

Re: ZRR Case No. 08-06A, Comments on Subtitle C, General Rules, Chapters 19, 20, and 21, and Subtitle I, Section 402.2

November 13, 2013

Dear Zoning Commissioners and Staff:

Thank you for the opportunity to comment on the referenced case. I've lived Penn Quarter for almost 13 years. As a professional urban planner/designer, I chose the Penn Quarter neighborhood because I believe that a healthy planet is dependent on building dense livable cities and I wanted to live in a great location near my work so I would not need to own a car.

I commend the city and its leaders for creating a dynamic, beautiful and walkable city. However, there are several critical quality of life issues that need to be addressed in the city's development codes related to Residential Uses in commercial downtown zones.

Parking – Section 1908.

Problem

There is a need for more Car-Sharing spaces downtown in existing built-up areas.

Suggestion

These Car-Sharing provisions are great; however, a provision is needed in the downtown zone that requires existing public parking garages to reassign an allocated number of their pay-for spaces to car-sharing spaces, including the ability to access these spaces as set forth in the proposed regulations. Perhaps the city could provide the parking garage owners with an incentive for these conversions (tax break for a period of time that would compensate them for any revenue lost).

Loading – Section 2101.8 and 2103.3.

Problem

Residents living in mixed use buildings with commercial development: (1) are often turned away from using their loading dock that is shared with commercial development because the commercial deliveries are given first priority; or (2) they can't easily access the loading dock in the evenings or weekends (when most folks shop for groceries, etc..) because it is locked when commercial deliveries stop. Residents who do not own cars and do not own or rent a parking space, loading must be provided by the building entrance or in the loading area or in the parking garage to load and unload belongings, especially during the weekend and evening hours when most downtown residents shop, run daily errands (dry cleaner, shoe repair, grocery shop, child to the Doctor, pet to the vet, etc.).

Suggestion

These loading regulations are good. In the Downtown Zone, a provision is needed that requires loading zones / docks in mixed use buildings (in commercial zones) to be accessible to residents 24 hours a day. If not provided, then:

- a. a designated loading space needs to be provided either on the street directly in front of the building; or
- b. a loading space or two needs to be provided in any public or private parking garage that is associated with the building.

Downtown Uses – Chapter 6, Section 402.2.

Background: The Penn Quarter / Chinatown neighborhood is zoned for commercial uses, but it is a mixed-use area where more than 10,000 residents own or rent apartments or condos and call the neighborhood home. These residences are located above or tucked in between commercial uses; many people on the street, as well as taxi drivers, and some critical District of Columbia employees haven't a clue that these residences exist. Some land uses, noise, and light significantly degrade the quality of life.

The Penn Quarter/ Chinatown neighborhood is designated as a "B" use zone, whether *Residential Uses* are required by the regulations or not (except for a small pocket south of Massachusetts Avenue, east of 6th Street, NW). Much of the area consists of commercial development; however, other areas are mixed use with a significant amount of *Residential Uses*. In some cases, the zoning designation actually requires residential uses.

The regulations designate this area as a "B" use zone and regulate it as if there are no *Residential Uses* in the mix. For example: *The Residences at Gallery Place* (192 units in the D6B2 Zone) is located in a commercial building near the Chinatown Metro station. While, downtown urban living requires residents to tolerate a greater range of uses, activities, noise, and light there are some uses and activities that significantly negatively impact the quality of life of downtown residents.

Problem

1. The following uses can generate excessive noise or activities that are not compatible with residential living. These uses are prohibited or restricted in "A" use zones but are permitted in "B" use zones: Animal Sales/Boarding; Entertainment, Assembly, and Performing Arts; Fire Arms Sales; Food and Alcohol Services; Vehicle related services; and Sexually – based business.
2. The restaurant next to Gallery Place plays their music so loud, it is difficult to carry on a conversation in the buildings' main lobby and the music can be heard in the neighboring residences for hours on end.
3. Street performers bring large amplified speakers to blast their music or pound on drums. The music bounces off the surrounding building walls and roof structure; it is often impossible to have a conversation on the street or in the building lobby. This music often drowns out conversations, disrupts sleep, and interferes with other daily activities within the resident's homes.

Request/ Plea!

Residential Uses in downtown commercial zones should be afforded some degree of protection from certain uses, noise, and light to maintain an acceptable quality of life.

Suggested Solutions

1. Keep the "B" use designation of these areas, but add conditions that these incompatible uses locate an appropriate distance from *Residential Uses* in downtown zones and/ or require special approvals. Also, ensure that existing legislation prohibiting or regulating certain types of uses are included in the Zoning Regulations. For example, there is existing legislation that restricts the location of nude dancing venues in downtown – requiring them to be a specified distance from a residential building.
2. Include language in the regulations that affords *Residential Uses* in Commercial zones a degree of protection from excessive noise or light, direct or indirect (bouncing off neighboring walls and roofs) that penetrates into the living quarters of residential homes.

Thank you in advance for your consideration of these important issues that affects the quality of life of downtown living. Please contact me at 202-210-0662 to discuss or if I can assist in anyway.

Best Regards,

A handwritten signature in black ink that reads "Elizabeth Miller". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Elizabeth Miller

