



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



September 21, 2009

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustments
Office of Zoning
441 4th St. NW, Suite 210S
Washington DC 20001

Re: BZA Case 17968 (1242 H Street, NE, Square 1003, Lot 22)

Dear Mr. Moy:

At a regularly scheduled and properly noticed meeting on September 10, 2009, our Commission voted 5-0-0 (with 5 Commissioners required for a quorum) to oppose the application in BZA Case 17968 for 1242 H Street, NE (Square 1003, Lot 22).

The applicant wants to build a four story building and is seeking a variance due to the small size of the lot (17' 6" x 72') for the following reasons:

1. The requirement for 14' ceiling on the first floor requires a variance as the current plans show a landing on each floor. The landing would use up to about 30% of the first floor. Applicant would like to get as much usable space out of the first floor so is requesting 10' 6" ceiling height on first floor.
2. The applicant wishes to configure the building for more than one commercial tenant. A corridor would separate the stairs from the rest of the first floor.
3. The applicant is seeking a floor-to-area ratio of 3.0. The ground level is likely to be professional services offices. The second through fourth floors would be professional offices for the applicant's development company and general counsel. The current plan does not have residential or retail use included in the proposal.
4. The plan for the building incorporates some environmentally friendly aspects such as solar panels, green roof, and use of local/recycled bricks, energy efficient windows. The plan calls for high quality construction to allow the building to last for a 100-year lifespan. The building would not be LEED certified.

From a design perspective, all the other structures on the block are two stories. The design of the front of the building does not reflect any of the architectural elements found on H Street. The plans do not include any historical elements. The windows are modern looking instead of having the shape/style of other windows seen along H Street.



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From a zoning perspective, the current zoning for the location calls for ground floor retail with residential use for the above floors. The H Street Overlay/Arts District modifies underlying C-2-A zoning in order to encourage an incentive for better retail space. As we understand it, the C-2-A zoning – the base zoning – allows for: (1) 1.5 FAR for non residential, (2) maximum of 2.5 FAR, (3) 50' height restriction, (4) 60% lot occupancy for residential and (4) 15' rear yard. The H Street Overlay Zone provides additional flexibility and supersedes the base zoning by encouraging residential use by providing 70% lot occupancy and a non-residential FAR 1.0.

Accordingly, our Commission does not support this application because the current design does not:

1. Reflect the “look and feel” of H Street.
2. Comport to scope of other buildings regarding zoning, FAR, first floor, and height.
3. Adhere to the H Street Overlay which was established to retain the best elements of H Street, including high quality retail on the corridor and 14' ceilings are required for good retail space.
4. Provide any benefit to the community—no retail and no residential use.

In close, our Commission does not believe this project as currently designed is appropriate for H Street. We would strongly recommend that the Board of Zoning Adjustment deny this application. The Commission has authorized any ANC 6A Commissioner or Economic Development and Zoning committee member to represent the Commission at the scheduled hearing on October 6, 2009. If you have any questions, please contact Dr. Ronneberg at ronneberg6a02@gmail.com or (202) 431-4305.

On Behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A