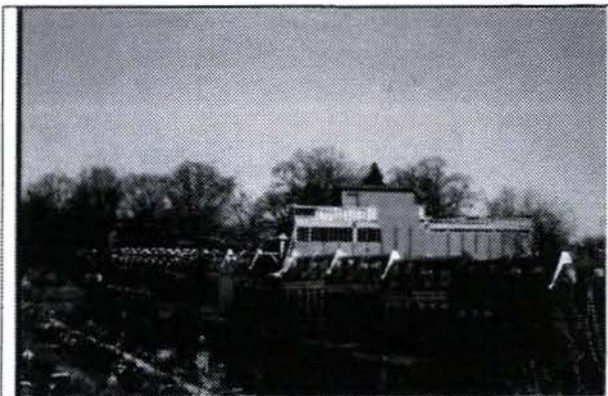


Dear Chairman Hood, Zoning Commissioners:

I am writing to express my strong support for the vote to change the zoning regulations to limit pop-up developments in R-4 Districts as per the current proposal. I also want to stress the need for immediate effectiveness to stop further destruction of neighborhoods by allowing construction of out-of-character up-to four unit condos, which damage neighboring properties, reduce quality of living and decrease property values and investments of neighbors in R4 districts and overload already aging infrastructure not capable to deal with increased sewage, electricity and parking demand. As the Office of Planning (OP) stated in its Memorandum to the Zoning Commission (for ZC 14-11) on June 24, 2014: "OP is seeing a trend across the city in the conversions of buildings in the R-4 [zone] both by right, and through variance requests.... The conversion provision has been applied in a variety of ways.... This has had the effect of putting strong upward price pressures on single family housing stock with 3 or more bedrooms, pricing them out of the range of many families in many R-4 zoned areas."

The profits of these out-of-state "predator" developers for these matter-of-right three-four unit conversions in R4 districts by demolishing historic townhomes are too high and the capacity of DRCA to properly regulate, permit and inspect townhome conversions too low. These cause these continuing out-of-scale condo conversions to ruin the character of R-4 neighborhoods, will cause sewage, electrical and parking capacity problems and cause great technical and financial damage to neighboring properties. In addition, the quality of many of these conversions are sub-standard with defects, fire hazards, code violations hidden behind dry walls and "high-end appliances". There are numerous media articles about this.

From my personal experience, the structural engineer which I hired to review the proposed plans for the development next door affecting my property highlighted the following defects in the plans: (i) lacking calculation that roofs on adjoining properties can safely support with weight of the new snow drift pattern; (ii) lack of flashing details of the bottom of the new exterior wall and the top of the existing brick wall which can cause water to infiltrate; (iii) review of conditions of existing masonry at neighboring houses and repair of the deteriorated mortar joints to ensure that the proposed method of construction, namely to have the new wood beams be pocketed into the existing masonry wall, does not damage the existing wall and that the existing wall can withstand the vibrations and load; (iv) lack of verification that the existing wall and underpinning can sustain the proposed loads of the new construction; (v) lack of plan how dangerous air borne toxins such as lead and asbestos will be prevented to enter the neighboring homes and lack of shoring plan to verify how existing masonry wall will be supported during construction to ensure that they do not (partially) collapse and cause damage to neighboring properties. These points are particularly important as a similar POP-up construction across at 42 W street, NW caused partial collapse of the neighbor's party wall.



The construction of this pop-up on 42 W, NW (just across my street) caused the partial collapse of the party wall of the neighboring property at 40 W street, this in turn caused the long term residents to vacate their home and sell it to the same developer "as compensation".

ZONING COMMISSION
District of Columbia

CASE NO. 14-11

EXHIBIT NO. 316

ZONING COMMISSION
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CASE NO. 14-11
EXHIBIT NO. 316

These type of personal and widespread examples of negative impacts and damages on neighboring properties and code violations and appeals throughout R4 neighborhoods demonstrate that DCRA is not capable of properly enforcing zoning and construction regulations and inspections for condo conversions driven by extreme profits in old townhomes, ruining entire neighborhoods. Therefore these over the top profits from conversions should be urgently regulated by limited the matter-of-right conversions to two units and by immediately halting the issuance of any new permits by DCRA until the new zoning regulations are in effect.

Matter-of-Right Conversions

The proposed rule does not go far enough to protect the supply of single-family homes in R-4 zones. Proposed new section 330.7 would permit conversions of existing residential buildings to apartment houses with up to four units as a matter-of-right. Conversions in townhomes should be limited to maximum of two dwelling units in order to protect the affordable single family housing stock in R-4 districts and to prevent the type of greed driven, sub-standard, low quality pop-ups and their negative impact on neighbors and neighborhoods.

The District's Comprehensive Plan states that of the city's existing housing stock, only one-third of the units have three bedrooms or more, and 80% of recent new construction has been apartments with fewer bedrooms. The Comprehensive Plan also states that the availability of single-family housing and housing with more rooms are two factors that are positively correlated with retaining family households.

The limitations on conversions in section 330.7 should also apply to conversions to two-unit flats. Many developers convert rowhouses to two-units by adding a floor and large rear additions. These limitations must apply to two-unit conversions to protect adjacent properties from massive rear additions and upper floors that block chimneys and solar panels.

Immediate Effective Date

I urge the Zoning Commission to act quickly on the changes to the zoning rules and to make the final rule effective immediately to protect rowhouse neighborhoods and adjoining properties. I am again also urging the Zoning Commission to ensure that no new permits can be issued by DCRA until the new zoning regulations are in place. The first proposal from the Office of Planning is almost one year old and widely advertised. D.C. residents have been waiting a long time for these changes and should not have to wait any longer.

Respectfully submitted,

Katelyn van den Bergh

Name

69 V Street, NW, Washington

Address

[Signature]

Signature

cc:

- Mr Austin Pearl, ANC Commissioner, 5E08 (representing 67 V street NW and 42 W street), 5E08@anc.dc.gov
- Mr Kenyan McDuffie, Ward 5 Councilmember, kmcduffie@dccouncil.us
- Ms Anita Bonds, At-Large Councilmember, abonds@dccouncil.us
- Ms. Elissa Silverman, At-Large Councilmember, esilverman@dccouncil.us
- Mr David Grosso, At-Large Councilmember, dgrosso@dccouncil.us
- Mr Phil Mendelsohn, DC Council Chairman, pmendelson@dccouncil.us
- Mr Vincent Orange, At-Large Councilmember, vorange@dccouncil.us
- StopthePopDC community group (stopthepopdc@gmail.com)
- Ms Jennifer Steingasser, Deputy Director of Development Review and Historic Preservation jennifer.steingasser@dc.gov
- Mr V. David Zvenyach, General Counsel (vzvenyach@dccouncil.us)
- Mr Karl Racine, Attorney General, District of Columbia (dc.oag@dc.gov)
- Ms Muriel Bowser, Mayor, muriel.bowser@dc.gov, mayor@dc.gov, mbowser@dc.gov