
**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address:	138 12th Street, NE	X	Agenda
Landmark/District:	Capitol Hill Historic District		Consent Calendar
			Concept Review
Meeting Date:	December 15, 2005	X	Alteration
H.P.A. Number:	05-522		New Construction
Staff Reviewer:	Emily Paulus		Demolition
			Subdivision

The applicant, DBF Associates Architects for the AppleTree Institute for Education, seeks approval to construct a three-story with partial rooftop addition to the rear of a contributing two-story former commercial property in the Capitol Hill Historic District in order to accommodate the conversion of the property into a charter school. The addition would be largely invisible from 12th Street, but would be visible from the rear alley.

The property is situated mid-block on the west side of 12th Street, NE, just north of Lincoln Park. The immediate vicinity is composed of two and three-story rowhouses and is predominantly residential in character; the subject property appears to be the only commercial/institutional use on the block. The existing building on the site was constructed sometime in the 19-teens, first appearing in city directories in 1916 when it was owned by L.P Steuart Brothers and functioned as an office facility. Subsequently, it was occupied by the Knights of Saint John and Women's Auxiliary and used as a community facility. The building retains a high degree of integrity and appears to have experienced only minor cosmetic modifications on the front façade. The existing building footprint measures 40 by 36 feet, totaling approximately 4,200 square feet.

Project Description

The applicant originally submitted the project for review in November, at which time the addition measured 54 by 36 feet and totaled approximately 6,800 square feet; the lot occupancy would have increased from 34% to 80%. The plans also included outdoor play/recreation space atop the rear of the second floor addition. The applicants electively withdrew this proposal after receiving negative feedback from the community and HPRB staff, who felt the applicant's program was simply too aggressive for the building and site and the proposed addition simply too large to be considered compatible.

The applicants have spent the last month scaling back the proposal to 60% lot occupancy, with the revised footprint measuring 30 by 36 feet. In addition, the rooftop play area has been eliminated in favor of a sunken courtyard at the basement level. The partial third floor remains and includes a classroom, bathroom, staircase, and elevator shaft; it would be set back approximately 26 feet from the front façade and extend approximately 44 feet deep. Approximately 12 feet of the third floor addition would sit atop the existing building; the elevator shaft would be housed within the new addition, rather than slicing

through the historic building. The front elevation of the third floor addition would be finished in stucco while the rear wall would be finished in brick and include a secondary entrance at the first floor, with paired double-hung windows topped by segmental brick arches at the first and second floors. In addition to the sunken courtyard, the rear yard would include accommodation for three parking spaces.

On the front façade, only minor cosmetic alterations are proposed, including new doors, replacement windows, and awnings atop the first floor apertures.

Evaluation and Recommendation

The most fundamental aspects of the proposal – including the rehabilitation of the front façade and the very basic notion of adding to the rear of the existing building – are not inconsistent with the character of the Capitol Hill Historic District, or with previously-approved projects on similar buildings. The staff's previous reservations with the proposed size and mass of the addition in relation to its immediate context have been substantially and satisfactorily addressed. The addition's depth is now consistent with the sizes of other additions in this single-family residential neighborhood, and the resulting open rear yard more characteristic of the historic district. The partial third floor addition is compatible among the varied heights of buildings and additions along the alley, and is consistent with other partial rooftop additions approved in this and other historic districts. The fact that the third floor stands less than a full floor higher than the adjacent buildings also mitigates the overall visual impact on the allyscape. The staff takes no issue with the overall design or material use proposed for the rear addition, which while perhaps more decorated than most rear facades, seems generally compatible with the character of the neighborhood.

In addition, the staff's previous concerns about visibility and demolition of historic fabric have largely been addressed through moving the elevator shaft into the addition and thus further back from the front façade. Nevertheless, because the submitted sight line section only addresses visibility from directly across the street, the staff would recommend including additional views that illustrate visibility from oblique vantage points. Ultimately, the applicant may want to conduct a flag test for the staff's review and consideration prior to finalizing an acceptable setback.

Zoning Considerations

While not within the purview of this Board, it should be noted that there are some zoning issues that, at the moment, remain unresolved. The applicant maintains they are considered a "public school" for zoning purposes, and thus can build to 80% lot occupancy with capacity for 72 students and 16-20 staff by right, or, without the need for zoning relief; this understanding was apparently confirmed through a preliminary meeting with a previous Zoning Administrator earlier this year. According to ANC 6A and others in the neighborhood, however, the facility does not meet the definition of what constitutes a public school for zoning purposes because it is not operated, maintained, or chartered by the District of Columbia Board of Education. Rather, they contend, it should be recognized as a "child development center," which is allowed by right in the subject

zoning district provided it serves no more than 16 children and occupies no more than 40% of the lot. The applicant has met with the current Zoning Administrator and, until very recently, was awaiting an advisory opinion on this issue; however, the Department of Consumer and Regulatory Affairs (DCRA) has indicated that the Zoning Administrator's Office will not be issuing an advisory opinion, but rather will make a ruling on a case-by-case basis once the permit application is submitted. In the meantime, the Office of Planning intends to work on zoning text to clarify the issue and address potential impacts and hopes to get this to the Zoning Commission sometime in early 2006. It should be stressed here that the Historic Preservation Review Board's action is completely separate from that of the Zoning Commission or Board of Zoning Adjustment, and any approvals should not be construed as an endorsement of the necessary zoning variances or zoning relief.

The staff recommends that the Review Board approve the project in concept as consistent with the purposes of the preservation act, with further study conducted to ensure invisibility of the third floor from 12th Street as described above, and delegate final approval to staff; however, any approvals should not be construed as an endorsement of any necessary zoning variances or zoning relief.