cielle Block, Housing Committee Chairperson

RE: Bill 2-388

The housing committee of ANC 3F unanimously voted to endorse the passage of Bill 2-388. We strongly recommend that ANC 3F do the same and that ANC 3F urge the committee on Housing and Urban Development to promptly report it out of committee and encourage the City Council to act favorably upon it.

## Rationale for Support

1) This bill addresses the number one problem in our ward and particularly in our ANC. (Almost half of the conversions in Ward 3 have been in our ANC.)

2) It is a responsible approach endorsed by <sup>the Emergency Committee to Save Rental Housing which is supported</sup> over 50 groups to date, including other ANCs, Gray Panthers, Washington Metropolitan Planning and Housing Association, Glover Park Citizens Association, Chevy Chase Clergy, Temple Sinai Social Action Committee, Social Action Committee of the Archdiocese of Washington.

3) The bill represents a few simple but substantive amendments to remedy the most serious problems that have arisen under the current act.

4) It spells out appropriate channels for ANC input in an area where ANCs have long sought their proper role.

5) Its emphasis is on aiding the hardest hit of our constituents: the elderly and the handicapped.

6) It shows an understanding of landlord problems by offering tax incentives.

7) It affords tenants notification and due process in these crisis times.

8) This bill has gotten widespread support because of the crisis situation which must be addressed.

Please read the bill carefully and be prepared for a discussion and vote at our meeting on October 23.

ANC 3F



ADVISORY NEIGHBORHOOD COMMISSION  
North Cleveland Park and Forest Hills

RESOLUTION

(Introduced by Commissioner Cielle Block)

BE IT RESOLVED that:

ANC 3F endorses D.C. Council Bill 2-388; that we send a letter to the Housing and Urban Development Committee and to the Council of the District of Columbia, incorporating the ANC 3F Housing Committee's rationale for support, and urging that Bill 2-388 be promptly reported out of committee and positively acted upon by the City Council.

AND FURTHER BE IT RESOLVED that:

ANC 3F encourages other ANCs and citizens associations to take similar action.

Hilda Mason

## A BILL

2-388

In the Council of the District of Columbia

July 28, 1978

Councilmember Hilda Mason introduced the following bill which was referred to the Committee on Housing and Urban Development

To amend the "Condominium Act of 1976" (D.C. Law 1-89) and the "Rental Housing Act of 1977" (D.C. Law 2-54) and for other purposes

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Preservation of Rental Housing Act of 1978".

Sec. 2. Title V (Part A) of the "Condominium Act of 1976" (D.C. Law 1-89) is amended as follows:

(a) Sec. 501(b) of such law (D.C. Law 1-89) is amended by deleting in its entirety the existing language and inserting in lieu thereof the following:

"(1) When the vacancy rate in the District of Columbia for privately-owned rental housing accommodations is no greater than five percent, no rental housing accommodation shall be eligible for conversion to a condominium or cooperative unless a majority of the tenants agree in writing to such a conversion, If the vacancy rate is above five percent, the eligibility of the rental housing accommodation for conversion to a condominium

or cooperative shall not be dependent upon a vote of the tenants.

"(2) The Mayor shall conduct a survey of privately owned rental housing units in the District of Columbia at least once every twelve months, according to procedures established by him, which may include the use of scientific random samples, to determine the vacancy rate percentage. The preliminary vacancy rate percentage, based on such survey of all privately-owned rental housing accommodations, shall be computed and published by the Mayor in the District of Columbia Register. During the thirty (30) days immediately after publication, the Mayor shall conduct public hearings on that percentage, and based on the records of these hearings, he shall certify the final percentage. When certified, the percentage so certified by the Mayor shall be the vacancy rate for the purposes of this section until another percentage is computed and certified by the Mayor.

"(3) Except as otherwise provided in paragraph (1) of this subsection, no certificate of eligibility for conversion of a rental housing accommodation to a condominium or cooperative shall be issued until such time as an election by the tenants is conducted. Tenants shall be given thirty days written notice, which has been personally served, of the time and place of such election. Persons unable to attend the meeting shall have the option of sending sworn statements of agreement or disagreement which must be received not later than the time of the vote. The voting shall be supervised by the Department of Housing

and Community Development. The results of the vote shall be subject to an audit upon request of any of the affected parties."

(b) Sec. 502 of such act (D.C. Law 1-89) is amended by deleting in its entirety the existing language and inserting in lieu thereof the following:

"Sec. 502(a) As used in this section --

"(1) the term 'a handicapped or a disabled person' shall mean a person who has a medically determinable physical impairment (including blindness) which interferes with that person's ability to move about, to assist himself, or to engage in an occupation; and

"(2) the term 'senior citizen' shall mean a person aged sixty-five (65) years or older. .

"(b) Notwithstanding any other provision of this act no tenant who is a senior citizen or who is handicapped or disabled shall be evicted as a result of the conversion or proposed conversion of a rental housing accommodation to a condominium or cooperative; and

"(c) such tenant may remain as a tenant in such rental housing unit until death or until voluntarily vacating such rental unit at rentals authorized by the "Rental Housing Act of 1977" (D.C. Law 2-54) so long as he or she continues to pay the rent to which the landlord is entitled for such unit and abides by the provisions of the lease or rental agreement. When such tenant dies or vacates the rental unit, the unit may be sold as

a condominium or cooperative subject to the provisions of this act; and

"(d) when a senior citizen, a handicapped person, or a disabled person remains in a unit in a building which is being converted to a condominium or a cooperative housing accommodation as provided in this section, the declarant shall not be required to pay property taxes on those rental units so occupied during the period of the tenancy. When such tenancy is terminated, the declarant shall pay the accrued property taxes in their entirety. No penalty or interest shall be assessed to the declarant as a result of deferring such taxes; and

"(e) The provisions of this section shall apply to senior citizens, the handicapped or disabled regardless of income; and

"(f) In the renting of housing units, there shall be no discrimination against senior citizens, the handicapped or the disabled."

(c) Such act (D.C. Law 1-89) is amended by adding a new section 503 to read as follows:

"Sec. 503. Upon receipt of an application for registration of the conversion of a rental unit to a condominium, cooperative, or other use, the Mayor shall give a thirty (30) day written notification of the application to the appropriate local Advisory Neighborhood Commission for its review, comment, and recommendation. The Mayor shall give great weight to the issues and concerns

raised by the Advisory Neighborhood Commissions in the written rationale for the governmental decision which has been rendered."

(d) Such act (D.C. Law 1-89) is amended by adding a new Title VI to read as follows:

"Title VI Administration

"Sec. 601. The offices of the Department of Housing and Community Development and such agency or agencies as may administer this act shall allocate the necessary staff and resources to comply with the Mayor's responsibilities under this act.

"Sec. 602. When the Department of Housing and Community Development receives an application for converting a rental housing accommodation to a condominium or cooperative, it shall request all information pertaining to the rental accommodation from the appropriate District of Columbia government agencies, the declarant, and tenants as part of the review process. All District of Columbia government agencies shall comply with requests for information made by the Department of Housing and Community Development.

"Sec. 603. When the Department of Housing and Community Development receives an application for Certificates of Eligibility or Registration for Conversion of a rental housing accommodation to a condominium or cooperative, it shall notify all tenants in writing that they have the right to inspect and obtain copies of the application in the offices of the Department

and inspect a copy of the application on the premises of the housing accommodation. This notification shall include the address and room number of the Department of Housing and Community Development office and the apartment or room number in the housing accommodation where the application is maintained.

"Sec. 604. When a tenant believes that the requirements of Title IV and Title V (Part A) of the Condominium Act (D.C. Law 1-89) have not been met by the declarant, the tenant shall have the right to file a challenge with the Mayor. If requested by either party, the Mayor or his designee shall provide for a hearing at which both parties may present evidence. The Mayor or his designee shall issue a preliminary decision which shall be available to both the tenants and the declarant. The tenants and the declarant shall have ten days exclusive of Saturdays, Sundays, and holidays in which to file a reply including additional or clarifying information. The Mayor or his designee shall issue a final decision which includes findings of fact and conclusions of law and a statement of the reasons for accepting or rejecting the challenge or the tenant.

"Sec. 605. The final decision of the Mayor or his designee taken pursuant to Sec. 604 shall be considered an order or decision in a contested case for the purposes of section 11 of the District of Columbia Administrative Procedures Act (D.C. Code, sec. 1-1510). Pending the outcome of any appeal, there shall be a stay on conversion actions."

Sec. 3. The "Rental Housing Act of 1977" (D.C. Law 2-54) is amended as follows:

(a) Delete Sec. 208(c) of such law (D.C. Law 2-54) in its entirety and renumber accordingly; and

(b) Amend Sec. 501(b)(5)(D)(1) of such law (D.C. Law 2-54) by:

(1) deleting the word "substantially"; and

(2) deleting the semicolon which appears at the end of the clause and adding the following:

"PROVIDED that the vacancy rate in the District of Columbia for privately-owned rental housing accommodations as certified pursuant to the provisions of Sec. 501(b) of the 'Condominium Act of 1976' (D.C. Law 1-89) as amended is greater than seven percent."

Sec. 4. This act shall take effect at the end of the thirty (30) day period provided for the Congressional review of acts of the Council of the District of Columbia in Section 602(c)(1) of the District of Columbia Self-Governmental and Governmental Reorganization Act (87 Stat. 814; D.C. Code, sec. 1-147(c)(1)).



NOV 27 1978

ADVISORY-NEIGHBORHOOD COMMISSION 3-C  
Government of the District of Columbia

Cathedral Heights

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11/27/78

To: ANC 3C Commissioners  
From: Planning and Zoning Committee  
Re: Report

Items of Recommendation

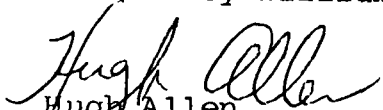
1-Proposed Chancery of the Royal Kingdom of Saudia Arabia at 2929 Massachusetts Ave.(Board of Zoning Adjustment Case # 12826).

Recommendation: Support the proposed use but (1)request that all employees of the chancery park on chancery grounds; (2)oppose any additional access route to the chancery such as curb cut; (3)request that chancery use not be transferred to other parties(See draft letter to Mr. Steven Sher and attached information from Harrisor Institute for Public Law).

2-Proposed amendment to D.C. Zoning Regulations to allow Community Based Residential Facilities(CBRF) in all residentially zoned districts(Zoning Commission Case # 78-12).

Recommendation: Support rehabilitative principle that sheltered living arrangements for persons who desire or require supervision or assistance within a protective environment should be community based. Object to certain aspects of zoning amendment and make several recommendations(See draft statement in support of Case 78-12 and attached background research from Harrison Institute for Public Law).

3-Application of Maret School, BZA Case # 12821(To be discussed by Lindsley Williams).

  
Hugh Allen  
Committee Chairman

Committee Members:

Rossalyn Doggett  
John Johnson  
Phil Mendelson  
Harry Montague  
Charles Szoradi  
Katherine Coram, Commissioner

Single Member District Commissioners, 1978-1979

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09-Louis Rothschild  
10-David Grinnell

# Planning & Zoning Committee of ANC 3C

Meeting: Thursday, Nov. 16

Library of St. Thomas Apostle Catholic Church  
8:00 p.m.

| NAME            | ADDRESS                                  | TEL.                  |
|-----------------|------------------------------------------|-----------------------|
| DAVID BRINNELL  | ANC 3C 10 - 2603-36th Pl.                | 333-8685              |
| ROSALYN DOGGETT | " " 2702 36th St                         | 965-1878              |
| STUART L. KNOOP | ANC-3C<br>2814 CATHOLIC AVE, NW          | 462-4077              |
| Hugh Allen      | ANC 3C P+Z                               | 244-8311              |
| JOHN P JOHNSON  | ANC 3C P+Z                               | 234-8032              |
| Achilles Koomar | Youth for Understanding                  | 462-4077              |
| Suzen Aramaki   | HARRISON INSTITUTE<br>605 G ST. NW       | 624-8235              |
| DEBORA Madson   | HARRISON INSTITUTE<br>2012 Myland Dr. NE | 529-5792              |
| Tina Williams   | HARRISON INSTITUTE<br>605 G ST. NW       | 624-8235 (H 410-8646) |
| Lindley William | 2704 Cortland                            | 234-4884              |

## Representatives on behalf of Saudi Arabian Chancery Proposal

Bam Condit - Architect

Wayne Goin (457-7836) Attorney

- Nancy Dutton - representing Fred Dutton, Attorney

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



November 21, 1978

CORRECTED NOTICE

APPLICATION NO. 12826

TO WHOM IT MAY CONCERN:

On November 3, 1978, the Board of Zoning Adjustment gave notice that the Application of the Royal Kingdom of Saudi Arabia to locate a chancery at 2929 Massachusetts Avenue, N.W. would be the subject of a public hearing on December 6, 1978 beginning at 2:00 P.M. Subsequent to the issuance of that notice, the Office of the Corporation Counsel advised the Board that this application, pursuant to the Zoning Regulations adopted by the Zoning Commission in Order No. 236, is not to be considered as a special exception, and will therefore not be governed by the provisions of Sub-section 8207.2. Consequently, the application will be considered as follows:

12826 Application of the Royal Kingdom of Saudi Arabia,  
ANC 3C pursuant to Section 4603 of the Zoning Regula-  
tions, for permission to use the premises as a  
chancery in the D/R-1-A District at the premises  
2929 Massachusetts Avenue, N.W., (Square 2198,  
Lot 14).

At the time of the public hearing, all interested persons will be given an opportunity to express their views. However, you may submit written views concerning this case.

If you desire any further information or clarification, you may call the Board of Zoning Adjustment on 727-6311 or come to Room 9-A, District Building, 14th and E Streets, N.W.

PLEASE USE THE APPLICATION NUMBER WHEN REFERRING TO THIS CASE.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Steven E. Sher".

STEVEN E. SHER  
Executive Director

SES/kjw

# Memorandum • Government of the District of Columbia

TO: Steven Sher,  
Executive Director  
Zoning Secretariat

Department, LCD:ELC:ts  
Agency, Office: Corporation Counsel

FROM: Robert E. McCally *REM*  
Deputy Corporation Counsel  
Legal Counsel Division

Date: November 17, 1978

SUBJECT: Chancery Applications of Bangladesh and Saudi Arabia

In connection with the above applications the question has been raised whether the provisions of sub-section 8207.2 of the Zoning Regulations, relating to special exceptions, are applicable to the applications. Section 8207 of the Zoning Regulations is applicable to a BZA case only as specifically provided in the Regulations. See, for example, sub-sections 3101.4, 4101.4 and 5101.4 thereof. There is no provision by which section 8207 is rendered applicable to the review process which is established in Sections 4603 and 4604. That review process is, in my view, different in a legally significant way from the special exception process. Because Section 8207 is not applicable, the authority of the BZA to deny a chancery application must be strictly confined to the standards of Section 4603.

I have been advised that it has heretofore been a regular practice to treat as special exceptions various BZA cases such as BZA review of chancery location in R-5-C and 5 districts and BZA review of PUD's. Such cases are not special exceptions. Because this precedent is not legally correct it should not be followed, but abandoned.

I recommend that the applicants and all parties to the above applications be advised that the applications will not be treated as special exceptions and that Section 8207 is not applicable. A correction to the published notice should be published.

REM

DRAFT

Steven Sher  
Executive Director  
District of Columbia Board of Zoning Adjustment  
District Building  
14th and E Streets  
Washington, D.C.

Dear Mr. Sher:

The purpose of this letter is to inform the Board of ANC 3C's position regarding the application of Saudi Arabia ~~for a special exception permitting~~ <sup>to establish</sup> ~~the establishment of~~ a chancery in the D/R-1-A district at 2929 Massachusetts Avenue, N.W. (Square 2148, Lot 14). We will formally present our concerns on this subject before the Board of Zoning Adjustment on December 6, 1978 at 2:00 P.M. However, we believe notice of our position in the form of this letter would aid the Board in its determination.

The government of Saudi Arabia is applying for a ~~special exception~~ <sup>permitted use</sup> pursuant to ~~subsection 8207.2~~ <sup>Sections 4603 & 4604</sup> of the Zoning Regulations. ~~Subsection 8207.2~~ authorizes the Board of Zoning Adjustment to grant special exceptions where such exceptions "will be in harmony with the general purpose and intent of the zoning regulations" and will not adversely affect the use of neighboring property.

*out* ~~The granting of a special exception for a chancery under section 8207.2 is subject to the special conditions specified in sections 4603 and 4604 of the Zoning Regulations.~~ Under subsection 4603.1 the Board is directed to determine after a public hearing that the proposed chancery "is not incompatible with the present and proposed development of the neighborhood." To make that determination the Board pursuant to subsection 4603.2 must make findings with respect to a number of issues. Subsections 4603.25 and 4603.28 address an issue which is of concern to us, specifically that sufficient off-street parking spaces be provided on chancery grounds

to insure that the granting of the exception for chancery use will not create the type of traffic problem addressed subsection 4603.28.

Thus, we strongly recommend that, in addition to requiring the maximum amount of off-street parking spaces required by subsection 4603.25, the Board obtain an assurance from the Ambassador that all employees of the chancery who drive will park on chancery grounds. The Board has the authority to impose such a condition under subsection 4604.3 which states that the Board may "require such reasonable conditions as it shall deem necessary to mitigate any adverse impacts identified in accordance with Sections 4603 and 4604." ANC 3C's support of the chancery is subject to such a condition.

The proposed plans for the chancery include the building of stairs on Rock Creek Drive. While we wish to remain neutral on the issue of the stairway which has been proposed, we would be strongly opposed to any additional access route in the form of a curb cut, as we believe this would lead to objectionable traffic conditions in the area.

ANC 3C has concluded that the characteristics of the proposed Saudi Arabian chancery are such that the chancery would not adversely affect the neighborhood as long as the above conditions are met. However, this may not be true with regard to other uses of the property, and for that reason, we request an assurance from the Board that the ~~special exception~~ <sup>permitted use</sup> will not be transferable to other parties for either a related or unrelated use. Subject to the above-mentioned conditions, we support the ~~granting~~ <sup>establishment</sup> ~~of the special exception permitting~~ <sup>of a chancery by</sup> the government of Saudi Arabia ~~to operate a chancery~~ at 2929 Massachusetts Ave.

Very truly yours,



THE ANNE BLAINE HARRISON  
INSTITUTE FOR PUBLIC LAW

GEORGETOWN UNIVERSITY LAW CENTER

605 G. ST., N.W. - SUITE 401

WASHINGTON, D.C. 20001

202-624-8235

November 22, 1978

Dean of the Law Center  
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Developmental Disabilities  
J. MICHAEL FARRELL  
Developmental Disabilities

Programs  
COMMUNITY LEGAL  
ASSISTANCE  
DEVELOPMENTAL  
DISABILITY LAW PROJECT  
LEGISLATIVE  
RESEARCH CENTER

Mr. Hugh Allen, Chairperson  
Planning and Zoning Committee, ANC 3C  
3834 Windom Place, N.W.  
Washington, D.C. 20016

Dear Hugh,

After Suzan Aramaki spoke with you yesterday, I informed her of the results of the research I had done in connection with the drafting of the letter for the Board of Zoning Adjustments. As you know, the government of Saudi Arabia applied for a special exception to establish a chancery under section 8207.2 of the zoning regulations. However, when the Zoning Commission amended section 8207.2 they did not include any diplomatic districts within the districts for which a special exception could be obtained for chanceries. R-1-A districts are also not included under section 8207. Thus it would appear that the Board does not have any jurisdiction to grant a special exception for a chancery in a D/R-1-A district.

Suzan phoned Steven Sher and asked him about this jurisdictional question. After Sher's office contacted corporation counsel, Sher informed Suzan that new notices would have to be sent out. It seems that they are going to try to avoid the jurisdiction issue by claiming that section 4603 allows them to grant a permit for a chancery in any D (diplomatic) district. This procedure is of questionable validity because section 4603 does not give jurisdiction to the Board. It only provides review standards once jurisdiction is obtained under section 8207.2.

We see three possible courses of action: (1) ignore the jurisdiction issue, (2) use this situation as leverage against the Saudi's in order to gain the concessions which we outlined in the letter to the Board, or (3) object to the granting of the special exception on jurisdictional grounds.

Letter/Mr. Allen  
November 22, 1978  
Page two

If the third alternative was pursued, the Saudi's may not be able to obtain permission to operate a chancery until after the Commission had proposed and passed new regulations granting jurisdiction to the Board to approve a special exception in a D/R-1-A district. This process would obviously take a considerable amount of time and may not be consistent with ANC 3C's position.

We are planning to be at ANC 3C's meeting on November 27th.

Let us know if you would like us to pursue this further.

Sincerely,

A handwritten signature in cursive script that reads "Tina Williams".

Tina Williams  
Legal Intern

TW/amb

September 14, 1978

ZONING TEXT AMENDMENT  
FOR  
CHANCERIES AND INTERNATIONAL AGENCIES

Z. C. CASE 77-45

The proposed amendment is, as follows:

I. Amend and add new definitions in Section 1202,  
as follows:

A. Delete the existing chancery definition and  
substitute the following:

Chancery: The site and any building or buildings therein containing offices of a Foreign Mission and used for diplomatic, legation or consular functions. The term chancery shall include a chancery-annex or the business offices of those attaches of a foreign government who are under the personal direction and superintendence of the chief of mission and who are engaged in diplomatic activities recognized as such by the Department of State, Federal Government. The term chancery shall not include the business offices of nondiplomatic missions of foreign governments, such as purchasing, financial, educational, or other missions of a comparable nondiplomatic nature.

B. Delete the existing embassy definition and  
substitute the following:

Embassy: The official residence of an ambassador or other chief of a diplomatic mission or that portion of a combined chancery/embassy devoted to use as such official residence.

- C. Insert a definition of an historic district, as follows:

Historic District: means an area, place, site, vicinity, or neighborhood, designated as such by the Joint Committee on Landmarks of the National Capital for inclusion in the District of Columbia Inventory of Historic Sites.

- D. Insert a definition of an historic landmark, as follows:

Historic Landmark: means a building, structure, site, place, monument, work of art or other similar object, designated as such by the Joint Committee on Landmarks of the National Capital for inclusion in the District of Columbia Inventory of Historic Sites.

- E. Insert a definition of an international agency, as follows:

International Agency: A public international agency which has been designated by Executive Order of the President as entitled to the privileges, exemptions, and immunities of the International Organization Immunities Act of 1945, as amended.

- II. Add a new Article 46, as follows:

## ARTICLE 46

### MIXED USE DIPLOMATIC DISTRICT (D) AND RELATED PROVISIONS FOR THE LOCATION OF CHANCERIES AND INTERNATIONAL AGENCIES

#### Section 4601 -- Preamble

This Article establishes regulations for the location of Chanceries and International Agencies, provides a review process to give special care to the protection of residential areas, and encourages the location of chanceries in commercial and mixed use Districts. The regulations are adopted in implementation of the Foreign Missions and Inter-

national Agencies Element of the Comprehensive Plan for the National Capital and other applicable provisions of law governing foreign missions and international agencies.

It provides that Chanceries may locate in medium-high and high density residential areas in commercial areas and in mixed use areas. It establishes a Mixed Use Diplomatic (D) District to be mapped in implementation of the Foreign Missions Element. It establishes standards for the review of locations of Chanceries in the (D) District and certain other specified Districts to assure that the Chancery is not incompatible with the present and proposed development of the neighborhood.

This Article also provides for the location of embassies in Districts where residences are permitted and for the location of international agencies in Districts where offices are permitted.

#### Section 4602 -- Mixed Use Diplomatic (D) District

4602.1 -- The Mixed Use Diplomatic (D) District shall be mapped at suitable locations in implementation and International Agencies of the Foreign Missions/Element. The mapping shall be in combination with any District mapped at such location and shall not be in lieu of such District. All uses, buildings and structures permitted in accordance with this Section and the appropriate Sections of the regulations for the District with which the mapped (D) District is combined shall be permitted in such combined Districts. All restrictions and prohibitions provided with respect to either of the Districts so combined shall also apply, except as specifically modified by this Article.<sup>1/</sup>

<sup>1/</sup> The D District is always mapped in combination with another District. The provisions of both Districts apply. For example, where a D District is mapped together with an R-5-B District, the regulations of the D District and the regulations of the R-5-B District in regard to height, bulk and density apply to any chancery use. Such a combined designation will show on the Zoning Map as D/R-5-B.

## Section 4603 -- Review Standards

4603.1 -- In areas mapped D, R-5-C, R-5-D, or SP, a Chancery is a permitted use, provided that the Board of Zoning Adjustment determines after a public hearing that the proposed Chancery is not incompatible with the present and proposed development of the neighborhood.<sup>2/</sup>

4603.2 -- In determining that the proposed chancery is not incompatible with the present and proposed development of the neighborhood, the Board of Zoning Adjustment must find that:

4603.21 -- The architectural design and the arrangement of all structures and of off-street parking spaces are in keeping with the character of the neighborhood.

4603.22 -- The height of the building does not exceed the maximum permitted in the applicable single or combined District in which it is located.

4603.23 -- The percent of lot occupancy does not exceed the maximum permitted and the minimum yard and court requirements are met in the applicable single or combined District in which it is located.

4603.24 -- The maximum FAR does not exceed the FAR prescribed for the applicable single District or the combined Districts in which it is located or an FAR of 1.5, whichever is greater.

4603.25 -- Except for Chanceries located in an R-5-C or R-5-D District, off-street parking spaces will be provided at a ratio of not less than one such space for every eight hundred (800) square feet of gross floor area devoted to chancery use.

<sup>2/</sup> For complementary use provisions and relevant development standards see:

R-5-C and R-5-D, 3105.4, 3201, 3301, 3302, 3303, 3304, 3305, 3306, and 3308;

SP, 4101.4, 4201, 4301, 4302, 4303, 4304, 4305, 4306, and 4307; and

4603.26 -- In an R-5-C District, off-street parking spaces will be provided at a ratio of not less than one such space for each twelve hundred (1,200) square feet of gross floor area devoted to Chancery use.

4603.27 -- In an R-5-D District off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand eight hundred (1,800) square feet of gross floor area devoted to Chancery use.

4603.28 -- The use will not create dangerous or other objectionable traffic conditions.

#### Section 4604 -- Process

4604.1 -- The Board of Zoning Adjustment shall refer the application and site plan to the District of Columbia Municipal Planning Office (MPO) for coordination, review and report, said report to include any recommendations with respect to the application and site plan of other District departments and agencies including the Departments of Transportation, Environmental Services, and Housing and Community Development. Comment also shall be requested of the U. S. Department of State, the National Capital Planning Commission, and in areas of its jurisdiction, the U. S. Commission of Fine Arts.

4604.2 -- When the chancery is to be located in a designated historic district or historic landmark, the application shall be referred to the Historic Preservation Officer of the District of Columbia for a report on the impact of the proposed chancery on said district or landmark. To facilitate this review the applicant shall, at the request of the Historic Preservation Officer, submit exterior elevations of all buildings, and structures showing any proposed extension, alterations or additions. When mutually agreed, the Board of Zoning Adjustment shall have authority to arrange concurrent hearings with the Historic Preservation Officer.

4604.3 -- In making its determination that the proposed chancery is not incompatible with the present and proposed development of the neighborhood, the Board of Zoning Adjustment may require such special treatment and impose such reasonable conditions as it shall deem necessary to mitigate any adverse impacts identified in accordance with Sections 4603 and 4604. Such conditions may include but are not limited to the location of structures and facilities, off-street parking apaces, loading berths, curb cuts, and requirements for screening, noise control and the protection of historic districts and historic landmarks.

Section 4605 -- Chanceries in Other Districts

4605.1 -- In a W, CR, C-2-B, C-3, C-4 or C-5 District a chancery use shall be established in accordance with the height, yard, court, lot occupancy, floor area ratio, parking space and loading berth requirements of the District in which it is proposed to be located.<sup>3/</sup>

4605.2 -- Chancery uses existing on SEP 1978 (effective date of this amendment) may expand where located or be replaced by other chancery uses in accordance with this Article, provided that in any R-1-A, R-1-B, R-2, R-3, R-4, R-5-A, R-5-B, C-1, C-2-A or SP District any additions to the buildings or structures used as a chancery are approved in accordance with the provisions of Sections 4603 and 4604.<sup>4/</sup>

<sup>3/</sup> For complementary use provisions and relevant development standards see:

W, 4402, 4403, 4404, 4405, 4406, and 4407;  
CR, 4502, 4503, 4504, 4505, 4506, and 4507; and  
C-2-B, C-3, C-4, and C-5, 5102, 5201, 5301, 5302, 5303, 5304, 5305, 5306, and 5307.

<sup>4/</sup> For complementary use provisions and relevant development standards see:

R-1-A, R-1-B, R-2, R-3, R-4, R-5-A, and R-5-B,  
3101, 3201, 3301, 3302, 3302, 3304, 3305, 3306,  
and 3307; and

C-1 and C-2-A, 5101.3, 5102, 5201, 5301, 5302, 5303, 5304, 5305 and 5306.

Draft Statement in support of Zoning Case Case # 78-12 before the Zoning Commission November 27, 1978.

The Zoning Commission Case No. 78-12 proposes amendments to the Zoning Regulations to permit and encourage community based residential facilities (CBRF) in residentially zoned districts. We support the rehabilitative principle that sheltered living arrangements for persons who desire or require supervision or assistance within a protective environment should be community based.

We do, however, object to certain aspects of the amendment and we are making several recommendations.

- I. No CBRF should be permitted in any residential area as a matter of right. There should first be a public hearing before the Board of Zoning Adjustment regarding the proposed facility, its use and the potential impact in an area. This requirement is similar to the procedure for proposed chanceries in certain designated areas of the city.
- II. The definition of "family" should not be revised or if it is, then this definition should only be applied to CBRFs. As presently revised and placed in the amendment it would also increase the size of groups (8 unrelated persons) that may rent large homes. We oppose such arrangements. Generally, these groups have approximately one car per person which creates a parking space shortage in the immediate area, traffic congestion and it introduces a transient, non-stabilizing element into a community.
- III. There must be a recurring review procedure to evaluate the CBRF's performance in the community and its compliance with the criteria for use of the facility.
- IV. Only CBRFs that have established and officially approved license standards should be permitted in residentially zoned districts. For example, halfway houses for former drug addicts or adult offenders do not have licensing standards, but nursing homes do. Performance evaluations and compliance reviews can be successfully carried out only with CBRFs that have license standards.
- V. When title of the property transfers (for example, the property is sold), the CBRF should not automatically transfer without review and public hearing. Furthermore, an approved use for a facility (for example, a mentally retarded residence) should not be allowed to switch to another use (for example, a handicapped persons residence) without a public hearing or some procedure to review the proposed use change.
- VI. Parking schedules (impact and use) should be specific for different kinds of CBRFs.
- VII. In the Commission's Findings of Fact, there should be information stating what the District of Columbia's overall need is for CBRFs, what percentage each Ward should take and what percentage of the CBRF's population may be non-D.C. residents.

Hugh Allen  
Chairman, ANC 3C planning and Zoning Committee

VIII. The proposed rule establishes a 600' rule (300' in some cases) with respect to CBRFs. The probable intent of this is to make sure that the number of CBRFs in any given area is not excessive. While that objective is laudable, the specific mechanism leaves much to be desired, particularly in areas characterized by large lots. Alternative mechanisms or ones that could be used in conjunction with a footage test need to be explored. Two such mechanisms might be (1) only one CBRF per blockface, and (2) only one CBRF per "square" ("square" is what laymen call block).

IX. With respect to long term care facilities in R-4 districts, the proposed rule would limit to 16 beds as a matter of right, up to 30 with BZA approval. While this appears reasonable on its face, sheer economics make these criteria of dubious value. To have any facility that has any kind of active (i.e. expensive) medical care or services means that one must, if keeping costs reasonable is any concern, be able to spread these costs over a rather large number of beds. Current zoning regulations appear to allow a facility of any size as a matter of right (they also allow hospitals as a matter of right). Perhaps this section of the regulations should not be changed at all; more probably, the regulations should be revised to require BZA approval, along the lines of chanceries, to safeguard residential areas from adverse impact of both large CBRFs and hospitals. (See letter of 11/20/78 of Stuart L. Knoop to Executive Secretary, Zoning Commission.)

Over and above all the foregoing, we are surprised that the proposed rule change provides no indication of why it is needed. There is no overall rationale, no statement of need (how many CBRF "beds" does this city need in total? How many are there now? Where are these located?). This is, in our view, a serious omission and one that should be remedied at the earliest possible moment.



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE ON AGING  
WASHINGTON, D. C. 20005

COMMISSION ON AGING

November 20, 1978

Executive Secretary  
Zoning Commission  
Room 11 District Building  
14th and E Streets, N.W.  
Washington, D. C. 20004

Re: Case 78-12

Dear Sir:

I am writing as a member of the D. C. Commission on Aging, Chairman of its Committee on Long Term Care, and as a concerned citizen, to comment on one aspect of the proposed amendments in the subject Case.

The proposed amendments to Section 3104, specifically the deletion of 3104.38 and 3104.47 with the substitute language, would restrict the construction of new long-term care facilities (and expansion or conversion of existing facilities) in the R-4 zone, to 16 beds or 30 by B2A action.

Since intermediate and skilled nursing facilities require costly support services ranging from medical and therapeutic to dietary and administration of medical records, it is prohibitively uneconomical to provide quality care in facilities as small as 30. In fact, this was long ago recognized by the policies of the D. C. State Plan for Construction and Modernization of Hospitals, Public Health Centers and Medical Facilities which required that any free-standing long-term care facility contain a minimum of 100 beds. ..

Amendments to the D. C. Health Regulations (74-15) impose service, staffing and physical construction standards which must be amortized by income from greater numbers of beds, not fewer.

The effect of the proposed amendment would be to prohibit long-term care facilities in the R-4 district where they are now permitted, and thereby to force badly needed new beds into zones where the commercial attractiveness of higher densities and more permitted uses results in greater demand for land which inevitably results in higher land costs. This simply adds to the already high costs of long-term care. Further,

Executive Secretary  
Zoning Commission

-2-

November 20, 1978

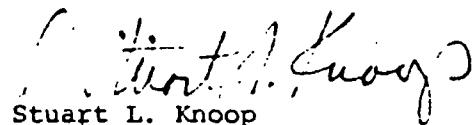
it potentially removes such institutions, which can provide outpatient services, day care centers and home health care outreach, further from those people who live in residential districts other than R-5, and effectively limits accessibility to facilities which should be community-based.

I see no advantage to the City in this change to the regulations, although there may be some residents of R-4 districts who believe a long-term care facility is somehow objectionable due either to the scale of the structure or potential traffic. But the regulations would still permit an acute-care hospital of any size, and such an institution draws much greater traffic than a free-standing "nursing home" would, in terms of visitors, higher staff-to-patient ratios and greater volume of service traffic.

Further, the scale of any building in the R-4 district, that is, height, bulk and relationship to land is controlled already by the regulations.

I believe the proposed amendment is a dis-service to the elderly and handicapped of the city at a time when it is widely and officially recognized that there is a pressing need for more community-oriented and accessible long-term care beds and services in the City. I would urge, therefore, that the regulations not be amended to alter the existing permission to locate a long term care facility in the R-4 district as a matter of right without restriction as to number of patients.

Sincerely,



Stuart L. Knoop  
Chairman, Long Term Care Committee  
D. C. Commission on Aging

SLK:mo

cc: Mayor Walter Washington  
Council Member Polly Shackleton  
Mayor-Elect Marion Barry



THE ANNE BLAINE HARRISON  
INSTITUTE FOR PUBLIC LAW

GEORGETOWN UNIVERSITY LAW CENTER  
605 G ST., N.W. - SUITE 401  
WASHINGTON, D.C. 20001  
202-624-8235

November 22, 1978

M E M O R A N D U M

Dean of the Law Center  
DAVID J. MCCARTHY

Associate Dean for  
Clinical Programs  
JOHN R. KRAMER

Director  
JASON J. NEWMAN

Deputy Director  
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DEVELOPMENTAL  
DISABILITY LAW PROJECT  
LEGISLATIVE  
RESEARCH CENTER

TO : Mr. Hugh Allen  
Chairperson of the Zoning Committee for  
ANC 3C

FROM : Tina Williams  
Legal Intern

RE : The proposed amendment to the definition of  
"family" in the Zoning Regulations

The Zoning Commission has proposed amendments to the present Zoning Regulations relating to the definition and location of community based residential facilities. The purpose of the proposed changes is to allow the location of community based facilities in all residentially zoned districts subject to size and geographic location standards designed to insure compatibility with the surroundings. One of the proposed changes is a revision of the definition of "family". Eight instead of six unrelated individuals, including foster children and house parents (the latter is a new category), would constitute a family if they lived together as a single housekeeping unit and used certain rooms and housekeeping facilities in common.

We have reviewed how this new definition of family affects the present zoning regulations. Because it amends the present §1202 definition of family, the amended definition will apply throughout the regulations. Subsection 1201.1 states that "for the purpose of these regulations, certain terms and words are defined in this Article. . . Throughout these regulations the words printed in italics in the text are those for which definitions are given." Thus the amended definition of family will apply throughout the regulations.

The following is a list of sections in the regulations where family is used.

Section 2101.11 - Residence Districts

- R-1 One-family detached dwellings
- R-2 One-family semi-detached dwellings

Both of these residence districts are affected by the change in definition. From now on 8 rather than 6 unrelated persons will be able to reside in a detached or semi-detached dwelling in these districts.

Section 3101.31

One-family detached dwellings are a permissible use in an R-1 district. Thus 8 unrelated persons may live in this district in a single dwelling unit.

Section 3101.41

In an R-1 district, subject to certain provisions, passenger auto parking spaces elsewhere than on the same lot or part thereof on which the main use is permitted, except for a one-family dwelling. (Here family is 8 unrelated persons).

Section 3102: R-2 Districts:

8 unrelated persons would be able to live in this district in either one-family semi-detached dwellings or in one-family detached dwellings.

- 5 -

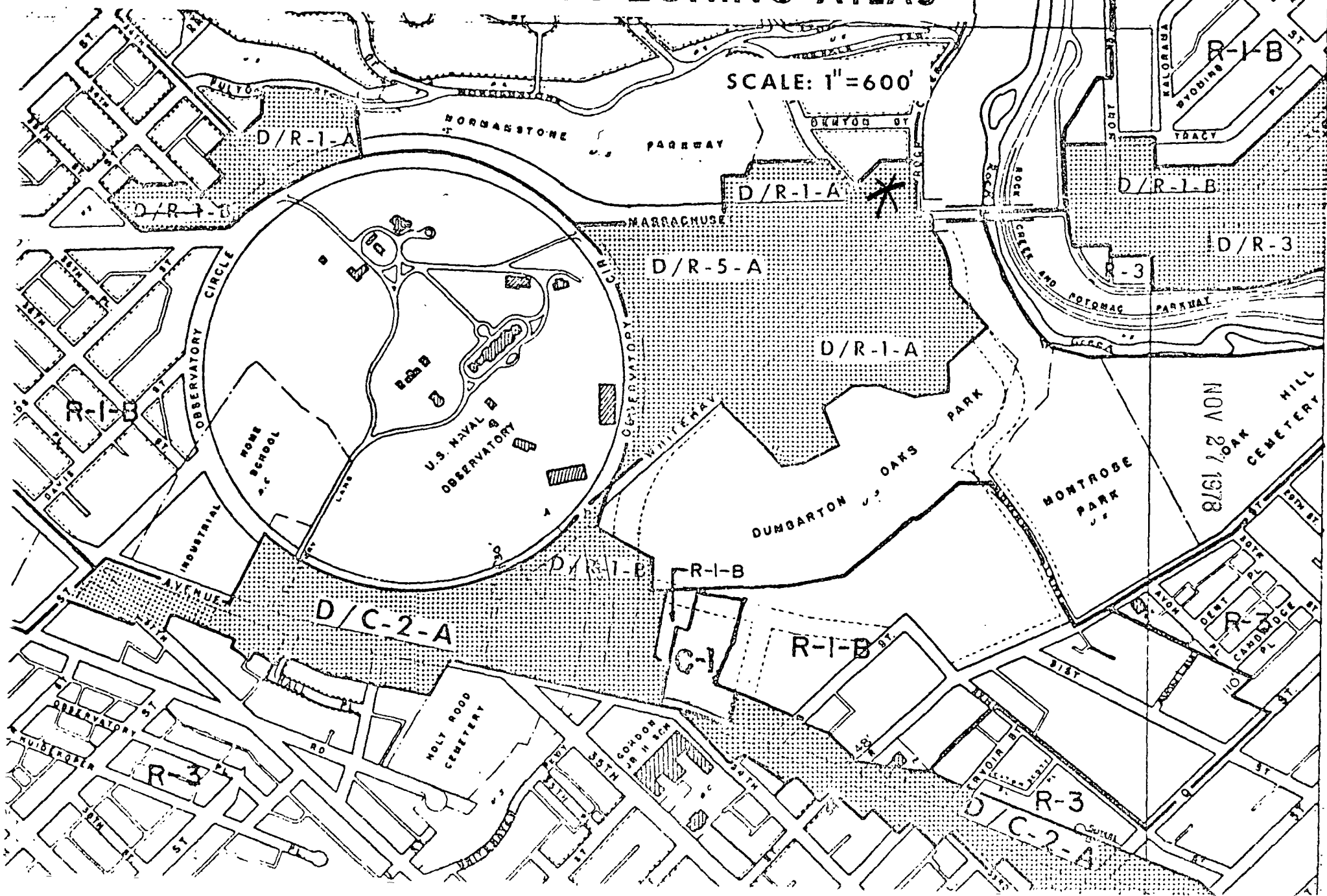
To summarize, the amendment of the definition of family will allow up to eight unrelated individuals to reside together in a single-family dwelling unit in all the districts which presently allow single-family dwellings. Thus the change which was intended to allow the location of community based facilities in all residentially zoned districts accomplishes that objective in situations where such a facility includes no more than eight persons. However, the change in the definition could be attacked as being overly broad. In addition to allowing community based facilities it allows any group of eight persons to live together for whatever purpose they choose. This increase from six to eight persons, while commendable in regard to community based facilities, may lead to abuse by unrelated individuals seeking a less expensive lifestyle. This could lead to increased traffic problems in already congested residential areas due to the fact that eight adults would be more likely to own more automobiles than a single-family or persons involved with a community based facility. Since under the regulations dealing with parking, only one off-street space is required for a single-family dwelling, this would mean that the rest of the household would have to find on-street parking. Thus the proposed change could lead to an adverse impact on the quality of residential neighborhoods.

The purpose of the amendments can be accomplished by limiting the application of the amended definition of family

to community based facilities while retaining the present definition of family (six or less unrelated individuals) for all other situations.

# PART A OF SHEET 7 OF THE ZONING ATLAS

SCALE: 1"=600'



NOV 27 1978

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



November 9, 1978

Kay C. McGrath, Chairperson  
Advisory Neighborhood Commission 3C  
Woodley Park Towers  
2737 Devonshire Place, N. W.  
Washington, D. C. 20008

Dear Ms. McGrath :

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following application located within the boundaries of your ANC:

12821      Application of Maret School, Inc., pursuant to Sub-section  
ANC 3C      8207.2 of the Zoning Regulations, for a special exception  
                 under Paragraph 3101.42 for permission to construct an  
                 art room and auditorium addition to the Maret School in  
                 the R-1-B and R-3 Districts at the premises 3000  
                 Cathedral Avenue, N.W., (Square 2113, Lot 843).

This hearing will be held on Wed. Dec. 13, 1978, in Room 11-A of the District Building, 14th & "E" Streets, N. W. Cases in this area are scheduled to be heard between 9:00 a.m. and 1:00 p.m. The formal notice of public hearing will appear in the D C Register.

The Municipal Planning Office reviews many of the applications before the Board, to assist the Board in reaching a decision. To find out if the MPO is reviewing this application, or to communicate your views to the MPO regarding this application at this time, contact Mr. Kenneth T. Hammond, Director, Zoning Division, MPO, Suite 600, Munsey Building, 1329 "E" Street, N. W. If you wish further information on the technical aspects of the application or on the procedures which will govern consideration of this case, contact Mr. Hammond (629-5706) or the Zoning Secretariat, Room 9-A, District Building, Washington, D. C., 20004, telephone number 629-4426.

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board at Room 9-A, District Building, Washington, D. C., 20004.

Very truly yours,

STEVEN E. SHER  
Executive Director

# The Maret School

3000 Cathedral Avenue, N.W.

Washington, D.C. 20008

(202) 483-5710



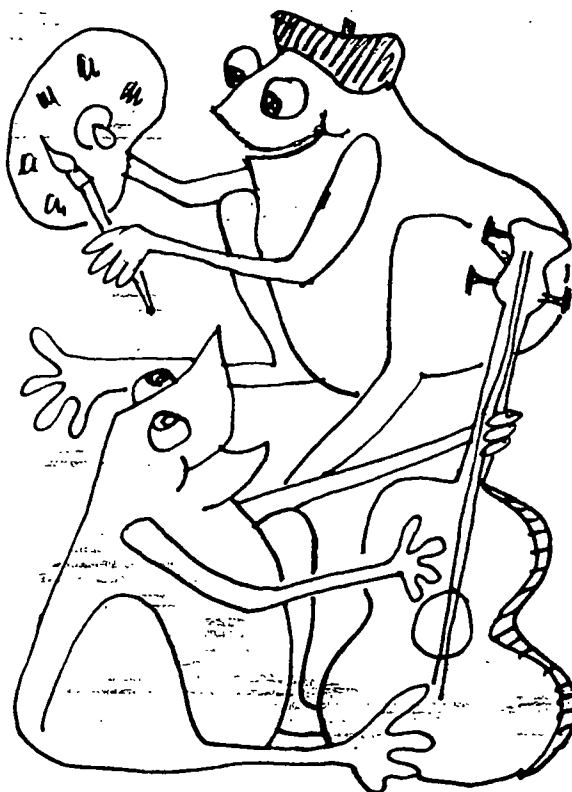
## MARET DEVELOPMENT FUND

The Maret School, founded in 1911 and relocated on the Woodley Estate in 1954, announces the Maret Development Fund. Alumni, past and present parents, friends and faculty are being asked to join the Fund in an ongoing quest for support of the school's programs.

## MARET 1978

Over the past years, Maret has emerged as a leader among the private schools in the Washington, D.C. area. We have become known for requiring academic excellence while respecting individual capabilities and interests. As a result, the number of applicants has increased, while attrition has declined sharply. We have reached our enrollment capacity of 400 students.

Unfortunately, our existing teaching facilities are occupied over 90% of the time. This is a serious problem since effective teaching, tutorials, parent conferences, counseling, small discussions and rehearsals are restricted and hampered by the tightness of our scheduling. We need more space and we need it now.



## BUILDING CAMPAIGN 1978-79

The Maret Development Fund will be used for the building of a floor and a half on top of the "new building," an expansion planned by the architects but insufficiently financed in 1968 during the initial construction of the building.

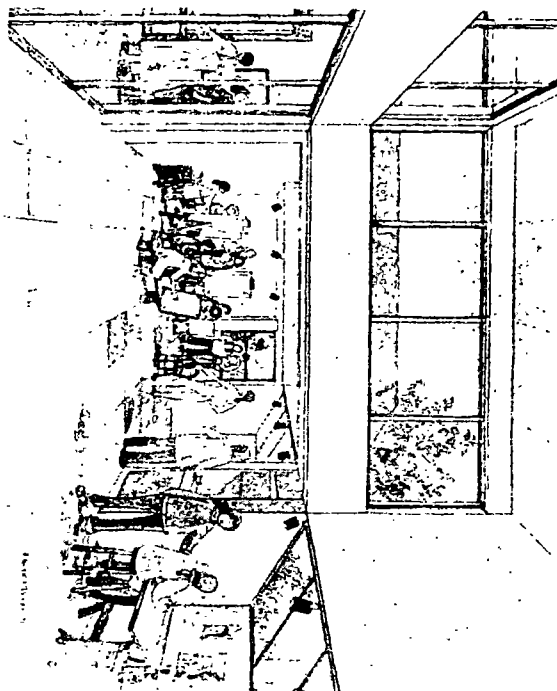
This addition, according to a Board feasibility study, will give us the required and absolutely necessary 10,000 square feet.

The proposed addition will effectually provide 25% more classrooms, an improvement which will benefit math, science, language and humanities, and will accomplish the following direct departmental gains:

- 10% increase in useable gymnasium space
- 20% increase in library space
- 100% increase in drama rehearsal space
- 200% increase in music space
- sound-proof music practice rooms, art rooms with sky-lights, lower school classrooms, teacher offices
- all-purpose lecture hall for drama, music, classes, meetings, special theatre productions, parent-lecture series, student council meetings, independent school conferences, in-house artistic performances

The proposed addition will cost \$700,000. Construction will begin in April 1979, and the addition will be completed and ready for use by February 1980.

ART STUDIO



MULTI-PURPOSE AUDITORIUM



## MARET DEVELOPMENT FUND

This addition does not imply an expansion of the school population. With 400 students and 50-plus faculty, we are at maximum size for maintaining the kind of attention to students that sets Maret apart from other schools. The building program will bring our facilities abreast of the standard of excellence already achieved in other areas. To help maintain these standards of excellence, we need your participation in the Maret Development Fund.

Through pledges we plan to raise half, \$350,000, of the total cost. We will ask each of Maret's 350 families to make three-year pledges towards our goal. Alumni, past parents, friends and faculty also will be solicited to contribute towards this goal.

### PLEDGE CATEGORIES

may be paid over a three year period

|              |                            |
|--------------|----------------------------|
| up to \$ 750 | Contributor (\$250 a year) |
| 1,000        | Friend                     |
| 2,500        | Donor                      |
| 5,000        | Patron                     |
| 10,000       | Benefactor                 |



## STATISTICS OF GROWTH 1973-1978

In the past five years Maret has become one of the outstanding area schools. We have developed an excellent faculty and curriculum, top college admissions, and an active and dedicated parent body, while maintaining our commitment to serve a diverse student body in imaginative and supportive ways. This can be expressed by the following statistics:

|                  | 1974 | 1975 | 1976 | 1977 | 1978 |
|------------------|------|------|------|------|------|
| enrollment       | 246  | 286  | 318  | 388  | 400  |
| new applications | 112  | 224  | 294  | 341  | 420  |
| % of attrition   | 50   | 21.8 | 23.7 | 18.4 | 11.5 |

Recent Maret graduates have been accepted by the following institutions, among others: Chicago, Duke, Williams, Bennington, Middlebury, Harvard, Stanford, Georgia Tech, Yale, Columbia, Bucknell, Catholic, Georgetown, Tulane, Mt. Holyoke, University of Virginia, St. John's College, Antioch, Smith, Tufts, Maryland, Rollins, Occidental, Oberlin, Mercer, Howard, Colby, Brown, University of New Zealand, Michigan, Bowdoin and the University of Pennsylvania.



**The Maret School**

3000 Cathedral Avenue, N.W.

Washington, D.C. 20008

(202) 483-5710

BUILDING CAMPAIGN FACTS -- 1978

1. What is the proposal?

- a. To add 10,000 square feet of space to the "New Building." This will complete the third floor, and will add a fourth floor.

2. For what will the 10,000 square feet of space be used?

- a. Specifically, two art rooms with skylights, two new classrooms, a music rehearsal room, two music practice rooms, and an all-purpose room that seats 108 people and will be used for rehearsals, classes, meetings, special theatre productions, parent-lecture series, student council meetings, independent school subject conferences, and small in-house artistic performances.
- b. Generally, to make classroom space available 30% of the time, instead of the less than 8% they are now free. This will enable teachers to have offices, permanent classrooms, and space which is free from the sound of music and other barriers to effective teaching. It will also allow the kind of ad hoc counseling, tutoring and guidance to take place quickly and quietly without teachers and students having to wait for or to search for appropriate space.

3. Why was this site chosen?

- a. The original design of the building anticipated the addition of the proposed floor and a half. Therefore, the supports for the addition exist, as do the heating and lighting basic equipment which need only to be completed.
- b. We do not want to give up any of the grounds for a separate building. The athletic field is occupied most of the day, and always after school; a certain number of parking spaces is essential; the front, beautiful lawn cannot be touched without great harm to the dignity of the campus.
- c. The 10,000 square feet provide what we need for overflow of specialty programs (art, drama, music) and frees the classrooms for other uses. Therefore, all disciplines profit. It also adds two new classrooms.

4. Why art, music and drama?

- a. They have special needs for sound-proofing, skylights, seating, quiet, lighting, and instrument storage that would be more expensive to remodel in existing space than to build from the beginning.
- b. The needs of the other departments will be met when former art and music space becomes available for academic classes. Music will not be rehearsing next door, rooms will not be taken over by another department during "free" periods, and teachers will be able to remain in their rooms so students can find them for consultations, counseling, tutoring and other matters.

5. What else will be expanded?

- a. Nothing. The proposed construction will enable the student population to remain at 400.

6. How is the campaign being structured?
  - a. Michael Sonnenreich is heading up the Special Gifts Campaign in which 15 volunteers are soliciting large gifts from another 60 of our parents.
  - b. Clem Alpert is heading up the General Gifts Campaign in which 50 parent volunteers are soliciting general gifts from the parent body at large. These 50 volunteers have been organized by 26 class leaders who were chosen by three division leaders: Connie Durnan for K-4, Kathleen Kenety for 5-8, and Rosemary Monagan for 9-12.
  - c. The Steering Committee is comprised of Mr. Sturtevant, Mr. Sonnenreich, Dr. Alpert, Sally Collier who is the school's coordinator for the campaign, Jeanne Preston who is in charge of publicity and literature, Joan Thomas who is President of the Parents' Association, and Lenore Ehrig and Don Calomiris who are President and Vice-President of the Board of Trustees.
7. What is the total cost of the proposed addition, and how is this being financed?
  - a. The total cost is \$700,000. We have an accomodation loan for construction from Union First and a take-out loan from Perpetual both for \$600,000, the latter payable over 25 years. The loans are pegged at prime plus a point.
  - b. Half of the total cost is being mortgaged. \$230,000 is being sought from the General Gifts Campaign, and \$120,000 is being sought from the Special Gifts Campaign.
  - c. There are approximately 335 families at Maret. The average amount per family being sought is \$250 a year for three years, or \$750. Some scholarship families will not be able to pledge this amount. Many, of course, will be able to pledge more.
8. Are the gifts tax-deductible?
  - a. Yes. Maret is a non-profit institution.
9. Are there naming gifts available?
  - a. Yes. \$1500 will pay for a seat in the all-purpose room. These gifts will be solicited in the General Gifts Campaign.
  - b. A gift of over \$50,000 will name the all-purpose room. Gifts of \$35,000 will name one of the two art rooms or the music rehearsal room. \$20,000 will name one of the two classrooms, and \$6000 will name one of the two music practice rooms.
10. When will the campaign end, and when will construction begin and end?
  - a. The initial phase of the campaign will be completed by January 1979. Construction will begin in April 1979 and is scheduled to be finished by February 1980.
11. Will it hurt the school to take on such a large mortgage?
  - a. No. Over \$400,000 in debts have been paid since 1974 when Peter Sturtevant took the headmaster's job. The new mortgage is payable over 25 years.

12. If people do not want to make a contribution to a building program, but are willing to contribute to some other aspect of the school, is this allowed?
  - a. Absolutely.
13. What happens if the goal is not reached?
  - a. There are various options open should such an eventuality occur.
14. What is the history of and what will happen to the Annual Giving during these three years?
  - a. During the last three years with only a letter and a follow-up call, the Annual Giving increased from \$10,000 to \$25,000 to nearly \$35,000. About 45% of the parents participated in this.
  - b. The Annual Giving program will be suspended for the next three years.
15. Will tuition go up during the next three years?
  - a. That is difficult to predict. Probably it will, with the increase undeterminable now. Its probable rise, however, will be independent of the building program.
16. Why do people come to Maret?
  - a. Curricular
    - 1) careful placement of all students in courses geared to their abilities; easy movement to another course if misplaced at beginning of year
    - 2) chance for faster-paced to achieve excellence; advanced courses in all subject areas; teachers well-equipped and willing to give tutorials or tutoring, whichever may be appropriate
    - 3) variety of courses offered in all subject areas
  - b. Extra-Curricular
    - 1) full range of activities available in sports, drama, literary options (newspaper, yearbook, magazine), language clubs, photography, music, debating
    - 2) small enough school for same kids to participate in diverse activities: i.e. a skinny kid can play football and still have the lead in the play, and be smart
  - c. Personal Attention
    - 1) extensive and active advisor system oversees all students in most parts of their lives; school remains small enough that the faculty knows most of the students; teachers are advised and counseled on how to become advisors and counselors
    - 2) student-faculty ratio is just over seven to one

- 4) over 70 parent conferences were held in 1977-78 with full faculty representation to review difficulties child was having; open door of headmaster and others to meet on ad hoc basis at any time to discuss problems; for these conferences teachers often have met ahead and discussed what they think is best for the student, what the parents might do, and what they as teachers should do to help remedy the situation
- 5) commitment to the student follows beyond Maret; excellent college admissions done by headmaster and assistant; 30-40 colleges visit Maret to talk with interested students; hours spent matching interests and abilities with college's programs
- 6) achievement of the nearly impossible task of demanding the very best of students and having them achieve it, while at the same time responding to individual abilities, interests and concerns; makes Maret different from many other schools where the academic programs overwhelm the personal concern and caring, or where the personal concern and caring submerge the academic demands

d. Special Features

- 1) Intensive Study Week (ISW): once a year for a week, grades 5-8 and 9-12 suspend regular classes and sign up for mini-courses offered by teachers, some outsiders and occasionally a student
- 2) Ninety-nine percent of our teachers are full-time. That means their extra energy and time and commitment belong to us during work hours. New teachers are taught by example and by long conversations how to work ~~with~~ our advisor system, how to develop peripheral vision so that they assume responsibility for all students and not just for the ones they teach. They quickly learn that some of the most important teaching occurs after class, and that they must be present during free periods to catch the overflow of concerns, questions, fears and general vicissitudes attendant in great doses upon those passing through the 5-18 years.
- 3) The most oft-heard remark from visitors concerns the friendly atmosphere, the familial air, the relaxed, yet strong sense of purpose feeling there is in classrooms visited.
- 4) Wide range of students: 10% foreign, 10% scholarships, 12% black, wide I.Q. and achievement range. All this helps to keep competition between students at a minimum, yet at the same time the teachers know the students well enough to demand the very best from each one.
- 5) The effort column on the report card is as important to the faculty and administration as the grade column is. A student who is getting high grades but who has an undesirable attitude will be discussed as seriously as the one who tries his or her very best yet is unable to make good grades. Very seldom is the latter ever asked to leave.

11/1/78  
NOV 27 1978

To: Planning and Zoning Committee Members, ANC 3C  
From: Hugh Allen, Chairman *HA*  
Re: Committee Meeting  
Thursday, Nov. 16  
8:00 pm  
Library, St. Thomas Apostle Catholic Church (2665 Woodley Rd.)

Agenda

1-Proposed Chancery of Saudi Arabia at 2929 Mass. Ave (See attachment A)

Mr. Wayne Quin of Wilkes and Artis will attend our meeting and represent Saudi Arabia. Another attorney, Mr. Fred Dutton, may also be in attendance and a representative from the Embassy of Saudi Arabia is being invited to the meeting.

For your preparation, I have xeroxed Zoning Commission Order No. 236 (Case No. 77-45): "Zoning Text Amendment for Chanceries and International Agencies" (attachment B); pages 18-28 of the Statement of Reasons which sets forth the basis for the Zoning Commission's decision in this case (attachment C); and the zoning map amendments (attachment D).

Please note the criteria to ensure compatibility in the Zoning Text Amendment (pages 19-23). These criteria will be the basis for some of our questions. We also will want to be sure that we understand the proposed parking facilities, any residential use, special event impact, why the exception is being requested.

2-Proposed amendment of zoning regulations to allow community based facilities in all residentially zoned districts (attachment E)

# PUBLIC HEARING NOTICE

## BOARD OF ZONING ADJUSTMENT

Attachment  
A

### Time and Place

WEDNESDAY, DECEMBER 6, 1978, 2:00 P.M.,  
DISTRICT BUILDING, ROOM 11-A, 14TH AND  
E STREETS, N.W.

### To Consider the Following:

- 12822 Application of the People's Republic of Bangladesh, pursuant  
ANC 1D to Sub-section 8207.2 of the Zoning Regulations, for a special  
exception under Section 4603 to permit the Chancery of the  
People's Republic of Bangladesh in the D/R-1-B District at the  
premises 2501 Massachusetts Avenue, N.W., (Square 2505, Lot 9).
- 12826 Application of the Royal Kingdom of Saudia Arabia, pursuant to  
ANC 3C Sub-section 8207.2 of the Zoning Regulations, for a special  
exception under Section 4603 to permit the Chancery of the  
Royal Kingdom of Saudia Arabia in the D/R-1-A District at the  
premises 2929 Massachusetts Avenue, N.W., (Square 2198, Lot 14).

FAILURE OF APPLICANT TO APPEAR SUBJECTS  
APPLICATION TO DISMISSAL AT THE DISCRETION  
OF THE BOARD.

LEONARD L. McCANTS, ESQ., CHAIRMAN, WILLIAM F. McINTOSH, VICE-CHAIRMAN,  
CHARLES R. NORRIS, CHLOETHIEL WOODARD SMITH, AND A MEMBER OF THE ZONING  
COMMISSION.

FOR ADDITIONAL INFORMATION, TELEPHONE 629-4426, QUOTING THE APPLICATION  
NUMBER.

Government of the District of Columbia  
ZONING COMMISSION



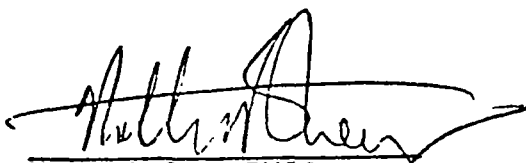
ZONING COMMISSION ORDER NO. 236  
CASE NO. 77-45  
September 14, 1978

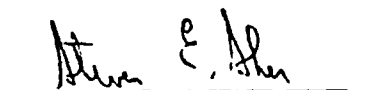
Pursuant to notice, public hearings of the District of Columbia Zoning Commission were held on January 23, February 27, June 22 and June 29, 1978 to consider proposed amendments to the text of the Zoning Regulations. Such amendments proposed to revise the regulations concerning the location of embassies, chanceries and international agencies, including the creation of a new Diplomatic District.

As a companion Order to this case, the Commission is also adopting Order No. 237, mapping the Diplomatic District at various locations in the District of Columbia. The Commission is also issuing a full statement of reasons, setting forth the basis for its decision on both the text and map cases.

The Commission believes that the amendments contained herein are in the best interests of the District of Columbia and are consistent with the intent and purposes of the Zoning Regulations and the Zoning Act. The Commission therefore hereby Orders adoption of those amendments to the Zoning Regulations specified in the document entitled "Zoning Text Amendment for Chanceries and International Agencies," dated September 14, 1978, a copy of which is attached hereto and made a part hereof.

Vote of the Commission taken at the public meeting held on July 24, 1978: 3-0 (Walter B. Lewis, George M. White and John G. Parsons to approve the changes, Theodore F. Mariani and Ruby B. McZier not present, not voting).

  
WALTER B. LEWIS  
Chairman

  
STEVEN E. SHER  
Executive Director

This order was adopted by the Zoning Commission at its public meeting held on September 14, 1978 by a vote of 4-0 (John G. Parsons, Theodore F. Mariani and Walter B. Lewis to adopt, Ruby B. McZier to adopt by proxy, George M. White not present, not voting).

In accordance with Section 3.62 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, these amendments to the Zoning Regulations are effective on 22 SEP 1978.

September 14, 1978

ZONING TEXT AMENDMENT  
FOR  
CHANCERIES AND INTERNATIONAL AGENCIES

Z. C. CASE 77-45

The proposed amendment is, as follows:

I. Amend and add new definitions in Section 1202,  
as follows:

A. Delete the existing chancery definition and  
substitute the following:

Chancery: The site and any building or buildings therein containing offices of a Foreign Mission and used for diplomatic, legation or consular functions. The term chancery shall include a chancery-annex or the business offices of those attaches of a foreign government who are under the personal direction and superintendence of the chief of mission and who are engaged in diplomatic activities recognized as such by the Department of State, Federal Government. The term chancery shall not include the business offices of nondiplomatic missions of foreign governments, such as purchasing, financial, educational, or other missions of a comparable nondiplomatic nature.

B. Delete the existing embassy definition and  
substitute the following:

Embassy: The official residence of an ambassador or other chief of a diplomatic mission or that portion of a combined chancery/embassy devoted to use as such official residence.

- C. Insert a definition of an historic district, as follows:

Historic District: means an area, place, site, vicinity, or neighborhood, designated as such by the Joint Committee on Landmarks of the National Capital for inclusion in the District of Columbia Inventory of Historic Sites.

- D. Insert a definition of an historic landmark, as follows:

Historic Landmark: means a building, structure, site, place, monument, work of art or other similar object, designated as such by the Joint Committee on Landmarks of the National Capital for inclusion in the District of Columbia Inventory of Historic Sites.

- E. Insert a definition of an international agency, as follows:

International Agency: A public international agency which has been designated by Executive Order of the President as entitled to the privileges, exemptions, and immunities of the International Organization Immunities Act of 1945, as amended.

- II. Add a new Article 46, as follows:

#### ARTICLE 46

#### MIXED USE DIPLOMATIC DISTRICT (D) AND RELATED PROVISIONS FOR THE LOCATION OF CHANCERIES AND INTERNATIONAL AGENCIES

##### Section 4601 -- Preamble

This Article establishes regulations for the location of Chanceries and International Agencies, provides a review process to give special care to the protection of residential areas, and encourages the location of chanceries in commercial and mixed use Districts. The regulations are adopted in implementation of the Foreign Missions and Inter-

national Agencies Element of the Comprehensive Plan for the National Capital and other applicable provisions of law governing foreign missions and international agencies.

It provides that Chanceries may locate in medium-high and high density residential areas in commercial areas and in mixed use areas. It establishes a Mixed Use Diplomatic (D) District to be mapped in implementation of the Foreign Missions Element. It establishes standards for the review of locations of Chanceries in the (D) District and certain other specified Districts to assure that the Chancery is not incompatible with the present and proposed development of the neighborhood.

This Article also provides for the location of embassies in Districts where residences are permitted and for the location of international agencies in Districts where offices are permitted.

#### Section 4602 -- Mixed Use Diplomatic (D) District

4602.1 -- The Mixed Use Diplomatic (D) District shall be mapped at suitable locations in implementation and International Agencies of the Foreign Missions/Element. The mapping shall be in combination with any District mapped at such location and shall not be in lieu of such District. All uses, buildings and structures permitted in accordance with this Section and the appropriate Sections of the regulations for the District with which the mapped (D) District is combined shall be permitted in such combined Districts. All restrictions and prohibitions provided with respect to either of the Districts so combined shall also apply, except as specifically modified by this Article.<sup>1/</sup>

<sup>1/</sup> The D District is always mapped in combination with another District. The provisions of both Districts apply. For example, where a D District is mapped together with an R-5-B District, the regulations of the D District and the regulations of the R-5-B District in regard to height, bulk and density apply to any chancery use. Such a combined designation will show on the Zoning Map as D/R-5-B.

## Section 4603 -- Review Standards

4603.1 -- In areas mapped D, R-5-C, R-5-D, or SP, a Chancery is a permitted use, provided that the Board of Zoning Adjustment determines after a public hearing that the proposed Chancery is not incompatible with the present and proposed development of the neighborhood.<sup>2/</sup>

4603.2 -- In determining that the proposed chancery is not incompatible with the present and proposed development of the neighborhood, the Board of Zoning Adjustment must find that:

4603.21 -- The architectural design and the arrangement of all structures and of off-street parking spaces are in keeping with the character of the neighborhood.

4603.22 -- The height of the building does not exceed the maximum permitted in the applicable single or combined District in which it is located.

4603.23 -- The percent of lot occupancy does not exceed the maximum permitted and the minimum yard and court requirements are met in the applicable single or combined District in which it is located.

4603.24 -- The maximum FAR does not exceed the FAR prescribed for the applicable single District or the combined Districts in which it is located or an FAR of 1.5, whichever is greater.

4603.25 -- Except for Chanceries located in an R-5-C or R-5-D District, off-street parking spaces will be provided at a ratio of not less than one such space for every eight hundred (800) square feet of gross floor area devoted to chancery use.

<sup>2/</sup> For complementary use provisions and relevant development standards see:

R-5-C and R-5-D, 3105.4, 3201, 3301, 3302, 3303, 3304, 3305, 3306, and 3308;

SP, 4101.4, 4201, 4301, 4302, 4303, 4304, 4305, 4306, and 4307; and

4603.26 -- In an R-5-C District, off-street parking spaces will be provided at a ratio of not less than one such space for each twelve hundred (1,200) square feet of gross floor area devoted to Chancery use.

4603.27 -- In an R-5-D District off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand eight hundred (1,800) square feet of gross floor area devoted to Chancery use.

4603.28 -- The use will not create dangerous or other objectionable traffic conditions.

#### Section 4604 -- Process

4604.1 -- The Board of Zoning Adjustment shall refer the application and site plan to the District of Columbia Municipal Planning Office (MPO) for coordination, review and report, said report to include any recommendations with respect to the application and site plan of other District departments and agencies including the Departments of Transportation, Environmental Services, and Housing and Community Development. Comment also shall be requested of the U. S. Department of State, the National Capital Planning Commission, and in areas of its jurisdiction, the U. S. Commission of Fine Arts.

4604.2 -- When the chancery is to be located in a designated historic district or historic landmark, the application shall be referred to the Historic Preservation Officer of the District of Columbia for a report on the impact of the proposed chancery on said district or landmark. To facilitate this review the applicant shall, at the request of the Historic Preservation Officer, submit exterior elevations of all buildings, and structures showing any proposed extension, alterations or additions. When mutually agreed, the Board of Zoning Adjustment shall have authority to arrange concurrent hearings with the Historic Preservation Officer.

4604.3 -- In making its determination that the proposed chancery is not incompatible with the present and proposed development of the neighborhood, the Board of Zoning Adjustment may require such special treatment and impose such reasonable conditions as it shall deem necessary to mitigate any adverse impacts identified in accordance with Sections 4603 and 4604. Such conditions may include but are not limited to the location of structures and facilities, off-street parking apaces, loading berths, curb cuts, and requirements for screening, noise control and the protection of historic districts and historic landmarks.

Section 4605 -- Chanceries in Other Districts

4605.1 -- In a W, CR, C-2-B, C-3, C-4 or C-5 District a chancery use shall be established in accordance with the height, yard, court, lot occupancy, floor area ratio, parking space and loading berth requirements of the District in which it is proposed to be located.<sup>3/</sup>

4605.2 -- Chancery uses existing on 22 SEP 1978 (effective date of this amendment) may expand where located or be replaced by other chancery uses in accordance with this Article, provided that in any R-1-A, R-1-B, R-2, R-3, R-4, R-5-A, R-5-B, C-1, C-2-A or SP District any additions to the buildings or structures used as a chancery are approved in accordance with the provisions of Sections 4603 and 4604.<sup>4/</sup>

3/ For complementary use provisions and relevant development standards see:

W, 4402, 4403, 4404, 4405, 4406, and 4407;  
CR, 4502, 4503, 4504, 4505, 4506, and 4507; and  
C-2-B, C-3, C-4, and C-5, 5102, 5201, 5301, 5302, 5303, 5304, 5305, 5306, and 5307.

4/ For complementary use provisions and relevant development standards see:

R-1-A, R-1-B, R-2, R-3, R-4, R-5-A, and R-5-B,  
3101, 3201, 3301, 3302, 3302, 3304, 3305, 3306,  
and 3307; and

C-1 and C-2-A, 5101.3, 5102, 5201, 5301, 5302, 5303, 5304, 5305 and 5306.

Section 4606 -- Embassies

4606.1 -- An embassy shall be permitted in any District except a C-M or M District, subject to the standards of use, occupancy and development of such District.<sup>5/</sup>

Section 4607 -- International Agencies

4607.1 -- An international agency shall be permitted in any SP, W, CR, C-2-B, C-3, C-4, or C-5 District provided that:

4607.11 -- The international agency is established in accordance with the standards of use, occupancy and development of the District in which it is located.

4607.12 -- In an SP District the establishment of international agency is approved in accordance with the provisions of Sections 4603 and 4604.<sup>6/</sup>

5/ For complementary use provisions and relevant development standards see:

R-1-A, R-1-B, R-2, R-3, R-4, R-5, 3101.3, 3201, 3301, 3302, 3303, 3304, 3305, 3306, 3307 and 3308; SP, W, CR and C, Articles 41, 42, 43, 44, 45, and Chapter 5.

6/ For complementary use provisions and relevant development standards see:

SP, 4101.4, and Articles 42 and 43; W and CR. Articles 44 and 45; C-2-B, 5102.3 and Articles 52, 53, and 54; and C-3, 5103, 5104, and Articles 52, 53, and 54.

Section 4608 -- Pending PUD Applications

4608.1 -- All valid applications to locate chanceries or international agencies under procedures of the planned unit development process (PUD) filed before October 6, 1977 and pending on 22 SEP 1978 (effective date of this amendment) may, at the option of the applicant, continue to be processed under those procedures.<sup>7/</sup>

III. Other sections of the Zoning Regulations shall be amended, as follows:

A. Amend Sub-section 3101.310, Residential Use Regulations, as follows:

3101.310 -- Embassy, pursuant to the provisions of Article 46, Section 4606.

B. Add a new paragraph as follows:

3101.313 -- Chancery use existing on 22 SEP 1978 (effective date of this amendment) provided that before any additions to buildings or structures shall be made, the Board of Zoning Adjustment determines after a public hearing that the proposed use and the building in which the use is to be located are compatible with the present and proposed development of the neighborhood, pursuant to the provisions of Article 46, Sub-section 4605.2

<sup>7/</sup> For relevant PUD procedures and development standards see 7501.

- C. Delete existing paragraph 3101.410 and the related foot note. Renumber existing paragraph 3101.411 to become 3101.410, renumbering subsequent paragraphs.

- D. Add a new paragraph as follows:

3105.46 -- Chancery in the R-5-C and R-5-D Districts, provided that the Board of Zoning Adjustment determines after a public hearing that the proposed use and the building in which the use is to be located are not incompatible with the present and proposed development of the neighborhood, pursuant to the provisions of Article 46, Sections 4601, 4603 and 4604.

- E. Amend the SP District regulations as follows:

1. Delete chanceries from the list of uses in Sub-section 4101.35 and 4101.42.
2. Add a new paragraph:

4101.49 -- Chancery or international agency, provided that the Board of Zoning Adjustment determines after a public hearing that the proposed use and the building in which the use is to be located are not incompatible with the present and proposed development of the neighborhood, pursuant to the provisions of Article 46, Sections 4603, 4604, and 4605 or 4607.

- F. Amend the W and CR District regulations by adding the following paragraphs:

4402.220 -- Chancery or international agency, pursuant to the provisions of Article 46, Sections 4605 or 4607.

4502.221 -- Chancery or international agency, pursuant to the provisions of Article 46, Sections 4605 or 4607.

- G. Amend the C-1 District regulations as follows:

5101.37 -- Office, except new chanceries and international agencies.

5101.39 -- Chancery use existing on 02 SEP 1978 (effective date of this amendment) provided that before any additions to buildings or structures shall be made, the Board of Zoning Adjustment determines after a public hearing that the proposed use and the building in which the use is to be located are not incompatible with the present and proposed development of the neighborhood, pursuant to the provisions of Article 46 and Subsection 4605.

- H. Amend the C-2 District regulations as follows:

5102.37 -- Chancery or international agency in the C-2-B District, pursuant to the provisions of Article 46, Sections 4605.1 and 4607.1.

- I. Amend the C-M District regulations to add a new paragraph 6101.34, renumbering subsequent paragraphs.

6101.34 -- Chancery or international agency use existing on 02 SEP 1978 (effective date of this amendment).

Add to the end of Paragraph 6101.31 the following:

"and chanceries and international agencies".

J. Amend Subsection 8207.2, as follows:

1. Delete the following:

Chancery, any R District, 3101.410  
and New Office building - chancery,  
SP District, 4101.42.

2. Add the following:

|                                |                       |                         |
|--------------------------------|-----------------------|-------------------------|
| <u>Chancery</u> ,<br>expansion | Any R <u>District</u> | 3101.313,<br>4603, 4604 |
|--------------------------------|-----------------------|-------------------------|

|                 |                |                        |
|-----------------|----------------|------------------------|
| <u>Chancery</u> | R-5-C or R-5-D | 3105.46,<br>4603, 4604 |
|-----------------|----------------|------------------------|

|  |    |                        |
|--|----|------------------------|
|  | SP | 4101.49,<br>4603, 4604 |
|--|----|------------------------|

|                                       |    |                        |
|---------------------------------------|----|------------------------|
| <u>International</u><br><u>Agency</u> | SP | 4101.49,<br>4603, 4604 |
|---------------------------------------|----|------------------------|

K. Amend Section 2101 to include the D District,  
as follows:

2101.17 -- Mixed Use Diplomatic District  
D -- Low and medium density.

- 1) The Self-Government Act should not be read to preclude effective local decision-making by the Zoning Commission.
- 2) Just as the adoption of the NCPC Plan Element required the Zoning Commission to re-evaluate reasons for and purposes of the Zoning Regulations, so is it also to be expected that this Commission may at times propose action which may require the NCPC, during its review to re-evaluate a Plan Element it has adopted.
- 3) The ultimate administrative evaluation of any question of inconsistency with a plan element adopted by the NCPC can only occur after NCPC review and in light of the NCPC's comments.

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#### Action of the Zoning Commission

The Zoning Commission decided to provide a Mixed Use Diplomatic (D) District to be mapped in conjunction with the existing District at certain locations within the NCPC diagram. Chanceries could locate in these Districts subject to height and bulk restrictions of the existing District and subject also to review by the Board of Zoning Adjustment for compatibility with the neighborhood.

The Mixed Use Diplomatic (D) District

mapping in conjunction with the provision of other Districts where chanceries may locate puts into effect essential features of the NCPC plan element.

The Board of Zoning Adjustment review of proposed chancery locations was extended to cover the R-5-C, R-5-D, and SP Districts. Location of chanceries in the R-5-C and R-5-D Districts is mandated by the Chancery Act which also requires such review. Portions of these Districts lie within the NCPC map diagram, but other such Districts are located outside the NCPC mapped areas. Board of Zoning Adjustment review for the D Districts was also provided for the other Districts where a review process was deemed desirable. In all those Districts, chanceries are to be allowed subject to these conditions to ensure compatibility:

- o The architectural design and the arrangement of all structures and of off-street parking spaces are in keeping with the character of the neighborhood.
- o The height of the building does not exceed the maximum permitted in the applicable single or combined District in which it is located.

- o The percent of lot occupancy does not exceed the maximum permitted in the applicable single or combined District in which it is located.
- o The percent of lot occupancy does not exceed the maximum permitted and the minimum yard and court requirements are met in the applicable single or combined District in which it is located.
- o The maximum FAR does not exceed the FAR prescribed for the applicable single District or the combined Districts in which it is located or an FAR of 1.5, whichever is greater.
- o Except for Chanceries located in an R-5-C or an R-5-D District, off-street parking spaces will be provided at a ratio of not less than one such space for every eight hundred (800) square feet of gross floor area devoted to chancery use.
- o In an R-5-C District, off-street parking spaces will be provided at a ratio of not less than one such space for each twelve hundred (1,200) square feet of gross floor area devoted to Chancery uses as provided in the Chancery Act of 1964.

- o In an R-5-D District off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand eight hundred (1,800) square feet of gross floor area devoted to Chancery use as provided in the Chancery Act of 1964.
- o The use will not create dangerous or other objectionable traffic conditions.
- o The Board of Zoning Adjustment (BZA) shall refer the application and site plan to the District of Columbia Municipal Planning Office (MPO) for coordination, review and report, said report to include any recommendations with respect to the application and site plan of other District departments and agencies including the Departments of Transportation, Environmental Services, and Housing and Community Development. Comment also shall be requested of the U. S. Department of State, the National Capital Planning Commission, and in areas of its jurisdiction of the U. S. Commission of Fine Arts. It should be pointed out that if a proposed chancery site is deemed inappropriate by one or more of the commenting agencies the BZA would be so informed. Accordingly, the BZA would have power to modify or reject the

proposal. Similarly, Federal agencies support of such a proposal would weigh in its favor.

- o When the chancery is to be located in a designated historic district or historic landmark, the application shall be referred to the Historic Preservation Officer of the District of Columbia for a report on the impact of the proposed chancery on said district or landmark. To facilitate this review the applicant shall, at the request of the Historic Preservation Officer, submit exterior elevations of all buildings and structures showing any proposed extension, alterations or additions. When mutually agreed, the Board of Zoning Adjustment shall have authority to arrange concurrent hearings with the Historic Preservation Officer.
- o The Board of Zoning Adjustment may require such special treatment and impose such reasonable conditions as it shall deem necessary to mitigate any adverse impacts identified during the review process in order to assure compatibility with the present and proposed development of the neighborhood. Such conditions may include but are not limited to the location of structures and facilities, off-street parking spaces, loading berths, curb cuts, and re-

quirements for screening, noise control and the protection of historic districts and historic landmarks.

The review process is adapted from the provisions of the Chancery Act calling for a compatibility review for chanceries located in medium-high and high density residential areas. The review also effectuates a provision of the NCPC plan element directing that "special care" be given to the protection of residential areas in locating chanceries. The review, in effect, allows chanceries to locate in review Districts on a controlled matter-of-right basis. As far as possible, consistent with the Chancery Act, a uniform review process is provided for all Districts that are subject to review.

By contrast, in the W, CR, C-2-B, C-3, C-4, and C-5

Districts chanceries and international agencies may locate as an unqualified matter-of-right (without a Board of Zoning Adjustment review). In so providing, the Zoning Commission has determined that no review is required in these essentially non-residential Districts.

International agencies may locate in the SP Districts only with the Board of Zoning Adjustment review for compatibility. International agencies were encouraged to locate in centrally located high density office areas.

As pointed out, the location of chanceries in R-5-C and R-5-D areas is in accordance with the Chancery Act of 1964 which states:

"After the date of enactment of this subsection a foreign government shall be permitted to construct, alter, repair, convert, or occupy a building for use as a chancery within any district or zone restricted in accordance with this Act to use for medium-high density apartments or high density apartments if the Board of Zoning Adjustment shall determine after a public hearing that the proposed use and the building in which the use is to be conducted are compatible with the present and proposed development of the neighborhood. In determining compatibility the Board of Zoning Adjustment must find that --

- 1) in districts or zones restricted in accordance with this Act to use for medium-high density apartments, that off-street parking spaces will be provided at a ratio of not less than one such space for each twelve hundred square feet of gross floor area; and
- 2) in districts or zones restricted in accordance with this Act to use for high density apartments,

that off-street parking spaces will be provided at a ratio of not less than one such space for each one thousand eight hundred square feet of gross floor area; and

- 3) the height of the building does not exceed the maximum permitted in the district or zone in which it is located; and
- 4) the architectural design and the arrangement of all structures and off-street parking spaces are in keeping with the character of the neighborhood".

Chanceries have been permitted in commercial areas as a matter-of-right and in SP areas with a BZA review process. The new regulations strengthen the review process for SP areas.

The Commission is familiar with the past problems caused by chanceries as well as the shortcomings of the Zoning Regulations of the past in dealing with diplomatic development issues. Following the 1958 revision of the Zoning Regulations, the Board of Zoning Adjustment dealt with chanceries in residential Districts as special exceptions but without the benefit of a guiding plan element

or an adequate policy statement or guidelines established by the Zoning Commission. Congress passed the 1964 Chancery Act which greatly limited the possibilities for establishing new chanceries in low and medium density residential areas. Subsequently, a number of chanceries have been established employing a change to medium-high density zoning in conjunction with a planned unit development (PUD). While this latter procedure provided an opportunity for an indepth site plan review to assure compatibility with surrounding development, it has resulted in the removal of a number of large tracts of land from the tax roles. These chancery PUD approvals were based on the reviews by the Zoning Commission and the Board of Zoning Adjustment on a case-by-case basis. That relatively cumbersome process will no longer be required for chancery applications, except for two pending cases which may go forward to final action. There is also one pending PUD for an international agency which also may be processed under a PUD.

The Commission is cognizant of this city's role as the national capital, the need to accommodate foreign missions, the need for a policy framework for the location of such missions and the desirability of providing locational guidance to foreign representatives seeking sites for their missions. We are equally aware that this is the home of about 700,000 people and our responsibility as set forth in

the Zoning Act, Section 5-414 of the D. C. Code as follows:

"Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein".

The record shows that chanceries and international agencies have in the past located in commercial areas, have been compatible with the other office and commercial uses in such areas and have not at such locations created any

unusual problems for the surrounding community. On the other hand, when chanceries locate in predominantly residential areas, they may cause problems unless special care is given to protecting the residential uses. The NCPC plan element provides that such "Special Care" be provided. As pointed out, the review by the Board of Zoning Adjustment is designed to assure such "Special Care".

The Commission also observes that one matter of concern, namely the compliance by diplomatic representatives with parking, traffic safety and other related regulations and laws of the District of Columbia is being addressed by the Congress in pending legislation. It is to be hoped that the pending legislation is adopted.\* Control of the traffic and parking impacts of chanceries and international agencies is more rationally addressed by direct controls focusing on the specific problems, rather than by using zoning as the only control. The zoning regulations include controls which will be substantially more effective if combined with other, effective regulations.

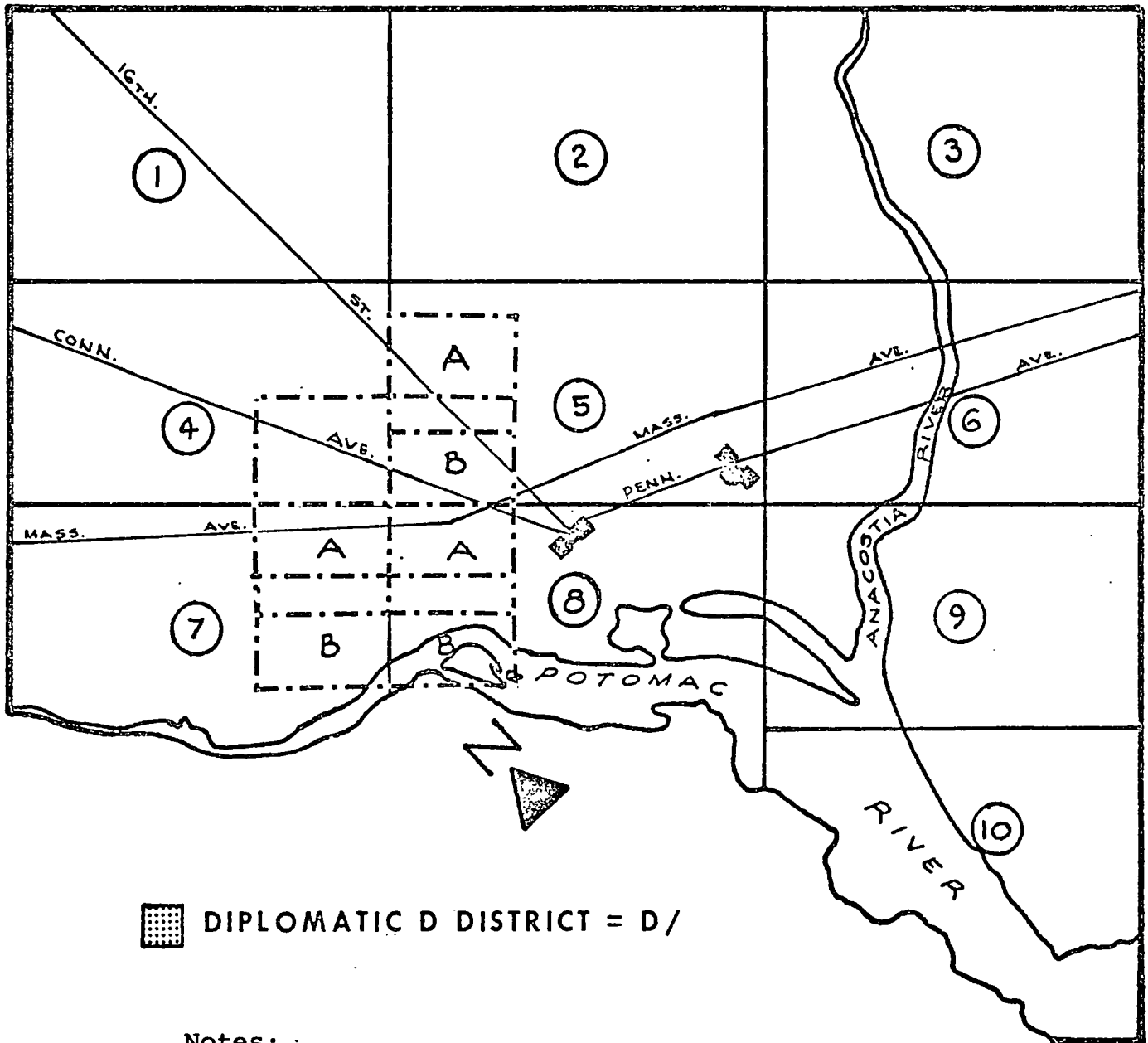
\* Congressional action was completed on September 18, 1978 and was sent to the President.

Z. C. Case No. 77-46

MIXED USE DIPLOMATIC (D) DISTRICT

MAPS

# ZONING ATLAS INDEX MAP



DIPLOMATIC D DISTRICT = D/

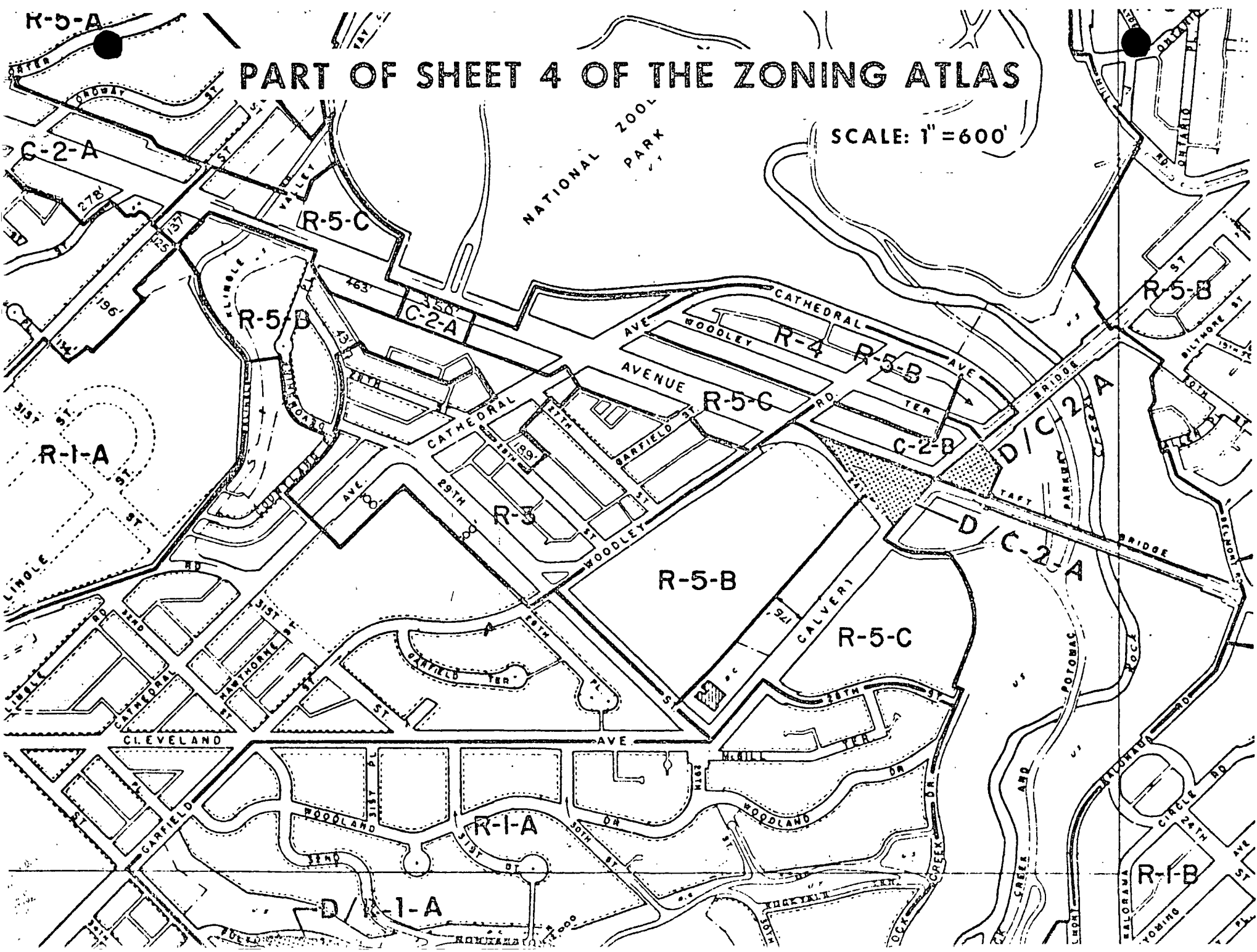
Notes:

The shading on these maps is provided for information only.

These maps can be pasted into the Zoning Atlas to update same.

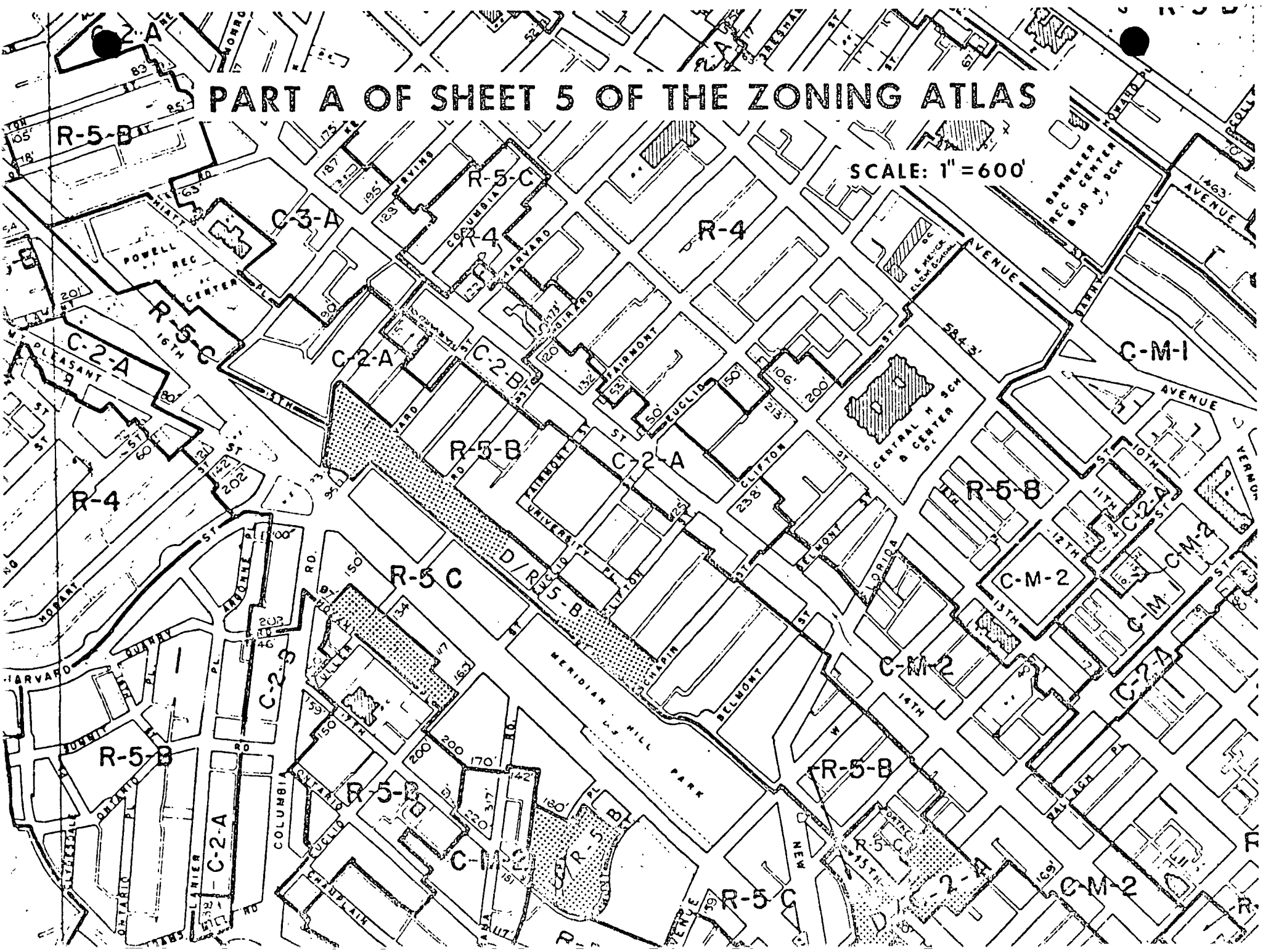
# PART OF SHEET 4 OF THE ZONING ATLAS

SCALE: 1" = 600'



# PART A OF SHEET 5 OF THE ZONING ATLAS

SCALE: 1" = 600'





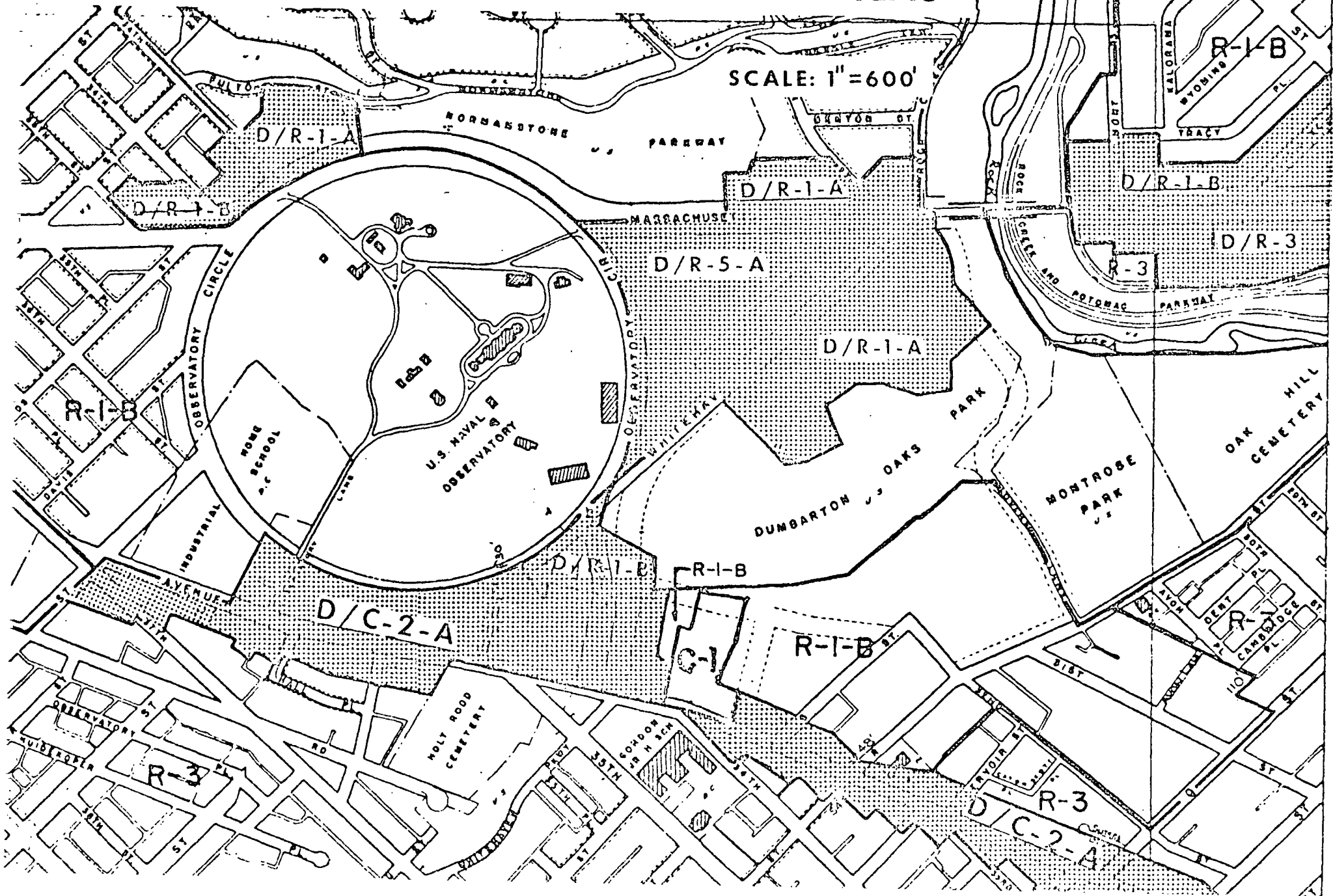
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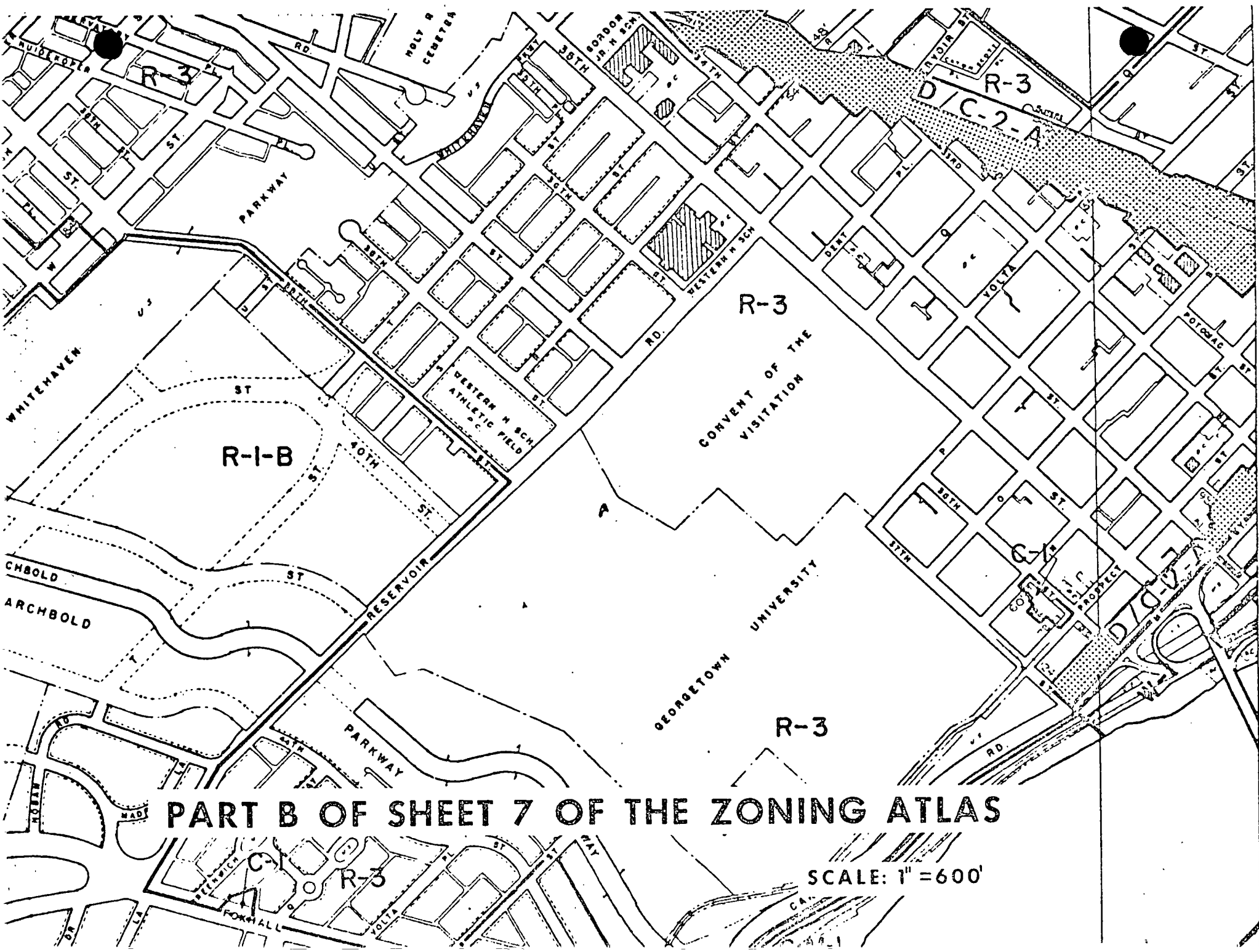


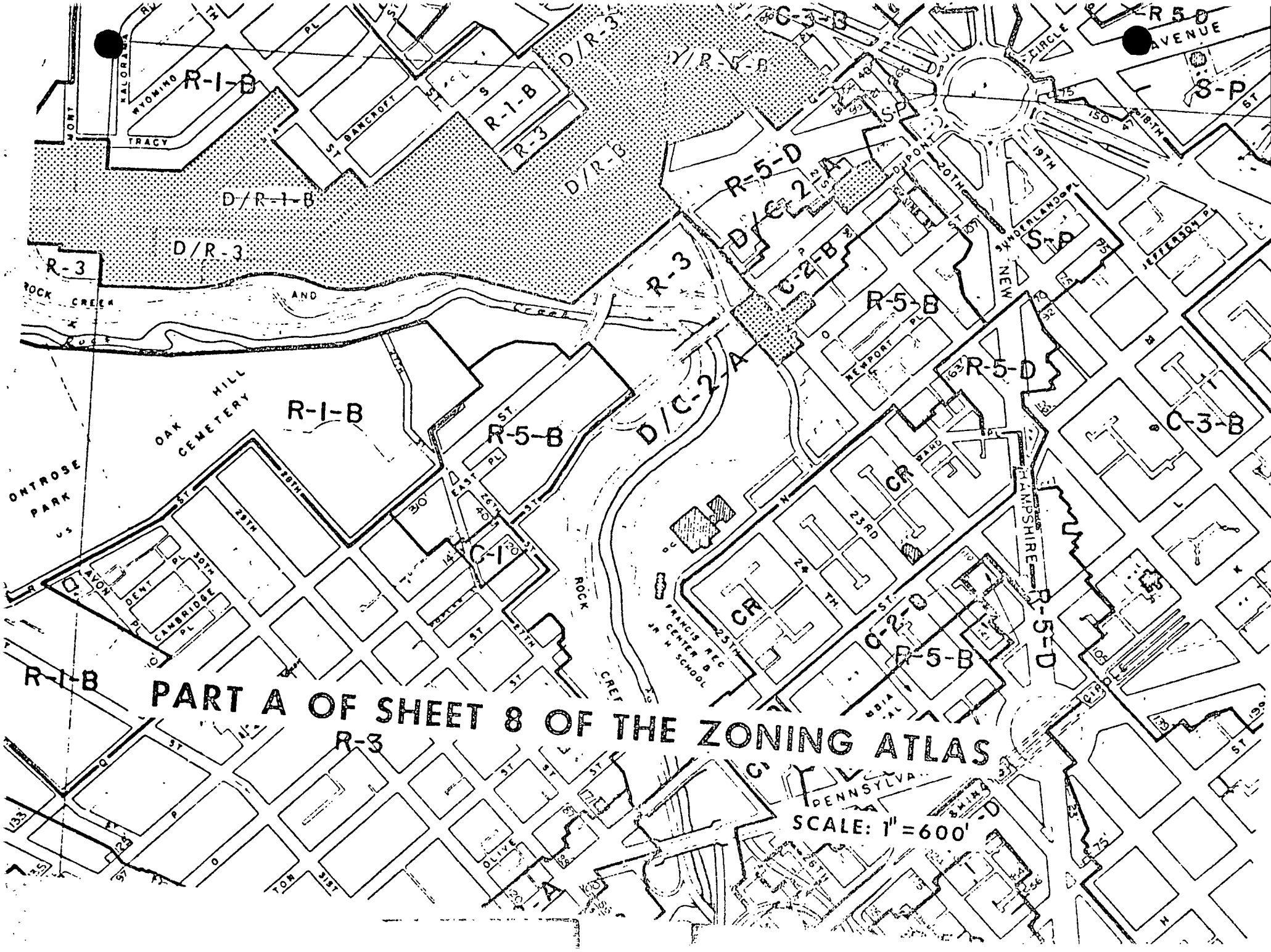
07R454

# PART A OF SHEET 7 OF THE ZONING ATLAS

SCALE: 1"=600'







PART A OF SHEET 8 OF THE ZONING ATLAS

SCALE: 1" = 600'

**PART B OF SHEET 8 OF THE ZONING ATLAS**

SCALE: 1" = 600'

R-1-B

R-3

D/C-2-A

W-1

W-2

W-3

S-P

C-1

ROOSEVELT

FRANCIS SCOT BRIDGE

CENTER FOR THE YOUTH

**PART B OF SHEET 8 OF THE ZONING ATLAS**

SCALE: 1" = 600'

Rock Creek

Pennsylvania

Roosevelt

Francis Scott Bridge

W-1, W-2, W-3, R-3, D-1, D-2, S-P, C-1

**PART B OF SHEET 8 OF THE ZONING ATLAS**

SCALE: 1" = 600'

Rock Creek

Pennsylvania

Roosevelt

Francis Scott Bridge

W-1, W-2, W-3, R-3, D-1, D-2, S-P, C-1

# District of Columbia Zoning Commission

## NOTICE OF PUBLIC HEARING

**TIME AND PLACE:** Monday, November 27, 1978 and  
Thursday, November 30, 1978, if necessary  
Room 11A - District Building  
1350 E Street, N.W.  
Washington, D.C. 20004

### FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 78-12 (D.C. Zoning Commission, sponsor)

#### ALL ANC'S

The Zoning Commission is holding public hearings to consider proposed amendments to the Zoning Regulations related to the definition and location of community based residential facilities. The changes proposed include the elimination of definitions of personal care home and convalescent or nursing homes, new definitions for group home, health or social service center and health care facility, and a revised definition for family. The changes proposed will allow the location of community based facilities in all residentially zoned districts, subject to size and geographic location standards. The standards are designed to cause such facilities to be compatible with the surroundings.

The specific changes proposed are set forth in the attached proposed text amendments. Existing language to be deleted is in brackets and crossed out; new language to be added is underlined.

Public Hearing Notice  
78-12

Proposed amendments to the text of the Zoning Regulations of the District of Columbia, pursuant to the Zoning Act (Act of June 20, 1938, 52 Stat. 797, as amended, Section 5-413 et. Seq., D.C. Code, 1973 ed.).

The public hearing on this case will be conducted in accordance with the provisions of Part III, of the Rules of Practice and Procedure of the Zoning Commission of the District of Columbia (18 D.C. Register 891, Supp. No. 3, July 6, 1972). Pursuant to said Rules, the Commission may impose time limitations on testimony presented to it in this public hearing.

ALL INDIVIDUALS, ORGANIZATIONS OR ASSOCIATIONS WISHING TO TESTIFY IN THIS CASE SHOULD FILE THEIR INTENTION TO TESTIFY IN WRITING WITH THE EXECUTIVE SECRETARY, BY NOVEMBER 20, 1978. Written statements, in lieu of a personal appearance or oral presentation, may be submitted for inclusion in the record.

Information should be forwarded to the Executive Secretary to the Zoning Commission, Office of the Zoning Secretariat, Room 9, District Building, 14th & E Streets, N.W., Washington, D.C. 20004. Please include the number of the particular case.

WALTER B. LEWIS, THEODORE F. MARIANI, RUBY B. MCZIER,  
GEORGE M. WHITE, JOHN G. PARSONS-----ZONING COMMISSION  
OF THE DISTRICT OF COLUMBIA, BY STEVEN E. SHER, EXECUTIVE  
DIRECTOR, ZONING SECRETARIAT.

ZONING REGULATION TEXT AMENDMENTS - COMMUNITY BASED RESIDENTIAL FACILITIES (CERF)

1. Amend Definitions, Section 1202

a. Delete the following definitions:

~~Personal care home: a building or part thereof, except hospitals or asylums licensed by Act of Congress approved April 20, 1908, used as, maintained as, advertised as, or held out for the care, treatment, or lodging, including the administration of medications and assistance in toileting, dressing and eating for the accommodation of not more than four aged and/or infirm convalescents, not related by blood or marriage within the third degree of consanguinity to the operator of such home.~~

~~Halfway house or social service center: a community correctional, rehabilitation, assistance or treatment center for persons in need of such assistance. The facilities may include sleeping and dining quarters, meeting and classrooms, and recreation, counseling and office space related to the program.~~

b. and insert the following new definitions:

"Group home: a home which provides residential services and supervision for individuals who are elderly, physically handicapped, mentally ill, mentally retarded of all ages, children in need of adult supervision, youth and adult offenders, addicts or alcoholics. The term group home shall include, but not be limited to, community residence facilities, licensed by the District of Columbia, providing safe, hygienic, sheltered living arrangements for one or more unrelated individuals aged eighteen years or older, who are ambulatory and able to perform the activities of daily living with minimal assistance. The definition includes facilities which provide a sheltered living arrangement to persons who desire or require supervision or assistance within a protective environment because of physical, emotional, intellectual, familial or social circumstances, including facilities previously defined as personal care homes or halfway houses."

"Health or social service center: a non-residential facility in which such services as counseling, feeding, financial aid, recreation, out-patient health care, or drug or alcohol abuse treatment are provided. Such facilities may including cooking and eating arrangements, and related clinic, classroom, meeting and office space."

- c. Delete the following definition:

~~Convalescent or nursing home: A building, except a hospital, used for the care, treatment or lodging of three or more persons not related by blood or marriage within the third degree of blood consanguinity to the operator, or manager thereof, who are either infirm, senile, afflicted or suffering from any chronic physical or mental disease, illness, or affliction or who are drug or alcohol addicts, or who are confined to bed or chair, or who require or receive special diet, individual feeding in special rooms, assistance in feeding, dressing, walking or toileting, or assistance in any other ordinary daily activities of life.~~

- d. and insert the following new definition:

Health care facility: a facility, except a hospital, which provides intermediate or skilled nursing care. Intermediate care means professional nursing services provided under the direction of a physician to individuals who do not have such an illness, disease, injury or other condition as to require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide. Services include both regular and continuing health related services. Skilled care facility means a facility, or distinct part thereof, primarily engaged in providing to in-patients continuous professional nursing coverage and health related services under the direct supervision of physicians. Skilled care facilities are solely limited to those facilities classified as nursing homes, convalescent homes, and extended care facilities which provide 24-hour professional nursing services under the direct supervision of a full-time medical director or principal physician. Included are facilities previously defined as convalescent or nursing homes.

- e. Revise definition of "family" as follows:

Family: one or more persons related by blood, marriage, or adoption or not more than (six) eight persons who are not so related, including foster children and house-parents, living together as a single house-keeping unit, using certain rooms and housekeeping facilities in common, provided that the term family shall include a religious community having not more than fifteen members.

2. Amend Section 3101 (R-1, R-2, R-3 Districts) to read as follows:

- a. Add a new Section 3101.313:

Group homes, health care facilities of up to eight (8) unrelated persons not including resident caretakers, supervisors, houseparents or attendants, provided that no other group home, health care or social service center facility is located less than six hundred feet (300 feet at the discretion

of the District of Columbia Committee on Community Facilities where compatible with the neighborhood) from the proposed home or facility, except that two adjacent buildings may be construed as one group home or health care facility if such buildings are under common management and do not house more than a total of eight persons excluding administrators mentioned in the first sentence of this paragraph.

b. Delete Section 3101.414:

~~Personal care homes provided that:~~

- ~~a. The facility conforms to all of the requirements of Article 890 of the Housing Regulations of the District of Columbia dealing with Personal Care Homes;~~
- ~~b. There is no other personal care home within six hundred (600) feet and the Board is satisfied that there are not already so many personal care homes in the immediate vicinity of the proposed personal care home as to be detrimental to the neighborhood, provided, however, that this provision shall not apply to personal care homes licensed and in operation as of the effective date of this Order.~~

c. Add a new Section 3101.314:

3101.314 -- Health or social service center, not to exceed 10,000 square feet of gross floor area, provided that the District of Columbia Committee on Community Facilities certifies to the Zoning Administrator that no other health or social service center, group home, or health care facility is located within 600 feet (300 feet at the discretion of the District of Columbia Committee on Community Facilities where compatible with the neighborhood) of the proposed facility.

3. Amend Section 3104 (R-4 District) to read as follows:

a. Delete 3104.33:

~~[Convalescent or nursing home]~~

b. and insert the following:

Group homes or health care facilities not to exceed sixteen unrelated persons, not including resident caretakers, supervisors, houseparents, or attendants, provided that the District of Columbia Committee on Community Facilities certifies to the Zoning Administrator that no other group home, health care facility, or health or social service center is located within six hundred feet (300 feet at the discretion of the District

of Columbia Committee on Community Facilities where compatible with the neighborhood) of the proposed home or facility, except that two adjacent buildings may be construed as one group home or health care facility if such buildings are under common management and do not house more than a total of sixteen persons.

- c. Delete 3104.322:

~~Halfway House or Social Service Center when operated by an agency of the District or Federal Government or by an organization under contract to such agency and supervised by that agency.~~

- d. and insert the following:

Health or social service center, not to exceed 10,000 square feet of gross floor area, provided that the District of Columbia Committee on Community Facilities certifies to the Zoning Administrator that no other such facility or group home or health care facility is located within 600 feet (300 feet at the discretion of the District of Columbia Committee on Community Facilities where compatible with the neighborhood) of the proposed facility.

- e. Delete Section 3104.313:

~~[Personal Care Homes]~~

- f. Delete the following language of Section 3104.47:

~~Halfway house or social service center when not operated by an agency of the District or Federal Government or an organization under contract to such agency and supervised by that agency provided:~~

- ~~(a) Such use is so located that it will not become unduly objectionable to the neighboring properties because of noise or other conditions.~~
- ~~(b) The size of the facility will not be out of scale and character with the immediate neighborhood and provided further that no structural changes shall be made except those required by other municipal laws or regulations.~~
- ~~(c) No sign or other indication identifies the nature of the use.~~
- ~~(d) Such authorization of the Board shall be limited to a reasonable period of time not to exceed three (3) years. The Board may renew such authorization.~~

g. Insert new language in Section 3104.47:

Group home or health care facility with over 16 persons but not to exceed 30 persons or two adjacent buildings under common management and housing no more than a combined total of 30 persons, provided:

- (a) Such use is so located that it will not become unduly objectionable to the neighboring properties because of noise or other conditions.
- (b) The size of the facility will not be out of scale and character with the immediate neighborhood and provided further that no structural changes shall be made except those required by other municipal laws or regulations.
- (c) No signs or other indication identifies the nature of the use.
- (d) The District of Columbia Committee on Community Facilities certifies to the Board that no other such facility or health or social service center is located within three hundred feet of the proposed facility.

h. Add a new Section 3104.48:

Health or social service center not to exceed 10,000 square feet of gross floor area, provided:

- (a) Such use is so located that it will not become unduly objectionable to the neighboring properties because of noise or other conditions.
- (b) The size of the facility will not be out of scale and character with the immediate neighborhood and provided further that no structural changes shall be made except those required by other municipal laws or regulations.
- (c) No sign or other indication identifies the nature of the use.
- (d) The District of Columbia Committee on Community Facilities certifies to the Board that no other such facility or group home or health care facility is located within 600 feet (300 feet at the discretion of the District of Columbia Committee on Community Facilities where compatible with the neighborhood) of the proposed facility.

4. Amend Section 3105 (R-5 Districts) to read as follows:

a. Add a new Section 3105.46:

Group homes and health care facilities with over 16 persons including groups of apartments under common management or supervision, provided:

- (a) Such use is so located that it will not become unduly objectionable to the neighboring properties because of noise or other conditions.
- (b) The size of the facility will not be out of scale and character with the immediate neighborhood and provided further that no structural changes shall be made except those required by other municipal laws or regulations.
- (c) No sign or other indication identifies the nature of the use.
- (d) The District of Columbia Committee on Community Facilities certifies to the Board that no other such facility or health or social service center is located within six hundred feet (300 feet at the discretion of the District of Columbia Committee on Community Facilities where compatible with the neighborhood) of the proposed facility, except in apartments with 3 or 4 occupants sharing same.

b. Add a new Section 3105.47:

Health and social service centers of greater than 4,000 square feet of gross floor area, provided:

- (a) Such use is so located that it will not become unduly objectionable to the neighboring properties because of noise or other conditions.
- (b) The size of the facility will not be out of scale and character with the immediate neighborhood and provided further that no structural changes shall be made except those required by other municipal laws or regulations.
- (c) No sign or other indication identifies the nature of the use.
- (d) The District of Columbia Committee on Community Facilities certifies to the Board that no other such facility or group home or health care facility is located within 600 feet (300 feet at the discretion of the District of Columbia Committee on Community Facilities where compatible with the neighborhood) of the proposed facility.

5. Amend Section 4402 (W Districts) to read as follows:

- a. 4402.23 Community center, health or social service center, or [~~halfway-house~~] group home.
- b. 4402.26 [~~Convalescent home, nursing home or personal care home~~] Health care facility.
- c. 4405.1 Hospital or [~~nursing home~~] health care facility.
- d. 4406.13 For the purposes of this sub-section, "residential use" shall be dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent or nursing homes~~] group homes, health care facility, and hospitals.
- e. 4406.24 For the purposes of this section, "residential building or structure" shall include those used as or intended to be used as dwellings, flats multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent and nursing homes~~], group home, health care facility, hospitals, hotels and motels.
- f. 4406.42 For the purposes of this sub-section, "residential building" shall be dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent or nursing homes~~], group home, health care facility and hospitals.

6. Amend Section 4502 (CR District) to read as follows:

- a. 4502.23 [~~Halfway house~~] Health or social service center or community center.
- b. 4502.26 [~~Convalescent home, nursing home, or personal care home~~] Health care facility.
- c. 4505.1 Hospital or [~~nursing home~~] health care facility.
- d. 4506.23 For the purposes of this Sub-section, "residential uses" shall include dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent or nursing homes~~], group home, health care facility, and hospital.
- e. 4506.33 For the purposes of this Sub-section, "residential purposes" shall include dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes and convalescent or nursing homes~~], group home, and health care facility.

- f. 4506.45 For the purposes of this Sub-section, "residential building or structure" shall include those used as or intended to be used as dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent and nursing homes~~], group home, health care facility, hospitals, hotels and motels.
- g. 4506.6 Width of Open Court - For the purposes of this sub-section, "residential building" shall include those used as or intended to be used as dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent or nursing homes~~], group home, health care facility and hospitals.
- h. 4506.7 Width and Area of Closed Court - For the purposes of this sub-section, "residential building" shall include those used as or intended to be used as dwellings, flats, multiple dwellings, rooming and boarding houses, [~~halfway houses, personal care homes, convalescent or nursing homes~~], group home, health care facility and hospitals.
7. Amend Section 7202 (Schedule of Requirements for Parking Spaces) to read as follows:

7202.1 Institution

Hospital:

C-4 . . . . . No requirement

All other districts . . . . . One for each bed

Sanitarium, [~~convalescent or nursing home~~]  
group home, health care facility, philanthropic  
or eleemosynary institution:

All districts . . . . . One for each ten beds

The Neighborhood School Council  
of  
Phoebe Hearst School

Proposal for Funding to ANC 3-C: Playground Safety Equipment

1. Proponent

The Neighborhood School Council of Phoebe Hearst School

2. Goal

Our goal is to make the existing playground equipment at the Hearst School safer, in line with the guidelines set by the Consumer Products Safety Commission.

3. Objective

Our objective is to purchase and install all-weather protective cushioning mats to cover the asphalt under the climbing apparatus on the school playground.

4. Impact on the Community

The playground equipment in question is used by a wider public than the 200 children who attend Hearst School. Children from throughout the area are drawn to Hearst by the after school sports program, and by the soccer and football programs on the weekends. After school and on the weekends this play area on the blacktop adjacent to the school building is quite busy. It is used also by the Recreation Department's summer camp. Serious accidents have occurred when children fell onto the pavement, the most recent being this summer when a girl at camp suffered a concussion and broken bones when falling from the slide.

5. Budget

Our proposal falls into three categories, based on the degree of danger of the equipment. The Unimat cushioning costs approximately \$4.00/sq. foot, which includes shipping. The two-foot square blocks lock together to form large mats under each separate piece of equipment, extending beyond far enough to soften the fall of a child.

|                                                                  |  |               |        |
|------------------------------------------------------------------|--|---------------|--------|
| A. Jungle gym - a 6' X 8' climber that reaches ten feet high:    |  | \$480.00      |        |
| Slide - reaches nine feet high:                                  |  | <u>400.00</u> |        |
|                                                                  |  | 880.00        | 880.00 |
| B. Small jungle gym - a 4' X 4' climber that is seven feet high: |  | 256.00        |        |
| Fish climber - a zig-zag piece 16' long and 4½ feet high:        |  | <u>384.00</u> |        |
|                                                                  |  | 640.00        | 640.00 |

|                                         |        |       |                |
|-----------------------------------------|--------|-------|----------------|
| C. Chin-up bars - a set 16' long and 8' |        |       |                |
| high:                                   | 256.00 |       |                |
| a set 6' long and 8'                    |        |       |                |
| high:                                   |        | 96.00 |                |
|                                         | 352.00 |       | 352.00         |
|                                         |        |       | <u>1872.00</u> |

5. Other Sources of Funds

The Board of Education budget currently has no money allocated for the improvement of existing playground equipment. According to Mr. Bolden, the Director of Health, Physical Education, Athletics, and Safety for the D.C. Schools, the school system can and will do nothing about this situation, and improvements are up to the local support groups, if they so desire.

The Hearst PTA has undertaken a large budgetary burden in the past years to improve the instruction available to the students. With major personnel cutbacks affecting classroom teachers, the PTA has hired music, math, art, and French teachers. The PTA has also made necessary structural improvements, such as painting and building a stage. Primarily through ANC 3-C's generosity, it also purchased textbooks and other instructional materials for the classrooms. Thus, the commitments of the PTA are quite steep, and will remain so until there is a major and unforeseeable shift in the funding made by the City Council.

6. Life Expectancy and Maintenance

This is not a recurring expense. Unimats are guaranteed for ten years, and are expected to last past 20. They are attached to the asphalt with both metal anchors and an epoxy adhesive, foiling vandals. They require no maintenance and are not affected by weather. See the attached sheet for more information.

Respectfully submitted,

Neighborhood School Council  
Phoebe Hearst School

Barbara Gomez, President  
Polly Peacock, Secretary  
Margherita Pryor  
Charles Hammer  
Robert McDiarmid  
Muriel Logan  
Pat Greer  
Ruth Dixon

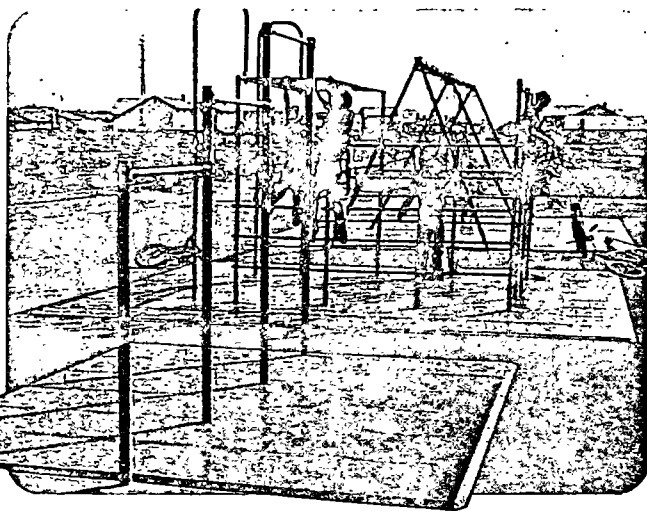
November 27, 1978

# Protect Children at Play with

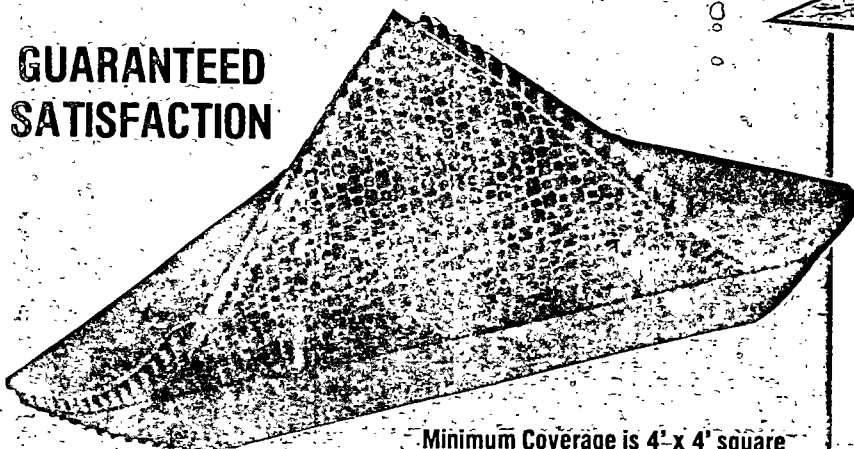
# ● UNIMAT

## PROTECTIVE CUSHIONING

*All Weather Protection for Falls  
from Playground Equipment*

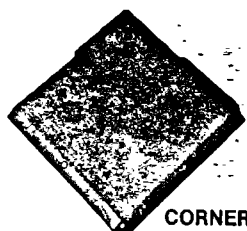


## GUARANTEED SATISFACTION

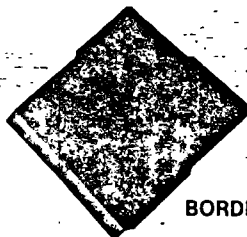


Minimum Coverage is 4' x 4' square  
using four corner sections only.

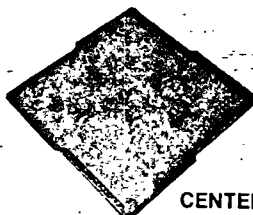
### GEOMETRIC BUILDING BLOCKS PERMIT CREATION OF SIZES AND SHAPES TAILORED TO FIT YOUR EQUIPMENT NEEDS



CORNER



BORDER



CENTER

Three basic Unimat types will produce any even numbered size square or rectangle-shaped installation (Minimum size 4' x 4')

Inside corners produced by modifying the tapered edge of any border or corner Unimat permits the creation of a wide variety of specially shaped installations tailored to fit your equipment needs.

### UNIQUE ANCHOR DESIGN PROVIDES MAXIMUM HOLDING POWER

SOLID RUBBER

UNIMAT

METAL ANCHOR

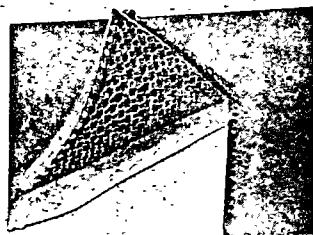
The inward slant of Unimat's 6 inch metal anchors with lock nut encased in non-shrinking grout provides maximum holding power under all service conditions, including the extremes of vandalism.

**NO HIDDEN HAZARDS** — Unimats anchors and border hardware is located safely in the tapered edges of the borders, not in the cushioning area where a fall onto a concealed anchor or other hardware can result in serious injuries and possibly a lawsuit charging negligence.

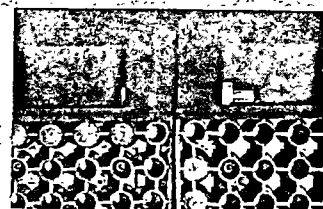
### UNIMAT is the only Protective Mat to provide all these exclusive features:

- **UNIQUE STRUCTURAL DESIGN** - Provides the ultimate in protection with 2500 air cells
- **OUTSTANDING PROTECTION** - 1-3/8 inch thickness provides protection for falls up to 11 feet
- **TESTED PROTECTION** - Using dynamic free fall electronic test equipment (Ansi Z90. 1-1971)
- **UNIFORM PROTECTION** - Cushioning area is free of hidden hazards (Anchors, Hog Rings, etc.)
- **VANDAL RESISTANT** - Uniborder hardware and positive Unilock design controls vandalism
- **THEFT RESISTANT** - Unimats bonded with Unibond rubber adhesive controls theft
- **SIMPLE INSTALLATION** - By anyone using standard tools and easy techniques
- **NO MAINTENANCE** - Removal of dirt and debris is all that is ever needed
- **INSTALLS OVER EARTH** - As well as over all hard surfaces
- **HIGHEST QUALITY** - Precision molded with wear and weather resistant rubber
- **EASY RELOCATION** - Simply remove and rejoin in large manageable sections
- **GUARANTEE** - 10 years pro rata with a life expectancy of over 20 years
- **YEARLY COSTS** - Very low when prorated over 20 years of life expectancy
- **INSURANCE COSTS** - Substantially reduced because of outstanding protection
- **MOST IMPORTANT SAVINGS** - Is the savings of lives and the dramatic reduction in the number and severity of injuries resulting from falls onto unprotected or inadequately protected playground surfaces.

### POSITIVE CONTROL OF VANDALISM AND THEFT

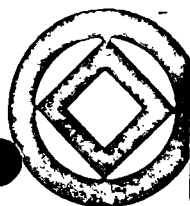


UNILOCKS



UNIBORDER

Unimat's unique design provides outstanding resistance to vandalism and theft by securely locking Unimats together with 128 male & female Unilocks which when engaged become invisible, and also by bolting all borders and corners together at the tapered edge to produce a completely unified installation which defies vandalism.



EXCLUSIVE DISTRIBUTORS  
**ALPERSTEIN BROS., INC.**

900 7th STREET N.W.  
WASHINGTON, D.C. 20001

(202) 393-6970  
HOTSY ALPERSTEIN

# INDUSTRIES

BUENA PARK, CALIFORNIA 90621  
714-521-2387

## UNIMAT PROTECTIVE CUSHIONING

### PURCHASING SPECIFICATIONS

SIZE.....2 FEET BY 2 FEET (4 SQ. FT.)  
SHAPE.....SQUARE  
COLOR.....BLACK  
MATERIAL.....ALL NEW WEATHER RESISTANT RUBBER  
MANUFACTURE.....PRECISION MOLDED AT 2500 PSI  
THICKNESS.....UNIMAT SERIES 100 - 1 INCH  
UNIMAT SERIES 138 - 1 3/8 INCH  
PROTECTION.....UNIMAT SERIES 100 - UP TO 7 FEET HIGH  
UNIMAT SERIES 138 - UP TO 11 FEET HIGH  
WEIGHT.....UNIMAT SERIES 100 --3.0 LBS./ SQ. FT.  
UNIMAT SERIES 138 - 3.3 LBS./ SQ. FT.  
MAT TYPES.....UNIMAT SERIES 100 - CORNER, BORDER & CENTER  
UNIMAT SERIES 138 - CENTER ONLY  
INSIDE CORNERS.....PRODUCED BY MODIFYING ANY BORDER OR CORNER  
STRUCTURAL DESIGN.....2500 AIR CELLS PROVIDE OUTSTANDING PROTECTION  
TAILORED PROTECTION.....SERIES 100 & 138 CENTERS ARE INTERCHANGEABLE  
INSTALLATION SIZES.....ANY INCREMENT OF 2 FEET - MINIMUM (4' X 4')  
INSTALLATION SHAPES.....INSIDE CORNERS PROVIDE FOR VARIOUS SHAPES  
INSTALLATION PROCEDURES.....INCLUDED WITH EACH SHIPMENT  
INSTALLATION OVER EARTH.....INCLUDED IN INSTALLATION PROCEDURES  
LIFE EXPECTANCY.....EXCEEDING 20 YEARS  
GUARANTEE.....10 YEARS PRO RATA  
VANDALISM.....CONTROLLED WITH UNILOCKS & UNIBORDER  
UNILOCKS.....UNIMATS JOINED BY 128 INVISIBLE INTERLOCKS  
UNIBORDER.....BORDERS & CORNERS SECURELY BOLTED TOGETHER  
THEFT.....CONTROLLED WITH UNIBOND ADHESIVE  
BORDER ANCHORS.....SLANT INWARD TO PROVIDE MAXIMUM HOLDING POWER  
TEST REPORTS.....AVAILABLE UPON REQUEST  
SHIPMENT.....UNIMATS BANDED ON SHIPPING PALLETS  
TO ORDER.....SPECIFY LENGTH & WIDTH DIMENSIONS FOR SQUARE  
OR RECTANGULAR INSTALLATIONS  
SEND SCHEMATIC DRAWING WITH DIMENSIONS FOR  
INSTALLATIONS REQUIRING INSIDE CORNERS  
FOR MAXIMUM PROTECTION SPECIFY 138 SERIES CENTERS

NOV 27 1978

ADVISORY NEIGHBORHOOD COMMISSION 3-C  
Government of the District of Columbia

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

27 November 1978

Mr. Christopher A. Pellani  
57 Fulton Drive  
Manty-Glo, Pennsylvania 15943

Dear Chris:

This letter is to thank you for the fine work you did earlier this Fall in connection with the "Woodley Playground" located on Cortland Place in Washington, D.C.

Largely as a result of the time and effort you expended talking with, listening to, and surveying neighborhood residents, a plan has been developed to bring about much-needed improvements (and maintenance) to this small but important park.

These range from some new equipment, rearranging existing equipment, fencing, and a plan to repair some erosion damage that has been taking place within the property.

We are hopeful that the work you began under an arrangement with the Youth Conservation Corps will continue and that you will be able to return sometime soon and see the results of the plans you were able to develop with effective neighborhood participation.

As you know, this Commission voted to indicate its appreciation of your work not only through a letter but also through the award of a payment, via the enclosed check, in the amount of \$25.00 for your consultative services.

Moreover, we are copying this letter both to your faculty supervisor and the superintendent of Rock Creek Parks (whose supervision includes the Woodley Playground) so that their records may indicate the contribution you made and the fact that it was recognized.

Good luck in your continuing studies.

Sincerely,



Lindsley Williams, Chairperson

cc: James Redmond, Superintendent, Rock Creek Parks  
Jerold E. Elliott, Ph.D., Penn State University

Enclosure

Single Member District Commissioners, 1978-1979

01-Fred Pitts  
02-Ruth Haugen  
03-Bernie Arons  
04-Lindsley Williams  
05-Katherine Coram

ANC-3C Office  
2737 Devonshire Place, N. W.  
Washington, D. C. 20008  
232-2232

06-Kay McGrath  
07-Gary Kopff  
08-  
09-Louis Rothschild  
10-David Grinnell

**ADVISORY NEIGHBORHOOD COMMISSION 3-C**  
**Government of the District of Columbia**

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

November 26, 1978

Mr. Robert Stumberg, Esq.  
 The Anne Blaine Harrison  
 Institute for Public Law  
 605 "G" Street -- Suite 401  
 Washington, D.C. 20001

Dear Bob:

This letter is to confirm our understanding of the matters on which the Institute is working on behalf of this Commission. The first of these antedates our recent grant; the second was requested by the Commission at the time of the making of the grant, as was the third; the fourth and fifth items have come up since that time and were initiated under provisions of our recently amended by-laws.

1. Ireland's Four Provinces (ABC Case): This is an activity which was initiated several years ago and on which there has been considerable activity. It is included here for the sake of completeness, not to review its current status or your specific activities in relationship thereto. We will reserve that topic to a separate letter to follow.
2. Advisory Neighborhood Commission Budget and Funds: This is a topic which was added to the scope of the grant we have with your organization prior to the grant's award. It is my understanding that you are looking into this both for us and other ANCs.
3. Alcoholic Beverage Commission Legislation: Last year, at the request of the Mayor, John Wilson introduced legislation that would amend the current ABC Board rules. Commissioner Kopff send in comments from himself on them that were subsequently adopted by the Commission as its own view. You should have a copy of that critique.

This Fall, in discussing the grant with your organization, this Commission asked that you begin to look at various legislative mechanisms that might be suggested to the Council of the District of Columbia that would help us in dealing with the ABC Board on the cases it handles.

It is my understanding that this is underway and that you are also considering some suggestions from Courts Oulahan, Esq., in this regard.

Single Member District Commissioners, 1978-1979

01-Fred Pitts  
 02-Ruth Haugen  
 03-Bernie Arons  
 04-Lindsley Williams  
 05-Katherine Coram

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 2737 Devonshire Place, N. W.  
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 07-Gary Kopff  
 08-  
 09-Louis Rothschild  
 10-David Grinnell

The next two items are of more recent origin. They relate to a pending Zoning Commission case (78-12) and a pending case (#12826) before the Board of Zoning Adjustment. These matters were referred to you under article VI, section 15 of the by-laws of this Commission as amended 23 October.

Under this section the chair is authorized to poll members to ascertain their agreement with a proposed activity. The following members were polled and agreed: Haugen (02), Arons (03), Williams (04), Coram (05), Kopff (07), and Grinnell (10). Others were not polled as these six are sufficient under section 15.

Specifically, you were asked to assist us with --

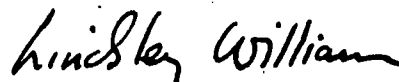
4. Zoning Commission Case 78-12: The Zoning Commission, in a notice published in the D.C. Register of October 27, indicated its intention to take up a series of text amendments to the zoning regulations relating "to the definition and location of community based residential facilities." The proposed changes would, if implemented along the lines set forth in the notice, allow such facilities to be established in all residential zones. The case begins to be heard November 27.
5. Board of Zoning Adjustment Case 12826: The Royal Kingdom of Saudi Arabia filed an application to establish a chancery at 2929 Massachusetts Avenue on a parcel zoned D/R-1-A. Initially, this case was to be heard under section 8207.2 (special exceptions) and 4603 (chancery) of the zoning regulations. However, on November 17, D. C. Corporation Counsel indicated section 8207.2 was not applicable to the instant situation or others of a similar nature. The case, on the basis of an amended notice, is now scheduled only under section 4603. The case is to be heard December 6.

Please let me know if your understanding differs from the above.

Before ending, let me alert you to another possible case. It relates to a requested Zoning map change filed by the Imperial Embassy of Iran. Copies of pertinent materials are enclosed. I will let you know if we need your help.

Thank you.

Sincerely,



Lindsley Williams, Chairperson

cc: All Commissioners

Enclosure

Government of the District of Columbia  
ZONING COMMISSION



November 21, 1978

Lindsley Williams  
ANC-3C  
Woodley Park Towers  
2737 Devanshire Pl., N.W.  
Washington, D.C. 20008

re: Case No. 78-29

Dear Mr. Williams :

This is to advise you that an application has been filed with the District of Columbia Zoning Commission for:

- ( X ) an amendment to the Zoning Map
- ( ) approval of a Planned Unit Development

for property located within the boundaries of your ANC. A copy of the notice of filing is enclosed for your information. A copy of this notice will also appear in the D C Register.

This application is being processed by the Municipal Planning Office, prior to being presented to the Zoning Commission. The initial consideration to be given to the application will deal with whether there is enough merit in this application to warrant setting the case down for a public hearing. The Zoning Commission may deny an application without a hearing. The Municipal Planning Office will make a recommendation on that issue to the Zoning Commission, and the Zoning Commission will decide that question at one of its regular public meetings, which are held on the second Thursday of each month, beginning at 2:00 P.M. in Room 11-A of the District Building.

If you wish to communicate your views to the Municipal Planning Office regarding the application at this time, such views should be transmitted to Mr. Kenneth T. Hammond, Director, Zoning Division, MPO, Suite 600, Munsey Building, 1329 "E" Street, N. W., Washington, D. C., 20004. If you wish further information on the technical aspects of the application or on the procedures which will govern consideration of this case, contact Mr. Hammond (629-5706) or the Zoning Secretariat, Room 9-A, District Building, Washington, D. C., 20004, telephone number 629-4426. If additional consultations are desired, you may

727-6311

contact Ben W. Gilbert, Director, MPO, Room 409, District Building, Washington, D. C., 20004, telephone number 629-5111.

If you wish to forward comments in writing directly to the Commission, such comments should be addressed to the Commission at Room 9-A, District Building, Washington, D. C., 20004.

Please note that this is not an official notice of hearing on this case. If the Zoning Commission does set the case for hearing, such notice will be given through the D C Register, as well as other means.

Very truly yours,



STEVEN E. SHER  
EXECUTIVE DIRECTOR

Government of the District of Columbia  
ZONING COMMISSION



ZONING COMMISSION NOTICE OF FILING  
November 21, 1978  
Case No. 78-29

ANC-3C

On November 17, 1978, the Zoning Commission of the District of Columbia received an application from the Imperial Embassy of Iran. This filing is an application to amend the D.C. Zoning Map from R-1-A to D/R-1-A for lots 9, 821, and 2 in square 2145, located at 2500 - 30th Street, N.W., comprising 62,168 square feet.

For further information regarding this matter, please contact the Zoning Secretariat, District Building 1350 "E" Street, N.W. or call 727-6311.



STEVEN E. SHER  
Executive Director

# Barry's Task Force Leaders Chosen

The following people will head Mayor-elect Marion Barry's transition task forces, which are charged with researching and making recommendations in areas that range from housing to financial management to senior citizens' affairs.

A 13-member transition team, appointed to help Barry establish priorities, develop policy and pick the key persons needed to run the D.C. government during the next four years, will oversee the work of the task forces and will make final recommendations to the mayor.

The task forces will be chaired by:

**Housing**—Marie Barksdale, of BLK Group Inc., and Herb Franklin, an attorney, with Lane & Edson; **Health and Welfare**—John Jacobs, director of the Washington Urban League, and Dr. Arthur Hoyt, of Georgetown Medical School; **Personnel Administration and Labor Relations**—Wesley Wil-

liams Jr., an attorney with Covington & Burling, and Evelyn Harrison, a personnel management consultant.

**Financial Management**—Edward Singletary, comptroller, C&P Telephone Company, and Colin Walters, a senior consultant for the Center for Municipal and Metropolitan Research; **Office of the Mayor**—Jim Gibson, of the Potomac Institute; **Municipal Planning and Economic Development**—Philip Hammer, of Hammer, Siler George Consultants, and Flaxie Pinkett, of John R. Pinkett Inc.

**Public Education**—Evelyn Moore, executive director of the National Black Child Development Institute, and Eugene Kinlow, chairman of the Anacostia Community school board; **Public Safety and Justice**—Bernice Just, director of the D.C. Court System Study of D.C. Bar Association, and Dan Resnick, an attorney; **Human Support**

and **Manpower**—Malcolm Lovell and Nira Hardon Long, an attorney.

**Transportation**—Paul Dygert, manager, transportation, Peat, Marwick & Mitchell; **Environmental Services**—Lucille Adamson, of the School of Human Ecology, Howard University, and Larry Brailsford; **Government Responsiveness and Citizen Participation**—Ann Turpeau, D.C. Commission for Women; Kathy Stief, an administrative assistant with ANC 2-D, and Theresa Jones, of the United Planning Organization.

**Arts and Humanities**—Patrick Hayes, managing director of the Washington Performing Arts Society, and John Kinard, director of the Anacostia Neighborhood Museum; **Senior Citizens**—Brin Hawkins, of Howard University's School of Social Work, and Thelma Rutherford, of the Gray Panthers. Leaders of the Youth commission have not yet been announced.

Wash Post Thur Nov 23, 1978

**ADVISORY NEIGHBORHOOD COMMISSION 3-C**  
**Government of the District of Columbia**

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

Minutes

November 27, 1978

- I. The meeting was called to order by Lindsley Williams at 8:05pm. All of the commissioners were present except Kopff, who arrived shortly.
- II. Verification of the posting of notices was ascertained.
- III. The minutes of September 18, 1978 were approved without correction. Phil Mendelson noted there were some technical discrepancies between the bylaws amendment as recorded in the minutes of September 25 and as reported in the Commission's letter to Council Chairman Sterling Tucker regarding this. Williams said the discrepancies, being minor, could be worked out later. The minutes of September 25, 1978 were then approved. The minutes of October 23, 1978 were approved without correction.
- IV. Grinnell gave the monthly treasurer's report.  
    \$8,757.87 balance on hand at start of reporting period  
    (124.18) expenses  
    8,633.69 balance currently on hand  
    An allotment of \$6,687 is being withheld by the D.C. government; it appears that the Commission would have received more funding if its balance had been brought down to zero. A motion carried to adopt the treasurer's report.
- V. There were no election or bylaws business items to be considered.
- VI. Residents' concerns
  - A. McGrath announced that Citizens for City Living (CCL) has published a draft of its community plan. Copies were distributed. Comments are encouraged. It was moved and approved that the plan be received.
  - B. McLean Gardens: Representatives of the McLean Gardens Residents Association presented the details of their preliminary development plans for the site. Jack Koczela, Chairman of the group, introduced Bill McCulloch and Dan Kelleher, who are assisting the Association. All of the buildings except one boiler house and the school will be saved. Apartment units will be added to the basements. There will be two new--infill--buildings between the existing structures. On the vacant land fronting Wisconsin Avenue a 5 story building is contemplated between Rodman and Porter with condominium units. Two 7 story buildings are planned, facing Idaho Avenue. There will also be fee simple townhouses. The wall will be preserved, perhaps with several cuts being made. Prices will range from, roughly, \$36,000 for an efficiency in an existing building to \$230,000 for one of the townhouses. The Residents Association is heading towards the establishment of a cooperative but is not committed to that. It has also retained Multi-Family Housing Services in this regard. The Association plans to retain direct control over approximately 225 units.

Single Member District Commissioners, 1978-1979

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02-Ruth Haugen  
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2737 Devonshire Place, N. W.  
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A. Polly Peacock presented a proposal for funding playground safety equipment at Phoebe Hearst School. Comments of the Commissioners were opposed to 100% funding. Questions were raised as to how many students would benefit in the 3-C area (as opposed to 3-F); what was accomplished with previous grants to 3-C schools (Eaton, Oyster, & Hearst); do other schools make funding proposals similar to this one. Grinnell objected to the passing on financial requests when they are received in the same night.

The Commission passed the following resolution in concept:

- 1) That this funding request be referred to Arons;
- 2) That a report be made regarding the Commission's earlier grants to Eaton, Oyster, & Hearst;
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H. It was moved and approved to give \$25 to the Woodley Towers Employees Christmas fund.

IX. The meeting was adjourned at 11:20pm.

November 27, 1978

Attached to these minutes is a copy of the resolution adopted pertaining to McLean Gardens.

Attached to the file copy of these minutes are the following:

- ° 4 page handout on McLean Gardens preliminary development plan
- ° Draft resolution re. McLean Gardens
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Respectfully Submitted  
for the Commission:

  
Phil Mendelson

Attested as approved & corrected:

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Katherine V. Coram  
Recording Secretary

**ADVISORY NEIGHBORHOOD COMMISSION 3-C**  
**Government of the District of Columbia**

Cathedral Heights

Cleveland Park

McLean Gardens

Woodley Park

November 27, 1978

Advisory Neighborhood Commission 3-C, having heard a presentation of the proposed redevelopment of McLean Gardens by the McLean Gardens Residents Association and International Properties--as outlined in the attached document "Proposed Site Plan and Information for the Development of McLean Gardens" (which is incorporated by reference herein)--resolves the following:

1. The Commission supports this project in concept and commends those who have found a solution to a longstanding community dilemma;
2. While supporting the concept of balanced development which this plan presents, the Commission regrets the loss of 500 units of low-to-moderate income housing;
3. In specific, the Commission supports the provisions of the proposal which call for:
  - \*Approximately 225 units to be purchased by the McLean Gardens Residents Association for its members and other moderate income citizens;
  - \*Conversion of the other existing apartment units to condominiums;
  - \*Construction of approximately 600 new apartments and townhouses;
4. The Commission urges the developers to consider the following additional features:
  - \*Retention of the Administration Building in some form;
  - \*Internal community shopping facilities;
5. The Commission approves the effort to seek an increase in density to up to an F.A.R. of 1.1 overall under the existing R-5A zoning, using the P.U.D. process;
6. The Commission urges the McLean Gardens Residents Association to continue to advise and work with other community groups as the project develops;
7. The Commission expects that the Association and International Properties will return to the Commission if there are substantive changes in the plan;
8. The Commission further resolves that this resolution of support, in concept, does not preclude the Commission's support of other plans, in concept, of the McLean Gardens Residents Association or others.

This resolution was passed by a vote of: 8 aye  
0 nay  
1 abstention  
(all Commissioners present & voting)

Single Member District Commissioners, 1978-1979

01-Fred Pitts  
02-Ruth Haugen  
03-Bernie Arons  
04-Lindsley Williams  
05-Katherine Coram

ANC-3C Office  
2737 Devonshire Place, N. W.  
Washington, D. C. 20008  
232-2232

06-Kay McGrath  
07-Gary Kopff  
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# ADVISORY NEIGHBORHOOD COMMISSION 3-C

## Government of the District of Columbia

Cathedral Heights

Cleveland Park

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### Minutes

November 27, 1978

- I. The meeting was called to order by Lindsley Williams at 8:05pm. All of the commissioners were present except Kopff, who arrived shortly.
- II. Verification of the posting of notices was ascertained.
- III. The minutes of September 18, 1978 were approved without correction. Phil Mendelson noted there were some technical discrepancies between the bylaws amendment as recorded in the minutes of September 25 and as reported in the Commission's letter to Council Chairman Sterling Tucker regarding this. Williams said the discrepancies, being minor, could be worked out later. The minutes of September 25, 1978 were then approved. The minutes of October 23, 1978 were approved without correction.

#### IV. Grinnell gave the monthly treasurer's report.

\$8,757.87 balance on hand at start of reporting period  
(124.18) expenses  
8,633.69 balance currently on hand

An allotment of \$6,687 is being withheld by the D.C. government; it appears that the Commission would have received more funding if its balance had been brought down to zero. A motion carried to adopt the treasurer's report.

#### V. There were no election or bylaws business items to be considered.

#### VI. Residents' concerns

A. McGrath announced that Citizens for City Living (CCL) has published a draft of its community plan. Copies were distributed. Comments are encouraged. It was moved and approved that the plan be received.

B. McLean Gardens: Representatives of the McLean Gardens Residents Association presented the details of their preliminary development plans for the site. Jack Koczela, Chairman of the group, introduced Bill McCulloch and Dan Kelleher, who are assisting the Association. All of the buildings except one boiler house and the school will be saved. Apartment units will be added to the basements. There will be two new--infill--buildings between the existing structures. On the vacant land fronting Wisconsin Avenue a 5 story building is contemplated between Rodman and Porter with condominium units. Two 7 story buildings are planned, facing Idaho Avenue. There will also be fee simple townhouses. The wall will be preserved, perhaps with several cuts being made. Prices will range from, roughly, \$36,000 for an efficiency in an existing building to \$230,000 for one of the townhouses. The Residents Association is heading towards the establishment of a cooperative but is not committed to that. It has also retained Multi-Family Housing Services in this regard. The Association plans to retain direct control over approximately 225 units.

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A. BZA case #12826 (Saudi Arabia Chancery) -- the Committee recommended approval with several conditions. Details of the Chancery proposal were presented by Wayne Quin. It was suggested that if the residential parking sticker program was applied, it might preserve on-street parking for Chancery visitors and thereby reduce the need to develop more on-site parking. Joel Garner (from ANC-3D and present) suggested the Commission might reference its earlier position before the Zoning Commission on the Diplomatic Zone. With these comments, the Commission voted unanimously to adopt the Committee's recommendation.

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Attached to these minutes is a copy of the resolution adopted pertaining to McLean Gardens.

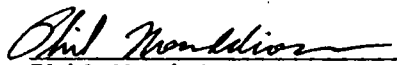
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## Government of the District of Columbia

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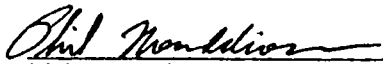
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  - \*Conversion of the other existing apartment units to condominiums;
  - \*Construction of approximately 600 new apartments and townhouses;
4. The Commission urges the developers to consider the following additional features:
  - \*Retention of the Administration Building in some form;
  - \*Internal community shopping facilities;
5. The Commission approves the effort to seek an increase in density to up to an F.A.R. of 1.1 overall under the existing R-5A zoning, using the P.U.D. process;
6. The Commission urges the McLean Gardens Residents Association to continue to advise and work with other community groups as the project develops;
7. The Commission expects that the Association and International Properties will return to the Commission if there are substantive changes in the plan;
8. The Commission further resolves that this resolution of support, in concept, does not preclude the Commission's support of other plans, in concept, of the McLean Gardens Residents Association or others.

This resolution was passed by a vote of: 8 aye

0 nay

1 abstention

(all Commissioners present & voting)

Single Member District Commissioners, 1978-1979

01-Fred Pitts  
02-Ruth Haugen  
03-Bernie Arons  
04-Lindsley Williams  
05-Katherine Coram

ANC-3C Office  
2737 Devonshire Place, N. W.  
Washington, D. C. 20008  
232-2232

06-Kay McGrath  
07-Gary Kopff  
08-  
09-Louis Rothschild  
10-David Grinnell