



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 §§ 3012.5 and 3115.1 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.: | 19173 | Case Name: | Equity Trust Company, Custodian FBO |
| Address or Square/Lot(s) of Property: | 1264 Holbrook Terrace NE | | |
| Relief Requested: | Special Exception pursuant to DCMR 336 for conversion of single family dwelling to multi-unit dwelling | | |

ANC MEETING INFORMATION

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|--------------------------------------|--|---|---|---|---|---|---|---|---------------------------|-----|-------------------------------------|----|--------------------------|
| Date of ANC Public Meeting: | 0 | 3 | / | 0 | 8 | / | 1 | 6 | Was proper notice given?: | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| Description of how notice was given: | Ward 5 List serve, MPD 5D List serve, ANC5D.org website, NextDoor community blog | | | | | | | | | | | | |

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| 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*):

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*):

See Attachment

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: | | Adam Roberts and Keisha Shropshire | | |
| Name of the Chairperson or Vice-Chairperson authorized to sign the report: | | Adam Roberts | | |
| Signature of Chairperson/ Vice-Chairperson: | | | | Date: 03/08/2016 |

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR §§ 3012 AND 3115.

PURSUANT TO
District of Columbia
CASE NO.19173
EXHIBIT NO.34

INSTRUCTIONS

Pursuant to 11 DCMR §§ 3012.6 and 3115.2, the Zoning Commission and Board of Zoning Adjustment 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. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001.
3. Submission deadlines are as follows:

For Zoning Commission:

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a contested case under § 3022.
- b. ANCs may file this form as long as the case record is open, if they wish to participate in a rulemaking case under § 3021.

For Board of Zoning Adjustment:

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing.



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

March 8, 2016

Ms. Marnique Y. Heath, Chairperson
Board of Zoning Adjustment
441 4th Street, NW
Suite 200-S
Washington, DC 20001

Chairperson Heath:

Below please find a resolution in opposition to BZA case # 19173.

Thank you,

Adam Roberts, Chairperson, ANC 5D

Keisha Shropshire, ANC SMD 5D02

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| ANC 5D Commissioners 2015 - 2016 | 5D01: Peta-Gay Lewis | 5D02: Keisha Shropshire <i>ANC 5D Treasurer</i> | 5D03: Adam Roberts <i>ANC 5D Chairperson</i> |
| 5D04: Bernice Blacknell <i>ANC 5D Vice Chairperson</i> | 5D05: Kathy Henderson | 5D06: Yvonne Buggs <i>ANC 5D Secretary</i> | 5D07: Clarence Lee |

ANC 5D Resolves to Oppose the Variance/Special Relief sought by Equity Trust Company, Custodian FBO, to convert a single family dwelling into a multi-unit building (previously proposed 8-units and now 3-units with a total of 7 private residences)

Resolved, Advisory Neighborhood Commission 1D submits the following report on BZA case #19173 at premises 1264 Holbrook Terrace NE (Square 4055, Lot 0840).

The application was considered at a public meeting of ANC 5D on Tuesday, March 8, 2016. Proper notice of this meeting was given by posting notices on ANC 5D.org website, Ward 5 List serve, MPD-5D List serve and Next Door community blog.

ANC 5D has seven Single Member Districts. A quorum of four commissioners is required for action. All seven commissioners were present at the meeting on March 8, 2016. There was a unanimous vote of 7-0-0 in support of opposing the variance/special relief request.

ANC opposes the variance for the following reasons:

1. Insufficient time to review and discuss revised proposed plans and hear from constituents regarding the perspectives of the revisions to decide if it met their expectations/objectives. The applicant met with Commissioner Keisha L Shropshire and constituents on Monday, Feb 29 with the intent of sharing a revised plan; instead they shared drawings without specifications/details to assess whether they were headed in the right directions. Because no details were provided, the applicant promised to provide the revised architectural plans by March 3. Unfortunately, the plans were not sent until Monday, March 7, 2016, leaving less than 2 days to review the plans, confer with constituents and discuss the revised plans. Many of the residents who are most directly affected are not online via email. The community does not want to be rushed to make a decision on such an important project. The ANC Commission expressed unreadiness to move forward due to limited time to review and current community concerns.
2. The same community concerns still remain for this project without sufficient review and assessment of revised plans, first in brief, including:

Adverse impacts of-

- Building Density, Design, Height and Size
- Inconsistencies with Character and streetscape of current residential street (e.g., roof type)
- Impact of light/shade on abutting neighbor at 1262 Holbrook Terrace NE
- Potential structural damages posed by development on adjoining neighboring property
- Insufficient parking spaces

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| Community Concern | Adverse Impact | Relevant Regulation | Action Requested |
|--|--|--|---|
| <i>Building Density, Design & Size</i> of the proposed project structure is inconsistent with the row house character, streetscape, and landscape structure of current single family dwellings on Holbrook Terrace | <p>Adverse building density and increased footprint; too many units proposed (proposed number of units from 2-level single family home to 8 units)</p> <p>Substantial adverse impact of proposed structure on light, space, air, and privacy of adjacent and neighboring residents.</p> <p>Proposed drawings and building materials substantially, visually intrude upon the character, scale and pattern of houses along the street and alley. It does not maintain general character of the block. The currently attached dwelling is comprised of wood structure.</p> | <p>DCMR § 336.9</p> <p>DCMR § 336.11</p> | <p>Reduce size of proposed project.</p> <p>Develop alternate design, smaller structure and fewer number of units to limit density of project to 3-4 units; remove additional floor level</p> <p>Develop a plan than does not conflict with the character of the Row Houses. Entrance should face street</p> |
| <i>Proposed additions</i> block attached dwelling chimney | Additions block or impede the functioning chimney of adjacent property | DCMR § 336.6 | Amend architectural design |
| <i>Number of parking spaces</i> insufficient to number of proposed units/families/residence | By adding more units, it adversely affects current street parking. Decreases number of potential parking spaces and increases traffic on Holbrook Terrace | DCMR § 336.9 | Propose restrictions for residential parking permits |

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| <p>The proposed <i>property height, elevation, and size</i> is significantly higher than attached dwelling</p> <p>a. The drawing of attached dwelling appears to be inaccurate (e.g., height, walkway space)</p> | <p>Proposed project will cast shade/shadow on neighboring residents.</p> <p>Adverse impact of shadows on light, air, and privacy for the adjacent neighbors/homes.</p> <p>The attached dwelling will be sandwiched between two large structures.</p> | <p>Exceeds the limitation on the height restriction under DCMR § 336.2 of 35 ft</p> <p>DCMR § 336.8</p> | <p>Limit height of proposed structure and make consistent with character of attached dwelling and neighboring single family homes</p> <p>Sun/Shadow Study in advance of project</p> |
| <p>Infrastructure due to construction and partial demolition. Concerns regarding impact on <i>sewage, water, utilities, and infrastructure</i></p> | <p>Increases amount of trash/sewer/water on neighborhood</p> | <p>DCMR § 336.9</p> | <p>Infrastructure study to assess impact of future construction on streets, sewer/gas/water pipes, and homes infrastructure</p> |
| <p><i>Proposed property side entrance</i> faces 1272 Holbrook Terrace and is not consistent with current streetscape character</p> | <p>Adverse effect on the use and enjoyment of the abutting or adjacent dwelling/property: light & air, privacy of use</p> <p>Adverse impact of increased <i>noise</i> due to entrance breezeway; increased and constant pedestrian traffic between neighboring residence and in alley; impinges on adjacent neighbors' privacy</p> <p>Non-street entrance does not fit into current row house character and street scape of neighborhood; poses a security/safety risk</p> | <p>DCMR § 336.9</p> <p>DCMR § 336.11</p> | <p>Make proposed project consistent with existing character of single family homes with entrance on Holbrook Terrace NE</p> <p>Incorporate security and safety measures (security cameras, entrances, exterior lighting, etc.)</p> |
| <p><i>Proposed Rooftop</i></p> | <p>Adverse effects of proposed roof top on neighbors' privacy and</p> | <p>DCMR § 336.7</p> <p>Exceeds the limitation on the height</p> | <p>Propose removing roof top as an option</p> |

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| | <p>ability to use solar energy system on adjacent properties</p> <p>Increased noise and adverse impact on neighbors</p> <p>Reduced privacy due to proposed rooftop/balcony</p> | restriction under DCMR § 336.2 of 35 ft | |
| <i>Lack Community Benefit Package</i> (green space, accommodations for potential damages and temporary displacement) | <p>Lack accommodations offered to abutting senior resident whose home will be sandwiched in between two large buildings and to account for unintended damages and disturbances during construction</p> <p>Potential loss of property value due to multi-unit structure adjacent to single-family home</p> | N/A | <p>Discuss potential benefits that can be provided to community</p> <p>Guarantee in writing that potential damages and temporary displacement/relocation expenses will be covered if necessary</p> <p>Construct a permanent noise barrier/wall to abutting neighbor of 1262 Holbrook Terrace NE</p> |

Forty-eight hours before the ANC 5D Commission Meeting, we received revised plans from the applicant. Those plans have not been reviewed by the community as a result of this delivery date. ANC 5D welcomes the opportunity to support this project once we and the community have had a chance to review the revised plans recently and seek community feedback. During our meeting, the applicant was willing to consider a two week extension; unfortunately, due to notice requirements that does not provide the community with sufficient time to review and provide feedback on these new plans. We are requesting that the BZA vote be delayed until the community can review the new designs. If the Board is unwilling to delay a vote, please consider the above statements as our formal opposition to the applicant's request.

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