



ADVISORY NEIGHBORHOOD COMMISSION 4C
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BZA Case #20256

March 11, 2020

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Frederick Hill, Chairperson
D.C. Board of Zoning Adjustment
One Judiciary Square
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Jonah Goodman
Secretary
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Dear Chairperson Hill:

The ANC 4C Commission, at a duly noticed public meeting, with a quorum of 8 present at its March 11, 2020, meeting, voted, with 8 Yeas, 0 Nays, and 0 Abstentions to support the applicant's request to postponement his hearing for a Special Exception for a 3-unit conversion of 3905 Kansas Avenue NW. The ANC requests that the hearing be postponed to occur in late April or early May after the ANC's next meeting on April 15.

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The ANC is requesting this postponement, first and foremost, to give the applicant additional time to explore how to best address the community's concerns regarding the proposed plans for accommodating on-site parking in the applicant's plans. In particular, the community is concerned with the curb cut that has been proposed on Kansas Avenue NW in front of the applicant's property. Since the property lacks alley access, the applicant has proposed a curb cut with a new driveway leading to a below-grade, two car garage on the basement level in the front of the property order to meet the District's requirement of 0.50 parking spaces per housing unit.

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The community is deeply concerned regarding the safety issues that a curb cut presents to pedestrians as well as vehicles turning onto Kansas from Randolph as well as the loss in street parking space(s) that would result from this change in order to create two private parking spaces. Moreover, the developer's current plans also involve the complete demolition of the structure including the historic rowhouse facade in order to incorporate the below-grade garage.

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The applicant notes that the proposed development would be consistent with 3904 and 3911 Kansas Avenue; however, the ANC notes that these homes were converted to 2 units with expanded 3rd floors, but both maintain porches, dormers, and the eave line that is the present on the remainder of the street. The applicant also uses the example of 3909 Kansas Ave; however, the ANC notes that this is single family home renovation that pre-dates currently zoning requirements and should be considered a non-conforming use, not a precedent.

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The ANC, on behalf of the community has requested that the developer consider two alternatives:
● the purchase or long-term leasing of parking spaces within 600 feet to meet the zoning requirements for on-site parking or
● request an additional BZA special exception under Title 11, Subtitle C. 703.2 (*Special Exception from Minimum Parking Number Requirements*) since the property and proposed development meet several of the criteria listed, including, but not limited to:
○ Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;
○ The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities; and

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The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street.

The ANC also is requesting that the applicant revisit his plans to eliminate the original facade including the front porch and dormers of the structure, disrupting the character and rhythm of this row of Petworth rowhomes and to incorporate a set-back on the penthouse level of the development. Moreover, the developer's current plans do not include final renderings of the proposed units, and, therefore, it is difficult for the ANC and community to ascertain whether architecturally this development will be in keeping with the existing architecture of the surrounding neighborhood.

The ANC and applicant had initially agreed upon the following items *if the ANC is to support his application*; however, these items may be subject to change based on continued discussions.

General

- The applicant will provide a point of contact, phone and email, that neighbors can contact with any questions or concerns about the development
- During building construction, developers have agreed not to block the public alley at any time; to perform construction only during permitted hours; to promptly fix any damaged caused to neighbors' property by the construction crew, at the developer's expense
- Notice will be provided in advance to impacted neighbors of any planned electrical or water shut offs
- That pest abatement on the property be completed before any demolition work begins to mitigate any migration to nearby properties

Environmental

- The applicant will test the pipes on the public and private side for lead. If they have lead lines they will replace those lines on the private side and work with DC Water on the public side.
- Install permeable pavers for any driveway/parking pad, walkway, or patio surface to be installed to help with water runoff and flooding.

Affordable Housing.

- The applicant has agreed to make a \$15,000 contribution to the Housing Production Trust Fund.

The Commission also voted with 8 Yeas, 0 Nays, and 0 Abstentions to appoint the Commissioner for Single Member District 4C06, or any member of the Commission in their absence, to be authorized to communicate this resolution and represent ANC 4C before the BZA related to this matter.

DocuSigned by:
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