

**Report of the Economic Development and Zoning (ED&Z) Committee of the  
Advisory Neighborhood Commission (ANC) 6A  
Sherwood Recreation Center, 640 Tenth (10th) Street NE  
June 17, 2015**

The meeting convened at 7:00 pm.

Present

Members: Missy Boyette, Dan Golden, Michael Hoenig, Brian Carlson, and Matt Turkstra

Commissioners: Stephanie Zimny, Sondra Phillips-Gilbert  
Dan Golden chaired the meeting.

Community Comment

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

Update

Chairman Golden provided an update on items from the previous month's meeting.

Old Business

1. 702 15<sup>th</sup> Street NE (BZA 19021): Applicant Amazing Love Health Services, which originally had sought a special exception from the off-street parking requirements under § 2108, now seeks a variance from the off-street parking requirements under § 2101, to allow a medical office in the HS-A/C-2-A District.

At the end of the May 2015 ED&Z Committee meeting, Chairman Dan Golden asked the Applicant to return to the Committee next month to present more clear data on the expected impact of their operation on parking in the neighborhood. At that meeting, the Applicant agreed to postpone its BZA hearing and to present at the EDZ's June 2015 Committee meeting.

In response to concerns raised during the May 2015 meeting, the Applicant handed out a list of conditions the Health Center will adhere to so as to minimize the impact of the health center on the neighborhood. The Applicant noted that he understood that the primary area of concern is related to parking and congestion.

The Applicant stated that the Health Center will only be open weekdays from 9 am to 5:30 pm. At all other times the parking lot will be locked and parking will be restricted to members of Trinidad Baptist Church through the use of a lockbox. Parking will be limited to ten (10) spaces for employees and the Health Center has entered into an agreement with Trinidad Baptist Church to handle any parking overflow during business hours. The Applicant also noted that the Health Center's service area is within walking distance and he anticipates that very few clients will drive to the facility.

A Committee member asked the Applicant to clarify the date of his hearing before the Bureau of Zoning Adjustment (BZA) and was informed it was the week following this meeting. Chairman Golden clarified that, at the end of the last meeting, the applicant agreed to delay the BZA hearing to address the concerns

that were raised at the May 2015 ED&Z meeting. The Applicant stated he had misunderstood, and that the hearing is set, so the applicant planned to proceed. It was explained that the BZA likely would not rule on his application without a letter from the ANC. The Applicant indicated that he understood and he would look into requesting a postponement of his hearing.

Committee Member Boyette asked the Applicant to describe the parking. The applicant stated that there are fourteen (14) on-site parking spaces, but under the regulations, is required to have forty (40) to forty-two (42) spaces, depending on how it is calculated (or alternatively, if the building does not qualify as a medical office, twenty (20) to twenty-one (21) spaces. The Applicant acknowledged that Matt LeGrant has informed him that the correct number is likely forty-two (42) spaces.

Chairman Golden stated that the biggest issue will be spill-over parking and asked what the maximum number of employees that will be working at a given time would be. The Applicant answered ten (10) to twelve (12) employees could be working at the same time.

The Applicant was asked what the maximum number of clients would be at any given time that it depends. The number fluctuates, but never more than three (3) groups at a time and each group would be comprised of a maximum of twelve (12) people), though eight (8) to ten (10) people is the ideal number per group.

Chairman Golden inquired as to whether the Applicant would know ahead of time how many clients will be arriving by car. The Applicant indicated he would not, but that based on the people they have been serving, one (1) of ten (10) would be driving.

Chairman Golden asked about how the Applicant would enforce the “zero-tolerance” for loitering outlined in its list of conditions the center will adhere to. The Applicant stated that the client’s access to the Health Center will be terminated and the client will be referred to another facility.

The Applicant was asked if they would be willing to install bike racks. He stated they would.

The Applicant was asked about incentives it planned to offer clients to take the metro or bus. The Applicant stated he will purchase the tokens and metro cards himself and hand them out to clients for meeting performance measurements. The Applicant was asked if he would offer similar incentives to employees. He stated he would commit to researching the option.

The Applicant was asked if he had received letters of support from neighbors and he stated that he had from the neighbors on Fifteenth (15<sup>th</sup>) Street NE and that the Neighbors on G Street NE had stated they would submit a letter in support.

Commissioner Stephanie Zimny asked for clarification that the parking lot is fenced off. The Applicant stated it is and that only the Trinidad Baptist Church will be allowed to use the lot when the Center is closed. Commissioner Zimny asked for assurances that the Church will not use the lot during the Center’s business hours.

Commissioner Sondra Philips-Gilbert asked if the Center has done any outreach to inform the surrounding Community of the health center programs. The Applicant

stated that they have and provided Commissioner Philips-Gilbert with copies of flyers they distribute at neighborhood events.

The Applicant was asked if they could provide rides to clients to reduce the number that may drive. The Applicant stated that they plan to purchase a vehicle in the future to pick up and drop off clients.

Chairman Golden moved to recommend the ANC send a letter in support of the requested variance on the following conditions:

- A. Operating hours are restricted to 9:00 am to 5:30 pm on weekdays. After 6:00 pm, the parking lot gate will be closed and locked and the parking lot accessible only to those entities permitted by the applicant to access the lockbox for the gate. Any cars parked after hours on the lot with the permission of the applicant must be removed prior to 9:00 am on the following weekday morning.
- B. No more than thirty-six (36) patients may be present on the premises at any given time. No more than twelve (12) staff members may be present on the premises at any given time. The applicant will use best efforts to evenly allocate the presence of patients over the course of the day.
- C. The applicant will provide fourteen (14) onsite parking spaces for the use of patients and staff.
- D. The applicant will provide incentives for staff and patients to use public transit, to carpool, and/or to be dropped off by another driver. These incentives will include the applicant making available Metro tokens and/or fare cards.
- E. The Applicant will provide a bicycle rack for the use of patients and staff that can hold from fifteen (15) to twenty (20) bicycles.
- F. Loitering, gathering, and smoking in front of the building will be actively monitored and will not be tolerated.
- G. Double parking and idling on the streets outside the building will be actively monitored and will not be tolerated.
- H. All children on the premises are required to be accompanied by an adult.
- I. If there is an issue involving compliance with any of the foregoing conditions, the Applicant will contact ANC 6A to discuss the issue.
- J. The Applicant will provide the ANC and neighbors with a point of telephone contact.

In addition to the above conditions, which would be included in the BZA order, the Applicant was also requested to use best efforts to obtain as many letters of support from neighbors as possible prior to the July 9 ANC meeting.

The motion was seconded by Committee Member Boyette and passed unanimously (6-0).

#### New Business

1. 1007 F St. NE (BZA 19064): Applicant seeks variances from the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, and the

non-conforming structure requirements under § 2001.3, to allow the construction of a rear deck to an existing two-story, one-family dwelling in the R-4 District.

The Applicants and their architect discussed the plans for the rear deck, pointing out that the planned deck is identical to other decks on the block of houses. They further pointed out that at least one of the neighbors was granted a variance for their deck in 1980.

Committee Member Michael Hoenig inquired as to the privacy of the neighboring properties. Based on the plans, it appears that the deck may have a view into adjoining rear yards. He recommended obtaining letters of support from the two adjoining properties located at 1008 and 1010 Maryland Avenue NE.

Chairman Golden asked what it was about the property that meets the variance standard. Committee Member Brian Carlson suggested that an argument in favor of the variance is that the back yard of the property is below grade from the neighboring property, is faced with concrete walls on either side of the property, and, due to the neighbors easement over the property, it is a de-facto alley.

Committee Member Missy Boyette asked about the deck structure itself, and was informed that it will contain a shed underneath, with frame construction and a door on one side.

Chairman Golden moved the Committee recommend the ANC send a letter of support on the condition that Applicant use best efforts to obtain letters of support from 1008 and 1010 Maryland Avenue NE.

Committee Member Hoenig seconded and the motion was passed unanimously (6-0).

The meeting adjourned at 8:30 pm.

**Next Scheduled ED&Z Committee Meeting:  
Wednesday, August 19, 2015  
7:00 - 9:00 pm  
640 Tenth (10th Street) NE  
Sherwood Recreation Center, Second (2nd) Floor**