

**Report of the Economic Development and Zoning Committee of ANC 6A
August 15, 2012**

Present: Members: Missy Boyette, Charmaine Josiah, Dan Golden, Laura Gentile
Commissioners: Drew Ronneberg, David Holmes

Laura Gentile chaired the meeting.

Community Comment

There were no community comments.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: The variances for 1414 A Street were granted.

Vacant Properties: No report.

Zoning Regulations Rewrite: No report.

H Street Business Liaison Report: Charmaine Josiah is currently developing a blog for the ED&Z committee with definitions for commonly used terms and acronyms, as well as a resource library with links to other key websites. She also was scheduled to meet with representatives from the AIA/DC (American Institutes of Architects, DC Chapter) regarding holding a series of discussions, open to the public, that deal with architecture, development, and planning issues as well as training for ANC members on architecture-related issues.

Old Business

None.

New Business

HPA #12-XXX(1134 C St. NE): Architect Lacy Brittingham, who is the owner of the property, presented the plans. The owner is seeking HPO approval to add a third floor mansard roof and a bay window to the existing home.

Ms. Brittingham has spoken to staff at HPO and will require HPO sign-off on the project, although the house is a non-contributing structure within the historic district.

Commissioner Ronneberg stated that the proposed design is a great improvement from what is there now. Missy Boyette inquired as to why the owner chose a mansard roof. Ms. Brittingham responded by stating that she has chosen to accept the historic character of the neighborhood in the design.

Recommendation: The Committee voted 5-0 to recommend that the ANC write a letter of support to HPRB.

This project will go before the full ANC in the September meeting.

1005 H Street, NE: Representatives from the new restaurant "Mythology" presented the timeline and concept for their restaurant. They explained that they are currently closing the deal to lease the site and are interested in starting to engage the community. They are approximately 6-8 months out from opening. Mark Medley, the general manager who runs the Atlas Room, has come on as a consultant to the restaurant owner, Todd Luongo. The owner and consultant wish to foster neighborhood spirit.

Mark explained that the restaurant will be a unique and modern chop house and lounge, as there is no other chop house currently on H Street. The plan is to open the downstairs first. The owner plans on sharing trash operations / recycling / rodent control with Ben's Chili Bowl. Eventually, the owner wishes to have a rooftop deck at the front of the roof. The trash enclosure will be cinderblock. Missy Boyette inquired as to the location of this enclosure. The owner explained that the rear facade of the building is approximately 5 1/2 ft. The owner is aware that there is an egress issue at the back of the building and plans to solve this internally.

Regarding parking, the owner plans on providing valet parking. There is a possibility of use of a space at the church on 11th St NE, or the parking lot at H Street Storage. The owner is interested in creating a street-wide valet parking program. Drew Ronneberg stated that H Street Connection should be approached about provide a location for valet parking.

Regarding the layout and function of the restaurant, the owner and consultant explained that part of the upstairs will be a seated lounge, with a dining room located on the first floor. They also stated that the restaurant will not be managed outside of their hands (they will manage it), and that the intent is not for the venue to be a night club. They do intend on having live bands for brunch performances, with no cover charge.

The owner and consultant will provide an update to the ANC as plans develop.

BZA #18413 (257 Warren Street NE): The owner, Marcus Watkins, was present to discuss progress on conversations with his neighbors regarding a variance from the lot area and lot width requirements under subsection 401.3, to allow the subdivision and construction of two new flats (two-family dwellings) on three lots in an R-4 district. The project is scheduled for a BZA hearing in October.

The owner stated that, in conversations with neighbors, the owners expressed concern regarding the inclusion of rental units in the properties. The owner is in the process of reviewing the impact that this would have on cost.

Jake, a resident of Warren Street, summarized the neighbors' concerns. He stated that their main concern is capacity. The owner is allowed, by right, to build 2 units, but is going for a variance for 2 additional units. The residents of Warren Street also share concerns related to trash and parking related to increased capacity on this narrow street. The neighbors provided responses to a question asking whether they would agree to a variance if Mr. Watkins provided two single-family units. Generally, there did not seem to be opposition to this.

Drew Ronneberg explained that zoning orders can be flexible. Regarding the variances that the owner is requesting, there is a 20% variance for the size of the lot (1800 versus 1400 sq ft). The neighbors expressed that, by building to the lot line, the alley would be reduced to 8' width, which is a problem that comes with added density. If the owner were to combine all

three lots, he could have a matter-of-right development to provide three units in the 33.5 ft. width.

Charmaine Josiah inquired as to what prevents an owner from having extended family live in a home. Marcus added that he believes the concern is based on the issue of the definition of 'density'. Elizabeth Nelson stated that, for what Mr. Watkins is asking, he needs a variance and that he is not entitled to it.

Again, the variances being sought are related to:

1. Non-conforming lot width (18' existing)
2. Non-conforming lot size (zoning requires 1800 sq ft in order to build)

The owner explained hardship / burden of proof. As a side note, in 1989, he proved these variances to BZA and was approved. The hardship that Mr. Watkins claims is financial.

Laura Gentile stated that the ANC needs something in writing in order to go forward with this case.

Attendees provided closing community and committee comments. Nick Alberti stated that the concern with granting these variances is that it opens up the potential for rental units on this property. Dan Golden stated that, in the future, neighbors will not have the ability to change whatever gets approved. Drew Ronneberg explained that the ruling for this case is now on record, and if an agreement between Mr. Watkins and neighbors / residents of Warren Street, NE is made prior to the full ANC meeting (second Tuesday of September), the ANC should be made aware of this.

Recommendation: The Committee voted 3-1-1 to recommend that the ANC write a letter in opposition of the granting of both variances, and that the full ANC take into account continued negotiations between the property owner and the neighbors.

Additional Community Comment

None.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, September 19, 2012
7-9 PM
640 10th St NE
Sherwood Recreation Center, 2nd Floor**