



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

July 18, 2022

Anthony J. Hood
Chair
Zoning Commission
of the District of Columbia
441 4th Street, NW
Suite 210-S
Washington, DC 20001

Re: ZC 21-26 (301 Florida Ave. NE)

Dear Chairman Hood:

We write to state ANC 6C's strong support¹ for this application, subject to the three conditions described in this letter.

As the Commission is aware, the applicant's proposal for an all-affordable residential component represents an important opportunity to address the District's ongoing crisis in housing costs. Not only would this project provide dozens of family-sized units—nearly half the units have two or more bedrooms—but it would also do so at deep levels of affordability. Half of all units would be apportioned for residents making 30% AMI or less, and the remainder would be reserved for residents making 50% AMI or less. This substantial amenity provides strong justification for the requested PUD flexibility.

We would be remiss if we failed to mention the diligent efforts, both of the applicant and its counsel, to engage constructively with ANC 6C over the past eight months. In the course of numerous conversations, both before and after the submission of the application, the applicant team has made exemplary efforts to understand our questions and concerns and, in the vast majority of cases, to adjust the proposal to respond to the issues raised.

In the course of those discussions, four key areas emerged. We summarize each in turn below, along with the conditions for three of them incorporated into our vote.

¹ On July 13, 2022, at a duly noticed and regularly scheduled monthly meeting, with a quorum of six out of six commissioners and the public present via videoconference, this matter came before ANC 6C. The commissioners voted 6-0 to adopt the position set out in this letter and to authorize Vice-Chair Mark Eckenwiler (6C04) to present testimony.

Curbside Loading

As the Chairman correctly recalled at the setdown meeting for this case, ANC 6C has expressed its ongoing concerns about the adequacy of offsite loading facilities in recent proceedings before the Commission (the rulemaking in ZC 21-10 on loading and parking requirements) and before BZA (in BZA 20508, a case on which the Chairman sat). With a full appreciation that onsite loading is impractical at this location and that zoning relief is therefore essential, we therefore devoted significant time and energy to understanding the curbside loading facility proposed in this case.

The current proposal for the N Street loading zone largely addresses our concerns about ensuring that curbside loading—which DDOT does not allow to be reserved for the exclusive use of a specific facility—will be available as needed at this site. The applicant’s latest submission provides for improved surface treatments and signage, as well as a commitment to limit trucks serving the site to 50’ in length, likely to ensure availability. We look forward to continuing to work with the applicant as this project moves to review at the Public Space Committee.

Adequacy of Trash Rooms

ANC 6C also expressed concern about whether the proposed trash rooms within the facility, especially for the commercial tenant, would be adequate to accommodate both the volume of materials and the maneuvers required to move trash containers to and from collection trucks in the N Street loading zone. As one member of ANC 6C is a District-licensed architect and developer, these concerns arose from more than mere conjecture.

Although we entertained the idea of requesting that the commercial facility be enlarged, in our final vote we opted instead to condition our support on a) the commercial tenant being required in the lease to provide for frequent (6 days/week) collection and b) the lease further stipulating that if the tenant fails to do so, the landlord has the right to contract for such services on the tenant’s behalf and to bill back the costs.

Prohibitions on Residential Tenants Seeking Resident Parking Privileges

The factors that militate against onsite loading likewise preclude the feasibility of providing onsite parking for residents. For that reason, ANC 6C also supports the request here to provide zero parking spaces.

Unfortunately, over the past decade we have seen numerous instances in which residential tenants of large multi-unit buildings attempt illegally to obtain—and in many cases succeed in obtaining—various types of residential parking privileges and permits for which they are ineligible. As in past cases,² we therefore voted to condition our support for this project on the residential leases expressly a) barring tenants from seeking or obtaining such permits/privileges and b) making violations a basis for termination of the lease.

² See, for example, ZC 14-14 (501 H Street NE), where the Zoning Commission imposed such conditions.

The applicant has agreed to the first provision, but has indicated reluctance to adopt the second. ANC 6C nevertheless feels this is important to include, both because it makes clear to the tenant that noncompliance may have consequences and because it provides the landlord with the authority to mete out those consequences in appropriate cases. (Like the applicant, we hope that no tenant is ever evicted on these grounds. Our expectation is that cautioning any wayward resident, with that caution backed up by the terms of the lease, would suffice to address infractions should they occur.)

Promoting Alternative Transportation Modes

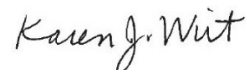
The project site lends itself to use of travel modes other than driving. Proximity to transit, including the nearby NoMa Metro station, is a key factor, as is convenient access to the Metropolitan Branch Trail via the M Street ramp. We also commend the applicant for agreeing to our earlier suggestion to place additional public bike racks at the southwest corner of this block, *i.e.*, adjacent to the intersection of 3rd and N Streets.

Because this project is aimed entirely at residents at or below 50% AMI, we feel it especially important to encourage tenant use of Capital Bikeshare. As a result, the third and final condition of our vote to support the project is that the building owner provide each residential unit with a free Capital Bikeshare annual membership (at \$5/year under the Capital Bikeshare for All program, <https://capitalbikeshare.com/pricing/for-all>) for the life of the building.

* * *

Thank you for giving great weight to the views of ANC 6C.

Sincerely,



Karen Wirt
Chair, ANC 6C