ANC 6C Planning, Zoning, and Economic Development Committee Report

ANC 6C Commission Meeting: March 14, 2018

PZE Meeting Date: March 7, 2018 6:30 pm

Meeting Location: Northeast Library
7th & D Streets NE

Committee Attendees: Mark Eckenwiler (Chair)
Bobbi Krengel
Chris Mitchell
Lauren Oswalt
Bill Sisolak

Other Commissioners Present: Heather Edelman (6C06)

Agenda Items

1. Contemplated PUD proposal for Parker/2nd/K Sts. NE (non-voting) – Informational presentation on PUD application under consideration for ~8,800sf site at the western end of Square 750. Representative: Sas Gharai, AIA. [6C06]

2. Upcoming Council budget oversight hearings for District agencies (March 26-April 26) (Hearing schedule) – Request for $1,250 in funding to HPO for additional Historic District signage, plus other matters at the discretion of the Committee.

3. Upcoming Council hearing (March 20) on B22-663, Comprehensive Plan Amendment Act of 2018 – This legislation reflects an attempt by the Office of Planning to update one key section of the Comp Plan, the Framework Element, in light of the public comments submitted last year. (Hearing notice; bill as introduced; redline against current text of Framework Element)
Agenda Item #1: Discussion and Recommendations

Contemplated PUD proposal for Parker/2nd/K Sts. NE (non-voting) – Informational presentation on PUD application under consideration for ~8,800sf site at the western end of Square 750. Representative: Sas Gharai, AIA. [6C06]

Motion n/a

Key Discussion Points:

1. The owner of several adjacent lots abutting 2nd, Park, and K Sts. NE presented a preliminary concept for a PUD at the site. Architect Sas Gharai appeared on behalf of the owner.

2. No application has been filed yet. The owner’s current conception of the PUD proposal would result in a building of roughly 65,000sf (vs. 45,000sf for a matter-of-right project). The site comprises roughly 9,000sf of land area; this is below the default PUD minimum (15,000sf), but the regulations allow the ZC to waive up to 50% of the requirement at its discretion.

3. PZE members discussed several issues with the owner. Most importantly, the site is highly constrained in terms of options for parking access or truck deliveries. The owner is considering offering only 8 parking spaces (16, if used as tandem spots) accessible through the long, narrow alley accessed via 3rd St. The owner does not wish to create a new curb cut.

4. PZE members agreed that a new curb cut is undesirable, but emphasized that some provision for loading/trash collection needs to be made. One suggested solution was to consider seeking permission from DDOT to construct a lay-by on 2nd St. with a loading zone and a pickup/dropoff lane for occupants of the residential component. (The lobby for residential use would open onto 2nd.)

5. PZE members also emphasized the need to provide better bike parking than the small area depicted in one corner of the garage. Given the extent of parking relief that would be necessary, PZE members noted that a strong showing to mitigate the impacts of that relief (and encourage use of non-driving modes) would be essential.

6. The PZE also noted concerns about the proposal to dig out the NW corner of the site (at 2nd/K) to create a street-level plaza. Members noted that absent physical barriers (such as a sturdy fence), this area would inevitably be converted to use for illegal parking.

7. The owner did not have a detailed plan of benefits and amenities commensurate with the relief to be sought. The architect suggested a possible donation of money to a local school, as well as a vague suggestion to create a “cultural center” (of only 2200sf) on the NW corner’s ground level.
**Agenda Item #2: Discussion and Recommendations**

*Upcoming Council budget oversight hearings for District agencies (March 26-April 26) (Hearing schedule) – Request for $1,250 in funding to HPO for additional Historic District signage, plus other matters at the discretion of the Committee.*

**Motion**  
*To recommend that the ANC authorize testimony for the Office of Planning budget oversight hearing*  
(carried 5-0)

**Key Discussion Points:**

1. The PZE discussed the fact, raised by a local resident with the Chair prior to the meeting, that there are still no signs indicating the status of the Swampoodle Addition to the Capitol Hill Historic District. HPRB approved the boundary increase on May 28, 2015.

2. The PZE voted to recommend that the ANC authorize testimony at the March 26 Office of Planning budget hearing urging the Council to appropriate $1,250 to cover the one-time cost of five new signs at $250 each.

3. On March 8, after the PZE meet, the Chair offered testimony (as authorized by the ANC in February) at the Council’s DCRA performance oversight hearing. The DCRA Director, who testified last per Council custom, made several statements contradicting ANC 6C’s testimony. Those statements bear on two specific areas:
   
   a. DCRA’s allegedly perfect record before the BZA in zoning appeals.
   
   b. DCRA’s efforts to make construction permit drawings and other file documents available to the public online.

4. The Chair proposes to offer additional testimony at the March 29 DCRA oversight hearing responding to those statements.
Agenda Item #3: Discussion and Recommendations

Upcoming Council hearing (March 20) on B22-663, Comprehensive Plan Amendment Act of 2018 – This legislation reflects an attempt by the Office of Planning to update one key section of the Comp Plan, the Framework Element, in light of the public comments submitted last year.

Motion  To recommend support with modest revisions
(carried 5-0)

Key Discussion Points:

1. As a further step in the process of amending the Comprehensive Plan (aka the Comp Plan), the Office of Planning put forward a draft of one section—the Framework Element—now embodied in pending Council legislation.

2. The PZE discussed the fact that OP had previously made a public promise to post its proposed draft before transmission of legislation to the Council. PZE members agreed that the failure to keep this promise is a process foul, but that the appropriate course at this stage is to consider the draft on the merits, especially as the draft has been available for public review for several weeks.

3. PZE members felt that the proposed amendments properly emphasize several themes important to planning in the District over the next 5-25 years, including the cost of housing & affordable housing; climate change; and the need to ensure that the District remains inclusive and diverse.

4. Thus, PZE members endorsed the statement in proposed new section 204.10 that "[h]ousing costs are perhaps the central challenge toward maintaining and growing an inclusive city." The PZE likewise supported the new statement in section 205.6 that rising demand for housing has not been met with an adequate increase in supply.

5. The PZE also noted the importance of new section 207.3 (addressing the need to adopt technologies to prepare the city and its growing population for a changing climate.

6. PZE members did recommend a number of modest textual revisions:

   a. In section 206.1, strengthen the discussion of pedestrian and cyclist safety to emphasize the need for District government to adopt policies and implement programs to encourage these alternative transportation modes and better protect such vulnerable users from harm. (Also, replace the specific reference to Capital Bikeshare with a more general reference to docked and dockless bikeshare.)

   b. In section 209.1, emphasize that one of the greatest challenges to ensuring the District's domestic security is the lack of local control over important public spaces, including but not limited to the National Mall.

   c. In section 215.10, insert “or ‘triple-up’” in the discussion of families feeling the pressure of rising housing costs.
d. In section 227.4 concerning PUDs, replace “commendable” with “commensurate,” the more appropriate word in this context.

7. One local resident offered comment against the OP draft, arguing that its loosening of the Future Land-Use Map (FLUM) text endangered Capitol Hill’s historic character and granted developers too much leeway. The PZE strongly disagreed, noting that the changes proposed are intended to overrule a recent Court of Appeals decision that, in OP’s view, misinterpreted the function of the FLUM.

8. OP’s text makes clear that the FLUM provides general guidance, but is not itself a zoning map *per se*. Even if OP’s text were adopted, the current zoning map and zoning regulations would remain unchanged. Any alteration of either, such as map or text amendment, would require a process involving public review and comment.