

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3-D
P.O. Box 40486
Palisades Station
Washington, D.C. 20016

April 8, 2014

SUBMITTED ELECTRONICALLY

Mr. Lloyd Jordan, Chair
Board of Zoning Adjustment
One Judiciary Square
441 4th Street NW
Suite 210S
Washington, DC 20001
bzasubmissions@dc.gov

Re: BZA Application 18738 for 4527 MacArthur Boulevard NW

Dear Chair Hood:

At its regularly scheduled meeting on April 2, 2014, with a quorum present at all times, Advisory Neighborhood Commission (ANC) 3D voted 9-0 to recommend that the Board of Zoning Adjustment (BZA) reject Application 18738 seeking Special Exception relief (Section 3104.1) pursuant to Subsection 353 for the construction of a new 5-unit apartment house in an R-5-A District at 4527 MacArthur Boulevard NW (Square 1363, Lot 50).

ANC 3D's action was taken after a presentation by the owner's representative and after hearing comments from several neighbors in opposition to the application. Based on the application and the information provided by the applicant's representative and the neighbors, ANC 3D determined that the application did not meet the criteria for Special Exception relief outlined in Section 3104.1 because the proposed new development is 1) not in harmony with zoning regulations and 2) adversely affects use of neighboring property.

The new apartment building will be located immediately next door to a single family home and within a several block area that includes single family homes and townhomes. Multi-unit dwellings are located across the street on lots that are in harmony with the apartment building structures. In order to make a five-unit apartment house fit on the lot at 4527 MacArthur Boulevard, the applicant is reorienting the building away from MacArthur Boulevard, the front street, so that the front of the building is actually perpendicular to the main street. The applicant seeks to take attention away from this reorientation by locating an entrance to one basement unit along MacArthur Boulevard. But, the structure, itself, is simply too big to front on MacArthur Boulevard, as the plans indicate. The reorientation of the building from a front entrance to several side entrances

shows a lack of harmony with the realities of the lot. This would also be an unusual orientation for this stretch of MacArthur Boulevard. This is simply out of character with the neighborhood.

Based on the architectural drawings, it is unclear also if the frontage of the proposed apartment building is consistent with the current single family homes and townhomes or if the proposed apartment building juts out further toward MacArthur Boulevard past the line of other current single family homes on this block.

Many of the proportions and measurements of the proposed apartment building will be vastly increased from the current single family home, coming in just under the legal requirements. This effort to "supersize" the proposed apartment building has a cumulative negative effect on neighboring property that is not in harmony with current zoning regulations. The new 5-unit apartment building will consist of 2- and 3-bedroom units. Only by a technicality in the law does the apartment's .89 Floor Area Ratio fall within the FAR limits. However, the FAR at the site will nearly double, meaning a significantly increased intensity of use at the site.

Other features of the building also raise concerns. For example, the proposed steep, nearly three-story outside stairwell on the back of the building is inconsistent with building features in the neighborhood and also raises concerns about public safety for residents living in the unit. Additionally, the height of the proposed apartment building is almost ten feet higher than the current single family home's height.

It is also unclear from the drawings whether the side yard set backs are valid. It appears from the drawing that something, perhaps window wells, juts into the side yard raising questions as to whether the building is in compliance with the 8-foot required side yard set backs. The owner's representative was unable to provide specific information to the ANC on this issue. It is also unclear from the proposed sketches where the heating and air conditioning units will be located. This could have a profound impact on the next door neighbor's peaceful enjoyment of his home and thereby lower the value of his property.

Maxing out to five units in the proposed apartment building will add great stress to a neighborhood already challenged by parking issues, due to its location by Georgetown Day School, the Lab School Foxhall campus, and the Hardy Recreation Center. The apartment will provide surface parking for only five cars – one car per unit. However, four of the apartments are 2-bedroom units and one is a 3-bedroom unit. The applicant has made no provisions for parking beyond five cars, which is unrealistic, especially given that the building is not located along a major public transportation corridor. The area already is experiencing a serious parking shortage and this building will only contribute to exacerbating that shortage.

The proposed apartment building will also reduce the lot's available green space and increase impervious surfaces with its increased lot coverage, causing additional effects on our local waterways. With a larger building, the neighbors will face reduced light and air access for their homes. This will negatively affect their property values.

The proposed new apartment building would be located in a neighborhood where some of the neighbors have resided since 1968, made long term investments in their properties, but committed to a way of life that would preserve this unique and well-known corner of the city. Now, this

apartment building threatens the investments they have made. ANC 3D came before the BZA nearly one year ago to oppose a similar proposed apartment building in the same block. ANC 3D warned then that BZA approval of that application (BZA Application 18553) would create a domino effect of turning single family homes into apartment buildings in this fragile and cherished neighborhood. We regret that our concerns have come to fruition and feel strongly that the character of the neighborhood should be retained, especially given that the proposed 5-unit apartment building is not any better fit for the neighborhood than it is for the lot on which it is to be located.

There may be steps that can be taken to improve this proposed project that will align with the requirements of the zoning code and reduce the negative impact on neighbors. We have asked the applicant to work with the neighbors to this end. However, we are deeply disappointed that the applicant did not engage with neighbors. ANC 3D encouraged the applicant to meet first with neighbors before moving forward with a hearing before the BZA. ANC 3D was prepared to delay making a formal recommendation on this application to the BZA if the applicant agreed to delay in hopes of reaching a resolution with neighbors. The applicant would not agree to seek a delay; so, consequently, ANC 3D reviewed the application and determined that, in its current form, does not meet the requirements for Special Exception relief under the Zoning Code.

Thus, ANC3D opposes BZA Application 18738 as it currently stands and encourages the BZA to defer action on this item until the applicant engages with neighbors with the goal of revising the plans, so the project does not have a negative impact on neighboring property and is in harmony with the intent of the zoning regulations for an R-5-A district.

If the applicant does not withdraw their current application, ANC3D Commissioners designated Chair Gayle Trotter to testify on behalf of ANC3D at the April 15, 2014 hearing.

Sincerely,

A handwritten signature in black ink that reads "Gayle Trotter". The signature is written in a cursive, flowing style.

Gayle Trotter
Chair, ANC3D