

BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to Subtitle Z § 406.2 and Subtitle Y § 406.2 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	19982	Case Name:	Montello 1723 LLC
Address or Square/Lot(s) of Property:	1723 Montello Avenue NE		
Relief Requested:	Special Exception for minimum parking, lot occupancy and rear yard requirements;		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	14	/	05	/	19	Was proper notice given?:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Description of how notice was given:

Proper notice of this meeting was given by posting on ANC5D.org website, Ward 5 List serve and NextDoor community blog

Number of members that constitutes a quorum:	4	Number of members present at the meeting:	7
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MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (a separate sheet of paper may be used):

Please see attachment

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (a separate sheet of paper may be used):

AUTHORIZATION

ANC	5	D	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	7-0-0
Name of the person authorized by the ANC to present the report:	Commissioners Keisha Shropshire or Clarence Lee			
Name of the Chairperson or Vice-Chairperson authorized to sign the report:	Commissioners Clarence Lee or Sydelle Moore			
Signature of Chairperson/ Vice-Chairperson:			Date:	5/21/2019

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR SUBTITLE Z § 406 AND SUBTITLE Y § 406.

INSTRUCTIONS

Pursuant to 11 DCMR Subtitle Z § 406.2 and Subtitle Y § 406.2, the Zoning Commission (ZC) and Board of Zoning Adjustment (BZA) shall give “*great weight*” to the written report of the affected Advisory Neighborhood Commission (ANC), as required by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000.

1. All ANC reports shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. ANC reports and any accompanying documents must be submitted to the record by using:
 - a. The Interactive Zoning Information System (IZIS) at www.dcoz.dc.gov;
 - b. By email to zcsubmissions@dc.gov for the ZC or bzasubmissions@dc.gov for the BZA; or
 - c. In person or by U.S. mail addressed to 441 4th Street, NW, Suite 200-S, Washington, DC 20001.
3. Submission deadlines are as follows:
 - a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a public hearing under Subtitle Z § 406.3 and Subtitle Y § 406.3.
 - b. In all cases before the ZC or BZA, ANCs must file this form before the ZC or BZA makes a decision in order to receive great weight.

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717 14th Street, N.W., Suite 500 | Washington, D.C. 20005

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If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 200 S, Washington, D.C. 20001

(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov



DISTRICT OF COLUMBIA GOVERNMENT
ADVISORY NEIGHBORHOOD COMMISSION (ANC) 5D
www.anc5d.org

May 21, 2019

Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW
Suite 200-S
Washington, DC 20001

Chairperson Hill:

Please find attached below a resolution for Conditional Support of the Special Exception to BZA Case # 19982.

Thank you,

Clarence F. Lee, Chairperson, ANC5D

Keisha Shropshire, ANC SMD 5D02, Treasurer, ANC 5D

ANC 5D Commissioners 2015 - 2016	5D01: Ryan Linehan <i>ANC 5D Secretary</i>	5D02: Keisha Shropshire <i>ANC 5D Treasurer</i>	5D03: Steven Motley
5D04: Bernice Blacknell	5D05: Sydelle Moore <i>ANC 5D Vice Chairperson</i>	5D06: Jason Burkett	5D07: Clarence Lee <i>ANC 5D Chairperson</i>

ANC 5D Resolves to Conditionally Support the Special Exception sought by Montello 1723 LLC, to construct a two-story addition and penthouse to an existing, one-story commercial building in the MU-4 Zone at 1723 Montello Avenue, NE (Square 4052, Lot 180). However, we Oppose conversion into an eight-unit apartment house due to excessive number of small-sized units being proposed for development within the allotted lot size.

Application of Montello 1723 LLC, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle C § 703.2 from the minimum parking requirements of Subtitle C § 701.5, and under Subtitle G §§ 409, 1200 and 1201 from the lot occupancy requirements of Subtitle G § 404.1 and the rear yard requirements of Subtitle G § 405.2, to construct a two-story addition and penthouse to an existing, one-story commercial building and convert it to an eight-unit apartment house in the MU-4 Zone at premises 1723 Montello Avenue, N.E. (Square 4052, Lot 180).

Resolved, Advisory Neighborhood Commission 5D submits the following report on BZA Case 19982 at premises 1723 Montello Avenue NE.

The application was considered at a public meeting of ANC 5D on Tuesday, May 14, 2019. Proper notice of this meeting was given by posting on ANC5D.org website, Ward 5 List serve and NextDoor community blog. ANC 5D has seven Single Member Districts. A quorum of four commissioners is required for action. All seven commissioners were present during the meeting. There was a unanimous vote of 7-0-0 to conditionally support the special exception contingent upon the applicant making major revisions to/redesign architectural plans and floor plans and request additional information accordingly:

- Reduce the total number of units proposed for the lot in order to increase the square footage for the 2- and 3-bedroom apartments, making them reasonably sized. The proposed two-bedroom units would range 464 to 500 sq-ft, while the “family-size” 3-bedroom units would range 639 to 675 sq-ft.
- Provide written documentation from the nearby property owners (1210 Simms Place and 1211 Mt Olivet Road NE) stating their intent to sign covenants and/or easements. Three of the windows are at safety risk for future neighbors of not having FEMS access unless he obtains letters from these property owners

We have met with the applicant numerous times during four Single Member District Meetings on Feb 16, March 16, April 6 and April 26, and three ANC 5D Community Meetings on March 12, April 9, and May 14. During each of these meetings, the applicant was open to listening to and incorporating some of the community’s input which consisted of following concerns and/or requests:

- Requested family-size units for building
- Concerns regarding Trash Room Capacity
- Concerns regarding Frequency of Trash Pickup for 8 units and the impact of associated noise
- Concerns with Parking due to increased street capacity based on increased number of units
- Concerns regarding safety issues of apartments with unit windows aligned with property line of adjacent property at 1210 Simms Place NE
- Concerns that drawings did not reflect actual use of space
- Opposition to larger, taller buildings
- Concerns that too many small-sized units are being proposed for the lot space

Each subsequent meeting, the applicant returned with minor revisions to the plans but no reduction in number of units, rather an increase in the number of units (from 7 to 8) including a newly proposed cellar unit. We stated earlier but it bears repeating: The Applicant’s proposed 2-Bedrooms apartments range between 464 to 500 sq-ft. The penthouse area provides an additional 175 sq-ft to the top-floor units, so the 3-bedroom units would range between 639 to 675 sq-ft.

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To put those figures into context, according to a Nov 2018 study¹ by RentCafe.com, Washington DC had the 4th smallest apartment sizes in the United States. In their analysis, they found the following average sizes for Washington DC apartments:

- Studio Apts: 481
- 1 Bedrooms: 721
- 2 Bedrooms: 990
- Total Average: 736

The Applicant's proposed 3-Bedroom units would be **smaller than the average 1 bedroom** in the District.

In all BZA cases, the burden of proof is upon the Applicant to justify which the community, the ANC, and the Board of Zoning Adjustment should support providing special exceptions. The Applicant is proposing a design where the units are extremely and unreasonably small. Moreover, the Applicant is proposing units with at-risk windows that may not provide the fire-department with the minimum 3-foot access from a public way.

ANC 5D welcomes the opportunity to support this project, as the community wants to see something productive done with property; however, we believe that the BZA should only provide a special exception if the Applicant revises the design to provide realistically sized-units 2- and 3- bedroom, rather than packing our future neighbors into a building like sardines.

We look forward to discussing these concerns further. Thank you for your considerations.

¹ <https://www.rentcafe.com/blog/rental-market/real-estate-news/us-average-apartment-size-trends-downward/>

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