

Capitol Hill Restoration Society
P.O. Box 15264 Washington, D.C. 202.543.0425

July 16, 2014

Ms. Gretchen Pfaehler
Chair, Historic Preservation Review Board
1100 Fourth Street, SW, Suite E650
Washington, DC 20034

Re: 630 D Street, NE HPA 14-448

Dear Ms. Pfaehler:

The Historic Preservation Committee of the Capitol Hill Restoration Society met with the applicants and their architect at 420 10th Street, SE on July 7, 2014, and reviewed the project plans dated May 23, 2014. Please consider our comments on this project.

The rowhouse at 630 D Street, NE is a two and one-half story building with Flemish bond coursing, a two-bay porch, and mansard roof with two gable dormers.¹ The project has a number of excellent features, including careful restoration the front exterior of a brick rowhouse that is now in poor condition. However, the project as currently proposed would alter this rowhouse's front retaining wall and two other important character-defining attributes in order to make a wheelchair-accessible entrance into the front basement. However, a feasible alteration of the plans would preserve the character-defining attributes while allowing construction of a wheelchair entrance to the house in the rear, accessible through an alley behind the house.

Applicants have lived on Capitol Hill for 35 years, at a house near 630 D Street, NE. They plan to use 630 D Street, NE as multi-generational living quarters in the future, after one or both of them are no longer able to climb stairs. An elevator is included in the plans, but applicants indicated to us at the meeting on July 7, 2014 that they do not plan to install the elevator currently.

The project as presently proposed compromises three character-defining features of the Capitol Hill Historic District: retaining walls, primary exterior walls, and topography and site characteristics:

(1) Retaining wall. The proposed project includes breaching the granite retaining wall in the front, constructing a trench through the front yard and creating a new basement entrance through the front wall of the house, for a wheelchair accessible

¹ The rowhouse is part of a group of houses constructed by Kennedy Bros. DC Building permit # 1878 (13 Sept. 1909).

entrance. Project plans, pp. 21, 22.² Retaining walls are an important character-defining feature.

Fences and Retaining Walls -- Almost all the walls in front or rear yards in historic districts are retaining walls. As such they significantly contribute to the character of the property and its neighborhood. Typically retaining walls are stone, although some brick and cast concrete walls can be found. In addition to the materials used, the profile of the mortar joints and the type of coursing contributes to the character of the wall.

"Landscaping, Landscape Features and Secondary Buildings in Historic Districts," HPO, p. 5.

The retaining wall at 630 D Street, NE is uncoursed (random) cut granite.³ Granite retaining walls are character-defining features in the Capitol Hill Historic District and must be preserved.

(2) Primary walls. Creating a new opening in a primary wall of a building, such as a front wall "is almost never appropriate."

Altering Openings in Walls -- Creating a new opening or enlarging an existing opening in a primary character-defining wall for a window, door, through-wall air conditioning unit or other reason is almost never appropriate.

"Walls and Foundations of Historic Buildings," HPO, p. 7.

For this reason, the project, as currently proposed, compromises a second character-defining feature, the house's front wall.

(3) Topography and site characteristics. The proposed new basement entrance also fails to respect the property's existing topography and site characteristics.

New basement entrances should respect the existing topography and site characteristics --The relationship of a building to its site, topography, and neighboring properties is an important characteristic of historic property. Raised or terraced front yards and the linear strip of landscape that is formed by continuous front yards are distinctive features that define the setting for buildings in most of the city's historic districts. The depth of the front yard, the relationship of the building to the grade, and the relationship of the building to the sidewalk grade all affect the visibility and impact of basement entrances on a building and its site.

² As applicants point out, several granite retaining walls on the block have been replaced with other materials, but these walls remain intact.

³ Margaret Malieszewski-Pickart, Architecture and Ornament (Jefferson, N.C.: McFarland & Co., Inc., 1998, 49). "Walls and Foundations of Historic Buildings," HPO, p. 4.

Project plans, photographs, p. 20.

"Preservation and Design Guidelines for Basement Entrances and Windows,"
HPO, section 3, p. 4.

In addition, the proposed front entrance would result in the loss of much of the house's front yard, similar to the bad example in the lower left photograph on p. 4 of HPO guideline "Preservation and Design Guidelines for Basement Entrances and Windows"

Reconciling historic preservation and access for the disabled

HPO's publication "Accommodating Persons with Disabilities in Historic Properties, Creating Accessibility under the Americans with Disabilities Act and the Fair Housing Act," sets out three requirements for a reasonable accommodation, each of which must be satisfied:

(1) The request must be made by or on behalf of "a person with a disability," suggesting that the person must be disabled at the time when the request is made. As we understand it, neither applicants, nor their physicians indicate that they are currently disabled, but that applicants believe that they may become disabled in the future. We believe that the applicants have failed to satisfy the first requirement at this time.

(2) There must be a disability-related need for the accommodation. This requirement also suggests that the disability-related need must exist at the time when the request is made.

(3) The request "would not fundamentally alter the nature of the District's historic preservation laws, policies or programs." The request, breaching the granite retaining wall in the front to create a new basement entrance through the front wall of the house, does fundamentally alter DC historic preservation laws.

For these reasons we believe none of the three requirements for an accommodation under the Fair Housing Act has been satisfied.⁴ However, we also believe that if a reasonable accommodation under the Fair Housing Act is required, it can be done by (1) creating a wheelchair-accessible entrance in the rear (a feasible method described below), and (2) creating a new basement entrance in the front, following HPO's guidance on basement entrances ("Preservation and Design Guidelines for Basement Entrances and Windows"). In this way, both the Historic Landmark and Historic District Protection Act and the Fair Housing Act can be satisfied, and there is no conflict between the two statutes.

Concerning whether a wheelchair-accessible entrance to the house could be constructed in the rear of the property, the project architect stated at our meeting on July 7, 2014 that this was "doable." The 30 to 36-inch change in elevation from the alley to the house could be handled using a ramp with switchbacks. Although the alley is

⁴ See DC Code § 2-1402.21(d)(3)(A), (B). The applicants do not mention and do not rely on the Americans With Disabilities Act. A personal residence is not a public accommodation under 42 USC 12181 et seq.

relatively narrow, the alley has a turnaround space in the center, near 630 D Street, as shown in the map of Square 862. (Applicants provided this map, which was trimmed in order to be scanned.)

Thank you for considering our views.

Sincerely,

Beth Purcell

Beth Purcell, Chair Historic Preservation Committee