

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, Ayisha Locket

Commissioners: Sondra Phillips-Gilbert, Phil Toomajian

Brad Greenfield chaired the meeting.

Introductions of Committee Members and Commissioners

Community Comment

None

Previously Heard Cases

Mr. Greenfield summarized previously heard cases.

Old Business

None

New Business

1. 1717 E Street NE (BZA #20821): 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. *BZA Case scheduled for 12/14/2022.*

Alexandra Wilson and Rich Marcus presented the project and Reza Demani (the owner) also participated. The plan is to build two four unit apartment buildings. The property is currently an empty lot. Ms. Wilson discussed the water and sewer pipe easement that prevents construction on 60% of the property. Ms. Wilson also noted that originally DC Water approved the plan to do a more conventional construction, but later retracted that approval. All relief being sought was caused by the restrictions of the easement. Ms. Wilson also discussed different aspects of the relief being sought. She noted that no cellar is allowed, which is why the plan has four stories above grade.

Mr. Marcus noted that if it were not for the easement, the project could have four lots (with a special exception) with two units, so the density would be the same as the current plan.

Questions from the Committee include the massing of the building and how it will fit into the neighborhood, what exists on the adjacent lots, if there was a weight limit on what gets built on top of the sewer pipe that the easement is centered on, outreach to neighbors, the distance of

each building from the rear neighbors, and whether the project would be viable with a smaller footprint. Mr. Demani noted that they were not allowed to do any construction or digging on top of the pipe. Mr. Marcus noted that none of the windows of the buildings will be looking out on adjacent neighbor properties.

Mr. Cushman asked about a building that had been constructed on top of the pipe and later torn down. Mr. Demani reviewed the history of the project. Mr. Demani discussed that the design for the project came from the adjacent development, and has a more modern aesthetic. Mr. Marcus reviewed the shadow study, noting that the shading impact is primarily on the building at 1709 E Street NE .

Commissioner Phillips-Gilbert noted that the vacant lot had been an eyesore in the neighborhood for a long time, and is negatively affecting property values. She also noted that the owner is hiring residents of the local neighborhood to work on the project, and has been active in the local church to help the local community. Two other residents of the block spoke in favor of the project.

Mr. Greenfield moved that the EDZ recommend the ANC support the request for relief with the caveat that the owner make best efforts to get a letter of support from the neighbor at 1709 E Street NE. Mrs. Shapiro seconded the motion. The motion passed unanimously, seven votes for and none opposed.

2. 1022 Maryland Avenue NE (BZA #20554): Request for Special Exception zoning relief pursuant to Subtitle U § 203.1, Subtitle U § 320.1, and Subtitle X § 901.2 from The matter-of-right uses of Subtitle U § 301 to permit a Health care facility for up to 15 persons in an existing, three-story, detached building in the RF-1 zone. *BZA Case scheduled for 12/14/2022.*

Lawrence Ferris, Danny Rico and Debby Shore presented the project. Mr. Ferris stated that the relief being sought was for a usage special exception for a youth residential home. Sasha Bruce is a long-term residential care facility for young people. Sasha Bruce is seeking to get their certificate of occupancy into compliance, with a maximum capacity of 15 individuals. Sasha Bruce is not seeking any change to their operations; they have been out of compliance with their zoning relief for some time. Ms. Shore reviews the history and service provided by Sasha Bruce at 1022 Maryland Avenue. Ms. Shore stated that they try to be a good neighbor and feel that they have been successful.

Ms. Shore stated that some of the delay in getting their Certificate of Occupancy into compliance was because changes in the zoning regulations left out youth residential care homes. This problem was recently fixed, and Sasha Bruce is now seeking to come into compliance. Mr. Rico discussed the importance of the Sasha Bruce Youthworks, being a home for young people who run away or flee abusive homes. Mr. Rico noted that this was the only facility in the city that provided these services, so having to reduce capacity or relocate would be problematic.

Mr. Ferris noted that in the 1990s, Sasha Bruce got zoning relief, but there was a time limit on the relief, and it expired in 2004. At the time, the fire inspector required a sprinkler system or fire escape from the third floor. A fire escape was installed five years later.

Questions from the committee included what the average daily census was over the last year, whether the use of the building is the most efficient use of that asset to Sasha Bruce, the history of the relief being sought, whether notification of the case had been posted, whether neighbors had the opportunity to express their opinions on the project, whether stipulations from the

previous zoning relief had been implemented (including a community liaison), and whether there was any increase in operations or capacity Ms. Shore and Mr. Ferris stated that there was no increase in capacity or operations. Mrs. Shapiro noted that she lives across the street from the building, and has found them to be good neighbors.

Comments from the community were supportive of Sasha Bruce.

Mr. Greenfield moved that the EDZ recommend that the ANC support the request for relief. Jake Joyce seconded the motion. The motion passed with seven votes for and one abstention.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, December 21, 2022
7:00-9:00 pm
Zoom information to be posted on ANC 6A Website**