

**REPORT OF THE ECONOMIC DEVELOPMENT AND ZONING
COMMITTEE OF ANC 6A
January 30, 2007**

Present: Resident Members: DrewRonneberg, Vanessa Ruffin, Linda Whitted, Jeff Fletcher, Queen Laney
Commissioners: Nick Alberti, Gladys Mack, Stephanie Nixon, David Holmes

Drew Ronneberg chaired the meeting.

Community Comments

Nick Alberti introduced Heather Scott. Ms. Scott will be be nominated at the next ANC meeting to serve as the ANC 6A05 representative on the ED&Z committee.

2007 Goals

The committee deliberated 2007 goals and voted unanimously to adopt the following goals:

1. Provide a regular public forum for Commissioners and residents to obtain information and discuss land use issues in the ANC 6A area or that affect the ANC 6A area.
2. Review and report to the ANC on all significant activities by the Board of Zoning Adjustment, Zoning Commission, Historic Preservation Review Board, Office of Planning, National Capital Planning Commission, and other agencies that affect land use in the ANC 6A area.
3. Make timely recommendations to the ANC that permit informed participation in city decisions on zoning, historic preservation, economic development, and other topics related to land use in the ANC 6A area.
4. Monitor public and private development activities on H Street NE for consistency with the Strategic Development Plan and Neighborhood Commercial Overlay.
5. As needed, schedule speakers from city or federal agencies who can address the interests or concerns of residents related to land use in the ANC 6A area.
6. Develop a SMD captain with the Transportation and Public Space Committee to systematically collect and report all 1) vacant and nuisance properties, 2) building permit violations and 3) public space violations.
7. Major topical focus areas will be a) making sure DCRA applies the provisions of the H Street NE NC Overlay district to all properties on H Street, b) working with other groups to pass legislation to insure that City-funded social services are spread fairly and evenly across DC and c) expansion of the Capitol Hill Historic District.

Recommendation: The committee unanimously recommends that the ANC adopt the ED&Z committee 2007 goals.

1637 E. St NE (Martin Pollack Project)

Mr. Jamison of the Martin Pollack Project described plans to operate a transitional home for males between the ages of 18 and 21. The residents of the facility would be under the charge of DC's Child and Family Services Agency and the goal of the program is to transition them from foster care to living on their own as productive citizens. Mr. Jamison said that under DC law, DC government is responsible for foster children until they reach the age of 21.

According to Mr. Jamison, there will be 10 males at the site, and each resident must meet certain standards in order to be accepted into the program. There will be on-site staffing and a security system to monitor movements in and out of the facility. The organization will be leasing the space from Mr. Terry Williams and Mr. Jamison claimed that the site already has a C of O for a Community Based Residential Facility. Mr. Jamison also claimed that there were no other CBRFs on the same square. The Martin Pollack Project is in the process of obtaining the proper licenses from Child and Family Services to operate the facility.

Mr. Jamison said that the emphasis of the program will be on developing the life skills of the residents in a structured environment. Residents will be required to be at school or work apprenticeship programs between the hours of 9 to 5 and there will also be a mandatory once-a-month community service requirement.

Nearby residents expressed concerns that the property was in a high crime area and that there had been five homicides within 500 feet of the property within the last year. Stephanie Nixon said that Commander Grooms thought that locating the program at 1637 E. St. NE would be a bad idea. Nick Alberti also expressed concern that some residents would drop out of the program and remain in an area that was not conducive to their personal development.

Mr. Jamison claimed the Martin Pollack Project would be seeking a special exception from the BZA to operate a youth rehabilitation home. Because the community would have another chance to review the project during the special exception process, further discussion was tabled.

On the day after the meeting, the lawyer for the Martin Pollack Project informed Drew Ronneberg that the organization would not be seeking a special exception because the facility did not qualify as a youth rehabilitation home.

SO 06-6762

Ms. Shante Parker spoke on behalf of the owner of 1359 H St. NE, who has applied for the closure of a small portion of the alley behind his properties. Ms. Parker said that the owner wanted to close the portion of the alley behind his properties because of problems with loitering and abandoned cars. Ms. Vanessa Ruffin thought that the alley could not be closed through a short administrative process and that it required the support of two-thirds of the property owners on the square. She also thought that the application form was defective because it ignored the requirements of DC Public Law 4-201 and 7-106. Nick Alberti expressed concern about setting precedents for closing alleys in other places in ANC 6A. David Holmes mentioned that the ANC could request a time extension so that it could review the laws and gather more community input.

Recommendation: The committee unanimously recommends that the ANC ask the Surveyor's Office for a 45 day time extension to comment on the proposed alley closing on the 1300 block of H Street NE (SO 06-5762) because of concerns that DCRA's procedures for alley closings do not follow public law and its application form is defective. If the time extension is not granted, the committee unanimously recommends opposing the alley closing on the basis that there had been insufficient community deliberation and comment.

BZA 17521 (601-645 H St. NE)

Drew Ronneberg presented the latest rendering for the 601-645 H St. project to the committee. Dr.

Ronneberg said that the developer had responded to most of the proposed recommendations of the community to improve the architecture of the project and viability of the retail space. As a result, Dr. Ronneberg, as the designated ANC 6A representative for BZA case 17521, had written a letter to the BZA in support of granting the special exception to Section 1320.4 for compliance with the design requirements and design guidelines. The ANC's letter of position was unfortunately due at the BZA at 5pm on January 30th.

Geoffrey Griffis nomination to the Zoning Commission

Mr. Griffis' nomination to the Zoning Commission is being opposed by Phil Mendelson, Tommy Wells and a number of community groups across the city because of the perception that Mr. Griffis, in his role as the Chairman of the Board of Zoning Adjustment, favors the interests of developers over the interests of the community. In the past 4 years, ANC 6A has lost a number of cases before the BZA including the subdivision of units in an apartment building (1124 E. St. NE), the appeal of sideyard requirements at 920 and 922 Constitution Ave, the appeal of enforcing parking for converting single family homes to flats (BZA case #17526), and the flouting of the new regulations promulgated by the Zoning Commission so as to permit AppleTree Institute charter school to move forward with construction. There is concern that Mr. Griffis believes that the zoning code exempts the expansion of nonconforming uses in structures built before 1958, and has dismissed appeals based on technical errors that could have easily been corrected.

Recommendation: The committee unanimously recommends that that the ANC write a letter to the Mayor and all City Council members opposing Mr. Griffis' nomination to the Zoning Commission.

2nd and H Street NE. Development (Capitol Place)

A very large development (>400,000 sq. feet, 65-104 ft. in height) is proposed for Square 752 which is bounded by 2nd, 3rd, G and H St. NE. The developers have proposed a rezoning of a portion of the site to C-3-C and a Planned Urban Development (PUD) which will add more than 160,000 sq. feet to the project above what is allowed as a matter of right. Neighbors are very concerned that the development is too big and will negatively impact the residential character of the square. In addition, residents are concerned that 14 historic structures will be demolished, the proposed community amenities are inadequate, and that the architecture of the project is uninspiring and doesn't meet the standards outlined in design guidelines of the H Street NE Commercial overlay. Given ANC 6A's success in helping to improve the 600H project, and the need to enforce the design guidelines throughout the Corridor, and the need to understand the PUD process for developments that will occur in ANC 6A's portion of H Street, Drew Ronneberg suggested that ANC 6A seek party status for the 200 H project.

Recommendation: The committee unanimously recommends that the ANC seek party status for the PUD deliberations for Capitol Place on Square 752 (200 block of H Street NE) and appoint Mr. Jeff Fletcher as the ANC 6A's designated representative.

Cataloging Vacant/Nuisance Properties in ANC 6A/SMD Captain System with Transportation Committee

Many owners of vacant and nuisance properties on H Street and the rest of ANC 6A have low property taxes because their properties are worth less than occupied properties. The city has responded to this problem by changing the tax rate for vacant properties from 0.88% to 5%. However, the vacant property list that is maintained by the city is incomplete.

The committee continued to discuss assembling a list of vacant/nuisance properties in ANC 6A and working with the Transportation Committee to develop an SMD captain system to monitor vacant properties, illegal construction and public space violations. The committee thought that it would be best to write simple one page guides for citizens to explain the relevant laws and the need for ANC 6A wide monitoring before creating a SMD captain system.

Recommendation: The committee unanimously recommends that the ED&Z committee work with the Transportation and Public Space committee to develop a citizen's guides for recognizing and reporting 1) illegal construction, 2) building permits issued in error, 3) nuisance/abandoned properties, and 4) public space violations.

**Next Scheduled ED&Z Committee Meeting:
Tuesday, February 27, 2007
7-9 PM
900 G Street, NE
Community Room of the Capitol Hill Towers**