



*Capitol Hill / Southeast*

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May 14, 2009

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Zoning Commission  
Office of Zoning  
441 4th Street, NW - Suite 220  
Washington, DC 20001

#### Re: ZC Case #08-06-9 Comprehensive Zoning Regulations Rewrite: Sustainability

Dear Chairman and Board Members:

At a regularly called and properly noticed meeting on February 10, 2009, with a quorum present, ANC 6B voted unanimously (10-0) to support most of the recommendations in the regulations. However, the Commission has some concerns or suggestions with five of the recommendations.

Additionally, Commission Julie Olson has been authorized to represent ANC 6B at the hearing of this case. In the event Commissioner Olson is unable to attend either myself or another 6B Commissioner is authorized replace her.

#### Recommendation #2. Accessory Dwelling Units (ADUs)

The Commission notes that the issue of allowing accessory dwelling units as a matter-of-right has come before the ANC before in the context of ZC #08-06-9 - Comprehensive Zoning Regulations Rewrite: Low & Moderate Density Residential. At that time the Commission noted our opposition to allowing carriage houses to be converted to dwellings as a matter of right. With the exception of some specific spots, we do not support increased density on Capitol Hill. Rather, the Commission would remind the Zoning Commission that Section 1607.2 of the Comprehensive Plan finds that "the Hill is already one of the densest communities in the District of Columbia". The application of this proposal to allow ADUs as a matter of right to Capital Hill would violate the Comprehensive Plan. The Commission therefore oppose this recommendation.

ZONING COMMISSION  
District of Columbia

CASE NO. *08-06-9* ZONING COMMISSION  
District of Columbia  
EXHIBIT NO. *(08-06-9)* CASE NO. 08-06-9  
EXHIBIT NO. 6

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**Recommendation #3. Transit Oriented Development (TOD)**

The Commission understands and supports the need for transit oriented development in appropriate locations. In this regard, the Commission appreciated the efforts incorporated in the recommendations to ensure that the character of single family and rowhouse residential areas are protected from inappropriate application of TOD principles. For example the Commission supports the exclusion of single family and rowhouse residential areas from the proposed TOD areas ("walksheds") and the requirement for step-downs to surrounding neighborhoods. The Commission, however, remains concerned that this recommendation could be used as a backdoor mechanism for significantly up-zoning certain areas, such as around the Potomac Ave Metro or the Hine site. The Commission would note that the recommendation specifically calls for any TOD walksheds to respect the Comprehensive Plan and any Small Area Plans. The areas around both the Hine site and the Potomac Ave Metro are designated moderate density commercial in the Comprehensive Plan. In addition, the Hine site is in the historic district and the area around the Potomac Ave Metro has been subject to a number of planning exercises, most recently the Pennsylvania Avenue SE Corridor Land Development Plan. The Commission requests that these two sites not be included in any TOD areas that would be in conflict with the existing planning documents covering these sites.

**Recommendation #6. Sustainable Energy Features**

The Commission supports the general concept of allowing energy related sustainability features. However, the Commission requests the same conditions be applied to these features as to those in recommendation #7 Renewable Energy Generation – specifically, that when such sustainable energy features are allowed to override certain zoning requirements (such as setbacks), consideration be given to limiting visual, noise, and safety impacts, as well as to ensure compatibility with existing neighborhood character.

**Recommendation #13. Existing Tree Protection**

The Commission supports OP's recommends making tree protection limits applicable to all residential zones. The Commission recommends that a Tree Protection Management Plan be required for all new construction.

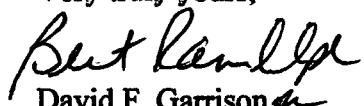
**Recommendation #17. Pavement Runoff Reduction**

The Commission supports this regulation and recommends that at a minimum use Low Impact Development numbers for a 1 or 2 year storm in obtaining as close to zero (0) runoff as possible on-site.

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We thank you in advance for taking our recommendations into consideration.

Please notify the Commission if you have any questions or comments.

Very truly yours,  
  
David F. Garrison  
Chair, ANC 6B