



**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.:	20204	Case Name:	1001 Bryant Street LLC
Address or Square/Lot(s) of Property:	1001-1003 Bryant St NE; Square 3869, Lots 25 and 26		
Relief Requested:	for a special exception under the new residential development provisions of Subtitle U § 421.1, to combine the two lots into one record lot and construct a new 16-unit apartment house in the RA-1 Zone		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	08 / 12 / 20	Was proper notice given?:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Description of how notice was given:	Notice via ANC Website, Email to Parties, single Member district announcements via OANC website for ANC 5C			
Number of members that constitutes a quorum:	4	Number of members present at the meeting:	6	

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*):

The ANC 5C votes to disapprove the application 20204 and deny support who is seeking a special exception under the new residential development provisions of Subtitle U § 421.1 to combine the two lots into one record lot and construct a new 16-unit apartment house in the RA-1 Zone holding that such a project will create a substantial detriment to the community, and stands to irreparably harm the community and undermine the character of Bryant Street in the projects immediate vicinity (full report attached)

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*):

the analysis and recommendations of the full commission 5C and single member district 5C05 are attached to this form, and whereas authorized by vote, the report of ANC 5C05 is hereby incorporated by reference as part of the commissions report in this matter. (full report attached)

AUTHORIZATION

ANC	5	C	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	6-0-0, 1 commissioner absent of 7
Name of the person authorized by the ANC to present the report:			Darlene Oliver and Jeremiah Montague Jr (Vice Chair)	
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			Jacqueline Manning, Chair	
Signature of Chairperson/ Vice-Chairperson:			Date:	08/14/2020

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.

Board of Zoning Adjustment
District of Columbia
CASE NO. 20204
EXHIBIT NO. 68



Advisory Neighborhood Commission 5C

Government of the District of Columbia

P.O. Box 92352

August 14, 2020

Board of Zoning Adjustment
Government of the District of Columbia
441 4th St NW, Suite 200
Washington, DC 20004

Re: BZA Application 20204, 1001 Bryant St LLC, property address 1001-1003 Bryant St NE, Square 3869, Lots 25, and 26.

On August 12, 2020, at a regularly scheduled, duly noticed meeting with a quorum of Advisory Neighborhood Commission 5C, and with the public present, via Webex video teleconferencing, the above-mentioned application came before us. The SMD commissioner experienced some connectivity issues, but with the assistance of the Vice-Chair Montague, the matter received hearing. The Vice-Chair reported the record at the BZA closed except awaiting the report of the ANC. The two requests for postponement were denied by the BZA and the hearing proceeded. Commissioner Hines verified this. The decision meeting by the BZA has a schedule date set for September 16, 2020.

The ANC acknowledges that communication among the parties was less than desirable, resulting in lost opportunities for compromise, and disappointingly unsatisfying to the affected community.

At issue before the ANC was the Single Member District communication with the applicant and the community, and decisions arising therefrom. The current D.C. Health Emergency (aka the Pandemic) did little to help the efforts for engagement. Nevertheless, the discussion of the matter before the commission came occurring in two parts, due to a technical issue with Commissioner Oliver. Accordingly, with the commissions consent, the Vice-Chair, having familiarity with the matter and the issues, provided answers to commissioner's questions until the return of Commissioner Oliver.

Although present, there was no further need for further presentation by the applicant, or community.

Prior to, Commissioner Oliver provided community response clearly laying out concerns in writing as circulated to commissioners prior to the meeting. They received a full airing publically during the proceedings.

With a roll call vote, a motion was tendered to deny support for the applicants' application before the BZA, Case 20204. With a clarification that an affirmative vote was a vote to deny the applicants' request, the assembled voiced no opposition by roll-call vote, and thereby by acclamation, voting 6-0-0, chose to deny support the applicants' project. As part of that vote, the commission incorporated by reference, to attach the single member districts report to its full report accompanying form 129. The commission noted that its report would receive rewording to communicate properly the community's sentiment and causes for its decision and recommendations.

Filed 11/26/2019, the applicant seeks the following.

Application of 1001 Bryant Street LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the new residential development provisions of Subtitle U § 421.1, to combine the two lots into one record lot and construct a new 16-unit apartment house in the RA-1 Zone at premises 1001-1003 Bryant Street N.E. (Square 3869, Lots 25 and 26)

Thus,

WHEREAS, the applicant seeks demolish two existing single-family residences, and proposing the subsequent merging two lots (25, and 26) in square 3869 into a single record lot, and afterward construct a new four story, 16-unit building with basement.

The ANC acknowledges that the applicant obtained permits to demolish structures known as 1001 and 1003 Bryant Street for constructing its project. Further, it does express misgivings of losing two residences replacing with an 8-fold increase in property occupation density. The ANC notes, that if the planned subdivision were unsuccessful, this project would require substantial revision or not occur at all. Nevertheless, the applicants' actions results in an undesirable revision to a stable community.

WHEREAS, the ANC acknowledges that applicant's lot 25 contains an easement of approximately 16 feet by 125 feet, at its west running north south, which effectively reduces the final combined lot area by approximately 2,000 square feet.

Further, to the ANC, this easement appears to limit the building potential setback aligning with it existing structures, unless the applicant reduces the building mass, which the ANC finds preferable. This serves to accomplish a more uniform, less imposing, consistency with the streetscape along Bryant Street NE. The applicant has indicated an unwillingness to do so.

WHEREAS, the applicant's resultant building's orientation contrasts substantially from other residences fronting Bryant Street NE, where the proposed orientation complies with deference to a request by the D.C. Office of Planning favoring the buildings entrance facing nearby Rhode Island Avenue, NE at the intersection of 10th Street and Bryant Street NE.

The ANC finds the proposed building orientation highly objectionable, as it conveys an undesirable imposing sense of dominance over the street, thereby making other existing residences, both new and old, appear subservient, and of diminished importance or value. This was not a neighborly act by any means. This will have untenable long-term adverse community impact altering sight lines and streetscape.

WHEREAS, Bryant Street NE, is a public street, at the project site is one-way, along its full length, to traffic flow from 12th Street to Rhode Island Avenue NE; Parking along this roadway is notably contentious as commuters regularly ignore Residential Parking Permit designations, using the available spaces for day-long occupation to access the Metro, with little enforcement.

The ANC agrees that this situation substantially inconveniences older residents, of which there are many, dependent upon personal transportation. It also complicates access for emergency vehicles to reach them and others when in need which occurs regularly.

Further, the ANC acknowledges that the applicant proposes providing five on-site parking spaces, when only required to offer two. This represents a 31% versus 12.5% parking provision assuming one space per residential unit as a requirement. Nevertheless, the existing structures only necessitated one space per lot on-street parking, but could offer two per lot, as 16' each.

Regardless, those spaces are nearly full at any time of the day, and not necessarily by adjacent homeowners.

The ANC desires the applicant consider restricting eligibility for RPP by its buyers, and offering incentives for purchasers of the units not to own personal vehicles as a consideration for sale.

The ANC asserts that it is folly to believe, or assume, that the remaining 11 residents purchasing units in the new building will not seek to park on street, thus potentially reducing the parking availability by 11 x 16' or by 176 linear feet. This represents and is an undeniable substantial adverse impact to the existing community, let alone the expectations of buyers of these new residential units.

The ANC also notes that in the short term, parking will be constrained by the developer insisting that staging for construction cannot limit itself only to its site.

The ANC strongly recommends that at no time should the applicant, or any parties associated with the applicant be allowed to restrict or constrain access to nearby or adjacent alleyways.

WHEREAS, those nearby, within 200 feet of the proposed project voiced substantial opposition to the project noted in the single member districts report to the full commission,

The ANC notes within 200 feet are residences on lots 46, 47, and 48 in square 3870 and fronting Rhode Island Avenue having rear access through an rear alleyway extending east from Bryant street.; in addition, within 200' are lots 27, 28, 29, 30, fronting Bryant St and lots 23, 24 fronting 10th Street in square 3869. Lots 23, 24, 25, 26, 27, 28, 29, and 30 share a common alley. There are 10 residences in square 3869 affected by this proposed project. Further, within 200' are lots 44, and 45 fronting Bryant Street NE in square 3870. Immediately affected are nine residences in square 3870. Lastly, there is a new development already commencing soon nearby further east along Bryant Street NE in the immediate vicinity.

WHEREAS, the proposed project appears inconsistent, in mass and appearance, with neighboring properties and residences, as although below the maximum height permitted (40'),

The ANC observes that the structure is set to rise 2 stories above the adjacent condominium buildings recently built on lots 27, and 28. Although, the massing of existing adjacent buildings was objectionable at the time planned, they now exist. However, the ANC contends that the proposed building with its projections (balconies), and will serve to undermine, light, air, and privacy, in particular, as an untenable consequence.

The ANC would prefer a building no higher than three stories total, but the applicants is not amenable. Further, the ANC holds that no projections what so ever is preferable, as no other structures incorporate them along Bryant Street NE.

WHEREAS, the proposed project carries immediate consequence to nearby residents, heightened by the single direction of traffic in the immediate project vicinity, the limited access for public services, the known potential for substantial adverse impact on quality of life, both longer and short term,

The applicant's approach and responses to inquiries for alternatives only served to undermine any opportunity for community or ANC support for this project

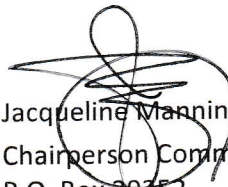
WHEREAS, the applicant's proposal, appears to occur as a substantial detriment to the public interests and zoning for the area, as it leverages maximum's allowed by the zoning regulations rather than compromising on community agreeable maximums.

The ANC asserts that the addition of 16 units will increasingly tax water and sewer resources, well beyond that already planned in another project along the street.

Lastly, the ANC asserts that contrary to the applicant's assertions, this is not a matter-of-right project as a special exception is necessary to it to continue. This process to address the relief sought is not simply a formality requiring the applicant's accommodation.

Therefore, BE IT RESOLVED that Advisory Neighborhood Commission 5C sees this project as an untenable tear at the community fabric along Bryant Street NE. It adds nothing complementary and the city's goal of building more affordable housing units is unserved.

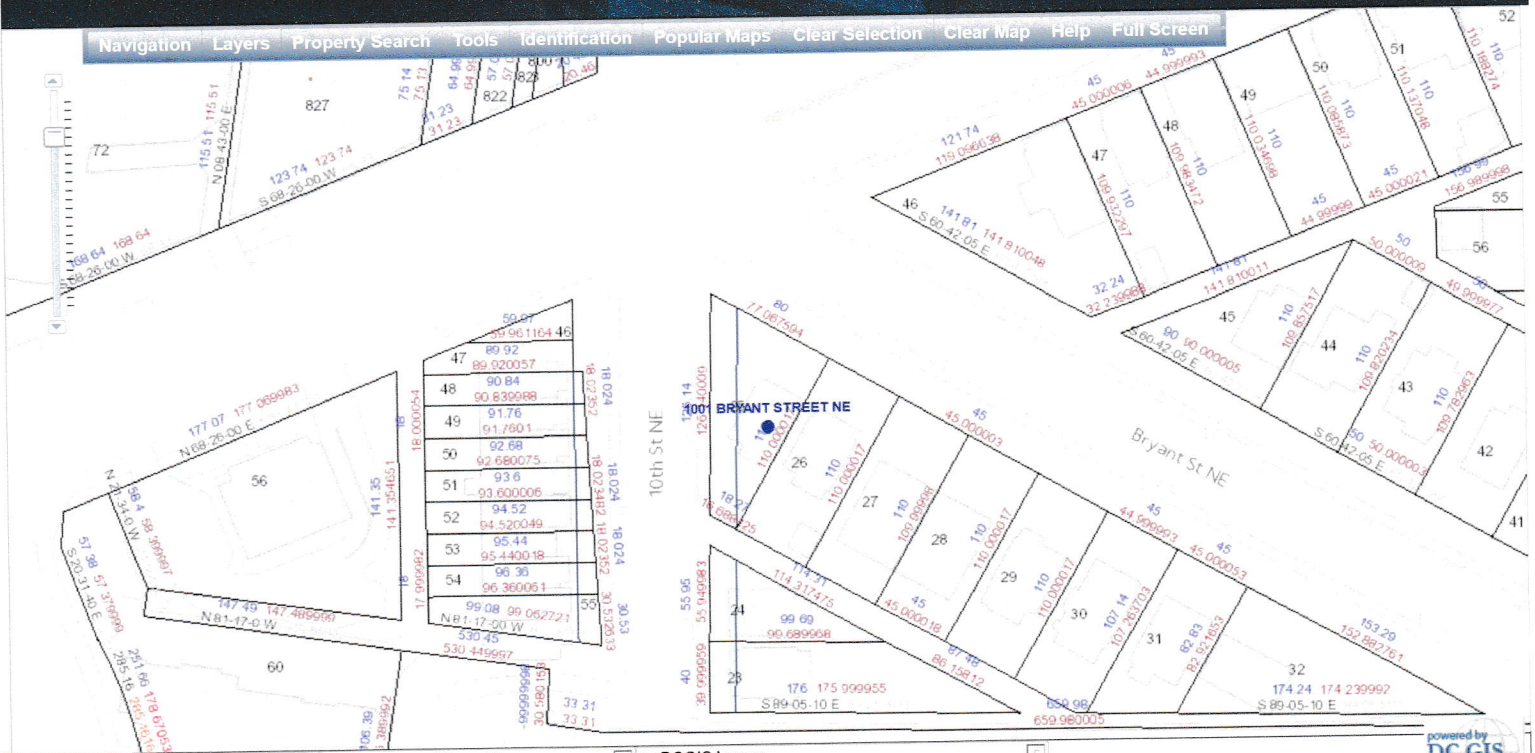
Thus, it strongly urges a vote by the Board of Zoning Adjustment denying the applicant's application for this project preventing it to move forward as proposed. This satisfaction requires the applicant rethink its project, as a matter of record, giving proper acquiescence to community integration, while complying with applicable zoning regulations in the public good, as heard before the Board of Zoning Adjustment, District of Columbia.



Jacqueline Manning,
Chairperson Commissioner ANC 5C
P.O. Box 29352
Washington, DC 20090



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Fw: Opposition letter for 1001- 1003 Bryant St Case No. 20204

Oliver, Darlene (SMD 5C05) <5C05@anc.dc.gov>

Wed 2020-08-12 18:12

To: Manning, Jacqueline 5C04 <jacquemanning8@aol.com>; Montague Jr., Jeremiah (SMD 5C07) <5C07@anc.dc.gov>; Brevard, Gail (SMD 5C01) <5C01@anc.dc.gov>; pierrehinesanc@gmail.com <pierrehinesanc@gmail.com>; Williams, Kirsten (SMD 5C06) <5C06@anc.dc.gov>; Rogers, Lauren (SMD 5C02) <5C02@anc.dc.gov>

From: Darlene Oliver <darleneoliver1363@yahoo.com>

Sent: Wednesday, August 12, 2020 6:00 PM

To: Oliver, Darlene (SMD 5C05) <5C05@anc.dc.gov>

Cc: Oliver, Darlene (SMD 5C05) <5C05@anc.dc.gov>

Subject: Opposition letter for 1001- 1003 Bryant St Case No. 20204

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Greetings: Board of Zoning, ANC 5C05 Ful Commission and residents of Bryant ST NE

I am writing this letter to express our strong opposition to the proposed project at 1001-1003 Bryant St NE and case no. 20204 for the reason listed below:

1. Not enough community input
2. The towering height of the building
3. The number of units
4. Construction concerns/ staging equipment
5. Poor engagement with impacted residents
6. Parking

As impacted residents, we would like to make sure a letter of opposition from the sitting ANC 5C05 goes on the record along with these special notes:

1. That all-new resident at 1001-1003 not be issued permits for residential parking
2. All items pertaining to construction be on the site and not on the street or block the alley
3. Construction containers, trucks, toilets, vehicles do not block the alley
4. All residents are notified of construction start date
5. Construction at St NE start and finish on every day
6. No balconies are added to the project
7. Community input regarding the color and front of the building
8. Safety wall added to the project to make sure there will be no damage to 1005 and 1005

Upon completion of this project, the residential neighborhoods surrounding the property will witness a dramatic increase in traffic in an already heavily congested area, which will lead to a significant deterioration in the quality of life for all residents on Bryant St NE. Bryant St simply cannot handle the dramatic increase in traffic that will occur if the proposed project moves forward. This project fails to recognize the lack of street parking that is currently available to this project residents in the community.

Given the scale, degree, and intensity of this project, I urge the commission to disapprove of the proposed project as it currently stands. I request that the proposed project be scaled down to a three-story unit.

Thank You
Darlene Oliver
ANC Commissioner 5C05

For the latest information on the District Government's response to COVID-19 (Coronavirus), please visit coronavirus.dc.gov.