

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

## ANC 6C Commission Meeting: March 8, 2017

**PZE Meeting Date:** March 1, 2017 6:30 pm

**Meeting Location:** Northeast Library  
7<sup>th</sup> & D Streets NE

**Committee Attendees:** Mark Eckenwiler (Chair)  
Bobbi Krengel  
Ryan McGinness  
Lauren Oswalt  
Bill Sisolak  
Dru Tallant

**Other Commissioners Present:** Commissioner Heather Edelman (6C06)

### Agenda Items

1. **638 Orleans Pl. NE (BZA 19467)** – Application of Lori Steenhoek, pursuant to 11 DCMR Subtitle X, Chapters 9 and 10, for
  - a. a special exception under Subtitle E § 5201, from the rear yard requirements of Subtitle E § 306.1, and the nonconforming structure requirements of Subtitle C § 202.2, and
  - b. variances from the building height requirements of Subtitle E §§ 303.1 and 5203, and the lot occupancy requirements of Subtitle E § 304.1,to construct a third story addition and fourth story mezzanine to an existing two-story, one-family dwelling in the RF-1 Zone at premises 638 Orleans Place N.E. (Square 855, Lot 260). Representative: Lacy Brittingham (architect). Hearing on April 5, 2017. [6C06] ([Hearing notice](#); [application file](#))
2. **316 G St. NE (BZA 19462)** – Application of Ed and Lauren Hild, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the non-conforming structure requirements of Subtitle C § 202.2, the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to construct a rear three-story addition and partial third-floor addition to an existing one-family dwelling in the RF-1 Zone at premises 316 G Street S.E. (Square 777, Lot 64). Representative: Jennifer Fowler (architect). Hearing on March 29, 2017. [6C04] ([Hearing notice](#); [application file](#))
3. **316 G St. NE (HPA 17-227)** – Application of Ed and Lauren Hild for concept approval for rooftop addition and new three-story rear addition. Representative: Jennifer Fowler (architect). Hearing on March 23, 2017. [6C04]

4. **Washington Gateway Project (NY Ave. @ Fla. Ave. NE) (ZC06-14D)** – Application of MidAtlantic Realty Partners, LLC to modify an approved consolidated PUD for Square 3584, Lots 814 and 815 and 820-822 (“the Property”), in accordance with Subtitle A § 102.4 and Subtitle X, Chapter 3 of the 2016 Zoning Regulations.

The Property is located with the boundaries of ANC 5E03, east of the intersection of New York and Florida Avenues, NE and consists of approximately 134,665sf of land area. It is within the MU-9 Zone and currently improved with an apartment house (The Elevation at Washington Gateway) and related amenities. ZC Order No. 06-14 granted approval for a consolidated PUD that included two buildings, one with a mix of residential and hotel uses and the other an office building divided into a North Tower and South Tower. ZC Order No. 06-14B modified the PUD to permit the option of constructing residential units in lieu of the hotel use. (ZC Orders 06-14A and 06-14C were for extensions of time and did not modify substantive aspects of the approved plan.)

The Applicant now seeks to further modify the PUD in order to (i) convert the North Tower of the office building to residential use and (ii) reconfigure and redesign the South Tower of the office building. Representative: Matt Robinson, MRP Realty. Hearing previously held on February 9, 2017; continued to March 27. [adjacent to 6C06] ([application file](#))

5. **Union Station Expansion Project** – Section 106 Proposed study area.
6. **Discussion of upcoming Council oversight hearings**

## **Agenda Item #1: Discussion and Recommendations**

638 Orleans Pl. NE (BZA 19467) – Application of Lori Steenhoek, pursuant to 11 DCMR Subtitle X, Chapters 9 and 10, for

- a. a special exception under Subtitle E § 5201, from the rear yard requirements of Subtitle E § 306.1, and the nonconforming structure requirements of Subtitle C § 202.2, and
- b. variances from the building height requirements of Subtitle E §§ 303.1 and 5203, and the lot occupancy requirements of Subtitle E § 304.1,

to construct a third story addition and fourth story mezzanine to an existing two-story, one-family dwelling in the RF-1 Zone at premises 638 Orleans Place N.E. (Square 855, Lot 260). Representative: Lacy Brittingham (architect). Hearing on April 5, 2017. [6C06]

Motion **To recommend partial support and partial opposition (see below)**  
(carried 5-1)

### Key Discussion Points:

1. The application proposes to add a third true story (and a low mezzanine characterized as a technical fourth story). Two main areas of relief are required. The first stems from the current nonconformity of the rear yard and lot occupancy; relief is required even though the proposed addition would not increase the footprint. The second area of relief stems from the request to exceed 3 stories and 35' in height (*i.e.*, to 4 stories and 36').
2. Discussion in the PZE focused almost entirely on the proposed pent (aka mansard) roof. The streetscape on this block in either direction consists of identical, and largely uncompromised, historic two-story rowhouses topped by parapet walls with projecting cornices. Under section 5201, one of the key considerations is that the addition “shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage.”
3. PZE members generally felt that the new roof—proposed to be constructed in a contemporary style and rising at the front parapet wall with no setback—was unduly obtrusive. Opinions varied as to whether the impact could be mitigated only via setback from the front elevation or whether a choice of more historic materials and design would suffice.
4. Other factors, such as undue adverse impact on the air/light/privacy of adjacent structures, did not raise substantial questions. The applicant provided letters of support from each of the two abutting rowhouses. Commissioner Edelman also spoke in favor of the application.
5. The PZE voted to support the overall request for an addition, but opposed the special proposal as having too intrusive an impact on the streetscape character/scale/pattern.
6. Subsequent to the PZE meeting, the applicant's architect provided revised drawings (not yet filed with the BZA) showing a more traditional design with faux slate shingles and double-hung windows.

## **Agenda Item #2: Discussion and Recommendations**

*316 G St. NE (BZA 19462) – Application of Ed and Lauren Hild, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201, from the non-conforming structure requirements of Subtitle C § 202.2, the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to construct a rear three-story addition and partial third-floor addition to an existing one-family dwelling in the RF-1 Zone at premises 316 G Street S.E. (Square 777, Lot 64). Representative: Jennifer Fowler (architect). Hearing on March 29, 2017. [6C04]*

Motion     ***To recommend support***  
              (carried 5-0; one member recused)

### Key Discussion Points:

1. Applicant proposes to construct a third-story addition with dogleg infill. Relief is required because the proposed structure would increase lot occupancy to 70%. Applicant provided letters of support from both adjacent neighbors.
2. The third-story addition would not be visible from G St., according to a sight-line drawing provided by the applicant. PZE members also felt that there would be no undue adverse impact on neighboring properties' air/light/privacy.

### **Agenda Item #3: Discussion and Recommendations**

*316 G St. NE (HPA 17-227) – Application of Ed and Lauren Hild for concept approval for rooftop addition and new three-story rear addition. Representative: Jennifer Fowler (architect). Hearing on March 23, 2017. [6C04]*

Motion     ***To recommend contingent support (see below)***  
                  (carried 5-0; one member recused)

Key Discussion Points:

1. In this parallel HPRB application to item #2, PZE members focused attention on two aspects of the proposal.
2. Issue number one was the omission from the drawings of a low partially perforated brick wall at the front landing. Photos of the street show identical walls for several buildings in this row, so it is clearly an original element. The architect indicated that the applicant does not intend to remove the wall, and offered to provide updated drawings correcting the omission.
3. Second, the applicant proposes to create a new basement entrance with stairs in front of the projecting bay leading under the existing stairs leading to the main level. PZE member noted that the relationship between a) the existing stairs and landings and b) the proposed front yard was unclear. As a result, it is unclear how occupants would approach the basement stairs, as well as how much of the public space in front of the bay would be altered with paving or additional stairs.
4. Accordingly, the PZE voted to support the project contingent on the receipt of clarifying drawings for the elements described above.
5. After the PZE met, the architect for the project supplied a revised plan that largely addresses the PZE's concerns.

## **Agenda Item #4: Discussion and Recommendations**

*Washington Gateway Project (NY Ave. @ Fla. Ave. NE) (ZC06-14D) – Application of MidAtlantic Realty Partners, LLC to modify an approved consolidated PUD for Square 3584, Lots 814 and 815 and 820-822 ("the Property"), in accordance with Subtitle A § 102.4 and Subtitle X, Chapter 3 of the 2016 Zoning Regulations.*

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Motion     ***To recommend support***  
                  (i carried 6-0)

### Key Discussion Points:

1. Applicant provided a more detailed overview of the project presented to the full ANC earlier this year. Discussion focused on the public passageway/stairs providing access to the Metropolitan Branch Trail along the railroad tracks, as well as on the updated design for the facades of the North and South Towers.
2. PZE members had no concerns about the proposed change in use or design, and were supportive of the thoughtful approach to the design of the public passageway, which is a significant public amenity.

## **Agenda Item #5: Discussion and Recommendations**

*Union Station Expansion Project – Section 106 Proposed study area.*

Motion     ***To recommend sending a letter to the FRA objecting to a) the adequacy of the proposed study area and b) the difficulty of identifying relevant view sheds for a project that remains largely undefined***  
(carried 6-0)

Key Discussion Points:

1. As part of the Union Station Expansion Project, the Federal Railway Administration is conducting a section 106 study. Accordingly, on Feb. 10 the FRA circulated a proposed Study Area and list of potentially impacted historic properties.
2. PZE members agreed that the proposed area, which stops at 3<sup>rd</sup> St NE, does not adequately cover the area likely to be affected by the proposed project. They further agreed that it is difficult to identify key view sheds when the project remains largely undefined.

## **Agenda Item #6: Discussion and Recommendations**

*Discussion of upcoming Council oversight hearings*

Motion     ***To recommend that the ANC authorize testimony at the March 16 DCRA oversight hearing***  
              (carried 6-0)

Key Discussion Points:

1. PZE members agreed that although DCRA has shown some marginal improvement over prior years in certain areas (such as public access to building permit application records), the agency's efforts at transparency remain unacceptable. Other areas of concern include unjustified and/or overbroad permits for after-hours work in or near residential neighborhoods, as well as lack of action and unresponsiveness by the Office of the Zoning Administrator to reports of zoning violations.