

STATEMENT OF MARY McREYNOLDS, 2101 CONNECTICUT AVENUE, N.W.

February 26, 2014

I. Destruction of Historic Preservation in Washington, D.C.

I own an apartment at 2101 Connecticut Avenue, N.W., an historic landmark apartment building built in 1927 located in the Kalorama Triangle Historic District. I recommend the adoption of legislation to strengthen historic preservation in Washington, D.C. There are at least two areas of weakness in the existing statutory and regulatory structures:

(1) The D.C. agencies charged with the responsibility of regulating land use in Washington, D.C., namely the Zoning Commission and the Historic Preservation Review Board ("HPRB"), must coordinate their law making and review functions in order to preserve and protect properties and structures located in D.C. historic districts and properties and structures listed on the D.C. or National Register of Historic Places ("Historic Properties"). HPRB is allowing changes to Historic Properties that are plainly out of keeping with the historic character of Historic Properties and historic districts, and the Zoning Commission ignores historic preservation standards and concerns altogether. Because these agencies are not effectively protecting Historic Properties, our Nation's Capital is experiencing the incremental destruction of the fabric of historic neighborhoods; and

(2) Owners of Historic Properties do not receive adequate advance notice of proposed construction affecting such properties. Lacking adequate notice, such owners cannot be assured of their rights to bring forward timely comments and objections to the Advisory Neighborhood Commissions, HPRB and the Zoning Commission -- agencies charged directly or indirectly with the responsibilities of preserving and protecting Historic Properties. As a result, those agencies will continue to lack key input from those most keenly committed to historic preservation.

The foregoing weaknesses in the existing legal and regulatory structure should be addressed with corrective legislation.

II. Recommended Legislative Action to Protect Historic Properties

I respectfully urge the adoption of legislation that would embody the following mandatory historic preservation protections for Historic Properties:

1. **Mandatory Actual Advance Notice to Historic District and Neighborhood.** A developer proposing construction work (other than simple repairs) on any Historic Property must give actual notice to each owner of any property located within 1,000 feet of the front, side and rear entrances of such Historic Property no fewer than 90 days prior to the initial appearance before the Advisory Neighborhood Commission and no fewer than 90 days before seeking approval of the construction by the Historic Preservation Review Board. Such actual notice must be confirmed in writing by each such owner. I endorse the notice provision put forward by Bart Leonard, another resident of 2101.

2. **Primacy of Historic Preservation Over Zoning and Land Use.** The preservation of Historic Properties must take priority over otherwise permissible zoning or land use laws and

regulations. The fact that zoning or land use laws and regulations might permit proposed construction or changed use in a particular historic district must not take precedence over the primacy of D.C. historic preservation laws, guidelines and regulations. Zoning "by right" simply must not be permitted to trump historic preservation. In other words, a zoning designation that allows for more intense land use (more units, greater amount of floors and increase F.A.R.) for a particular parcel containing an historic structure built before the zoning designation was created, cannot be the basis for altering the historic structure.

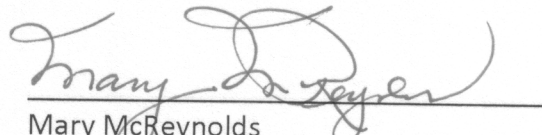
3. **Immediate Automatic Historic Property Downzoning.** The D.C. zoning and land use laws should be amended to protect each Historic Property by prohibiting any development of the property or structure that would change its existing use, unless a variance has been sought and granted first by both the Historic Preservation Review Board and then by the Zoning Administration. The only grounds for granting a variance should be that the proposed change is the only means of saving the Historic Property from physical ruin and that the proposed change is the smallest change to the existing structure needed to save it from ruin.

4. **Ensure Focused Staff Support to Historic Preservation Review Board ("HPRB").** The Historic Preservation Office ("HPO"), the small staff supporting the work of the D.C. Historic Preservation Review Board ("HPRB"), is part of the D.C. Office of Planning, which in recent times has favored increased population density and reduced parking requirements in historic neighborhoods and in real estate development generally. HPO should fall under the sole authority of HPRB, to ensure that HPO is focused solely on historic preservation.

5. **Mandatory Preservation of Gardens, Trees and Green Space.** No change in use of, or alteration to, any Historic Property should be permitted if it would result in the loss of existing trees, gardens and open spaces in the front, sides or rear of such property unless a variance described in ¶3 above has been granted.

6. **Increase in Density Strictly Limited and Inadequate Parking Prohibited.** No proposed change in use of, or construction to, any residential Historic Property may occur if it results in an increase in the existing number of living units or expansion of existing F.A.R., unless such increases are approved in the variance proceeding required in ¶3 above. Moreover, the proposed construction must provide off-street parking spaces equal in number to the combined total of each existing and proposed number of living units.

Respectfully submitted,


Mary McReynolds