

**Report of the Economic Development and Zoning Committee of ANC 6A
June 19, 2013 Meeting**

A Quorum was present.

Members - Charmaine Josiah, Michael Hoenig, Justin Thornton, Dan Golden
Commissioners - Andrew Hysell, David Holmes

David Holmes chaired the meeting.

Call to Order

Community Comment

Status Reports

Resolution of Previously Heard BZA/HPRB Cases:
Valor Development's request for zoning relief was approved.

The order for Pilgrim Church was finally published by the BZA. The BZA agreed with the ANC's contention that the requested zoning relief was unnecessary.

Relief was approved for Manny and Olga's. The BZA order specified the same restrictions proposed by the ANC.

Vacant Properties: No report.

H Street Business Liaison Report: No report.

Old Business: None

New Business:

1255 H St., NE (BZA 18591 - Troy Williams):

Applicant previously presented his request for relief at the May 15, 2013 EDZ meeting, but due to concerns about the look and feel of the new windows to be installed in the building, the Committee tabled its motion to withhold support for the requested relief until Committee was able to view the windows and discuss during the following meeting.

The applicant has a BZA hearing scheduled for July 23, 2013. Requesting relief from the following provisions of zoning requirements: FAR, parking requirements, and loading.

Chairman Holmes summarized the concerns of the Committee expressed during the May 15, 2013 meeting related to the look and feel of the new windows to be placed at the building. Chairman Holmes stated that he was disappointed that the applicant had not worked with the committee prior to ordering the windows for the building and that the windows were not in keeping with the historic nature of the neighborhood or the other businesses along H street. That being said, he believed that the windows were not grounds for withholding support for the requested relief. Members asked whether the applicant was able to obtain different windows more appropriate to the neighborhood and were informed by the applicant that the windows had already been ordered and it would be too

expensive to order new windows. Members asked whether other measures could be taken to mitigate the appearance of the windows, such as painting. The applicant stated that the color is in keeping with the overall color scheme of the project and, in addition, the materials the windows are made of can not be painted.

In light of the benefit the project will bring to the community (training for food service) and the sound mitigation measures being implemented on the roof deck, such as no amplified music and an 11pm closing time, the Committee voted unanimously to support the project's request for relief.

1365 H St., NE (Yes! Organic):

This property is a landmarked historic site to be used as a mid-sized grocery store. The applicant is requesting a second level to be built on top of this property. The addition will be set back and should not be visible from the other side of the street.

At the May 15, 2013 meeting, members inquired as to whether roof access could be changed. The applicant informed the members at the June 19, 2013 meeting that the rooftop access must allow access through a third story stairwell access point for safety reasons. Applicant suggested rather than having the access point located as an outcropping, it could be extended the width of the building to provide better symmetry.

Earlier the Committee expressed requested that the sign over the entry be reduced in scale, so as to not overwhelm the historic façade.

The Committee unanimously voted to support the project before HPRB contingent on the new floors not be visible from across H Street and that the applicant seek to reduce the size of the signage.

20 14th Street

The architect, Paul Gaiser, representing the owner of the garage presented plans to tear down the garages and build a parking pad where the building currently sits. The owner would then sell or rent the spaces on a long-term basis.

The owner had originally wanted to replace the existing structure, but decided to tear it down after public objection to the project. Chairman Holmes explained that he had met with the DC Office of Zoning, though, who informed him that if the parking garage was not going to be commercial, the owner would not need any zoning relief and could build as a matter of right.

Members of the public in attendance asserted that their two biggest concerns related to the project were the increased noise and traffic in the alley the new cars would create and the ability of garbage trucks to access the alley. Public commenters claimed that the trash trucks will be unable to negotiate the turns necessary and may damage surrounding properties.

Committee members asked for a description of the lot on which the garage sits. The public commenters stated that for the last thirty years, part of the lot has been used as a community garden. It was speculated that they were originally used as car barns, but have never been attached to any other building. One public commenter stated that because of the narrowness of the alley, access to the garages is nearly impossible by vehicle.

Committee members also asked if the access by garbage trucks can be resolved, would the neighbors still object due to the increased noise and traffic. The neighbors present indicated that they would.

The architect for the project stated that before continuing with plans to tear down the garage, he would meet with the Office of Zoning again to determine what zoning relief he may or may not need.

The Committee took no action on the project.

1102 H St., NE (Bank of America):

Application for the bank to use the front portion of a retail building to house two ATMs. As per the lease, the bank is required to use the entire space. With this requirement the space is considered a bank even though the space will be unmanned and only house two ATM machines. The usable area that will house the ATMs is 19.49%, which is a little less than the 20% maximum specified by the zoning regulations. However, because the Bank needed to use more than half of the ground floor to support the ATMs, a special exception from the 20% requirement was necessary.

This matter was initially heard at the May 15, 2013 EDZ meeting. At that time, the Committee expressed concerns that the proposed use would not utilize the property at the highest and best use of the space. The Overlay provisions state that the use of a structure as an ATM facility requires a special exception. David Holmes stated that this was because such facilities provide no regular employment, no retail or food, and are considered to be dead to the life of the Street. Questions were also raised regarding lighting, signage, security, and lease terms.

The applicant returned to the June 19, 2013 meeting with detailed plans for the project. Committee members asked how often the site would be maintained. The applicant stated that armed guards would attend to the ATMs on a weekly schedule. Custodial services, however, would likely occur once every two weeks.

Some members of the Committee continued to express concerns that the ATMs were not the best use of a potential retail space. Commissioner Hysell pointed out the Bank is already occupying space on H Street. Because that space will close if the ATMs are located at 1102 H St., no space is being lost. Committee member Justin Long expressed that he did not think the two locations were comparable, though.

Committee Member Charmaine Josiah stated that the rest of the H St. corridor is not currently served by a 24 hour ATM and this will provide that service.

A motion was made to disapprove the application and passed by a 4-2 vote.

Additional Community Comment: None

Additional Discussion

Chairman Holmes announced that the EDZ Committee will be jointly chaired by Dan Golden and Andrew Hysell.

9:00 - Adjourn

Next Scheduled ED&Z Committee:

Wednesday July 17, 2013

7-9 pm