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March 12, 2007

BY ELECTRONIC DELIVERY

RECEIVED  
DC OFFICE OF ZONING

Ms. Carol Mitten  
Chair  
District of Columbia Zoning Commission  
441 Fourth Street, NW, Suite 210  
Washington, DC 20001

2007 MAR 13 PM 11:55

RE: Case No. 06-33 – Parking Requirements for  
Historic Landmarks and Contributing Buildings

Dear Ms. Mitten:

We very much appreciate the opportunity we have had to work with the Office of Planning and other interested parties on language related to the parking requirements for landmarks and contributing buildings. We continue to believe that there is no need to change the existing language related to historic buildings, other than to clarify that the exemption applies to the entire lot, or at the minimum, to the historic building and additions thereto. However, if the Zoning Commission determines to amend the existing language, we have attached our proposed language for your consideration.

We have come a long way from the language originally proposed in this case. The meetings and consultations among the interested parties have lead to fundamental changes in the approach to this issue. There is now the presumption in favor of the exemption, rather than the presumption against it. This more positive approach is more consistent with the goal of protecting historic resources and is reflective of many projects where the historic building has been protected and parking has been provided. The exemptions from Section 2115, 2116, and 2117, as specified, allows for flexibility with respect to the manner in which parking is provided. We support those changes.

We continue to believe that the exemption from the parking requirements should be applicable to the entire lot of the landmark or the contributing building, as it has been interpreted for years. Given that no evidence of misuse of that interpretation has been provided, there is no reason to change that interpretation. However, the clarification provided in the Office of Planning's proposed language – that the exemption applies to the historic building and any addition thereto – is certainly an improvement from the recent interpretation that the exemption only goes to the existing building.

ZONING COMMISSION  
District of Columbia

CASE NO. 06-33

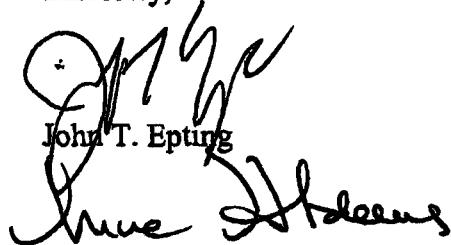
EXHIBIT NO. 17

ZONING COMMISSION  
District of Columbia  
CASE NO.06-33  
EXHIBIT NO.17

Ms. Carol Mitten  
March 12, 2007  
Page 2

We would particularly like to thank Travis Parker for his time and work on this matter. Although we did not end up with a consensus on new language, in spite of our meetings, telephone conversations, and emails, the process has been very positive and we are in agreement on many things. We are also pleased that the Office of Planning will be studying other issues relating to parking that were not incorporated in the currently-proposed language.

Sincerely,



John T. Epting

Anne H. Adams  
Architectural Historian

Attachment

cc: Jennifer Steingasser  
Travis Parker  
David Maloney  
Stephen Callcott

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March 9, 2007

**Revised Parking Regulations for Historic Landmarks and Contributing Buildings and Structures in Historic Districts****2120 Parking Requirements for Historic Resources**

2120.1 This section acknowledges the importance of maintaining the city's historic resources, while at the same time allowing for their appropriate redevelopment, and to that end this section modifies parking requirements for historic resources as set forth below.

2120.2 For the purposes of this section, a historic resource is a building, structure, or property listed in the District of Columbia Inventory of Historic Sites or a building, structure, or property certified by the State Historic Preservation Officer as contributing to the character of the historic district in which it is located.

2120.3 A historic resource and the entire lot(s) on which it is located are exempt, regardless of use, change of use, or change in intensity of use, from any requirement to provide additional parking on its lot(s) in excess of that which existed as of the date the historic resource was listed in the District of Columbia Inventory of Historic Sites, provided:

- (a) work affecting the historic resource is not subject to the Historic Landmark and Historic District Protection Act of 1978, as amended;
- (b) the redevelopment of the historic resource involves only an addition above the footprint of the historic resource;
- (c) there is insufficient vacant land on the lot of the historic resource such that parking cannot be provided without adversely affecting the historic integrity or appearance of the historic resource; or
- (d) access to such parking cannot be provided without adversely affecting the historic integrity or appearance of the historic resource or the streetscape of the block in which the historic resource is located; and
- (e) the redevelopment is approved pursuant to the Historic Landmark and Historic District Protection Act of 1978, as amended.

2120.4 If the redevelopment of the lot(s) of the historic resource is not exempt pursuant to 2100A.3 above, the following procedure shall apply for determining the extent

to which parking shall be provided, up to that which is otherwise required by the Zoning Regulations:

- (a) at such time as redevelopment plans are being reviewed pursuant to the Historic Landmark and Historic District Protection Act of 1978, as amended, and at the request of the Applicant for such review, the Historic Preservation Office of the District of Columbia Office of Planning shall refer the redevelopment plans, which need not be sufficient to file an application for a building permit but must include information on the extent to which parking can be provided without adversely affecting the historic integrity or appearance of the historic resource, to the District of Columbia Office of Planning;
- (b) the District of Columbia Office of Planning shall review such drawings and report, within fifteen (15) days of such referral, unless the Applicant has agreed to a different time period, on the appropriateness of the extent to which parking is provided in the redevelopment, given the context of the historic resource; and
- (c) such report shall be forwarded to the District of Columbia Zoning Administrator, with a copy to the Historic Preservation Office of the District of Columbia Office of Planning; and
- (d) the District of Columbia Zoning Administrator shall within fifteen (15) days of receipt of the report of the District of Columbia Office of Planning, issue a determination on the appropriateness of the extent to which parking is a proposed; and
- (e) the District of Columbia Zoning Administrator shall give great weight to the report of the District of Columbia Office of Planning in making its determination on the appropriateness of the parking as proposed, approval of which shall not unreasonably be withheld; and
- (f) if the reports specified in Section 2100A.4(b) and (d) above are not issued within fifteen (15) days the parking as proposed in drawings submitted pursuant to Section 2100A.4(a) shall be deemed approved.

2120.5 Any parking provided for a historic resource in excess of that which existed at the time the historic resource was listed in the District of Columbia Inventory of Historic Sites shall be exempt from Section 2115, and Subsections 2117.5 and 2117.6 and

2120.6 The Board of Zoning Adjustment is hereby authorized to grant relief for historic resources from the parking requirements of this chapter in accordance with the requirements of Section 3104 and the following criteria:

- (a) the nature and location of the structure, including architectural and/or structural difficulty to the owner in providing parking while maintaining the historic integrity and appearance of the historic resource;
- (b) maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;
- (c) amount of traffic congestion existing or that the redevelopment of the historic resource can reasonably be expected to add to the neighborhood;
- (d) quantity of existing public or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the redevelopment is complete; and
- (e) proximity to public transportation, particularly Metrorail stations, and the quality and availability of public transportation in the area, or a ride sharing program approved by the District of Columbia Department of Transportation

Delete Section 2100.5



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