



District of Columbia Association of REALTORS®
500 New Jersey Avenue, Suite 310, Washington, DC 20001

Chairman Anthony Hood
District of Columbia Zoning Commission
441 4th Street NW, Suite 210S
Washington, DC 20001

May 29, 2015

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Re: Zoning Commission (ZC) Case No. 14-11

Dear Chairman Hood and Members of the Zoning Commission:

This letter is on behalf of the District of Columbia Association of REALTORS® (DCAR) — representing nearly 2,600 REALTORS®, property managers, title attorneys and other real estate professionals licensed in DC. Our Association is the voice for an extremely diverse membership with equally diverse clients, including homeowners in all eight wards of the City. DCAR is responding to the Office of Planning's second set of proposed amendments to the District Zoning Code on development in R-4 Zones as detailed in the most recent Public Hearing Notice for ZC Case No. 14-11 ('Proposed Rulemaking').

Overall, DCAR continues to stress the value of having a variety of housing options to accommodate the full spectrum of DC residents. We also emphasize that housing is a continuum and not just limited to the R-4 zones. Thus, we urge the Zoning Commission to consider the issue of pop-ups/conversions in the context of density throughout the **ENTIRE** District and carefully examine where the City may want to have increased density. DCAR would like to offer some practical suggestions and questions for additional clarification that may benefit all interested stakeholders.

Outstanding Questions & Suggestions for Improvement

- **First & foremost, Zoning Commission should clearly publish (including percentages by ward) where exactly all of the R4 properties that could be affected by the Proposed Rulemaking are located. Due to diversity of DC communities, it is critical to see where the concentrations of these properties actually are. Without this information we do not think an equitable set of regulations can be achieved.**
- DCAR would like it clarified that when the Proposed Rulemaking refers to "apartment houses" they also mean "condos." In other words, that rules also apply to units for sale.
- With regards to the IZ unit requirement for a fourth by-right conversion, DCAR has concerns that the IZ program is not currently the most practical program for such a requirement. The IZ regulations have not yet been finalized and there are still a number of implementation issues. DCAR believes it is more practical to use the standard of 80-

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CASE NO. 14-11

EXHIBIT NO. 315

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120% AMI. This will ensure those units are dedicated to critical workforce housing, simpler for residents to access, and developers to implement.

- Generally, DCAR sees a great value of incentive based proposals. Many other jurisdictions, including our neighbors in Montgomery County, have successfully incorporated community & public benefits (e.g., parks & gardens) as tools to allow increased density and more flexible building standards. This could help positively shape vibrant communities, particularly in the more distressed parts of DC.
- Could the Zoning Commission allowances for greater density in areas that would benefit from development such as distressed or abandoned properties?
- Affordable housing remains of critical importance in the District and any new regulations should take that issue into account and DCAR sees the value of additional incentives for affordable housing.
- Is there a role for aesthetic and architectural issues surrounding pop-ups and conversions? As this is what has caused a great deal of concern in many neighborhoods, perhaps there could more public education about its importance.
- Has the Zoning Commission considered extremely large lot sizes? A 6,000 square foot lot may be more comfortably accommodate a greater number of units. It is important to keep in mind that there are large developments that may suffer extreme financial burdens and collaborative approaches with the surrounding community may alleviate these issues.
- The special exceptions could be more objective. Currently, they are written in a way that would involve a great deal of speculation. This 'gray' area could end up causing unintended consequences such as conflicting decisions in similar neighborhoods.
- Any vesting or 'grandfathering' requirements should be clearly spelled out.

In consideration of the above questions and recommendations, DCAR understands the extremely difficult task the Zoning Commission has in order to promulgate a set of rules which fairly address all of the concerns raised by the public. We also understand there is a timeliness component associated with completing this task and not leaving the public in limbo. Nevertheless, we believe these rules will have a significant effect on the landscape of our communities and all relevant issues should be carefully reviewed.

DCAR thanks all members of the Zoning Commission and staff who have devoted countless hours on such a difficult endeavor and remain confident in a thoughtful and effective set of final rules.

Sincerely,
Edward R. Krauze



Chief Executive Officer, DCAR