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Patricia E Gallagher, AICP

IN REPLY REFER TO
NCPC File No Z C 06-33

JUN 15 2007

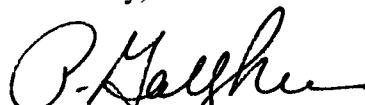
Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D C 20001

Members of the Commission

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I reviewed the proposed text amendment to rezone the site from (R-5-D) to high density mixed use (C-3-C) to Chapter 21, "Off-Street Parking Requirements" for parking for historic landmarks and in historic districts within the District of Columbia, and found that the proposal would not be inconsistent with the Comprehensive Plan for the National Capital, nor would it have an adverse impact on any federal interests. A copy of the Delegated Action of the Executive

Director is enclosed

Sincerely,



Patricia E Gallagher, AICP
Executive Director

Enclosure

ZONING COMMISSION
District of Columbia
CASE NO. 06-33
EXHIBIT NO. 24

bc: Carol Mitten
Chairwoman
Zoning Commission

**TEXT AMENDMENT TO CHAPTER 21 OF THE ZONING REGULATIONS,
OFF-STREET PARKING REQUIREMENTS FOR HISTORIC BUILDINGS**
Washington, D.C.

Delegated Action of the Executive Director

MAY 3 1 2007

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, 40 U.S.C. §8724(a), and D.C. Code §2-1006(a), I find that the proposed text amendment to Chapter 21, "Off-Street Parking Requirements" for parking for historic landmarks and in historic districts within the District of Columbia would not be inconsistent with the Comprehensive Plan for the National Capital, nor adversely affect any other federal interests.

* * *

The Zoning Commission of the District of Columbia has taken a proposed action to approve a text amendment to 11 DCMR, Chapter 21, "Off-Street Parking Requirements" for parking for historic landmarks and in historic districts within the District of Columbia. The District of Columbia Office of Planning's proposed text clarifies the application of parking requirements when there is a change in use or an expansion through new construction to a historic landmark building or to a contributing structure within a historic district. Historic districts and most individual buildings listed in the District of Columbia Inventory of Historic Sites are also listed in the National Register of Historic Places.

The proposed text of new § 2120 includes the following:

This section sets forth the circumstances under which existing and new uses in historic resources and additions thereto are exempt from providing parking and shall not apply to new unattached structures constructed on the same lot as a historic resource.

A historic resource and any additions thereto are exempt, regardless of use, change of use, or change in intensity of use, from any requirement to provide parking in excess of that which existed as of the date the historic resource was listed in the District of Columbia Inventory of Historic Sites or the historic district was created, except that parking shall be required for any addition where:

- (a) The gross floor area of the historic resource is being increased by 50% or more, and
- (b) The parking requirement attributable to the increase in gross floor area is at least four (4) spaces.

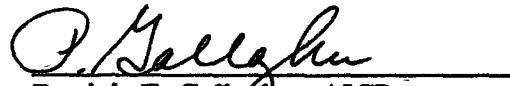
The Board of Zoning Adjustment may grant relief from all or part of the parking requirements of this section if the owner of the property demonstrates that, as a result of the nature or location of the historic resource, providing the required parking will result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource. The Board shall grant only the amount of relief needed to alleviate the difficulty proved. The applicant shall also demonstrate compliance with the general special exception standard [and must address stipulated criteria, including number of people using the building; amount of traffic congestion; quantity of available public, commercial or private off-street parking; and proximity to public transportation.]

Prior to taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

The purpose of the new section is to clarify the balance sought in the zoning regulations between the protection of the character of historic buildings by exempting the requirement for off-street parking and the provision of off-street parking when historic buildings are expanded. The proposed text clarifies the off-street parking requirements for new additions to historic buildings by defining significant expansion: an increase of 50% in the gross floor area and a parking requirement attributable to the increase of at least four spaces. The new section also makes clear that off-street parking exemptions do not apply to new, unattached structures constructed on the same lots as historic resources.

The text amendment clarifies the criteria that owners must address in seeking relief before the Board of Zoning Adjustment, and the procedure involves review by the District of Columbia Department of Transportation. As always, the District of Columbia Historic Preservation Review Board reviews proposed additions and new construction to landmarks and within historic districts. District of Columbia agencies are well prepared to address the circumstances of these cases and to protect the character of National Register-listed properties through the local historic preservation ordinance and the zoning regulations.

I find that the proposal would not be inconsistent with the Comprehensive Plan for the National Capital, nor adversely affect any other federal interests.



Patricia E. Gallagher, AICP
Executive Director