

**Report of the Economic Development and Zoning Committee of ANC 6A  
September 19, 2012**

Present: Members: Missy Boyette, Jeff Fletcher, Charmaine Josiah, Dan Golden  
Commissioners: Drew Ronneberg, David Holmes

Drew Ronneberg chaired the meeting.

**Call to Order**

**Community Comment**

There were no community comments.

**Status Reports**

**Resolution of Previously Heard BZA/HPA Cases:** None.

**Vacant Properties:** At the property that faces on H St. (thrift store) and 11th St. (vacant portion), the windows were replaced and building was painted.

**Zoning Regulations Rewrite:** The process is starting up again and there is a schedule for pushing the remaining chapters through. Drew will circulate the draft chapters as they are available.

**H Street Business Liaison Report:** Charmaine Josiah had a meeting with AIA DC to discuss training sessions for the committee as well as community discussion panels. ANC 6A will be used as a pilot for developing sessions. Charmaine requested feedback on topics that would be important to address (for both the sessions for subcommittee representatives and ANC commissioners).

Two members from the Office of the Deputy Mayor, Planning and Economic Development, were present. They have received 6 responses for the 1300 H Street proposals; the proposals are currently in review and evaluation process. The next step is community presentations, which will be held at 7pm on Oct. 4th at Sherwood Rec Center. All 6 designs propose retail on the ground floor with residential above. The city will develop a short list then will request best and final offer; final selection will be made by the end of the year.

**Old Business**

None.

**New Business**

**601-645 H St NE:** Kevin Roberts from Jair Lynch presented the project. As of 2011, Jair Lynch owns the 601-645 block (two 5-story office buildings with surface parking and a one story building between). The redevelopment area has been previously approved with BZA plans in 2007. The design proposes to increase the number of entries. Construction is anticipated to start in the first quarter of 2013. This is due to the presence of two PEPCO vaults in the existing parking area, which will be removed.

In general, the current scheme maintains the massing of the 2007 scheme as well as the building envelope of the earlier scheme, but has improved materials and texture. The current scheme maintains the strong base / middle / top definition of the 2007 scheme, as well as the breakdown of small / medium / large elevation sections (from east to west). Color scheme is dark to match what is commonly seen in Capitol Hill.

Regarding retail, Jair Lynch has a letter of intent signed with CVS (entrance moved to 7th Street), and they are also talking to Starbucks and Blue Bottle Coffee, a small market (Broad Branch Market, Yes Organic, Marvelous Market options), and a chef-driven concept restaurant. The scheme involves the revisioning of the ground floor along H Street at 601 and 645 H. There will be at least 4 or 5 retailers.

The residential use has been designed as rental with 399 parking spaces. The side facing the G St town homes will be a 4-level wood-framed structure. There will be heavy landscaping at G St neighbors, on the south side of the development site.

Regarding site circulation, DDOT has ordered a study for the proposed mid-block crosswalk - the BZA order has the flexibility to provide it or not provide it. The site will have one curb cut (currently there are 2) for access to parking off of H Street. There will be loading docks, with a reciprocal easement with the office buildings on either side of the project site. The office buildings on either side will stay as they are for the short-term.

Following a meeting with ANC 6A ED&Z committee members in July, Jair Lynch has addressed the comments that were received: removed balconies at top, created juliette balconies at the glazed areas. The red brick facade is now set back 4' from the face at the ground floor. Whereas the ED&Z committee members suggested juliette balconies across the entire facade, the developer wanted 4' deep balconies, and has set the facade back in order to provide these. The developer will control what people are allowed to place on these balconies in order to prevent bikes, etc. Regarding ED&Z suggestion to design the mechanical rooftop enclosures, the developer stated that they will consider Senate Square as an example for the mechanical rooftop units. There will also be a roof-top pool and an interior courtyard.

Stan Wall provided a letter of support for this project. The letter states his support of the design, the development program and developer commitment.

Community member inquired as to how many residential units would be included in the project site. Mr. Roberts responded that there will be approximately 300 units. Community member inquired as to how many employees are in the office buildings. Mr. Roberts responded that there are approximately 145 employees in the existing buildings. David Holmes inquired as to whether DC offices would stay in these buildings. It is anticipated that they will.

Drew Ronneberg reiterated the design improvements that have been made to the current scheme.

Jair Lynch will also develop 501 H Street and will present this next month to ANC 6C.

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

**PUD (Murray's / H St Storage):** Trent Smith of Insight Property Group presented the project, with Alyssa Brown and Maury Stern of Insight. Maury Stern was introduced as the ultimate developer of this project.

Insight has already presented this project before the community and at the H St. Festival last weekend. Insight is the owner of Murray's, which is encompassed by 1 lease that goes out through 2017. Trent explained that Danny's lease is not an issue. Insight is under contract to purchase the H St. Self Storage site.

The PUD application for the site was submitted last week. The application asks for flexibility as it relates to phasing of the project due to the lease arrangements and timings.

Phase 1 is the Murray's parcel. This phase proposes 22,000 sq. ft. of retail and 320 residential units. Phase 2 proposes 50,000 sq. ft. of retail and 130 residential units. Insight has not yet determined whether the residential units will be apartments or condos, but they are being designed as apartments. The bulk of the retail is a large-format gym.

Trent explained that they see this block as the "heart" of H St. Insight has hired the same retail consultant, StreetSense, as is being used for the development across the street, as well as the same retail architect. The intent is not to do the same thing, but rather to make sure that they relate to one another.

The site is in the H St. overlay and proposes 8 stories, with the density pushed toward the frontage on H St. The building's massing will pull back at the rear to relate to the R-4 zoning, to better relate to the existing context. Commissioner Healy's ANC district abuts this site - Commissioner Healy stated that he has not heard of any concerns from his constituents yet.

The building facade is set back from the property line at H, as the developer is asking for 5' and more at some areas for public streetscape, which will allow for the addition of greenery and cafe seating. The developer is asking for flexibility in the second level of the easternmost phase if the gym does not sign a lease; if this is the case, the space would revert back to residential units.

In terms of the building's relationship to the Jair Lynch project across the street, the intent is to create three distinct simple elements that read as three separate buildings. The top floors are glazed to make the top appear lighter. The design intent for the length of the building is to de-emphasize the corners, creating a tower element at mid-block. The site has over 450' of H St. frontage. At the west, the facade reads as two tall stories but is actually four floors. The building holds the line of the facade on H St. to six stories in order to relate to the future development across the street. The mass of the mechanical penthouse will be integrated with the tower element; the developer and architect are still considering its materiality. It was noted that a penthouse on the east portion of the building may not be necessary if the entire project is built all at once.

Mr. Smith noted some additional elements of the building's design, following up on several meetings that Insight has had with interested parties. Regarding the building name, the Apollo used to sit on this site, thus 'The Apollo' is the working name for the project; other names will be considered. The base / middle / top of tower element has been refined in order to have a more modern interpretation. The extending balconies which were previously at the east side of the building have been omitted. The rhythm of retail at the ground floor plane will evoke H St. influence, through its scale and the brick detailing at the ground floor plane. A "view box" at the east side of the H Street facade, adjacent to the existing buildings on the corner at the east, will help the proposed

development relate to the existing retail scale. Mr. Smith also stated that the design includes greenery at the roof.

Mr. Roberts of Jair Lynch expressed support of the project.

Commissioner Ronneberg posed a few questions regarding the PUD. Regarding flexibility being requested in the PUD, Mr. Smith stated that the PUD application requests: increased building setback at H St.; R-5-B zoning (maintaining height restrictions of R-4 but allowing apartment use); relief for wrapping the penthouse with no setback; and an additional increase over the allowable 0.5 commercial FAR for the gym at the second floor. Mr. Smith clarified that there are no issues with split zoning (no density transfers). Mr. Smith stated the following community amenities and efforts: emphasis on streetscape; upgrade of alleys around the project site; continuation of the streetscape in front of Blair House (to prevent illegal parking in front of Blair House); working with the Park Service for mild uses on the 5th and I lot including landscaping; working with churches to provide free Sunday parking; no residential permits being provided for residents; and provision for a bike pump.

Drew stated that the ANC H Street Connection PUD will provide future support for a Historic District if one is proposed for H Street. Mr. Smith stated that he sees this as a good thing. Commissioner Ronneberg can provide this language to Insight.

Mr. Smith stated that there will be approximately 200 parking spaces open for public use. He also explained that there will be a fire wall at the east side of the top of the tower if the building is built in 2 phases.

Regarding schedule, Mr. Smith stated that Insight will sit down with the zoning department on Nov. 19 and that the zoning hearing is anticipated in March or April of 2013.

Mr. Smith inquired as to next steps with the ANC. Commissioner Ronneberg suggested that the ANC can support the project for set-down or for the entirety of the project. Mr. Smith requested support for the set-down for this project.

**Recommendation:** The Committee voted 5-0 to recommend that the ANC write a letter of support to the zoning commission to support the set-down for this project.

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

**HPA #12-XX (901 D St NE):** Mr. Bailey requested that the presentation of this project be rescheduled for the October committee meeting. Commissioner Holmes stated that he met with neighbors and the developers last night, and that there is a great deal of support but some concern with density.

**BZA 18418 (712 I St NE):** On behalf of the church, Mr. Nathaniel Bush presented the case, which is an application for special exception to use this property as administrative offices for Pilgrim, the neighboring church. The building at 712 I St. NE is separated from the church by about 20' and contains 4 or 5 rooms that would be used as office space. The BZA hearing is scheduled for Oct. 23.

Mr. Bush provided some background, stating that Pilgrim is currently experiencing challenges for accommodating ministries in the existing church building.

Mr. Bush cited the following sections of the zoning regulations: Section 216 defining criteria necessary for a building to be used for this purpose, specifically noting paragraph 5 (216.2) which states that one criteria is whether or not it is operated as non-profit (church is non-profit institution); section 216.3 which refers to all activities held within the existing structure; section 216.4 regarding occupation by volunteers for at least 75% of the spaces; and section referring to no interference with the use of the adjoining neighbor's property (Mr. Bush explained that these activities take place currently in the church).

Committee members posed questions to Mr. Bush. Missy Boyette inquired as to whether the owner has obtained letters of support. Mr. Bush responded that they have received no objections to date and that they will collect letters of support. Dan Golden asked whether anyone is currently living there. Mr. Bush stated that the property is currently vacant and that the church has owned the building for several years; at the present time, the church wants to be able to legally operate in this building. Regarding the proposed use, Pilgrim proposes to use the building for administrative offices; Mr. Bush explained that the building has been used for storage and meetings in the past. He stated that there would be fewer than 10 people in these organizational meetings. Charmaine Josiah inquired as to whether the owner had any consideration for soundproofing the interior wall adjacent to the neighbor. Mr. Bush said the owner would be willing. Commissioner Holmes added that sound can be an issue; Nathaniel responded that noise is not anticipated for administrative functions, and the building will not be a place for worship or singing.

Commissioner Ronneberg expressed concerns, stating that everything that has been discussed can be done without special exception (church functions matter-of-right). He stated that it would be a special exception if a particular program were being proposed. Nathaniel responded by stating that, in order to lawfully operate, he believes they need BZA approval. Commissioner Ronneberg's concern is that, by providing special exception, granting zoning relief may be opening the door for additional uses. Nathaniel said that he has met with Zoning; Drew asked for a letter from the Zoning Administrator, to which Nathaniel responded that he does not have one.

Commissioner Adam Healy stated that he has heard no objections from his constituents and that there will be time prior to the next ANC meeting and prior to the BZA hearing.

**Recommendation:** The Committee voted 4-2 to recommend that the ANC write a letter of support to the BZA stating that the program purpose is limited to administrative use and limited to hours of operation. For the record, the 2 objections were because these two voters do not believe that BZA requires this.

Drew - if Nathaniel can provide other BZA orders where this has been done, and a letter from Matt LeGrant telling the applicant that this is necessary (zoning determination letter).

### **Additional Community Comment**

None.

**Next Scheduled ED&Z Committee Meeting:  
Wednesday, October 17, 2012  
7-9 PM**