

**Report of the Economic Development and Zoning (EDZ) Committee of the Advisory
Neighborhood Commission (ANC) 6A
Sherwood Recreation Center, 640 Tenth (10th) Street NE
March 18, 2015**

The meeting convened at 7:00 pm.

Present

Members: Missy Boyette, Dan Golden (Co-Chair), Justin Thornton
Commissioners: Stephanie Zimny, Sondra Phillips-Gilbert, Matt Levy
Dan Golden chaired the meeting.

Community Comment

There were no community comments at the beginning of the meeting.

Status Reports

Resolution of Previously Heard Zoning Cases: The ANC voted to adopt the recommendation made by the EDZ Committee at its February meeting, to write a letter of support to the Historic Preservation Review Board (HPRB) regarding the proposed design for the rear addition and renovated garage at 1102 Park Street NE.

New Business

AirBnB Rentals: ANC 6A residents who attended the meeting requested that guidance be obtained from the District regarding the permissible scope and duration of AirBnB rentals. They noted that such rentals are becoming more commonplace in the ANC and that it was difficult to discern what zoning or other regulations applied to them.

Chairman Golden moved that the Committee recommend the ANC write to the Department of Consumer and Regulatory Affairs (DCRA) seeking guidance regarding District policies with regard to AirBnB and other temporary rentals that can be made available to residents of the ANC. The motion was seconded and passed unanimously.

1204 H Street NE: Douglas Development provided a brief, informational presentation regarding their plans for the by-right renovation of the existing structure at this address. Douglas has filed for foundation permits and will start construction in two months. A one (1) story addition will be added at the rear of the building and the building will be redesigned for a restaurant. There is a six (6) month construction timeline. Douglas has been and will continue to be in touch with Single Member District (SMD) Commissioner Phil Toomajian.

1600 Block of Kramer Street, NE: The Department of Housing and Community Development (DHCD) has solicited offers for the development of multiple adjoining vacant lots located on this block, including with mixed-income housing. Chairman Golden provided a brief background on the status of the solicitation. DHCD received submissions from five developers, three of whom had already reached out to the ANC and given informational presentations at the January 2015 EDZ Committee meeting. DHCD would not divulge the identity of the other two developers but did agree to encourage them to reach out to the ANC. However, at the time of the meeting, neither of the two developers had been heard from. DHCD will be selecting a developer in May, so the ANC will need to make its recommendation in April 2015. DHCD is looking for letters of support for as many of the

proposals as the ANC sees fit to provide. If the ANC does not send a letter of support for a particular proposal, DHCD would view that as the equivalent of sending a letter of opposition.

Chairman Golden reiterated for the developers the criteria that had been identified and supported by the residents who attended the January 2015 EDZ Committee and that were included in the ANC's initial letter to DHCD. They are:

- Addressing parking issues
- Providing affordable housing
- Promoting moderate density development
- Maintaining/providing green space
- Addressing stormwater runoff issues
- Ensuring that residents who adjoin the alley will continue to have access to the alley and to parking on their properties.

The first developer to present was Manna, Inc. ("Manna"). Manna's representative stated that there is a very low foreclosure rate for the homes it builds because of their applicant screening procedures. Manna's proposal contemplates building ten (10) units on five (5) newly subdivided lots. Following their presentation at the January 2015 EDZ Committee and discussion with the residents who attended regarding continued alley access, Manna made adjustments to its original proposal, including setting the property at the end of the block further in from the edge of alley, with the goal of continuing to permit vehicles to turn in to the alley.

No zoning relief will be required for the Manna proposal. Of the ten (10) units, five (5) will have two (2) bedrooms and five (5) will have three (3) bedrooms. Two (2) of the units will be at fifty percent (50%) of market rate, two (2) will be at sixty (60%), and six (6) will be at market rate. Four (4) of the lots will be equally sized, with a larger lot at the end of the alley. The extra width of the last lot will allow for the improved alley access. Each of the ten (10) units will have a separate parking spot.

The second developer to present was the Neighborhood Development Company ("NDC"), who are proposing to use shipping containers to create affordable housing at the site. The NDC design contemplates twenty-two (22) units, each of which will have three (3) bedrooms. There will be eight (8) affordable units, four (4) at fifty percent (50%) of market rate, and four (4) at eighty percent (80%) of market rate. Eight (8) parking spaces will be provided. As part of its proposal, NDC will pursue rezoning of the lots to R-5B, so that the eight (8) parking spaces will be permissible by right.

The proposed development will require digging down four (4) feet below grade and the placement of the shipping containers will require a crane. NDC's experience in Brookland with a similar project was that the installation of the containers resulted in only very minimal disturbance to the community.

In the event that the required map amendment cannot be obtained, NDC has a backup proposal that would contemplate the creation of twelve (12) units only. Under this backup plan, there would be nine (9) parking spaces for the twelve (12) units. NDC's representative acknowledged that DHCD would be taking a risk in selecting NDC that NDC would not be able to obtain its desired zoning relief and that NDC would be limited to implementing its backup plan.

The third developer to present was Mi Casa, Inc. (“Mi Casa”), who propose to construct “Net Zero” housing, with low utility bills and maintenance costs. Their proposal contemplates subdividing the lots into six (6) lots, with two (2) units on each lot, for a total of twelve (12) units. Twelve (12) parking spaces would be provided. All development will be by-right, with two exceptions: 1) lot occupancy would be at sixty-four percent (64%), which will require a special exception, and 2) parking spaces will only be eighteen (18) feet in length, in lieu of the required nineteen (19) feet, which also will require zoning relief.

The Mi Casa units will feature parking on permeable pavers, will collect rainwater in rainbarrels, and will feature solar cells. Of the twelve (12) units, five (5) will be at fifty percent (50%) of market rate, five (5) will be at eighty (80%) of market rate, and two (2) will be at market rate. The exterior of the units will be hardi-plank siding and stucco, with all units receiving the same exterior finishes, regardless of affordability. Each unit will have three (3) bedrooms.

In response to comments from the Committee, Mi Casa indicated a willingness to consider altering the design of the exterior of its units to better match the homes in the neighborhood. It also indicated its willingness to put together a parking and transportation plan with input from the community.

At the conclusion of the three presentations, Chairman Golden moved that the Committee recommend the ANC write letters of support to DHCD for the Manna and Mi Casa proposals. The motion was seconded and passed unanimously.

Chairman Golden also moved that the Committee recommend the ANC write a letter to DHCD: 1) withholding support from NDC’s proposal, but expressing appreciation for their outreach to the community; and 2) stating that, in the event that DHCD selects NDC, that it require NDC to proceed with its twelve (12) unit backup plan in lieu of its twenty-two (22) unit preferred plan. The motion was seconded and passed unanimously.

224 9th Street NE (BZA 18988): Applicant seeks a special exception under § 223, not meeting the court-width requirements under § 406, to allow the construction of a two-story addition to an existing one-family dwelling in the R-4 District.

The applicant proposes to fill in the existing dogleg, and create a new dogleg with the extension of the new addition further into the rear yard. The creation of the new dogleg necessitates the zoning relief from the court width requirements. The applicant noted that if he built up to the property line, he would not need the requested zoning relief, but that under the current design, which does require zoning relief, the neighboring property at 226 9th Street NE would enjoy greater light, air, and privacy.

Chairman Golden noted that he had spoken with the neighbor at 226 Ninth (9th) Street NE, who was uncertain whether he supported the requested relief. Both the neighbor and the applicant have indicated their willingness to discuss the design prior to the ANC’s April 2015 meeting to determine whether they might be able to reach agreement on the design of the addition.

Chairman Golden moved that the Committee recommend the ANC write a letter to the Bureau of Zoning Adjustment (BZA) in support of the requested relief, on the condition that, at the

time of the ANC vote, the neighbor at 226 Ninth (9th) Street NE supports the requested relief. The motion was seconded and passed unanimously.

The meeting adjourned shortly after 9:00 pm.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, April 15, 2015
7:00-9:00 pm
640 Tenth (10th) Street NE
Sherwood Recreation Center, Second (2nd) Floor**