



ADVISORY NEIGHBORHOOD COMMISSION 6E
PO Box 93020 Brentwood Station, Washington, DC 20090

July 12, 2020

Anthony Hood
Chairman
District of Columbia Zoning Commission
441 4th St. NW STE 210S
Washington, DC 20001

Dear Chairman Hood:

Regarding ZC Case No. 19-28, Application of Square 417, LLC, 1840 7th St. NW (Sq. 417, Lots 53 & 54):

Advisory Neighborhood Commission 6E conducted a public meeting on Tuesday, May 5, 2020 via Zoom to consider the above referenced Zoning Map amendment.

At the Commission's meeting, duly noticed and with this case listed in the notice, with a quorum present (four out of seven Commissioners required to be in attendance to achieve a quorum), ANC 6E voted (3 in favor, 0 opposed, and 3 abstentions) to oppose the Zoning Map amendment application by Square 417, LLC, 1840 7th St. NW and that said opposition be communicated in writing to the District of Columbia Zoning Commission.

The Commission further voted unanimously (6 in favor, 0 opposed and 0 abstentions) to appoint Commissioner Alexander M. Padro to represent ANC 6E at the proceedings before the Zoning Commission and that said designation be communicated in writing to the District of Columbia Zoning Commission.

In considering this case, and because of questioning of the applicant at said meeting and three previous Zoning and Planning Committee meetings, the Commission determined the following:

- 1) The property in question is in Single Member District 1B01, immediately adjacent to Single Member District 6E01.
- 2) The applicant proposes to rezone the site from RF-1 to ARTS-3 to redevelop the existing office building into a residential building with ground floor retail.
- 3) The proposed rezoning application has been filed in lieu of a Planned Unit Development (PUD), which the developer prefers not to pursue in order to avoid the possibility of having a PUD order appealed, as well as the associated delays and expense of defending such an appeal. As a result, this application is the only juncture at which the applicant will be required to interact with ANC 6E.
- 4) A residential development on the site would generate additional parking demands that would adversely affect current neighborhood residents, as well as additional use demands on the alley on the block.
- 5) The applicant refused to make any commitments to ANC 6E related to prohibiting residents of the new building from being allowed to participate in the Residential Permit Parking (RPP) program. Current neighborhood residents already experience extreme difficulty in finding RPP parking on streets adjacent to the

site, especially on street cleaning days. This is due to non-residents parking all day on streets which are limited to two hour parking by non-permitted RPP vehicles driven to the neighborhood by commuters who use the Shaw-Howard University Green and Yellow Line Metrorail station to go to work. The addition of scores of cars belonging to residents of the new residential building on the site that are not parked on site either because of insufficient space availability in an onsite garage or residents preferring not to pay for onsite parking when a \$35 RPP sticker will allow them to park on the street is unacceptable to ANC 6E.

6) The applicant refused to make any commitments to ANC 6E related to the requested expansion of the northern portion of the alley on the block in question, which is shared by rowhouse residents and Cleveland Elementary School. In order to reduce congestion by users of the alley after the redevelopment is completed, ANC 6E asked the developer to commit to widening the northern portion of the alley to the same 20 foot width that currently exists elsewhere along the alley. This would help ensure greater efficiency and usability of the alley by all users, including the residents of the new building that would access an onsite garage from the alley, as well as trucks accessing the new building's loading docks.

7) By avoiding the use of a PUD, the applicant has eliminated the ability of ANC 6E to advocate for and obtain concessions related to the above issues, as well as the opportunity to obtain amenities to compensate the community for the negative impacts of the zoning changes required in order to accomplish the proposed redevelopment. While the applicant is not required to address community concerns to gain approval of this application, nothing would have prevented the applicant from making commitments to the community separate from the rezoning application.

8) While the applicant is certainly entitled to choose not to pursue a PUD in order to obtain the zoning changes needed for their project, this decision is not in the community's best interests, for the reasons noted above.

9) ANC 6E understands that the Zoning Commission cannot impose conditions on its approval of a rezoning application to address ANC 6E's concerns. But neither can ANC 6E agree to support a zoning application when the applicant refuses to address the ANC's legitimate concerns about a proposed development.

10) For the reasons listed above, Advisory Neighborhood Commission 6E wishes the District of Columbia Zoning Commission to note the ANC's opposition to this zoning application and asks that the Zoning Commission urge the applicant in the strongest possible terms to address the community concerns raised by the ANC outside of the rezoning application.

Sincerely,

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

Rachelle P. Nigro
Chair
ANC 6E