

TESTIMONY OF JACQUELINE REED

1310 Q STREET, NW, WASHINGTON, DC 20009

Re ZC CASE NO 14-11 --COMMENTS ON PROPOSED TEXT AMENDMENTS

The proposed R-4 zoning changes will not achieve their asserted objectives. What is the purpose here? Is it to limit popups? If so, why not just amend the regulations to allow them only by variance or special exception? How do the proposed changes in any way relate to the historic districts, where popups could never occur in any case? Another consequence, as you must know is to devalue a large number of homes which constitute the largest single asset of their owners.

I have lived at 1310 Q Street for 40 years on a block of largely intact Victorian row houses located in the Greater Fourteenth Street Historic District. My family moved in when the neighborhood was filled with derelict buildings, empty storefronts, prostitutes and drug dealers. Before us, our house was a rooming house for 55 years. It took 10 years for us to renovate and then we made it into a bed and breakfast because it was too large and otherwise unaffordable. Over time we acquired the vacant lot next door and a small parking area in the alley. Even though our house has either been a rooming house or bed and breakfast for most of the last 95 years, it is still considered a single family residence and would not be allowed to change to an apartment building under some of the proposed changes.

Change at Logan Circle didn't happen by accident. It came from the efforts of concerned citizens who sought to protect the historic character of the area and to provide a residential community where children could be raised. Change came from a community effort of working with the police, city council and courts to eradicate prostitution from our neighborhood. It came from starting the house tour and expanding the historic district. I don't have time to tell you all that was done, but what I can tell you is that as individuals, we could not do all that was necessary to accomplish our goal. It was only when the developers came and bought and renovated properties did real change come to Logan Circle. The renovation of 1&2 Logan Circle into 8 condominiums was a really big deal. The success of that project caused other projects and other developers to come to Logan Circle. Today 14th Street is a vibrant and thriving area of the city. Condominiums are everywhere making Logan Circle a place where people want to live, which has enormously increased housing and real estate tax revenue for the city. Without developers, Logan Circle would not be thriving today and this is the way every neighborhood in the city has evolved.

ZONING COMMISSION
District of Columbia
CASE NO. 14-11
ZONING COMMISSION
EXHIBIT NO. 104
CASE NO. 14-11
EXHIBIT NO. 104

Why prevent developers from creating apartments in R-4 districts by requiring inclusionary zoning This proposal is far more restrictive than the existing provisions for inclusionary zoning that apply only to buildings with at least 10 units, and its adoption would have the effect of **reducing** the number of units in R-4 districts because a for-profit developer could not afford to comply with the inclusionary zoning requirements with existing land acquisition costs

I think popups look awful I think a harmonious roofline is worth preserving The way to preserve rooflines is to limit popups It is not to lower the roofline everywhere, it is not to limit conversion of housing and nonresidential units to apartments, and it is not to prevent development of market-rate housing It is to craft a limited and narrow solution that enables development that does not damage the community by limiting higher rooflines adjoining residences

I oppose these changes and request that the Zoning Commission not adopt any of the proposed text, except as they relate to popups, particularly with respect to the historic districts. If the Zoning Commission decides to proceed with the legislation, I fully support and agreed with the **Vesting** proposals of Pro DC's Future and I request that you leave the record open for a long period of time because the incoming commissioners need more time to understand the issues I know that my own ANC has all new commissioners except one

Thank you for hearing my concerns

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The Washington, DC area is great. But it could be **greater**.

Citywide historic review is not the answer to ugly pop-ups

by [Topher Mathews](#) • May 25, 2012

Ugly home additions or new construction often lead to calls to expand historic preservation citywide, but our current historic review process is far too cumbersome and limiting. Instead, less stringent design review or neighborhood-specific zoning could help shape development effectively.

Last week, Richard Layman provocatively suggested [applying design review rules to the entire District](#).

The historic preservation design review process can indeed prevent undesirable projects from moving forward, but the process also too often serves objectives unrelated to genuine historical preservation, such as simply wanting to limit development.

Layman writes:

For years I have been surprised that a city so defined by historical excellence in planning (L'Enfant, McMillan Commission) and excellence in architecture, does not require design review for the entire city, regardless of whether or not a neighborhood or building is designated as historic. ... This would be a way to right the terrible wrong that occurs in so many neighborhoods, when alteration of the housing stock is done in ways that diminish the value of place.

Applying design review for the whole city would definitely reduce the diminishment of the historic housing stock outside the designated historic districts, but it would come at a steep cost.

In DC's historic districts, such as Georgetown or Capitol Hill, any modification or new construction of a building requires the approval of the federal Commission of Fine Arts (CFA) or the District's Historic Preservation Office (HPO) design review board.

During the review, these boards often (if not nearly always) deny applicants the right to build as much on the property as zoning allows. For example, while the zoning code for the property may allow a building of 40 feet in height, the board requires a shorter building.

Sometimes this process protects against projects that even advocates of more density would oppose. This classic "pop-up" was labeled by the Prince of Petworth as the ["Worst Pop-Up of All Time"](#):



Photo by Prince of Petworth.

Since this property is not in a neighborhood subject to design review, the owner was able to build to the zoning maximum. This completely breaks up the consistent roof lines of the block and the clapboard building material of the addition is completely out of place tacked on to a Victorian brick rowhouse.

Here's [another atrocious example](#) of what happens when poor design meets maximum building size:



Photo by In Shaw on Flickr.



Photo by Hyperlocal Glover Park.

I have no doubt that neither of these pop-ups would see the light of day if they were subject to historical review. The buildings are out of scale with their neighbors and the building materials and styles are completely out of place.

The fact is that historical review is generally effective at preventing inferior projects like these from going forward. So Layman is right that expanding the entire District to review by the CFA or HPO could address "bad" projects that disrupt the aesthetic harmony of a neighborhood.

But a literal application of this approach would be a disaster. Neither CFA nor HPO has remotely enough resources to perform the design review that would be necessary if the entire District were one large historic zone. Moreover, enforcement would be nearly impossible. I can speak from experience that dealing with historical review is incredibly frustrating, and if it were applied across the District, I would fear a grassroots rebellion against any and all historic protection.

But more importantly, historic review prevents plenty of good projects as well. In Georgetown, for instance, [Eastbanc has proposed to replace the Canal Rd. Exxon with a five story condo building](#). From a true historic preservation perspective, there's not much of a case against the project. It wouldn't break up the rhythm of the block and the proposed style, while not particularly elegant, was at least not discordant.

But neighbors along Prospect Street would lose a part of their fabulous view across the Potomac. So they argued vociferously during the design review process that the project should be reduced to preserve their views. This had little to nothing to do with genuine historic preservation. While the Old Georgetown Board (a sub-body of the CFA) did not endorse the Prospect Street residents' objection specifically, they did hem and haw over the "massing" of the building before Eastbanc pulled the proposal. They are currently working on new plans.

This pattern is repeated frequently in Georgetown and in other historic districts. I've sat through dozens of meetings discussing scores of projects. Time and time again, neighbors use the historic preservation design review process to object to the size of the project rarely out of any genuine concern for the preservation of the neighborhood's historic character but rather because they simply just don't like the project. The basis for the complaints would be no different than if the project were in a brand new development with no historic character: it blocks my view, it's too big, you'll be able to see into my garden, et cetera.

So while historical preservation design review can prevent projects that could truly degrade the historic quality of a neighborhood, it's also used to prevent projects that don't pose that threat and would in fact enhance the neighborhood.

But it is certainly worthwhile for the District to develop alternatives for neighborhoods looking to prevent the pop-ups, and the like, while avoiding the burdens and drawbacks of full historic district designation. The scope and objectives of such a review should be narrowly tailored.

A sliding scale of review could apply depending on the nature of the neighborhood. For instance, older townhouse neighborhoods like Bloomingdale may warrant stronger controls than a neighborhood full of detached houses of diverse styles.

Layman hinted at how the possible mechanics for this review could work. Rather than expand the jurisdiction of the CFA or HPO, tailor the zoning envelope to a neighborhood, or even to each block. If someone wants to build beyond that envelope, make a special exception the standard of review by the Board of Zoning Adjustment (BZA).

This is a [lower standard than a variance](#). It would introduce a small degree of design review, without being the proverbial camel's nose under the tent that the historic preservation design review often becomes.

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Historic committee favors addition atop historic rowhouse

by [David Alpert](#) • July 21, 2010

Additional floors on top of historic rowhouses, sometimes called "pop-ups," are one of the most reviled modifications outside historic districts. And for good reason: they're typically ugly, cheap, and stick out like sore thumbs not just for their height but for the use of materials totally incompatible with the old houses.

Meanwhile, local historic boards are also known for being stalwart opponents of nearly all change, no matter how meritorious. After all, they typically attract people who like the neighborhood exactly the way it is and would just as soon it stayed exactly the same forever.

Therefore, it might be particularly surprising that the Dupont Circle Conservancy, the neighborhood historic review organization in the Dupont Circle neighborhood, endorsed an addition of a third floor atop a historic rowhouse at the corner of 15th and S, NW.

They would never approve anything even remotely like the ugly monstrosity in the picture to the right, but not all additions have to look that way. They wouldn't even approve an addition to most houses. But historic review can ensure that additions don't look like that, while at least in limited circumstances, allowing the growth of the buildings themselves.

The attitudes among preservationists for and against this change highlight two different philosophies of preservation, and the DCC's support for this change reveals an evolution in preservation in DC from one to the other.

Most blocks in the area have larger apartment or commercial buildings at the corners, or else grander rowhouse-sized buildings whose longer sides form the main, front entrance (like the southwest corner of 17th and S). When the entrance is on the short side, the building is often still more distinctive, taller, or otherwise anchors the row.



This is not what 3rd floor corner additions should look like. Photo by Wayan Vota on Flickr.

1641



1461 S Street, NW viewed from 15th Street. Image from Lawlor Architects.

1641



1461 S Street (left) and the house across S (right). Photos from Lawlor Architects.

The property owner proposes to add a similar mansard roof, but with more curvature. She also wants to remove some of the rear addition to get the property down to the allowed lot occupancy, but extend the second and third floors to the rear to match the size of the first.

She would also add a bay along the 15th Street side, add windows, redo the wall along the rear yard to include brick, and rebuild the garage as an office, removing the vehicular entrance to 15th.



Diagram of 1461 S today (top) and proposed (bottom). Images from Lawlor Architects.

The house currently has multiple kitchens to allow being used as multiple units, but the owner says she and her family will occupy the entire house. She has elderly relatives she takes care of, and wants the space to accommodate them as well.

Houses of 3 stories plus a basement are very common in the area and allowed by zoning. Should historic preservation forbid the addition anyway? Is this house historically low?

Some argue it is. The third floor would not be original, and therefore not historic. This view of historic preservation holds that whatever has been, is historic, and the job of preservation is to keep historic things the way they are ("preserved.")

The [HPO staff report](#) comes down against the addition on the grounds that HPRB has traditionally not allowed additions that modify the roofline. And, in fact, HPRB has not.

Should that be an absolute rule? The Conservancy members didn't think so. In a resolution, which I wrote, they said,

While we feel that a third story addition visible from the street should only be allowed in extraordinary circumstances, the role of this building in the larger historic district and in relation to the other corners as an anchor building justifies an exception. We feel that this project would enhance the overall character of 15th Street and therefore support the project as presented.

I and other supporters argued a different view from "historic is what's existing, and preservation is about keeping what's historic the same." Instead, look at the spirit of the historic district. The U Street Historic District (which this property is in, though it's in the Dupont Circle neighborhood by most measures), as well as the adjacent Strivers' Section and Dupont Circle districts, are characterized by 2- and 3-story brick row houses and elegant corner buildings.

Right now, this house looks to be an anomaly, a missing piece in the historic fabric. If this project went forward, the historic district would seem more complete. It would fulfill what seems to be the original architectural intent of the area. And passerby would assume that this house originally had the third floor, if it's done right.

This isn't like the vinyl pop-ups of Petworth which clearly look to be incompatible. This makes the house appear more compatible.

That requires high quality materials and good workmanship. It's appropriate, and necessary, for the Conservancy, HPO, and HPRB to carefully monitor plans as they progress toward being final to ensure that this addition is of the highest quality and does look compatible with other, similar historic roofs.

DC's preservation movement has been declining in numbers and strength. The citywide historic groups do not get the numbers they once did at their events. Yet historic preservation is a valuable part of DC and shouldn't fall by the wayside. Instead, we need to redefine it in a way that works with, instead of against, sustainability, urbanism, Smart Growth, and the overall value of growing DC.

These needn't be mutually exclusive. Allowing a third floor on this house while requiring the strictest adherence to architectural quality and historically compatible materials is a great way to advance all of these goals, and to improve the overall look of the neighborhood at the same time.

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DC may limit condos and building heights in some row house zones. Is this a good idea?

by [David Alpert](#) • January 13, 2015

The DC Office of Planning wants to further limit the height of houses in some row house neighborhoods and restrict the ability of property owners to split their houses into multiple units. The proposal, which first came out last June, will have a public hearing this Thursday night.

Planners say these proposals are responding to some neighborhoods' alarm about "pop-ups" and will preserve family-sized units in row houses which developers have been converting to buildings with more and smaller units.

However, others worry that this is the latest in a recent string of zoning changes which would reduce DC's ability to add housing in areas close to jobs and transit. The planning office of late seems to make policy proposals on a very ad hoc basis that react to a political issue, and we need a comprehensive look at the city's housing need along with strategies to deal with it.

What's in this proposal

This change would apply to the zones designated R-4. This covers Columbia Heights, Shaw, Capitol Hill, and other areas in purple on the below map:



Residential zones as of 2008. Image by David Alpert from DC Office of Zoning base map.

Today, a property owner in these zones can have up to two units in one house. For larger-than-usual lots, there can be three or four. And some property owners have asked DC's Board of Zoning Adjustment (BZA) for a variance to convert normal-sized ones into four or more apartments.

The BZA has granted many of these requests, sometimes with the full support of immediate neighbors and the local Advisory Neighborhood Commission and sometimes in more controversial situations. OP's proposal would tighten these rules to completely forbid this practice. Another alternative, which OP added in response to criticism of its initial proposal, would still allow the extra units but require any beyond two to be Inclusionary Zoning units available to people making 60% or less of the Area Median Income.

In addition, row houses in these zones could only rise to 35 feet as of right, with the ability to get a special exception to build to 40 feet. A small "mezzanine" floor would also count against the limit on the number of floors, which it doesn't today.

Why planners say this is necessary

According to OP's [blog post](#) and [presentation](#), the change from 40 to 35 feet will still let homeowners add on to their houses, including adding a third story to a two-story building, but will limit some of the more incongruous additions and cut the economic motivation to add on as high as possible.

It's worth noting that the [infamous V Street pop-up](#) isn't even in an R-4 and this proposal wouldn't affect it. But there have been projects adding on to a row house that tried to maximize the building envelope, both on top and in back, to put as many smaller units inside as could fit.

As for converting a house into more than two units, they essentially seem to feel that the BZA is granting these variances too readily. The R-4 zone's stated purpose, according to the zoning regulations, is to be a place of only moderate density row houses with larger units; creating a lot of apartments isn't really in keeping with that spirit.

They also argue that because of this ability to make a little apartment building out of a row house, developers can outbid individual families for the buildings,



Photo by rockcreek on Flickr.

making it harder for families to afford places to live. New large apartment buildings in DC are generally made up of studios, one bedrooms, and two bedrooms, with relatively few three- and four-bedroom units, so, the proponents say, we should preserve some of the larger units that already exist.

Why critics say this is a bad idea

The original proposal came under some criticism from certain members of the Zoning Commission when OP planners presented it in July. Marcie Cohen, a housing affordability advocate, said, "The need that's brought before us in the BZA cases [is] adding housing. And no one seems to appreciate density, yet we have the infrastructure in certain neighborhoods for density and I guess I'm in favor of taking advantage to provide the needed housing that we have in the city."

Rob Miller also spoke about the city's need to grow, while chairman Anthony Hood and Architect of the Capitol representative Michael Turnbull defended OP's ideas. Peter May, the National Park Service representative, was not at that meeting and will likely represent the swing vote.

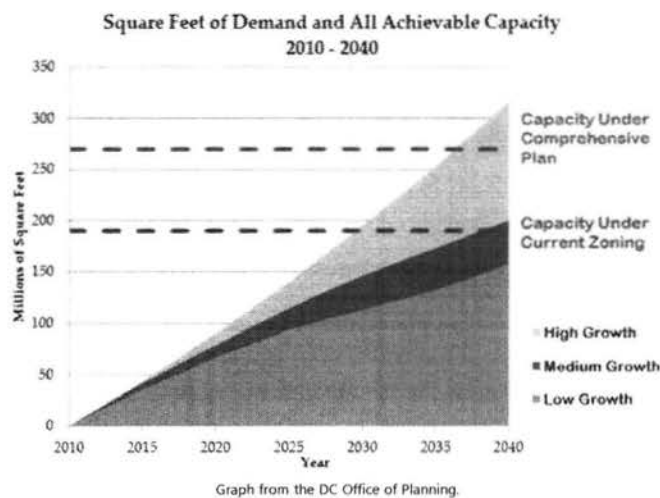
Blogger Payton Chung points out that the traditional family, married couples with children, make up less than 10% of DC households, while a third of the housing is family-sized. Plus, that minority of housing takes up most of DC's land (because much of it is lower density). Therefore, he concludes, while DC still needs to have family-sized housing, what it really needs to add right now is smaller units.

While many families do want to live a short walk from restaurants, Chung also links to research showing that compared to other household types, this is less of a priority. And, he says, "most of North America's great 'Main Street' urban neighborhoods are made of 2-4 unit low-rises—a desirable, sustainable urban pattern that's almost criminalized by this change."

We need plans for new housing

This policy debate need not pit families against singles. We need enough housing for all types of households. But where?

OP's own report on the height limit found that under current zoning and historic preservation laws, existing places to build new housing would max out in about 25 years, or sooner if DC experiences a high level of growth.



Twenty-five years is not a lot of time to find opportunities for more housing. It has taken over seven years just to make a few minor tweaks in the zoning to add a small amount of new housing potential in existing carriage houses, and that came only amid enormous pushback. OP repeatedly scaled back these proposals along the way, to the point that the Zoning Commission actually told planners they had retreated too far.

These changes came in response to individual neighborhood complaints or requests. But these changes don't just affect one neighborhood: they affect the whole.

It certainly could make sense for a neighborhood to collectively decide that one area is the best one for more housing while another is not, and agree to increase zoning in one area while decreasing it in another. DC could decide that the row houses are right to reserve for family-sized housing and add opportunities on other land in the neighborhoods for the one- and two-bedroom units we need.

Unfortunately, that's not what's happening. Instead, people try to push new growth entirely out their own areas, often successfully. And OP planners' stated reasons for making a change, whether this one or its zoning update retreats, generally don't speak to the citywide effect on housing supply at all.

We need housing forecasts

I hear some folks in the government disagree that prices are rising because of zoning limits on housing. In that case, let's have a discussion about it.

OP should publish its own analyses, with more detail than what's in the height report. This would be a great component for the forthcoming revision to the Comprehensive Plan, the overall planning document which is supposed to guide District policies and land use decisions.

Let's really analyze what types of housing we need, in what sizes and areas, and how that compares to current supply. Then we can have a real conversation about different ways to meet the demand. We can't get there through a neighborhood-by-neighborhood process tweaking one rule at a time. There has to be a

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Should adding more housing be illegal even when neighbors support it?

by [David Alpert](#) • July 22, 2014

If a property owner wants to divide a row house into multiple units, the neighbors agree, and the local Advisory Neighborhood Commission does not object, should they be able to?

The Office of Planning (OP)'s [recent "anti-pop-up" zoning proposal](#) would halt this practice, in an effort to keep row houses as one- or two-family homes and reduce the financial incentive to add on top and in back. But at two members of DC's Zoning Commission were not at all pleased with this proposal.

Commissioner Rob Miller said that the Board of Zoning Adjustment has been granting many variances recently to allow these multi-family conversions, but only when—and because—the neighbors and ANC endorse the idea. In fact, he said, the BZA has been sometimes having to bend over backward to get such a request to meet the strict variance criteria. But, at least in his thinking, if this is something neighbors support, why shouldn't it be allowed?



Photo by Andrew Wiseman on Flickr.

OP's Jennifer Steingasser acknowledged that in the recent BZA cases, there has indeed been neighborhood support. Often that's because a property is vacant and crumbling, and neighbors are eager to see someone invest the considerable capital that might be necessary to overhaul it. Small developers have said that the economics only work out to do such substantial work if they can create more units.

Federal representative Michael Turnbull, who works for the Architect of the Capitol, doesn't believe that. He said, "I'm not really convinced by these marketing studies. For every marketing study that says one thing, you can get another marketing study that says, well no. ... So it's a little bit self-serving. I always look askance at these things."

But Miller does not agree. He said,

I think this proposal significantly constrains the ability of our existing housing stock ... and the existing zoning code to accommodate a growing population, including a growing proportion of smaller household sizes. We are very fortunate to have an existing housing stock that can partially accommodate this change and growth in our city. Cities are dynamic and we need to manage the change and make sure it doesn't change the residential character of a neighborhood, but I think we should do more to manage the change rather than just throw up additional roadblocks.

In response to much of the pushback OP has already received on its draft, Steingasser has developed some alternative approaches. One, which garnered some praise from the commission, would still allow converting row houses into apartments, but require that units beyond the first and second be below market rate units under DC's inclusionary zoning law.

This would permit more housing, but set some aside for people with lower incomes, perhaps ensuring that these neighborhoods remain mixed-income as they grow more dense. It would be helpful to know more about the economics of these conversions to ensure that property owners would still be able to afford them; otherwise, it's just a ban in another guise.

Miller also asked OP to add another option that would make multifamily conversions a "special exception" instead of a variance. In a special exception, impact on the neighborhood is the main test, rather than uniqueness financial need.

Where's the big picture?

Commissioner Marcie Cohen argued that OP should be making any proposal as part of a larger housing strategy instead of as a one-off reaction to public pressure. "I just don't think we have a comprehensive housing policy in this city and I'm worried about all the unintended consequences of [this proposal]. I personally prefer the alternatives that you have [proposed]. I do believe we must have opportunities that are supported by an ANC and supported by a neighborhood to move ahead with higher density in an R-4 district."

In response to questions about the impact on housing supply, Steingasser repeatedly said that the rules didn't originate out of an analysis about housing; rather, they were an effort to respond to public outcry about pop-ups (including a [sudden election-year interest in the issue](#) from councilmember Jim Graham, who later lost his primary).

But this is exactly the problem. OP has now in several cases proposed new limits on zoning which, officials readily acknowledge, arose entirely in response to some requests by some neighbors. OP should certainly listen to neighbor concerns, but needs to also think about the big picture. Miller pointed out that they got feedback on many different issues, like fixing Inclusionary Zoning, and asked, why has OP reacted so quickly to this particular one right now?

Every change, especially one that affects the overall housing supply, has an impact beyond just the immediate neighbors and the people who have specifically met with Steingasser or testified at a hearing. The Office of Planning needs to have a broader idea of how much housing of different types DC has and how much it needs.

A policy that pushes more row houses to be family-sized housing and discourages small apartments in row houses could be a reasonable one, so long as DC also has a bigger plan for how to provide the smaller sized housing that other people want. As [UrbanTurf recently discussed](#), many families would prefer a row house (we certainly did).

Maybe a comprehensive housing supply strategy will conclude that fewer row houses should turn into apartments while more apartments should go on other spots. But at the moment, there are no concrete numbers about the demand and likely supply. There are just handwaving statements about how more units will appear at places like McMillan (maybe not enough, and even fewer if opponents get their way) or that we need more family housing.

The Office of Planning is going to be doing more quantitative housing analysis as it prepares to revise the DC Comprehensive Plan. Steingasser also told the Zoning Commission that OP has more data on row houses and family-sized housing. While this proposal might be a piece of a puzzle, it would make far more sense to propose it as part of a fuller plan to ensure DC has the amount and sizes of housing it needs.

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David Alpert is the founder and editor-in-chief of Greater Greater Washington. He worked as a Product Manager for Google for six years and has lived in the Boston, San Francisco, and New York metro areas in addition to Washington, DC. He now lives with his wife and daughter in Dupont Circle. [G+](#) [Twitter](#) [Facebook](#)

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Absolute key question on the District's housing strategy: "Where is the big picture?"

Simply answer: There is none.

by Lurker on Jul 22, 2014 11:26 am • [link](#) • [report](#)

In many cases, the "pop ups" are creating more family housing, not taking it away. In Bloomingdale its common for the 4 level houses to be split into 2 3 bedroom condos, which have enough room (typically 1500 SF or so) for a family. They sell well because there's a lot of demand for that. 1500 SF and 3 bedrooms are very expensive if you are talking rowhouses in DC proper. Young families that don't come from money can't afford rowhouses in DC proper, but don't want to be exiled to suburbs. The pop ups are just the market solving that conundrum in a way that bothers a lot of people. The way to solve this is to build lots more rowhouses or force developers (they won't do this on their own because 1-2 br's are more lucrative) to build lots of 3br condos. I'm very skeptical that popup critics really care to do this because when push comes to shove, they really love restricting supply, which increases the value of their own real estate.

by 11luke on Jul 22, 2014 12:01 pm • [link](#) • [report](#)

If DC came up with a clearer way of handling pop ups, I think people wouldn't mind the added density. That's why many of these neighborhoods are so desirable in the first place.

by Thayer-D on Jul 22, 2014 12:09 pm • [link](#) • [report](#)

11luke pretty much nails it. I am always astonished when people wring their hands as the market tries to find ways to increase density, increase housing supply, and lower housing prices.

It is SOOOOOOOO tempting to think that if we just finally get all the experts, the planners, the PhDs, the whoevers together with the right information that they will be able to think and plan our way out of this.

But it's not going to happen. There is too much distributed information and the bets approach is to let individual buyers and suppliers find each other with the government providing clear and predictable rules. This business of micromanagement is madness.

by Hill Feller on Jul 22, 2014 1:09 pm • [link](#) • [report](#)

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DC planners want to limit row houses from becoming condos

by [David Alpert](#) • June 30, 2014

In neighborhoods like Mount Pleasant and Columbia Heights, people have been converting row houses to 3- and 4-unit condo buildings. Should zoning stop this practice? It would under a new proposal from the DC Office of Planning, but not all of DC's zoning commissioners were enthusiastic about the idea.

This proposal would apply to the zones now designated R-4, including neighborhoods like Capitol Hill, Trinidad, Bloomingdale, Logan Circle, Columbia Heights, and Park View. Today, it's legal to have two separate units in one of these row houses, but not more unless the lot is particularly large.

OP's proposal would take away the ability to have more than 2 units at all. It would also limit houses to 35 feet instead of 40 (though owners could go to 40 with a zoning hearing) and end the current policy allowing small "mezzanines" to not count as floors.

The Comprehensive Plan defines the R-4 zone as primarily single-family row houses (perhaps with basement apartments), not as apartment buildings. But in booming neighborhoods like Columbia Heights, OP planners say, developers have outbid individual families for houses with the expectation that they could get BZA exceptions to make the building into a multi-unit condo and add on to the top and back.



Photo by Andrew Wiseman on Flickr.



Color coded map of residential zones (as of 2008). R-4 zones are in purple.

Zoning commissioners worry this may reduce housing

OP Associate Director Jennifer Steingasser presented this plan to the Zoning Commission, DC's part-federal, part-local board which has the final say on zoning, on June 9. Commissioner Marcie Cohen asked whether this change would reduce the amount of new housing that can get built in the city. She said,

A major concern that I have is the need for housing, and that's usually the need that's brought before us in the BZA cases. It's adding housing. And no one seems to appreciate density, yet we have the infrastructure in certain neighborhoods for density and I guess I'm in favor of taking advantage to provide the needed housing that we have in the city. How do we balance that?

Steingasser laid out the arguments, and said,

It's just a balance. We're trying to encourage housing, by all means, but we would rather it not be in the single family and at the expense of the historic row houses, that it be geared more towards these larger lots or into these higher-density, multifamily, commercial mixed-use areas.

Something of a debate ensued.

Chairman Anthony Hood: I'm glad to hear you say that, Ms. Steingasser ... While I understand the need, there are a lot of folks in this city who bought in their areas for a reason. ... Do we just throw everybody on top of them or do we kind of balance that out? ... While there is a need for housing, we have to be delicate with that because in this city who's been there a long time, they spent a lot of money in purchasing their homes which is their biggest investment, and they didn't buy into that.

Commissioner Rob Miller: That's why there are five members on this commission, because it is a changing city, it is a growing city, and where you tip the balance—does two to three [units in a building] really change the character of a neighborhood? I don't think so. But maybe others do.

Steingasser: This is coupled with the new RF zones that we're proposing that do allow for more than 2 units. And where those get mapped will

accommodate that. So it's not ensuring an amberification of all R-4, but allowing some areas to have more and some to have less.

However, Steingasser just walked back a very important proposal in the zoning update where homeowners in the R-4 zone, who can already have two units in their building, could put one of them in a carriage house without a zoning special exception. This will reduce the amount of housing that gets added in R-4 zones inside existing buildings.

At the moment, not clear if the neighborhoods that will take advantage of the new 3-unit and 4-unit zones will be R-4 (2-unit) zones, adding more potential housing, or R-5 (unlimited unit) zones, which would decrease potential housing.

In a blog post, unnamed OP planners added,

So, in a time when the demand for housing is great in DC, why would OP propose this? In addition to being inconsistent with the intent of the R-4 zone and sometimes the character of the neighborhood, this is having an impact on the diversity and the relative affordability of our family housing stock. ...

Buildings with one and two dwelling units represent approximately 38 percent of the District's housing stock, but only about 4 percent of the units in the housing pipeline over the next 15 years. Conversely, the District has a large supply of multi-family or mixed use zoned land and developments in the housing pipeline for multi-family housing that is appropriate to meet the demand of smaller households.

Few new multifamily buildings are being delivered with three or more bedrooms, unless they are part of housing planned to replace similarly-sized public housing units. Over the past three years, three-bedroom units have risen in price almost three times as fast as one-bedroom units—a reflection of the limited supply, subsequent demand pressure, and rapidly escalating prices.

Families seeking to purchase relatively affordable homes are competing with developers who can pay more for a larger house than a family because they can profit by splitting up the building and selling smaller units. Ensuring that the R-4 zone remains a single-family rowhouse or flat zone can begin to address this pressure.

Despite appearances, this doesn't deal with pop-ups very well

OP is right that DC does need some family housing. It also needs single and couple housing. Encouraging family housing is a good idea, but like many zoning proposals from OP recently including the past few years of zoning update tweaks (and like DC's parking policy in recent years), it seems to be just layering customized rule on top of customized rule without a broader strategy.

This specific proposal doesn't even address many of the complaints people have. This is mainly being billed in the press as a move to stop pop-ups. The lower height will deter some of the worst pop-ups, but it isn't going to stop people from adding a third story onto a 2-story row house in a place like Trinidad and the biggest objection is usually that the pop-ups are cheaply made and ugly. A design review process may be better than a zoning limit. Nor will this do anything about many of the more infamous pop-ups, like the one on V Street, which is in an ARTS/C-2-B zone.

How about some actual planning?

Rather than slap on a patchwork of new rules that react to each neighborhood request, why can't the Office of Planning actually plan? Work with residents to figure out where the housing DC needs can go, and what's the best place for different size housing. Figure out where and what kind of family housing there could be, and then write rules to encourage that.

There's a good chance that existing row houses are a more ideal place for family-sized housing. A limit might make sense if, at the same time, the city has a strategy for adding the housing it needs in other ways. It doesn't have one now. There was also massive opposition to allow even targeted exceptions to the federal height limit. People are fighting development at McMillan, at Takoma, at the Big K site in Anacostia, and on my block, all saying that whatever is proposed is too big for whatever area it's in. There was a lot of opposition to allowing accessory apartments in single-family zones, even though that wouldn't change any buildings. And so forth.

Since the first zoning update proposals in 2008, Steingasser's division of OP has been largely reactive, responding to complaints and tweaking the zoning (just about always to make it more restrictive). The agency needs to start being proactive and engaging residents in a discussion about the best way to add the housing DC needs. It's got to be somewhere, and really a lot of somewheres.

Soon, DC will revisit its Comprehensive Plan, which is a good opportunity for this conversation. But it will only happen if OP actually plans for growth which DC's sustainability plan already calls for.

Greater Greater Washington

The Washington, DC area is great. But it could be **greater**.

The pop-up debate in Lanier Heights pits "property rights" against "neighborhood character"

by [Alex Dodds](#) • November 20, 2014

If you've walked through Lanier Heights in recent years, it's clear that new construction has changed the neighborhood. Some residents want to change zoning laws to limit that trend, while others welcome it. Both groups faced off at a meeting on Tuesday.



Photo by John Leszczynski on Flickr.

Over the past five years or so, multi-unit condos known as pop-ups have replaced a number of single-family row houses in Lanier Heights. Several more of these projects are already under way, making it clear that pop-ups are the trend in the quiet, residential neighborhood.

Some long-time residents are mad as hell about it, saying pop-ups block sunlight and crowd yard space. They contend that buildings block views, damage historic row houses, and make it hard to find parking on the street. The result, they argue, is that it's much harder for families with children to live in the neighborhood.

Those who support pop-ups say that people's rights to build onto their property, which can increase its value, shouldn't be limited. They also point out that expanding houses or converting them into multiple units increases the city's dwindling housing supply.

A change in Lanier Heights' zoning laws would limit pop-ups

To stop future pop-ups, these residents have proposed a change to Lanier Heights' zoning designation. They want to downzone the neighborhood from R-5-B, which allows property owners to build to the back and the front of their lot and up to 50 feet in height, to R-4, which would limit the number of units in a row house to two as well as put a cap on how much of its lot construction can occupy.

Neighbors Against Downzoning has officially rejected the proposed zoning change, and at Tuesday's meeting residents added a number of additional reasons not to downzone.

Some pointed out the technical failings of R-4, citing ways developers could get around the proposed restriction. An architect in the audience voiced his opposition, saying that the difference between R-5 and R-4 is too minor to warrant changing. "We're fighting over 10 feet," he explained. Many lots in Lanier Heights aren't even eligible for R-5 development, making the debate a moot point for much of the neighborhood.

Others voiced broader opposition to restricting development. "I agree, we have a problem," one resident said. "However, I don't agree that downzoning is the solution. I believe in density, I believe in growth, I believe in diversity, and I think this downzoning will have unintended consequences."

"We're in the middle of a housing crisis in this city, and downzoning will only exacerbate that," another resident said.

He was not the only one to point out that many row homes in Lanier Heights neighborhood are valued at over \$1 million, making them financially out of reach for many of the young families residents claim to want. Several younger residents explained that owning a home in Lanier Heights simply would not have been possible were it not for the smaller, more affordable condos available in pop-up buildings.

A solution could come in the form of a new type of zoning

While most residents are interested in protecting Lanier Heights' historic row homes, what became clear at the meeting is that R-4 downzoning is a far-from-perfect solution. ANC 1C commissioners brought up conservation districts and historic preservation designations as other possible solutions, but acknowledged that each has its downsides.

There's rumor that the DC Office of Planning's zoning rewrite will put forth a new zoning designation that would essentially fall between R5 and R4, and that

might be an ideal compromise. But given how drawn out the zoning update has been, it's anyone's guess when the new code will go into place.

Neighbors should work to establish common goals

ANC Commissioner Marty Davis suggested a next step that's practical for all parties. "The one thing this neighborhood doesn't have," he said, "is a plan saying 'This is what we like. This is what we want Lanier Heights to be.' Help us make that plan by going to <http://www.envisionadamsmorgan.org> and expressing your opinion."

Davis encouraged everyone in Adams Morgan to join a community-wide meeting about these and other zoning issues on January 24.

As for downzoning, ANC1C will deliberate and vote on the substance of Lanier Heights' zoning proposals on Wednesday, December 3rd at 7:00 PM at Mary's Center. If you live in the neighborhood and have an opinion on the matter, come to that meeting to share your thoughts with the commission.

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Alex Dodds lives in a pop-up in Lanier Heights with her husband and son. When she's not busy destroying neighborhood social fabric she can be found at Adams Mill Park, waiting in line at Safeway, or riding the 42 bus. [@](#) [✉](#) [📷](#)

Comments

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Those who support pop-ups say that people's rights to build onto their property, which can increase its value, shouldn't be limited. They also point out that expanding houses or converting them into multiple units increases the city's dwindling housing supply.

I'm sure there are some supporters of pop-ups in Lanier Heights (as there are in all neighborhoods) but the people actually developing these units are usually not "neighbors" but rather developers, either outside of the neighborhood or more commonly outside of DC entirely.

Like most developers, they just want to get in there, build something, make a profit from it and then leave. Generalizing here, but most couldn't care less about the impact on the neighboring properties much less the neighborhood as a whole. And who could blame them? They themselves don't have to live in those units.

That's not to say that the newly added units can't be a net positive for the neighborhood as a whole, but the way the debate is being framed is a bit weird.

by Scoot on Nov 20, 2014 11:27 am • [link](#) • [report](#)

It's ironic how a country whose self-image is based so strongly around personal freedoms and individual rights has such communitarian views when it comes to property rights. It goes beyond NIMBYism, it's 'Not in YOUR Backyard'-ism. American feel they have a God given right to tell their neighborhoods what they can and can't do with their own property. Even more ironic is that a strongly communitarian country like Japan has such strong property rights. The idea of objecting to a project due to aesthetic concerns is unheard of in Japan.

by beetroot on Nov 20, 2014 11:36 am • [link](#) • [report](#)

@Scoot

Ah, the greedy developer meme. Do you know any actual developers? The ones I know build in areas they know and love, and they take pride in what they do. What they do adds value to their properties, and to the rest of the immediate area. Some live in DC, some don't, pretty much like every profession here. Your claim that they don't care is flatly ridiculous and false.

Every single one of the current residents in Lanier Heights is there thanks to one of your despised developers. The rebirth of DC would never have happened without them--I know, I've been here long enough to have seen the marks that National Guard tanks left on 14th Street during the riots.

Have a debate about whether these are desirable or not, but without scurrilous and false allegations.

by Crickey7 on Nov 20, 2014 11:40 am • [link](#) • [report](#)

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The Washington, DC area is great. But it could be **greater**.

Pop-ups may look weird, but they're OK

by [Dan Malouff](#) • April 2, 2013

This 5 story pop-up rowhouse at 11th and V Streets, NW has gotten a lot of negative press. [DCist](#) and [PoPville](#) had nothing kind to say about it. And while it's undeniably a silly-looking thing, it's not actually bad. In fact, from an urbanist perspective, it's good for the city.

First, a bigger building will allow more people to live in a core city neighborhood. That will help the neighborhood support more stores and services, and reduce car traffic everywhere. Density in the core of the city is a good thing, and a 5 story building is a very reasonable amount of density.

Second, this preserves the narrow lot pattern of its block, versus having one developer buy up multiple row houses and then put in a much wider building.

All other things being equal, a street with several narrow buildings is preferable to a street with a single long building of the same square footage. A streetscape with constantly-changing narrow buildings is more interesting to look at than one with a single long building. Small local property owners, instead of big development chains, are also more likely to own narrower buildings.

Yes, this property looks silly now. But think about the future. Assuming we can't (and don't want to) freeze the city in time, densifying infill on small properties is exactly the kind of development we want. If it's eventually going to be 5 stories anyway, it's better that this block redevelop property-by-property than all at once.

Pop-ups are the first step towards a street like [this one in Amsterdam](#), which really isn't such a bad thing.



11th and V pop-up. Photo by the author.



Amsterdam. Photo by Jim Nix / Nomadic Pursuits on Flickr.

Will this particular building look as good as that picture? It's hard to tell at this point. It might, but it could just as easily become the ugliest building in DC. Buildings that size aren't inherently pretty or ugly. There are lots of good ones, and lots of bad ones. What it looks like is not ultimately the same issue as its mass and scale.

The point is, narrow 5-story buildings are a great physical form for city streets. That's the form of some of the best parts of Paris, London, and New York. Although this will look weird with 2-story neighbors, it pushes the evolution of the block in a good direction.

BEYOND DC Cross-posted at [BeyondDC](#).