

**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
June 15, 2016**

The meeting convened at 7:10 pm.

Present:

Members: Brad Greenfield, Stephanie Zimny, Mike Soderman, Jake Joyce

Community Comment:

None

Old Business:

1111 H Street NE (19308): Application, pursuant to 11 DCMR §§ 3103.2, 3104.1, and 411, for variances from the rear yard requirements under § 774, the court requirements under § 776, the off-street parking requirements under § 2101.1, and the HS overlay design requirements under § 1324.4, and a special exception from the single-enclosure penthouse requirements under § 411.6, to renovate an existing structure into an apartment building containing up to eight dwelling units with ground-floor retail in the HS-R/C- 2-C District.

This case had been heard by the EDZ in May 2016, but the ANC referred it back to the Committee. The ANC wanted the EDZ to re-vote the issue and attempt to resolve the problems with the neighbor at 1115 H Street NE.

The developer and the neighbors at 1115 H Street reported that they had a tentative deal to gain the support of the neighbors for the development. The developer had agreed to reduce the rear of the building by eleven (11) feet, eliminating the need for rear yard relief. This change reduced the lot occupancy for the building from 77% to 75% (approximately). The property owners said they would provide new drawings to the condo owners by Friday such that they could be reviewed by the condo building owners and they can continue their conversations. Currently the owners of 1111 H Street NE were offering \$20,000.00 (to be used as the condo association sees fit), the ability for the condo association to create a mural on the building within a few years following completion of construction, and will provide the installation of security cameras on the condo building property. The condo association made points regarding the LEED intention of the building, and gave estimates of \$50,000.00 for a proposed mural. They will continue their conversations.

1111 H Street NE had set the rear yard setback to the amount allowed by right of fifteen feet (15') but the drawings presented were not updated to reflect that change. It seemed to be one row of windows would be impacted in the summer based on the proposed shadow study. It was asked of the developers what benefit does this property taking place benefit the community and that the same situation of light will be in question when other properties around 1111 H Street NE are developed. The developer stated that the shadow impact changes based on the rear yard setback length, of which is by right. Lending minimal impact to one set of windows on the site of the building. The developer stated that the development is beneficial to H Street Area and this is a

difficult lot, unlike in size to many of the others on the block, which lends the proposal to pass the zoning variance test as the development is beneficial to the area.

Mr. Greenfield made a motion that the EDZ table the recommendations from the previous EDZ meeting regarding the 1111 H Street development. That motion was seconded by Commissioner Stephanie Zimny and passed with a vote of 4 – 0. Mr. Greenfield made a motion to recommend that the ANC write a letter to the BZA in support of 1111 H ST on condition of the removal of the rear yard relief request, assuming that it is acceptable to the neighbors at 1115 H Street, the developer contribute \$20,000.00 to pay for a mural designed by the condo association, and a security camera is provided by the owners of 1111 H ST to the condo association at 1115 H Street. This motion was seconded by Jake Joyce. The motion passed with a vote of 4-0.

1701 H Street NE (Case Number 15-31): The PUD seeks a land use designation change from the existing C-2-A to C-2-B in order to develop the Property. The property is currently unimproved and the Applicant proposes to construct a mixed-use building with approximately 14,342 square feet of ground-floor retail uses and 180 residential units on nine (9) floors above. The applicant will also use the PUD process to obtain relief from other requirements of the Zoning Regulations, including the parking, loading and roof structure requirements. We will be receiving an informational update from the developer.

The developer made a presentation regarding the project. This project is on the borderline of ANC6A. The unit will include 180 multifamily units with 12,000 feet of retail on the ground floor. There will be a mix of 25% and 50% AMI. The developer reported that he expected that the retail is likely to be a mix of small community shops.

The developer is removing four (4) curb cuts from the property, adding a sidewalk, adding a room for ANC use that is completely separate from the main building, setting the building back four feet (4') from the property line such that overhangs will not use any public space, providing bike racks for one-third (1/3) of the population of the building and providing only one (1) level of parking. 1701 H Street is also providing no three (3) bedroom units but will provide affordable units. Loading will be done on Benning Road. Residential parking access will be through the alley behind the building, which the developer will repave to make usable. There will be 45 parking spaces for building residents, and Residential Parking Permit (RPP) restrictions will be written into the sales documents for all units.

This will be presented to ANC6A directly for vote as the agenda stated this was informational only but the hearing date would not allow for another presentation to the EDZ Committee with time for the ANC to vote. The developer reported that they wanted to get ANC 6A support, and Mr. Greenfield reported that he would check with the ANC Chairman to determine the best route to use in this regard.

New Business:

814 H Street, NE (19320): Application, pursuant to 11 DCMR § 3104.1, for a special exception from the fast food establishments requirements under § 733, to allow the operation of a new fast food establishment in the C-2-A District.

Mr. Greenfield reported that he and ANC 6A Commissioner Omar Mahmud had previously met with the developers. The relief being sought is for a fast food establishment, since the Halal Guys is part of a chain and counts officially as “fast food”.

This was presented by the local Halal Guys owners, who stated that they will take no public space, the exhaust will be vented out front, they will provide a branded (stating the business name) trash can in the front of the building, the trash will be taken out on the numbered streets (not in the ally). There will be a separate grease container kept on the property in an enclosed space. The same space (in the backyard) will be used for trash, which will be collected through the alley.

The developer has not yet sent out letters to the surrounding neighbors but will make an effort to get letters of support prior to July 2016 ANC6A meeting. The applicant is not using the backyard for customers and that is not likely to change in the future, since making the backyard useable to customers would require significant changes to the layout of the kitchen and bathroom. It was brought up that moving the trash to the numbered streets still impacts residential properties, just not the residents who border the restraint on the alleyway and those residents on the numbered streets are important to reach out to as well. The applicant stated that all dishware will be washable (something they do not usually do in other locations), the food comes in large packages which provides for minimal waste, and will take other precaution to minimize waste/trash/debris and minimize attracting rodents. The establishment owner stated they already have a contract with local pest control to show their commitment to minimize the impact of the establishment.

Mr. Greenfield made a motion that the ANC write a letter of support provided the applicant makes best efforts to reach out and provide letters of support to be submitted before the ANC meeting and the other restrictions already agreed to by the developer. This was seconded by Commissioner Mike Soderman. The motion passed with a vote of 4 – 0.

The meeting adjourned at 8:30 PM.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, July 20, 2016
7:00-9:00 pm
640 10th Street NE
Sherwood Recreation Center, 2nd Floor**