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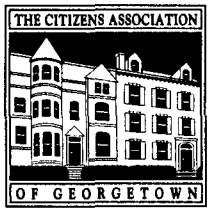
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April 3, 2003

Ms. Carol Mitten, Chair
Zoning Commission
441 Fourth Street, N.W.
Washington, D. C. 20001

Madam Chair:

Re: Zoning Commission Case 02-42
Waterfront Open Space

On behalf of the Citizens Association of Georgetown, I am pleased to submit the enclosed statement in connection with Waterfront Open Space proposals.

Clearly, Georgetown has an immediate interest in these proposals, and I hope our statement is of assistance.

Sincerely,

Raymond J. Kukulski
President

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ZONING COMMISSION
District of Columbia
Case 02-42
Exhibit 51

ZONING COMMISSION
District of Columbia
CASE NO.02-42
EXHIBIT NO.51

Citizens Association of Georgetown
Statement on Waterfront Open Space Zoning Proposal

The Citizens Association of Georgetown appreciates the Commission's attention to the issue of open space at water's edge, which deeply affects the Georgetown community. Our piece of the riverfront is emerging from years of neglect on its way to becoming a truly special place for the people of the District, and all those who visit. Elements of the Waterfront-Open Space zoning can enhance options for waterfront places, especially where there are no preservation controls or architectural reviews.

We are pleased with the attention to environmental concerns that is reflected in the proposed regulations, the attention to submerged areas and excavation, and the controls on nonpervious surfaces. Provisions such as these can make an important difference in the way waterfront properties are developed.

We would make the following comments on the proposal and the draft regulations and ask that the Commission give careful review to several areas:

- We are concerned with the proposal to eliminate the need for loading berths, loading platforms, and service/delivery spaces at recreational facilities and at retail, service, or cultural public assembly use under 20,000 square feet gross floor area.

- The proposal to extend .75 FAR to the broad category of public recreation facilities gives us concern. This term potentially covers rather intense uses, and to allow them a 50% increase on the generally applied FAR standard may invite projects that are inimical to the goals of the W-O zone.

- Similarly, extending the .5 lot occupancy to that same category of recreation facilities is of concern. This would be double the lot occupancy intended for most W-O zone uses, and we would favor retention of the smaller number.

- Public access to waterfront promenades has been deemed highly important in planning for the Georgetown Waterfront Park. It may well be that the standard 20′ setback is impractical for some sites, and variances can address these instances. We are pleased with retention of the 20′ setback, and would hope that public access is maintained to the greatest extent possible.

Thank you for this opportunity to comment on a very creative proposal and a worthy goal.

April 3, 2003

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founded 1923

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April 3, 2003

Ms. Carol Mitten, Chair
Zoning Commission
441 Fourth Street, N.W.
Washington, D. C. 20001

Madam Chair:

Re: Zoning Commission Case 02-42
Waterfront Open Space Zoning

The Committee of 100 on the Federal City appreciates the goal identified in this proposal: to provide further protections for open space along our changing and increasingly attractive waterfronts. Certainly changing the FAR, lot occupancy, and court standards would represent significantly less intense development in W-0 zones than in W-1, W-2, and W-3.

We are pleased with the retention of 20 foot setbacks in §935.1, and with the commitment to "continuous public access along the river," although this appears inconsistent with §905.3 (d) which limits public access in front of buildings and structures.

However, we are not sure that every element in this collection of proposals is the wisest for waterfronts in general, and we would ask the Commission to give them special consideration. They would appear to provide uneven opportunities for development of waterfront properties.

As an example, we are troubled by the elimination of off-street loading platforms and similar facilities for all the special exception uses, some of which are fairly intense (e.g., restaurants, museums, retail establishments). The likelihood of such arrangements becoming objectionable would seem high, if these functions are conducted curbside. We also have serious reservations about the wisdom of operating bed-and-breakfast facilities on houseboats.

Terminology: The lack of definitions within the proposed regulations for the terms "cultural public assembly," "recreational use building," and "public recreational use" seem to invite confusion and inconsistency – or mischief – in and among several sections. This appears to be an overall change from the advertised grouping of "boathouse, marina, or yacht club" to the proposed regulations' "boathouse, marinas, yacht clubs, or other recreation uses" (§918.1, e.g.). Such a change strikes us as ill-advised.

Height/Roof Structures: The 40' permitted height, the same as in W-1, when combined with the 18.5' penthouse allowance – and more for architectural embellishments and other purposes – raises concern for waterfront sites and their exceptional visibility. We realize these are standard provisions of the zoning code, but we question whether they should be imposed in waterfront open space. The visual impact of such roof structures in a commercial building

row in the built environment is very different from the impact along the water's edge. We believe an absolute height limit, much closer to 40' than 60', is needed to accomplish the stated goals.

Related to this concern is one about how much structure will occur along the water's edge. Wharves of 25' in front of boathouses of 40+18.5' would not appear to be the way to attain waterfront open space. Unless carefully managed, residents will be viewing the water from behind a boathouse, marina, or yacht club – or some other "recreational" use.

Lot Occupancy: The proposal includes a very generous list of explicit special exception uses, which probably deserves more careful review. In relation to this generous list, we believe the standard should be 25% lot occupancy for anything other than boathouses, marinas, and yacht clubs of more than one story. This seems much more in keeping with the goal of open space on waterfronts.

Frontage: Also unclear is the purpose of the provision amending §3202 to exempt one particular use in one particular set of circumstances from lot frontage requirements. Under the parameters given, an easement would seem to be needed to permit access through the public parkland for all purposes, from bringing boats to the boathouse to essential life/safety services.

Merely authorizing issuance of a building permit seems inadequate to address isolated parcels amid parkland. The provision for "plans" to address these questions does not appear to constitute adequate provision for fire and public safety protection. The apparent commitment to the concept of considering the water's edge to be "frontage" seems overly flexible to meet those safety needs.

Parking: We agree that allocating waterfront property to parking lots can be a waste of precious resource; however, we are curious about the intent in §918.1 (a) to set a maximum number of parking spaces that can be provided through off-site arrangements. Moreover, the graph in §2101.1 sets the number of required spaces at "the lesser of 1 space for every 2,000 square feet of gross building area," an apparent technical error.

In summary, we applaud the effort to create a vehicle to further protect waterfront land and hope that these suggestions are helpful in identifying areas to which we hope the Commission will give close review.

Sincerely,

Barbara Zartman, Chair
Zoning Subcommittee

N.B. We would point out that the Community-Based Residential Facilities citation in §901.1 (f) (1), which applies only to higher W zones, is inconsistent with the Land-Use Element of the Comprehensive Plan at §1104.1 (v).

Also, the list of prohibited uses should include "special signs."