

MINUTES

ANC 6A Economic Development & Zoning Committee

7:00 - 9:00 pm, Wednesday July 17, 2024

Virtual Meeting via Zoom

Attending:

Commissioners: Amber Gove, Dave Wethington

Committee members: Joal Mendonsa, Ayisha Lockett, Ziad Demian, Becca Buthe

7:00 pm Welcome/Introductions

7:01 pm Resolution of previously heard BZA/HPRB cases

Old Business

- 1. 1351 C Street, NE (BZA #21156):** To construct a penthouse and roof deck to an existing, attached, two-story, flat with roof deck in the RF-1 zone. Special Exception The height requirements of Subtitle E § 203.2
Detail: Height (Subtitle E-§203.2) allows a maximum of 35 feet. The existing structure is 32'-10". The proposed penthouse would increase the building height to 41'-10". This relief is being requested due to the Zoning Administrator's interpretation of Section C 1501.1 (b)(2)(3).

Joel Heisey, architect for the applicant, presented the shadow study for the property which was completed at the request of the neighboring property owner with solar panels at risk of impact. The shadow study included a 3-D timelapse visual for different times of year to capture the differences in sun exposure. From the study, Joel calculated kwh/day impact to the solar panels for each month of the year to estimate a percent impact. From this he estimated the dollar price of the impact to be \$57/month loss for the property owner at 1349 C St with the impacted solar panels. He said that the property owner would be willing to compensate the neighboring owner for five years for the impact to the panels solar capture. They had not been able to confirm an agreement with the neighbor because they hadn't been able to reach him at home when they visited, and he is not on this meeting.

Comments/Discussion:

- Ayisha asked why the cost estimating was not done by a third study. Joel explained that shadow studies are normally only still images of the properties, the dynamic rendering was already more than most shadow studies and that cost estimates are not conducted as part of available services.
- Commissioner Dave Wethington inquired about the owner being willing to compensate and if there are other residences that could have similar impact.

- William Song, a neighboring resident, living at 1359 C St commented that they have solar panels and thinks they might be impacted as well, and requested to see the impact on their unit.
- Ziad commented that, as an architect, he has had many of these studies done, and that it is unreasonable to ask for the shadow study to show impact on a house so far away.
- Becca asked why five years was chosen as the timeframe.
- Joel explained that with an impact of less than 5%, you do not need agreement from the owner but with greater than 5% impact, you need the impacted owner to agree. The exact terms of the agreement vary because they are all individually agreed upon, and there is no way to know what they are because they aren't done through the ANC or BZA, rather they are done owner to owner. Five years was picked because it was a standard time frame for planning periods and solar panels lose efficiency as time goes on. They want to go above the allowed 35ft to 42 ft needing a special exception. They have spent more than 1k trying to get the skylight fixed, but it's not repairable.
- Commissioner Gove mentioned that there are variable SREC market prices so if she were entering an agreement, she would want it to be variable to reflect actual prices. She also asked if the owner who is seeking to construct the penthouse is considering solar panels themselves to offset the overall impact in solar use, addressing the broader impacts to the city's sustainability goals.
- Rick Weinland, the owner, commented that he is willing to come to an agreement that reflects the reality for the neighboring homeowner. They would also consider solar panels on the edges of the roof area. He is moving back into the house after being out of the country and has not been able to rent the top unit for a year because of the issues with the skylight and leaks.
- Commissioner Gove asked about any agreements made for the original third story addition.
- Rick explained that they purchased the house in the fall of 2021, and the third story addition had already been completed. They weren't aware of conversations about the solar panels for that addition.
- Joal said he was willing to have the vote now but thinks there will be more support with more outreach to the neighboring property owner since he is not present to agree to any financial agreement. This committee is not meeting again until September 18th which would mean they need to reschedule with the BZA.
- Commissioner Gove suggests that they deal with it at the full commissioner meeting on September 12th so they don't have to reschedule again which Joel agrees to.
- Joal proposes a motion to recommend that the ANC send a letter of support to the BZA, contingent on best efforts to come to an agreement(s) with the affected neighbors on the block. Becca seconds the motion.
- The motion passes with Commissioner Gove in opposition to ensure that it does not go on full consent agenda.

New Business: None

- The meeting was adjourned at 8:09PM.

Next Scheduled EDZ Committee Meeting:
Wednesday, September 18, 2024 7:00-9:00 pm
Agenda to be posted at anc6a.org/agenda