

Before the Zoning Commission for the District of Columbia, Case No.
14-13

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Comments by the Citizens Association of Georgetown on
Proposed Rooftop Penthouse Regulations

November 21, 2014

The Citizens Association of Georgetown ("CAG") submits the following comments on the proposed rooftop penthouse regulations

- 1 CAG strongly favors limiting the penthouse height limit for C-2-A (at least in Georgetown and any other historic district) to 10 feet, as we understand has been proposed by the Office of Planning. Any higher structure would adversely impact the low rise historic character of Georgetown and negatively affect the light and air of neighboring residential property which is typically 35' in height.
- 2 We are unclear on the rear setback requirements for these penthouses in C-2-A. The existing regulations require a one to one set back from all exterior walls. It is extremely important to require such a one to one set back of the penthouse from the rear wall when the rear of the building in question adjoins a residential lot in historic Georgetown. In many cases commercial buildings in Georgetown directly abut residential lots without an intervening street or alley. Allowing an additional ten feet of penthouse on top of the 50' height permitted in C-2-A without any setback would have adverse impacts on light, air and the historic setting of the neighboring property.
- 3 The Commission has requested comment on whether habitable area should count towards the buildings FAR. We believe that it should count towards FAR, at least in C-2-A, because FAR is an important limitation on building height and mass in Georgetown. If building has already maxed out on FAR, and many commercial buildings are non-conforming with FAR limits-penthouse construction should require a special exception to ensure adequate notice and an opportunity for public input on the proposal to the BZA.
4. The Commission also requested comment on whether some uses, such as a rooftop bar or restaurant, should be allowed only by special exception even if the use is permitted in the zone. CAG believes that residential use is the only use that should be permitted in a penthouse in C-2-A, at least in Georgetown, because of the potential for penthouse noise pollution disturbing the peace and quiet of an entire neighborhood. Relief from that requirement should be use variance with its higher standard of proof.

Thank you for considering our comments on this proposal



Pamla Moore, President

Richard deC Hinds, Legal Counsel