

November 24, 2014

Anthony J. Hood
Chairman, DC Zoning Commission
Suite 210
441 4th Street, NW
Washington, DC 20001

RE: ZC 14-13

Dear Chairman Hood,

This is the response of the Capitol Hill Restoration Society (CHRS) to the recommendations for a text amendment to the zoning regulations regarding rooftop penthouses. The provisions limiting penthouses in zones R-1 to R-4 and regulating setback measurements in historic districts or for historic buildings are greatly appreciated. However, some provisions are cause for concern.

1. The text limiting the construction of penthouses in zones R-1 to R-4 should also include R-5 because this zone has already been developed in excess of the density that should be allowed. Further density in R-5 will negatively impact the air, light and parking in an overly developed zone.
2. The C-1 and C-2-A zones should be treated the same as the R-1 to R-4 zones. Both of these C Zones are meant to be located in low and medium density residential areas. They abut residential zones and often abut row house neighborhoods. The propose regulations will permit too much height and density when compared to the adjacent neighborhoods. In the alternative only a height of 10 feet should be allowed for penthouses and any outdoor use should require a special exception that considers noise and distance from any residential property, no matter the zone.
3. Penthouse habitable space should count towards the permitted FAR for the building. The Commission is entering uncharted waters and the FAR can be changed at later date if, it turns out the existing FAR is too restrictive. It is easier to increase the FAR that to reduce it if it is too great. As suggested by the Office of Planning, mechanical space, etc. could be excluded from the calculation.
4. CHRS opposes allowing any PUD amendments or design review project to be placed on the consent calendar. Most of these cases have involved community participation and agreements have been reached on existing plans. The regulations allow too significant a change to allow the use of the consent calendar. Also, assuming you want meaningful

community input, the 30 day time limit for comments is not sufficient to consider the changes and 90 days is more reasonable.

5. Finally, CHRS supports broadening the IZ requirement to cover all parts of the city, especially those where it currently does not apply.

Respectfully,

Gary M. Peterson, Chair
Capitol Hill Restoration Society
Zoning Committee