

**Report of the Economic Development and Zoning Committee of ANC 6A
May 18, 2011**

Present: Members: Jeff Fletcher, Phil Toomajian, Dan Golden
Commissioners: Drew Ronneberg, Sharee Lawler, David Holmes

Drew Ronneberg chaired the meeting except during consideration of 701 10th St NE, when Drew recused himself and Sharee Lawler chaired the meeting.

Community Comment

Drew Ronneberg reported that on May 25 there would be a DDOT meeting regarding the location of bike share bike stations on the eastern end of H Street NE, near H and 10th or H and 11th Streets NE and encouraged everyone to attend. The meeting is scheduled from 6 to 8 p.m. and will be held at Judiciary Square, 441 4th St NW.

Status Reports

Resolution of Previously Heard BZA/HPA Cases: David Holmes reported that the case involving 1245 G St NE went before BZA and no one showed up to the hearing on behalf of the property owner. As a result, the hearing was postponed. It was noted that it appears construction has begun on the site with the pouring of concrete and that a demolition permit is on file for the property.

Vacant Properties: Phil Toomajian reported that he had heard rumblings that the owners of 1000 C St NE wanted to reach out to discuss the status of their property. He also has heard second-hand that the owner of 1362 H St NE, another source of blight, was interested in unblighting the property, although possibly leaving it unoccupied.

Zoning Rewrite: Drew Ronneberg reported that it appears a 10-year review of campus plans is currently underway.

H Street Business Liaison Report: Sharee Lawler reported that a series of business education programs would be scheduled for H Street NE this summer. In addition, Barracks Row Main Street is going to discuss their experience conducting a business survey with Sharee and Charmaine Josiah, so that Sharee and Charmaine can craft their own survey for use on H Street NE.

New Business

1. HPA # 11-288 (818 C St NE). The owner seeks to build a two-story addition in the Capitol Hill Historic District. The addition complies with the zoning requirements.

Mike Fowler of Fowler Architects gave a short presentation. During the presentation he provided letters from the adjoining neighbors located at 816 C St NE, 300 9th St NE, 302 9th St NE, 304 9th St NE, 306 9th St NE, 308 9th St NE, and 310 9th St NE, all of whom supported the

addition. He indicated that during the construction, the owner also would be addressing grading and foundation issues.

Drew Ronneberg asked whether the use of aluminum windows on the rear sides of the building, which the plans indicate, was permissible. Mr. Fowler indicated that aluminum clad windows were acceptable in those locations.

Motion: Move that ANC 6A write a letter in support of this case. Passed 5/0.

2. BZA #18241 (1231 F St NE): The owner seeks a special exception for lot occupancy requirements (§ 223.1) and a variance from § 2500.4 to construct a new garage with basement and “pop up” stair structure for roof access. The variance is required because the height of the garage structure exceeds the 15’ maximum specified in § 2500.4.

Vanessa Manchester, the property owner, and Patrick Rog, an architect who had reviewed the plans, gave a short presentation. Mr. Rog noted that they intended to increase the lot occupancy from 59.2% to 65.9% and that those numbers had been confirmed by DCRA. Mr. Rog argued that both the special exception and the variance were justified by the unique characteristics of the property, specifically the fact that the grade in the back yard is 6.7 feet lower than the grade in the alley. In support of the application, letters from the property owners at 1225 F St NE, 1227 F St NE, 1229 F St NE, and 1233 and 1235 F St NE were introduced. The Committee observed that the proposed special exception and variance would not appear to have an adverse impact on the privacy of those neighboring properties.

Dan Golden acknowledged the unique aspects of the property, but indicated that he felt that constructing a pop-up structure above the garage roof line to permit access to the roof was not justified by peculiar and exceptional practical difficulties or exceptional and undue hardship such that granting a variance was appropriate.

Motion: Move that ANC 6A write a letter in support of this case. Passed 4/1.

3. BZA #18241 (138 12th St NE): The Northeast Neighbors for Responsible Growth (NNRG) filed an appeal to DCRA seeking that DCRA vacate its decision to revoke building permits for the Apple Tree site.

Joseph Jorgens II and Margaret Holwill spoke on behalf of NNRG. Ms. Holwill noted that there were two recent incidents in which the alley behind the property was blocked by eighteen-wheelers unloading steel beams. MPD came over during the second incident and directed the trucks to leave, stating that they will be issued a citation if they return without a public space permit. The trucks have not returned since.

Mr. Jorgens said that he had been informed that the Office of Zoning had combined the NNRG appeal with the ANC 6A appeal. Therefore, there was no action for the ED&Z committee to make.

4. BZA #182XX (701 10th St NE): The owner seeks a variance from § 2101.1 that requires 2-unit structures (flats) to have one on-site parking space. The site does not have alley access, but was granted a curb cut and driveway by DDOT in 2005 over the strenuous objection of ANC 6A. If the variance is granted, the curb cut will be removed.

Drew Ronneberg abstained from consideration of this case due to his having assisted in the preparation of the materials provided to the Committee on this issue. Sharee Lawler chaired the Committee during the vote on this issue.

The owner of Redshift LLC was present at the meeting and indicated that he had agreed to put \$50,000 in escrow prior to submission of his application for a variance. If the variance is granted, he will seek a public space permit, and if the public space permit is granted he will then remove the curb cut. In the event the applications are denied, he will instead apply to have the curb cut reduced from 24 feet to 12 feet. The funds will not be released from escrow unless the curb-cut removal/mitigation efforts are fully pursued. The Committee agreed that recommending a variance to allow the additional parking space on these facts was appropriate, particularly in light of the fact that the initial curb cut permit had improperly been granted and because removal of the curb cut would be of significant benefit.

Motion: Move that ANC 6A write a letter in support of this case. Passed 5/0 (David Holmes participating in the vote in lieu of Drew Ronneberg).

5. Historic District Expansion Meetings: Planning for special public meetings regarding whether ANC 6A should seek to have the Capitol Hill Historic District extended to H St in the north, 15th St to the East and East Capitol St to the South. It was clarified that the historic district would include only residential areas leading up to H Street and not any properties on H Street itself.

After discussion, the Committee agreed that it would be critical to solicit public input on this issue and that a series of two or three public meetings in quick succession, perhaps one to two weeks apart, would be desirable. It was decided that meetings in September would be best, likely on two different weeknights. The earlier meeting or meetings would focus on having public officials on hand and providing factual information. The later meeting or meetings would provide residents with a chance to discuss the issues fully.

It was agreed that residents in the areas where the expansion would take place should have their homes flyered to provide them with notice of the meetings and that we should seek funding from the ANC 6A budget for the flyering.

Motion: Move that ANC 6A fund up to \$600 for flyering. Passed 5/0.

Additional Community Comment

Drew Ronneberg reported the owner of 1242 H St NE has indicated that he has spoken with two potential tenants for his property and that they are only interested in renting from him if they can occupy the entire building. The upstairs, however, may only be used for residential purposes.

Members of the committee suggested that the owner should seek a tenant who was willing to live above the establishment so that the residential floors would be occupied.

Phil Toomajian reported that there would be another planting project on Saturday May 21 at Sherwood Recreation Center from 10 am to 1 pm.