

**Report of the Economic Development and Zoning Committee of ANC 6A
December 18, 2013**

Present: Members: Charmaine Josiah, Justin Thornton, Michael Hoenig, Dan Golden, Stephanie Frang, Brian Carlson
Commissioners: Sondra Phillips-Gilbert, David Holmes

Dan Golden chaired the meeting.

Community Comment

There were no community comments.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: Dan Golden reported that the ANC adopted the EDZ Committee's recommendations in the following cases:

- 1) the ANC supported the requested extension of the zoning order for 1309 and 1311 H Street, NE; and
- 2) the ANC supported the request for HPRB approval for the proposed addition at 1329 Constitution Avenue, NE.

Vacant Properties: No report.

Old Business

None

New Business

1. Murry's Redevelopment (616 H Street, NE): Trent Smith of Insight Property Group provided a brief presentation on the current status of this project. Since he last presented to the Committee several important events have occurred with the project that will hopefully allow construction to begin before the end of 2014. As reported, Insight Property Group signed a lease with Whole Foods for an approximately 38,000 square foot space and is in serious talks with a health club provider to bring a 26,000 square foot first-class facility to the project as well. The PUD was unanimously approved by the Zoning Commission in June of 2013 and the necessary alley closure was supported by the Council in December and is expected to be signed by the Mayor and recorded in early 2014. In addition, Insight has agreed to early termination rights with Murry's that will allow for demolition to occur as early as the fall in 2014. Design is underway and Insight plans to return every few months to give the Committee regular updates on the status of the project. Mr. Smith provided his contact information (202.649.0004 or tsmith@insightpropertygrouppllc.com) in the event there were any questions or comments from the community.

2. 819 D Street, NE (BZA Application Not Yet Filed): Greg Auger and Bill Bonstra gave a informational presentation on behalf of the developer, 819 D LLC, regarding its plans to convert the church located at 819 D Street NE into a condominium development with 26 residential units and to redevelop the two rowhouses adjoining the church (one on D Street and one on 9th Street) to include two residential units each. The developer had not yet submitted to BZA at the time of its presentation, but anticipates that it will do so in the near future and that it would be seeking a variance from the requirement that there be a minimum lot area of 900 square feet per dwelling unit. (The lot area is 11,457 square feet.)

The developer stated that the church spans four floors and that it has a complex structure and a significant amount of stained glass. The renovation will need to accommodate existing building codes and address structural and security concerns. The developer also stated that it would like to find a happy medium between preserving the existing church and building units that are sellable.

The developer stated that a variance from the on-site parking requirements would not be required. The developer will be providing six parking spots and are exploring other options, having hired a parking engineer. The developer had held a separate meeting the prior week with the neighbors in the area.

Members of the community who spoke had concerns about overcrowding and parking. The parking situation in the area is already very bad. Moreover, with the new changes to the zoning regulations, the situation may become even worse. Dan Golden suggested that one way to address this issue would be limiting the number of units that would qualify for a residential parking permit as a condition of the variance.

Prior to the EDZ Committee's next meeting, the developer will file with BZA for zoning relief and that application will be taken up at the next EDZ Committee meeting.

3. 1110 G Street, NE: Brian and Mika Yoder, owners of 1110 G Street, NE, gave a short presentation regarding what they believe was illegal construction that occurred in connection with the renovation of the adjoining property at 1108 G Street, NE, including the construction of a retaining wall that appears to cross onto the Yoders' property. The Yoders have conducted a land survey and the results of that survey indicate that the retaining wall does in fact cross the property boundary line. They have corresponded with DCRA, who has sent an email stating that DCRA is considering issuing a notice of violation but that first it is checking with its legal counsel. The Yoders seek to have the ANC to write to DCRA to request that a notice of violation in fact be issued for 1108 G Street, NE. Justin Thornton noted that although such a notice would not have any immediate impact, it would come into play in the event the property was sold.

The Committee voted 6-0 to recommend that the ANC write a letter to DCRA supporting the issuance of a notice of violation for 1108 G Street, NE, based on what appears in the survey commissioned by the Yoders to be a violation of the lot line by the newly constructed retaining wall.

4. 238 11th Street, NE (HPA 14-094): The applicant, Mr. Jesse Connell seeks HPRB approval for a planned rear and third floor addition to the existing rowhouse at this location. The rowhouse is currently Mr. Connell's residence and he plans to continue to live there with his family. He already has met with DCRA and the proposed third floor addition will not be visible from the street. He will be eliminating the garage structure at the rear of the property, but keeping a parking spot there. He has spoken to his neighbors on either side of the property and both are in support of the plan. The front elevation of the house will not change. There will be no zoning issues as the removal of the garage will keep the property under the lot occupancy limit. There will be a roof deck as part of the renovation. The neighbors are aware that this is a part of the design and have no problem with it.

The Committee voted 6-0 to recommend that the ANC write a letter to HPRB supporting the design of the proposed renovation.

5. 704 19th Street, NE (BZA 18703): The applicant, Mr. Thomas Maloney, seeks a special exception from the lot occupancy requirements to add a second floor to the existing one-story rear extension of his rowhouse. His residence will total 820 square feet when the renovation is completed and will be similar to the majority of the other residences on the block. He stated that he would be removing the cinder-block structure at the rear of his property as part of the renovation. He has obtained letters of support from the neighbors on either side of his property.

The Committee voted 6-0 to recommend that the ANC write a letter to BZA supporting the requested special exception.

6. 1717 E Street, NE (BZA 18692): Mr. Toye Bello presented on behalf of the applicant, who seeks a use variance that would permit the construction of a new 8-unit apartment house on the subject property. The property consists of three adjoining vacant lots across which WASA presently has an easement that has necessitated the request for the use variance. The design envisions a 9,400 square foot structure that will include eight residential apartments. The building would be three stories in height above the cellar level and would have four parking spaces in the rear.

Comments from the community indicated significant concerns about the expanded burden on parking in the vicinity of the new building. There also are concerns about the height of the new structure relative to the surrounding buildings. Mr. Bello indicated that the parking situation would be re-examined and that he believed it would be possible to have one parking spot for each unit.

In view of these concerns, the applicant agreed to postpone its hearing before BZA and to meet with Commissioner Phillips-Gilbert and her constituents to attempt to reach some consensus on how to address their concerns. The applicant will come before the Committee again at its regular January meeting.

7. 1362 H Street, NE (BZA 18694): Applicant, Mr. Dan Young, seeks an area variance from the floor-to-area ratio (FAR) requirements for the construction of a sports bar ("Sin Bin") at this location. The building has been in Mr. Young's family for 25 years and he seeks to renovate

it and use the full building. There would be a sports bar on the first floor, a lounge on the second floor, and the third floor would be able to be rented out. The property has been vacant for 25 years, but Mr. Young recently obtained financing to revitalize the building. He also has obtained a grant from the city that will require him to preserve the façade. There is a liquor license for the property and alcohol and food will be served on the premises. Local residents would be hired to work there. According to Mr. Young, the making the proposed renovations in the manner consistent with receiving the FAR variance would result in significant improvements to the stability of the building.

The Committee asked Mr. Young whether he needed to obtain on-site parking relief. He stated that he had met with BZA and that BZA did not indicate that such a variance was needed. He indicated that trash would be kept inside the building. There also would be no live or amplified music on the roof deck. Loading would take place at the rear of the building.

The Committee voted 6-0 to recommend that the ANC write a letter to BZA supporting the requested variance on the condition that trash be kept inside the building, that loading occur at the rear of the building, and that there be no amplified music on the roof deck.

Additional Community Comment

None.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, January 15, 2014
7-9 PM
640 10th St NE
Sherwood Recreation Center, 2nd Floor**