

**Testimony before the DC Zoning Commission
Submitted in Case No. 08-06A regarding
Draft Proposed Text, Title 11, Subtitle E (Residential Flats)
November 7, 2013**

Good evening, Mr. Chairman and Members of the Commission. My name is Fay Armstrong. I am President of Historic Mount Pleasant. I have come this evening with one primary objective – to end matter-of-right conversions of row houses in our historic district to condominiums of three or more units. Continuation of this authority – found in Chapter 6 of Subtitle E – will ensure the accelerated loss of remaining single family homes in Mount Pleasant, as well as the construction of inappropriately large additions to them.

As my statement will make clear, Mount Pleasant has suffered greatly under the R-4 designation. Historic Mount Pleasant requests:

1. removal of Chapter 6 from Subtitle E;
2. maintenance of current lot occupancy maximums for different kinds of housing; and
3. setting those maximums by building type and not the number of units.

In other words, “flats” should not be entitled to more lot coverage than the building itself based on its exterior style, whether detached, semi-detached, or row. We oppose continuation of the conversion authority, the current 20% lot occupancy conversion bonus, and the proposal to raise maximum lot occupancy to 60% for detached and semi-detached single family residences, with or without existing accessory dwellings.

Historical Background

Historic Mount Pleasant was formed in 1985 to seek historic district designation for Mount Pleasant, one of the earliest “streetcar suburbs” in the city. Since achieving that goal, we have worked to preserve and protect the distinctive architecture, form and sense of community in our neighborhood, which includes vibrant green spaces afforded by our unusual topography and proximity to Rock Creek Park.

During the 1930’s and 1940’s, a number of the larger houses in Mount Pleasant functioned as rooming houses or were converted to apartments. Many of the row houses in Mount Pleasant were built with front basement entrances and have long had basement apartments, accessory to the principal dwelling. As a result, in 1958, Mount Pleasant was zoned R-4, which permitted conversions of single family homes to apartments to continue, at the rate of one unit for every 900 square feet of lot coverage, with no maximum lot coverage imposed until 2007, when it was set at 60%. The conversion provision we understand was intended primarily to authorize

basement apartments, which were not allowed in the R-3 zone, not to change the character of the neighborhood from single family to apartment dwellings. However, over the years, the R-4 designation has resulted in the loss of important historic fabric. It continues to threaten our basic architectural form – early twentieth-century single family row houses.

Prior to the establishment of the historic district, important houses were razed and replaced by “garden apartments” and other structures not in keeping with the style of the neighborhood -- precisely because the R-4 designation permitted the subdivision of large properties for what was seen as easy profit. The last such significant loss occurred around 1985, when the gracious stucco house with a gambrel roof and side bay windows at 1802 Park Road was demolished, and an unadorned block of eight glass-fronted row houses took its place. The garden along 18th Street was completely paved over to create a solid expanse of concrete driveways and garages perpetually open to the street. The front doors of these new houses are actually located inside the garages on the rear walls. Where there had been a classic Mount Pleasant front porch, there now stands a three-story masonry wall with one awkward window. This “brutalist” structure, as it is known today, solidified neighborhood support for our designation as an historic district. (See before and after photos, Exhibits A and B).

Conversions Today

Since establishment of the historic district, our historic housing stock has been protected from demolition. However, there are continuing problems with conversions, both legal and illegal, and the pace of those conversions has rapidly accelerated. Conversions are now widely seen as a number one problem in the neighborhood. They are a matter of grave concern to Historic Mount Pleasant. Conversions are a particular problem with detached and semi-detached houses, such as 1802 Park Road, which had been limited to 40% lot occupancy as single family homes but may go to 60% if the property is being converted to multi-family use. This represents potentially a 50% increase in size for a particular house – too much to be added to any historic structure without fundamentally altering its appearance and being “incompatible” within the meaning of the historic preservation law.

The opportunity to add up to 50% to an existing building – and then to be able to sell it off in pieces – is an irresistible temptation to developers, who now frequently outbid families for the few houses available. This is what we call the “conversion bonus.” It is a completely unwarranted incentive to destroy our remaining intact single family homes and must be removed from the new zoning code.

The principal problem in the Mount Pleasant Historic District today is the conversion of single family houses (often already having basement apartments) to three- or four-unit buildings, more often condominiums than apartments. A case in point is the ongoing conversion of 1738 Park Road into four condominiums. This semi-detached house on a 3883 square foot lot is one half of one of two identical duplexes on deep lots created by the curve in Park Road. For three decades it housed generations of an extended family. When offered for sale last year, a developer with no experience working in historic districts – and no sympathy for the house itself – bid the property up to \$936,000 and proceeded to develop plans for a large addition on the rear, roof deck, and excavations along the side and rear of the property. The garage, like the house, half of

a structure attached to its mate, would be demolished to allow the additional lot coverage to be concentrated on the house and the entire rear yard paved over for parking.

We encouraged the developer to consider fewer units and showed him a house nearby that had been converted to three units, with no visible intrusion on other properties. He was not interested, saying he needed to be able to sell four units to make the project “work” for him. At the hearing before the Historic Preservation Review Board, one of the Board members exclaimed in frustration that such conversions must be stopped. Nevertheless, he joined the unanimous vote to approve the project, with minor changes. As a matter of right conversion, HPRB has little leeway to insist on design changes that would have kept the property in line with its neighbors. The house has now been gutted, all its original detailing discarded, and the garage demolished. The expanded shell looms over neighboring properties. (Photos of work in progress, front and back, are attached at Exhibits C and D.)

As this example illustrates, the conversion authority operates in R-4 zones to bid up the price of remaining single family homes, only to remove them as such permanently from the market and to make housing of all kinds more expensive. The new units that are being created are often very small, suitable for young professionals starting out in the city, but certainly too small to hold families from generation to generation, as many of the homes in Mount Pleasant have done. Once these properties are divided up and sold to different owners, it is highly unlikely that any of these new pieces will ever be reconsolidated as larger living units. Where buildings on large lots are expanded to the maximum allowed by zoning, the new masses created are incompatible with surrounding properties and adversely affect their light and privacy. The increase in population density brings an increase in the number of cars which cannot be accommodated with off-street parking. Public infrastructure – including transportation and utilities – is further stretched.

End Matter-of-Right Conversions/Delete Chapter 6

For all these reasons, Historic Mount Pleasant calls for an end to matter-of-right conversions of houses to multi-unit dwellings, be they apartments or condominiums. Here we are using the old definition of multi-unit or apartment house, meaning three units or more. We believe this action is necessary to achieve the goals of the Comprehensive Plan related to conservation of row house neighborhoods, retention of a diversity of housing types, and the need for greater consistency between zoning regulations and design standards for historic properties. We are anxious indeed to have land use controls in our neighborhood which, as stated in the Mid-City Area Element of the Comprehensive Plan, would “discourage the subdivision of single family row houses into multi-unit apartment buildings.” Only with the changes we are advocating do we believe that this goal can be achieved in Mount Pleasant.

We see promise in the mandate to split the current R-4 zone into two separate zones, one for one-to-two-family row houses, the other for multi-family, to recognize better the unique nature of individual neighborhoods. We would be in complete agreement that Mount Pleasant should be rezoned RF-1 if that really meant, as stated in section 204.1, that “[t]he maximum number of permitted dwelling units in the RF-1 zone [subject to grandfathering of nonconforming properties] shall be two.” The stated limitation is meaningless, however, when accompanied by the conversion provision in Chapter 6, proposed to be carried over from the 1958 code. Applying the new definitions of “flat” and “apartment building” to the language in Chapter 6, it

appears that the proposal is to prohibit in the future only conversions to five-unit dwellings – and to continue to allow conversions to three- or four-unit dwellings, depending on lot size. This does not provide any meaningful relief for Mount Pleasant.

We call on the Zoning Commission to delete Chapter 6 from Subtitle E of the proposed new zoning code. Continuation of the conversion authority is inconsistent with the new paradigm of having different zones for different levels of density in row house neighborhood and will only do further harm to Mount Pleasant and other row house neighborhoods. It is an anachronism that does not fit current needs and must be eliminated.

Limit 60% Lot Occupancy to Row Houses

We also strongly oppose OP's proposal released last week to assign a uniform lot occupancy of 60% to all residential structures in row house districts. A uniform lot occupancy at that level does not work for Mount Pleasant. Because of our topography, we have a wide range of lot sizes, many of which should not be built to 60% lot coverage because such large additions would overwhelm the historic structures. As suggested by recent experience at 1738 Park Road, it is hard enough to get support from the Historic Preservation Review Board today to limit the size of proposed matter of right additions for conversions without substantially increasing the maximum lot occupancy for many other houses in the neighborhood. Moreover, we do not believe any historic district in the city, all of which were built under very different rules, should now have to contend with the design review challenges that would come with such a drastic change.

We support maintenance of the longstanding system of variable lot coverage maximums for different kinds of residential structures – 40% for detached and semi-detached, 60% for row, with the caveat that these limits should apply irrespective of the number of dwellings within each structure.

In summary, we call on the Zoning Commission to remove the conversion bonus, oppose assigning uniform lot occupancy of 60% to all residential structures in row house districts and put a stop to matter of right conversions of single or two-family homes to multi-family dwellings in row house zones.

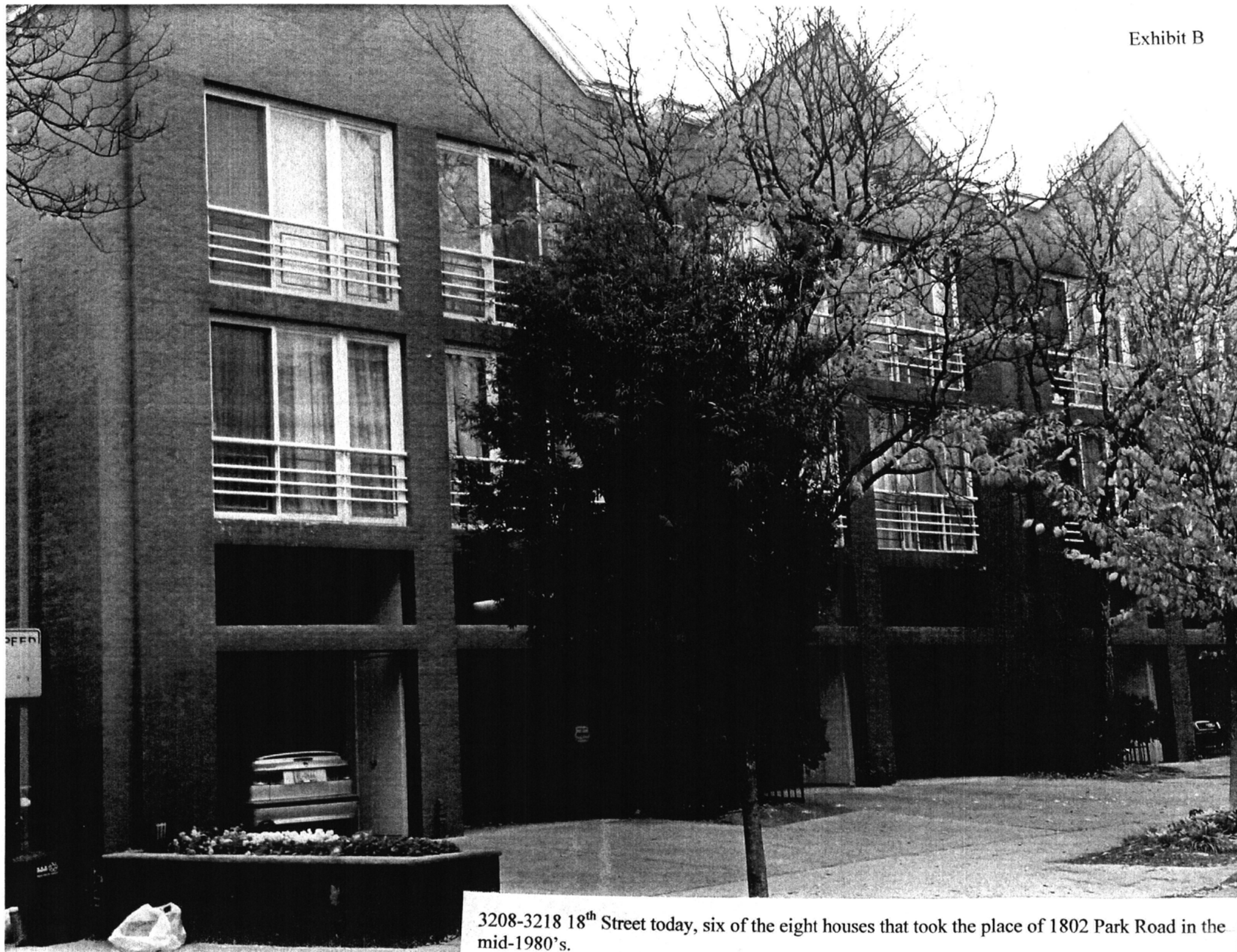
Looking ahead, I would add that Historic Mount Pleasant has begun to survey the neighborhood and intends to pursue the possibility of downzoning and/or developing rules specifically for Mount Pleasant that could be incorporated into the new zoning code. We look forward to working with the Office of Planning and the Zoning Commission on these other regulatory opportunities for our neighborhood. However, we need relief as soon as possible from the current conversion authority.

Thank you for your attention.

Exhibit A



1802 Park Road with its side garden. Built in 1904. Razed in the mid-1980's and replaced by 8 row houses at 3208-3222 18th Street. Photograph published in Cherkasky, Images of America: Mount Pleasant (2007).



3208-3218 18th Street today, six of the eight houses that took the place of 1802 Park Road in the mid-1980's.

1736-1738 Park Road

1740-1742 Park Road

Exhibit D

1742-1740 Park Road

1738-1736 Park Road

