

**Government of the District of Columbia
Advisory Neighborhood Commission 4B**



RESOLUTION #4B-24-0301

**Supporting Special Exceptions for Five Additional Dwelling Units at 5924
9th Street, NW (BZA 21106)
Adopted March 25, 2024**

Advisory Neighborhood Commission 4B (Commission) takes note of the following:

- 5924 9th Street NW, LLC, is seeking to construct five additional dwelling units within 5924 9th Street, NW (Square 2986, Lot 848) and has applied to the Board of Zoning Adjustment for a special exception from the new residential development standards of Subtitle U § 421 (pursuant to Subtitle X § 901.2) and a special exception from the minimum vehicle parking requirements of Subtitle C § 701 (pursuant to Subtitle C § 703.2 and Subtitle X § 901.2).
- 5924 9th Street NW, LLC, is currently a detached, four-story, 27-unit apartment house in the RA-1 Zone, consisting of mostly of family-sized apartments. The Applicant's proposal to construct five additional dwelling units in the existing basement/cellar level of the building will not alter the existing building footprint. All units in the building are currently subject to rent control, and the proposed additional five dwelling units will also be subject to rent control. As part of this renovation, all units in the property will be renovated and all existing tenants will be able to remain on the property during the construction.
- The Zoning Administrator has interpreted "new residential development" under Subtitle U § 421 to include the conversion of the floor area of an existing apartment house that adds any new dwelling units, thereby requiring special exception approval. In addition, the proposed number of units would require one additional parking space under Subtitle C § 705.1, but this parking space is not possible due to the property's physical constraints, lack of an existing curb cut, and lack of alley access, also requiring special exception approval.

- Representatives from Sullivan & Barros, LLP, the law firm representing the Applicant, presented at Advisory Neighborhood Commission 4B's March 25, 2024 meeting and Advisory Neighborhood Commission 4B's Housing Justice Committee's March 6, 2024 meeting. *See generally* [Resolution 4B-22-0104](#), Reauthorizing Advisory Neighborhood Commission 4B's Housing Justice Committee (Jan. 24, 2022) (noting Housing Justice Committee mandate to assist "in doing our fair share regarding deeply affordable housing within our Commission boundaries" and with an explicit goal to "maximize affordable housing" within the Commission area); [Resolution 4B-20-0205](#), Establishing Housing Justice Committee (Feb. 24, 2020) (same).
- Advisory Neighborhood Commission 4B believes housing is a human right, and all District residents are entitled to safe, stable, and secure housing. *See* [Letter](#) Supporting Affordable Housing in High-Needs Areas Tax Abatement for Takoma Metro Station Development (May 23, 2022); [Letter](#) re: Advisory Neighborhood Commission 4B FY2023 Budget Priorities (Apr. 25, 2022); [Letter](#) re: Advisory Neighborhood Commission 4B Fiscal Year 2022 Budget Priorities (Mar. 22, 2021).
- The Commission supports this project, in part, because it will contribute five additional family-sized, rent-controlled units to the District's housing stock. During the Housing Justice Committee's March 6, 2024 meeting, representatives from Sullivan & Barros, LLP, confirmed that all units in the building, including the new units, will remain subject to rent control, and that the new units will be family-sized. The Commission values additional units and renovations that maintain and expand the number of rent-controlled units, as opposed to diminishing rent control stock. *See generally* RESOLUTION #4B-19-1005 Supporting Proposed Extension and Calling for Expansion and Improvement of Rent Control (Oct. 28, 2019) ("The current mechanisms that allow owners to increase rents in rent-controlled properties create incentives for owners to allow buildings to fall into disrepair or become vacant, which allows owners to raise rents substantially and abruptly and creates severe risk of displacement.").
- The Commission also notes that the addition of a parking space would require construction of a new curb cut, requiring the removal of at least three existing public parking spaces.

RESOLVED:

- Advisory Neighborhood Commission 4B supports the special exceptions requested for the construction of five additional dwelling units at 5924 9th Street, NW in the spirit of maximizing the amount of available and affordable housing stock in the 4B area.
- Advisory Neighborhood Commission 4B is particularly supportive of the special exception to the nominally required additional parking spot. The

property is located one block from the 70/79 high-frequency Metrobus corridor, and the absence of the additional parking spot mitigates additional stormwater runoff in our community and additional traffic burden.

FURTHER RESOLVED:

That the Commission designates Commissioner Kevin Gilligan, ANC 4B05, to represent the Commission in all matters relating to this Resolution.

FURTHER RESOLVED:

That, in the event the designated representative Commissioners cannot carry out their representative duties for any reason, the Commission authorizes the Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

FURTHER RESOLVED:

That, consistent with DC Code § 1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions, and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

ADOPTED by voice vote at a regular public meeting (notice of which was properly given, and at which a quorum of __ members was present) on [ANC Public Meeting Date] by a vote of _ yes, _ no, _ abstentions.