

25th Annual Report

D.C. Historic Landmark and
Historic District Protection Act

MARCH 2004

TWENTY-FIFTH ANNUAL REPORT
to the Council of the District of Columbia
on Implementation of the
HISTORIC LANDMARK AND HISTORIC DISTRICT PROTECTION ACT OF 1978

March 2004



Anthony A. Williams
Mayor

Lisa M. Burcham
State Historic Preservation Officer

Tersh Boasberg
Chairman, Historic Preservation Review Board

Andrew D. Altman
Director, Office of Planning

DC Historic Preservation Office Year 2003 Activity

The DC Historic Preservation Office has many achievements to report for FY03. While still trying to deal with ongoing challenges, the program has grown and advanced into a fuller more rounded State Historic Preservation Office.

Administration and Management Improvements

After nearly two years without a permanent program manager, the DC Office of Planning hired Lisa Burcham as the Associate Director, DC Historic Preservation Office. She was also appointed as the DC State Historic Preservation Officer, thus giving the Office greater credibility and more direct control over its activities. Several new contract and staff positions were added to the HPO in FY2003 including an Education and Outreach Coordinator, a Community Liaison, a National Register/Survey Coordinator and a permanent Historic Preservation Specialist. Adding these positions enabled the HPO, for the first time in many years, to hold public preservation conferences and workshops, clear-up the back-log of National Register nominations, move forward with its historic district signage program, and actively engage in neighborhood preservation issues. The Grants Specialist position was vacated and refilled in-house in 2003 resulting in the successful reorganization of the grants program to ensure timely expenditure of HPF funds, better organization of records and reporting practices, and an updated, improved sub-grant program. And, finally, an archival schedule for HPO records was produced with plans to begin implementation in FY04.

Education and Outreach Initiatives

The Education and Outreach programs of the DC HPO made great progress in FY03, including:

- Producing a model of the historic district signs to be installed in all DC historic districts. Plans have been made for installation of approximately 300 signs in the Shaw, Blagden Alley and Mount Vernon Square Historic Districts.
- Holding two public workshops, one focusing on historic preservation efforts in Ward 2 and one focusing on grant funding opportunities for preservation projects in DC.
- Developing an informational/educational brochure about the DC Historic Preservation Office as part of a larger communications plan for handling media and improving HPO's public outreach.
- Launching a quarterly newsletter, *Landmarks*, that reports on the activities of the DC HPO.
- Developing a Capitol Hill Historic District brochure for the DC Historic District brochure series.
- Completing the draft African-American Heritage Trail Guide and corresponding website (printing and public release are scheduled for December 2003).
- Conducting an introductory archaeology workshop for children between 10 and 14 years of age.
- Finalizing plans for a jointly run archaeology lab at the new *DC Museum*.
- Printing an updated map of the city and all of its historic districts and landmarks

Designation and Project Review

The HPO reviewed record numbers of designation applications and projects in FY03, including:

- Nominated 9 properties to the DC Inventory of Historic Sites and submitted 12 individual property, two district amendments and one district expansion to the National Register of Historic Places.

- Processed 4,193 historic preservation permit applications, including many for large and complex redevelopment projects, such as the Tivoli Theater, Atlantic Building, several new apartment buildings at 14th and Church Streets, Shakespeare Theater, Columbia Hospital, redevelopment at Rosedale, National Child Research Center, Studio Theater expansion, and numerous new construction and renovation projects in the Shaw and Mount Vernon Square historic districts.
- Maintaining preservation enforcement activity with more than 1,068 project inspections and 256 infraction and violation notices.
- Reviewing 200 applications for federal projects including the restoration and return of the Taft Bridge lions, the repair of the Meridian Hill Park terraced fountains, and the Fort Circle parks. Also included were agreements for improving the appearance of security features at Pennsylvania Avenue in front of the White House, the Washington Monument, Lincoln Memorial, and other federal buildings.
- Reviewing and processing 233 requests for certification under the federal preservation tax incentive program. Of these, 223 were conservation easements, and 10 were historic rehabilitation tax credit projects. The *total costs* for the rehabilitation projects totaled \$132,315,818 with *certified costs* being \$73,153,896.
- Updating and revising for the first time since 1985 the historic preservation regulations for the DC Municipal Code. The draft was submitted to the Historic Preservation Review Board for approval.

Partnerships

In FY03, the DC HPO formed and renewed partnerships with other local government agencies, preservation non-profits and local community groups in order to further its goals and objectives. Highlights include:

- The HPO formed a partnership with the DC Mayor's Office of Planning and Economic Revitalization (*restore DC*) to encouraging good preservation practices in the city's designated *Main Street* areas. This partnership has resulted in a \$100,000 grant to the DC HPO for partnership activities.
- Partnerships with local preservation non-profits *DC Preservation League* and *The L'Enfant Trust* resulted in successful public and agency workshops on preservation practices and regulations.
- A partnership with the National Trust for Historic Preservation for the distribution of *Convention Center Funds*, continued through local grants to homeowners for construction projects and through joint efforts to form a plan to install DC Historic District signs in select districts.
- The HPO continued its partnerships with several of DC's community groups that received HPF subgrant awards for various preservation projects.

PERMIT APPLICATIONS REVIEWED UNDER THE HISTORIC PROTECTION ACT

From October 1, 2001 to September 30, 2002, the Mayor's Agent, Historic Preservation Review Board, and Historic Preservation Office reviewed the following construction permit applications affecting historic properties:

	<u>TOTAL</u>		
Historic Landmarks	169		
Historic Districts		Types of Permits	
Anacostia	27	Alteration	3203
Blagden Alley	16	Conceptual Review	217
Capitol Hill	774	New Construction	53
Cleveland Park	137	Partial Demolition	26
Downtown	93	Raze	25
Dupont Circle	220	Subdivision	89
Fifteenth Street	14	Other	223
Foggy Bottom	27	Total	3836
Fourteenth Street	180		
Georgetown	577		
Grant Road	2		
Kalorama Triangle	60		
Lafayette Square	1		
LeDroit Park	51		
Logan Circle	14		
Massachusetts Avenue	24		
Mount Pleasant	178		
Mount Vernon Square	100		
National Mall	1		
Pennsylvania Avenue	77		
Schneider Triangle	2		
Shaw	149		
Sheridan-Kalorama	107		
Sixteenth Street	24		
Strivers' Section	53		
Takoma Park	17		
U Street	245		
Woodley Park	59		
Other Properties	438		
Total	3836		

Note: Under type of work, "other" includes permits for use of public space, change of use permits, and determinations of eligibility for zoning waivers applicable to historic properties; "alterations" include interior work and partial demolition. "Other properties" include those under the jurisdiction of Commission of Fine Arts and those outside of historic districts.

PUBLIC HEARINGS HELD BY THE MAYOR'S AGENT

Under the Historic Landmark and Historic District Protection Act, the Mayor's Agent is required to hold a public hearing on a permit application in the following instances:

- for demolition of a historic landmark or building contributing to the character of a historic district;
- for subdivision of a historic landmark property (including division or assembly of land);
- in cases where the applicant claims unreasonable economic hardship or proposes to construct a "project of special merit;"
- upon request of an applicant having received a recommendation for denial from the Historic Preservation Review Board or Commission of Fine Arts; and,
- in any other case deemed appropriate by the Mayor.

For a permit to be issued after the public hearing, the Mayor's Agent must find that failure to issue the permit would result in unreasonable economic hardship to the owner, or that issuance of the permit is necessary in the public interest. "Necessary in the public interest" is defined to mean consistent with the purposes of the Historic Protection Act, or necessary to allow the construction of a project of special merit. A "project of special merit" means "a plan or building having significant benefits to the District of Columbia or to the community by virtue of exemplary architecture, specific features of land planning, or social or other benefits having a high priority for community services."

During the past year, the Mayor's Agent issued orders or held hearings on the following cases:

Rose L. Hardy Middle School (1819 35th Street, NW)

Hearing date:	3/13/03
Case Number:	02-608
Nature of permit request:	Partial demolition and construction of gymnasium
Reason for hearing:	Statutory requirement
Claim of economic hardship	No
Status:	Approved as a project of special merit

Owl's Nest (3031 Gates Road, NW)

Hearing date:	2/14/03
Case Number:	02-635
Nature of permit request:	Subdivision of lots
Reason for hearing:	Statutory requirement
Claim of economic hardship	No
Status:	Approved as consistent with the purposes of the Act

Rosedale (3501 Newark Street, NW)

Hearing date:	4/8/03
Case Number:	02-614
Nature of permit request:	Subdivision of lots
Reason for hearing:	Statutory requirement
Claim of economic hardship	No
Status:	Approved as consistent with the purposes of the Act

Atlas Theater and Shops (1313-1333 H Street, NE)

Hearing date: 6/2/03
Case Number: 03-200
Nature of permit request: Subdivision of lots
Reason for hearing: Statutory requirement
Claim of economic hardship: No
Status: Approved as a consistent with the purposes of the Act

942 P Street, NW

Hearing date: 6/17/03
Case Number: 01-140; 02-155
Nature of permit request: Curb cut and driveway
Reason for hearing: Denial recommended by HPRB
Claim of economic hardship: No
Status: Denied

Boys and Girls Club of Greater Washington, Inc.

(1800, 1802 & 1804 9th Street, NW)

Hearing date: 8/8/03
Case Number: 02-241
Nature of permit request: Alteration (window replacement)
Reason for hearing: Denial recommended by HPRB
Claim of economic hardship: Yes
Status: Denied

**HISTORIC PRESERVATION ENFORCEMENT PROGRAM
FY03 INSPECTIONS**

From October 1, 2002 to September 30, 2003, the Historic Preservation Building Inspectors performed inspections and issued enforcement actions in the following historic districts, including historic landmarks for compliance under the Historic Preservation Protection Act:

	<u>INSPECTIONS</u>	<u>STOP WORK ORDERS</u>	<u>VIOLATION NOTICES</u>	<u>NOTICE OF INFRACTIONS</u>
Historic Landmarks	11	1	1	-
Historic Districts				
Anacostia	24	11	2	5
Blagden Alley	4	-	1	-
Capitol Hill	325	66	48	23
Cleveland Park	22	6	3	2
Downtown	7	-	1	-
Dupont Circle	52	8	5	4
Fifteenth Street	-	-	-	-
Foggy Bottom	6	2	-	-
Fourteenth Street	42	11	7	1
Georgetown	127	17	33	18
Grant Road	-	-	-	-
Kalorama Triangle	25	5	-	1
Lafayette Square	2	-	2	-
LeDroit Park	31	12	3	2
Logan Circle	3	2	-	-
Massachusetts Avenue	-	-	-	-
Mount Pleasant	49	15	7	10
Mount Vernon Square	48	13	-	10
Pennsylvania Avenue	1	1	-	1
Shaw	118	19	14	10
Sheridan-Kalorama	7	2	1	2
Sixteenth Street	5	1	1	1
Strivers' Section	14	-	2	-
Takoma Park	3	2	-	-
U Street	125	30	22	4
Woodley Park	17	2	6	3
Total	1068	226	159	97

Inspections.....	1068
Stop Work Orders.....	226
Violation Notices.....	159
	Notice of Infractions (tickets).....97
	Cases filed for Review.....97
	579

Adjudication Hearings attended by Inspectors.....	88
Fines issued by Inspectors.....	\$77,000
Revenue Collected.....	\$20,455

FEDERAL PROJECTS REVIEWED UNDER SECTION 106 OF NHPA

DETERMINATIONS OF ELIGIBILITY

	<u>Eligible</u>	<u>Not Eligible</u>	<u>Total</u>
Properties Reviewed	16	25	41
Total	16	25	41

DETERMINATIONS OF EFFECT

	<u>No Effect</u>	<u>Findings of Effect</u>	<u>Total</u>
Findings of No Properties or No Effect	21		21
Other Findings of "Effect"		74	74
Total	21	74	95

MEMORANDA OF AGREEMENT SIGNED	2
PROGRAMMATIC AGREEMENTS SIGNED	1