



March 12, 2008

Dear Committee of 100 Members and Friends,

C100 Goes Green! In the spirit of March and St. Patrick's Day, this month's membership program in "Green Policy to Green Practice," a panel on how environmentally sensitive principles are being implemented in building construction and operation, and even during demolition. The speakers are:

- * **Zack Dobelbower of the DC Office of Planning**, on OP's strategic plans for the environment.
- * **Shannon Sentman of Holland & Knight**, with a briefing about how Policy from the Green Building Act is being put into Practice. His firm is helping some of the first public clients that are subject to the Green Building Act of 2006.
- * **Jeff Jones from the Green Recycling Network**, on green recycling and salvage markets, with photos from the recent salvage operation at the First Congregational United Church of Christ.

Please plan to join us at noon, on Wednesday, March 19, at the Sumner School, 17th and M Streets, NW. If you want lunch, let us know at 202-628-8030 or email treasurer Buck Clarke at buck@clarkerealtypartners.com.

Our February speaker, **Mr. Peter May**, the new Director for Lands, Resources and Planning for the National Capital Region, National Park Service, gave a comprehensive and encouraging presentation that included strong support for the Height Act, a revitalized Mall, and a working relationship with the public.

HPRB OKs Soldiers' Home for National Register

In extended two-part hearings, the Historic Preservation Review Board (HPRB) in January approved the nomination of the historic Soldiers' Home campus for listing on the National Register and separately approved a commercial development master plan put forward by the Armed Forces Retirement Home (as the Home is now known) for the southern portion of the 300-plus acre site. HPRB approval of the master plan was not without significant reservations about the excessive, heavy-handed, and in the words of HPRB Chair Tersh Boasberg, "downtown Bethesda-like" character of the proposed development.

Barbara Zartman testified for the Committee, and while recognizing the Home's potential need for funding streams, questioned the Home's refusal to disclose its projected financial needs. In addition, Barbara's statement raised issues about the Home's programmatic intentions and the quantity and scale of proposed development, as well as questionable transportation and traffic analyses. The District Office of Planning and Department of Transportation, as well as the Commission of Fine Arts, the National Park Service and the

National Trust for Historic Preservation all raised significant issues with regard to the master plan, while overwhelmingly supporting the historic designation of the campus. A large contingent of citizen-activists presented testimony, including Committee of 100 members **Mary Pat Rowan** and **Richard Houghton**.

The Master Plan and Environmental Impact Statement now go to the National Capital Planning Commission, where hearings have been tentatively scheduled for the May 1 meeting (see

<http://www.npc.gov/publicparticipation/pg.asp?p=publiccomments>). The Master Plan is available at

<http://www.afrhdevelopment.com/>. *By Richard Houghton.*

Zucker Interim Report on Planning in DC Raises Concerns

The Committee of 100 on the Federal City finds fatally flawed a DC Government consultant's interim draft report against the need for a planning commission to lead and coordinate planning in the Nation's Capital. In recent testimony before the City Council, the Committee asked the Council to give little or no weight to the report by professional planning consultant Paul Zucker, because Zucker based his conclusions in part on how planning is conducted in small Southwestern cities; ignored longstanding public support for a planning commission; and gave too much weight to research conducted through restricted-attendance focus groups with a total participation of less than 40 people. The results were not systematically recorded and therefore not fully and accurately reported.

The Committee completely rejects arguments raised by a number of planning commission opponents that a commission will create an additional layer of unneeded bureaucracy, slow development down and result in "paralysis by analysis."

"Development projects in the District are subject to multiple layers of review which are needed for good economic development. Which ones should be scrapped? Traffic? Americans with Disabilities Act compliance? Environmental review? Electrical code enforcement," asked **Laura Richards**, head of the Committee. "Multiple reviews simply reflect the complex needs of urban society and the diversity of our population and ever-changing economy."

"A planning commission is in the great tradition of the L'Enfant Plan and the McMillan Plan of the past and the Comprehensive Plan of today," **Dorn McGrath**, former George Washington University professor and a prior chair of the Committee, said in separate comments. "These and other planning enterprises have helped to make our city the uniquely attractive and vibrant and growing urban center it is today." C100 will file additional comments with OP on the interim draft report later in March.

WAFFLE SHOP LANDMARK NOMINATION CO-SPONSORED BY C100

The Waffle Shop, 522 Tenth Street, NW, is significant as downtown Washington's sole intact example of the Streamline style, an American idiom created in the 1930s and 1940s by industrial designers and featuring such characteristic materials as large plate glass panels, polished aluminum, and mosaic tile. Its interior exhibits design elements associated with "California Coffee Shop" restaurants of the late 1940s through early 1960s. Its transparent façade reveals an interior designed to entice passersby to enter and partake of the delicacies proffered. The exterior and interior were designed as a tout ensemble and it is hoped that, at the landmark hearing scheduled for March 27, they will be designated as such.

In June 2006, HPRB signed off on the shop's demolition, to be replaced by yet another downtown office building and in direct conflict with its status as a contributing building to the Pennsylvania Avenue Historic District. Its inclusion as a contributing building was a recent revision to the PA Historic District. In response to that oversight, a landmark nomination was quickly but thoroughly written by DCPL trustee Peter Sefton. The nomination is being sponsored by the Art Deco Society of Washington, the Committee of 100, DCPL, the Downtown Artists' Coalition, the Recent Past Preservation Network, and the Society for Commercial Archeology.

After seven months of negotiations, and with the encouragement of the DC Historic Preservation Office (HPO), five of the sponsoring organizations signed an agreement with developer Douglas Jemal that would allow him to dismantle the shop and reconstruct it as part of a project that he plans to build near the convention center. The Recent Past Preservation Network abstained from signing the agreement, stating that it believes the proposed treatment as a preservation solution is problematic and its implementation lies outside the bounds of their organizational mission. While the other organizations agree that this is not the preferred solution – saving a building in situ is always preferable – they believe that the agreement is the best available option to preserve the shop's interior and exterior. The HPO decided not to sign the agreement, a problematic situation for C100, which went forward only on condition that a governmental agency also be a signatory.

The agreement, which binds heirs and assigns of the developer, requires that the developer:

- not oppose the landmark nomination;
- obtain insurance to cover the shop's dismantling, storage, relocation, and reassembly;
- document the building according to Historic American Buildings Survey standards;
- obtain, prior to dismantling the shop, the building permit for the project that will replace the shop;
- operate the shop as a restaurant, with a subsidy if necessary; and
- retain the Waffle Shop sign.

The Zoning Commission had signed off on the developer's PUD application, a decision that has been remanded to the ZC by NCPC which determined, aided by testimony from C100 [see related story below], that the project which would replace the Waffle Shop is in violation of the Height Act. Watch this space for future developments.

C100 Seeks Compliance with Height Act for Penthouse Setbacks in Waffle Shop PUD

As related above, the Committee of 100 joined a coalition of historic preservation groups in determining not to oppose a Planned Unit Development (PUD) at 10th and F Streets because the historic Waffle Shop on that site would be dismantled and rebuilt nearby. The Committee nevertheless urged the National Capital Planning Commission to require the developer to follow its staff recommendation to require the PUD's rooftop utility penthouses to comply with the setback provisions of the 1910 Height Act. The PUD proposal calls for a parapet wall that would extend above the building height allowable under the Act.

The PUD proposal seeks a waiver of zoning and Height Act requirements that penthouses be set back from "all exterior walls" by a distance equal to their height above the roof, and proposes to meet the setback for only two walls. We believe full compliance is necessary to minimize any adverse impact of this particular project and to avoid the slippery slope of granting routine variances from height requirements.

Why the setback requirements and the definition of “exterior wall” are important. “Exterior wall” is not defined in the Height Act or the definitions provision (§199.1) of the Zoning Regulations. Because of the Act’s setback requirements, its definition is critical in determining the configuration, aesthetic impact and in some cases the permissibility of penthouse roof structures. Under the Height Act and Zoning Regulations, penthouses that house certain mechanical equipment related to the operation of the building and which may not be used for human occupancy, may extend above the maximum allowable height of the building.

The penthouse setback provisions, and thus the “exterior wall” definition, are important because of their potential effect in enhancing the overall aesthetic quality of the building through limiting the visual intrusiveness of what was traditionally a plain and unattractive box atop on an otherwise well-designed building. In larger buildings, the result of exempting some walls from the setback requirements is to allow penthouses that are more visually intrusive than the dimensions of the building require, and more visually intrusive than they *could* be if greater effort were made to avoid this unfortunate effect. Aerial views of a sampling of buildings in DC’s downtown areas suggest, many, perhaps most, architects and builders of our more recent commercial buildings have not found proper setback to be an insuperable challenge, nor does there seem to be a compelling practical necessity to continue to permit the construction of buildings that are aesthetically inferior in this one respect in the nation’s capital. *Ann Hargove. Excerpt from NCPC Testimony (March 6, 2008).*

Update on HPRB Nominees. As noted last month, the C100 testified in January at confirmation hearings on the Mayor’s nomination of four new members to the Historic Preservation Review Board (HPRB). The C100 and other groups asked to interview the four new candidates. After initial resistance from the Mayor’s office, the meetings took place. C100 and the other groups are evaluating a further response to the Mayor and Council.

SAVE THE DATE!! Our combined Visions Awards/85th Anniversary Celebration will take place on **Thursday, June 12**, at the historic Chasleton on 16th Street. We have several nominations for Visions Awards. Please submit yours promptly for appropriate consideration. **The deadline for nominations is Monday, April 7.** In celebrating eight decades years of planning advocacy, we will recognize some of our “living legends” and remember significant milestones (winners and losers) along the way. You will be pleased to know that our Endowment Fund committee is working hard to assure the C100’s legacy and presence for the next 85 years.

Making the C100’s Train Run

Help Wanted. The C100 continues seeking part-time administrative staff help. The ideal applicant will be a highly organized self-starter who can develop and maintain electronic databases, mailing lists, and hardcopy files. If you know someone who might be interested, please have them call the office at 202-628-8030 or me at 202-418-5126. ***Are you actively involved on a C100 Subcommittee?*** If not, we welcome your participation on the Subcommittee of your choice. Zoning, Historic Preservation, Transportation and Parks/Recreation, just to name a few, have very full agendas and could use your help. If your talents and interests tend toward organizational structures, the please consider working with Communications, Speakers, Membership or special event planning. Just give us a call.

Have a good month and “make no little plans.” Regards, *Laura Richards*, Chair