

**Report of the Economic Development and Zoning (ED&Z) Committee of the Advisory  
Neighborhood Commission (ANC) 6A  
Sherwood Recreation Center, 640 Tenth (10th) Street NE  
April 18, 2018**

**Present:**

Members: Brad Greenfield, Jake Joyce, Tim Drake, Missy Boyette

Commissioners: None

Brad Greenfield chaired the meeting.

**Community Comment**

None.

**Previously Heard Cases**

Mr. Greenfield relayed that since the EDZ committee did not meet in March 2018, there were no dispositions of cases by the ANC. The agenda for the April 2018 meeting was largely carried over from the March agenda.

**Old Business**

1. Capital East Apartments (HP-18-251): HPRB recommendation on the plans for the rehabilitation and addition of a new roof deck at the Capital East Apartments, located at 816 E Street NE and 518 9<sup>th</sup> Street NE.

Mr. Greenfield reported that the Capital East Apartments had already been included in the OP consent calendar, so there was no longer a need to consider it.

2. 1371-1375 H Street NE (BZA #19746): Application of DC Super Pack LLC, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle H-1109.1(a), to operate an animal boarding use in an existing building in the NC-15 District.

This is a request from the Atlas Doghouse, represented by Cozen O'Connor. The proposed use of the building is dog boarding and doggy daycare; use is permitted as a matter of right in the zone except that it is restricted to cellar or basement. This is a one-story building so they do not meet the basement requirement, which is why they are seeking a special exception.

Mr. Greenfield stated that this business had been open for a while and asked why they had not sought the special exception earlier. The respondent replied that when they applied and got their business permits and other legal documents, they were told they did not need one. When they sought a change of occupancy certificate they were advised that they needed to go for a change of use.

The applicant reported that they had been open for about 3 ½ months and that they usually house about 30 dogs. Mr. Greenfield asked how many were housed overnight and the applicant replied that they usually have about eight dogs staying overnight. Atlas Doghouse reported that when they walk the dogs, that is normally done down Fourteenth (14<sup>th</sup>) Street and then down into the neighboring community. Every dog gets walked once but if there is a small number of dogs they walk twice. Mr. Joyce asked how dog waste was disposed of inside the building. The applicant replied that they use appropriate cleaning supplies and will be investing in a walk-behind floor cleaner. Mr. Greenfield asked if there had been any issues with biting and the applicant reported that there were

none. Atlas Doghouse reported that the number of dogs on walks varies. If a dog has anxiety they need to go by themselves. Sometimes 2 to 4 dogs go on walks, but they usually do 1-2 dogs at a time. Mr. Drake asked how dog waste was disposed of on walks, and Atlas Doghouse reported that they usually use public trash cans but can bring back to our building if necessary. They do not use resident trash cans.

An audience member asked about noise mitigation, and the applicant replied that they do not allow any aggressive or dominant behavior and do not allow barking. They reported that they have two (2) open areas in the space and have someone in there at all times; they use plants and calming music to avoid exciting the dogs. Atlas Doghouse takes a behavioral approach to dogs, separating them by temperament instead of size, and bad behavior is immediately corrected. Mr. Drake asked how much area the dogs have to play in. The owner reported they have about 2,500 square feet total and the dog area is about 1,800 square feet.

Mr. Greenfield asked if any special inspection was done. Atlas Doghouse said that there has not been. They asked the health department; the health department does not get involved unless animal medical procedures are performed at the facility.

Mr. Greenfield made a motion to recommend the ANC support Atlas Doghouse's request for relief. Mr. Joyce seconded the motion and it passed by a vote of 4-0.

3. 121 Tennessee Avenue NE (BZA #19728): Application of Patrick and Becky McGeehan, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201 from the nonconforming structure requirements of Subtitle C § 202.2, from the rear yard requirements of Subtitle E § 306.1, and from the lot occupancy requirements of Subtitle E § 304.1, to construct a two-story addition to an existing one-story rear addition to an attached principal dwelling unit in the RF-1 Zone.

Missy Boyette recused herself from this discussion since her firm is the architect for the project. This house has three (3) stories above grade, with a dog leg on the back that is the basement and first (1<sup>st</sup>) story. The relief is required because of the lot occupancy, which is above what is allowed by right. The renovation will increase the lot occupancy by less than one percent (1%).

Neighbors of the homeowner objected to the proposed project, arguing that it will change their view and introduce light issues. A neighbor from 119 Tennessee Avenue NE noted that she signed a letter of support not knowing the impact on other neighbors, and that she also had concerns about the light impact.

Mr. Greenfield asked the neighbors if there were any change in the design that could mitigate their concerns. They replied that they did not see any changes that could eliminate their concerns. Mr. Greenfield asked the home owner if they had discussed the project with their neighbors. The owner reported that he and his wife talked with them the other day and did not realize that the neighbors were this opposed.

One of the neighbors asked if the renovation could be done without increasing the build-out of the dogleg. The architect for the project replied that there is not less that can be done that would still make sense. A five (5) foot buildout does not do enough to get the benefit. Similarly, working within the existing building footprint would not address the

needs of the homeowners. The homeowner reported that there are two (2) bedrooms on third floor and the primary driver for the project is to add a bedroom on third floor to allow separate rooms for their son and two daughters; they are planning to create a master suite on the second floor as well.

Mr. Greenfield asked about the materials that will be used for the exterior. The architect replied that they would not call the treatment modern. They are flexible and will go with a horizontal pattern that is more historical. Mr. Greenfield asked if they needed BZA and HPRB relief or just BZA relief. The architect replied that they only need BZA relief. Even though this is in the historic district, the scale of the renovation is small enough that it can be accomplished by a staff review and will not require a full review.

One of the neighbors asked if a window could be added to the renovation to allow light to go through to address any shade that would be thrown on neighboring buildings. The architect replied that the addition of a window would take lawyers to draw up a covenant and go into the deed. Mr. Greenfield stated that he did not think this was a viable solution since it would also require that the owners could not put up a window treatment for this solution to work.

Mr. Greenfield stated that he encouraged all parties to meet and try to come up with a compromise solution.

Mr. Greenfield made a motion that the ANC support the request for relief on the condition that the applicant make best efforts to get letters of support from seven (7) neighbors before the ANC meeting. Mr. Drake seconded this motion, and it passed 3-0.

4. Gallaudet University (ZC 12-15): Gallaudet University requests a modification of their 2012 Campus Plan to remote the Ballard North dormitory.

Sam Swiller represented Gallaudet University on this matter. He stated that the building, (Ballard North dormitory) is in disrepair. Gallaudet cannot use the building without a complete rebuild. Mr. Swiller reported that they plan to take the building offline this summer and demolish it this winter. This would allow Gallaudet to reduce current maintenance/utilities costs and use those funds for other buildings and purposes. Mr. Swiller reported that the Gallaudet campus plan indicates the university would keep the building vacant within the campus plan period and would do another campus plan starting in 2022; however, the cost of maintaining the building prompts this request.

Mr. Greenfield asked if the building is vacant right now. Mr. Swiller reported that it has been vacant since January 2016. Mr. Greenfield asked if there was any impact on housing or current use. Mr. Swiller reported that there is no impact since the building is not currently in use. Ballard North was going to be used for swing space, but it can no longer be used for that purpose. Mr. Swiller reported that the campus is oriented north-south currently, and they want to make it more east-west.

Mrs. Boyette asked when the building was constructed. Mr. Swiller reported that it was building in the 1950s and is not one of the historic properties on Gallaudet's campus. Mr. Greenfield made a motion that the ANC support Gallaudet University's request for relief. Mr. Joyce seconded this motion, and it passed 4-0.

5. Emerald Street Historic Guidelines: The Emerald Street Historic District was created last year, and the Office of Planning is ready to review and get input on proposed design guidelines.

Mr. Greenfield reported that a request was made to add a discussion of proposed Emerald Street Historic Guidelines to be considered at this meeting. However, Mr. Greenfield mistakenly left it off the agenda. A representative from the Office of Planning was present and agreed that consideration of the Emerald Street Historic Guidelines could take place in the May 2018 meeting.

6. Resignation of Mr. Michael Hoening.  
Mr. Greenfield reported that Mr. Michael Hoening has moved out of ANC 6A and has decided to resign from the EDZ committee. The Committee thanks Mr. Hoening for years of service in support of the community.
7. Nomination of Ms. Laura Gentile to the EDZ Committee.  
Mr. Greenfield reported that a past EDZ committee member, Ms. Laura Gentile, was hoping to rejoin the Committee. Mr. Greenfield felt it was a great idea. He stated that he had discussed it with Chairman Phil Toomajian who agreed.

Mr. Greenfield made a motion that the ANC nominate Ms. Gentile to the EDZ committee. Mr. Joyce seconded the motion, and it passed 4-0.

As no other issues were brought forward for discussion, Mr. Greenfield closed the meeting.

**Next Scheduled ED&Z Committee Meeting:**

**Wednesday, May 16, 2018**

**7:00 -9:00 pm**

**640 Tenth (10th) Street NE Sherwood Recreation Center, Second (2nd) Floor**