

MINUTES
ANC 6A Economic Development & Zoning Committee Meeting
Virtual Meeting via Zoom
Wednesday, March 15, 2023 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Mike Cushman, Joel Mendonsa, Jeremiah Foxwell, Ayisha Lockett

Commissioners: Roberta Shapiro, Mike Velasquez, Amber Gove

Brad Greenfield chaired the meeting.

Introductions of Committee Members and Commissioners

Previously Heard Cases

There was no discussion of previously heard cases.

Old Business

1. 1000 - 1016 H Street NE (BZA #20880): Request for Special Exception relief pursuant to Subtitle C § 703 and Subtitle X § 901.2 from the minimum vehicle parking requirements of Subtitle C § 701.5, special exception relief pursuant to Subtitle C § 909 and Subtitle X § 901.2 from the access requirements of Subtitle C § 904.5, and special exception relief pursuant to Subtitle H §§ 910.1 and 1202; and Subtitle X § 901.2 from the development standards of Subtitle H § 901 to construct a new, detached, five-story with cellar and penthouse, 80-unit apartment addition, to existing mixed-use buildings in the NC-16 Zone.

Mr. Greenfield moved that this case be added to the agenda for the current meeting. Motion seconded by Ms. Lockett. Mr. Cushman noted that this case did not have adequate notice. The motion passed five votes in favor and two opposed.

Meredith Moldenhauer presented the project. She stated that the plans had been revised to increase the amount of retail on the ground floor, from 1,223 square feet to 3,261 square feet. Ms. Moldenhauer indicated that the developer agreed not to provide natural gas to any appliances, except as specifically allowed in the new zoning regulations (which excludes emergency power).

Questions from the Committee included whether the revised proposal had been chaired with Commissioner Chatterjee, whether local hiring was a requirement, whether the H Street overlay allows all retail on the ground floor, discussions with neighbors, what was preventing the inclusion of more ground floor retail, the location of entrances. Comments from the community noted that more retail space is not needed.

Mr. Greenfield moved that ANC6A support the project based on the plans that include 3,261 square feet of retail space on condition best effort to get come to an agreement on construction issues and that gas service only be used for emergency usage. Jeremiah Foxwell seconded the motion. The motion passes with 5 in support, 1 abstention, and one opposed.

2. Racial Equity Tool. Discussion of the revised DC Zoning Commission Racial Equity Tool, and how it will be used on zoning projects within ANC 6A.

Mr. Greenfield described the history of the racial equity tool, including ANC 6A's previous feedback on it, and the revisions to the tool. Max Tundro and Alexandra Cain from the Land Use Office of the Office of the Attorney General appeared to discuss the tool and where the process is. Ms. Cain recapped the history of the tool and how the tool is structured. There are four sections, with the second section being the responsibility of applicants, and guides their outreach to communities. The tool was made effective as soon as it was published. There is a Zoning Amendment, 22-25, which includes a reference requiring the racial equity tool be implemented as part of the zoning process.

Mr. Greenfield noted that the data in the open data set does not go back very far. Ms. Cain noted that there is a question on how back OP is planning to go in analysis. Mr. Greenfield noted that there are several questions in Section Two that would be better for the ANC to respond to, rather than have the developer directly respond to. Mr. Cushman noted that the categories for planning are quite broad, and the issues are much more localized.

Mr. Greenfield noted that this discussion about the racial equity tool should continue next month.

Mr. Greenfield tabled consideration of this matter until the April 2023 EDZ meeting.

3. 1207 H Street. Informational update on zoning and development of the property at 1207 H Street NE (currently the AutoZone).

Mr. Ben Miller provided an informational update about the project. Commissioner Velasquez commended Mr. Miller for his outreach to the community. Mr. Miller said that a lot of the work on the project focused on the back of the property (where the alley is) and how to activate it. DDOT has stipulated that the entrance to the parking garage should be in the back, but away from the neighbors. Commissioner Velasquez noted that the activation of the alley would transform the alley from an eyesore to a point of pride.

Mr. Miller said that there would be additional lighting on the alley, and a warm design. Mr. Miller noted that some of the concerns from neighbors were about loitering, and trash access. Mr. Miller said that the building will be set 12 feet back from the alley. Mr. Miller reviewed several options for the façade, and asked the committee for feedback on which one was preferred. The EDZ committee gave informal feedback on which design members preferred; there was a strong preference noted for the jigsaw concept that was presented. Mr. Miller noted that part of the strategy for addressing loitering could include putting in a restaurant, but he would need to submit that for approval.

Questions from the Committee included whether Mr. Miller would be developing the project himself, whether the alley units would be one story or two, whether the underground parking prevents a cellar, when the project will be submitted to BZA, how trash collection will work, and the number of units in the building (~200). Questions from the community included the width of the alley.

New Business

4. 912 Maryland Ave NE (BZA #20847). Request for area variance relief pursuant to Subtitle X § 1002 from the lot occupancy requirements of Subtitle E § 304.1 for a project to construct a rear addition to an existing, attached, two-story with basement, principal dwelling unit in the RF-1 zone. *BZA Case scheduled for 03/15/2023.*

Jonathan Blair, the owner and architect, presented the project. The current lot occupancy is at 76%, and would be reduced as part of the project. The work is in the back of the property, and

will not be visible from the street. Mr. Blair noted that other properties in the neighborhood have similar additions. Mr. Blair reported that the property is in the historic district, but the historic review would be handled at the staff level, so no support for historic review is required.

Questions from the Committee included whether there had been outreach to neighbors, if there were letters of support, if the owner had looked at reducing the building footprint so only a special exception was required.

Mr. Greenfield made a motion that ANC 6A support the project on condition that the owner provide letters of support that have already been collected. Commissioner Velasquez seconded the motion. The motion passed unanimously, seven votes in favor and none opposed.

5. 336 11th Street NE (HPA #23-252/BZA #20869). Request for special exception relief pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the lot occupancy requirements of Subtitle E § 304.1 and historic review of a project to construct a rear and side addition to an existing attached, two-story with cellar, principal dwelling unit in the RF-1 zone. Jennifer Fowler, the architect, presented the project. The plan is to infill an existing dog leg. The property is already over lot occupancy, and will expand to 65.5%. Ms. Fowler noted that there was minimal impact on neighboring properties. There will be a flag test with HP staff to make sure the addition is not visible from the street. Ms. Fowler noted that there is a letter of support from 334 11th Street. There is no letter of support from 338, but that is an empty property at the moment.

Questions from the Committee included the posting of notification of the case, shadow impact of the development, and the status of the letter of support from the neighbor at 338 11th Street. Linda Lopez, one of the neighbors to the project, spoke in favor of the project.

Mr. Cushman made a motion that consideration of the BZA case be separated from the HPO case. Commissioner Gove seconded the motion. Mr. Greenfield moved to table the motion, there was no opposition.

Mr. Greenfield made a motion that ANC 6A support the project for both BZA and HPO, with the condition that any information or reports received from HPO before the full ANC considers the project be in support of the project. Mr. Cushman seconded the motion. The motion passed unanimously, seven votes in favor and none opposed.

6. 214 Warren Street NE (BZA #20881). Request for special exception relief pursuant to Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the rear addition requirements of Subtitle E § 205.4 and special exception relief pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the lot occupancy requirements of Subtitle E § 304.1 for a project to construct a two-story rear addition, to an existing semi-detached, two-story principal dwelling unit in the RF-1 zone. Jennifer Fowler, the architect, presented the project. The property is currently at 59.6% occupancy, and the request takes the property to 61.6%. There is a deck that currently exists that is being replaced by the addition. Ms. Fowler notes that there is an unusual condition, since the property line currently is within the building envelope, and the addition will address that problem. The addition will be a little taller in the back, to give more headroom and provide space for ducts and mechanical. Ms. Fowler reviewed the sun study that was produced for the development. Ms. Fowler noted that there are letters of support from 250 Warren and 1334 Constitution.

Questions from the Committee included whether a letter of support was available from 216 Warren Street, whether the owners had discussed the project with Commissioner Gentile.

Mr. Greenfield made a motion that ANC 6A support the project on condition that the developer make best efforts to get letters of support from 216 and 222 Warren Street NE. Commissioner Gove seconded the motion. The motion passed with six motions in favor and one opposed.

7. 721 H Street NE (ZC 23-05): Proposed map amendment to rezone the property from NC-16 to NC-17.

Mr. Christopher Cohen, counsel for the owner, presented the project. There are two addresses attached to the project, 721 and 725 H Street. Mr. Cohen reviewed how the proposed upzoning aligns with the Future Land Use Map (FLUM) and the Comprehensive Plan. Currently, the property has a dentist and a convenience store. Mr. Cohen noted that under NC-17 zoning standards, buildings can be up to 70 feet in height, with IZ units. Mr. Cohen discussed how the NC-17 zoning standards provide benefits to address racial equity. Mr. Cohen noted that this upzoning would be done under IZ+, providing 20% of the space being IZ units.

Questions from the Committee included how the project would address the specific questions in the racial equity tool, if there are development plans that have been created yet. Commissioner Velasquez noted that there are neighborhood concerns about activities at the corner of 8th and H, and he believed this project would help address those issues.

Mr. Greenfield moved that the Committee table consideration of this project until the April 2023 EDZ meeting. There was no opposition.

Next Scheduled ED&Z Committee Meeting:

Wednesday, April 19, 2023

7:00-9:00 pm

Zoom information to be posted on ANC 6A Website