

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

ANC 6C Commission Meeting: December 14, 2017

PZE Meeting Date: December 6, 2017 6:30 pm

Meeting Location: Northeast Library
7th & D Streets NE

Committee Attendees: Mark Eckenwiler (Chair)
Ryan McGinness (Vice Chair)
Joel Kelty
Bobbi Krengel
Chris Mitchell
Bill Sisolak
Dru Tallant

Other Commissioners Present: Christine Healey (6C01)

Agenda Items

1. **1121 Abbey Pl. NE (BZA 19622)** – Revised application of Mark Rivetti, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201
 - a. from the lot occupancy requirements of Subtitle E § 304.1 and
 - b. from the rear yard requirements of Subtitle E § 306.1

to add a third floor and construct a four-story rear addition to an existing one-family dwelling in the RF-1 Zone at premises 1121 Abbey Place N.E. (square 773, lot 184). Representative: Mark Rivetti. Hearing on January 10, 2018. [6C06] ([Application file](#); [hearing notice](#))

2. **518 6th St. NE (HPA 18-108)** – Application of Cedar Tree Properties LLC for concept approval for rear addition. Representative: Aaron Aeschliman (architect). Hearing on December 21, 2017. [6C04]
3. **210 A St. NE (HPA 18-071)** – Application of Moustafa el Gindy for a permit to install security gate and fence atop a retaining wall. Representative: Ike Jariri. Hearing on December 21, 2017. [6C01]

Agenda Item #1: Discussion and Recommendations

1121 Abbey Pl. NE (BZA 19622) – Revised application of Mark Rivetti, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201

- a. *from the lot occupancy requirements of Subtitle E § 304.1 and*
- b. *from the rear yard requirements of Subtitle E § 306.1*

to add a third floor and construct a three-story rear addition to an existing one-family dwelling in the RF-1 Zone at premises 1121 Abbey Place N.E. (square 773, lot 184). Representative: Mark Rivetti. Hearing on January 10, 2018. [6C06]

Motion **To recommend opposition/support with conditions (see below)**
(carried 7-0)

Key Discussion Points:

1. Applicant Mark Rivetti appeared on his own behalf.
2. The applicant seeks permission to construct a third story atop an existing two-story rowhouse, as well as replace an existing rear addition. The PZE considered the original application in this case in November in the absence of the applicant (who failed to appear) and voted to oppose it.
3. A chief objection in November, and the primary topic of discussion this month, was the project's visibility from the street, which implicates the requirement at 11 DCMR Subtitle E § 5201.3(c) that an addition "not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage." Because the subject property and those along the streetfront show marked consistency, with little change from their original identical construction, a prominent third story would have a substantial visual impact.
4. The applicant presented two alternative revised plans. In the first (already filed with BZA), the new third story (with a 10'2" ceiling height) would be set back 8' from the existing façade. In the second, the third story would be set back 9'6" with a ceiling height of approximately 9'7".
5. Members of the PZE agreed that the first revised proposal would, as shown in the sight-line studies provided, substantially visually intrude on the character/scale/pattern of the streetfront, with the third story highly visible from multiple sidewalk vantage points.
6. PZE members believed that the modifications shown in the second revised plan (with lower height and greater setback) were a step in the right direction, but noted that further reductions in height of multiple feet would be easily achievable by lowering the ceiling to 8' or even 7'6" and reducing the elevation of the roof deck above the roof.
7. Accordingly, the PZE voted unanimously to recommend opposition to the first revised application, but to support the second (unfiled) revised proposal on condition that the overall height be reduced by 3'.
8. After the PZE meeting, the applicant filed new plans with BZA which are inconsistent with the PZE recommendation. The new (third revised) plans show only an 8' setback from the front and overall height reduction of 6".

Agenda Item #2: Discussion and Recommendations

518 6th St. NE (HPA 18-108) – Application of Cedar Tree Properties LLC for concept approval for rear addition. Representative: Aaron Aeschliman (architect). Hearing on December 21, 2017. [6C04]

Motion ***To recommend support with conditions***
 (carried 7-0)

Key Discussion Points:

1. Aaron Aeschliman (architect) and Todd Ashelman (owner) presented to the PZE.
2. The ANC and PZE reviewed numerous prior unsatisfactory proposals for this property from the previous owner. The new owner's proposal differs markedly from those prior efforts.
3. The applicant proposes to retain the existing nonconforming rear addition, and to construct a second- and third-story addition atop it extending 10' from the current upper-story rear façade. He also proposes to build a deck atop the remainder of the first-story addition. At the front, applicant requests to excavate a large areaway—to be covered with a security grate openable from the inside—so as to provide legal egress from a bedroom in the cellar. Alterations here would also entail bricking up the top portion of the existing cellar window opening.
4. At the PZE meeting, the applicant provided revised (unfiled) drawings reflecting at least one alteration to meet the wishes of an adjacent neighbor. Specifically, the deck will be set back 3' from the rear (west) façade of the first story.
5. Applicant provided letters of support from the owners of 516 and 520 6th St. Edwin Rodriguez, one of the owners of 520, spoke in general support. He requested that the applicant be required to face in brick not only the new upper-story additions, but also the existing first story addition. He pointed to the HPRB order from December 2016 requiring this choice of materials; PZE members noted certain important differences, such as the new plan to retain, and simply parge, the first-story addition's west façade (vs. demolishing and reconstructing, as was proposed last year).
6. The PZE voted unanimously to support the revised (unfiled) proposal on two conditions: 1) that HPRB and HPO staff look carefully at the materials and design of the proposed front grate (and the dimensions/material/thickness of the areaway retaining wall) to ensure historic compatibility, and 2) that the brick used to infill the top of the existing front cellar window opening match the brick on the original façade.

Agenda Item #3: Discussion and Recommendations

210 A St. NE (HPA 18-071) – Application of Moustafa el Gindy for a permit to install security gate and fence atop a retaining wall. Representative: Ike Jariri. Hearing on December 21, 2017. [6C01]

Motion ***To recommend opposition***
 (carried 7-0)

Key Discussion Points:

1. Applicant seeks permission to construct a 3' iron fence atop a 3'6" retaining wall at the sidewalk in front of the property "for security reasons."
2. PZE members felt that the application was inadequate on its face, as it fails to depict the exact location and design of the proposed fence.
3. Members also noted that the property is—contrary to the claims on the application—subject to a L'Enfant Trust conservation easement. The President of the Trust advised the PZE Chair before the meeting that the Trust would not allow the proposed fence.
4. PZE members also objected on the merits, noting that a high barrier is not typical of or consistent with the Historic District's front yards. PZE members were unmoved by the claimed need for security, noting that U.S. Senators and other important figures live in the Historic District without the need for extreme alterations to dwellings or adjacent public space.