

**MINUTES**  
**ANC 6A Economic Development & Zoning Committee Meeting**  
**Virtual Meeting via Zoom**  
**Wednesday, October 19, 2022 at 7:00 pm**

**Present:**

Members: Brad Greenfield (Chair), Mike Cushman, Roberta Shapiro, Sam DeLuca, Jake Joyce

Commissioners: Keya Chatterjee

Brad Greenfield chaired the meeting.

**Introductions of Committee Members and Commissioners**

**Community Comment**

None

**Previously Heard Cases**

Mr. Greenfield summarized previously heard cases.

- 647 16<sup>th</sup> Street NE (BZA Case #20612): BZA agreed to the request for relief, even though ANC 6A was opposed.
- Racial Equity Analysis Toolkit Roundtable: Mr. Greenfield delivered ANC 6A's comments at the roundtable.
- 1341 H Street (BZA Case #19358). Modification of consequence; approved by BZA.
- 814 14<sup>th</sup> Street NE (BZA Case #20744): BZA granted special exception relief.

**Old Business**

None

**New Business**

1. 223 8th St NE (BZA 20827): Request for Special Exception zoning relief Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the The rear addition requirements of Subtitle E § 205.4 To construct a rear two story with basement and third story addition, and convert to a principal dwelling unit, a two story with basement flat in the RF-1 zone at 228 8<sup>th</sup> Street, N.E. *Case scheduled for December 11, 2022.*

Lacy Brittingham represented the project. She noted that the description in the agenda was incorrect, it was BZA relief being sought, not historic preservation. Ms. Brittingham noted that this case had been heard for historic relief by the EDZ in July. The HPO had requested that the dogleg be preserved, and so the plans have been changed to reflect that.

Questions from the Committee included the status of outreach to neighbors. Mr. Greenfield moved that ANC 6A support the request for relief with no conditions. The motion was seconded by Mr. Joyce. The motion passed unanimously, six votes in favor and none opposed.

2. 1717 E St NE (BZA20821): Request for Special Exception zoning relief pursuant to Subtitle C § 305 and Subtitle X § 901.2 from the subdivision requirements of Subtitle C § 302.1, special exception zoning relief pursuant to Subtitle E § 205.5, Subtitle E § 5201, and Subtitle X § 901.2 from the rear addition requirements of Subtitle E § 205.4, area variance zoning relief pursuant to Subtitle X § 1002 from the building height requirements of Subtitle E § 303.1, area variance

zoning relief pursuant to Subtitle X § 1002 from the front setback requirements of Subtitle E § 305.1, area variance zoning relief pursuant to Subtitle X § 1002 from the rear yard requirements of Subtitle E § 306.1, and use variance zoning relief pursuant to Subtitle X § 1002 from the matter-of-right uses of Subtitle U § 301 to construct two new, semi-detached, four-story, 4-unit, apartment houses in the RF-1 zone.

At the request of the owner, this case was tabled until the November meeting.

3. 1219 K St NE (No BZA/HPRB Case): Discussion of the situation facing tenants at the Havana Building at 1219 K Street NE, and what support and actions the ANC could take to support them. Commissioner Chatterjee described the current status of the Havana. Conditions are currently terrible, with the top floor occupied by squatters, and trash not being collected. 100% of the units in the building are paid for by D.C. vouchers. The owner has been derelict, and there has been a default judgement, so the bank that held the mortgage (Westbank) has taken over the property.

Commissioner Chatterjee described two scenarios from the auction; with it either being purchased by a new owner, or no new owner coming forward. Commissioner Chatterjee recommended that the EDZ prepare two letters, one in the event that there is a new owner from the auction, and the other if there is no new owner.

Mr. Greenfield noted that the city council would need to pass legislation for the city to purchase the building. Mr. Greenfield also noted that eminent domain was not applicable. Questions from the committee included a description of the rapid rehousing voucher program, whether the Office of Attorney General is investigating this case, the use of the TOPA and DOPA programs, who the bank was that owned the building and whether they could be pressured to take action, the trash situation, the status of the Certificate of Occupancy, whether voucher payments should be withheld or held in escrow to force addressing the issues at the building, and whether the current fines for violations will convey with the building. Mr. Greenfield expressed his belief that the best case scenario is that a non-profit take over the building, and provide holistic services to the residents. Commissioner Chatterjee expressed her belief that no residents should be dispossessed in this process.

Mr. Greenfield moved that the EDZ prepare two letters to go before the ANC; one in case there is a buyer at the auction, and one if there is no buyer. Mr. DeLuca seconded the motion. The motion passed unanimously, six votes for and none opposed.

4. Text Amendment to zones NC-9 through NC-17: Discussion and consideration of sponsoring a text amendment to zoning districts NC-9, NC-10, NC-11, NC-12, NC-13, NC-14, NC-15, NC-16 and NC-17 to actively encourage use for the arts.  
Mr. Greenfield discussed the impetus for this discussion; that even though the H Street zones are designated as a “Commercial Arts District”, there isn’t much in the zoning to encourage arts establishments. Mr. Maxwell Tondro and Alexandra Cain from the Land Use Department of the Office of Attorney General attended to discuss on the zoning regulations. Mr. Greenfield described this session as a brain storming session, and it would likely be several meetings before any zoning amendment was recommended.

Mr. Cushman noted that the Arts District was only from 12<sup>th</sup> Street to 15<sup>th</sup> Street. Mr. Tondro outlined the text amendment process, and the role of the zoning commission. Mr. Tondro noted that it would be helpful if we gave him an idea of what the ANC wanted from any changes, and then they could develop some options.

Questions from the Committee included what the motivation for the ANC in getting more arts on H Street was, the scope of any text amendment so it is just focused on ANC6A, how light manufacturing is addressed, particularly related to kilns and other arts manufacturing activities, why there aren't more arts establishments on H Street, incentives that could be offered, and whether the focus should be on events or zoning.

5. Green New Deal for Housing Act (B24-0802): Consideration for ANC 6A's input to the Green New Deal in Housing Act, currently before the DC City Council.

Commissioner Chatterjee introduced the discussion of the Green New Deal for Housing. This is a bill that is currently in front of the D.C. city council. It calls for the creation of a new agency to turn District owned property into sustainable, affordable housing. Rather than just sell land to developers, this agency would develop the properties themselves. The agency would be self-sustaining, using revenue from properties to pay for operations. It has been co-sponsored by Councilman Allen.

Questions from the Committee included where the land would come from, the process for purchase of property, whether other municipalities have similar programs, and how sustainable and realistic this model is. Considerations that were noted included:

- Existing D.C. laws be modified to provide an exception for the new agency created by the Green New Deal for Housing to be able to purchase land without legislation being passed by the D.C. Council, with proper oversight.
- The city may look at the initial goals of the program, and whether it can immediately reach its' goals for affordable housing, particularly if the agency is supposed to be self-sustaining.
- The bonds issued by the new agency should be backed by the full faith and credit of the District of Columbia.
- The agency is encouraged to look at the parking requirements for the buildings developed by the Green New Deal for Housing, particularly to encourage alternatives to private cars and parking, and using public transportation.

Mr. Greenfield made a motion that the EDZ recommend ANC 6A support the Green New Deal for Housing, with the conditions outlined above. The motion was seconded by Mr. DeLuca. The motion passed unanimously, six votes for and none opposed.

**Next Scheduled ED&Z Committee Meeting:  
Wednesday, November 16, 2022  
7:00-9:00 pm  
Zoom information to be posted on ANC 6A Website**