January, 11, 2014

Government of the District of Columbia
Board of Zoning Adjustment
441 4th St. N.W. Suite 200/210-S
Washington, DC 20001

BZA Application No. 18651 for 319 A Street, N.E. (Lots 827 and 22)

We are opposed to the rezoning of the garage structure behind 319 A St. NE.

Mr Fitzgerald and his lawyer have met extensively with the neighbors of the block where these structures are located to work out any objections for the proposed rezoning. Even though we have attended these meetings we are fundamentally opposed to the removal of the garage structures to be replaced with a two story residence.

Mr. Fitzgerald's family has owned these garage structures for over 60 years and until recently they have used them as a storage facility and a workshop. Mr Fitzgerald is asking for a zoning variance because the structures have not been maintained and they are no longer serviceable We feel that someone should not financially benefit from neglect of their property

We understand that the District would like to change the current zoning policies to allow garages to be changed into residences for middle income residents. We fundamentally disagree with this policy because taking away these structures would result in more requirements for residents to park on the street Parking on Capitol Hill for residents is extremely difficult without removing current garage spaces Also, Mr. Fitzgerald plans to sell the proposed residence for $900,000.00 to $950,000.00 which would make this proposed structure financially prohibitive for middle income residence.

This proposed variance is for one location, however, we do not agree with the District's plans to create a more population dense area. On the block of this proposed variance we already have at least five multi-residence properties, with only one of these properties with alley parking for their occupants As we stated earlier parking is already an issue in this area because of the close proximity to the U.S. Capitol, U.S. Supreme Court, Library of Congress and the Folger's Shakespearean Theater.

We also request that you do not give "great weight" to the ANC 6 letter providing support for this proposed variance The statement that the neighbors do not object is based on limited or no input from the neighbors of this block. The neighbor's attendance at the first BZA meeting should reflect that the neighbors do not agree with this proposed variance. The letter also does not provide the ANC Zoning board's approval with the stipulation that there will be no windows overlooking the alley (see attached meeting minutes)

Thank you,

Andrew and Karen Wallace
315 A St. NE.
Washington, DC 20002

ANC 6C
Minutes
Wednesday, November 14, 2012
Heritage Foundation
214 Massachusetts Avenue NE

Present: Commissioners Crews, Dixon, Goodman, Price, Richardson, Silver, Wilsey and Wirt
(Mr Silver arrived at 8 15 PM)

The meeting was convened at 7 PM

1. **Agenda**
   Motion: Mr Price moved/Mr Wilsey seconded a motion to accept the agenda as presented The motion passed without objection
2. **Minutes**
   Ms Wirt moved/Mr Wilsey seconded a motion to postpone consideration of the October minutes until the next meeting
3. **Treasurer's Report**
   Quarterly Report – 4th Quarter FY 12
   Motion: Mr Richardson moved/Mr Goodman seconded a motion to approve the Quarterly Report for the 4th Quarter of FY 12 (June-September) The motion passed without objection Mr Richardson said it is due November 29th
   Treasurer's Report
   Mr Richardson presented the following expense for approval, Roberta Weiner submitted a bill for transcribing the full ANC meeting for October **Motion:** Mr Richardson moved/ Ms Wirt seconded a motion to accept the expense The motion passed unanimously
   Mr Richardson delivered the Treasurer's Report for October It showed an opening balance of $84,029 74 There was an interest payment of $ 67 Checks were written for $869.92 to the Capitol Hill Cluster Schools for a grant for football uniforms (Check #1253), Allied Party Supplies for grant to H Street Main Street for security barriers for the H Street Festival (Check #1254), and Roberta Weiner for transcribing minutes for the November meeting, (Check #1255), leaving a balance in the checking account of $77,864 50 **Motion:** Mr Richardson moved/Mr Goodman seconded a motion to approve the Treasurer's Report as presented The motion passed without objection
4. **Brief Community Announcements**

   ANC Election Results

   Ms Wirt announced the ANC election results
   - 6C01 Daniele Schiffman (new)
   - 6C 02 Karen Wirt (returning)
   - 6C 03 Scott Price (returning)
   - 6C 04 Mark Eckenweiler (new)
   - 6C 05 Mark Kazmierczak (new)
   - 6C 06 Tony Goodman (returning)

   Non-returning
   - Mark Dixon (to 6E 06)

- Keith Silver (retiring)
- Kevin Wilsey (to 2C 03)
- Bill Crews (retiring)

<u>By-laws Change</u>

Mr Crews announced that he will present a by-laws change in committee structure at the December meeting

<u>Rock and Roll Marathon - March 16, 2013</u>
Diane Thomas presented information on the revised route and plans for the Rock and Roll Marathon, which will take place on March 16 She began by saying it was the eighth year it was being run, and that it had had a $152 million impact on the city last year
She said it would begin at 8 30 AM and be completed by 11 AM, with clean-up completed 60 minutes later. Mr Price noted that the route has been modified and commended Ms Thomas in reaching out to the community He said, however, that the police have not been aware of the exit places, and said he hoped they will be working better with MPD Mr Crews reiterated that the new start and finish will be at 14th Street and Constitution Avenue, and at RFK Mr Goodman said he had no problem at all with the race, and it presents a great opportunity for runners to run and watchers to watch in the community Mr Crews said he would support the race Ms Wirt said she could not support the race because it is too large for the narrow residential streets **Motion:** Mr Goodman moved/Mr Wilsey seconded a motion to send a letter to the Emergency Management Task Force in support of the Rock and Roll marathon on March 13th The motion passed 4-2-1, with Commissioners Wirt and Crews opposed
<u>Jingle All the Way 8K Race – December 9</u>

Lee Granados presented information on the Jingle All the Way 8K Race to take place downtown on Sunday, December 9th Mr Wilsey said he had spoken with the event organizer and was impressed with the arrangements they have made **Motion:** Mr Wilsey moved/Mr Crews seconded motion to send a letter to the Emergency Management Task Force in support of the Jingle All The Way 8K Race on Sunday, December 9th The motion passed without objection

5. Transportation and Public Space Committee

<u>Thaaja Indian Food Bar – 2335 2nd Street NE</u>

This is a request for support for a public space permit for Thaaja, a 167 sq ft sidewalk café which will have eight tables, 16 chairs, and two umbrellas located at 2335 2nd Street NE It is currently before the ANC applying for a liquor license The hours of the patio will be until 11 PM on weekdays, and midnight on weekends Thaaja is located next to the hotel at that location, and is, in fact, in the hotel building, with a door on Florida Avenue and a door on 2nd Street. The tables will be on 2nd Street **Motion:** Mr. Goodman moved/Mr Wilsey seconded a motion to approve the Committee's recommendation to support a public space permit for the area on 2nd Street for Thaaja Indian Food Bar at 2335 2nd Street NE. The motion passed unanimously, 7-0

<u>300 L Street NE</u>

Mr McCann said this was a non-voting item, the applicant submitted a public space application six to eight months ago and it never came to the ANC because of changes to the original plans The applicant seeks to close 4-5 curb cuts There are no trees involved, only grass, except along the L Street side of the building (the entrance is on 3rd Street) This is because there is a sewer line running underneath the building that is a hundred years old and would be at risk with trees

Mr McCann said that the committee was not impressed with the lack of trees, no presence of bike racks and while eliminating curb cuts not adding any benches In short, there was nothing to trigger stopping or enjoying the building

Motion: Mr Goodman moved/Ms Wirt seconded a motion to send a letter to DDOT and the owner, including

- A request for the Public Space tracking number and a written explanation as to why it has not been forthcoming
- An answer as to why, with a building that will be large and has a large excavation, the old pipe could not have been replaced
- A request for more bike racks

The motion passed without objection

6. Planning, Zoning and Environment Committee

Committee Chair Mark Eckenweiler announced that committee meetings would be moved to Kaiser Permanente headquarters on 2nd Street NE through 2013 He then reported on the following issues

Gallaudet University Campus Plan

Gallaudet is not within the bounds of 6C but it borders the community, and the goal of the plan, required every ten years by the District, according to Gallaudet, is to make the campus relate better to the community with "more porous edges," as well as to add about 100,000 sq ft of new building space It would also return two buildings, Fay House and Ballard House, to their original use as residential buildings

The plan also proposes a new pedestrian entry to the campus at 6th Street and Florida Avenue, with a mixed-use building on 6th Street. The plan also includes a request for support of a special exception because of a zoning criterion· "use as a college or university shall be located so that it is not likely to become objectionable to neighboring property because of noise, traffic, number of students, or other objectionable conditions " **Motion:** Mr Price moved/Mr Goodman seconded a motion to accept the committee's recommendation that the ANC support Gallaudet's request for special exception review and approval of the Gallaudet University Campus Plan Mr Goodman said that the university has been excellent at outreach to the community, which also brings the students into the neighborhood The motion passed unanimously, 8-0

1139 Abbey Place NE

This is a request for support for a BZA special exception to allow a rear deck on an existing one-family row house at 1139 Abbey Place NE This, according to Mr Eckenweiler, is a "straightforward" request to construct a deck, bringing the lot occupancy to slightly over the matter-of-right maximum of 60% There were no letters of support from neighbors, but Mr Goodman has spoken with the neighbors, and they were not opposed. **Motion:** Mr Goodman moved/Mr Price seconded a motion to accept the committee's recommendation to support the application for a special exception for construction of a deck at 1139 Abbey Place NE The motion passed 6-0-2, with Mr Crews and Mr Richardson abstaining

Miller's Court/319 A Street NE, rear

This is a request for support for a historic preservation concept review for construction of a two-story alley dwelling at 319 A Street NE/Miller Court. The project involves re-subdividing the lot occupied by 319 A Street, and joining the southern 28' to an existing lot occupied currently by an alley garage now used for storage. The concept draws heavily on other nearby alley dwelling immediately to the west. The parapet of the building will be 22' high. The owner of the three alley dwellings expressed "guarded" support of the project, saying the construction will be inconvenient, but it would provide additional eyes on the alley, the idea of which led him to support the project.

The owner of 321 A Street, who expressed concern that the windows be of frosted glass, submitted a letter of non-objection. Motion: Mr. Crews moved/Mr. Price seconded a motion to accept the committee's recommendation to support the application with the caveat that there are no windows that overlook the alley. The motion passed 7-1 with Mr. Richardson in opposition.

410 E Street NE – Stuart Hobson Middle School

Mr Eckenweiler reported that the architect and School Improvement Team Leader of the Stuart Hobson Middle School renovation returned to the Committee with a revised set of drawings with a more regular rhythmic pattern of windows and recesses, and also reported that the school will be built to LEED Gold standard This was a non-voting item

He said that many people, including current and past PTA presidents and many local residents and school parents favored the design, but that there were a few people who objected to the juxtaposition of modern and traditional design He said there were still secondary issues, such as fence height, and requested that the school representatives continue the dialogue on these issues Mr Eckenweiler said that he and committee Vice Chair McGinnis could provisionally support the revised drawings, noting that the new proposal better respects the window pattern and arrangement of the existing school

7. **Grants Liaison**

Stuart Hobson Middle School

This is a new application to round out a grant previously given for equipment for the football team It was suggested they return. In answer to a question, the ANC was told that 100% of the students live in Ward 6 **Motion:** Mr. Crews moved/Mr Price seconded a motion to approve a grant of $855 52 for equipment for the Stuart Hobson football team. The motion passed without objection

H Street CDC Holiday Eventi

This is a request for funds for a community holiday festival that, according to Mark Dixon, will bring the community together **Motion:** Mr Dixon moved/Mr Crews seconded a motion to approve a grant to provide written advertising materials for the H Street CDC holiday festival at the Atlas Theatre The motion passed without objection

Innovative School of the Performing Arts

This is a continuation of a grant the ANC made last year to Charles Garris and his program at Walker Jones Elementary School, which he completed successfully and filed all his reports in a timely fashion

Mr Silver said that while Mr. Garris is a deserving person, the ANC has to monitor and oversee the program, and so he was asking to delay the vote on the program until next month He said the applicant should provide criteria and goals for the program and metrics on the success of the program. Mr Silver said he, together with Mr Dixon, wants to visit the site and check out the funding Mr Goodman said it will delay the grant until December, but will provide an opportunity for distributing the materials The issue was tabled until December

8. New Business

Holy Rosary Church

This is a request for a letter of support for a mural celebrating the 150th Anniversary of the Holy Rosary Church at 595 3rd Street NW The letter would be part of a grant application to the DC Commission for the Arts and Humanities The mural would be executed by the students of DC muralist Byron Peck's City Arts program on a wall that was being torn down in a few years Mr Goodman raised the point that it is a religious project, and has a crucifix in its design, and there would be no District funds available for such a design It was suggested that the design could be changed so that the religious aspects were removed **Motion:** Mr Price moved/Mr. Goodman seconded a motion that the ANC not send a letter of support for the mural on the Holy Rosary wall The motion passed 5-3 with Commissioners Richardson, Wilsey and Wirt in opposition

The meeting was adjourned at 9:05 PM

ANC 6C Minutes
Thursday, September 12, 2013
Heritage Foundation
214 Massachusetts Avenue N.E.

The meeting was called to order at 7:10 p.m.

A quorum of six out of six commissioners was present

The agenda was approved unanimously as amended. [**Motion:** Mr Price/Mr Eckenwiler]

The July and August 2013 minutes were approved unanimously with the caveat that any corrections could be submitted within one week of the meeting. [**Motion.** Ms. Wirt/Mr. Kazmierczak]

Treasurer's Report

Mr. Price presented the treasurer's report for July and August. The beginning balance was $48,770.62. There were two interest payments of $ 41; a funds reinstatement from the D C Auditor of $517.15, and an FY2013 1Q quarterly allotment of $3,337 28. There was a recurring PO rental of $165 reimbursed to Ms Wirt. There was a grant check for $850 written on July 10 to Stuart Hobson for volleyball equipment, which was not cashed as of the end of August Thus there was a discrepancy of $850 between the ending ledger balance of $48,275 87 and the ending Bank of America balance of $49,125 87. Mr Price is pursuing the matter with both the bank and the grantee that received the $850 check The treasurer's report and the expenses within were approved unanimously **[Motion:** Mr. Price/Mr Kazmierczak]

Community Announcements

1. Ms. Wirt announced the HPRB historic homeowner grant program, whereby homeowners can receive up to $25,000 for renovation of homes in the historic district Contact information was included in the ANC agenda.
2. Ms. Jessica Schulte presented the Komen 3-day event, which is run entirely on sidewalks, with racers crossing at crosswalks with the traffic lights, and no police needed to block off streets. The event causes minimal disruption to traffic in the community. The vote to support was unanimous **[Motion.** Ms Wirt/Mr. Goodman].

Grants Committee (Comm Kazmierczak, chair)

1 Capitol Hill Village, represented by Katie McDonough, seeks a $500 grant to present a symposium on aging, with the money devoted to rental of space for the event The vote to support was unanimous **[Motion** Ms. Wirt/Mr Kazmierczak]

2. H Street Main Street, represented by Anwar Saleem, seeks a $5,000 grant to support health and safety at the H Street festival on September 21 This year the event was expanded into ANC 6C territory as far west as Fourth Street NE. Comm. Eckenwiler admonished the rep for failing to inform the ANC in a timely manner and merely coming to request monetary support. A request to support $5,000 for porta-johns and ambulances/EMS safety support failed (with commissioners voting in opposition 4.2·0). A motion to support $2,000 to support porta-johns succeeded, 5:1·0 **[Motion:** Mr. Price/Ms. Wirt].

Planning, Zoning, and Environment Committee (Comm Eckenwiler, chair)

1 14 Fifth Street N.E., John Coplen HPA 13-556 is an application for concept approval to construct an addition to the rear of an existing row dwelling. The immediate neighbors have expressed support for the project The vote to support, providing revised drawings are submitted, was unanimous **[Motion.** Mr Eckenwiler/Mr. Goodman].

2. 319 A Street N.E., John Fitzgerald. BZA 18651 is variances to subdivide a portion of two lots to construct a new single-family dwelling in an alley lot in the CAP/R-4 district at the rear of 319 A Street N.E. The proposed structure will occupy 100% of the small lot, with on-site interior parking provided. ANC 6C previously approved the concept in November 2012. Neighbors have indicated support providing the construction is limited to the hours 9:00 am to 5:00 pm Monday through Friday. The vote to support was unanimous. [Motion: Mr. Eckenwiler/Mr. Goodman].

3 501 H Street N.E., non-voting item, information only, Mr Eckenwiler Douglas Development has acquired title to 501 H Street N E , the former headquarters of the H Street CDC. The plan is to raze the existing building and construct a new building with a commercial FAR of 2.0 Zoning relief will be necessary. The project will use the PUD process The plan is to have three floors of retail, one entirely below grade. There will be setbacks on two sides with a terrace on top of the second floor retail, and no parking on site No firm schedule has been set for beginning the project. Paul Millstein, the applicant's representative, will return to ANC 6C later in the fall for additional discussion

4 Third and L Street, Union Place, Chip Glasgow ZC 05-36G came before ANC 6C in July and received a vote of opposition, the developer asks ANC 6C to reconsider its plans for parking, loading, and amenities The commissioners voted to oppose, stating it is not integrated into other parts of the existing buildings on the block The vote was 3.1:2 [**Motion** Mr Goodman/Mr Eckenwiler].

5. Proposed changes to the zoning regulations, Mr Eckenwiler. The hearing schedule will be released shortly by Office of Planning. The PZE plan is to have a meeting at which OP staff would be present to provide information and answer questions on the changes A second meeting will be held by the PZE to make recommendations regarding the proposed zoning changes. There will be at least one meeting of the full Commission devoted solely to the proposed changes.

6. 700 A Street N E , Mr. Eckenwiler This is a request by PZE Committee member Bobbi Krengel to send a letter to HPO requesting action on their requirement for the owners to restore the stained glass windows The commissioners voted unanimously to support. [**Motion**: Mr Eckenwiler/Mr Goodman]

Transportation/Public Space Committee (Joe McCann, chair)

1 301 Massachusetts Avenue N E , proposed sidewalk cafe, Frank Ortiz and Richard Marcus, architect Application 84021 proposes two sidewalk cafe extensions for the Third Street side of the restaurant in addition to the seating already on the Massachusetts Avenue side. The northern extension, unenclosed and covered by an awning , would add 3 tables and 11 chairs; a southern extension would be enclosed in glass and have a tin roof, with 6 tables and 17 chairs. A number of residents stated concerns about noise and hours The southern extension, closest to residences, would be double paned glass with weather stripping and foam insulation, but would not be 100% soundproofed The commissioners voted unanimously to delay decision until October when the hours of operation could be negotiated to better match the hours of other restaurants across the street. [**Motion**: Ms Wirt/Mr Eckenwiler].

2 Pocket parks and 616 M Street N E., Mr. McCann This is an alert that came from ANC 6A chair, David Holmes, that DC pocket parks are being taken over by private interests who obtain them from DDOT Public Space. 616 M Street is an example; it was reported for building onto a pocket park space, a stop work order was issued, and the owners must dismantle the structure on the pocket park. The problem is confusion among DC agencies as to who controls which parks

The commissioners voted unanimously to send a letter to the mayor, DDOT, Council Members Wells and Cheh and the At-Large Council Members recommending the pocket parks be placed under DC Parks and Recreation, no leases be given to private parties for portions of pocket parks, and clarity be established regarding park oversight. [**Motion**· Mr Eckenwiler/Ms. Wirt]. A second vote was taken to send a letter to DDOT opposing 616 M Street N.E. private development on Reservation 280 The vote was unanimous [**Motion**· Mr. Goodman/Mr Eckenwiler]

3 Notice of Intent, Maryland Avenue, improvement of pedestrian safety and change of traffic patterns, NOI 13-104-PPSA The commissioners voted to support the following conditions: (1) reduction of travel lanes for vehicles from a 2 through lanes in each direction to 1 through lane in each direction between 3rd Street and 4th Street NE and 7th Street and 14th Street NE; (2) installing left turn pockets at all intersections except 7th Street N E.; and (3) Removal of north-south conflict points between vehicles and pedestrians Northbound traffic on 7th Street will be required to turn right onto D Street Southbound traffic will be able to make a right turn right or left onto Maryland Avenue The project is a three-year pilot, after which, if successful, the project will be permanently implemented The commissioners voted unanimously to support the NOI. [**Motion**: Mr Price/Mr. Eckenwiler].

4 Notice of Intent, 100 block of F Street N.E., conversion to two-way traffic for F Street between Columbus Circle and 2nd Street N.E., NOI 13-58-TST. Several commissioners attended a meeting to discuss this previously with Mr. James Cheeks of DDOT (Mr Eckenwiler, Ms. Wirt, as well as Mr. McCann, chair of the 6C Transportation/Public Space Committee) They reported there are many moving parts to this intersection, and more study is needed by DDOT before 6C can agree to this NOI The commissioners voted unanimously to support the request for further study. [**Motion**: Mr. Eckenwiler/Mr. Goodman].

5. Notice of Intent, bike lanes on F Street N.E., 8th Street to Columbus Circle, NOI 13-58-TST. The commissioners voted unanimously to support bike lanes on F Street N.E between 2nd and 8th Streets but nothing west of 2nd Street until the previous item # 4 is addressed [**Motion**: Mr. Kazmierczak/Ms. Wirt].

6. New traffic signal at 2nd and Florida N.E. , NOI 13-99-TDA The commissioners voted unanimously to approve a new traffic signal at this intersection, with a stripped crosswalk on the west side and elimination of the "push to walk" feature in favor of regular timed intervals for pedestrians to cross [**Motion**. Mr Goodman/Mr Eckenwiler]

7 Visitor Parking Permits (VPP) The commissioners voted unanimously to support Mr Eckenwiler's letter opposing distribution of VPPs to all residents of the City as it opens up opportunities for fraud and abuse and does not protect the residents, and to send the letter to the DDOT Director, Mr. Sam Zimbabwe, and Council Members Wells and Cheh. [**Motion**. Mr. Eckenwiler/Mr. Goodman]

Alcoholic Beverage Regulation Committee

1. TruOrleans at 400 H Street N E and Fur at 33 Patterson Street N.E have closed.
2. Motions to remove several members from the committee were tie votes, 3 3.0

Meeting Adjournment

The meeting was adjourned after 9 39 pm