

Dear Members of the Board:

I am Daniel Chao, a resident at 1698 31st Street NW and I am writing to submit my general comments on BZA Case 21143, re: 3100 R Street NW as of today, July 22nd.

First, neighbors will have the opportunity to meet with the applicant on July 29th to discuss issues that the applicant and neighbors have written about but have not had a chance to work through in person. I look forward to that discussion and hope we can come to agreement and better understand the purpose of the applicant's request to use the space for office. We understand that the application is not to rezone residential to commercial/office use, but to use an existing townhouse that is zoned residential temporarily for office use, up to 4 years. Regardless, the application is requesting waiver from existing Floor Area Ratio rules, and it would have an impact to residents, even if it isn't changing zoning permanently for 3100 R.

My hope is that we come to agreement between now and October 23rd and not have a long, drawn-out Board hearing that day.

I currently serve as the ANC commissioner for SMD 2e07, which includes the property at 3100 R NW. I have recused myself from leading discussions and voting on this matter when ANC2E considers this case and am only participating as a resident because I live next door and have a shared wall with the applicant's property. I may not next year be a commissioner, or two years from today so I want to say in advance although I temporarily have a "commissioner" title, it is temporary, and this case will impact me directly beyond my years as a commissioner. During my time serving as a commissioner, I also know that even I with such a title can't get city services to work all the time.

Regarding conditions to be negotiated and discussed between me and the applicant, and how to properly enforce them, I want to note that I, like many, have a day job and I cannot allocate time to stand in front of the entrance and clock every person that walks in and out, 5 days a week or more, and monitor who is parking where. I also know from experience that we cannot always expect prompt response from non-emergency city services.

This past year, we had a Parking Enforcement rep inform the ANC at a public meeting that for Ward 2, they were short staffed for parking enforcement. Therefore my hope is that the applicant should agree to conditions that are proactive in proposing a solution that does not require additional city services or neighbors' time to enforce conditions, because they are after all the ones requesting a variance. I remain committed to working with them to come up with an effective solution, knowing that the city is cash strapped this year and neighbors all have day jobs they have to prioritize.

The history of 3100 R for the past 10-15 years prior to it being listed for sale in 2021, is that a lady who owned it had lived in it and took care of it. Towards the end of her tenure, she aged and may not have kept up with it as much as she wanted to, but she lived in it and up until the last 2 years, had workers come in and out to do constant repairs and upkeep. This is what I have been told by other immediate neighbors.

3100 R received multiple bidders when it went on the market and at least one offer was from a family who offered \$700,000 above asking, all cash. But this family could not compete with such a wealthy entity and never got a call back to discuss their offer. They or any resident didn't have a chance against a university with over \$50 billion endowment. See article link here:

<https://dc.urbanturf.com/articles/blog/georgetown-the-competition-is-back/18123> I'm also copying and pasting it to this document below my signature.

A family could have purchased it and have already renovated it and live next door to me had the applicant not outbid them. I want to make sure that the Board understand that this was not a case where the home would have stayed vacant or abandoned. When a house is listed under 3 million but closed at \$3.8 million, one can easily assume there were multiple offers, but the article listed above offers evidence that others were willing and able to purchase the house.

When I purchased 1698 31st Street NW right next door to 3100 R, just one month before the applicant purchased 3100 R, I faced setbacks and surprises that are not unlike what the applicant has faced/is now facing, regarding renovation budget, covid, labor, cost, etc. My home, with shared wall to 3100R was structurally sound but not in great shape but I had a budget and a plan to fix it. I would not have purchased a home I couldn't handle. I found a way to manage, secure more resources when the budget went over and going in, I had brainstormed numerous potential roadblocks and thought about how I could work around them. A resident who purchases a home prepares for renovations have plans in place. I am befuddled as to how this applicant, with all their resources, even enough to hire an attorney for this case, can't afford to renovate this home now, or haven't been able to do so for the past 3.5 years.

Lastly, I want to be clear on a question I have asked and will continue to ask until I receive it in writing and speaks directly to my inquiry. And that is whether city codes require changes to condenser units, or mechanical, or requires ADA compliance even if a residential townhome is granted temporary office use. I know that the applicant is not proposing changes now, but my question is whether the applicant will be forced to change or retrofit condenser units or be required to bring up to code for "office use" any mechanical systems. Is this something that the city will mandate them to do and are there any requirements they would be forced to do even if they are given a temporary permit to operate the house as an office?

I also believe on a related matter that granting a waiver to F.A.R. for this building technically allows them to expand their footprint. The Commission on Fine Arts does not rule on zoning, or prohibit footprint expansion, and have worked with applicants to expand footprint while maintaining the character of Old Georgetown.

Other issues like safety, the impact of letting wealthy entities buy residential homes and keeping housing inventory unavailable for residents up to 7 years (3.5 yrs from March 2021 and up to 4 if granted permission to use as office space) have not even been discussed yet thoroughly in public but are of concern. DC needs more residential housing. We cannot afford to keep granting wealthy entities the ability to use outbid residents and then use a residential home for office space and reduce residential housing stock for years while we wait for more housing stock to come online.

To maintain the best chance of having a less contentious process moving forward and reducing the amount of hearing time on October 23rd, I look forward to engaging with the applicant in the coming weeks.

Sincerely,



Daniel Chao

7-22-24

Expert below from Urban Turf article dated April 12, 2021, titled Georgetown: The Competition is Back. Below bolded paragraph refers to 3100 R Street NW

While the pandemic caused a bit of a hiccup with the Georgetown market last March through June, it appears to be back in full force in 2021.

Competition is steep, especially for listings under \$1.5 million, and anyone looking in that price range should expect to have company when bidding on a home.

"Limited inventory coupled with low interest rates pushed prices higher and days on market lower," Michael Brennan, an agent with Compass, told UrbanTurf. "We're seeing multiple offer situations on a regular basis. That was not the case pre-pandemic."

And the competition extends, it seems, to the higher price brackets.

"A house by Montrose Park was listed for \$2,995,000 and needed a ton of work with a tiny patio and parking space," Nancy Taylor Bubes of Washington Fine Properties said. "I had a buyer make an offer \$700,000 over asking, all cash. I didn't even get a call back."