

MINUTES
ANC 6A Economic Development & Zoning Space Committee Meeting
Virtual Meeting via WebEx
Wednesday, December 16, 2020 at 7:00 pm

Present:

Members: Brad Greenfield (Chair), Nick Alberti, Mike Cushman, Jake Joyce, Sam DeLuca, Dan McPheeters

Commissioners: Mike Soderman, Sondra Phillips-Gilbert, Brian Alcorn, Phil Toomajian, Marie Claire Brown

Brad Greenfield chaired the meeting.

Community Comment

None.

Previously Heard Cases

None.

Old Business

1. 1608 East Capitol Street, NE (BZA Case #20393): Application pursuant to Subtitle C § 703.2 and Subtitle X § 901.2 for a special exception from the minimum vehicle parking requirements of Subtitle C § 701.5 to convert an existing, detached, two-story, carriage house to a principal dwelling unit in the RF-1 Zone.

This project was sent back to the EDZ by ANC 6A so that further community input and outreach could be completed. Mr. Jeffrey Keil presented the project. The project is to convert an alley structure for residential use. The relief being sought is for parking; they are required to have one parking space, and because of the nature of the alley structure, that is not possible.

Ms. Malini Patel, the neighbor who shares the address on East Capitol Street with the alley building asked if the resident would be able to get a Residential Parking Permit (RPP). Ms. Patel also asked if there would be a window looking into her property and wanted to see the plans from Mr. Keil. Mr. Greenfield responded that the resident would be able to get an RPP. There was some discussion at the previous meeting about restricting RPP but neighbors expressed the opinion that it would be better if the property was able to get RPP.

Mr. Keil replied to Ms. Patel that there is a window in the stairwell that looks on her property. He said that the owner would probably be okay with moving that window; they could get light through the roof into the stairwell instead.

Ms. Patel asked if there was going to be a different address for the property, so it could be differentiated from her property. Mr. Keil said that the goal was to get a different address, and they are working through the process. Mr. Keil said that the alley would need to be named. Mr. Greenfield noted that the naming of the alley is a long process and would go through the ANC but the EDZ would probably not want to make it conditional. Commissioner Soderman noted that it could be a year or two before the naming process is complete.

Another neighbor expressed concerns that, because of the layout of the alley, there was concern that access to the parking behind their house could be blocked by illegal parking in the alley. Mr. Keil said that they would be willing to stipulate in the lease that there was no parking and post a no parking sign on the outside of the building.

Ms. Patel asked if there were concerns for the renter since their front door opens onto the alley and there will be cars moving past it. Mr. Keil noted that cars would probably not be travelling at speed, so there is relatively low risk. Mr. Greenfield noted that the mix of pedestrians and cars is common in alley dwellings. Commissioner Soderman agreed, noting that this is a common situation in alley dwellings across the city. Mr. Keil also noted that the front doors would include glass, so the residents could see into the alley. Additionally, they are in-swing.

Commissioner Alcorn asked if there was going to be a requirement to make best efforts to get letters of support from neighbors. Mr. Greenfield noted that the EDZ previously made a recommendation that ANC support be conditional on best efforts to get letters of support from nine neighbors. Mr. Greenfield asked if Mr. Keil had reached out to neighbors. Mr. Keil replied that he had discussions with one neighbor.

Commissioner Alcorn asked what the plan for trash storage of the dwelling. Mr. Keil replied that trash storage would be within the building and was included on the plan.

Mr. Greenfield noted that the city has changed zoning regulations to encourage more alley dwellings in recent years. Because of that, many of the concerns that had been expressed about this project were common among these alley dwellings.

Commissioner Brown asked Commissioner Toomajian if there were any issues with the alley development that is in his SMD. Commissioner Toomajian noted that in that development, no parking signs had been posted and that there is some traffic flowing through, but, to date, it has been fine for this development.

Ms. Patel asked if the plan was that this was going to be a long-term rental, or more short-term stays. Mr. Keil said that the goal was that this was going to be an annual lease.

Commissioner Alcorn asked if there was any plan to replace the concrete on the east side of the building with something more attractive. Mr. Keil noted that this was not their property so he will not be able to replace the concrete.

Commissioner Alcorn asked if the HVAC unit was going on the roof. Mr. Keil replied that it was but that it will not be visible. Commissioner Alcorn asked if there was currently water service to the building. Mr. Keil replied that currently there was no water service. Commissioner Alcorn asked if the service would come from East Capitol Street. Mr. Keil replied that the closest water service was from East Capitol Street, and they would have to come through the alley to establish service to the dwelling.

Commissioner Alcorn asked if there was going to be repointing of the building. Mr. Keil answered that there was going to be some repointing.

Mr. Greenfield asked where building material would be stored. Mr. Keil replied that storage will all be within the building itself.

Mr. Greenfield made a motion that the EDZ amend its previous recommendation for support with a stipulation in the lease that there be no parking in the alley area around the dwelling, that a no parking sign be posted, and that the developer reach an accommodation on the window that is in the stairwell looking onto the property at 1608 East Capitol. Commissioner Brown seconded the motion. The motion passed with 9-0-1 (1 abstention).

2. 229 8th Street, NE (HPA 21-091): Historic review of a new two-story accessory structure/garage. The accessory structure will have a green roof to take advantage of the DC Riversmart Incentives for rainwater collection on site.

C.J. LaMora presented the project. He noted that there is currently a single-story stud wall that is non-contributing to the historical fabric. This wall will be demolished, and a two-story garage with a ladder for access to the roof for maintenance will be built with a green roof to take advantage of the rainwater collection program.

Mr. Greenfield asked if there was any zoning relief being sought. Mr. LaMora confirmed this is historic review only, there was no zoning relief being sought. Mr. LaMora also confirmed that the garage would be an accessory building that would not be visible from the street and would even be difficult to see from the alley.

Mr. LaMora noted that there are alright green roofs in the neighborhood. Mr. Cushman asked if the owner had walked the alley with the Historic Preservation Office (HPO). He said that they had not but they had been in close contact with them. Commissioner Soderman noted that there are currently multiple two-story garages in that alley. Mr. Cushman noted that while there are two story garages in the alley, there is currently a line of eight or nine single story garages, and that this development would disrupt that.

Mr. Greenfield asked what treatment was planned for the garage. Mr. LaMora said that three of the sides (the two property line sides and the alley side) in brick. The side facing the home will have a softer treatment to have a relationship with the rear of the house.

Mr. LaMora asked to get input on one of the walls that has a fire rating issue. Mr. Cushman asked why a fire-rated wall was needed. Mr. LaMora noted that any roof penetration must be fire-rated, so the hatch would result in the issue. Mr. Greenfield asked if they could just do an external staircase; Mr. LaMora said that lot occupancy issues prevent this solution. Mr. Cushman asked about simply moving the hatch four feet in so it would not be within four feet of the wall, removing the fire rating concern. Commissioner Soderman noted that there are fire-rated assemblies that include a hatch for roof access. Mr. LaMora said that they would have this issue addressed for the full ANC meeting.

Mr. Greenfield asked if the owner had discussions with neighbors and if there were any concerns that had been expressed. Ms. O'Donnell, the owner, said that she had discussions with the immediate neighbors, and none of them had expressed concerns. In fact, one was interested because they wanted to do a similar development.

Mr. Greenfield noted that this was a pretty small and non-controversial project.

Mr. Greenfield moved that ANC 6A support the project, with the caveats that the owner make best efforts to get letters of support from the immediate neighbors, and that the project be revised to remove the parapet wall. The motion was seconded by Commissioner Soderman. The motion passed unanimously, 10-0.

3. 1101 H Street, NE: Informational presentation on a new construction project of a six story and basement building with 57 residential units, ground floor retail and basement parking. An existing façade on H Street NE that was constructed prior to 1958 will be preserved. The applicant will be seeking special exception for construction on a lot in excess of 6000 square feet, and also seeking Zoning relief for residential and retail loading as project does not have adequate alley access to meet these requirements.

Jessie Sterchi, from the Holiday Corporation, Jesse Bloomfield from Holland and Knight, Eric Colbert of Eric Colbert and Associates Architects and Rod Sellers presented the project. They are hoping to develop the lots at 1101 and 1107 H Street. They had been before the EDZ and ANC a year ago to get support for a map amendment to change the zoning from NC16 to NC17. They are looking to move forward with the Bureau of Zoning Adjustment (BZA). They have not filed yet but hope to by the end of the year.

Ms. Sterchi noted that the plans have changed; they were going to have 57 units, now they have 53 units. There is around 6,000 square feet of retail. The development will include an underground parking garage with 17 parking spaces. Ms. Bloomfield noted that these are intended to be condominiums.

Ms. Bloomfield noted that they are going to be asking for two areas of zoning relief. The first is that any lot larger than 6,000 square feet in this zone must go before BZA for a special exception. The second area is for loading relief; they are required to have one loading berth and one service delivery space, and they are not able to provide either of those spaces. They plan to use two existing loading zones that are on 11th Street NE in lieu of the required spaces. The developer will be working with District Department of Transportation (DDOT) to develop a loading management plan. Ms. Bloomfield also noted that there are a lot of design guidelines specific to the H Street corridor that must be followed.

Mr. Colbert noted that his firm has done a lot of projects on 14th Street NW, and they are very active at the Union Market neighborhood. Mr. Colbert noted that there is an existing facade on H Street that is being retained. The portion of the building with that facade will be set back to give the facade more prominence. The rest of the building will be brick and cast stone, materials that are consistent with the rest of the neighborhood. The majority of the windows will be punch openings with double-hung windows, which will tie the building to the older structures nearby.

The ground floor has been designed to have maximum flexibility with many different openings possible. There is an existing curb cut on 11th Street that they plan to re-use as the entrance to the underground parking. The building will have a courtyard on the southern side. The roof will have three units, a penthouse and limited amenities for the residents.

Mr. Greenfield asked if the developer was going to be seeking a facade preservation bonus. Mr. Colbert said that they did intend to use the 0.5 floor-to-area ratio (FAR) bonus that comes from facade preservation on H Street. The FAR bonus will only be applied to the lot with the preserved facade, not for the entire building. Mr. Greenfield asked if the developer was also going to be using the FAR bonus for additional inclusionary housing. Mr. Colbert said they would. Mr. Greenfield asked if they knew what their FAR was going to be. The total lot area is 11,467 square feet; there would be a 4.45 FAR. Mr. Greenfield noted that this seemed to be a lot of density. Ms. Bloomfield noted that this was less than the permitted FAR for this zone, which is 4.7.

Mr. Greenfield noted that on ANC 6A sent in a comment on the new Inclusionary Zoning (IZ) FAR bonus regulations; the ANC did not want to see a developer coming in and claiming both the facade preservation and IZ FAR bonuses combined.

Mr. DeLuca asked how many IZ units will be included in the development. Ms. Sterchi said that she believed there would be five units, which is basically the legal minimum. Mr. DeLuca asked what percentage of the area median income the IZ units were going to be made available at. Ms. Sterchi said she believed the majority would be at 60%, with one unit being at 50% because of the penthouse.

Commissioner Brown asked about the size of the IZ units. Ms. Sterchi said that overall, the mix in the development would be that 75% of the overall units would be one-bedroom, 25% would be two-bedroom. Ms. Sterchi said that they have not determined the exact number, but the IZ units will be a mix of one and two-bedroom units.

Commissioner Brown noted that it needs to be made crystal clear to residents of the building that they will not be eligible for a Residential Parking Permit (RPP). She noted that this had been a recent problem; residents in H Street buildings had not been told when they purchased that they would not be able to get RPP stickers. Ms. Sterchi confirmed that she understood this.

Commissioner Toomajian noted that the property is going to have an H Street address, so RPP restrictions will be in place, and that the ANC would expect additionally that restrictions be placed in the condo bylaws reinforcing the parking restriction.

Commissioner Toomajian also asked if there were other ways that non-car transportation could be encouraged. He noted that the plans currently had bicycle parking in the underground garage and asked how many spaces would be available for bicycles. Mr. Colbert noted that the requirement was to have one bicycle space for every three units, with a couple of additional spaces needed for the commercial space. The total bicycle spaces should be about 11 spaces, six more than zoning requires. Ms. Sterchi noted that they have had discussions with the Avec on H Street and they anticipate having 10 extra spaces that could be made available to residents of this building if needed. Commissioner Toomajian encouraged the developer to look into expanding the bike parking and other options such as providing residents with bikeshare memberships, or providing screens that show when the streetcar and other public transportation will be arriving.

Mr. Colbert noted that loading relief is needed because the back of the property is constricted, and it would be impossible for a truck to get in.

Mr. DeLuca noted that the median income in DC is \$126,000 and the median income for an African American resident in Ward 6 is \$40,000, so while we are bringing IZ units into the neighborhood, these units will be mostly inaccessible to the residents who need them.

Mr. Cushman asked where garbage will be stored and removed. Mr. Colbert replied that the plan includes a trash room. They have not contracted with a trash company yet, but one possibility would be to use small dumpsters that could be wheeled out to waiting trash trucks in the main alley. Ms. Sterchi noted that they may contract with the same company that already services the two adjacent condo buildings, making it easier for one company to handle trash from all three buildings.

Mr. Greenfield asked what the timeline for the project was. Ms. Bloomfield said they hoped to file by the end of the year. She anticipated getting a hearing date in April 2021. Mr. Greenfield noted that, with that schedule, the project will likely be coming back before the EDZ in February 2021.

4. 240 11th Street, NE (HPA 21-055): Historic review for a third story roof addition and three-story rear addition.

Mr. Greenfield noted that this project had already gone through HPRB approval. Mr. Connell presented the project. Mr. Connell stated that he has been a Capitol Hill resident for the past seven years. He had purchased his neighbor's house, and was proposing a development that mirrors his house, where he put an addition on the back, with a partial 3rd level. The design attempted to have the addition so that it could not be seen from the street. However, this was difficult since the property is on the alley. The development also includes expanding the basement entry way, with a 3-foot-wide staircase.

Mr. Greenfield asked if there have been discussions with neighbors and if they had any concerns. Mr. Connell stated that he discussed it with the immediate neighbors and none of them had concerns. Mr. Greenfield asked if there was any zoning relief being sought; Mr. Connell said that there was not.

Commissioner Soderman voiced his opinion that with all of the outreach and work that Mr. Connell had done, there was no reason the ANC should withhold support. The development is almost a carbon copy of what he did seven years ago, so there was precedent.

A member of the community confirmed that he walked around the building, and the addition was not visible from the street. He commended the project for being as discrete as feasible.

Mr. Greenfield noted that since it had already approved by HPRB, there was no need for the ANC to voice support. Mr. Greenfield tabled the project.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, January 20, 2020
7:00-9:00 pm
WebEx information to be posted on ANC6A website**