

ANC 2F Community Development Committee
June 22, 2005 – 7 PM
Washington Plaza Hotel

In Attendance:

Mike Benardo, 2F06
Sandra Biasillo, 2F05
Jim Cook, 2F02
Chris Dyer, Chairman
Helen Kramer, at large
Jim Loucks, 2F06
Jim Richardson, 2F02
Samuel Robfogel, 2F01
Mike Sheaffer, 2F05

Absent:

Kevin Ivers, 2F04
Kara McCabe, 2F01
Ryan McGuinness, 2F03

Note: The meeting began late due to an unforeseen scheduling problem with the hotel.

Consent Calendar (These items were approved without objection)

1425 11 Street NW

Shawn Wayne and Laurence Caudle presented to the committee last month and received approval. They appeared again to ask for a variance on recreational space pertaining to this property.

The variance requested is 10% rather than 20% as required in a C2A Zone.

Kramer moved that the committee recommend to the ANC that it supports the proposed variance space from Section 773 of the Zoning Regulations to permit 2,803 square feet of residential recreation space or ten percent of the residential area to be provided as recreation space for the project at 1425 11 Street NW because the applicant has demonstrated practical difficulty.

Approve: Unanimous.
The motion carried.

1006 M Street

Dan Hazard, of Dan Scott Development appeared with architect Scott Jaffo to present the project's concept and design.

This is a single family home that will be developed into three condominiums. Balconies will have metal railings to match the infrastructure. There is now a one story loft atop the proposed building that will not be visible from the street. Garbage removal will be in the rear of the building. No parking will be provided, however, they hope to work with a

tourist developer that is building a multi-level parking structure on providing parking spaces.

They presented before the LCCA, and prior to receiving LCCA support, they were advised to keep the side and the rear of the building very simple.

Biasillo moved that the committee recommends to the ANC that they approve the design, concept, and massing of the project presented for 1006 M Street NW, because it is not incompatible with historic preservation guidelines.

Robfogel seconds.

Approve: Unanimous.
The motion carried.

1211 13th Street

Carolyn Brown, attorney for Holland & Knight, represents the developers of Fennessey Lofts. The project came before the committee in April and received approval, then went before HPRB and also received approval. They are now seeking a variance on zoning for lot occupancy and exception for roof structure setback provisions.

Kramer stated that the developer would strengthen their chances by emphasizing that the stable is a landmark, therefore no changes can be made to it without difficulty.

Dyer moved that the committee recommends that ANC2F recommends approval of BZA Application No. 17347 for a special exception from the roof structure setback requirements (§411 and 400.7) and area variances from the lot occupancy requirements (§ 403.2) to allow construction of an addition to an existing non-conforming structure pursuant (§ 2001.3) at 1211 13th Street, N.W. (Square 281, Lots 8 and 26).

Compliance with the roof structure requirements is impractical because of the narrow size of the lot and the requirements for efficient unit layout, and the existing landmark on the site, which must be retained and rehabilitated in its present location. The lack of setback for the penthouse along the north elevation will not adversely affect the light and air of adjacent properties because it is located along the interior lot line and adjacent to the parking lot area of the property to the north.

The variances are necessary because the site is affected by exceptional conditions inherent in the property that create practical difficulties in meeting the strict application of lot occupancy requirements. The site is L-shaped in configuration with only a very narrow portion of the site fronting on 13th Street. Further, as an individual landmark, the Proctor Alley Livery Stable must be retained and rehabilitated consistent with the recommendations of the Historic Preservation Review Board. The intent and purpose of the Zoning Regulations will not be impaired by the granting of the variances but rather will enhance this portion of 13th Street.

Kramer seconds.

Approve: Unanimous.

The motion carries.

Dyer then asked the committee to consider the idea of sub-committees to address items such as parking, street lighting, and forestry. He emphasized that there is more to community development than buildings and zoning permits.

Regular Calendar

1109 M Street NW

Sandra Biasillo stated she would abstain from voting on this matter because she is a homeowner at the adjoining property: 1111 M Street.

Crispin Etherington of Ashbourne Properties Ltd., introduced Shawn Wayne as the principal architect for the proposed addition to 1109 M Street. Ashbourne proposes a four story addition to the current site that contains a four story structure. The new addition would almost double the size of the existing structure, while staying at the same height.

The existing structure is made of brick, a tile roof, and wood with an existing third floor bay in the rear of the building. Ashbourne will connect the two buildings with brick to the East, a courtyard area, and stucco on the interior façade between the two buildings.

Ashbourne requests approval for the concept and massing of the project and two zoning variances. The first variance request is easement of the 20% recreation space requirement.

Kramer asked for the nature of use in recreational space. Etherington answered that it would be 15%. He stated that they could not provide the full 20% of recreation space due to the current configuration of the lot.

Robfogel asked for the total number of units in the new addition. Etherington answered that there would be nine units, with the possibility of at least two parking spaces. The average size of each unit would be approximately 900 to 1,000 sq. ft.

Dyer asked if Etherington has talked to the neighbors in 1109 about the impact of his development on their property.

Etherington stated that he had met with neighbors of 1109 the night before, and that they discussed various issues including trash removal. He stated that he intends to put trash removal in the back of the structure, along with two or three parking spaces. Although developers are not required to provide parking, he hopes to maximize parking spaces and accommodate trash removal. He also stated that he is willing to continue talks with the neighbors, and that he would return to the CDC to provide updates in the future.

Shelley Hearne, President of the 1111 M Street Condo Association (1111) stated that she had indications of how current neighbors feel about the proposed addition. Among them were serious concerns of how a new addition would significantly impact the residents of 1111. She stated that the Association did meet with Etherington the night before, but that there were unresolved issues remaining. In particular, was a request for an easement from 1111. Hearne said that 1111 is in the process of seeking legal representation, but that the process has been difficult. She asked that 1111 be given time to find legal representation.

Hearne asked Etherington for clarification on several issues. She indicated that it was her understanding that the historic building, including the loft, would be restored. Etherington answered that there are some plans for the loft, including air conditioning modifications. He stated that the loft must be modified in order to tie in a new extension.

Hearne asked for clarification on the representation that the furthest point of the building would be four feet. She stated that the lower floors would be moved, but that the top floors would move closer to 1111's existing building. She stated that in a matter such as this, 2, 4, and even 8 feet are very significant, as they impact light, windows, and privacy.

Dyer asked Etherington if he was aware of the easement issue, and if so, what has he done or planned to do.

Kramer asked Hearne to explain the nature of the easement. Hearne explained that it was a challenge for 1111. Their building has an emergency exit door that they were initially told to be in violation of city code. After research and investigation, they found out that the door was not in violation, but was in compliance and up to code with city standards. She stated that without legal representation, 1111 does not have full conveyance for the emergency exit.

Robfogel asked Etherington if they could proceed with development without the easement.

Etherington answered that yes, they could proceed. He stated that his team would like to accommodate the situation, not compound it. He said that they would create a legal exit on their property.

Etherington stated that he and his team would not comment on legalities, however, he stated that the easement was proposed by crossing easements into perpetuity. He stated that 1109 and 1111 could egress into each other's easement. Etherington said that what has not been represented is one common exit for all, and that his company intends to be proactive and in compliance. He reminded the committee that Ashbourne was allowed to build up to the property line.

Sam Black, also from 1111, reiterated that they do not have the technical expertise on the issues being presented, although these items would impact significantly. From his perspective, the easement issue needed clarification, and the proposed addition included window placements that would not benefit residents of 1111.

Dyer stated that he appreciated the need for time from 1111 and also the need from Ashbourne to move forward. He invited the committee to make a motion.

Kramer stated that the committee had two separate regulatory issues for consideration. The first was concept, design, and massing, and the zoning variance. The second is the issue of the easement between the two adjacent property owners. Kramer stated that this did not fall under Historic Preservation Review Board (HPRB) interests.

Dyer asked Wayne if the easement was something along the lines of a deal breaker, of if this was something that 1109 and 1111 could work out between themselves.

Wayne replied that they are limited in compliance due to the proposed courtyard. Etherington further explained that the courtyard required is 18 feet, however, they propose 17 ft.

Georgio asked all present if they understood that the courtyard would not exist if there was only one building. He stated that the courtyard brings more opportunities for windows and light and the possibility for more one bedroom units being added.

Dyer stated to 1111 that he appreciated that they came forward to present to the CDC, and that they were seeking legal expertise in order to gain knowledge on the issues stated. However, the role of Commissioners, particularly on this committee, was to consider issues most important to HPRB. Dyer stated that Ashbourne was not appearing before HPRB until July, then they would return to the CDC in September, and would later present to the ANC in October. He stated that was significant time for 1111 to find representation and become more knowledgeable on the subjects at hand.

Dyer called for a motion on this matter.

Kramer moved to recommend to the ANC that they approve the design, concept, and massing for the addition to 1109 M Street NW, because it is not incompatible with historic preservation guidelines and the height of the massing cannot be seen from the street.

Loucks seconds.

Approve: 7 Opposed: 1 Abstain: 1
The motion carried.

Kramer moved that the committee recommends to the ANC that it indicate its approval to the Office of Zoning (BZA) of the application for a variance from sec. 773 of the zoning regulations that requires 15% of the FAR to be set aside for recreational use, on the grounds that providing such space on such a small lot would cause undue hardship on the property owner. Secondly, that the ANC indicate its support for a variance from the

minimum courtyard requirement on the grounds that it would not have an adverse impact on the amount of light available to the adjoining residential units.

Loucks seconds.

In the ensuing discussion Robfogel raised concerns about the density of the property if a separate addition is added and would like the ANC to consider this factor when it deliberates this issue.

Approve: 4 Opposed: 4

Abstain: 1

The motion failed.

Dyer stated that the ANC will have to discuss the zoning as the CDC cannot offer a recommendation.

1529 14th Street NW, The Matrix – Traffic Control Plan

Rita Bamberger of The Holladay Corporation announced that they purchased this project from Georgetown Restoration. It was formerly known as “The Phaeton.” Included in the purchase were the drawing plans which have already been approved by the committee.

Bamberger and her team discussed the placement of a mobile crane that would sit in front of the building on 14th Street. While in use, a lane of traffic and the sidewalk would need to be closed for safety reasons. They expect the process to take 15-16 weeks.

Monica Bussolati, owner of 1541 14th Street, asked the committee to consider her tenant, Candida’s World of Books, and the negative impact the business may experience with the sidewalk and street closed.

Robfogel asked The Holladay Corporation to consider reopening the sidewalk for evenings and weekends. Bamberger stated that they would try to perform this, however, when the crane is present, and in use, it would require the closure of the street and sidewalk.

Bamberger and her team agreed to have a more detailed schedule of work to be presented when they go before the ANC.

Robfogel moved that the committee recommends to the ANC the adoption of the proposed traffic control plan, as it pertains to The Matrix, subject to the following provisions:

1. Documentation for public posting to include sidewalk closure dates and times.
2. Documentation for public posting to include closure of the driving lane on 14th Street.
3. Documentation for public posting to include treatment, preservation, and care of trees located at the project site.

4. Documentation for public posting to include scheduled movement of the Metro bus-stop at the project site.
5. Documentation on the trash removal process during construction.

Kramer seconded.

Approval: Unanimous.

The motion carried.

1004 N Street

Jemal Williams stated that he was returning to the committee to address previous concerns regarding this project. He presented to LCCA and the ANC and had changed plans from four and five stories. At one point, designs called for full use of their 50 foot allowance. Williams stated that they have reduced the number of levels, and changed the top of the bay window and redesigned the cornice lines.

Williams stated that in his presentation to LCCA he stated that he wanted the building to be separated from those adjoining. Williams stated that his developers did not feel it necessary for the building to be in alignment with those neighboring it.

Jim Louckes stated that he did not approve of the new plans. He stated that he would create an itemized list of the incompatible issues involving this project.

Robfogel moved that the committee recommend to the ANC that they approve the design, concept, and massing of the project at 1004 N Street NW, because it is not incompatible with historic preservation guidelines.

Dyer seconds.

Approve: 4

Opposed: 5

The motion failed.

917 M Street NW

Steve Dickens stated that he brought this project before HPRB, and the board stated concerns with this project being developed next door to a landmark second story empire house.

Dickens stated that he has revised the plans to make the hyphens seem “porch-like” and to align the building with the adjacent structures. Furthermore, the new plans call for the elimination of one level of parking garage space, however, they are proposing the conversion of the old garage into a new garage instead of becoming residential units.

Robfogel moved that the committee recommends to the ANC that they approve the design, concept, and massing of the project at 917 M Street NW, because the revised plans are not incompatible with historic preservation guidelines.

Biasillo seconds.

Approve: 8 Opposed: 1
The motion carried.

The meeting was adjourned at 10:25 PM.