



ANC 1A ADVISORY NEIGHBORHOOD COMMISSION 1A

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ANC1A Comments on Zoning Commission Case 21-04 Special Exception Relief to Certain Vehicle Parking Dimensional Requirements April 14, 2021

Summary Statement

At a properly noticed meeting of ANC1A where a quorum was present, we approved the following comments on the subject ZC case. 1) the ZC should consider edits to the set down language that will limit the relief only to the dimensional requirement needed to satisfy the lot size or shape concern; 2) and/or the ZC should consider only allowing relief to the dimensional requirement when the number of parking spaces is equal to or less than the requirement of the zone but never when it is more than required by the zone; 3) the ANC is disappointed that emergency action was taken on this case and may already be causing unintended consequence in our neighborhood and likely in neighborhoods across the city. The ANC further appoints Commissioner Michael Wray to represent the ANC in matters related to these comments.

Detail on Point One – limit relief to what is needed.

The ANC has had several cases where compact spaces have been considered or needed to meet the parking requirements of the zone. While we accept and support the need to include compact spaces when necessary, we remain concerned that shorter parking spaces increase the chance that vehicles will encroach on alleyways to impede proper trash collection and/or impede other neighbors from accessing their parking spaces off an alleyway. As Commissioners we receive complaints from neighbors regularly when trash pick-ups are missed or when vehicles cannot swing into their allotted space because another vehicle is longer or outside the space provided. This is often true of spaces where a fence gate may swing into the space or where trash cans are also stored. These impediments mean that drivers do not pull fully into the allocated space and encroach into the alleyway. Making spaces shorter, when unnecessary, is likely to increase these occurrences.

Note in Exhibit 1 from withdrawn BZA case 20416. When applicants request compact spaces, they tend to construct that space at the minimum width and depth. This is the case even when the depth of the space could meet the requirement for a full-size space. The ANC recommends that the wording of the regulation only provide relief in the dimension that is needed. This may mean the length or the width, or perhaps both depending on the circumstance.

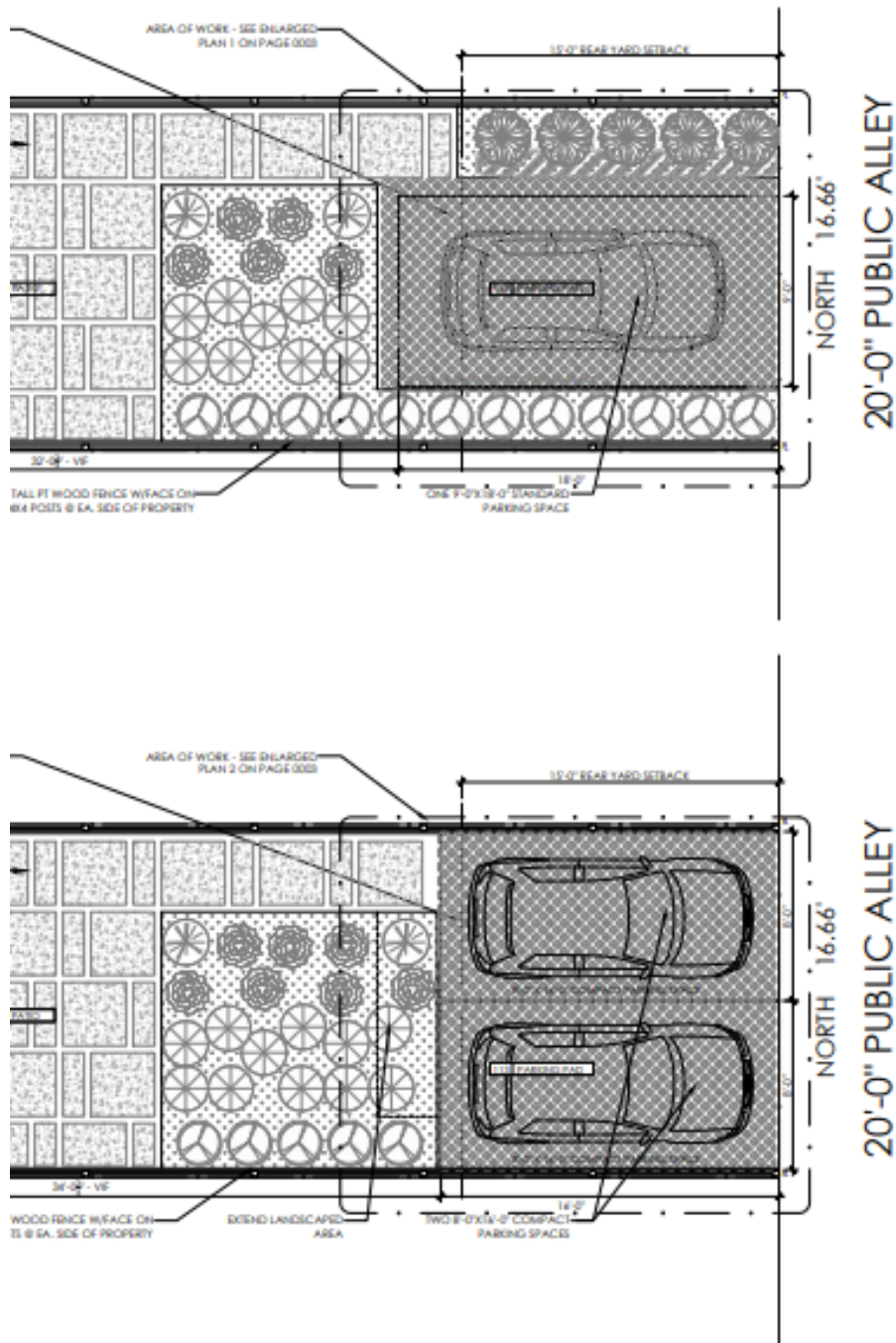


Exhibit 1: BZA Case 20416: The applicant only needed to make the space more narrow, but also made the space shorter. The ANC would have requested a change during the hearing, but the case was withdrawn when emergency action was taken by the ZC.

Detail on Point Two – limit relief to spaces meeting the parking requirement.

ANC1A has already seen cases where relief is unnecessary to meet the required number of parking spaces, however the applicant may seek relief in order to add additional parking spaces beyond what is required. In the above example, Case 20416 only one full-size space was required. The applicant was seeking to add two spaces by making the spaces smaller. While we may have considered this an advantage if the depth of the spaces remained full-sized, we view the outcome less favorably when only minimum compact spaces are provided. Please note that in the RF-1 zone, which covers 75% of our Commission, lot width can be 16 feet by Special Exception when an IZ unit is included in the project or where many substandard lots already exist. We have seen several of these cases recently including current BZA case 20433. See Exhibit 2 where four spaces could have been included where only two are required.

The ANC recommendation is that the ZC limit relief only when needed to meet the parking requirement of the zone. This is especially true if the ZC does not make language changes regarding point 1, however both recommendations combine may be the best path forward.

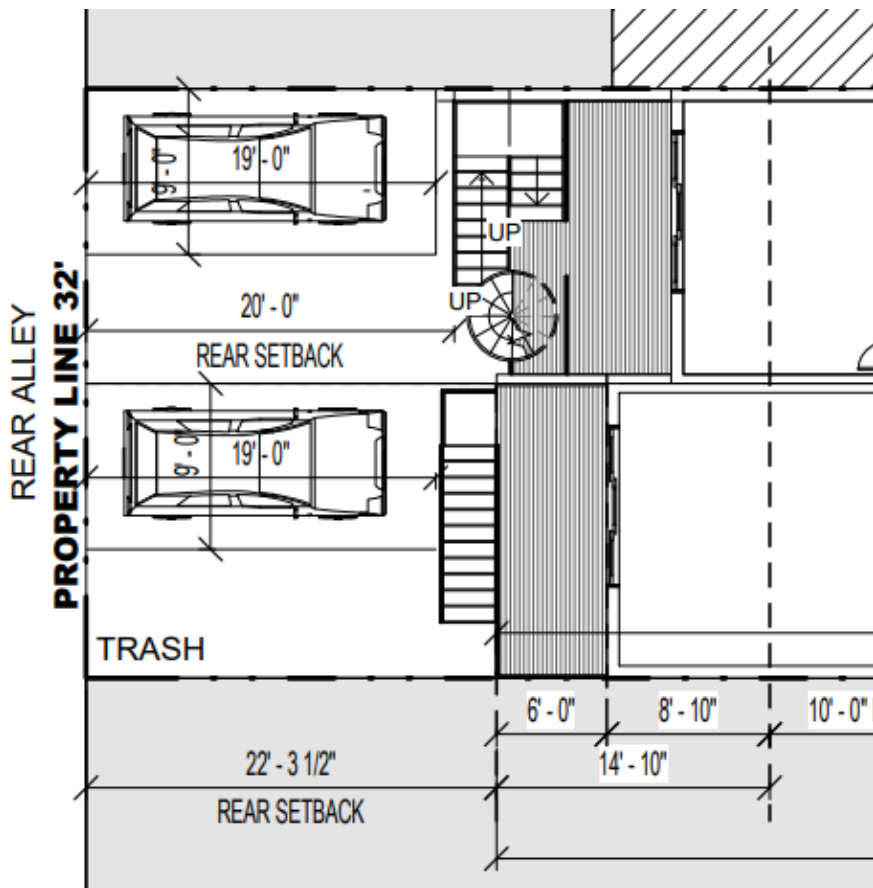


Exhibit 2: BZA Case 20433. Since emergency action was taken the applicant discussed including four compact spaces where only two were required. The ANC is concerned that the more abutting spaces that are affected by this change may exacerbate the potential negative effect.

Detail on Point Three – emergency action was premature.

The ZC only took emergency action on this case on February 25, 2021 at the request of the Office of Planning. As mentioned above, BZA Cases 20416 and 20433 have taken action or are considering changes. Additionally, Building Permit B1901713 has applied for a modification based on this action by the ZC.

The application revision from 3-19-21 reads:

“REVISION TO PERMIT B1901713, TO PROVIDE 2 COMPACT PARKING SPACES, PER ZONING SUBTITLE C 712.3.C”.

This marks three cases in one neighborhood in the first three weeks since the set down and emergency action. No comments from ANCs or the public were part of the emergency action. In watching the ZC hearing, we note that the Office of Planning only referenced one case in DC affected by this change. We believe the ZC, prompted by the Office of Planning, acted hastily and we are disappointed the ZC and OP felt there was any need to make these changes in advance of public engagement. It is possible that the above cases and many more will occur with no review of the impact of the changes approved by the ZC. The ANC does not believe this case warranted emergency action by the ZC and recommends a more judicious use of this authority by the Commissioners and the OP staff in future cases.

Certification:

After providing sufficient notice for and with a quorum of 11 present at its April 14, 2021, meeting, Advisory Neighborhood Commission 1A voted, with 11 Yeas, 0 Nos and 0 Abstentions, to adopt the above testimony.



Kent C. Boese
Chairperson, ANC 1A



Zach Rybarczyk
Secretary, ANC 1A