

MINUTES
ANC 6A Economic Development & Zoning Space Committee Meeting
Virtual Meeting via Zoom
Wednesday, April 20, 2022 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Mike Cushman, Sam DeLuca, Jake Joyce, Roberta Shapiro
Commissioners: Laura Gentile (6A05), Brian Alcorn (6A08)

Brad Greenfield chaired the meeting.

Introduction of Committee Members and Commissioners

Resolution of previously-heard Bureau of Zoning Authority (BZA)/Historic Preservation Review Board (HPRB) cases (Brad Greenfield)

1. **1207 H Street, NE (ZC Case#22-03):** Request for a map amendment to change the property from its current NC-14 zoning (Mixed Use: Medium Density Residential and Medium Density Commercial) to NC-15 (medium density mixed use) which permits a height of 70 feet and an FAR of 4.8, and will be subject to the enhanced affordability requirements under the IZ+ program. In March 2022, EDZ recommended approval of this request and ANC 6A supported this approval at its April 2022 meeting.
2. **Historic review of 242 11th Street NE and 1108 Constitution NE.** EDZ recommended approval by ANC. Both approved unanimously on the April 2022 ANC 6A Consent Agenda.
3. **628 9th Street (Case 20651):** Variance for backyard addition and deck. Case delayed by BZA until 4/27.2022.
4. **905 L Street (Case 20606):** Special Exception for rear addition. EDZ supported the request. Approved by BZA 3/30/2022.

Old Business

1. **647 16th Street NE (BZA Case #20612):** Request for special exception zoning relief under Subtitle E § 5201 and Subtitle X § 902.1 from The lot occupancy requirements of Subtitle E § 304.1, and special exception zoning relief under Subtitle E § 5201, Subtitle E § 205.5, and Subtitle X § 902.1 from rear addition requirements of Subtitle E § 205.4 to construct a third story and rear addition, and convert to a flat, an existing, attached, two-story with cellar, principal dwelling unit in the RF-1 zone.

The case was previously scheduled before EDZ three times but owner did not appear. EDZ recommended opposition. Chair Greenfield offered to schedule an EDZ appearance, but requested that owner reschedule the BZA hearing to allow prior presentation before EDZ. Owner did not re-schedule the BZA hearing and was not present at this meeting. Accordingly, the Chair (after calling for any objections) tabled further consideration the issue, noting that this would maintain in effect the EDZ's prior recommendation to ANC 6A for denial of the requested relief..

2. **15th Street Alley (BZA Case #20716):** Request for an area variance pursuant to Subtitle X § 1002 from the new alley record lot requirements of Subtitle C § 306.1(a) to construct six, new, attached, two-story with cellar and roof deck, principal dwelling units in the RF-1 zone.

This item was previously reviewed but tabled to allow additional time for community engagement and support. The owners (Evan Muchai and Fritz Hubig) and their architect (Michael Cross) presented that they had subsequently met with various neighbors and had participated in a well-attended block club gathering. To date, they have 10 letters of support and no letters of opposition.

Concerns expressed by neighbors regarded the possible difficulty in maneuvering in the alley. The architects indicated that there would be no changes in the space or configuration in the alley. Neighbors also expressed concerns re: water runoff that currently impacts some adjacent basements. The architects noted that the planned project should help minimize this problem. One EDZ member expressed a concern about the density of the project and a desire that it would have been planned for 4 rather than 6 units. He also expressed concern for the privacy of the neighbors' backyards. In response, the architects estimated 46-48 feet from the front of the new units to the back walls of current neighbors.

A question was also raised about visibility when cars are turning in the alleys. The developers indicated a commitment to installing mirrors at the corners but noted that the placement would require access to neighbors' properties.

The developers also noted that the zoning administrator had granted administrative approval for the small degree (less than 2%) of non-compliance with the required lot size for the two end units.

There were no community members present.

A motion was made by Mr. Greenfield to support the project on condition that developers continue to make a best effort to obtain letters of support from the community. The motion was seconded by Commissioner Alcorn. The motion passed unanimously with seven (7) votes of approval.

3. **1802-1806 D Street NE:** Informational presentation on a Map Amendment to the zoning of 1800-1806 D Street NE, from MU3 to MU4.

Jay Briley, one of the property developers, was present to explain the proposed project which is still in a somewhat conceptual state. The project would involve razing three storefronts (a grocery, a liquor store and a daycare) at 1800-1806 D Street, which the project developers currently own, along with two properties, 409 and 411 18th Street, which they are currently in negotiations to acquire and raze. The developers plan to replace the current building with a new structure that would include five businesses (the current three would be re-established following construction) plus two additional spaces (potentially a homecare business.) There would be nine (9) parking spaces and a waste management area in the rear. A previous plan for an ice manufacturer to return after development is no longer under consideration. Floors two, three and four would be dedicated to a total of 30 apartments, studios, one and two bedrooms, ranging from 436 square feet to 907 square feet. Fifteen of the units would be market rate and 15 would be subsidized workforce housing. The developers have applied for Deputy Mayor for Planning and Economic Development (DMPED) grant funding for the commercial space and Department of Housing and Community Development (DHCD) for the residential space. The developers also have commitments (contingent on grant funding) from two different banks (City First Bank, \$3.5 million for the commercial space) and (Bright Bank, \$10 million for the residential space), contingent on grant funding.

Discussion with the EDZ members followed. Questions included:

- The "fit" of such a large structure (especially the height allowed by the sought after MU4 map amendment) in a neighborhood generally characterized by smaller buildings. (It was noted that 35 letters to adjacent neighbors had, as of yet elicited no response, but that the developers planned to go door to door and hand out flyers in the current businesses)
- Whether the current MU3 (and proposed MU4) zoning allowed light manufacturing (i.e., the ice manufacturer)
- The experience and capacity of the developer, which was responded to by citing several other projects they had/were developing in the District of Columbia, Virginia and Maryland.

- Concerns about an underground sewer line that had led to the demolition of a new house built across the street from the proposed development. (The developers responded that this proposal does not come near to the sewer line in question.)
- What the AMI level for the subsidized units would be. (The developers responded that the levels would be controlled by the terms of the grant.)
- Whether the housing units would be condominiums or rentals. (The developer responded that they would be condominiums owned by the developer and leased and managed by an affiliated property management company.)
- What would happen if both grants were not awarded (The developers might proceed in two phases, starting with the commercial space and adding the residential space later. Regardless, they would seek the map amendment in anticipation of applying for future funding cycles/sources.)
- Whether the DC Land Use Plan designated the area MU4. (It does not.)

Note: there were no community representatives present.

Finally, Chair Greenfield noted that, depending on when the developers return to the EDZ/ANC for a recommendation, the property could be in ANC 7 rather than ANC 6. If they return to the current committee, he asked that they have more detailed design concepts, examples of community support and information about the developers financial and project management capacity.

New Business

1. **1252 H Street NE (BZA Case #20742):** Request for Special Exception zoning relief pursuant to Subtitle H § 910, Subtitle H § 1202, and Subtitle X § 901.2 from the lot occupancy requirements of Subtitle H § 904.1, special exception zoning relief pursuant to Subtitle H § 910, Subtitle H § 1202, and Subtitle X § 901.2 from the rear yard requirements of Subtitle H § 905.1, and an area variance pursuant to Subtitle X § 1002 from the design requirements of Subtitle H § 909.1(f)

The architects (Ron Schneck and Christine Proudfoot), the property owner (Todd Ragimov), the zoning attorney (Alex Wilson) and the community outreach consultant (Denise Martinez Daniel) were present.

Ms. Martinez Daniel stressed that the owner/developers had completed previous projects on the Hill. She also noted that they had recently sent correspondence to all neighbors within 200 feet, including a dedicated email address for questions, comments and letters of support.

The project would entail adding a third floor on the existing building which would generally match to the buildings existing footprint, which does not currently conform to the lot occupancy and rear yard requirements, thus the requested special exceptions. In addition, a penthouse would be setback from the third floor.

Because the existing, pre-1958 façade would be maintained, a FAR of 3.0 would be allowed. The proposed modified structure would house commercial space on the first floor with an interior waste management area shared by the retail and residential units, and five residential units above on floors 2 and 3 (3 2-bedroom, 2 1 bedroom, all market rate). There would also be penthouse space on the roof and some mechanicals and storage in the basement.

Finally, a variance is sought to allow the current residential entrance to be maintained on 13th Street NE rather than providing access from H Street NE.

Discussion followed, touching on the following issues:

- The size, boxiness and, for some members, the lack of architectural conformance of the initial design of the new structure relative to the existing base. (The architect responded with a willingness to try to address these issues)
- The concern that the residences needed to have H Street addresses in order to not be eligible for residential parking permits (RPP).
- Concerns, by a generally supportive neighbor on Wiley Street, that the addition would block sun. She suggested that perhaps the addition should be set back to conform with lot occupancy and rear yard requirements. (The architects agreed to do a shadow study and review the design.)
- Concerns about the location and visibility of the HVAC units. (The architect agreed to review)
- Concerns about the adulterated and poorly maintain façade on the East Side (which the plans propose to restore)
- Finally, it was noted that 13th Street is closed on weekends for the farmers market, which the developers would need to consider in construction planning.

Mr. Greenfield noted that since the project was scheduled for the June 2022 BZA meeting, it would be possible for the project to be reviewed again at the May 2022 EDZ meeting and the June 2022 ANC 6A meeting. At the next meeting, it was asked that the developer provide: letters of support from neighbors; updated design plans; shadow studies; and a response re: the residential address vis-à-vis the RPP issue.

Accordingly, the item was tabled until the May 2022 meeting.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, May 18, 2022
7:00-9:00 pm
Zoom information to be posted on ANC 6A Website**