



## **ADVISORY NEIGHBORHOOD COMMISSION 3E**

**TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS**  
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### **RESOLUTION OPPOSING APPLICATION TO DESIGNATE HARRISON STREET APARTMENT BLOCK AS A HISTORIC LANDMARK, HPA 18-014**

#### **WHEREAS:**

1. The square bounded by Wisconsin Avenue, and Harrison, 44<sup>th</sup>, and Jennifer Streets (“Metro Square”) contains a major Metro stop, a large bus maintenance garage (“Bus Garage”), a decrepit Pepco substation, a small bank, some multi-story commercial buildings (on one block) and a block of unexceptional low-rise apartments.
2. The public policy of the District of Columbia is to foster development near Metro stops.
3. Except for one corner, the Metro Square does not adjoin single-family housing, making the case for development there that much more compelling.
4. The Tenleytown Historical Society (THS) has filed applications to designate as historical landmarks the bus garage, the decrepit substation, and the entire block of unexceptional apartments on Harrison Street, NW (“Harrison Block”).
5. A THS application to designate the Bus Garage has been pending for more than a decade without a hearing. In that time, we understand that the demands from the Historic Preservation Office (HPO) have stymied WMATA’s ability to redevelop the land. The application just never seems to be heard. Instead, HPO is apparently content to let it hang over WMATA’s head. Meanwhile, the public, which relies on WMATA’s solvency, and the neighborhood, which would prefer something other than fumes and bus noise at this site, suffer.
6. Over this ANC’s strenuous objection, and despite a remarkable letter from Pepco detailing the harm to the community the designation process could impose, this Board approved the designation of the decrepit substation.
7. Now, THS wants HPRB to designate an entire block of squat, unexceptional apartments, based on tenuous claims of historicity. The designation would almost certainly restrict the ability of the owners to conduct transit-orient redevelopment on this land.
8. All the affected owners oppose this application. We heard an extensive presentation from both the applicant and its paid consultant, and from an attorney for one of the owners (“Owners’ Presentation”).
9. The owners’ substantive arguments against designation are persuasive. Because we expect the owners to address the substantive failings of the application at length, we focus our substantive discussion here on the most disturbing aspect of the application.

#### The Harrison Block is a Tribute to Racism

10. THS contends the Harrison Block deserves designation as an historic landmark for it’s “connection” to the sanitary housing movement, “which encouraged construction of affordable and high-quality accommodations for the working classes,” and which was “spearheaded by philanthropic organizations.”

11. THS concedes, however, that the Harrison Block was built by a private builder, not a “philanthropic organization.” Indeed, THS contends that the Harrison Block was merely “constructed *under the influence of the sanitary housing movement.*”<sup>1</sup>

12. The Owners’ Presentation demonstrated that there are many examples of *actual* sanitary housing movement buildings throughout the city. Commissioners asked the applicant and its consultant *why this* building should be subject to designation while the many real examples of the sanitary housing movement in the city were not. Neither the applicant nor its professional consultant could provide a meaningful answer.

13. The Owners’ Presentation identified several factors that distinguish actual examples of the sanitary housing movement from the Harrison Block. One in particular sticks out, however. Real sanitary housing movement residences – unlike the Harrison Block – were not encumbered by restrictive racial covenants.

14. THS’ consultant tried to minimize the significance of the Harrison Block’s racist heritage by pointing out that many apartments without racial covenants of the Harrison Block’s era were marketed to one race or the other.

15. This ignores the singular power of racist covenants that run with the land. Restrictive racial covenants salt the earth.

16. The first and any subsequent owner of real examples of the sanitary housing movement could choose to rent to somebody from any race.

17. The builder of the Harrison Block, by contrast, intended that no subsequent owner, *ever*, could rent to a black person. The builder employed a legal mechanism that would have prevented blacks from living on the Harrison Block until the end of time.

18. THS’ claim that the Harrison Block was built “under the influence” of the sanitary housing movement is thus ironic. Whatever surface similarities the Harrison Block may have to real sanitary housing residences, underneath the surface the Harrison Block is a paean to the institutional racism that the sanitary housing movement rejected.

19. Perhaps THS will switch course and argue that the Harrison Block somehow deserves to be an historic landmark *because* it exemplifies legally-sanctioned institutional racism.

20. To be sure, we recognize the value of preserving examples of buildings intended for the *oppressed*. To that end, we supported designation of the Jesse Reno School, which was a “colored school” in the last century.

21. No reason exists, however, to bestow historic landmark status on buildings originally intended as “refuges” for *oppressors* from those they oppressed, unless perhaps the building served such a heinous purpose that it merits preservation as a museum or monument.

22. The THS application does not seek to preserve the Harrison Block as a museum or monument of racism, and that is not something that should be imposed on the current owners, who had nothing to do with the racial covenants the original owners sought to force on all subsequent owners.

23. There is no more reason to designate as historic landmarks these buildings than there is to designate confederate statues as historic landmarks. As with confederate statues, DC’s racist

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<sup>1</sup> Emphasis added.

“heritage” can be discussed and explored in classrooms and museums. This Board should not require that these buildings or any aspect of them be preserved forever.

#### Conclusion

24. HPO and THS frequently claim, wrongly, that historic designation does not materially affect the ability of owners to redevelop their property.

25. WMATA’s inability for more than 10 years to advance plans to redevelop the Bus Garage gives the lie to HPO and THS’ contention that designation is immaterial to redevelopment.

26. Like the application to landmark the Bus Garage, the application to designate the Harrison Block was not filed until a redevelopment proposal was pending. This raises an obvious inference that neither the Bus Garage nor the Harrison Block had significant intrinsic historic interest to HPO or THS.

27. We understand that SHPO has encouraged OP to support a variance with significantly-increased lot occupancy for the owner whose otherwise matter-of-right redevelopment application would be denied if the Harrison Block is designated.

28. Such spot rezoning is not consistent with the assertion that designation does not materially affect the ability to redevelop landmarked properties. Moreover, we note that SHPO did not consult the ANC or the broader community about such a variance, and the ANC and broader community might ultimately oppose it.

29. Based on the Owner’s Presentation, we expect the owners to make a compelling case that, for numerous reasons, the instant application is fatally weak.

30. We believe, however, that even absent other reasons, HPRB should deny this application because it would designate as a historic landmark a building designed to benefit those who wanted racism institutionalized. We hope and expect the Board agrees that this would be a travesty.

#### **NOW THEREFORE BE IT RESOLVED:**

1. ANC 3E opposes the above-referenced application, and respectfully urges this Board in the strongest terms to deny the application.

2. ANC 3E designates Commissioner Jonathan Bender, and/or such other Commissioners as he designates, to testify for the Commission at the hearing upon this matter.

The resolution passed by a vote of 5-0-0 at a properly noticed meeting held on February 8, 2018, at which a quorum was present, with Commissioners Bender, Ehrhardt, Hall, McHugh, and Quinn in attendance.

ANC 3E

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by Jonathan Bender  
Chairperson