

Third Annual Report of  
D.C. Law 2-144, the "Historic Landmark and  
the Historic District Protection Act of 1978"

The Third Annual Report to the City Council pursuant to Section 14 of D.C. Law 2-144 and number five of the Mayor's Order 79-80 concerns the period from March 3, 1981 to March 3, 1982. During this period, 517 permit applications were processed by the Historic Preservation Office of the Department of Housing and Community Development. Of these, there were 440 permit applications and 77 applications for conceptual design review. Of the 440 permit applications, 391 were from seven of the City's Historic Districts which are listed in the National Register of Historic Places, and 49 were from individually listed landmarks. Of the 77 conceptual design review applications, 76 were in historic districts, and one was for an individual landmark. Twelve applications were either withdrawn by the applicants or returned to the Permit Office without action because of the applicant's failure to submit requested information. In three cases, there were negative recommendations to the Mayor's Agent not to issue the permits, and the cases did not go to public hearings. These applications were either withdrawn by the applicants or public hearings were not requested by the applicants.

The attached chart lists by historic district the type of permit application issues. The largest number this year was from Georgetown followed by the Capitol Hill Historic District. As pointed out in the previous reports, review of applications in Georgetown is done primarily by the Old Georgetown Board and the Commission of Fine Arts (CFA), a federal agency.

Of the 517 permit applications processed, 360 were for permit applications for alterations in historic districts, and 34 were for individually designated historic landmarks. Twenty were applications for new construction. There were 11 demolition permits for structures which the CFA or the Joint Committee on Landmarks advised did not contribute to the character of the historic district.

There were two public hearings held during this time period. One permit application received a negative recommendation from the Joint Committee on Landmarks (JCL) and was scheduled for public hearing. This was the Bond Building demolition application. The Bond Building is an individually designated landmark located at the corner of 14th Street and New York Avenue, N.W. The permit application was heard by the Mayor's Agent at a public hearing, and on May 11, 1981, a decision was issued to deny the permit. The case has been appealed by the applicant to the D.C. Court of Appeals but a decision has not yet been issued.

Another public hearing was held during the year as the result of a negative recommendation from another advisory body. The new construction application of the Georgetown Harbour Associates received a negative recommendation from the Commission of Fine Arts. After a lengthy public hearing and review of an extensive record, the Mayor's Agent determined that the project was indeed compatible with the character of the Georgetown historic District and decided to issue the permit. The merits of this case are presently on appeal in the D.C. Court of Appeals, although a stay against the issuance of the permit was terminated, and construction has begun.

Despite a severe recession in the building and construction industry, the number of cases reviewed by Historic Preservation staff was similar to the number of cases reviewed last year, and it can be anticipated that the number will increase once interest rates are lowered and normal building activity resumes.

Effective administration of the law continues to depend upon adequate staff resources. The act is presently administered by four of the eight staff members, and continues to require a large amount of staff time in addition to a number of other functions mandated by the National Historic Preservation Act. As the number of historic landmarks and historic districts increases, the potential applications to be reviewed under the Act will also increase, placing additional strain on the small staff. Beginning October first of this fiscal year, the Department with Council approval has begun moving members of the HPO staff from the CDBG budget to that of appropriated funds. Two positions were moved this year and four will be moved onto the appropriated budget in FY 1983: It is planned that the remaining two positions will be moved in 1984. It was decided that such action was necessary because of the nature of most of the HPO's work, i.e. administration of the local law and because of the uncertainty of continued Federal funding.

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CITY COUNCIL

- I. Total number of permit applications  
March 1981 - March 1982 517
- Total number of Conceptual Design Review applications 77
- A. Individual Landmarks 49
  - 1. Total number of permits issued without public hearing
    - a. Alterations 34
    - b. Demolitions 15
    - c. New Construction 0
    - d. Subdivision 0
  - 2. Total number of public hearings where permit ordered issued:  
One
- B. Buildings within Historic Districts
  - 1. Total number of permits issued without public hearing 391
    - a. Alterations 360
    - b. Demolitions 11
    - c. New Construction 20
    - d. Subdivision 0
  - 2. Total number of public hearings where permit ordered issued - see report.
  - 3. Total number of public hearings where order was "Do Not Issue" - see report.
  - 4. Total number of JCL recommendations of DO NOT ISSUE to Mayor's Agent which did not go to Public Hearing because applications were withdrawn or Public Hearings not requested:  
Capitol Hill 3
- C. Total number of permit applications withdrawn or returned without action March 1981 - March 1982 12
- D. Total number of conceptual review applications (new construction and alteration):
  - a. building in historic districts 76
  - b. individual landmarks 1

II. Number of permits issued in historic districts by district (for public hearing cases see above)

a.	Anacostia	9
	(1) alterations	7
	(2) demolitions	2
	(3) new construction	0
	(4) subdivisions	0
b.	Capitol Hill	150
	(1) alterations	145
	(2) demolitions	2
	(3) new construction	3
	(4) subdivisions	0
c.	Georgetown	169
	(1) alterations	155
	(2) demolitions	5
	(3) new construction	14
	(4) subdivisions	0
d.	Dupont Circle	30
	(1) alterations	27
	(2) demolitions	1
	(3) new construction	2
	(4) subdivisions	0
e.	Sixteenth Street	7
	(1) alterations	7
	(2) demolitions	0
	(3) new construction	0
	(4) subdivisions	0
f.	LeDroit Park	6
	(1) alterations	5
	(2) demolitions	1
	(3) new construction	0
	(4) subdivisions	0
g.	Logan Circle	3
	(1) alterations	3
	(2) demolitions	0
	(3) new construction	0
	(4) subdivision	0
h.	Pennsylvania Avenue National Historic Site	7
	(1) alterations	7
	(2) demolitions	0
	(3) new construction	0
	(4) subdivisions	0

i.	Massachusetts Avenue	2
	(1) alterations	2
	(2) demolitions	0
	(3) new construction	0
	(4) subdivisions	0
j.	Takoma Park	3
	(1) alterations	2
	(2) demolitions	0
	(3) new construction	1
	(4) subdivisions	0

### III. Litigation

#### A. Cases resolved since First and Second Annual Reports

1. Pepco Substation No. 12, 1020 33rd Street, N.W.
2. Elk's Lodge, 919 H Street, N.W.
3. Lansburgh's Furniture Store, 901 F Street, N.W.
4. Keith Albee - Rhodes Tavern - National Metropolitan Bank Building on Square 224

#### B. Cases pending since Second Annual Report

1. International Association of Machinists, 1330 Connecticut Avenue, N.W.
2. Bond Building, 1420 New York Avenue, N.W.
3. Georgetown Harbour Associates, 3301 K Street, N.W.