

**Report of the Economic Development and Zoning Committee
of ANC 6A
July 18, 2012**

Present: Missy Boyette, Jeff Fletcher, Laura Gentile and Charmaine Josiah
Commissioner: David Holmes

Laura Gentile chaired the meeting.

Community Comment: There were no community comments.

Status Reports

Resolution of previously heard BZA/HPRB cases: No report

Vacant Properties: No report

Zoning Regulations Rewrite: No report

H Street Business Liaison Report: No Report

Old Business: No report

New Business

1. 1001 H Street (Ben's Chili Bowl). Kamal Ali representing Ben's Chili Bowl ("Ben's") presented updated plans for the redevelopment of the 1001 H Street site. In the proposed redevelopment, Ben's plans are to maintain all of the brick on the H Street façade. Further, Ben's plans are to raise the ceiling height on the bottom floor. The roof deck will be framed with a decorative metal railing at the top. Ms. Boyette suggested that the developer make this framing / metal bar as minimal as possible.

Commissioner Holmes offered a Motion to ask the ANC SMD representative for 1001 H NE to write a letter to the Zoning Administrator affirming that Ben's has been continuously consulting with ANC 6A about the appearance and construction at its new site and that we see no major issues at this point.

The Motion was seconded by Mr. Fletcher and adopted unanimously.

2. BZA #18413 (257 Warren Street). PGN Architects presented this case in which the owner (Marcus Watkins) is seeking a variance from the lot area and lot width requirements under subsection 401.3 to allow the subdivision and construction of two new flats (two single family rowhouses) in an R-4 district.

The property is currently comprised of three empty lots. In the proposed project, the three lots would be subdivided into two lots. Each lot would have one three-story single family rowhouse with a basement rental unit and parking in the back. Mr. Watkins said that he has owned the property for more than twenty years. He also mentioned that the BZA has approved a similar proposed project in 1989.

Approximately 15-20 local residents attended the meeting to express their concerns about the proposed project. Their comments included the following:

- Each lot will be just over 1,400 square feet, which is significantly less than the 1,800 square foot minimum required by the zoning regulations.
- The proposed project would include a third floor, which would dwarf the other homes on the block. We believe this would block the light and air of neighboring homes.
- We are very concerned about the increase in density on Warren Street. With four units, we will see an increase in cars. This is a small street.
- This project would add four units in a space originally zoned for two units. This would add too much density to Warren Street.
- The proposed project is not consistent with the character of the other homes on Warren Street. For example, no other homes on Warren include a rental unit or basement.
- This is a cozy street. The alley cuts into the end lot and, if the project is built as proposed, we are concerned that the trash trucks will not be able to fit into an already tight space.
- We do not understand why you need to build four units. Why are our concerns secondary to your objective of maximizing profit?
- The design includes gables out in front of the new buildings, which is not consistent with the character of the other homes on the street.

In response to the concerns raised by the neighbors, Mr. Watkins explained that he needed the rental units to offset the cost of building the homes. He also agreed to consider other design options, including the possibility of building of three 12-foot-wide homes, which would be consistent with the character of the current homes (and with the type of homes that had been built on these lots originally).

Ms. Boyette said that the basement detracts from the street presence and is not consistent with the current streetscape.

Ms. Josiah explained to Mr. Watkins that the applicant would need to prove that the proposed project met the following three criteria for a variance, as described in Section 3103:

- 1) The physical characteristics of the property make it difficult for the owner to use the property in compliance with the Zoning Regulations;
- 2) Granting the application will not be of substantial detriment to the public good (traffic, noise, lighting, etc.); and
- 3) Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations.

To summarize, Ms. Gentile said that, while the Committee could understand that the property may pose a challenge, she believed that the applicant had not shown that the current design would meet all three criteria for a variance. Specifically, Ms. Gentile cited the concerns about the increase in density, inconsistency with character of streetscape, and potential impacts to light and air. In addition, Commissioner Holmes added that he believed the applicant had not shown that granting the application would not be of substantial detriment to the public good.

Mr. Watkins said that he was willing to reconsider design options but explained that the proposed project is scheduled to be heard by the BZA in early October. Mr. Watkins was concerned that there would not be enough time to discuss options before the BZA meeting. In response, the Committee offered to meet with Mr. Watkins in person and/or to work with him over email to discuss redesign options that could potentially address the community concerns. Mr. Watkins agreed to work with the Committee to develop other options.

Commissioner Holmes made a Motion that the Committee postpone the vote on this proposed project until after it has a chance to work with Mr. Watkins to develop other options. Ms. Josiah seconded the Motion and the Committee voted 5-0 to adopt.

Additional Community Comments: None

**Next ED&Z Meeting
Wednesday, August 15, 2012
7 - 9 PM
Sherwood Recreation Center
640 10th Street, NE, 2nd Floor**