

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3F
Van Ness • North Cleveland Park • Wakefield • Forest Hills

3F01 – David Cristeal, Chair
3F02 – Alexandria Appah, Vice-Chair
3F03 – Dipali Mehta
3F04 – Stan Wall, Treasurer
3F05 – Claudette David
3F06 – Monika Nemeth
3F07 – Matt Buechner, Secretary



4401-A Connecticut Ave, N.W.
Box 244, Washington, D.C. 20008
commissioners@anc3f.com
www.anc3f.com

March 1, 2021

Mr. Mark James
Potomac Food Group
7611 N. Brickenbacker Dr.
Gaithersburg, MD 20879

SENT VIA EMAIL

Dear Mark,

This letter is a follow up to our phone call of February 17, 2021 and my subsequent conversations with my fellow Commissioners regarding Potomac Food Group's ("PFG") request to be released from its commitment to install pervious pavement in Burger King's auxiliary parking lot at 4422 Connecticut Avenue, NW, Washington, DC 20008. You were unable to attend the February meeting, so I conveyed to you the concerns of my colleagues and the community we represent. While the Commissioners of ANC 3F understand the reasons why it may not be feasible to fulfill PFG's obligation to install pervious paving at the site, we remain concerned about the underlying issue of stormwater management that PFG committed to address as a condition to its continued use of the parking lot pursuant to the BZA's Order in connection with Application No. 19638. Outlined below are our concerns followed by our requests for information that we believe would help to identify a path forward. It is our hope that your project will succeed while, at the same time, fulfill the underlying purposes of the BZA's Order with respect to stormwater management.

- The Order in PFG's BZA case No. 19638 was issued on March 12, 2018. Condition #12 of the Order requires PFG to replace the existing auxiliary parking lot at the Burger King site with pervious paving no later than the deadline of March 12, 2021. In other words, PFG has had three years to fulfill this binding commitment.
- In November 2019, PFG informed ANC 3F about proposed renovations to the Burger King site. During the course of 2020, PFG presented several designs for our consideration and worked with Van Ness Main Street to develop a suitable plan and streetscape.
- Approximately one year later, in November 2020, PFG alerted ANC 3F that it would not be able to fulfill its commitment to install pervious paving at the Burger King site. Because of the holidays, ANC 3F was not formally briefed on the matter until January 2021. During ANC 3F's January meeting, PFG consultants explained that the results of a percolation test revealed that the ground below the parking lot does not sufficiently absorb water and, as a result, the purpose of pervious paving would be defeated. At that time, PFG also proposed to install certain green areas of landscaping in lieu of pervious paving.

- In February, ANC 3F received documentation, including an Infiltration Testing Report conducted by your consultant, confirming that the ground of the auxiliary parking lot is not suitable for pervious paving.
- During the February ANC 3F public meeting, several Commissioners expressed concern that, while PFG has conducted research and testing into the reasons why pervious paving is not suitable, PFG has not undertaken similar efforts to research and offer alternative, effective stormwater management solutions. Accordingly, Commissioners Wall and Mehta requested that PFG more fully investigate options to mitigate stormwater management at the site or nearby the site.


The Commissioners of ANC 3F understand that the ground of the auxiliary lot is not suitable for pervious paving, however we do not believe that PFG has fully investigated potential mitigation options to address stormwater run-off. As such, we are requesting the following of PFG:

1. Please provide information with respect to the landscape design that PFG proposes in lieu of pervious paving, specifically: (1) how much water the improved landscaping will retain expressed in terms of percentage (vs. water that will continue to run off the property) and the method for deriving that figure, (2) details on the species (trees, plants, groundcover, etc.) and number of plantings that PFG proposes to install in the landscaped portions of the parking lot, and (3) an ongoing vegetation management plan for the proposed landscaping. A simple Google search revealed that planted vegetation can be an effective tool for stormwater management, but that the types, quantities and locations of plantings will determine the effectiveness of those measures.
2. Please explore the feasibility of using cisterns or other such methods for water retention. When Commissioner Mehta proposed this during the February ANC 3F meeting, PFG's consultant rejected the idea on the basis that a cistern could not be tied to an underground pipe system at that site. Again, a simple Google search revealed that cisterns are commonly used above ground to capture stormwater running off of roofs or from gutters. Water collected in above-ground cisterns is typically used to water nearby plantings.
3. Please investigate the possibility of purchasing stormwater retention credits to offset stormwater that cannot be retained at the Burger King site. Information about DC stormwater retention credit trading may be found at <https://doee.dc.gov/src>.

We look forward to hearing back from you on the above requests and any other solutions PFG wishes to propose by Wednesday, March 10th. Meeting this date would afford the Commissioners time to review your proposal(s) in advance of the public meeting on March 16th.

If you have any questions, please do not hesitate to reach out to me.

Regards,


Monika Nemeth
Commissioner, ANC 3F06