

ORDER

Before the Mayor's Agent for D. C. Law 2-144, the Historic Landmark and Historic District Protection Act of 1978.

HPA No. 83-276 application for razing, alteration, and new construction located at 1911 Pennsylvania Avenue, N. W., Lots 803 and 804 in Square 118

Hearing Date: August 28, 1984

1. Applicant, Penn Associates has applied for permits pursuant to Section 5, 6, and 8 of the Historic Landmark and Historic District Protection Act of 1978, D. C. Law 2-144 (hereinafter the "Act"), to allow for razing of an existing structure, alteration and new Construction on a site in the District of Columbia, Lots 803 and 804 in Square 118 known as 1911 Pennsylvania Avenue, N. W.
2. "1911 Pennsylvania Avenue," is a Category II Landmark of the National Capital. Constructed between 1794-1796, 1911 Pennsylvania Avenue, N. W., is a 3½ -story, 3-bay, brick rowhouse with a gable roof and Georgian/Federal detailing. Originally the building was an integral part of a row, constructed as a unit, which was known as The Seven Buildings. The architect of this row is not known, although some sources speculate, apparently with little substantiation, that the designer might have been William Lovering, architect of other buildings constructed by the Greenleaf-Morris-Nicholson Syndicate. 1911 is one of only two surviving units of The Seven Buildings, and is the only one to retain much of its original integrity of design. (Exhibit No. 2)
3. In accordance with S(b) of D. C. Law 2-144, the application was referred to the State Historic Preservation Review Board (hereinafter "Review Board") on March 22, 1984. (Exhibit No. 1)
4. On June 20, 1984 in accordance with Section 5(b) of the Act, the Review Board reviewed the application for conceptual and preliminary approval. While noting that the Applicant would retain the significant existing portion of the Landmark Building the Review Board found that the demolition was not consistent with the purposes of the Act and recommended denial of the permit. In accordance with Section S(b) of the Act, the permit application was referred to the Mayor's Agent for review to determine if the requested demolition should be permitted. (Exhibit No 3)
5. Pursuant to Section 2.5 (a)(7) of the Rules of Procedure (hereinafter "the Rules") promulgated pursuant to the Act, a notice of public hearing to consider HPA 83-276 dated July 27, 1984 was issued. (Exhibit No. 4)
6. Materials required by Section 3.3 of the rules were filed by the

Applicant on August 7, 1984. In its prehearing submission the Applicant claimed that the proposed project was "necessary in the public interest" on two grounds: 1) its permit request was necessary to construct a project of special merit; and 2) the demolition of the building or structure is consistent with the purposes of D. C. Law 2-144 as set forth in Section 2(b). Subsequent to the prehearing submission, the Applicant met with representatives of the D. C. Preservation League (hereinafter the "League"). At the request of the League, the Applicant agreed to proceed on the basis that the demolition is in accordance with the purposes of the Act and to forego the argument that the demolition was necessary to construct a project of special merit. The application was so amended at the public hearing. (Exhibit No. 5)

7. On August 28, 1984, the Mayor's Agent conducted a public hearing on said application. During the course of the hearing five witnesses were heard. The record was left open until September 27, 1984 to allow any additional submissions.
8. As the Applicant in this proceeding, Penn Associates requests approval for a proposal to construct a new office building on the site of 1911 Pennsylvania Avenue, N. W. The site includes the adjacent lot to the west. The small size of the site together with the extensive nature of the core requirements dictates 100 percent coverage of the site by the new construction. The applicant desires, nevertheless, to preserve and restore in so far as possible, the significant existing portions of 1911 Pennsylvania Avenue, N. W., on the site as a design feature of the proposed project. The street facade will be retained intact and in place and all other portions of the building demolished to allow construction of below grade portions of the building. The main block, the only significant existing portion of the Landmark building, will be reconstructed as a freestanding structure within the new construction and separated from it by an atrium.
9. Applicant's Architect, Peter Vercelli, testified that the proposed design retains the existing facade on Pennsylvania Avenue and reconstructs fifty percent of the historic building. He stated that there were two fundamental objectives in development of the design in light of the applicant's commitment to preserve the significant portions of the building: (1) to find a way in which the old building, the new construction and the visual special needs of the Avenue could achieve a harmonious composition, and (2) to resolve the very specific requirements prescribed by the District's Zoning and Building Regulations. He stated that the building is abandoned and boarded up while the proposed design would revitalize it and provide an adaptive reuse. The design incorporates the Landmark with new construction and creates a harmonious framework of reference both in terms of the Landmark building and development of Pennsylvania Avenue. Mr. Vercelli testified that without the requested razing it would be impractical to provide an adaptive reuse given the structural configuration and the

functional design problems it creates. The site area of 4,979 square feet, a frontage of barely 50 feet, an effective depth of less than 100 feet and an irregular rear lot line reduces the effective usable area of the site. Additionally, this vastly less net rentable area can not off-set the costly preservation and reconstruction elements. He noted that the planning of the required core elements common to all office retail projects, i.e., elevator, fire egress stairs, off street parking, garage ramp access and truck service dock, proved to be restrictive. The movement of any one of these elements as little as a foot in any direction would make the project unbuildable, either because it would contravene a code or zoning ordinance, or it would compromise a minimum practical planning dimension.

Mr. Vercelli further testified that it is most unusual for a building to have to be designed to this degree of tolerance. He noted that the developers willingness given these constraints to retain and reconstruct 50% of the original historic building should be applauded. To have retained any less would not have satisfied the design concept of reconstructing the original space that faced out onto Pennsylvania Avenue. To have retained any more would have made this project unbuildable as it then would not meet the minimum requirements of the zoning, and building ordinances. (Exhibit Nos. 5A - 14)

10. Applicant's expert architectural historian, Nancy Hathaway Noyes, testified that the proposed alteration and new construction is not incompatible with the character of the building. Applicant's proposal is consistent with the purpose of the Act because it preserves those design features that are significant. She stated that the Landmark is a very typical, vernacular, speculative building. Neither the building's architect nor specific history is known, although the specific history of the so called Seven Buildings of which it was initially a part is. The Seven Buildings were a boarding house which was a common means of housing at that time for the transient population who came because of the federal presence. Ms. Noyes noted that the value and importance of the Landmark is its symbolism as being a remaining part of this important row. Of the two remaining rows 1909 and 1911 the Landmark retained its architectural integrity. The primary significance of the Landmark is based on scale, volumetric expression and the integrity of the upper level of the facade. She indicated that nothing of irreplaceable historic significance would be demolished because the historic significance is primarily symbolic. She stated that the new construction is very sympathetic and enhances the quality of the Landmark structure, in that the old and the new interrelates rather than competes. She concluded that the project is consistent with purposes of the Act because it retains and enhances the Landmark building while allowing for its adaptation and reuse (Exhibit No. 15).
11. Amin Yousif, Partner, 1911 Pennsylvania Avenue Associates,

testified that initial consideration of the project began over 20 months ago. He indicated that he was an architect who had witnessed with dismay the continued obstruction of historically and architecturally significant buildings in Washington over the past 20 years. As a result he had become a firm backer of historic preservation efforts in the city. As the partner in charge of the design and construction he saw the project from its inception as a project of unique historic significance because it presented an opportunity to preserve the only remaining presence on Pennsylvania Avenue that predated the L'Enfant Plan. He noted that although the building was not protected at the inception of the project, the owners made a commitment to preserve the significant portions in spite of the time, capital and risk of such a venture. This commitment was evidenced by the extensive dialogue with the preservation community prior to the filing of the application for designation. Mr. Yousif stated that maintenance of the whole building is impossible in light of building and zoning requirements in addition to economic considerations. He stated that apart from reducing the scope and size of the development, the inability to raze portions of the building would drastically affect the value of the property. The property was purchased for \$2.4 million in cash, a price based on an allowance of 6.5 FAR. If the allowed built up area on the site is reduced by 50%, the value of the property would be reduced proportionately. Based upon such a reduction, occasioned by retaining the whole building a conservative estimate of \$1.7 million would be the resulting loss. Mr. Yousif concluded that the project as proposed has a very narrow economic base therefore any reduction in its size even minor would render it economically infeasible. (Exhibit 16)

12. Applicant by Counsel stated that the project is consistent with the purpose of the Act because it, retains the significant portions i.e., the portion which face on Pennsylvania Avenue and enhances the landmark through the removal of the insensitive addition by Morroco Restaurant, the most recent occupant while providing for its adaptation for current use. While the proposed adaptive reuse is not that of its original use, the retail/office use is much more compatible with the existing surroundings. Counsel noted that the proposal restores the landmark as much as is practicable. The restoration includes the brick, the doorway, the trim of the windows and the dormer on the roof. He indicated that the new construction was compatible. The design provides for the use of the back of the landmark as part of the interior trim, thereby highlighting the original building as part of the new. Additionally, the area above the original building is recessed to reflect the older building and to ensure that it does not compete but compliment.
13. Peter H. Smith, representative of the D. C. Preservation League, formerly, Don't Tear It Down, testified that the League had been

involved in the project for several months and had witnessed considerable evolution of the project. Mr. Smith recommended approval of the project in light of the developers good faith efforts to address the necessarily important urban design and preservation questions that this landmark and site represent. He noted that the League concurred with the restoration and partial razing since what would remain is clearly sufficient to indicate the important historical characteristics of the structure. Additionally, he testified that much of the original fabric of the building has been altered or obliterated over the life of the building and the proposal would breath new life into the landmark. He concluded that this is a difficult urban site upon which to attempt to design a structure that is compatible with and sympathetic to the Landmark. However, he stated that the difficulties have been resolved without compromising the integrity of the Landmark.

14. Hr. William Buchanan, a resident of Foggy Bottom, testified that 1911 deserves to be preserved in its entirety and restored to its original condition because of its antiquity, quality and its association with great men and events.

While noting the historical significance of the Seven Buildings rather than 1911 specifically as home to the Madisons after the White House burned, Commodore Stephen Decatur of the War of 1812, Superintendent Thomas Monroe and Vice-President Martin Van Buren, Mr. Buchanan acknowledged the "ticklish proposition" of total preservation in light of the small footage and code requirements. He noted his opposition to the demolition however he indicated that in the event the proposal was approved the developer should be required to restore the significant portions of the building to its original detail including the four (4) steps and the marble porch.

15. Linda L. Minich, Chairperson, ANC 2-B, by letter dated September 16, 1984 indicated that on September 12, 1984 the ANC considered 1911 Pennsylvania Avenue. The Commission considered and voted on a motion to oppose the project because of a dislike for the design. The motion failed. The Commission then considered a motion to support the project. After discussion a vote was taken, that motion also failed. The Commission indicated that it was its intent to designate Mr. William Buchanan as its representative to consult with the Applicant to ensure precision restoration of the significant portions which should be retained.

By letter dated September 26, 1984, Chairperson Minich indicated that the ANC met on September 26, 1984 and again considered 1911 Pennsylvania Avenue. The ANC adopted a resolution which opposed the granting of the permit for partial demolition. Additionally, it was resolved-that if the permit were granted the developer should be required to comply with the four recommendations identified by the Historic Preservation Review Board. In adopting the resolution the ANC found that: it has had a long history

of concern for the preservation of the historic and cultural fabric of the community; the landmark structure qualifies as a genuine representative of local and national history due to its age, architectural quality, and former occupants; and information supplied by Mr. William Buchanan suggest that the proposed restoration would be far from authentic and might result in further destruction of the original facade. (Exhibits 18 and 19)

16. Curtis McClinton, Jr., Deputy Mayor for Economic Development submitted a letter dated September 26, 1984 indicating support for the project. (Exhibit 20)
17. Based upon the evidence presented, the Mayor's Agent finds that the Applicant's proposal is consistent with the purposes of the Act because it preserves the architecturally significant portions of the building, the front exterior. The remaining portions of the building are insignificant. The structural configuration of the landmark creates numerous design problems including off street parking, garage ramp access, fire egress stairs, truck service docks and placement of the elevators. The demolition of the interior will provide for an economically feasible adaptive reuse of the building. The 1911 Building has been vacant for a number of years. As a result, the building has deteriorated and become an eyesore in the midst of revitalization throughout the area. The proposal will retain and enhance the exterior of the building while adding modern office and retail space which is compatible with the original building. The new building elements have been handled with skill to reflect the original 1911 facade and the new building elements also relate to 1911 but clearly read as a separate element. The new building elements are suitable background subdued so as not to distract from or overwhelm the original 1911 Building facade. The restored facade occupying major frontages on Pennsylvania Avenue, retains its architectural integrity and its sense of place.

The Mayor's Agent also finds that: the proposed project will retain and enhance the landmark by restoring and enhancing the front facade of 1911 Pennsylvania Avenue and approximately fifty (50%) percent of the original building; the historic portions of the building, which most likely functioned initially as a boarding house, will be appropriately adapted for current use as retail or office spaces; and the significant historic features of the building, including the front facade, dormers, roof and similar items, will be restored to the standards set forth by the Review Board.

The Mayor's Agent further finds that due consideration has been given to the effects of the zoning laws and regulations of the District of Columbia. The zoning laws require, among others, that a certain number of parking spaces be provided on site, that truck loading areas be developed on the property, and that ramps be of

certain dimensions. Therefore, as the record indicates, it is not possible to retain all of the building at 1911 Pennsylvania Avenue and comply with such zoning regulations. Thus, partial demolition is justified. Furthermore, the historic significance of the building is found in its front facade, scale and volume, all of which is being retained.

CONCLUSIONS OF LAW:

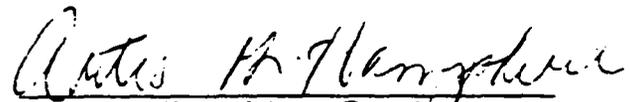
Pursuant to Section 5(e) of D. C. Law 2-144, no demolition or alteration permit may be issued unless the Mayor or his designated Agent finds that issuance of the permit is "necessary in the public interest." Section 3(j) of the Act defines "necessary in the public interest" as "consistent with the purposes of this Act as set forth in Section 2(b) or necessary to allow the construction of a project of special merit." The Mayor's Agent is of the opinion that the Finding of Fact show that the Applicant's proposal to preserve the original portions of the facades of 1911 Pennsylvania Avenue is consistent with the purposes of the Act.

Based on the evidence of record, the Mayor's Agent finds that the Applicant's proposal will retain and enhance the aesthetic appearance of significant portions of the exterior of the structure and will restore the exterior to approximate its original condition. The evidence of record demonstrates that demolition is a viable way in which to effectuate adaptive reuse of the structure and allow the continued use of the building on this site. Accordingly, the demolition of the portions of the building as requested in the application is consistent with the purposes of D. C. Law 2-144, as defined in Sections 2(a)(1), 2 (a)(4), 2 (a) (5), 2(b)(2)(a), and 2 (b)(2)(b) of the Act and is in the public interest.

The Mayor's Agent therefore finds that the Applicant's application for demolition is consistent with the purposes of the Act and the permit should be issued as requested.

ORDERED

Issue demolition permit. Application HPA No 83-276 is necessary in the public interest.


Artis G. Hampshire, Esquire
Mayor's Agent for D. C. Law 2-144

Date: 10/30/84