

Dupont Circle Citizens Association
Testimony of Rick Busch in Case of Proposed New Zoning Regulations
Zoning Commission Hearing
April 24, 2014

08-06A

My name is Rick Busch and I am representing the Dupont Circle Citizens Association. Since 1958 Dupont Circle suffered from inappropriate zoning, due to the belief at the time that people would continue to move ^{our} close in downtown neighborhood to the suburbs. It was decided then that a planned freeway that would slash down U and Florida streets, and destroy whole blocks of houses would serve commuters. The idea was that displaced row houses would be replaced by large apartment buildings and the conversion of some of the remaining row houses to nonprofit and professional offices would permit people to work and live in these. The disastrous result was zoning to a matter-of-right height of 90 feet for all our residential areas and the disastrous new SP zone. The SP zone was meant to be mixed use with housing preserved in the upper stories, but we eventually lost all the housing in the row houses in this zone and at least one large apartment building on 16th St.

With the freeway system plan condemned by court action and the new Dupont Circle subway opened in the 1970's, neighborhood residents realized that the 90 foot height would serve as an enticement to developers to continue tearing down blocks of row houses. We had already seen the destruction of entire block faces of historic row houses on P St. (1600 block), Corcoran St. (1700 block), Rhode Island Ave. (1700 block), Massachusetts Ave. (2000 block) and New Hampshire Ave. (1800 block). (Luckily some were rebuilt as rowhouses but the replacements were smaller.)

Over a period of 37 years in five separate rezoning cases we managed to stabilize the neighborhood. These were all generated by surveying work resulting in cases prepared by our residents. We established as well five historic districts. This was an enormous effort, the latest being a downzoning to R4 and R5B of some 21 block faces in which I contributed to much of the surveying work. We calculated the height in stories, the number of units, the lot widths, and the lot occupancy of every building. It was a pleasure to work with Ms. Steingasser on this project.

We were extremely pleased when you, the Zoning Commissioners, omitted corner stores from the R5 zones last year, due to testimony about our residents' easy walking proximity to our commercial strips, P St., 17th St. Connecticut Ave., U St. and 14th St.

However, since we lost some 118 buildings, amounting to well over 236 dwelling units through the wholesale approvals by the BZA of office uses in the Special Purpose zones which we protested in hearings and because we have so many intrusions of chanceries and non profits in our residential zones, we are desperate to retain all our housing units. No other neighborhood has been as decimated as ours. Since the aim of the city is to *create more housing it is incumbent on you to avoid the elimination of existing housing in these new regulations.* But that is exactly what

these proposals do, eliminate housing! To rectify this change and to promote the efforts of the city's environmental goals such a tree cover and water absorption, the regulations need changing in the following manner:

Clarify the confusion in arts uses in R5 zones in order to preserve housing

1. In the first proposed regulations arts uses such as offices, dance studios, recording studios etc. are allowed by special exception on the first floor. These are completely inappropriate in row houses and apartments and it appears they may have been eliminated in the Sept. version. But in the new version "studios, ceramic and other craft studios, photography studios, music recording etc. are listed as uses simply as "Arts" and listed below are "Art Galleries". In the definitions section "Arts" are described as including all and more of these inappropriate uses. Ambiguity reigns.
2. Dupont Circle is close to the 14th St. Arts Zone where these uses belong. Simply eliminate "Arts" under R5 uses and the loss of housing is avoided.

Promote, not eliminate housing

1. In R4 eliminate non profit office use in buildings over 10,000 sq. ft.
2. In C2A and C2B do not expand commercial FAR use on the 2nd floor. The policy of mixed use should be strengthened as well as the need for more housing.
3. Mandate housing components, IZ FAR, in downtown zones.
4. Do not permit the zoning administrator to waive the housing requirement in SP as he does now. A BZA hearing is required for use and waiver of housing.

Promote light, air, grass, flowers, trees in back yards in row house, apartment zones

1. Eliminate for R4 through R5E the accessory housing unit provision for back yards. Many of my neighbors grow fruit trees, vegetables, and flowers there. Promoting 20 ft. high buildings in such narrow spaces would make these uses impossible due to shadow patterns and encourage the cutting up of houses and further erode our tree canopy, still badly in need of expansion.
2. Keep the present floor area ratios for these zones

In C2A, C3B and C2B do not expand the lot occupancy to 100%

1. Most of our restaurants and small businesses have no alley separation from adjacent residential buildings. The noise from late night bars and restaurants are already intolerable, especially weekends.
2. With 100% lot occupancy there is no place for dumpsters with most of our few alleys only 12 feet wide.
3. A 15 ft. setback with or without an alley will not suffice.

Many of these problems I believe are due to lack of surveying and a deficiency of knowledge of our neighborhood, which has 11 different zones. The old zoning, which we attained through Herculean effort, is in many areas effaced by proposals in the zoning rewrite, a rewrite which would do much damage to Dupont Circle.