

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

Present:

Members: Brad Greenfield (Chair), Mike Cushman, Joal Mendonsa, Jeremiah Foxwell
Commissioners: Roberta Shapiro
Brad Greenfield chaired the meeting.

Introductions of Committee Members and Commissioners

Community Comment

None

Previously Heard Cases

There was no discussion of previously heard cases.

Old Business

None

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. *BZA Case scheduled for 03/15/2023.*

Meredith Moldenhauer and Gozde Tanyeri (architect) presented the project. This project had been considered in January 2023, but the committee tabled it to get further consideration of changes and questions. Ms. Moldenhauer reported that the project had been modified to include some retail on the ground floor, and they had gathered a letter from a trash collection company and had a shadow study. Ms. Moldenhauer summarized the project.

One of the changes Ms. Moldenhauer reviewed was that the development was now 78 units, down from 80 units. This decrease was made to accommodate a small ground floor retail space. Ms. Moldenhauer reported that the developer's intent was for the building to be condominiums. Ms. Moldenhauer reported that the plan included some bollards, both on their property and elsewhere in the alley. She said that the developer would work with DDOT to get those bollards that are not on the property approved and installed.

Questions from the committee include questions about the size and location of the retail space, privacy considerations for the ground floor residential units, how IZ works with condominiums, the layout of the ground floor units, whether increasing the height of the building would allow them to bring in more retail, the location of the IZ units, what sustainability features were included in the development, if it would be connected to natural gas, who would own the solar energy credits, how the decision was made about how much retail to include, and community outreach efforts.

Ms. Moldenhauer confirmed that the developer had exchanged two of the residential units to make the retail space. She also confirmed that there would be 28 bike spaces, including two spaces for electric bikes. Ms. Moldenhauer reviewed a truck turning diagram to show how trash trucks would enter the alley. Ms. Tanyeri reviewed the shadow study, which showed relatively little shading impact on neighbors, mostly affecting the church next door. Ms. Tanyeri noted that the building will include solar panels, and a green roof.

Discussions within the committee included disappointment that there was not more ground floor retail included. Ms. Moldenhauer indicated that if the developer did not get approval of the project, they would likely move forward with three by right projects. There was commentary during the meeting on the H Street Overlay District and that this new construction is in the retail portion of the overlay district. Ms. Moldenhauer said that the matter of right construction could be entirely residential if the 6000 square foot construction was broken into three separate developments. Mr. Cushman expressed doubts about this assessment, and felt that the stated objectives of the overlay was to have ground floor retail, even if the overlay did not specifically require it. Commissioner Roberta Shapiro suggested that the ground floor units be made artist living/working spaces. Ms. Moldenhauer said that they would look into the idea and get back with an answer if this was viable and acceptable at the ANC meeting. Ms. Moldenhauer reported that they had further discussions with DDOT about the idea of widening the alley, and DDOT refused to consider the idea.

Chair Brad Greenfield moved that EDZ recommend ANC 6A support the request for relief, on condition that the residential units on the ground floor be designated as artist space/studios, and this would be written into the condominium bylaws. Roberta Shapiro seconded the motion. Commissioner Shapiro made a friendly amendment to the motion that the developer make best efforts not to include natural gas in the building. Mr. Greenfield accepted this as a friendly amendment. Mr. Cushman made a friendly amendment that if the conditions are not accepted that ANC 6A oppose the request for relief. Mr. Greenfield accepted this as a friendly amendment. Final motion is that the EDZ recommend ANC 6A support the request for relief, on condition that the residential units on the ground floor be designated as artist space/studios, and this would be written into the condominium bylaws, and that the developer make best efforts not to include natural gas in the building, and that if these conditions are not met, ANC 6A should oppose the request. The motion passed with four votes in favor and one abstention.

New Business

2. 915 Maryland Avenue NE (HPA #23-104/BZA #20891). Request for area variance relief pursuant to Subtitle X § 1002 from the lot occupancy requirements of Subtitle E § 304.1, special exception relief pursuant to Subtitle E § 5201 and Subtitle X § 901.2 from the rear yard requirements of Subtitle E § 5004.1, special exception relief pursuant to Subtitle U § 301.1(g) and Subtitle X § 901.2 from the matter-of-right uses of Subtitle U § 301, and historic review of a project to construct a second story accessory dwelling unit addition to an existing detached, accessory garage in the rear of an existing, attached, three-story principal dwelling unit in the RF-1 zone in the Capitol Hill Historic District. BZA Case scheduled for 05/24/23.

Mr. Ramin Taheri and Mrs. Sara Taheri, the owners, presented the project. Mr. Greenfield noted that the Taheris had requested Committee Member Cushman recuse himself due to a prior interaction. Mr. Cushman refused to recuse himself, saying that he believed he could be impartial. Mr. Taheri stated that they are looking to add a studio office space on top of their existing garage. Mr. Taheri noted that the existing garage is over lot occupancy and rear yard

requirements, so any project would require the same relief. Mr. Taheri said that he had letters of support from neighbors. He reviewed the shadow study that had been produced.

Questions from the Committee include whether the size of the addition could be reduced so that a variance would not be required. Mr. Cushman noted that he had concerns about this development resulting in a third dwelling unit on the property, and that this could be alleviated by not having a separate entrance from the alley. Mr. Taheri said that he would be amenable to not having the door off the alley. There was an extended discussion about options that could be used to have the entrance to the space in the back yard.

Mr. Greenfield moved that EDZ recommend ANC 6A support the request for relief, on condition that the plans be updated so that the access to the upper unit is only available from the rear yard and not the alley. Mr. Cushman seconded the motion. The motion passed unanimously, five votes in favor and none opposed.

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

Mr. Greenfield introduced the revised racial equity tool, and discussed the history of the racial equity tool and the roundtable for comments that ZC held. Several members of the Committee stated that they would like more time to review the tool before it is considered by the EDZ. Mr. Greenfield noted that he would request the OAG Land Use office come before the EDZ to discuss the tool and how it is to be applied.

Consideration of this item was tabled, and will be added to the agenda for the March 2023 EDZ meeting.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, March 15, 2023
7:00-9:00 pm
Zoom information to be posted on ANC 6A Website**