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## **Proposed Compromises**

### **CASE 14-11**

**I would be happy to participate in any “working group” to establish more sensible amendments to R4 zoning rather than this broad and ill conceived brush.**

As a resident of Washington DC for 15 years and the co-owner of a real estate brokerage, GreenLine Real Estate, LLC, I oppose the proposed changes to the existing zoning requirements of R4. It is down-zoning in an attempt to prohibit what some have deemed aesthetically unpleasant for no discernable benefit. It will reduce the property values homes in R4 zones and the net worth of thousands of DC residents.

After giving my testimony in opposition to the proposed changes, I was asked by the Chairman of the Zoning Commission to put up some suggested changes that would protect property rights while addressing the concerns of those in support of the down-zoning.

#### **Proper DCRA Enforcement of Existing Building Codes**

Well built buildings add to the character of and property values within DC neighborhoods. Poorly built buildings can do the opposite. That is the essence of the arguments in support of the proposed changes. It is also an argument in support of the maintenance of existing zoning rules. If a building is well designed and well constructed, the community as a whole benefits - regardless of the zoning rules about height and density. DCRA must properly vet the plans and proper construction codes must be enforced.

The rampant delays in the permit process as DCRA have inclined the least scrupulous of developers and contractors to jump ahead of approvals and plans in order to attempt to stop the hemorrhaging of capital and carrying costs. This is not excusable, but it is predictable. If the approval process was streamlined and predictable, risk will be better managed and those savings could be converted into better design and materials.

#### **Architecture and Materials**

Better design and use of higher quality exterior materials seems a common ground for many on both sides. But what constitutes “better” is difficult to address in legislation and regulations such as this. Adding additional regulatory hurdles like design review committees are not preferable and would only add further time and expense to these by-right developments and construction projects. If there was a way to make what such a committee would permit

ZONING COMMISSION  
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predictable, reasonable AND expedited then it could work. Quick turn-arounds and predictable outcomes are essential if this is to be considered and successful.

The easiest way to address the issue of design is to stipulate that additions that go up and back can be approved by right and without further review if they maintain and extend the existing design and materials of the original structures. Not everything old is good, but at least it is consistent.

There are many attractive "modern" additions up and back that are handsome and that add to the character of the neighborhoods. These should not be prevented automatically, but could be subject to further review if highly visible. At issue here is the quality of materials and construction more than design.

Consider the following if a property owner wants to build with materials and design outside of the scope of extending the original structure in a "like-kind" way.

- Minor setback from the street from the front of the property
- Matching rooflines either by continuation or parallel via setback
- Eliminate architectural embellishments above the current 40'

#### Remove Inclusionary Zoning Requirements

R4 zones are not the best place for inclusionary Zoning requirements. They are a trade off for increased density and should solely apply to higher density zones. They will be cost prohibitive in four unit projects where the cost to construct exceeds the price to sell. They are also very difficult to finance and in projects as small as four units lenders have requirements that favor when more units are sold. This will make it harder to finance the market rate units and make the projects as a whole not viable for any of those involved.

Thanks for the opportunity to weigh in with some proposals.



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