Advisory Neighborhood Commission 4A

DISTRICT OF COLUMBIA GOVERNMENT
7600 GEORGIA AVENUE N.W., SUITE 404
WASHINGTON, DC 20012
(202) 291-9341 • FAX (202) 723-8175

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3/9/01

FROM: **James H. Jones, Chairperson**
Advisory Neighborhood Commission 4A

TO: **GOVERNMENT OF THE DISTRICT OF COLUMBIA**
Board of Zoning Adjustment
ATTENTION: Jerrily R. Kress, FAIA Director

SUBJECT: **REQUEST FOR WAIVER TO SUBMIT PUBLIC HEARING REPORT ON BZA APPLICATION NO. 16676**

The purpose of this memorandum is to request a waiver on the BZA requirement that the written report of the ANC be filed with the Board at least seven days in advance of the hearing. Approval of this request will enable us to submit the ANC report on this application. The reason for the delay on this report is that at the first ANC hearing on this application, February 6, 2001, the National Park Service , an adjoining owner to the subject property, requested that ANC 4A not take a final position on the proposed development until the National Park Service had an opportunity to study the proposal and meet with the developer. (See letter attached.) ANC 4A complied with this request and did not take a final action until the next ANC meeting on March 6, 2001. Please accept our apology for any problem our gesture to the Park Service might cause, but it is apparent that under the circumstances, we had little choice but to grant their request.

Thank you very much.

Attachment

BZA
Case No. 16676
Exhibit No. 32

Board of Zoning Adjustment
District of Columbia
CASE NO.16676
EXHIBIT NO.32

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
Rock Creek Park
3545 Williamsburg Lane, N.W.
Washington, D.C. 20008-1207

IN REPLY REFER TO:

FEB 6 2001

Mr. James Jones
Advisory Neighborhood Commission 4A
7600 Georgia Avenue, NW, Suite 404
Washington, D.C. 20012

Dear Mr. Jones:

We recently were advised that a proposed development, identified as the "Stevens Park Townhouses, Missouri Avenue," by the West Consulting Group, is being presented to the Commission on February 6.

The National Park Service, an adjoining owner to this property, has not been contacted by the developer, and we have only recently been made aware of this proposal. We are therefore very concerned about the potential impacts of this proposal on National Park Service land, and the ability of the National Park Service to further contribute to the quality of the community.

As you may be aware, the park area potentially affected by this proposed development is U.S. Reservation 499, Fort Drive. The existing landscape is currently maintained as a natural area and presents a magnificent sweeping presentation of Ft. Stevens which historically is the cornerstone of the community.

Since we have not had an opportunity to converse with the developer, we are hesitant to express a final opinion on this matter. We therefore request that the Advisory Neighborhood Commission 4A not take a final position on this proposed development until the National Park Service has had an opportunity to study the proposal and meet with the developer.

Sincerely,

Adrienne A. Coleman
Superintendent, Rock Creek Park

Advisory Neighborhood Commission 4A

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7600 GEORGIA AVENUE N.W., SUITE 404
WASHINGTON, DC 20012
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3/9/01

FROM: **James H. Jones, Chairman**
Advisory Neighborhood Commission 4A

TO: **Mr. Robert Sockwell, Chairman**
Board of Zoning Adjustment
Office of Zoning
441 4th Street NW, Suite 210
Washington, DC 20001

RECEIVED
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2001 MAR -9 PM 4:19

SUBJECT: PUBLIC HEARINGS ON ZONING APPLICATION

(a) THE IDENTIFICATION OF THE APPLICATION:

BZA Application No. 16676

(b) WHEN THE PUBLIC MEETING OF THE ANC TO CONSIDER THE APPLICATION WAS HELD:

Two public meetings were held to consider BZA Application 16676: the first, on Tuesday, February 6, 2001, at 7:00 PM, and the second, on Tuesday, March 6, 2001, at 7:00 PM.

c) WHETHER PROPER NOTICE OF THAT MEETING WAS GIVEN BY THE ANC:

ANC 4A provided proper notice of the meeting to its residents. To insure the broadest dissemination, notices of the meeting were mailed to 500 randomly selected residents in ANC 4A approximately 12 days prior to the meeting dates. Further, meeting notices were posted in market places, churches, recreational and other public spaces throughout the single member districts within ANC 4A area. Meeting announcements were also published in ANC 4A community newsletters. Further, the information on all ANC 4A meeting announcements include the date, time and location of the meeting, in addition to the meeting agenda. Also included are the names of each Commissioner in the ANC 4A and the ANC 4A telephone number where they are reached. Each announcement carries a reminder to the reader that ANC 4A meetings are held on the first Tuesday of each month at 7 PM at the 4th District Police Headquarters, 6001 Georgia Avenue NW, Washington, DC.

BZA
Case No. 16676
Exhibit No. 14

(d) THE NUMBER OF MEMBERS OF THE ANC THAT CONSTITUTE A QUORUM AND THE NUMBER PRESENT AT THE MEETING:

There are seven ANC 4A Commissioners. Four Commissioners constitute a quorum. Six Commissioners were present at the ANC 4A meeting on Tuesday, February 6, 2001, and five were present at the meeting on Tuesday, March 6, 2001.

(e) THE ISSUES AND CONCERNS OF THE ANC ABOUT THE WHICH THE APPLICATION, AS RELATED TO THE STANDARDS OF THE ZONING REGULATIONS AGAINST WHICH THE APPLICATION MUST BE JUDGED:

The issues and concerns of the ANC about this application are based on the following observations and events:

1. The standards of the Zoning Regulations against which this application must be judged are provided in Section 353.1, and more specifically in accordance with standards and requirements set forth in Section 410; and the conditions specified in Section 3108 of chapter 31 of this title.

Section 410.1 places emphasis on and restricts consideration to one family dwellings in the group of structures eligible for exceptions in an R-5 district. The applicant indicated at the ANC 4A meetings that one of the selling points for the proposed townhouses is the inclusion of English basements with separate entrances that would provide rental units for the owners which, in effect, establishes a ground floor apartment and more significantly establishes multi-family dwellings.

Therefore, this application does not qualify for consideration for exceptions in an R-5 district as specified in Section 410.1 of the Zoning Regulations. Further, even if the application passed the "one-family dwelling" test, which it does not, it would be hard pressed to meet all of the requirements specified in Section 410.3 through 410.11. Specifically, it is not apparent that this application meets the requirement that all front entrances shall abut a street, front yard, or front court as specified in Section 410.2, nor is it apparent that Section 410.3 is met which requires that no rear or service entrance shall abut a street, front yard or front court unless below the main floor.

2. Several hundred residents attended the two ANC meetings when this application was discussed. No residents voiced support for the application. The speakers from the community cited the following weaknesses in the proposed development as the basis for their opposition:

(a) Inadequate access for fire protection - the proposed entrance and parking area will not accommodate a large emergency vehicle; (b) Inadequate yard space; (c) Traffic congestion at Missouri Avenue - residents are restricted to right turn only when entering Missouri Avenue from the development (d) Inadequate parking in a densely populated area - the proposed 26 parking spaces for 13 townhouses does not allow for the parking requirements of tenants living in the English basement apartments and for guest parking; (e) Potential damage to and impact on an historic structure- a historic Victorian Mansion adjoins the property; (f) Potential damage to aesthetics and the environment; and (g) Questionable survey results.

In addition, the spokesman for the Military Road School Alumni Association with many members in attendance voiced opposition. The school is also located in the same block as the proposed development. The spokesman indicated that Military Road School started as a four room school built during the Reconstruction Period for Africans newly freed from slavery in America and is now a historic preservation property. He views the introduction of townhouses with rental units on this same site as an insult and an intrusion on black history.

On the basis of these observations and events, it is apparent that this application does not meet the requirements of the Zoning Regulations as specified in Section 410.1, which places emphasis on and restricts consideration to <u>one-family dwellings</u> in the group of structures eligible for exceptions in an R-5 district. The proposed development is for multi-family dwellings with rental units. The ANC 4A Commission opposes the application and requests that the BZA disallow it.

(f) THE RECOMMENDATIONS, IF ANY, OF THE ANC AS TO THE DISPOSITION OF THE APPLICATION:

At the ANC 4A meeting on March 6, 2001, ANC 4A Commissioners voted to oppose the zoning application No. 16676.

(g) THE VOTE ON THE MOTION TO ADOPT THE REPORT TO THE BOARD:
Three Commissioners voted in opposition to the zoning application, one Commissioner voted in favor of the application and one Commissioner abstained.

(h) THE NAME(S) OF THE PERSON WHO IS AUTHORIZED BY THE ANC TO PRESENT THE REPORT:

ANC 4A Commissioners Sloan, Vann and Jones.

(i) THE SIGNATURE OF THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE ANC:

James H. Jones

James H. Jones, ANC 4A Chairperson