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DC OFFICE OF ZONING

Chairman Anthony Hood

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January 15th, 2015

District of Columbia Zoning Commission

441 4th Street NW, Suite 210S

Washington, DC 20001

RE. ZC Case No 14-11

Dear Chairman Hood and Members of the Commission:

I am a Realtor licensed in the District of Columbia and submit this letter on behave of myself & my clients who are property owners in the R-4 zone.

We do not agree with many aspects of the report submitted by the Office of Planning on June 24th 2014 and presented on July 17th, 2014, specifically the areas that deal with conversions. We feel strongly that the issue of "pop ups" and conversions are two distinct issues and should not be dealt with as a combined topic. "Pop ups" are a design issue that should be discussed as there must be a balance between a growing city and maintaining the character of existing neighborhoods. "Pop ups" potentially affect 100% of the lots in the R-4 zone and other zones as well. Conversions to apartments are a type of use that has no impact on design. From the exterior a conversion has the same height, story, parking and lot occupancy requirement as any other lot in the R-4 zone. Conversions are only possible on 3.9% of the low density lots in the City. Grouping these two issues together is inappropriate.

Conversions

The current zoning regulations allows for conversions. The description of the zoning code for R-4 district is. R-4 row dwellings, conversions, and apartments.

Conversions and apartments are allowed in the R-4 zone and have been for over 50 years. The R-4 zone is the link from single family R-1, R-2 & R-3 zones to the apartment zones of R-5. Because it is a link, a mix of conversions and flats are acceptable and add to the diversity of the neighborhood and housing types provided. The negative impact of changing this use would far outreach any proposed benefit.

Conversions are being described as the cause for many issues in the OP report to include price pressure on 3 bedroom housing stock and homeowners being priced out of single family properties. The reality is that convertible lots are a minimal amount of the housing stock lots available in the R-4 & low density zones. Based on the OP report, convertible lots make up roughly 3.9% of the lots in the low density zones.

It is not logical to think that 3.9% of all properties on low density residential zoned lots can cause the upward price pressure on single family housing stock that is proposed in the report. The other 96.1% of the low density residential housing lots that cannot be converted must have a significantly greater impact on the price of the three (3) or more bedroom single family housing stock. The same logic can be

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used to unwind the myth that conversions are the cause of pricing families out of many R-4 zoned areas. There are just not enough convertible properties to make that argument valid. Conversions are clearly not the cause of either of these issues that were raised. If OP has reports that suggest otherwise, then they should be produced so that the public can review them and have time to respond before a decision is made.

There are many benefits of conversion in the R-4 zone. The main benefit is that they do provide large units for families. Because the convertible lots are large, at least 2700 sqft, and because there is a limit on the number of units allowed, one per 900 sqft of land area, the units that are created are large units. Two, three & four bedroom units are the norm with a majority being 3 bedrooms. The unit sizes range from 1,300 – 2,500+ sqft each.

The properties that are being converted are older rundown homes that usually have one bathroom, no air conditioning and are in need of updated electrical, plumbing and roofing. They typically have 3-4 bedrooms & 1 bathroom. After the conversion the properties typically consist of three, 3 bedroom, 2 bath homes.

An example of this is 1619 Constitution Ave NE. The property consists of 3,336 sqft of lot area. The property was vacant, falling apart inside with major leaks and structural damage. The property is currently being converted to three 1,800 sqft 3 bedroom, 3 bath units each with a parking space. The property could have yielded 8,006 sqft of buildable space for 3 units. A typical 2,700 sqft lot can yield 6,480 sqft of buildable space for 3 units and a 1,800 sqft lot can yield 4,320 sqft for two units.

The limit on the number of units per property in the R-4 zone is truly what makes it a bridge from the single family zones to the apartment zones. It is the only zone where the regulations lead to family size flats and apartments. These type of units add diversity to the District's mix of housing types and meet the goal of new three bedroom apartments as requested in the comprehensive plan.

It is unlikely for a conversion to consist of many small units in the R-4 zone. In contrast the R-5-B zone does not have a limit on the number of units per project and often gets developed into many units that are smaller in size. Using 1619 Constitution Avenue NE as an example again, the development rights of the R-5-B zone (1.8 FAR) would allow for 8,006 sqft of buildable space, the same buildable space as the R-4 zone. However the number of units are not limited so it could be assumed the property would yield around 8 units, maybe more. Projects without unit limits often lead to 1 bedroom and small 2 bedroom units because of the greater price per sqft achieved by smaller units compared to large units.

The R-4 zone is compared to the R-5-A zone in the OP report and is described as being more like R-5-A. The R-4 zone is not like the R-5-A zone at all. They are mapped in different areas of the District and have completely dissimilar development standards. 100% of the lots in the R-5-A zone have the opportunity to be converted to apartments. Only 11% of lots in the R-4 zone can be converted to apartments.

There is some believe that conversions in the R-4 zone may significantly limit the ability for homeowners to purchase a row home. This believe is not true. The R-3 zone also provides row house dwellings for families and is the exclusive row house zone for the District. The R-3 row dwellings do not have the ability to convert to flats or apartments. The housing stock is perfect for single families that are in search of a row home who cannot afford or don't want a home on a large lot. The conversion of a minimal amount of lots in the R-4 zone does not put a home buyer at a disadvantage at trying to purchase a

home There are many more alternatives for them, including the properties on the 16,667 lots in the R-3 zone.

There is no reason to have a special exception for a conversion of 3 or more units if the property adheres to the 900 sqft per unit requirement From the exterior all types of R-4 uses including single family homes, flats and conversions will have the same height, stories, parking and lot occupancy requirements There is no reason to single out conversions We should be making it easier to develop and deliver new residential units, not increasing the barriers to production. A special exception would be a barrier to production and it would hurt the value of the homes for some of my clients

Height

37,600 lots in the R4 zone.

OP conducted a study of 10,369 or only 27.6% of the lots in the R4 zone. Of the 27.6% of the lots that were studied, 94.4 fall in the range of 35' or less It is unknown what amount of the other 72.4% of the lots fall within that range For such a significant change to the zoning code a study should be conducted of all the lots in the R4 zone. OP informed me in an email that the height study was started in April and May 2014 for presentation in the June 24th 2014 OP report. A similar study on the rest of the lots could be available in a few of months

Conclusion

R-4 conversions should not be eliminated and the conversions should stay as a matter of right. "Pop ups" are not contained to three or more unit conversions or limited to the R-4 zone. It does not make sense to be overly reactive and take away my clients property rights and significantly erode their property values Especially when conversions help achieve the goal of increasing housing production, specifically large 3 bedroom apartments & flats These changes will hurt a lot of people without solving the issue at hand

This is a "pop up" issue not a conversion issue Please remove all references to changing the current way conversions are administered so we can focus on discussing the real issue at hand, providing a better match between zoning and existing land uses in the city.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Scorzafava", with a stylized flourish at the end.

Matt Scorzafava

R-4 Conversions Produce Large Units for Families

R-4 Conversions Finished & Under Construction	Existing Bedrooms	Bath	Sqft			New Bed	Bath	Sqft
Girard Street NW #1	3	2	1400	Girard Street NW #1				
				unit 1		3	3	1900
				unit 2		3	2	1300
				unit 3		3	2	1400
I Street NE	3	2	1800	I Street NE				
				unit 1		2	2	1200
				unit 2		2	2	1200
				unit 3		2	2	1300
Morse Street NE	3	2	1100	Morse Street NE				
				unit 1		2	2	1200
				unit 2		2	2	1200
				unit 3		2	2	1200
				unit 4		2	2	1200
Kenyon Street NW #1	3	1	1680	Kenyon Street NW #1				
				unit 1		2	2	1190
				unit 2		2	2	1160
				unit 3		2	2	1210
Kenyon Street NW #2	4	2	2080	Kenyon NW #2				
				unit 1		2	2	1190
				unit 2		2	2	1160
				unit 3		2	2	1210
Shepherd Street NW	3	3	1700	Shepherd Street NW				
				unit 1		3	3	1400
				unit 2		3	3	1400
				unit 3		3	3	1400
Taylor Street NW	5	1	1840	Taylor Street NW				
				unit 1		3	3	1800
				unit 2		3	2	1400
				unit 3		3	2	1400
Constitution Avenue NE	4	1	1470	Constitution Avenue NE				
				unit 1		3	3	1800
				unit 2		3	3	1800
				unit 3		3	3	1800
Independence Avenue SE	3	1	1780	Independence Avenue SE				
				unit 1		3	3	1400
				unit 2		3	3	1400
				unit 3		3	3	1400
Girard Street NW #2	4	2	1520	Girard Street NW #2				
				unit 1		4	4	2700
				unit 2		3	2	1400
				unit 3		3	2	1400
Girard Street NW #3	4	1	1600	Girard Street NW#3				
				unit 1		4	4	2700
				unit 2		3	2	1400
				unit 3		3	2	1400

Conversions to apartments and flats are not the issue

In my opinion these projects are nice and fit in the fabric of the neighborhood

Conversion to 4 units



Conversion to 2 units including a 3rd level addition that cannot be seen from the street



Conversion to 2 units with a full 3rd floor Addition

