

AGENDA

ANC 6A Economic Development & Zoning Committee
Tuesday January 15, 2008, 7-9:00 PM
Sherwood Recreation Center (640 10th St, NE)
2nd Floor Community Room

7:00 pm **Call to order**

7:01 **Ongoing Status Reports:**

1. Vacant Properties (Drew Ronneberg) (2 minutes)
2. Historic District Expansion/Creation (Annie Swingen) (3 minutes)
3. 1383-1385 H St NE (Drew Ronneberg) (1 minute)
4. 1113-1117 H St NE (Drew Ronneberg) (1 minute)
5. Condo Conversions and Warranties (Barbara Halleck) (2 minutes)

7:10 **Old Business - None**

7:10 **New Business**

1. Adoption of 2008 ED&Z Goals (10 minutes)
2. 820 8th St NE. Discuss whether the proposed halfway house requires zoning relief. If it does require zoning relief, discuss sending a letter to DCRA reminding them that a Certificate of Occupancy should not be issued before the zoning relief is granted. (20 minutes)
3. 1131 D St NE – HPA #07-337. The owner intends to expand the existing building into a side lot. Topics of interest to the committee include: whether zoning relief is required to construct the addition, construction of a party wall and underpinning, support of the neighbors, curbcuts and parking issues. (25 minutes)
4. 225 9th St NE – HPA #08-128. The owner intends to add a BBQ patio and extra room to their property. Topics of interest to the committee include: whether zoning relief is required to construct the addition, how much excavation/underpinning will be required next to adjacent properties, potential drainage issues. (20 minutes)
5. Reporting illegal after-hours construction to DCRA. Report to DCRA on experiences with calling 727-6161 (5 minutes).

8:52 **Additional Community Comment (time permitting)**

Everyone is welcome! Call Drew Ronneberg with questions at 431-4305.

Visit our website at <http://www.anc6a.org/>

Sign up for automated meeting reminders and community listserv at

<http://groups.yahoo.com/group/anc-6a/>

Draft: Economic Development & Zoning Committee 2008 Goals

1. Provide a regular public forum for Commissioners and residents to obtain information and discuss land use issues in the ANC 6A area or that affect the ANC 6A area.
2. Review and report to the ANC on all significant activities by the Board of Zoning Adjustment, Zoning Commission, Historic Preservation Review Board, Office of Planning, National Capital Planning Commission, and other agencies that affect land use in the ANC 6A area.
3. Make timely recommendations to the ANC that permit informed participation in city decisions on zoning, historic preservation, economic development, and other topics related to land use in the ANC 6A area.
4. Monitor public and private development activities on H Street NE for consistency with the Strategic Development Plan and Neighborhood Commercial Overlay.
5. As needed, schedule speakers from city or federal agencies who can address the interests or concerns of residents related to land use in the ANC 6A area.
6. Work with the Transportation and Public Space Committee to systematically collect and report all
 - a) vacant and nuisance properties,
 - b) building permit violations and
 - c) public space violations.
7. Major topical focus areas will be:
 - a) Historic District creation/expansion
 - b) Insuring that of the redevelopment of the H Street Connection site (800-1000 H St NE) consistent with Commission guidance
 - c) Insuring that ANC 6A vacant properties are on the DCRA vacant property list and that occupied properties are removed from the list.
 - d) Developing condo warrantee legislative proposals that close loopholes in the current system.
 - e) Participating in the process of rewriting the DC Zoning Code
 - f) Making sure DCRA applies the provisions of the H Street NE NC Overlay district to all properties on H Street,
 - g) Working with other groups to pass legislation to insure that City-funded social services are spread fairly and evenly across DC

Community house - a group of three (3) one-family dwellings, each on a separate lot, erected simultaneously as a group, with each of the outer dwellings having a side yard.

Community-based residential facility - a residential facility for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living. This definition includes, but is not limited to, facilities covered by the Community Residence Facilities Licensure Act of 1977, effective October 27, 1977 (D.C. Law 2-35; 24 DCR 4056) (repealed by District of Columbia Health Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48, as amended; D.C. Official Code §§ 44-501 to 44-509 (formerly codified at D.C. Code §§ 32-1301 to 32-1309 (1998 Repl. & 1999 Supp.))), and facilities formerly known as convalescent or nursing home, residential halfway house or social service center, philanthropic or eleemosynary institution, and personal care home.

If an establishment is a community-based residential facility as defined in this section, it shall not be deemed to constitute any other use permitted under the authority of these regulations. A community-based residential facility may include separate living quarters for resident supervisors and their families. All community-based residential facilities shall be included in one (1) or more of the following subcategories:

- (a) **Adult rehabilitation home** - a facility providing residential care for one (1) or more individuals sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense, or any individual twenty-one (21) years of age or older, under pre-trial detention or sentenced court orders;
- (b) **Community residence facility** - a facility that meets the definition for and is licensed as a community residence facility under the Health Care Facilities and Community Residence Facilities Regulations, 22 DCMR § 3099.1 (1986) (superseded);
- (c) **Emergency shelter** - a facility providing temporary housing for one (1) or more individuals who are otherwise homeless and who are not in need of a long-term sheltered living arrangement, as that arrangement is defined in the Health Care Facilities and Community Residence Regulations, 22 DCMR § 3099.1 (1986) (superseded);
- (d) **Health care facility** - a facility that meets the definition for and is licensed as a skilled care facility or intermediate nursing care facility under the Health Care Facilities and Community Residence Regulations, 22 DCMR § 3099.1 (1986) (superseded);
- (e) **Substance abusers home** - a community residence facility that offers a sheltered living arrangement, as that arrangement is defined in the Health Care Facilities and Community Residence Facilities Regulations of the District of Columbia, 22 DCMR § 3099.1 (1986) (superseded), for one (1) or more individuals diagnosed by a medical doctor as abusers of alcohol, drugs, or other controlled substances;

- (f) **Youth rehabilitation home** - a facility providing residential care for one (1) or more individuals less than twenty-one (21) years of age who have been detained or committed by a court pursuant to their involvement in the commission of an act designated as an offense under the law of the District of Columbia, or of a state if the act occurred in a state, or under federal law. The facility shall not house persons sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense; or
- (g) **Youth residential care home** - a facility providing safe, hygienic, sheltered living arrangements for one (1) or more individuals less than eighteen (18) years of age, not related by blood, adoption, or marriage to the operator of the facility, who are ambulatory and able to perform the activities of daily living with minimal assistance. (28 DCR 3483)

Comprehensive Plan - the Comprehensive Plan for the National Capital adopted pursuant to section 4(a) of the National Capitol Planning Act of 1952, approved July 10, 1952 (66 Stat. 774, 781, 785, as amended, §§ 203 and 423 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 779, 792, D.C. Official Code §§ 1-204.23, 2-1002(a) (formerly codified at D.C. Code §§ 1-244, 1-2002(a) (1999 Repl.))).

Court - an unoccupied space, not a court niche, open to the sky, on the same lot with a building, which is bounded on two (2) or more sides by the exterior walls of the building or by two (2) or more exterior walls, lot lines, or yards. A court may also be bounded by a single curved wall of a building. (28 DCR 4192)

Court, closed - a court surrounded on all sides by the exterior walls of a building, or by exterior walls of a building and side or rear lot lines, or by alley lines where the alley is less than ten feet (10 ft.) in width.

Court, height of - the vertical distance from the lowest level of the court to the highest point of any bounding wall.

Court, length of - the mean horizontal distance between the open and closed end of an open court or the greater horizontal dimension of a closed court.

Court niche - an indentation, recess, or decorative architectural treatment of the exterior wall of a building, not a court, which opens onto a street, yard, alley, or court. (28 DCR 4192)

Court niche, depth of - the greatest distance between the sides of the court niche, measured perpendicular to the line delineating the width of court niche. (28 DCR 4192)

Court niche, width of - the distance between the two (2) points created by the intersection of the sides of the court niche and the sides of the court, yard, street, or alley it abuts. (28 DCR 4192)

335 REHABILITATION AND SUBSTANCE ABUSERS' HOMES (R-4)

- 335.1 Youth rehabilitation homes, adult rehabilitation homes, or substance abusers' homes for one (1) to fifteen (15) persons, not including resident supervisors or staff and their families, shall be permitted as special exceptions in an R-4 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.
- 335.2 There shall be no other property containing a community-based residential facility for seven (7) or more persons in the same square.
- 335.3 There shall be no other property containing a community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property.
- 335.4 There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.
- 335.5 The proposed facility shall meet all applicable code and licensing and requirements.
- 335.6 The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.
- 335.7 The Board may approve more than one (1) community-based residential facility in a square or within five hundred feet (500 ft.) only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations.
- 335.8 The Board shall not approve more than one (1) youth rehabilitation home, adult rehabilitation home, or substance abusers' home in a square or within five hundred feet (500 ft.) of each other.
- 335.9 The Board shall submit the application to the D.C. Office of Planning for coordination, review, report, and impact assessment, along with reports in writing of all relevant District of Columbia departments and agencies including, but not limited to, the Departments of Transportation, Human Services, and Corrections and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.

SOURCE: § 3104.47 of the Zoning Regulations, effective May 12, 1958; as added by Final Rulemaking published at 28 DCR 3482, 3495 (August 7, 1981); as amended by Final Rulemaking published at 40 DCR 726 (January 22, 1993); and Final Rulemaking published at 47 DCR 9741-43 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8361 (October 20, 2000).

336 - 349 [RESERVED]



District of Columbia Government
Advisory Neighborhood Commission 6A
Agenda for December 13, 2007



Reference potential discussion regarding 820 8th Street, NE:

You can find the regs for R-1 through R-4 Districts at dcoz.dc.gov . Look on the left-hand menu for Zoning Regs. Look at Title 11 Ch 2 and 3

Below is a summary of the matter of right uses for Community Base Residential Facilities (CBR). This summary consolidates all of the relevant regs that effect R-4 districts taking into account the regs for the R-1 thru R-3 districts that apply.

Matter of right uses in R-4 are:

- Community Based Residential Facility (CBRF) for the Disabled - any size. Substance abuse is not a disability.
- CBRF, Not a Rehabilitation Facility - up to 8 residents (not counting staff) as long as there is no other CBRF in the same square or within 500 ft.

Special Exceptions in R-4 are:

- CBRF, Not a Rehabilitation Facility - 9 to 15 persons as long there is no other CBRF of size 7 or larger within the same square or within 500 ft.
- CBRF, Rehabilitation Facility - up to 15 persons as long as there no other CBRF of size 7 or larger within the same square or within 500 ft.

Additionally, we understand that DCRA is not enforcing the geographic density requirements (number of facilities with a specified distance). Apparently a discrimination suit has been brought against the city because of those geographic density requirements. If the facilities under review do not service disabled persons, DCRA may still enforce the requirements.

A matter of right use development and construction can not be stopped. A Special Exception will allow the community to provide formal input regarding the use with the Zoning Commission.

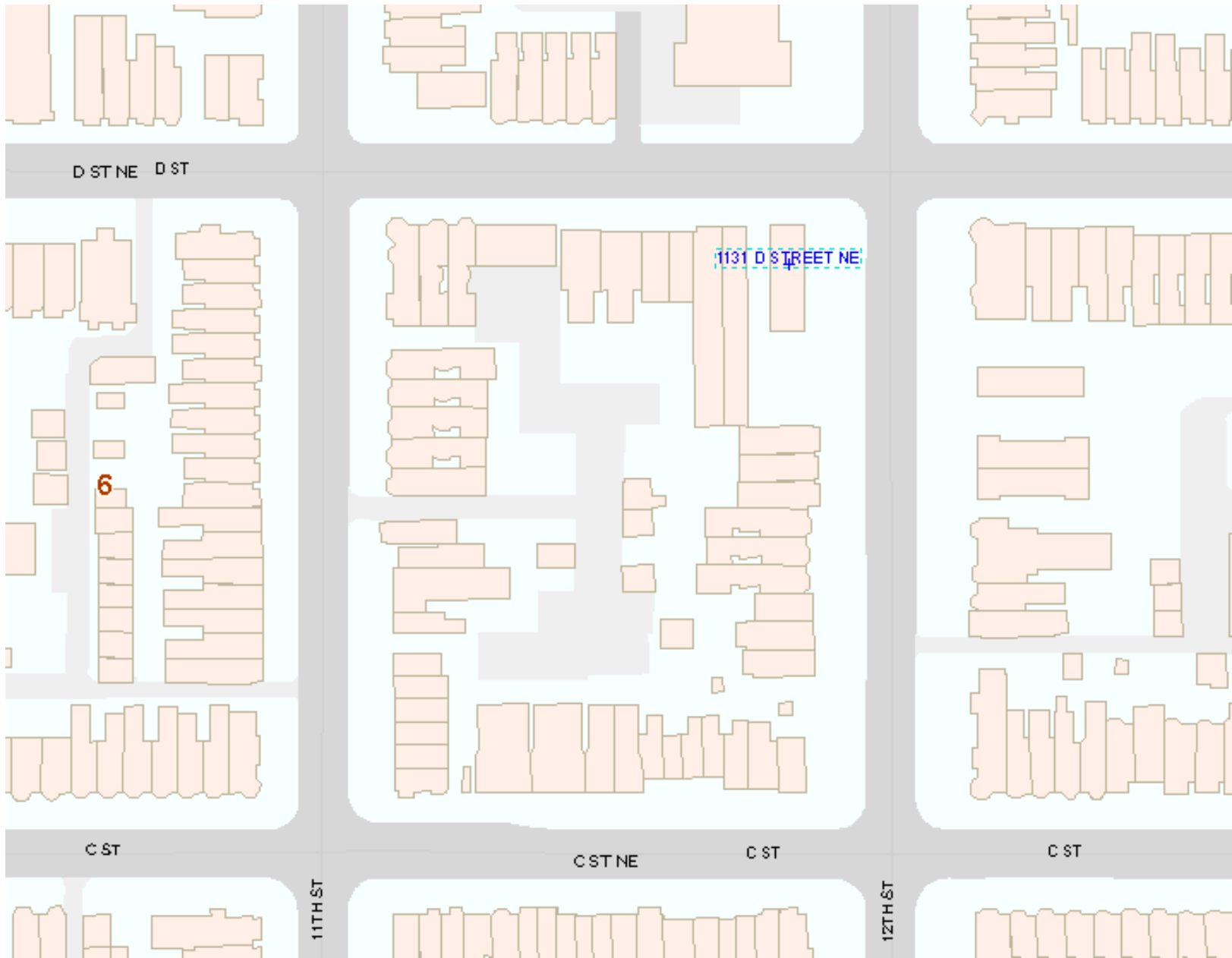


0986

0835

08/30/2004





D ST NE D ST

1131 D STREET NE

6

C ST

CST NE

C ST

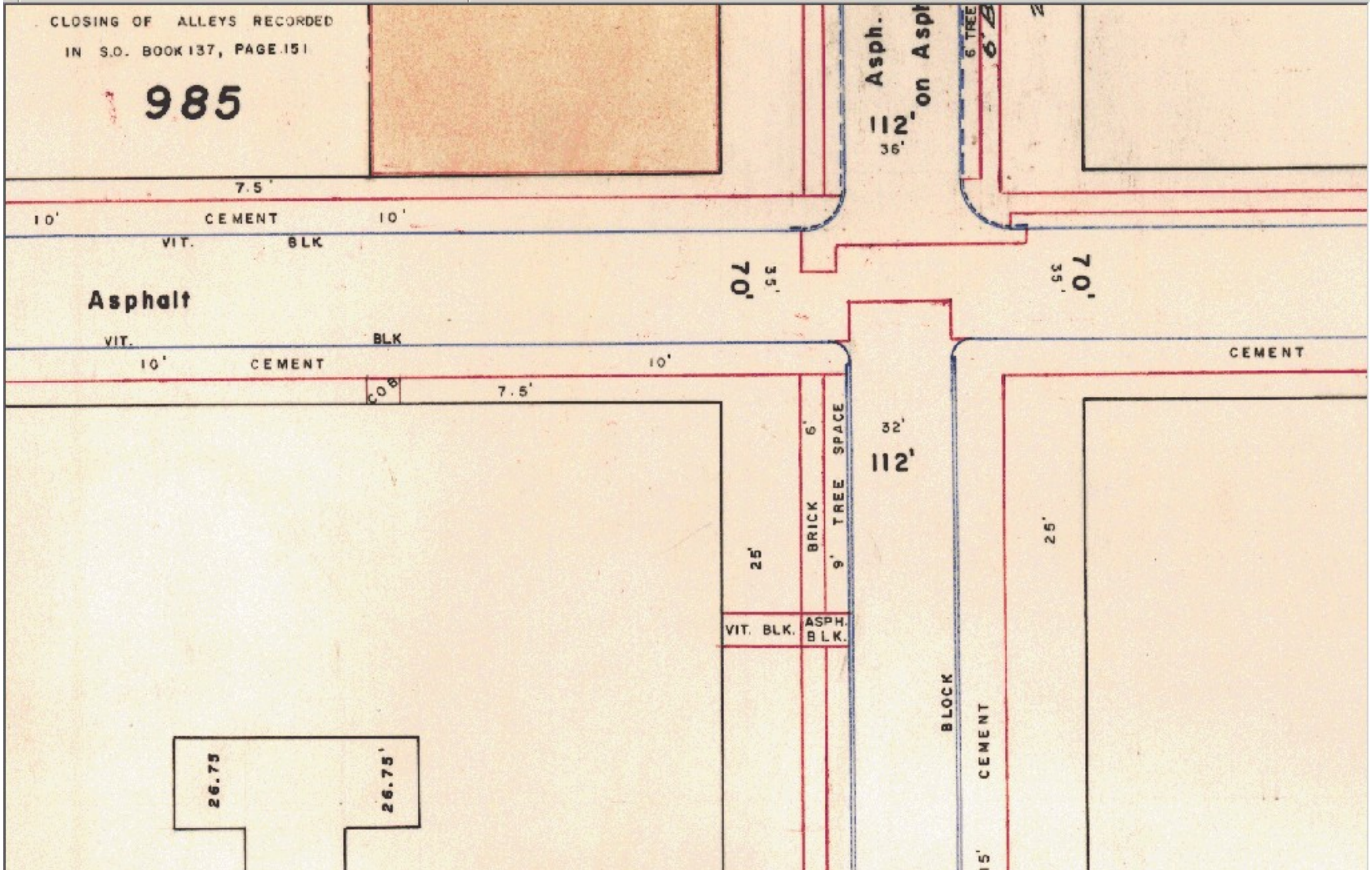
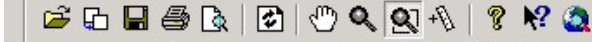
C ST

11TH ST

12TH ST



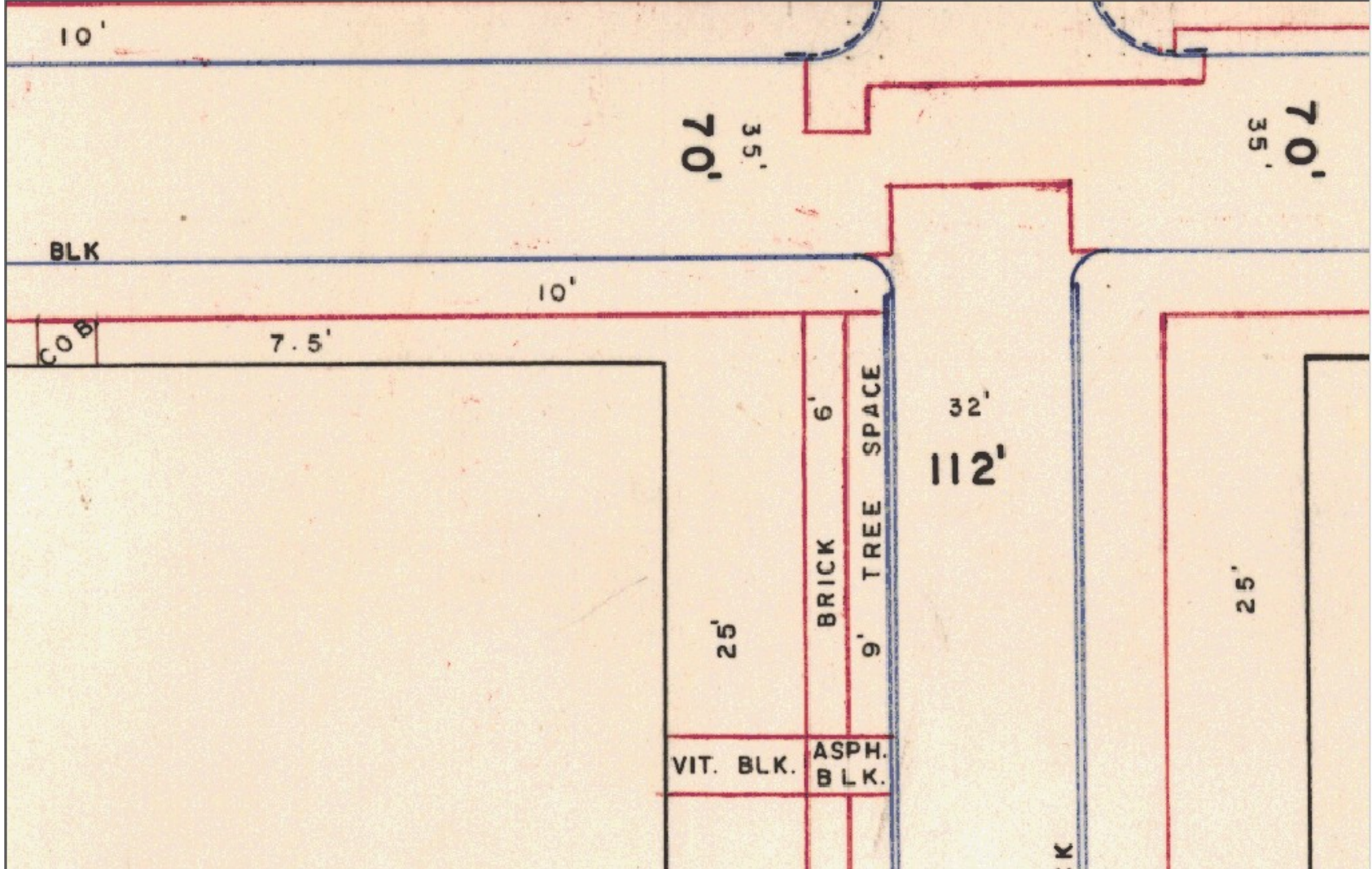
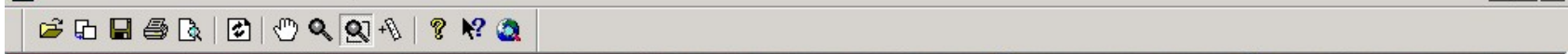




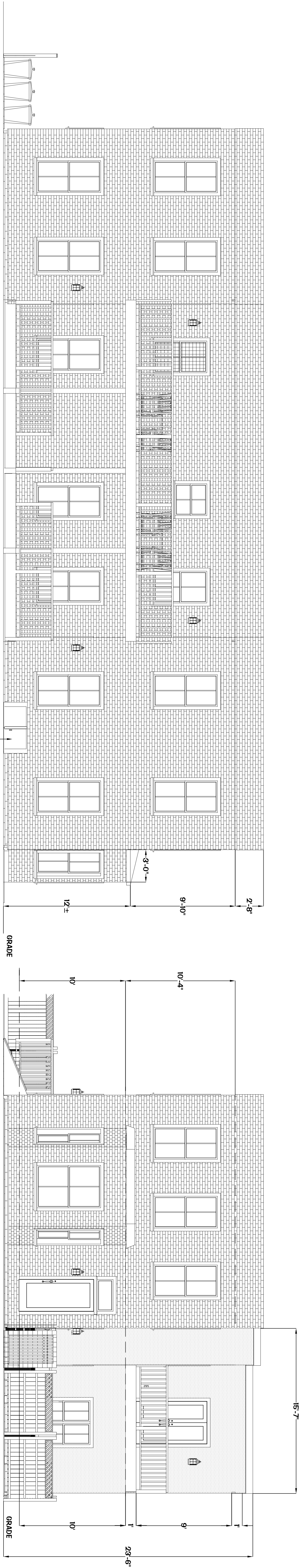
Drag mouse to define a zoom box around your region of interest

4400.26 : 1828.08 (Cells)

0.00

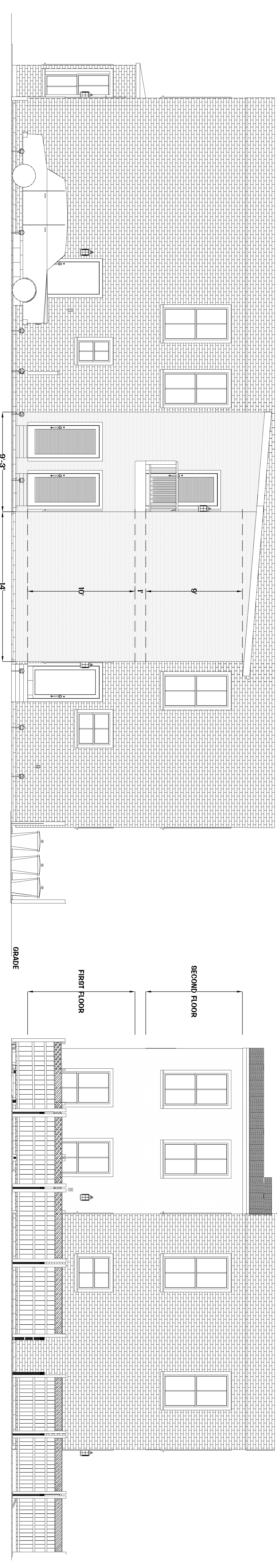


Drag mouse to define a zoom box around your region of interest



12TH STREET ELEVATION PLAN
SCALE: 1/4" = 1'-0"

D STREET ELEVATION PLAN
SCALE: 1/4" = 1'-0"



REAR ELEVATION PLAN
SCALE: 1/4" = 1'-0"

BACK SIDE ELEVATION PLAN
SCALE: 1/4" = 1'-0"

1131 - 1133 D STREET, N.E.
WASHINGTON, D.C.
ALTERATION & REPAIR

IMAGE DESIGN
WASHINGTON, DC + LOS ANGELES, CA
design & construction
www.imagedesign-dc.com

revisions

03.08.07
NOVEMBER 03, 2007

A-6