

**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
September 18, 2019**

Present: Brad Greenfield (Chair), Nick Alberti, Commissioner Amber Gove,
Commissioner Sondra Phillips-Gilbert and Commissioner Brian Alcorn

Brad Greenfield chaired the meeting

Community Comment

None

Previously Heard Cases

None

Old Business

None

New Business

- 1) **645 16th Street, NE (BZA #20118):** Application pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E §§ 205.5 and 5201 from the rear addition requirements of Subtitle E § 205.4, to construct a two-story flat in the RF-1 Zone.

No one for the applicant was present. The Committee did not address this case nor make a recommendation.

- 2) **802 10th Street, NE (Case #20062):** Application pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the penthouse requirements of Subtitle C § 1500.4, and under Subtitle C § 1504 from the penthouse setback requirements of Subtitle C § 1502.1(c)(1)(a), to construct a new three-story flat with a cellar level, roof deck and a rooftop access penthouse in the RF-1 Zone.

The project includes plans to construct a rooftop access penthouse for the purpose of providing stairway for rooftop access. The penthouse is approximately 8.5 feet tall and will sit along the north edge of the building which is approximately 16.33 feet wide. Due to the width of building, it is not feasible to construct a penthouse that meets the setback requirement of C § 1502.1(c)(1)(a) that it be set back a distance equal to its height.

Brad Greenfield made a motion to recommend sending a letter of support to the BZA for a special exception conditioned on the condition applicant providing a shadow study and making best efforts to get letters of support from the Ninth (9th) St NE neighbors. Seconded by Nick Alberti. Passed 5-0.

- 3) **803 Maryland Avenue, NE (HPA19-539):** Application to add a brick second story with studio and roof deck to a one-story brick garage in the Capitol Hill Historic District

The proposed roof deck would not be visible from the street, only from the alley itself. The applicant had already discussed the project with neighbors and had letters of support and no opposition from neighbors. The height of the deck and layout of the alley made it unlikely to impact the privacy of any neighbors.

Brad Greenfield made a motion to recommend sending a letter of support to HPRB for the design for 803 Maryland Avenue, NE (HPA19-539). Seconded by Nick Alberti. Passed 5-0

- 4) **1242 H Street, NE:** Informational session for the property, which has a third and fourth stories that are not usable due to FAR limits. The owner is considering getting FAR relief so that he can use this area, and would like feedback from the community.

The owner of the building did not appear. An owner of 'On the Rocks' tavern, the business that currently occupies 1242 H Street NE, and his attorney attended the meeting to discuss getting FAR relief for the building. The building is an NC-14 zone and is currently four (4) stories tall. On the Rocks currently utilizes the first and second floors of the building. The business leases the third and fourth floors but does not currently use those spaces.

The Committee established that pursuant to 11 DCMR Subtitle H, Chapter 9 the allowable floor to area ratio (FAR) for commercial use is 1.0. It was also established that the current FAR of the first and second floors combined is at least 1.5 and that the total FAR of four floors combined would be approximately 3.0 or more. The Committee pointed out that since the total FAR of the building is more than three times the allowable limit for commercial uses, the owner would have to seek a zoning variance to occupy the top two floors. The Committee offered the opinion that it would be difficult justify a zoning variance for this building.

The applicant asked about how it might be possible to get support from the ANC for a formal relief request. The Committee pointed out that this was something that should have been considered when the building was constructed and that such a request would face significant scrutiny from the ANC.

- 5) **1363/1365 A Street, NE (HPA 19-535, 19-536):** Application to construct two new two-story garages in the Capitol Hill Historic District.

The applicants architect presented plans for the garages. The design of the garages was generally well received by the committee. The alley facing windows on the second floor of the garages generated much discussion. The architect presented two design options for second story the rear windows - double hung windows and horizontal casement windows that sit 5 feet above the interior second story floor. Nick Alberti recommended the use of double hung windows. A neighbor across the rear alley expressed concern that his rear yard would be visible by someone standing before the windows. He recommended that the architect adopt a design that uses horizontal casement windows placed at least 5 feet 8 inches. above the interior second story floor.

Brad Greenfield made a motion to recommend sending a letter of support to the

HPRB for the project on the condition that the rear windows be horizontal casement windows placed at a height of at least 5 feet 8 inches above the interior second story floor. Seconded by Amber Gove. Passed 4-1.

- 6) **1600 Benning Road, NE:** Informational presentation on a property that the owner would like to convert into a multifamily development concept.

Representatives of the real estate development companies Valor Development and Foulger-Pratt presented plans for a multi-unit residential complex at 1603-1625 Benning Road NE. The building would be approximately 59 feet tall and include 148 rental units. There would be 8 studio, 87 one-bedroom, 16 two-bedroom, and 37 three-bedroom apartments. The entire complex would be rented as 'affordable housing', i.e., rental prices less than or equal to 60% of the regions average median income (AMI). Ten percent (10%) of the units would be offered as 'permanent supportive housing', i.e., rental prices less than 30% AMI.

- 7) **702 17th Street NE:** Informational presentation on owner's plans to develop the property into a commercial, 7 story, multi-use facility that consists of childcare and senior housing.

This case has been withdrawn.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, October 16, 2019
7:00-9:00 pm
640 10th Street NE
Sherwood Recreation Center, 2nd Floor**