



DC ADVISORY NEIGHBORHOOD COMMISSION 7D

Eastland Gardens – Hill East/Capitol Hill – Kenilworth – Kingman Park – Mayfair – Parkside – River Terrace – Rosedale – RFK Stadium Complex

Address: 4058 Minnesota Ave, NE – Washington, DC 20019 -- E-mail: 7d@anc.dc.gov

July 17, 2024

Mr. Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th St. NW, Suite 210
Washington, DC 20001
Via: bzasubmissions@dc.gov

Re: Updated ANC 7D Report Concerning BZA Case #20769 (4533 Douglas Street, NE)

Dear Chairperson Hill,

At a regularly scheduled and properly noticed meeting on July 9, 2024, our Commission voted 7-0-1 (with 5 Commissioners required for a quorum) to **request the Board further postpone BZA Case #20769**. Our Commission's request to the Board reflects feedback we received *from the community* that additional engagement with the applicant is desired in advance of the Board making a ruling on this case. We also note this case was originally initiated by the applicant in February 2022, predating our Commission in its present form by nearly one year.

Recent Procedural Background

- Mr. Oumar Seck, a representative of LNDC, Inc.¹ also representing the applicant District Properties.com, Inc.², made an informational presentation to the May 14, 2024 monthly meeting of ANC 7D on BZA Cases #20768 and #20769.
- ANC 7D submitted a letter to the Board, dated June 2, 2024 accompanied by information about Mr. Seck's May presentation. The Commission took no position on the case, as the applicant's representative had only asked to make a presentation to Commissioners. (BZA Case Exhibit #68).
- At its June 5, 2024 Public Hearing, the Board requested further information from ANC 7D on this case. (BZA Case Exhibit #73).
- In June and July 2024, ANC 7D offered the property's representative additional times to meet with our Commission.
- Mr. Oumar Seck made a presentation to the ANC 7D Economic Development, Housing Justice, Zoning and Alcoholic Beverage/Cannabis Administration Committee ("EDHIJABCA Committee") and answered questions on June 17, 2024. Committee Members asked for some follow-up information from Mr. Seck. Several community members also participated in this meeting.
- Mr. Oumar Seck was present at the ANC 7D July 9, 2024 monthly virtual meeting. The applicant's representative had provided follow-up information requested by the Commissioners and Committee Members in the June 17 EDHIJABCA Committee meeting to Commissioners approximately 15 minutes prior to the July 9 meeting beginning.

¹ According to www.lndc.com, "LNDC is a premier real estate developer company focusing on the development of properties in Washington, DC." and "M. Yunus Sikder founded the company that ultimately became LNDC."

² A search of corponline.dcr.dc.gov indicates District Properties.com Inc (File Number C00004629640) is a District of Columbia entity. The entity's beneficial owner is listed as Mohammad Y. Sikder. The entity's registered agent is listed as Mohammad Y. Sikder.

- In the July 9, 2024 ANC 7D Meeting, Commissioners discussed two options: to request further postponement of the case by the BZA or to vote to oppose the cases. ANC 7D voted to ask the Board to consider further postponing this case.

Committee and Commission Discussions

During Committee and Commission discussions in the June and July 2024 meetings, the following topical areas were raised:

- Whether the applicant had conducted sufficient engagement with the community to create awareness of the relief being sought. Several community members professed lack of awareness around the cases. The case was initiated by the applicant in 2022 and subject to a number of postponements.
- Whether the zoning relief being sought by the applicant would deliver structures that would properly “fit in” with established/historical development and land use as it has occurred on Douglas St, NE in the last 100 + years.
- Whether it was appropriate to build new construction single-family homes in a 100-year flood zone (FEMA Special Flood Hazard Area) in a community where there are few other such zones.
- Whether the professional and collaborative design team’s qualifications are aligned with the scope and technical requirements of the proposed dwellings and land engineering needed.

While these questions were probed, some in depth, they were not resolved by the Committee nor Commission members, resulting in our Commission asking the Board to consider a further postponement.

Contacts

Commissioner Brian Alcorn (7d08@anc.dc.gov) and Economic Development, Housing Justice, Zoning and Alcoholic Beverage/Cannabis Committee Chairman Zach Abramovitz (anc7d.hejz.committee@gmail.com) may be helpful contacts for ANC 7D should the Board have any questions on this case. Additionally, Commissioner Siraj Hasan (7d01@anc.dc.gov) represents the single member district that incorporates the property’s address.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Wendell Felder". The signature is fluid and cursive, with the first name "Wendell" being more prominent than the last name "Felder".

Wendell Felder

Chair, Advisory Neighborhood Commission 7D