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PLEASE REPLY TO:

BARBARA ZARTMAN
1642 35 STREET NW
WASHINGTON, DC 20007

August 29, 2008

The Hon. Anthony Hood, Chair
Zoning Commission
441 Fourth Street, N.W.
Washington, DC 20001

Dear Mr. Chairman:

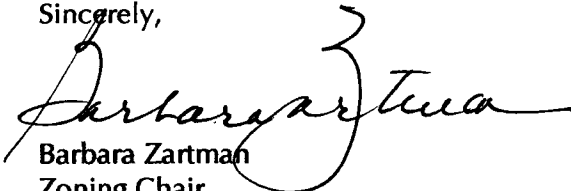
Re: Zoning Case 08-06-3

Enclosed are the comments of The Committee of 100 on the Federal City regarding proposed changes in regulations relating to loading.

Some of these comments align with those made during working group and task force discussions.

The Committee has suggested a roundtable to discuss the OP parking proposals. We believe it would be a helpful forum for full discussion of this related topic.

Sincerely,


Barbara Zartman
Zoning Chair

ZONING COMMISSION
District of Columbia

CASE NO. 08-06-3

EXHIBIT NO. 7

1317 G STREET, NORTHWEST
WASHINGTON, D.C. 20005-3102
202-628-8030 FAX: 202-628-8031
EMAIL: THECOMM100@AOL.COM • WEBSITE: HTTP://WWW.COMMITTEEOf100.NET

ZONING COMMISSION
District of Columbia
CASE NO.08-06-3
EXHIBIT NO.7

Comments on revisions to Chapter 22 – LOADING
ZC 08-06-3
The Committee of 100 on the Federal City

Imposed limits of review. For the record, the task force was limited to discussion of regulations that would affect lot-and-square private property. As is noted in our comments on Parking, this lent an air of unreality to discussions, as did the presumption that enforcement would be effective in implementing the regulations.

DDOT burden. Once again, DDOT, along with DPW, will have to do the heavy lifting in the effort to regulate oversized vehicles, including those that have no loading docks at all, using public streets, double-parking, and even unloading on public sidewalks. Nothing in this proposal will affect these practices.

Our comments focus on the PHN, rather than the far more detailed OP draft of regulatory language, which we understand is in suspension until the Commission provides policy direction.

Recommendation 1. This provision is confusing. It is not clear how truck size is to be limited when large portions of commercial zones have docks for large trucks and utilize them. The PHN acknowledges that the current system works reasonably well; it would seem preferable to maintain the existing scheme or, if needed, to change some particular element. Allowing total discretion to the builder may have the perverse effect of increasing on-street loading because a developer chose the permitted 30' dock to reduce costs, knowing his recourse would be the public space for larger trucks.

Recommendation 2. Permitting shared loading facilities as a matter of right seems like a productive course, but they should be protected with a covenant acceptable to the Zoning Administrator. Coordinating delivery times can be problematic under the best of circumstances.

Recommendation 3. The recommendation seems to preclude the possibility that some applications will be rejected. Is this the intent? We do not and could not support an approach that sacrifices DDOT or zoning standards in order to avoid zoning hearings, one that presumes all applications will be approved, or one that sets transitory goals above the stability of residential neighborhoods.

Recommendation 4. Protecting the public viewshed from unsightly loading areas and trash is a worthy goal but it should extend to adjacent residential areas as well. The homes nearby should not be burdened with the noise and smell and vermin of surface loading docks in order to enhance the pedestrian experience.

Recommendation 5. It is difficult to fully assess the impact of this recommendation without the missing definitions. However, as was expressed during task force discussion, we are concerned that there be adequate protections for residents along streets leading to commercial areas, which should not become burdened with heavy commercial traffic. Street widths and turning ratios alone are inadequate standards.

Recommendation 6. Requiring enclosed trash facilities and screening for them is helpful, but the facilities should be included within enclosed loading docks. Again, distinctions may need to be

made for residential property that abuts commercial uses, with minimum distances, particularly from restaurants and food markets.

Other concerns. There is a need to know how historic properties will be handled under new regulations. In particular, when additions are made to historic structures, the requirements for loading facilities must be proportionate. As we said with parking, the trigger for requiring those facilities should be the same as a non-historic structure; if a 25% addition to a non-historic structure represents a substantial change, the same percentage should apply to historic structures. Design review decisions are to be made by other bodies.

An important further concern that was raised in the now-suspended draft regulations is lighting,